

# 2011 RESOLUTIONS

<b>OCR 11-01</b>	<b>Eugene Fleming - recognition</b>	<b>BOC 01/11/11</b>
<b>OCR 11-02</b>	<b>Appointment of Court Magistrate - Lisa Van Liere</b>	<b>BOC 01/11/11</b>
<b>OCR 11-03</b>	<b>Opposition to Proposed Legislation HB 4102, HB4103, SB34</b>	<b>BOC 02/08/11</b>
<b>OCR 11-04</b>	<b>Board/Commission/Committee Appointment Policy</b>	<b>BOC 02/08/11</b>
<b>OCR 11-05</b>	<b>Bus System Intent to apply for Financial Assistance FY2012</b>	<b>BOC 02/22/11</b>
<b>OCR 11-06</b>	<b>Discharge of Mortgage - Lamberies</b>	<b>BOC 03/22/11</b>
<b>OCR 11-07</b>	<b>Recognition of Barbara Fleming</b>	<b>BOC 04/12/11</b>
<b>OCR 11-08</b>	<b>May 2011 as Social Host Liability Awareness Month</b>	<b>BOC 04/12/11</b>
<b>OCR 11-09</b>	<b>NMSAS Position Paper Support</b>	<b>BOC 04/26/11</b>
<b>OCR 11-10</b>	<b>MERS Restated Hybrid-POAM</b>	<b>BOC 04/26/11</b>
<b>OCR 11-11</b>	<b>National Police Week/Peace Officers Memorial Day</b>	<b>BOC 05/10/11</b>
<b>OCR 11-12</b>	<b>Inter-Municipal Committee for Cooperative Land Use Planning</b>	<b>BOC 05/24/11</b>
<b>OCR 11-13</b>	<b>Discharge of Mortgage - Thompson/Ancona</b>	<b>BOC 06/14/11</b>
<b>OCR 11-14</b>	<b>Discharge of Mortgage - Brown</b>	<b>BOC 06/14/11</b>
<b>OCR 11-15</b>	<b>Salt storage Project Bonds</b>	<b>BOC 06/28/11</b>
<b>OCR 11-16</b>	<b>Roland (Ron) Chavey recognition</b>	<b>BOC 06/28/11</b>
<b>OCR 11-17</b>	<b>Recognition of 2011 Alpenfest der Buergermeister-Bill Granlund</b>	<b>BOC 07/12/11</b>
<b>OCR 11-18</b>	<b>Recognition of 2011 Alpenfest Parade Marshal-Dean Johnson</b>	<b>BOC 07/12/11</b>
<b>OCR 11-19</b>	<b>Recognition of 2011 Alpenfest Honored Industry-United Way</b>	<b>BOC 07/12/11</b>
<b>OCR 11-20</b>	<b>OCRC Resolution to approve form of Sublease</b>	<b>BOC 07/26/11</b>
<b>OCR 11-21</b>	<b>MEDC - CDBG Funding</b>	<b>BOC 08/23/11</b>
<b>OCR 11-22</b>	<b>John &amp; Tricia Coger recognition</b>	<b>BOC 08/23/11</b>
<b>OCR 11-23</b>	<b>MSHDA - HRF Application</b>	<b>BOC 09/13/11</b>
<b>OCR 11-24</b>	<b>Rental Rehab - Housing</b>	<b>BOC 09/13/11</b>
<b>OCR 11-25</b>	<b>MERS Teamsters Bus resolution</b>	<b>BOC 09/13/11</b>
<b>OCR 11-26</b>	<b>Sept. 2011 National Preparedness Month</b>	<b>BOC 09/13/11</b>
<b>OCR 11-27</b>	<b>MERS Teamsters Clerical resolution</b>	<b>BOC 09/13/11</b>
<b>OCR 11-28</b>	<b>Shirley Jenkins recognition</b>	<b>BOC 09/27/11</b>
<b>OCR 11-29</b>	<b>MERS Hybrid (Courts) resolution</b>	<b>BOC 09/27/11</b>
<b>OCR 11-30</b>	<b>Proclamation of Conflict Resolution Day</b>	<b>BOC 10/11/11</b>
<b>OCR 11-31</b>	<b>James Cotant recognition</b>	<b>BOC 10/25/11</b>
<b>OCR 11-32</b>	<b>Oppose closure of Gaylord Processing/Dist. Facility-USPS</b>	<b>BOC 10/25/11</b>
<b>OCR 11-33</b>	<b>Veterans' Day ceremony recognition</b>	<b>BOC 11/08/11</b>
<b>OCR 11-34</b>	<b>FY2012 Budget Resolution &amp; General Approp. Act</b>	<b>BOC 11/22/11</b>

<b>OCR 11-35</b>	<b>Commendation Honoring Philip Curtiss</b>	<u>BOC 11/22/11</u>
<b>OCR 11-36</b>	<b>Adopt 2012-2016 Parks &amp; Rec Plan</b>	<u>BOC 12/13/11</u>
<b>OCR 11-37</b>	<b>Discharge of Mortgage-Rolinski</b>	<u>BOC 12/13/11</u>
<b>OCR 11-38</b>	<b>Support of CRAM's Position on HB 5125-5126</b>	<u>BOC 12/13/11</u>

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 11<sup>th</sup> day of January, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE, MICHAEL

ABSENT: RICHARD SUMERIX, DOUG JOHNSON, KEN BORTON, BRUCE BROWN.

The following preamble and resolution was offered by Commissioner: DOUG JOHNSON.

**OCR 11-01**  
**Recognition of Eugene Fleming**  
Otsego County Board of Commissioners  
January 11, 2011

**WHEREAS**, Eugene Fleming is a lifelong resident of Otsego County and faithfully served as an Otsego County Road Commissioner since January 1981; and

**WHEREAS**, while in high school Gene was involved in football and track and became the first president of the Future Farmer's Association; and

**WHEREAS**, Gene has served on several committees in his community; Gaylord Community Schools on the board of education for 11 years; Otsego County Farm Bureau for over 50 years, 30 of those years as their chairman; Michigan Milk Producers Association for 30 years as their secretary-treasurer; Otsego Memorial Hospital board member; Farm Services Agency member; and

**WHEREAS**, Gene was self-employed as a dairy farmer for several years and now raises beef and pumpkins, he also enjoys conducting farm tours for school groups as well as hayrides; and

**WHEREAS**, Gene enjoys his semi-retirement spending time with his wife, Barb, their children, grandchildren and great-grandchildren; and

**WHEREAS**, the Otsego County Board of Commissioners appreciates the dedication and service that Gene has given to his community, boards, organizations and commissions; now, therefore, be it

**RESOLVED**, that the Otsego County Board of Commissioners, hereby recognizes and honors the outstanding contributions that Eugene Fleming has made to our community and wish him the best in his future endeavors.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

*Paul M. Beachnau*

Paul M. Beachnau, Chairman

*Susan I. DeFeyter*

Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)  
§  
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 11<sup>th</sup> day of January, 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011



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Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 8<sup>th</sup> day of February, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE, RICHARD SUMERIX  
ABSENT: NONE. DOUG JOHNSON, KEN BORTON, BRUCE BROWN.

The following preamble and resolution was offered by Commissioner: LEE OLSEN.

**OCR 11-03**  
**Opposition to Proposed Legislation**  
**HB 4102, HB 4103, SB 34**  
Otsego County Board of Commissioners  
February 8, 2011

**WHEREAS**, Counties are constitutionally and statutorily mandated by the state and federal government to provide a myriad of services, ranging from mandated funding of the State's court activities, mandated funding of human services programs through the Child Care Fund, running jails, and several other responsibilities with regards to the county's constitutional offices; and

**WHEREAS**, the decline in Michigan's economy over the last few years has made it increasingly difficult for counties to provide these essential services; and

**WHEREAS**, Otsego County has experienced a decline in its property tax revenue by over 10%, or over \$500,000, in the last two years; and

**WHEREAS**, Otsego County has been aggressive in cost-cutting measures including increasing employee health care premiums, eliminating cost of living increases, transitioning employees from a defined benefit retirement plan to a hybrid plan, privatizing of maintenance for our Airport and our Building & Grounds Departments, and cost sharing with local municipalities and the State to provide county-wide zoning as well as 9-1-1 services; and

**WHEREAS**, Otsego County still found it necessary to eliminate over 23 positions over the last five years, representing a decrease of 16% of its employees over those five years; and

**WHEREAS**, House Bills 4102 and 4103, as well as Senate Bill 34, would greatly reduce or eliminate personal property tax revenues received by local units of government; and

**WHEREAS**, the reduction or elimination of personal property tax revenue to local units of government, without replacing those revenues with an alternative funding source, would have a devastating impact on their ability to provide even the most basic mandated services to the public; now, therefore, be it

**RESOLVED**, that the Otsego County Board of Commissioners objects to House Bills 4102 and 4103, and Senate Bill 34, without first identifying and including a source of funding to fully replace any revenue that would be lost by local units of government; and be it further

**RESOLVED**, that copies of this resolution be forwarded to Governor Rick Snyder, Senator John Moolenaar, Representative Greg MacMaster, the Senate Committee on Finance, the House Committee on Tax Policy, and the Michigan Association of Counties.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

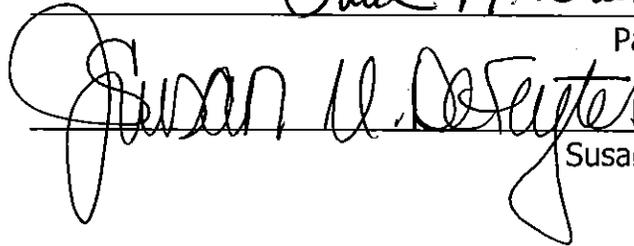
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Paul M. Beachnau, Chairman



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)  
§  
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 8<sup>th</sup> day of February, 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011



The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 8<sup>th</sup> day of February, 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

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Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 22<sup>nd</sup> day of February, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE,  
RICHARD SUMERIX, DOUG JOHNSON, KEN BORTON, BRUCE BROWN.

ABSENT: \_\_\_\_\_

The following preamble and resolution was offered by Commissioner: PAUL LISS.

### OCR 11-05

#### INTENT TO APPLY FOR FINANCIAL ASSISTANCE FOR FISCAL YEAR 2012 UNDER ACT 51 OF THE PUBLIC ACTS OF 1951, AS AMENDED.

Otsego County Board of Commissioners  
February 22, 2011

**WHEREAS**, Pursuant to Act 51 of the Public Acts of 1951, as amended (Act 51), it is necessary for **OTSEGO COUNTY BUS SYSTEM (OTSEGO COUNTY)**, (hereby known as **THE APPLICANT**) established under Act 51, to provide a local transportation program for the state fiscal year of 2012 and, therefore, apply for state financial assistance under provisions of Act 51; and

**WHEREAS**, it is necessary for **THE APPLICANT** to name an official representative for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51; and

**WHEREAS**, it is necessary to certify that no changes in eligibility documentation have occurred during the past state fiscal year; and (State Operating Assistance Program only)

**WHEREAS**, the performance indicators for this agency have been reviewed and approved by **THE APPLICANT**; and (State Operating Assistance Program only)

**WHEREAS**, **THE APPLICANT**, has reviewed and approved the proposed balanced (surplus) budget, and funding sources of estimated federal funds \$254,791.00, estimated state funds \$591,115.00, estimated local funds \$646,539.00, estimated farebox \$100,000.00, estimated other funds \$ 0.00 with total estimated expenses of \$1,592,445.00, now, therefore, be it

**RESOLVED**, that **THE APPLICANT** hereby makes its intentions known to provide public transportation services and to apply for state financial assistance with this annual plan, in accordance with Act 51, and be it further

**RESOLVED**, that the Otsego County Board of Commissioners hereby appoints Theron D. Higgins as the Transportation Coordinator, for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation commission or department for its administration of Act 51 for 2011.



Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 22<sup>nd</sup> day of March, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE,  
RICHARD SUMERIX, KEN BORTON.

ABSENT: DOUG JOHNSON, BRUCE BROWN.

The following preamble and resolution was offered by Commissioner: \_\_\_\_\_.

