

March 11, 2014

The Regular meeting of the Otsego County Board of Commissioners was held in the County Building at 225 West Main Street, Room 100. The meeting was called to order at 9:30 a.m. by Chairman Lee Olsen. Invocation by Commissioner Ken Borton, followed by the Pledge of Allegiance led by Patricia Osburn.

Roll call:

Present: Tammy LaBouef, Paul Liss, Lee Olsen, Erma Backenstose, Richard Sumerix, Doug Johnson, Ken Borton, Bruce Brown.

Excused: Paul Beachnau.

Motion by Commissioner Paul Liss, to approve the regular minutes of February 25, 2014 with attachments Ayes: Unanimous. Motion carried.

Consent Agenda:

Motion to approve MERS Health Care Savings Program Participation Agreement. Ayes: Unanimous.

Motion to adopt, OCR 14-08 Mortgage discharge of Norma J. Zillgitt.

Roll Call:

Ayes: Tammy LaBouef, Paul Liss, Lee Olsen, Erma Backenstose, Richard Sumerix, Doug Johnson, Ken Borton, Bruce Brown.

Nays: None.

Excused: Paul Beachnau.

Motion carried/Resolution adopted. (see attached)

Administrator's Report:

John Burt reported on the Red Cross; Sheriff Patrol car bids due Friday; East side web camera repaired; Land Use services agreement with the Townships.

Special Presentation:

Patricia Osburn reported on the Conservation District.

Lisha Ramsdell reported on Huron Pines.

Roberta Tholl reported on the local roads matter program.

Committee Reports:

Motion by Commissioner Paul Liss, to remove section 10.2 from the Board Bylaws and renumber the two sections following. Ayes: Paul Liss, Lee Olsen, Richard Sumerix, Doug Johnson, Ken Borton, Bruce Brown. Nays: Tammy LaBouef, Erma Backenstose. Excused: Paul Beachnau. Motion carried.

City Liaison, Township and Village Representatives- No reports.

Jack Thompson reported on the M-TECH.

Correspondence: None.

New Business:

Motion by Commissioner Erma Backenstose, to approve the March 4, 2014 Warrant in the amount of \$39,781.02 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Richard Sumerix, to approve the March 11, 2014, Warrant in the amount of \$838,470.20 as presented. Ayes: Unanimous. Motion carried.

Public Comment:

Chairman Lee Olsen opened up the meeting for public comment.

Board Remarks:

Commissioner Rich Sumerix reported on Bagley Township; Health Department.

Commissioner Bruce Brown had no report.

Commissioner Paul Liss reported on Community Mental Health.

Commissioner Erma Backenstose attended the Friends for Life Banquet; Reported on Otsego Lake Township.

Commissioner Tammy LaBouef reported on the City Council meeting.

Commissioner Doug Johnson reported on the Parks and Recreation Commission meeting; Health Department.

Commissioner Ken Borton attended the NACO Conference.

Chairman Lee Olsen announced the next Board meeting is March 27, 2014

Meeting adjourned at 10:48 a.m.

Lee F. Olsen, Chairman

Susan I. DeFeyter, Otsego County Clerk

MERS Health Care Savings Program Participation Agreement



1134 Municipal Way Lansing, MI 48917 | 800.767.2308 | Fax 517.703.9711

www.mersretire.com

I. PARTICIPATING EMPLOYER

Employer Name: Otsego County Board of Commissioners
(Name of municipality or court)
Municipality Number: 6902 Division Number: _____

II. EFFECTIVE DATE

1. If this is the initial Participation Agreement relating to the MERS Health Care Savings Program for this covered group, the effective date of the program here adopted shall be:
February 23, 2014
(Date)
 2. If this is an amendment and restatement of an existing Participation Agreement relating to the MERS Health Care Savings Program for this covered group, the effective date of this amendment and restatement shall be effective: _____
(Date)
- This Participation Agreement is intended to replace and serve as an amendment of the Employer's preexisting program, which was originally effective: _____
(Date)

III. 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. **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 following group(s):

Non-Union full-time employees hired after 2/23/2014
(Name/s of HCSP covered group/s)

IV. 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. 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.

MERS Health Care Savings Program Participation Agreement

REINSTATEMENT OF FORFEITURES. If a Participant experiences Forfeiture, but is re-employed by the same employer within a defined period assets may be reinstated to the Participant's HCSP account.

