

February 12, 2009

The Regular meeting of the Otsego County Board of Commissioners was held in the Multi-Purpose Room of the J. Richard Yuill Alpine Center. The meeting was called to order at 9:30 a.m. by Chairman Glasser. Invocation by Chairman Glasser, followed by the Pledge of Allegiance led by Commissioner Johnson.

Roll call:

Present: Backenstose, Bates, Beachnau, Glasser, Harkness, Hyde, Johnson.

Excused: Brown, Liss.

The regular minutes of January 27, 2009, with attachments were approved as corrected. The minutes were corrected to read, Chairman Glasser appointed Doug Johnson and Robert Harkness as delegates and Bruce Brown as an alternate to the Health Department.

The agenda was amended to add under new business item D) OCR-09-03 Resolution of Support for Remonumentation; Item E) Commission on aging appointment.

Consent Agenda:

Motion to approve OCR-09-02 MERS Health Care Savings Program Participation Agreement as presented.

Roll Call Vote:

Ayes: Backenstose, Bates, Beachnau, Glasser, Harkness, Hyde, Johnson.

Nays: None.

Excused: Brown, Liss.

Motion carried/Resolution adopted. (see attached)

Motion to approve the Housing Committee Appointment of Karyn M. Warsow with the term to expire February 12, 2012. Ayes: Unanimous. Motion carried.

Special Presentations:

Patricia Osborne from the Soil Conservation presented the Board the new Plat Books.

Suzy DeFeyter gave the Board her quarterly report.

Angel Oppermann updated the Board on the Animal Control.

Correspondence:

Chairman Glasser received a letter from Huron Pines; Notice from NEMCOG re: rental rehabilitation grant.

New Business:

Motion by Commissioner Johnson, to approve the February 3, 2009 Warrant in the amount of \$405,948.37 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Backenstose, to approve the February 10, 2009 Warrant in the amount of \$203,368.67 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Harkness, to approve the Criminal Justice Master Plan. Ayes: Unanimous. Motion carried.

Motion by Commissioner Beachnau, to establish a Recycling Ad Hoc Committee with membership to be decided by the Chairman of the Board of Commissioners. Ayes: Unanimous. Motion carried.

Chairman Glasser appointed Ken Glasser, Paul Beachnau-Chair, John Burt, Jack Thompson, Phil Alexander, Judge Patricia Morse, Bill Marshall, Kam Ensing, Joe Wambold and Diane Rekowski to the Recycling Ad Hoc Committee.

Chairman Glasser appointed Bruce Brown, Erma Backenstose-Chair, John Burt, Angel Oppermann, Rudi Edel, James McBride, Jamie Shelters, Jack Thompson, Maureen Derenzy and a Planning Commission member to the Future Planning Ad Hoc Committee.

Chairman Glasser appointed Doug Johnson-Chair, Bruce Brown, John Burt, Bill Giles, Otsego Lake Township representative, County Road Commission representative, Mike Tarbutton and a member from the Parks Board to the Parks and Recreation Dredge Disposition Ad Hoc Committee.

Motion by Commissioner Bates, to adopt Resolution OCR-09-03 supporting Remonumentation funding as presented.

Roll Call Vote:

Ayes: Backenstose, Bates, Beachnau, Glasser, Harkness, Hyde, Johnson.

Nays: None.

Excused: Brown, Liss.

Motion carried/Resolution adopted. (see attached)

Motion by Commissioner Hyde, to appoint Alan Couture to the Commission on Aging to fill the vacancy left by Margaret Richards, with the term ending December 31, 2009. Ayes: Unanimous.

Public Comment:

Mary Jergenson is looking for the Right to Life Judges.

Board Remarks:

Commissioner Backenstose: Monthly breakfast series with the Commission on Aging.  
MAC Conference.

Commissioner Harkness: NEMCOG.

Commissioner Hyde: Bagley Township Meeting.

Commissioner Beachnau: Annual Chambers Awards Luncheon at Treetops.  
Ice Drag races postponed until Feb 20-22

Commissioner Johnson: Attended Chamber luncheon.  
MAC Conference.

Chairman Glasser: MAC Conference.

Meeting adjourned at 10:27 a.m. at the call of the Chair.