**RESOLUTION NO. OCR 11-06**  
**AUTHORIZING RESOLUTION**  
OTSEGO COUNTY BOARD OF COMMISSIONERS  
March 22, 2011

**WHEREAS**, the Otsego County Board of Commissioners is the owner of a property located at 918 West Street, Gaylord, Michigan 49735 and has a mortgage recorded in the office of the Register of Deeds for Otsego County Michigan, in Liber 1218, Pages 950-963, in the name of Michele L. Lamberies, 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, Michele L. Lamberies, 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.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

Paul M. Beachnau  
Paul M. Beachnau, Chairman  
Susan I. DeFeyter  
Susan I. DeFeyter, County Clerk



Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 12<sup>th</sup> day of April, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE,  
ABSENT: DOUG JOHNSON RICHARD SUMERIX, KEN BORTON, BRUCE BROWN.

The following preamble and resolution was offered by Commissioner: LEE OLSEN.

## **OCR 11-07**

### **Recognition of Barbara Fleming**

Otsego County Board of Commissioners

April 12, 2011

**WHEREAS**, in 1985, Conservation Districts celebrated the 50th anniversary for Soil & Water Conservation programs in America. Also in 1985, Barbara Fleming was elected as a board member and has worked for over 25 years with the Otsego Conservation District promoting good stewardship of the land for Otsego County; and

**WHEREAS**, additionally in 1985 with the help of Barbara, the Otsego Conservation District forestry program took the leading role in the state promoting wise use and management of woodland resources to ensure productive forests for future generations, and sponsored the still annual reforestation program that continues to sell hundreds of thousands of trees and shrubs locally for wildlife habitat; and

**WHEREAS**, over the years Barb has been dedicated to youth education, hosting Ag Day at the Fleming Dairy Farm annually, in addition to the County Speech contest, County School Forest Programs, and Conservation District Day Camp. The board has made protecting northern Michigan's water resources the number one priority. By partnering with conservation groups and local units of government, they are able to provide native plant material to northern Michigan for restoration of our lakes and streams, road crossings, soil erosion control and wildlife habitat restoration; and

**WHEREAS**, even though Barb has been instrumental in many areas involving the Otsego Conservation District she still finds the time and energy to help her husband on their dairy farm and still conducts farm tours for school groups as well as hayrides; and

**WHEREAS**, Barb enjoys spending time with her husband, Gene, their children, grandchildren and great-grandchildren; and

**WHEREAS**, the Otsego County Board of Commissioners appreciates the dedication and service that Barb has given to her community; now, therefore, be it

**RESOLVED**, that the Otsego County Board of Commissioners, hereby recognizes and honors the outstanding contributions that Barbara Fleming has made to our community and wish her the best in her future endeavors.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

*Paul M. Beachnau*

Paul M. Beachnau, Chairman

*Susan I. DeFeyter*

Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)  
                                  §  
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 12<sup>th</sup> day of April, 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
Susan I. DeFeyter, County Clerk.

DATED: \_\_\_\_\_, 2011

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 12<sup>th</sup> day of April, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE,

ABSENT: RICHARD SUMERIX, DOUG JOHNSON, BRUCE BROWN.

The following preamble and resolution was offered by Commissioner: KEN BORTON.

**OCR 11-08**

**May 2011 as Social Host Liability Awareness Month**

Otsego County Board of Commissioners

April 12, 2011

**WHEREAS**, alcohol is a factor in the four leading causes of death among persons ages 10-24: motor vehicles crashes, unintentional injuries, homicide and suicide; and

**WHEREAS**, Michigan ranked 9<sup>th</sup> in the country in the average annual number of deaths attributable to fatal motor vehicle crashes in which at least one driver was aged 16-25 and had been drinking; about 51% of those vehicle crashes involved drinkers aged 16-20; and

**WHEREAS**, in Michigan, it is estimated that underage alcohol use costs \$2 billion, with youth violence and traffic crashes involving underage drinkers representing the largest costs to the state; and

**WHEREAS**, one-hundred percent of any alcohol consumed by a minor came from an adult. At one time, an adult over the age of 21 was in control of the alcohol and a minor gained access to it; and

**WHEREAS**, adults who allow, serve or provide alcohol to an underage youth anywhere on their property can be held criminally and civilly liable if that youth is killed or injured, or if that youth kills or injures someone else; now, therefore, be it

**RESOLVED**, that the Otsego County Board of Commissioners, do hereby proclaim that May 2011 is Social Host Liability Awareness Month. We also call upon all citizens, homeowners and property owners to host gatherings responsibly and take measures to eliminate access of alcohol to persons under the age of 21.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

*Paul M. Beachnau*

Paul M. Beachnau, Chairman

*Susan I. DeFeyter*

Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)  
                                  §  
COUNTY OF OTSEGO)

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\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 26<sup>th</sup> day of April, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE, RICHARD SUMERIX,  
ABSENT: PAUL BEACHNAU, DOUG JOHNSON, KEN BORTON, BRUCE BROWN.

The following preamble and resolution was offered by Commissioner: LEE OLSEN.

**OCR 11-09**  
**NMSAS Position Paper Support**  
Otsego County Board of Commissioners  
April 26, 2011

**WHEREAS**, the Otsego County Board of Commissioners is a member of the Northern Michigan Substance Abuse Services (NMSAS); and

**WHEREAS**, NMSAS is the Regional Abuse Coordinating Agency (CA) for the development of treatment and prevention services, technical assistance to communities and provider services related to prevention, outpatient, and inpatient services for the abuse of alcohol, drugs, and gambling; and

**WHEREAS**, the Michigan Department of Public Health (MDCH) plans to eliminate Coordinating Agencies and transfer the administration of substance abuse disorder services into the Prepaid Inpatient Health Plans (PIHP); and

**WHEREAS**, by law (Public Health Code) counties must currently approve designation of the CA for their county and MDCH with this action would remove the authority from the county; and

**WHEREAS**, NMSAS is effectively and efficiently fulfilling its statutory and contractual responsibilities for its clients; and

**WHEREAS**, the PIHP boundary issues are minimized in the current configuration of the 30 counties served by NMSAS with the consolidated approach allowing for more efficiencies in contract management better enabling NMSAS to provide services for its clients; and

**WHEREAS**, it is the position of NMSAS that when there comes compelling evidence that the integration of NMSAS into other organizations would result in significant administrative savings and improvement in access to care and enhanced quality of care for clients, NMSAS would actively engage in a process to explore such integration; and

**WHEREAS**, it is the position of NMSAS that if, despite objective evidence to the contrary, the State of Michigan were to forcibly reassign the NMSAS functions to other organizations, NMSAS would work with these organizations and other community stakeholders to continue the mission of NMSAS to maximize their success in continuing the mission of NMSAS; now, therefore, be it

**RESOLVED**, that the Otsego County Board of Commissioners, as a county member of the NMSAS Board of Directors, strongly supports the mission and position of the NMSAS Board of Directors and urges careful consideration of the potential for increased cost and reduced service prior to splitting the NMSAS region or altering other elements of the service provided to clients for Otsego County; and be it further

**RESOLVED**, that copies of this resolution be forwarded to Governor Rick Snyder, Senator John Moolenaar, Representative Greg MacMaster, and the Michigan Association of Counties.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

\_\_\_\_\_

NO: NONE.

\_\_\_\_\_

ABSTAIN: NONE.

\_\_\_\_\_

THE RESOLUTION WAS DECLARED ADOPTED.

*Paul L. Liss*

*Susan I. DeFeyter*

Paul L. Liss, Vice-Chairman

Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)  
§  
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 26<sup>th</sup> day of April, 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

*Susan I. DeFeyter*

Susan I. DeFeyter, County Clerk

DATED: 5/2, 2011



## MERS Restated Uniform Hybrid Program (Benefit Program H) Resolution

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

www.mersofmich.com

**WHEREAS**, under the Municipal Employees Retirement Act of 1984, section 36(2)(a); MCL 38.1536(2)(a); Plan Document Section 36(2)(a), provides the Retirement Board (effective August 15, 1996):

[s]hall determine and establish all of the provisions of the retirement system affecting benefit eligibility, benefit programs, contribution amounts, and the election of municipalities, judicial circuit courts, judicial district courts, and judicial probate courts to be governed by the provisions of the retirement system ... [and] to establish additional programs including but not limited to: defined benefit, defined contribution, ancillary benefits, health and welfare benefits, and other post employment benefit programs (as amended by 2004 PA 490).

**WHEREAS**, pursuant to the Board's powers, the MERS Plan Document of 1996 was adopted effective October 1, 1996, and the Plan has been amended periodically by the Board.

**WHEREAS**, the MERS Plan, an agent, multiple employer, public employee pension plan, has been determined by the Internal Revenue Service to be a governmental plan that is tax qualified as a trust under Code section 401(a) and exempt from taxation under section 501(a) (Letter of Favorable Determination dated June 15, 2005; and letter dated July 8, 1997).

**WHEREAS**, on March 14, 2006, the Retirement Board has authorized establishment of a Hybrid Plan, with a defined benefit (DB) and defined contribution (DC) component.

**WHEREAS**, new Section 19B, Benefit Program H, and related plan amendments, create a new Hybrid Program that a participating municipality or court may adopt for MERS members to be administered in whole or in part under the discretion of the Municipal Employees' Retirement Board as trustee and fiduciary, directly by (or through a combination of) MERS or MERS duly-appointed third-party administrator for the DC component.

**WHEREAS**, this Uniform Hybrid Program Resolution has been approved by the Retirement Board under the authority of MCL 38.1536(2)(a); Plan section 36(2)(a) declaring that the Retirement Board "shall determine . . . and establish" all provisions of the retirement system. Under this authority, the Retirement Board authorized Section 19B, Benefit Program H, which shall not be implemented unless in strict compliance with the terms and conditions of this Resolution as provided under section 19B(2):

- In the event any alteration of any provision of this section 19B, or other sections of the Plan Document related to the provisions of Benefit Program H, is made or occurs, under section 43B of the Plan Document concerning collective bargaining or under any other plan provision or law, adoption of Benefit Program H shall not be recognized, other than in accordance with this section and other sections of the Plan Document related to the provisions of Benefit Program H.
- In the event any alteration of the terms or conditions stated in this Uniform Resolution is made or occurs, it is expressly recognized that MERS and the Retirement Board, as sole trustee and fiduciary of the MERS Plan and its trust reserves, and whose authority is nondelegable, shall have

## MERS Restated Uniform Hybrid Program (Benefit Program H) Resolution

no obligation or duty: to administer (or to have administered) the Benefit Program H; to authorize the transfer of any Plan assets to the Hybrid Program; or to continue administration by MERS directly or indirectly, or by any third-party administrator.

**WHEREAS**, concurrent with this Resolution, and as a continuing obligation, this governing body has completed and approved, and submitted to MERS, documents necessary for adoption and implementation of MERS Benefit Program H.

**NOW, THEREFORE, BE IT RESOLVED** that the governing body adopts MERS Benefit Program H (Hybrid Program) as provided below.

### I. NEW EMPLOYEES (Plan Sec 19B(4) – (12))

Effective the first day of January 1, 2011, (to be known as the ADOPTION DATE), the

Otsego County hereby adopts Benefit Program H for  
(MERS municipality/court)  
POAM - Division 11  
(specify division numbers)

first hired or rehired to the division at any time on and after the Adoption Date, and optional participation for any employee or officer of this municipality otherwise eligible to participate in MERS under Section 2B(3)(a) of the Plan Document who has previously elected to not participate in MERS. The employer shall establish the transfer rule for transferred employees in the Employer Resolution Establishing a Uniform Transfer Provision. **ONLY THOSE EMPLOYEES ELIGIBLE FOR MERS MEMBERSHIP (SECTIONS 2B(3) AND 3 OF THE PLAN DOCUMENT) SHALL BE ELIGIBLE TO PARTICIPATE.**

#### (A) HYBRID PLAN CONTRIBUTIONS

- The DB Component shall be exclusively funded by the employer, with no member contributions permitted.
- For the DC Component, employee and employer contributions shall be required as allowed and specified in Plan section 19B(8) and the MERS Uniform Hybrid DC Component Adoption Agreement ("Adoption Agreement," Attachment 1, completed and approved and a certified copy submitted to MERS concurrent with and incorporated by reference in this Resolution). A member is immediately 100% vested in any employee contributions, and is vested in employer contributions under the employer vesting schedule.