Check only one:

- Yes, reinstate all Forfeitures for participants re-employed within _____ period.
(Time period)
- No, do not reinstate Forfeitures.

- B. 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):

\$40/mth

- C. 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.)*

Check one or more:

- As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
 must be contributed to the HCSP.
- As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
 must be contributed to the HCSP.
- As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
 must be contributed to the HCSP.
- As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
 must be contributed to the HCSP.

MERS Health Care Savings Program Participation Agreement

Post-Tax Employee Contributions. Post-tax Employee Contributions made by Eligible Employees within the Covered Group(s) 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.

VI. 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 Agreement and Plan Document have been implemented.

VII. STATE LAW

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

VIII. TERMINATION OF THE PARTICIPATION AGREEMENT

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

IX. EXECUTION BY GOVERNING BODY OF MUNICIPALITY

The foregoing Participation Agreement is hereby adopted and approved on the 11 day of March, 2014 at the official meeting held by Otsego County Board of Commissioners
(Name of approving employer)

Authorized Signature: _____

Title: Chairman, Board of Commissioners

Witness Signature: _____

Received and Approved by the Municipal Employees' Retirement System of Michigan

Dated: _____, 20____

(Authorized MERS signatory)

RESOLUTION NO. OCR 14-08
AUTHORIZING RESOLUTION
OTSEGO COUNTY BOARD OF COMMISSIONERS
March 11, 2014

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 7857 Maple Street, Vanderbilt, Michigan 49795 and has a mortgage recorded in the office of the Register of Deeds for Otsego County, Michigan, in Liber 731, Pages 685-692 and a Loan Modification recorded in Liber 736 Pages 641-642, in the name Norma J. Zillgitt, a single woman and

WHEREAS, said Mortgage has been paid in full; now, therefore, be it

RESOLVED, that Otsego County hereby Issues a DISCHARGE OF MORTGAGE to, Norma J. Zillgitt, a single woman and, be it further

RESOLVED, that the Otsego County Administrator, on behalf of the Otsego County Board of Commissioners, be authorized to sign said document.

favor of the proposed action.

- 9.4. No vote may be taken by secret ballot except on the question of electing a Chairperson.
- 9.5. Mandatory voting on all issues shall be required unless a member is recused, due to conflict of interest, by a majority of the Board.
- 9.6. A question may be reconsidered and decided by a roll call vote if called for by a member who voted with the majority on the roll call. Any member may ask for reconsideration if the matter was decided viva voce. However, a matter may not be reconsidered more than once.
- 9.7. Conflict of interest suggests that a commissioner has a direct or indirect interest in a contract or other business transaction. Members are encouraged to vote after making public the possible conflict.

10. RECORD OF MEETINGS

- 10.1. The County Clerk shall be the Clerk of the Board and will be responsible for maintaining the official records and minutes of Board meetings. The minutes shall include all actions and decisions made by the Board and shall indicate the name of the mover of motions and resolutions. Resolutions will be considered by roll call vote and each commissioner's vote indicated.
- ~~10.2.~~ Record of discussion
The Clerk shall not be responsible for maintaining a written record or summary written record of the discussions and comments made by Board members or comments made by members of the public. However, the Clerk shall be responsible for making an electronic tape recording of each meeting of the Board. These tapes shall be maintained in the office of the Clerk for a period of six (6) months. The tapes will not leave the office of the Clerk. **Recommended to be removed.**
- 10.2. Request for remarks to be included.
A commissioner may have his/her comments printed as part of the minutes upon the concurrence of a majority of the members present. Such comments to be included in the record shall be provided to the clerk in writing.
- 10.3. Public access to meeting records
The Clerk shall make available to the public the records of Board meetings in accordance with the Freedom of Information Act. Board minutes prepared but not approved by the Board shall be made available for public inspection not more than seven working days following the meeting. Approved minutes shall be available the day following the meeting of the Board wherein approval was given.

11. COMMITTEES: The intent of the committee is not to assume the management authority of either the department head or the County Administrator, but rather to ensure the integrity of all policies affecting the public. The County Administrator or the board determines which issues need committee action prior to board action. Each committee shall thoroughly investigate any matter referred to it and shall report in writing its findings to the board without undue delay. Upon the motion of any board member and approval by a majority of the board, the board may discharge a committee from further consideration of any matter.