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Kenneth R. Glasser, Chairman

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Susan I. DeFeyter, County Clerk



**HEALTH CARE SAVINGS PROGRAM  
PARTICIPATION AGREEMENT**

**OTSEGO COUNTY**

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**(Participating Employer)**

**Municipal Employees' Retirement System of Michigan  
1134 Municipal Way  
Lansing, MI 48917  
517-703-9030**

**Restated: November 15, 2005  
(Approved May 14, 2003 and  
amended August 19, 2004)**

## HEALTH CARE SAVINGS PROGRAM EMPLOYER

Effective Date of this Participation Agreement April 1, 2009

Health Care Savings Program Coordinator (Name and title) Trisha Adam, Human Resources Director

Address 225 W. Main St. #203, Gaylord, MI 49735

Phone (989) 731-7522 Facsimile (989) 731-7529

E-mail tadam@otsegocountymi.gov

### COVERED EMPLOYEE GROUPS

A participating Employer may cover all of its employee groups, bargaining units or personnel/employee classifications ("Covered Group"), in Health Care Savings Program or select from the listing below. Contributions shall be made on the same basis within each Covered Group identified by this agreement, and remitted as directed by the Program Administrator. If the Employer has varying coverage or contribution structures between groups, a separate agreement will need to be completed for each covered group. This agreement encompasses the group(s) listed below:

All Eligible Employees within the following bargaining unit(s) or personnel/employee classification(s) (must specify below, e.g., MERS Division 1; All Police & Fire; or Police Command):

All Teamsters Local #214 Clerical employees hired after  
January 22, 2009 and current Teamsters Local #214 Clerical  
employees that opt out of retiree healthcare.

### ELIGIBLE EMPLOYEES

Only Employees of a "municipality" may be covered by the Health Care Savings Program Participation Agreement. Independent contractors may not participate in the Health Care Savings Program. 2. Subject to other conditions in the Trust Document and this Participation Agreement, the following Covered Group of Employees are deemed to be "qualified persons" eligible to participate in the Health Care Savings Program:

Check one or both:

- With respect to Covered Groups, this Participation Agreement covers all employees who are in a collective bargaining unit, subject to the terms of the collective bargaining agreement.

- With respect to Covered Groups, this Participation Agreement covers all employees who are subject to the same personnel policy, according to the terms of the policy.

The Employer shall provide MERS with the name, address, Social Security Number, and date of birth for each Eligible Employee, as defined by the Participation Agreement on Employee Enrollment and Beneficiary Designation forms to be provided by MERS Health Care Savings Program.

### EMPLOYER CONTRIBUTIONS TO THE HEALTH CARE SAVINGS PROGRAM

The Participating Employer hereby elects to make contributions to the Trust. Once you have determined the contribution structure, language should be added in the appropriate area below. Contributions shall be made on the same basis within each Covered Group specified in this agreement, and remitted to MERS as directed by the Program Administrator along with the Participation Report, to be credited to the individual accounts of Eligible Employees as follows:

Check one or more, as applicable:

- Basic Employer (Before-Tax) Contributions

These employer contributions may be made as a percentage of salary and/or by a specified dollar amount. Identify below the basic employer contribution formula to be applied to the covered groups within the Health Care Savings Program identified in this agreement.

Contribution structure (specify): The Employer will match employee  
contributions up to \$40 per month.

- Vesting Cycle For Basic Employer Contributions Only

The employer contributions identified in this Participation Agreement are subject to the following vesting cycle.

Years of Service	Percentage Vested
1	100%
	100%

**FORFEITURE PROVISION.** Upon separation from the service with the Employer prior to meeting required vesting schedule set out above, or upon Death of the Participant, prior to meeting the required vesting schedule, a Participant's account assets shall:

Check only one, as applicable:

- Remain in the HCSP sub-trust to be reallocated among all Plan Participants in on equal dollar basis
- Remain in the HCSP sub-trust to be used to offset future Employer Contributions
- Be transferred to the Employer's Health Funding Vehicle ("RHFV").

**Mandatory Salary Reduction (Before-Tax) Contributions**

Before-tax Employer Contributions to the Health Care Savings Program Sub-Trust shall be made that represent a mandatory salary reduction resulting from collective bargaining or the establishment of a personnel policy. These reductions may be made as a percentage of salary or a specific dollar amount.

Contribution structure (specify): All Teamsters Local #214 Clerical employees  
will contribute \$20 per month with the ability to elect up to  
\$1,000 per month. Employees may increase their contributions  
from time to time, but never decrease them.