#### (B) COMPENSATION AND EARNINGS

- For the DB Component, earnings shall include items of "Compensation" under Section 2A(6) of the MERS Plan Document, with the exception of the last sentence, which shall not apply.
- For the DC Component, earnings shall include items of "Compensation" under Section 2A(6) of the MERS Plan Document as provided for Benefit Program DC, which equals the Medicare taxable wages as reported by the employer on the member's federal form W-2, wage and tax statement.

## MERS Restated Uniform Hybrid Program (Benefit Program H) Resolution

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### (C) HYBRID PLAN VESTING

- For the DB Component, 6 year vesting is mandatory (Plan Sec 19B(5)(b)).
- For the DC Component, employee and employer contributions shall be required as allowed and specified in Plan section 19B(8) and the Adoption Agreement (Attachment 1, completed and approved and a certified copy submitted to MERS concurrent with and incorporated by reference in this Resolution). A member is immediately 100% vested in any employee contributions, and is vested in employer contributions under the employer vesting schedule.
- As provided in Section 19B(3):

Where a member has previously acquired in the employ of any participating municipality or participating court:

- (a) not less than 1 year of defined benefit service in force (including Hybrid Program) with any participating municipality or participating court;
- (b) eligible credited service where the participating municipality or participating court has adopted the Reciprocal Retirement Act, 1961 PA 88;
- (c) at least 12 months in which employer contributions by a participating municipality or participating court have been made on behalf of the member under Benefit Program DC or Hybrid Program, such service shall be applied toward satisfying the vesting schedule for the DB Component, and for the DC Component, for employer contributions.

### (D) BENEFITS UNDER HYBRID PLAN

- For the DB component:
  - (1) The Benefit Multiplier (Plan Section 19B(4)) **initially selected shall be irrevocable, shall not later be changed and shall be the one here specified (select only one of the following):**
    - (a) 1.0 % times (x) years of service times (x) FAC
    - (b) 1.25% times (x) years of service times (x) FAC
    - (c) 1.5% times (x) years of service times (x) FAC
  - (2) Final Average Compensation (FAC) shall be FAC-3 (Plan Section 19B(6)).
  - (3) The Benefit shall be payable at age 60 (Plan Section 19B(5)(b)).
  - (4) Credited Service shall be comprised solely of the sum of (a) the total of the member's credited service (if any) under the previous DB program on the effective date of coverage under the Hybrid Plan (Plan Section 19B(16)(b)(ii); see II (E)(b)(ii) below); plus (b) credited service earned by the member after the effective date of coverage under the Hybrid Plan (Plan Section 19B(17)(b)).
- For the DC Component (Plan Section 19B(12)):

## **MERS Restated Uniform Hybrid Program (Benefit Program H) Resolution**

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Upon termination of membership, a vested former member or a beneficiary, as applicable, shall elect one or a combination of several of the following methods of distribution of the vested former member's or beneficiary's accumulated balance, to the extent allowed by federal law and subject to Plan Section 19B(11)(b) and procedures established by the Retirement Board:

- (1) Lump sum distribution to the vested former member or beneficiary.
- (2) Lump sum direct rollover to another eligible retirement plan, to the extent allowed by federal law.
- (3) Annuity for the life of the vested former member or beneficiary, or optional forms of annuity as determined by the Retirement Board.
- (4) No distribution, in which case the accumulated balance shall remain in the retirement system, to the extent allowed by federal law.

<b>STOP</b> If covering new employees only, skip II and III and go to IV on page 9. <b>STOP</b>
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## MERS Restated Uniform Hybrid Program (Benefit Program H) Resolution

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- II. **OPTIONAL PROVISION FOR CURRENT MERS DEFINED BENEFIT MEMBERS WHERE HYBRID PROGRAM FOR NEW EMPLOYEES ESTABLISHED (FOR TRANSFERS FROM MERS DEFINED CONTRIBUTION PROGRAM, SEE SECTION III)**  
(Plan Sec 19B(13)-(16))

***THIS OPTIONAL SECTION SHALL ONLY BE SELECTED WHERE THE TOTAL FUNDED PERCENT OF AGGREGATE ACCRUED LIABILITIES AND VALUATION ASSETS OF ALL RESERVES SPECIFIED IN TABLE 13 (OR SUCCESSOR TABLE) FOR THE PARTICIPATING MUNICIPALITY OR COURT, AND FOR THE AFFECTED MEMBER BENEFIT PROGRAM CLASSIFICATION(S) (DIVISION(S)) SPECIFIED IN THE MOST RECENT MERS ANNUAL ACTUARIAL VALUATION REPORT IS AT LEAST EIGHTY PERCENT (80%).***

IT IS ADDITIONALLY RESOLVED, as provided in each of the following paragraphs:

- (A) Effective on the **Adoption Date**, pursuant to Plan Section 19B(13):

all current MERS defined benefit members who are members of the same employee classification described in Section I above on the Adoption Date shall be offered the opportunity to irrevocably elect coverage under Benefit Program H. Section 19B(14) specifies an employee's written election to participate shall be filed with MERS: (a) not earlier than the last day of the third month after this Resolution is adopted and received by MERS; and (b) not later than the first day of the first calendar month that is at least six months after MERS receives this Resolution. This means each eligible employee will have about 90 days to make the decision.

After MERS receives this Resolution, this governing body's authorized official and eligible employees will be advised by MERS of the election window timelines and other information to consider in making the irrevocable decision whether to participate in Benefit Program H.

Participation for those electing coverage shall be effective the first day of the first calendar month at least six (6) months after MERS' receipt of the Resolution, here designated as being the month of November 1, 2011, (insert month and year) which shall be known as the "**CONVERSION DATE.**"

The opportunity for current employees on the **Adoption Date** to participate in the Hybrid Program shall (select 1 of the following 2 choices):

- apply to all employees who separate from or terminate employment with this municipality after the Adoption Date and before the Conversion Date, so long as the employee does not receive a retirement allowance (including distributions from Benefit Programs DC or H) from MERS based on service for this municipality.
- not apply to any employee who separates from or terminates employment with this municipality after the Adoption Date.

## MERS Restated Uniform Hybrid Program (Benefit Program H) Resolution

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- (B) **CONTRIBUTIONS** shall be as provided in Section I (A) above.
- (C) **COMPENSATION AND EARNINGS** shall be as provided in Section I (B) above.
- (D) **HYBRID PLAN VESTING** shall be as provided in Section I (C) above.
- (E) For each employee irrevocably electing to participate in Benefit Program H, then under Plan Section 19B(16), the Retirement Board shall transfer the following amounts from the reserve for employee contributions and the reserve for employer contributions and benefit payments to the reserve for defined contribution plan:
- (a) The member's accumulated contributions, if any, as of 12:01 a.m. on the day the member becomes covered by Benefit Program H shall be transferred from the reserve for employee contributions to the member's credit in the reserve for Benefit Program H Defined Contribution component.
  - (b) The funded excess present value shall be computed as the excess, if any, of the actuarial present value of the accrued benefit associated with the member's coverage under the previous benefit program, over the actuarial present value of the accrued benefit associated with the member's coverage under the defined benefit component of Benefit Program H, after such excess is multiplied by the funded level percentage selected by the governing body in subparagraph(F)(2) below (which shall not be less than 80% nor exceed 100% funded level percentage in any case). The excess, if any, of the funded excess present value over the amount specified in sub-paragraph (a) shall be transferred from the reserve for employer contributions and benefit payments to the member's credit in the reserve for Benefit Program H Defined Contribution component. For purposes of this subparagraph:
    - (i) The actuarial present values shall be computed as of 12:01 a.m. on the day the member becomes covered by Benefit Program H and shall be based on the actuarial assumptions adopted by the Retirement Board.
    - (ii) On the effective date of the change of the benefit program the member's credited service under Benefit Program H shall be equal to the member's credited service under the previous benefit program.
    - (iii) In determining final average compensation there shall not be included any accrued annual leave.
    - (iv) The earliest retirement date (for an unreduced benefit) assumption under the defined benefit program in effect on the effective date of the change of the benefit program shall be utilized. Likewise the earliest retirement date assumption under Benefit Program H shall be utilized.
    - (v) For purposes of the actuarial present value calculation, any future benefit otherwise payable under Benefit Program E or E-1 shall be disregarded.

The transfer shall be made approximately 30 calendar days after the **Conversion Date**, and the transfer amount shall include pro-rated regular interest at the regular Board-established rate for crediting of interest on member's accumulated contributions in the defined benefit program, measured from the **Conversion Date** to the actual transfer date.

## MERS Restated Uniform Hybrid Program (Benefit Program H) Resolution

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(F) Per Plan Section 19B(16)(b), the Retirement Board has established the assumptions for calculation of the actuarial present value of a member's accrued benefit that may be transferred. The assumptions are:

- (1) **The interest rate in effect as of the Adoption Date, to determine actuarial present value, shall be the Board-established investment earnings rate assumption (currently eight percent (8.00%)).**
- (2) **The funded level for the member's specific MERS division (total funded percentage of the present value of accrued benefits which shall be determined using Termination Liability under Table 12 or successor table and valuation assets of all reserves using Table 13) as of the Adoption Date from the most recent MERS annual actuarial valuation report data provided by MERS actuary. In the APV calculation, the funded level used shall be (select one of the following):**
  - Table 12 Termination Liability funded level for the division (not less than 80% nor to exceed 100% funded level).**
  - If greater than the division's funded level but not more than 100% funded level, then MERS is directed to compute the funded percentage for the transfer calculation on \_\_\_\_\_% funded basis (insert number greater than the division's Table 12 Termination Liability funded level percentage but not more than 100%). Where less than 100% funded level exists, this governing body recognizes that such direction shall increase its pension funding liability. MERS shall not implement such direction unless the governing body forwards to MERS sufficient cash up to the funded level selected for all members prior to the **Conversion Date**; if sufficient cash is not forwarded, then the governing body expressly covenants with MERS and directs, as a condition of this selection, to MERS billing and the governing body remitting to MERS all contributions necessary to fund the unfunded liability occasioned by the aggregate transfer of the difference between the actual funded level for the division and funded level directed above over a period of four (4) years.**

### **III. TRANSFER OF CURRENT MERS DEFINED CONTRIBUTION PROGRAM MEMBERS WHERE HYBRID PROGRAM FOR NEW EMPLOYEES ESTABLISHED** Plan Sec 19B(13) – (15), (17)

**IT IS ADDITIONALLY RESOLVED**, as provided in each of the following paragraphs:

- (A) Effective on the **Adoption Date**, pursuant to Plan Section 19B(13) all current MERS defined contribution members who are members of the same employee classification described in Section I above on the **Adoption Date** shall be offered the opportunity to irrevocably elect coverage under Benefit Program H. Section 19B(14) specifies an employee's written election to participate shall be filed with MERS: (a) not earlier than the last day of the third month after this Resolution is adopted and received by MERS; and (b) not later than the first day of the first calendar month that is at least six months after MERS receives this Resolution. This means each eligible employee will have about 90 days to make the decision.

After MERS receives this Resolution, this governing body's authorized official and eligible employees will be advised by MERS of the election window timelines and other information to consider in making the irrevocable decision whether to participate in Benefit Program H.

## **MERS Restated Uniform Hybrid Program (Benefit Program H) Resolution**

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Participation for those electing coverage shall be effective the first day of the first calendar month at least six (6) months after MERS' receipt of the Resolution, here designated as being the month of November 1, 2011, (insert month and year), which shall be known as the "CONVERSION DATE."

The opportunity for current employees on the **Adoption Date** to participate in the Hybrid Program shall (select 1 of the following 2 choices):

- apply to all employees who separate from or terminate employment with this municipality after the Adoption Date and before the Conversion Date, so long as the employee does not receive a retirement allowance (including distributions from Benefit Programs DC or H) from MERS based on service for this municipality.
- not apply to any employee who separates from or terminates employment with this municipality after the Adoption Date.

**(B) CONTRIBUTIONS** shall be as provided in Section I (A) above.

**(C) COMPENSATION AND EARNINGS** shall be as provided in Section I (B) above.

**(D) HYBRID PLAN VESTING** shall be as provided in Section I (C) above.

**(E)** For each employee irrevocably electing to participate in Benefit Program H, then under Plan Section 19B(17), the following shall apply:

- (a) The member's accumulated balance in the reserve for defined contribution plan under Benefit Program DC, if any, as of 12:01 a.m. on the day the member becomes covered by Benefit Program H shall be transferred to the member's credit in the reserve for defined contribution plan under Benefit Program H Defined Contribution component.
- (b) For purposes of calculating benefit amounts under the defined benefit component of Benefit Program H, only credited service earned after 12:01 a.m. on the day the member becomes covered by Benefit Program H shall be recognized.

#### **IV. THIRD PARTY ADMINISTRATION**

The Municipal Employees' Retirement Board retains full and unrestricted authority over the administration of MERS Benefit Program H, including but not limited to the appointment and termination of the third-party administrator, or MERS self-administration of the defined contribution program in whole or in part.

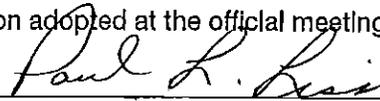
# MERS Restated Uniform Hybrid Program (Benefit Program H) Resolution

## V. EFFECTIVENESS OF THIS RESOLUTION

**BE IT FINALLY RESOLVED:** This Resolution shall have no legal effect under the MERS Plan Document until a certified copy of this adopting Resolution shall be filed with MERS, and MERS determines that all necessary requirements under Plan Document Section 19B, this Resolution, and other applicable requirements have been met. All dates for implementation of Benefit Program H under Section 19B shall be determined by MERS from the date of filing with MERS of this Resolution in proper form and content. Upon MERS determination that all necessary documents have been submitted to MERS, MERS shall record its formal approval upon this Resolution, and return a copy to the Employer's Hybrid Program Plan Coordinator identified in Section IV (D) above.

In the event an amendatory Resolution or other action by this Governing Body is required, such Resolution or action shall be deemed effective as of the date of the initial Resolution or action where concurred in by this governing body and MERS (and the third-party administrator if necessary). Section 54 of the Plan Document shall apply to this Resolution and all acts performed under its authority. The terms and conditions of this Resolution supersede and stand in place of any prior resolution, and its terms are controlling.

I hereby certify that the above is a true copy of a Resolution adopted at the official meeting held on April 26, 2011

  
(Signature of authorized official)

- Please send MERS fully executed copy of:
- MERS 2010 Restated Uniform Hybrid Program (Benefit Program H) Resolution (this form, MD-043)
  - MERS Restated Hybrid Plan (Defined Contribution Component) Adoption Agreement (form MD-044)
  - Declaration of Trust and certified minutes stating governing body approval, and/or union contract language

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

Dated: \_\_\_\_\_, 20\_\_\_\_\_

(Authorized MERS signatory)

# MERS Restated Hybrid Plan (Defined Contribution Component) Adoption Agreement



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

www.mersofmich.com

The Employer, a participating municipality or participating court ("court") within the State of Michigan that has adopted MERS coverage, hereby establishes the following MERS Benefit Program: **Hybrid under MERS Plan Document ("MERS Hybrid DC")** as authorized by Section 19B of the Municipal Employees' Retirement System of Michigan Plan Document. All references to "Plan Document" are to sections of the MERS Plan Document; any reference to "Plan," the "MERS Plan," "Plan Participant," "Participant," or "Program," shall mean the MERS Hybrid DC Plan, unless otherwise specified.

This Adoption Agreement, together with Section 19B of the MERS Plan Document and the MERS Restated Uniform Hybrid Resolution ("Resolution"), constitute the entire MERS Benefit Program Hybrid Plan Document.

I. EMPLOYER: Otsego County  
Name of municipality or court

## II. EFFECTIVE DATE

1. If this is the initial Adoption Agreement relating to the MERS Defined Contribution Plan for this Division, the Effective Date of the Benefit Program here adopted shall be the first day of:  
January 1, 2011  
Month and Year

2. If this is an amendment and restatement of an existing adoption agreement relating to the MERS Hybrid DC Plan for this Division, the effective date of this amendment and restatement shall be the first day of: \_\_\_\_\_  
Month and Year

intended to replace and serve as an amendment and restatement of the Employer's preexisting plan, which was originally effective on the first day of: \_\_\_\_\_  
Month and Year

## III. ELIGIBILITY REQUIREMENTS

Only those Employees eligible for MERS Membership (Section 3 of the MERS Plan Document) shall be eligible to participate in the MERS Hybrid DC Plan. A copy of ALL employee enrollment forms must be submitted to MERS. The following group(s) of Employees are eligible to participate in the Plan:

POAM Unit Employees - Division 11 - new hires, rehires, or transferred employees into the POAM division on or after the adoption date of January 1, 2011.

Specify employee classification and division numbers

# MERS Restated Hybrid Plan (Defined Contribution Component) Adoption Agreement

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## IV. CONTRIBUTION PROVISIONS

1. The Employer shall contribute on behalf of each Participant 1 % of Earnings or \$\_\_\_\_\_ for the calendar year (subject to the limitations of Sections 415(c) of the Internal Revenue Code).
2. Each Participant is required to contribute 1, 2 or 3 % of Earnings for the calendar year as a condition of participation in the Plan. (Write "0" if no contribution is required.) \*If other contribution options are provided, please list on separate sheet of paper and attach to Adoption Agreement.

If Employee contributions are required, an Employee shall not have the right to discontinue or vary the rate of such contributions after becoming a Plan Participant.

The Employer hereby elects to "pick up" the Mandatory/Required Employee contribution. The "pick-up" provision allows the employer to direct mandatory employee contributions to be pre-tax.

Yes  No

[**Note to Employer:** Picked up contributions are excludable from the Employee's gross income under Section 414(h)(2) of the Internal Revenue Code of 1986 only if they meet the requirements of Rev. Rul. 2006-43, 2006-35 I.R.B. 329. Those requirements are (1) that the Employer must specify that the contributions, although designated as Employee contributions, are being paid by the Employer in lieu of contributions by the Employee; and (2) the Employee must not have the option of receiving the contributed amounts directly instead of having them paid by the Employer to the Plan. The execution of this Adoption Agreement by the Employer shall constitute the official action required by Revenue Ruling 2006-43.]

3. Each Employee may make a voluntary (unmatched), after-tax contribution, subject to the limitations of Section 415 of the Internal Revenue Code.
4. Employer contributions and Employee contributions shall be contributed to the Trust in accordance with the following payment schedule:

Weekly  Bi-weekly  Monthly

## V. EARNINGS

Earnings shall be defined as "compensation" under Section 2A(6) of the MERS Plan Document, being the Medicare taxable wages reported on the Employee's W-2 statement.

## MERS Restated Hybrid Plan (Defined Contribution Component) Adoption Agreement

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### VI. VESTING PROVISION FOR EMPLOYER CONTRIBUTIONS AND NORMAL RETIREMENT AGE

The Employer hereby specifies the following vesting schedule (choose one):

- Immediate vesting upon participation
- Cliff vesting: The participant is 100% vested upon a stated number of years. Stated year may not exceed maximum 5 years of service:

Stated Year:       1    2    3    4    5

- Graded vesting percentage per year of service: Employers can select the percentage of vesting with the corresponding years of service, however the scale cannot exceed a maximum of six years of service to reach 100% vesting, nor less than the stated minimums below:

\_\_\_\_\_ % after 1 year of service.  
\_\_\_\_\_ % after 2 years of service.  
25 % (not less than 25%) after 3 years of service.  
50 % (not less than 50%) after 4 years of service.  
75 % (not less than 75%) after 5 years of service.  
100 % (not less than 100%) after 6 years of service.

Notwithstanding the above, a member shall be vested in his/her entire employer contribution account, to the extent that the balance of such account has not previously been forfeited, if he/she is employed on or after his/her Normal Retirement Age. "Normal Retirement Age" shall be presumed to be age 60 (unless a different normal retirement age is here specified: \_\_\_\_\_).

In addition, notwithstanding the above, in the event of disability or death, a member or his/her beneficiary shall be vested in his/her entire employer contribution account, to the extent that the balance of such account has not previously been forfeited as described in Section 19A(7) of the MERS Plan Document.

- VII. Loans (not more than two) are permitted under the Program. MERS recommendation is "No," not to allow loans: loans permit your employees to borrow against their retirement account.

Yes                       No

- VIII. The Plan will accept an eligible rollover distribution from an eligible retirement plan described in Section 401(a) (including "401(k)") or 403(a) of the Code, an annuity contract described in Section 403(b) of the Code, an eligible deferred compensation plan described in Section 457(b) of the Code maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state, or an individual retirement account or annuity described in Section 408(a) or 408(b) of the Code, including after-tax employee contributions, as applicable. The Plan will account separately for pre-tax and post-tax contributions and earnings thereon.

**MERS Restated Hybrid Plan (Defined Contribution Component)  
Adoption Agreement**

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- IX. The Employer hereby agrees to the provisions of the MERS Uniform Defined Contribution Plan and agrees that in the event of any conflict between MERS Plan Document Section 19B and the MERS Hybrid Plan, the provisions of Section 19B shall control.
  
- X. The Employer hereby appoints MERS as the Plan Administrator pursuant to the terms and conditions of the Plan.
  
- XI. The Employer hereby agrees to the provisions of the Plan.
  
- XII. The Employer hereby acknowledges it understands that failure to properly fill out this Adoption Agreement may result in the ineligibility of the Plan in the DC component of the Hybrid Plan. \*

In Witness Whereof, the Employer hereby causes this Agreement to be executed on this 26 day of April, 2011.

Employer: Otsego County

By: Paul M. Beachnau

Title: Chair, Board of Commissioners

Attest: \_\_\_\_\_

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 10<sup>th</sup> day of May, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE, RICHARD SUMERIX,  
ABSENT: DOUG JOHNSON, KEN BORTON, BRUCE BROWN.

The following preamble and resolution was offered by Commissioner: CLARK BATES.

**OCR 11-11**  
**Proclaiming National Police Week & Peace Officers Memorial Day**  
OTSEGO COUNTY BOARD OF COMMISSIONERS  
May 10, 2011

**WHEREAS**, The Congress of the United States of America has designated the week of May 15<sup>th</sup> through May 21<sup>st</sup>, 2011 to be dedicated as "NATIONAL POLICE WEEK" and May 15<sup>th</sup> of each year to be "PEACE OFFICERS MEMORIAL DAY"; and

**WHEREAS**, The members of law enforcement agencies protect life and property throughout the County of Otsego and play an essential role in safeguarding the rights and freedoms of our citizens; and

**WHEREAS**, The County of Otsego desires to honor the valor, service and dedication of its own Sheriff Deputies, especially those who have given their lives in the line of duty; and

**WHEREAS**, The County of Otsego further desires to recognize and appreciate the duties, hazards, and sacrifices of law enforcement personnel; and

**WHEREAS**, The Board of Commissioners calls upon the citizens of Otsego County to take a moment on May 15<sup>th</sup>, to remember those fallen officers who made the ultimate sacrifice for their fellow man; now, therefore, be it

**RESOLVED**, that we proclaim the week of May 15<sup>th</sup> to May 21<sup>st</sup> to be "POLICE WEEK" and call upon all our citizens in this community to especially honor and show our sincere appreciation for the Sheriff Deputies of this County by deed, remark and attitude; and be it further

**RESOLVED** that the flags be flown at half-staff on May 15<sup>th</sup> in honor of Deputy Carl L. Darling, Jr., who gave his life in the line of duty on May 3, 1986; Sergeant Larry C. Washburn, who died while on duty on May 15, 1994 and Deputy John K. Gunsell, who died in the line of duty on September 12, 2004.

**A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:**

YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

*Paul M. Beachnau*

Paul M. Beachnau, Chairman

*Susan I. DeFeyter*

Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)  
§  
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 10<sup>th</sup> day of May, 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011

OTSEGO COUNTY  
RESOLUTION  
Number OCR 11-12

**To Form an Inter-Municipal Committee for Cooperative Land Use Planning  
Between Bagley Township; City of Gaylord; Livingston Township; and Otsego County**

Whereas, Bagley Township, the City of Gaylord, Livingston Township and Otsego County share interests in providing for economic development, the preservation of cultural and natural resources, safe and effective transportation, and the efficient delivery of public services; and

Whereas, Bagley Township, the City of Gaylord, Livingston Township and Otsego County agree that joint discussions are useful to assist each of the municipalities in their efforts to provide for economic development, the preservation of cultural and natural resources, safe and effective transportation, and the efficient delivery of public services, effective land use planning and community development.