**Mandatory Leave Conversion (Before-Tax) Contributions**

Before-tax Employer Contributions to the Health Care Savings Program Sub-Trust shall be made that represent a mandatory conversion of accrued leave including, but not limited to vacation, holiday, sick leave, or severance amounts otherwise paid out, to a cash contribution. These contributions may be calculated as a percentage of accrued leave or a specific dollar amount representing the accrued leave. Leave conversions may be made on an annual basis or at separation from service, or at such other time as the Employer indicates. *(Note: The leave conversion program shall not permit employees the option of receiving cash in lieu of the employer contribution.)*

The following type of leave shall be converted to an employer cash contribution to Health Care Savings Program:

Check one or more, as applicable:

**Vacation Leave Conversion Contribution Structure:**

- As of \_\_\_\_\_, \_\_\_\_\_% of vacation leave must be contributed to HCSP.  
(Annual Date or X weeks prior to termination)

Other (specify): \_\_\_\_\_

**Sick Leave Conversion Contribution Structure:**

As of \_\_\_\_\_, \_\_\_\_\_ % of sick leave must be contributed to HCSP.  
(Annual Date or X weeks prior to termination)

Other (specify): \_\_\_\_\_  
\_\_\_\_\_

**Personal Leave Conversion Contribution Structure:**

As of November 30th, 100 % of personal leave must be contributed to HCSP.  
(Annual Date or X weeks prior to termination)

Other (specify): \_\_\_\_\_  
\_\_\_\_\_

**Severance Pay Conversion Contribution Structure:**

As of \_\_\_\_\_, \_\_\_\_\_ % of severance pay must be contributed to HCSP.  
(Annual Date or X weeks prior to termination)

Other (specify): \_\_\_\_\_  
\_\_\_\_\_

**Post-Tax Employee Contributions**

The Participating Employer hereby elects to permit post-tax Employee Contributions to be made by Eligible Employees within the Covered Group(s), which shall be remitted as directed by the Program Administrator, to be credited to the individual accounts of Eligible Employees. All Employee Contributions must be remitted to MERS along with the Participation Report.

**MODIFICATION OF THE TERMS OF THE PARTICIPATION AGREEMENT**

If a Participating Employer desires to amend any of its previous elections contained in this Participation Agreement, including attachments, the Governing Body by official action must adopt a new Participation Agreement and forward it to the Board for approval. The amendment of the new Participation Agreement is not effective until approved by the Board and other procedures required by the Trust Plan Document have been implemented.

**STATE LAW**

To the extent not preempted by federal law, this agreement shall be interpreted in accordance with Michigan law.

**TERMINATION OF THE PARTICIPATION AGREEMENT**

This Participation Agreement may be terminated only in accordance with the Trust Plan Document.

**EXECUTION BY GOVERNING BODY OF MUNICIPALITY**

The foregoing Participation Agreement is hereby adopted and approved on the 12 day of February, 2009.

**GOVERNING BODY**

Otsego County  
Name of Employer

Signed \_\_\_\_\_

Printed Name Kenneth R. Glasser

Title Chair, Board of Commissioners

Date of Signature 2-12-2009

**MERS APPROVAL**

The Participation Agreement is approved by MERS. Contributions shall first be remitted beginning with the month of \_\_\_\_\_, 20\_\_\_\_.

Dated: \_\_\_\_\_, 20\_\_\_\_ By \_\_\_\_\_  
(Authorized MERS signatory)

Title \_\_\_\_\_

**OCR 09-03**  
**RESOLUTION OF SUPPORT FOR**  
**COUNTY REMONUMENTATION PROGRAM**  
Otsego County Board of Commissioners  
February 12, 2009

**WHEREAS**, the State of Michigan is considering the various uses of proposed economic stimulus monies from the Federal Government, and,

**WHEREAS**, in 2006, the State of Michigan Legislature removed \$15,000,000 from the State Survey and Remonumentation fund in an effort to balance the state budget for that year, and,

**WHEREAS**, in Section 54.271 of Act 345 of 1990, the Legislature cited specific funding levels for the program which have not been met, and,

**WHEREAS**, since the removal of these funds in 2006, statewide funding for the program has decreased from \$10,134,000 in 2006 to \$4,000,000 in 2009, and,

**WHEREAS**, the removal of these funds has seriously impaired the effectiveness and progress of this program, and,

**WHEREAS**, this program has been extremely beneficial to all residents of the State of Michigan, since original corner positions of the Public Land Survey control the boundaries of every parcel in Otsego County and the State of Michigan, and,

**WHEREAS**, this program is designed to recover, monument, record and perpetuate these original corner positions, and,

**WHEREAS**, the information provided by this program is also designed to be the basis of all municipal GIS within the State, and,

**WHEREAS**, these additional funds will benefit the implementation of each County wide GIS, which is intended to assist in 911 emergency responses, now, therefore, be it

**RESOLVED**, that the Otsego County Board of Commissioners are in support of the use of \$15,000,000 of the economic stimulus monies for the State of Michigan Survey and Remonumentation Program for 2009 and an additional \$15,000,000 to supplement the program through fiscal year 2010.