Now therefore be it resolved that Otsego County does hereby agree to jointly and mutually establish and organize an Inter-Municipality Committee under Act 200 of Public Acts of 1957 together with the Bagley Township, City of Gaylord, and Livingston Township for the purpose of discussing issues of mutual interest and concern, including land use planning, the delivery of public services, transportation, growth management and community development.

Be it further resolved that:

1. The Inter-Municipality Committee established by this Resolution shall operate under the name of Gaylord Area Cooperative Planning Committee.
2. Membership of the Committee shall consist of the following:
  - Three representatives appointed by the City of Gaylord
  - Three representatives appointed by Bagley Township
  - Three representatives appointed by Livingston Township
  - Three representatives appointed by Otsego County
  - The Otsego County Economic Alliance Director
3. The Committee will focus on the broad discussion and study of issues to inform and better guide member municipalities in their respective decision making.
4. The Committee will set quarterly meetings, unless circumstances necessitate a change in the number of meetings. Those quarterly meetings will be tentatively set for January, April, July, and October.
5. An Otsego County representative will be appointed by Otsego County to serve as the Committee Chairperson.
6. An Otsego County representative will be appointed by Otsego County to service as the Vice-Chairperson.
7. Otsego County shall be responsible for preparing meeting agendas and minutes.

8. Otsego County shall be responsible for providing at least an annual report for delivery to the member municipalities listing the major issues discussed by the Committee over the last year.

RESOLUTION ADOPTED

YES: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE,  
RICHARD SUMERIX, DOUG JOHNSON, KEN BORTON,  
BRUCE BROWN.

NO: NONE.

ABSTAIN: NONE.

ABSENT: NONE.

*Paul Beachnau*

Paul Beachnau, Chairman County Board of Commissioners

*Susan DeFeyter*

Susan DeFeyter, County Clerk

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 14<sup>th</sup> day of June, 2011 beginning at 9:30a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, RICHARD SUMERIX, DOUG JOHNSON,  
KEN BORTON, BRUCE BROWN.

ABSENT: ERMA BACKENSTOSE.

The following preamble and resolution was offered by Commissioner: \_\_\_\_\_.

**RESOLUTION NO. OCR 11-13**  
**AUTHORIZING RESOLUTION**  
OTSEGO COUNTY BOARD OF COMMISSIONERS  
June 14, 2011

**WHEREAS**, the Otsego County Board of Commissioners is the owner of a property located at 887 Charles Brink Road, Gaylord, Michigan 49735 and has a mortgage recorded in the office of the Register of Deeds for Otsego County Michigan, in Liber 923, Pages 957-970, and Loan Modifications Liber, 930 Pages 33-34, Liber, 940 Pages 342-343 in the name Kathy Thompson, a single woman and Dolores B. Ancona, 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, Kathy Thompson, a single woman and Dolores B. Ancona, 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.

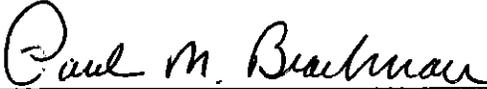
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

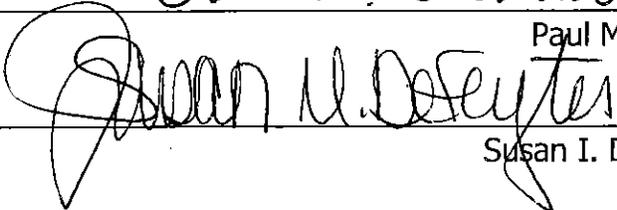
YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

  
\_\_\_\_\_  
Paul M. Beachnau, Chairman

  
\_\_\_\_\_  
Susan I. DeFeyter, County Clerk



Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 14<sup>th</sup> day of June, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, RICHARD SUMERIX, DOUG JOHNSON,  
KEN BORTON, BRUCE BROWN.

ABSENT: ERMA BACKENSTOSE.

The following preamble and resolution was offered by Commissioner: \_\_\_\_\_.

**RESOLUTION NO. OCR 11-14**  
**AUTHORIZING RESOLUTION**  
OTSEGO COUNTY BOARD OF COMMISSIONERS  
June 14, 2011

**WHEREAS**, the Otsego County Board of Commissioners is the owner of a property located at 7512 Mill Street, Vanderbilt, Michigan 49795 and has a mortgage recorded in the office of the Register of Deeds for Otsego County Michigan, in Liber 817, Pages 111-125, in the name Vanetta Brown, A/K/A Vanetta B. Brown, 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, Vanetta Brown, A/K/A Vanetta B. Brown, 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.

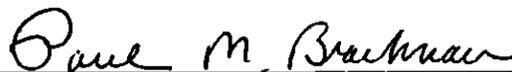
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

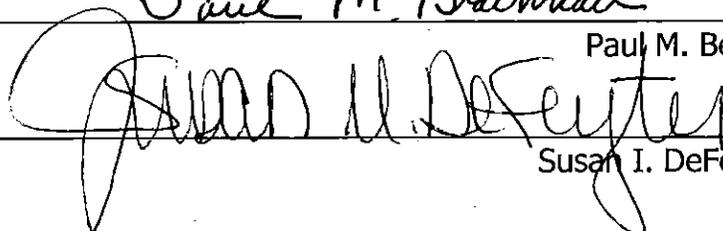
YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

  
\_\_\_\_\_  
Paul M. Beachnau, Chairman

  
\_\_\_\_\_  
Susan I. DeFeyter, County Clerk



COUNTY OF OTSEGO

OCR 11-15

At a REGULAR meeting of the Board of Commissioners of the County of Otsego, Michigan, held on the 28TH day of JUNE, 2011, at 9:30 A.m., Eastern Daylight Savings Time, in the Otsego County \_\_\_\_\_ Building in Gaylord, Michigan there were:

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE,  
RICHARD SUMERIX, DOUG JOHNSON, KEN BORTON, BRUCE BROWN.

ABSENT: NONE.

The following preambles and resolution were offered by LEE OLSEN and seconded by \_\_\_\_\_.

**RESOLUTION TO APPROVE PLANS, COST ESTIMATE,  
ESTIMATE OF THE PERIOD OF USEFULNESS  
AND LEASE CONTRACT**

WHEREAS, there have been prepared and presented to the Board of Commissioners (the "Board") of the County of Otsego, Michigan (the "County"), preliminary plans to construct and equip a salt storage building for use in connection with its maintenance of the County roads and an above-ground storage tank (the "Project"), all as more fully described in EXHIBIT A to the Lease Contract (as hereinafter defined), and a proposed Lease Contract between the County and the Otsego County Building Authority (the "Authority") dated as of July 1, 2011 (the "Lease Contract"), pursuant to which the Authority will construct and equip the Project as contemplated by the terms of Act No. 31, Public Acts of Michigan, 1948 (First Extra Session), as amended ("Act 31"), and lease the Project to the County for a term not to exceed 50 years as permitted by Act 31; and

WHEREAS, it has been estimated that the period of usefulness of the Project to be not less than 25 years and that the total cost of constructing and equipping the Project (as defined in the Lease Contract) in an amount not to exceed \$1,000,000 which will be provided by the proceeds from the sale of bonds by the Authority pursuant to Act 31; and

WHEREAS, the County proposes to undertake the Project and to request the Authority to incur taxable or tax-exempt debt (the "Reimbursement Obligations") to finance all or a portion of the costs of the Project;

WHEREAS, the County may make certain expenditures for said Project prior to issuance of the Reimbursement Obligations and may wish to use the proceeds of the Reimbursement Obligations to reimburse all or a portion of said expenditures.

WHEREAS, it is in the public interest and for the public benefit that the County designate an authorized officer for the purposes of declaring official intent of the County with respect to expenditures;

WHEREAS, there has been prepared and attached hereto as APPENDIX I a form of Lease Contract and as APPENDIX II a form of notice entitled "NOTICE OF INTENTION OF THE COUNTY OF OTSEGO TO ENTER INTO A LEASE CONTRACT WITH THE OTSEGO COUNTY BUILDING AUTHORITY AND NOTICE OF RIGHT TO PETITION FOR REFERENDUM THEREON" (the "Notice of Intention");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF OTSEGO, MICHIGAN, as follows:

1. The preliminary plans and estimates relating to the Project and identified in EXHIBIT A to APPENDIX I hereto are hereby approved and ordered filed with the County Clerk.

2. The Lease Contract in the form of APPENDIX I hereto is hereby approved, and the Chairperson of the Board of Commissioners and the County Clerk are hereby authorized and directed to execute and deliver the same for and on behalf of the County.

3. It is hereby determined that the Notice of Intention provides information sufficient to adequately inform the electors and taxpayers of the County of the nature of the contractual obligations to be undertaken by the County in the Lease Contract and of their right under Act 31 to file a petition requesting a referendum election on the Lease Contract.

4. The form and content of the Notice of Intention are hereby approved, and the County Clerk is hereby authorized and directed to cause the Notice of Intention to be published once in *The Gaylord Herald Times*, Gaylord, Michigan, a newspaper of general circulation within the County which is hereby determined to be the newspaper reaching the largest number of electors and taxpayers of the County. The Notice shall be at least one quarter page in size.

5. The Administrator of the County is hereby authorized to declare official intent of the County with respect to reimbursement.

6. Each declaration of official intent shall be substantially in the form set forth in APPENDIX III attached hereto and by this reference incorporated herein, and said form may be modified from time to time on the advice of bond counsel

to the County and as necessary to conform to requirements of our reimbursement regulations as the same may be adopted by the Internal Revenue Service or amended from time to time, or with the requirements of applicable rulings or regulations relating to tax-exempt borrowings.

7. The Administrator is hereby directed to file each declaration of official intent in the office of the Otsego County Clerk, which location constitutes the customary location of the records of the Authority which are available to the general public.

8. The Otsego County Clerk is further directed to assure that each declaration of intent is continuously available during normal business hours of the County on every business day of the period beginning the earlier of 10 days after the date of execution of said declaration of intent and ending on the date of issuance of the Reimbursement Bonds.

9. The Chief Administrative Officer of the County, if necessary, is authorized to apply to the Department of Treasury ("Treasury") for approval to issue the bonds, to pay the related fee, and to execute and deliver such other documents as may be requested by the Treasury.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE

THE RESOLUTION WAS DECLARED ADOPTED.

las.r1-ots31



Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 28<sup>th</sup> day of June, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE,  
ABSENT: NONE. RICHARD SUMERIX, DOUG JOHNSON, KEN BORTON  
BRUCE BROWN.

The following preamble and resolution was offered by Commissioner: LEE OLSEN.

**OCR 11-16**

**Recognition of Roland (Ron) Chavey**

Otsego County Board of Commissioners

June 28, 2011

**WHEREAS**, Roland (Ron) Chavey has served the Gaylord community since moving here full time in 1987 after his retirement from General Motors in Flint, Michigan; and

**WHEREAS**, Ron became one of the busiest retirees on record in Otsego County; and

**WHEREAS**, Ron serves and has served on many boards and committees; Otsego County Housing Committee; RSVP; FEMA; Otsego County United Way; Otsego County Community Foundation; Rotary Club; Salvation Army; Big Brother/Big Sisters; Community Food Pantry; Otsego National Ski Patrol; Northern Michigan Nation Ski Patrol; Chamber of Commerce; Friendship Shelter; Alpine Regional Educational Center; Otsego Lake Association; Northwest Michigan Community Health Agency; Goodwill Industries; Volunteer Center of Otsego County; and

**WHEREAS**, Ron served as an Otsego County Commissioner representing District VI for several years; and

**WHEREAS**, in addition to the several boards and committees that Ron has served over the years he still found time to offer his assistance to the State of Michigan Association of Counties-Human Services Committee; Michigan Governor's Task Force for Human Services; St. Mary's Athletic association; Michigan Department of Social Services Advisory-Otsego County; Michigan Heart Association; Society of Die Cast Engineers; American Electroplaters Society; American Cancer Society; Voluntary Action Center-Genesee & Lapeer Counties; Michigan Blood Council board and advisory representative for American Blood Commission; Goodwill of Mid-America Board of Directors and Industrial Advisory Council; and

**WHEREAS**, over the past several years Ron has been bestowed upon him many awards and commendations; and

**WHEREAS**, Ron was named 1998 der Buergermeister; and

**WHEREAS**, although Ron has decided to retire from the Salvation Army he will continue to be a beacon in our community; now, therefore, be it

**RESOLVED**, that Roland (Ron) Chavey be remembered by fellow Otsego County colleagues and the public for the giving of his time and talents to make Otsego County a better place to live, work and play; and be it further

**RESOLVED**, that the Otsego County Board of Commissioners commend and honor Ron for his outstanding service to our community, and wish him the best in his future endeavors.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

NO: NONE.

ABSTAIN: UNANIMOUS.

THE RESOLUTION WAS DECLARED ADOPTED.

*Paul M. Beachnau*

Paul M. Beachnau, Chairman

*Susan I. DeFeyter*

Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)  
§  
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 28<sup>th</sup> day of June, 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 12<sup>th</sup> day of July, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE, RICHARD SUMERIX,  
ABSENT: PAUL BEACHNAU, BRUCE BROWN. DOUG JOHNSON, KEN BORTON.

The following preamble and resolution was offered by Commissioner: \_\_\_\_\_.

**OCR 11-17**  
**Recognition of 2011 Alpenfest der Bürgermeister - Bill Granlund**  
Otsego County Board of Commissioners  
July 12, 2011

- WHEREAS**, Bill Granlund is a lifelong resident of northern Michigan and a graduate of Northern Michigan University in Marquette where he grew up and attended high school; and
- WHEREAS**, after high school Bill spent two years in the military, stationed in Korea; and
- WHEREAS**, Bill became a resident of Otsego County in 1952 when he and his wife, Jean, moved here to begin a teaching position with Gaylord Community Schools where he would eventually become Principal; and
- WHEREAS**, Bill is our local historian, and with that knowledge of the local history of the area he was one of the founding members of the Otsego County Historical Society in 1963; and
- WHEREAS**, Bill is a former member of the Alpenfest Committee; and
- WHEREAS**, the Gaylord Herald Times has named Bill Granlund as the 2011 Alpenfest der Bürgermeister; and
- WHEREAS**, the County of Otsego recognizes that one of its greatest assets is the strength, diversity and commitment of its community members; now, therefore, be it
- RESOLVED**, that the Otsego County Board of Commissioners, hereby recognizes and honors the outstanding contributions that Bill Granlund has made to our community.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

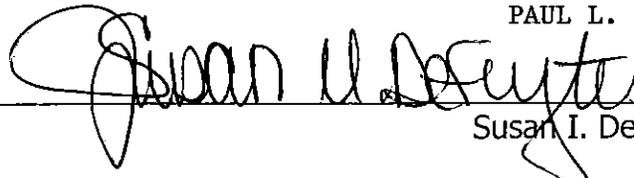
YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

  
\_\_\_\_\_  
PAUL L. LISS VICE-Chairman

  
\_\_\_\_\_  
Susan I. DeFeyter, County Clerk



Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 12<sup>th</sup> day of July, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE, RICHARD SUMERIX,

ABSENT: PAUL BEACHNAU, BRUCE BROWN. DOUG JOHNSON, KEN BORTON.

The following preamble and resolution was offered by Commissioner: \_\_\_\_\_.

**OCR 11-18**

**Recognition of 2011 Alpenfest Parade Marshal - Dean Johnson**

Otsego County Board of Commissioners

July 12, 2011

**WHEREAS**, Dean Johnson has been a resident of Gaylord since he moved here from Tawas City in 1974; and

**WHEREAS**, Dean ran the Pendleton Shop clothing store for many years in downtown Gaylord; and

**WHEREAS**, Dean is a past president of the Gaylord Kiwanis Club and brought the club's Dime Toss to Gaylord's Alpenfest, which has raised \$150,000 for Kiwanis projects since 1989; and

**WHEREAS**, Dean Johnson was recently awarded the Kiwanis Hixson Award, the club's highest honor; and

**WHEREAS**, Dean has been very involved with the Gaylord community by serving on the United Way board; Jaycees; and the Chamber of Commerce, which he worked to raise money in an effort to bring the historic "Gaylord car" back to the town where it was built; and

**WHEREAS**, Dean is also a past president of the Alpenfest Committee; and

**WHEREAS**, the Alpenfest Board of Directors has named Dean Johnson as the 2011 Alpenfest Parade Marshal; and

**WHEREAS**, the County of Otsego recognizes that one of its greatest assets is the strength, diversity and commitment of its community members; now, therefore, be it

**RESOLVED**, that the Otsego County Board of Commissioners, hereby recognizes and honors the outstanding contributions that Dean Johnson has made to our community.

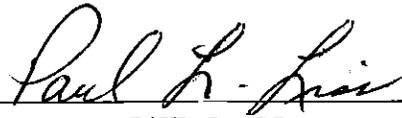
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

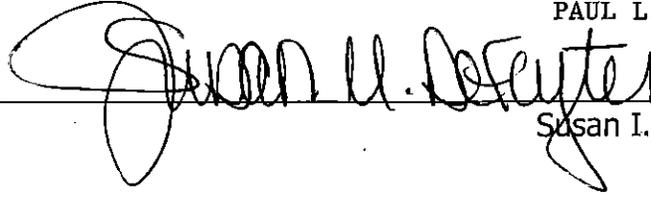
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



PAUL L. LISS VICE- Chairman



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)  
                                  §  
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 12<sup>th</sup> day of July, 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 12<sup>th</sup> day of July, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE, RICHARD SUMERIX,  
ABSENT: PAUL BEACHNAU, BRUCE BROWN. DOUG JOHNSON, KEN BORTON.

The following preamble and resolution was offered by Commissioner: \_\_\_\_\_.

**OCR 11-19**  
**Recognition of 2011 Alpenfest Honored Industry – United Way**  
Otsego County Board of Commissioners  
July 12, 2011

**WHEREAS**, the Otsego County United Way was founded over 40 years ago; and

**WHEREAS**, the United Way connects people through giving, volunteering and advocating to make a difference in our community; and

**WHEREAS**; the Otsego County United Way is uniting volunteers and mobilizing resources to support effective programs addressing community needs, in 2010 they began to focus efforts in three critical areas: education, income and health, which are the building blocks to success; and

**WHEREAS**, currently the Otsego County United Way funds at least 14 local service groups; and

**WHEREAS**, the Alpenfest Board of Directors has named the Otsego County United Way as the 2011 Alpenfest Honored Industry; and

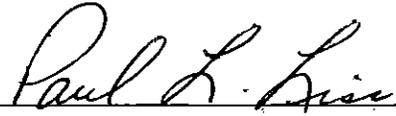
**WHEREAS**, the County of Otsego recognizes the importance of involvement by our local businesses in the community and the significant contributions they make; now, therefore, be it

**RESOLVED**, that the Otsego County Board of Commissioners, hereby congratulates the Otsego County United Way as being the recipient of the 2011 Alpenfest Honored Industry.

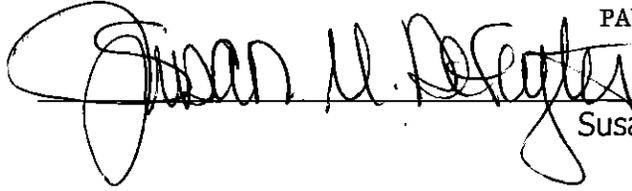
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS  
\_\_\_\_\_  
\_\_\_\_\_  
NO: NONE.  
\_\_\_\_\_  
ABSTAIN: NONE.  
\_\_\_\_\_

THE RESOLUTION WAS DECLARED ADOPTED.



PAUL L. LISS VICE -Chairman



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)  
                                  §  
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 12<sup>th</sup> day of July, 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011

OCR 11-20

COUNTY OF OTSEGO  
BOARD OF COMMISSIONERS

At a meeting of the Board of Commissioners of the County of Otsego held in Gaylord, Michigan, on July 26, 2011 at 9:30\_a.m., Eastern Daylight Savings Time, there were

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, ERMA BACKENSTOSE, RICHARD SUMERIX,  
DOUG JOHNSON, KEN BORTON, BRUCE BROWN.

ABSENT: LEE OLSEN

The preamble and resolution was offered by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_.

RESOLUTION TO APPROVE FORM OF SUBLEASE

WHEREAS, there has been prepared and attached hereto as APPENDIX I, a form of sublease between the County of Otsego (the "County") and the Board of County Road Commissioners of the County of Otsego (the "Road Commission") (the "Sublease") whereby the Road Commission will sublease certain real estate described therein from the County for up to twenty-one (21) years; and

WHEREAS, the final Sublease cannot be completed until the bonds are sold for the project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF OTSEGO, MICHIGAN, as follows:

1. The Sublease, in the form attached hereto as APPENDIX I, is hereby approved and the blanks therein continued in Appendix B and C of the Sublease shall be completed by the Chairperson of the Board of Commissioners of the County after the bonds are sold which will include inserting the debt retirement schedule for the bonds.

2. The Chairperson of the Board of Commissioners of the County and the County Clerk are hereby authorized to execute and deliver the Sublease once the blanks therein have been completed.

3. All resolutions and parts of resolutions, insofar as they conflict with the foregoing resolution, are hereby rescinded.



**APPENDIX I**

**SUBLEASE**

THIS SUBLEASE ("Lease") made as of August 1, 2011 by and between the COUNTY OF OTSEGO, a county in the State of Michigan (the "County"), and the BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF OTSEGO (the "Road Commission"), a County agency organized and existing under and pursuant to the provisions of Act No. 283, Public Acts of Michigan of 1909, as amended ("Act 283"), and

W I T N E S S E T H :

WHEREAS, the Otsego County Building Authority (the "Authority") has been incorporated by the County for the purpose of acquiring, furnishing, equipping, owning, improving, enlarging, operating and maintaining a building or buildings, automobile parking lots or structures, recreational facilities and stadiums, and the necessary site or sites therefor, for the use of the County; and

WHEREAS, the Authority intends to construct and equip a Project on the premises described in APPENDIX A to be subleased to the Road Commission and the County and the Authority have entered into a certain Full Faith and Credit General Obligation Lease Contract (the "County Lease") pursuant to which the Project is being constructed by the Authority for the County; and

WHEREAS, the County desires to undertake a project consisting of the construction and equipping of a building, as more fully described in APPENDIX A to this Lease (the "Project"), and it is proposed that the Authority undertake the Project; and

WHEREAS, the County wishes to sublease the Project to the Road Commission pursuant to the terms of this Lease;

THEREFORE, IN CONSIDERATION OF THE MUTUAL UNDERTAKINGS AND AGREEMENTS SET FORTH BELOW, IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES TO THIS LEASE AS FOLLOWS:

1. Authorization and Issuance of Bonds. The County intends to cause the Authority to issue its building authority bonds in the aggregate principal of not to exceed \$1,000,000 (the "Bonds") for the purpose of defraying part or all of the cost of the Project. The Bonds are to be dated August 1, 2011 or the first day of any later month in 2011 or 2012 and bear interest at a rate that will result in a net interest cost of not to exceed 8% per annum. Interest shall be payable semi-annually on and shall begin as specified in the Bond Resolution until maturity of the bonds and shall mature in accordance with the Debt Retirement

Schedule set forth on APPENDIX B to this Lease. Each date on which any payment of principal of and/or interest on any Bond is due is referred to herein as a "Bond Payment Date." The Bonds may be payable on the first day of a different month if necessary to match rental income paid to the County.

The County and Road Commission recognize and acknowledge that (a) such Debt Retirement Schedule is based upon an assumed interest rate and date of issuance of the Bonds and assumed Bond Payment Dates, all as set forth in APPENDIX B, (b) the Bond Payment Dates will be specified in the Bond Resolution, (c) the date and amount of each payment of cash rental required under this Lease will be determined (subject to the limitations expressed in the preceding paragraph of this Section) when the Bond Resolution is adopted by the Authority and the Bonds are sold, by application of the rate or rates of interest (that will result in a net interest cost not exceeding 8% annum) actually borne by the Bonds.

The Bonds shall be sold subject to redemption prior to maturity at the option of the Authority with the redemption premiums and upon such terms as are set forth in APPENDIX C attached hereto.

In the event that for any reason after the date upon which this Lease is executed, but before the Bonds have been issued, it appears to the County and the Road Commission that the part of the Project to be paid by Bond proceeds can be equipped for less than \$1,000,000, or Road Commission shall be able to make payment in advance on the cash rental payments payable pursuant to this Lease, the County may cause the Authority to reduce the amount of bonds to be issued in multiples of \$5,000 and reduce the annual maturities or the years of maturities as the County shall direct.

2. Completion of Project. The Authority will commence the Project as follows: (1) the plans, cost estimate and estimated period of usefulness for the Project, all must be filed with the County Clerk and the Road Commission, (2) the Road Commission must approve the plans and cost estimate, and (3) the Authority will obtain construction bids on the Project, after which the Road Commission must approve the award to the lowest responsible bidder. The Project shall be implemented in substantial accordance with such plans which shall be incorporated as part of (but not attached to) this Lease. No major changes in such plans shall be made without the written approval of both the County and Road Commission.

3. Increased Project Costs. In the event that it shall appear, upon taking the necessary bids for the acquisition of the Project and after issuance of the Bonds, that the Project cannot be completed at the estimated cost, the County shall immediately so notify Road Commission. Road Commission may elect to pay the increased cost in cash to the Authority in which event the amount

of such cash payment shall be deposited in the acquisition fund for the Project and the Authority shall proceed to acquire and complete the Project.

4. Insurance Requirements During Acquisition. The County shall cause the Authority to require the contractor or contractors for the Project to furnish all necessary bonds guaranteeing performance and all labor and material bonds and all owner's protective, workers' compensation and liability insurance required for the protection of the Authority, the County, and the Road Commission. Such bonds and insurance, and the amounts thereof, shall be subject to approval of the County and Road Commission. The County shall also cause the Authority to require a sufficient fidelity bond from any person handling funds of the Authority.

5. Sublease Term; Possession. The County does hereby sublease the Project to Road Commission for a term commencing on the effective date of this Lease (determined as provided in paragraph 21) for 30 years after completion, or such earlier date as the principal of and premium, if any, and interest on the Bonds, the fees and expenses of the paying agent for the Bonds and all amounts owing hereunder have been paid in full, but in any event the term of this Lease and any renewals shall not exceed 35 years. Possession of the Project, subject to the sublease, shall vest in Road Commission upon the execution of the Lease. Road Commission agrees to use the Project solely for the purposes for which it is organized.

6. Cash Rental; Pledge of Full Faith and Credit. Road Commission hereby agrees during the term of this Lease or any renewal hereof to pay to the County as cash rental for the Project such periodic amounts as shall be sufficient to enable the County to meet its payments to the Authority on the Project to pay the principal of and interest on the Bonds as such principal and interest shall become due, whether at maturity or by redemption. During the term of the Lease or any extensions thereof, Road Commission shall pay to the County, at least 15 days before each Bond Payment Date, an amount sufficient to pay the principal and/or interest due on the Bonds on such Bond Payment Date.

Road Commission hereby agrees to pay from its general fund the cash rental payments when due. The obligation of Road Commission to make such cash rental payments shall not be subject to any set-off by Road Commission nor shall there be any abatement of the cash rental payments for any cause, including, but not limited to, casualty that results in the Project being untenable.

7. Expenses of Issuing and Payment of Bonds. The County shall cause the Authority to pay from the proceeds of the sale of the Bonds all expenses incurred with respect to the issuance of

the Bonds. Road Commission agrees to pay to the County, in addition to the cash rental provided for in Section 7, all expenses incurred with respect to the issuance and payment of the Bonds, to the extent not so paid from the proceeds from the sale of the Bonds including, but not limited to, the per diem charges paid to the members of the Authority. The obligation of Road Commission to make such payments shall be a general obligation of Road Commission.

8. Maintenance and Repairs. Road Commission shall, at its own expense, operate and maintain the Project and shall keep the same in good condition and repair. Operation and maintenance shall include (but not be limited to) the providing of all personnel, equipment and facilities, all light, power, heat, water, sewerage, drainage and other utilities, and all properties and services of whatever nature, as shall be necessary or expedient in the efficient and lawful operation and maintenance of the Project. Premiums for insurance required to be carried upon or with respect to the Project or the use thereof and taxes levied upon either party hereto on account of the ownership or use of the Project, or on account of rentals or income from the Project, shall likewise be deemed operation and maintenance expenses. The obligation of Road Commission to pay all costs and expenses of the operation and maintenance of the Project shall be a general obligation of Road Commission.

9. Property Insurance and Insurance Proceeds. Road Commission shall provide, at its own expense, fire and extended coverage insurance in an amount which is at least equal to the amount of Bonds outstanding from time to time or to the amount of the full replacement cost of the Project if that amount be less than the amount of Bonds outstanding. Such insurance shall be payable to Road Commission, the County and the Authority as their interests may appear and shall be made effective from the date of commencing acquisition of the Project. In the event of the partial or total destruction of the Project during or after construction, or if the Project is for any reason made unusable, the cash rental payments provided in Section 6 shall continue unabated. Road Commission shall have the option to use the proceeds of insurance, in the event of loss or damage to the Project, for the repair or restoration of the Project. If Road Commission shall determine not to use the proceeds of insurance for the repair or restoration of the Project, the amount of such insurance proceeds shall be paid to the County and by it paid to the Authority which shall deposit the same in the bond and interest redemption fund, and Road Commission shall receive appropriate credits on future cash rental payments due under this Lease. Any insurance proceeds in excess of the amount necessary to retire the Bonds in full shall be retained by Road Commission.

10. Liability Insurance. Road Commission shall provide and maintain during the term of this Lease adequate liability insurance protecting Road Commission, the County and the

Authority against loss on account of damage or injury to persons or property, imposed by reason of the ownership, possession, use, operation, maintenance or repair of the Project and the site of the Project, or resulting from any acts of omission or commission on the part of Road Commission, the County or the Authority or their respective officers, employees or agents in the connection with the Project and shall indemnify, hold harmless and defend the Authority, its officers, employees or agents against any and all claims for any such damage or injury. Such insurance shall be made effective from the date acquisition of the Project commences.

11. No Unlawful Use Permitted. The Project shall be used for these purposes permitted by Public Act 280 of the Public Acts of 1987 and shall not be used or permitted to be used in any unlawful manner or in any manner which would violate the provisions of any contract or agreement between Road Commission, the County or the Authority. Road Commission shall hold the County and Authority harmless and keep it fully indemnified at all times against any loss, injury or liability to any persons or property by reason of the acts or negligence of Road Commission in the use, misuse or non-use of the Project or from any act or omission in, on or about the Project. Road Commission shall, at its own expense, make any changes or alterations in, on or about the Project which may be required by any applicable statute, charter or governmental regulation or order and shall hold the County and the Authority harmless and free from all costs or damages with respect thereto.

12. Alterations of Project. Road Commission with the approval of the County may install or construct in or upon, or may remove from, the Project any equipment, fixtures or structures, and may make any alterations to or structural changes in, the Project.

13. Right of Inspection. The County and Authority, through its officers, employees or agents, may enter upon the Project at any reasonable time during the term of this Lease for the purpose of inspecting the Project and determining whether Road Commission is complying with the covenants, agreements, terms and conditions of this Lease.

14. Contractual Rights of Bondholders. Inasmuch as this Lease, and particularly the obligation of Road Commission to make cash rental payments to the County, provides the security for payment of the principal of and interest on the Bonds, it is hereby declared that this Lease is made for the benefit of the holders from time to time of the Bonds as well as for the benefit of the parties and that such holders shall have contractual rights under this Lease. In the event of any default under this Lease on the part of Road Commission, the County, the Authority and the holders of the Bonds shall have all rights and remedies provided by law. The parties further agree that they will not

do, or permit to be done, any act, and that this Lease will not be amended in any manner, which would impair the security of the Bonds or the rights of the holders of the Bonds. An amendment of this Lease to authorize the issuance of additional Bonds and providing the payment of additional cash rentals for the payment of such Bonds shall not be deemed to impair the security of the Bonds or the rights of the holders of the Bonds.

15. Appurtenant Facilities. The site on which this Project is to be located includes, or will include, roadways, walks, drives, parking areas and landscaping which are of benefit to and necessary to the full use and enjoyment of the Project, and it is hereby agreed that such appurtenant facilities will be maintained in good repair and condition by Road Commission and available to the users and occupants of the Project.

16. Successors and Assigns. This Lease shall inure to the benefit of, and be binding upon, the respective parties hereto and their successors and assigns, provided, however, that no assignment shall be made in violation of the terms of this Lease nor shall any assignment be made by Road Commission without the approval of the County or which would impair the security of the Bonds or the rights of the holders of the Bonds.

17. Abandonment of Project. In the event the Bonds to finance the Project cannot be or are not issued by the Authority on or before December 1, 2012, the Project shall be abandoned, Road Commission shall pay from available funds all expenses of the Authority incurred to the date of abandonment, and neither party shall have any further obligations under this Lease.

18. Consents, Notices, Etc. The right to give any consent, agreement or notice required or permitted in this Lease shall be vested, in the case of the County, in its Board of Commissioners, and in the case of Road Commission, in its Board. Any notice required or permitted to be given under this Lease shall be given by delivering the same, in the case of the County, to the County Clerk, and in the case of Road Commission, to its Board.

19. Changes in Law or Corporate Status. In the event there shall occur changes in the Constitution or statutes of the State of Michigan which shall affect the organization, territory, powers or corporate status of Road Commission or the County, the terms and provisions of this Lease shall be unaffected thereby insofar as the obligation of Road Commission to make the cash rental payments is concerned. The proceeds of any sale or other liquidation of any interest of Road Commission in the Project are hereby impressed with a first and prior lien for payment of any outstanding Bonds or other obligations of the Authority incurred by reason of the Project or any additions or improvements thereto.

20. Effective Date of Lease. This Lease shall become effective on the date the Bonds are issued.

IN WITNESS WHEREOF, BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF OTSEGO as authorized by its Board and the COUNTY OF OTSEGO, by its Board of Commissioners, have caused this Lease to be signed by their duly authorized officers, and their seals to be affixed hereto, all as of the day and year first above written.

WITNESS:

BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF OTSEGO

\_\_\_\_\_

By: \_\_\_\_\_

and

\_\_\_\_\_

By: \_\_\_\_\_

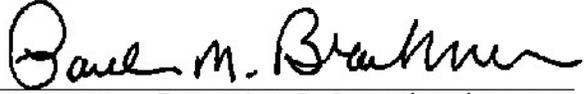
and

\_\_\_\_\_

By: \_\_\_\_\_

COUNTY OF OTSEGO

  
\_\_\_\_\_  
County Administrator

By:   
\_\_\_\_\_  
Chairperson, Board of Commissioners

  
\_\_\_\_\_  
LYNN BRANCH

By:   
\_\_\_\_\_  
County Clerk

las.r3-ots31

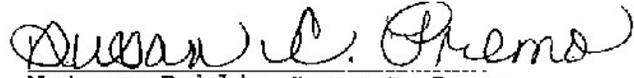
STATE OF MICHIGAN )  
 ) SS.  
COUNTY OF OTSEGO)

On this \_\_\_\_\_ day of \_\_\_\_\_, the foregoing instrument was acknowledged before me by \_\_\_\_\_ and \_\_\_\_\_, who are the \_\_\_\_\_ and the \_\_\_\_\_ of \_\_\_\_\_, on behalf of said \_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_ County, Michigan  
My Commission Expires: \_\_\_\_\_

STATE OF MICHIGAN )  
 ) SS.  
COUNTY OF OTSEGO)

On this 17th day of August 2011, the foregoing instrument was acknowledged before me by Paul M. Beachnau and Susan I. DeFeyter, who are the Chairperson and the County Clerk of the County of Otsego, a local unit of government, on behalf of said County.

  
\_\_\_\_\_  
Notary Public Susan C. Premo  
\_\_\_\_\_ Otsego County, Michigan  
My Commission Expires: July 19, 2012

**SUSAN C. PREMO  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF OTSEGO  
MY COMMISSION EXPIRES JUL 19, 2012  
ACTING IN COUNTY OF OTSEGO**

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**APPENDIX A**

**PROJECT DESCRIPTION**

The project will consist of the construction of a new 14,000 sq. ft. salt storage building at the Otsego County Road Commission property at 669 W. McCoy Road in Gaylord, Michigan. The facility will be used to store salt used on local roads. In addition to the salt storage building, a 15,000 gallon above-ground storage tank for use in the treatment of the Road Commission's waste water will be installed.

**TOTAL ESTIMATED PROJECT COSTS**

Construction and Equipment Costs,	
Financing Costs, Bond Discount,	
Contingency and Other Costs	\$1,000,000

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**APPENDIX B**

**ESTIMATED SCHEDULE OF PRINCIPAL AND INTEREST**

**[INSERT ESTIMATED SCHEDULE]**

The final debt service schedule for the bond issue will be attached to the Sublease after the bonds are sold.

las.r3-ots31

APPENDIX C

REDEMPTION PROVISIONS

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Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 23<sup>rd</sup> day of August, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE,  
ABSENT: RICHARD SUMERIX, DOUG JOHNSON, KEN BORTON, BRUCE BROWN.

The following preamble and resolution was offered by Commissioner: PAUL LISS.

**OCR 11-21**  
**Michigan Economic Development Corporation – CDBG Funding**  
Otsego County Board of Commissioners  
August 23, 2011

**WHEREAS**, Otsego County has requested Community Development Block Grant (CDBG) funding in the amount of \$60,000 from the Michigan Economic Development Corporation; and

**WHEREAS**, the proposed project is consistent with the Otsego County Master Plan; and

**WHEREAS**, that at least 51% of the beneficiaries of the proposed project would be low and moderate income persons; and

**WHEREAS**, no project costs will be incurred prior to a formal grant award, completion of the environmental review procedures and a formal, written authorization to incur costs is received from the Michigan Economic Development Corporation project manager; now, therefore, be it

**RESOLVED** that the Otsego County Board of Commissioners authorizes submittal of a Michigan CDBG Application in the amount of \$60,000 for the Otsego County Aerospace Diversification Planning Project; and; be it further

**RESOLVED** that John Burt, Administrator, is authorized to execute the application forms on behalf of the County.

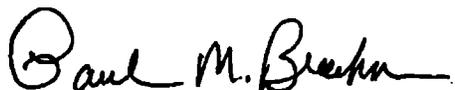
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

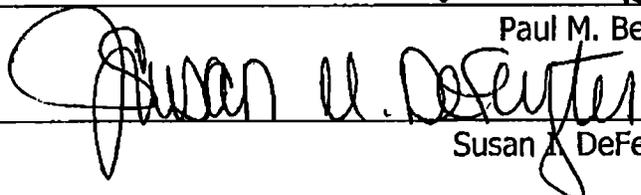
YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

  
\_\_\_\_\_  
Paul M. Beachnau, Chairman

  
\_\_\_\_\_  
Susan A. DeFeyter, County Clerk

STATE OF MICHIGAN)  
§  
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 23<sup>rd</sup> day of August, 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

---

Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 23<sup>rd</sup> day of August, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE,  
ABSENT: RICHARD SUMERIX, DOUG JOHNSON, KEN BORTON, BRUCE BROWN.

The following preamble and resolution was offered by Commissioner: CLARK BATES.

**OCR 11-22**  
**Recognition of Jerry and Tricia Coger**  
Otsego County Board of Commissioners  
August 23, 2011

**PROCLAMATION**

**WHEREAS,** Jerry and Tricia Coger are the role models for love, marriage, family, church, and community; and

**WHEREAS,** Jerry and Tricia are the epitome of community caring and giving; and

**WHEREAS,** Jerry and Tricia have each volunteered for countless hours for 20 years for the Otsego County Food Pantry; both serving as board members representing their church, St. Mary Cathedral, with Tricia serving as President for five years; and

**WHEREAS,** daily oversight of the Food Pantry as well as ordering food, rotating stock, and serving the public, remains a priority for Jerry; and

**WHEREAS,** Jerry, a heart and liver transplant recipient, has promoted organ donor registration locally, state-wide, and nationally; and

**WHEREAS,** Tricia worked for Community Mental Health with those with disabilities and then went on to work for the Crawford Au Sable School District as a speech pathologist; and

**WHEREAS,** Jerry and Tricia voluntarily support their church with their time and talents by demonstrating a selfless lifestyle dedicated to caring for others; now, therefore, be it

**RESOLVED,** that Sunday, September 11, 2011, a National Day of Giving, be set aside in Otsego County to honor Jerry and Tricia Coger by calling the community together at an Open House in their honor at the Otsego County Food Pantry from 12 noon to 2 pm; and be it further

**RESOLVED,** that the Otsego County Board of Commissioners honor and thank the Cogers for their  
outstanding service to our community.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

Paul M. Beachnu  
Paul M. Beachnu, Chairman

Susan I. DeFeyter  
Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)  
§  
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 23<sup>rd</sup> day of August, 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 13<sup>th</sup> day of September, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE,  
ABSENT: RICHARD SUMERIX, DOUG JOHNSON, KEN BORTON, BRUCE BROWN.

The following preamble and resolution was offered by Commissioner: \_\_\_\_\_

**RESOLUTION NO. OCR 11-23**  
**AUTHORIZING RESOLUTION**  
September 13, 2011  
Otsego County Board of Commissioners

**WHEREAS**, it is hereby declared to be contrary to the public policy of Otsego County for any person(s) to be discriminated against in employment, housing or participation in any public funded programs because of race, religion, national origin, color, sex, marital status, age or disability; and

**WHEREAS**, the opportunity to obtain employment without discrimination because of race, religion, national origin, color, sex, marital status, age or disability is hereby recognized and declared to be a civil right; and

**WHEREAS**, the opportunity to participate in all home improvement programs, purchase, lease, sell, hold, use and convey housing without discrimination because of race, religion, national origin, color, sex, marital status, age or disability is hereby recognized and declared to be a civil right; now, therefore, be it

**RESOLVED**, that the opportunity to participate in federal, state and locally funded programs without discrimination because of race, religion, national origin, color, sex, marital status, age or disability is hereby recognized and declared to be a civil right; and be it further

**RESOLVED** that the Otsego County Board of Commissioners hereby appoints Marlene Hopp, Otsego County Housing Director on September 13, 2011 as the Otsego County Housing Program Fair Housing contact person. Upon any complaints that refer to any discrimination with the Otsego County Housing Program based on the above description Mrs. Hopp will follow the Otsego County Fair Housing Policy, attached.

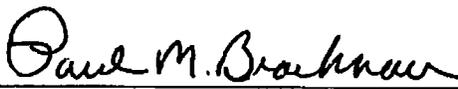
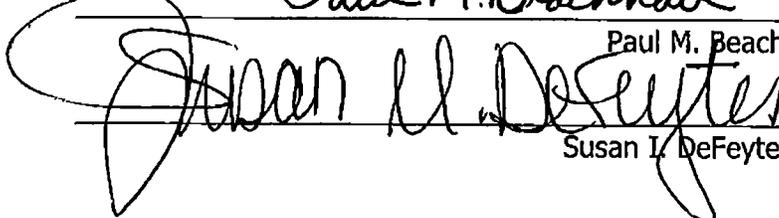
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

  
\_\_\_\_\_  
Paul M. Beachnau, Chairman  
  
\_\_\_\_\_  
Susan I. DeFeyter, County Clerk



Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 13<sup>th</sup> day of September, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE,  
ABSENT: RICHARD SUMERIX, DOUG JOHNSON, KEN BORTON, BRUCE BROWN.

The following preamble and resolution was offered by Commissioner: \_\_\_\_\_.

**RESOLUTION NO. OCR 11-24**  
**AUTHORIZING RESOLUTION**  
OTSEGO COUNTY BOARD OF COMMISSIONERS  
September 13, 2011

**WHEREAS**, the County of Otsego is interested in the continuing effort to develop rental housing conditions for its low income residents; and

**WHEREAS**, the County has demonstrated a need for this assistance with data outlined in the application; and

**WHEREAS**, the County intends to meet this need by submission of an application to Michigan State Housing Development Authority (MSHDA) 2011 Housing Resource Fund (HRF) Rental Rehabilitation Community Development Block Grant and by funds leveraged with Landlords, thus meeting more needs; and

**WHEREAS**, the County Board of Commissioners accepts the recommendation of the Housing Committee to apply for \$350,000; now, therefore, be it

**RESOLVED**, that the Otsego County Administrator, on behalf of the Otsego County Board of Commissioners, John M. Burt be the Authorized Official to sign and submit said MSHDA's HRF Application and Marlene K. Hopp, Director of the Otsego County Housing Committee be the Agency Administrator to prepare the grant and submit other documents as required.

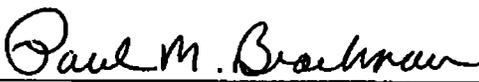
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

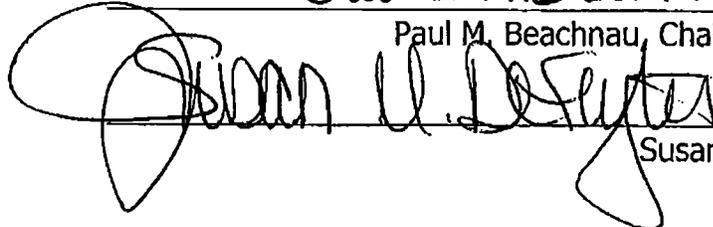
YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

**THE RESOLUTION WAS DECLARED ADOPTED.**

  
\_\_\_\_\_  
Paul M. Beachnau, Chair, Board of Commissioners

  
\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)  
COUNTY OF OTSEGO) ss.

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 13<sup>th</sup> day of September, 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that minutes of such meeting were kept and will be or have been made available as required thereby.

---

Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011



**RESOLUTION FOR CHANGING MERS BENEFITS  
(OTHER THAN DB COMPONENT OF HYBRID PROGRAM)**

In accordance with the MERS Plan Document of 1996, the Otsego County  
(Participating Municipality)  
6902-1 adopts the following benefits for: General Local #214 Teamsters Bus Division 10  
(Municipality No.) (Reporting Unit No., MERS Division No. and Name)

A "division" is defined as an employee or group of employees covered by the same benefit programs and the same employee contribution program. Each division has a specific MERS number and name, such as "Div. 10, General-Admin.," and is part of a Reporting Unit, such as: "01."

Supporting Supplemental Valuation is dated August 24, 2011

**BENEFIT MULTIPLIER**

From B-3 2.25% To B-3 2.25% Effective Date 10-1-2011  
(Current Benefit Multiplier) (New Benefit Multiplier)

**Provisions for Earlier Normal Retirement**

- F50/25     F50/30     F(N)-Years and Out (Specify number of years) \_\_\_\_\_
- F55/15     F55/20     F55/25     F55/30

Effective Date \_\_\_\_\_

**EMPLOYEE CONTRIBUTION RATE**

**ADDITIONAL BENEFITS  
AFFECTING FUTURE RETIREES**

New Rate \_\_\_\_\_  
Effective Date \_\_\_\_\_

- FAC 3     FAC 5     V-6     V-8     V-10     RS - 50%
- D-2     E-2     DROP+ with \_\_\_\_\_ %  
Effective Date \_\_\_\_\_

**RETIREE COST-OF-LIVING BENEFIT PROGRAMS FOR CURRENT RETIREES**

- E Standard     E-1
- E - Other (Specify Factor \_\_\_\_\_ Adjustment Years \_\_\_\_\_)

Effective Date \_\_\_\_\_

**WINDOW PERIOD (If applicable)**

From \_\_\_\_\_ To \_\_\_\_\_  
(Date) (Date)

I CERTIFY THAT THE ABOVE WAS ADOPTED BY Otsego County Board of Commissioners 9-13-2011  
Governing Body Date of Meeting  
Paul M. Beahm Chair, Board of Commissioners 9-13-2011  
Authorized Signature Title Date

**NOTE: Standard/Nonstandard Benefit Provisions—Attach page fully describing provision(s), and (1) a complete copy of the fully executed collective bargaining agreement and a certified copy of official minutes where the collective bargaining agreement or this Resolution was adopted, or (2) a copy of the arbitration or mediation decision. If further information is needed, please contact MERS Employer Services Division at 1 (800) 767-6377.**

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 13<sup>th</sup> day of September, 2011 beginning at 9:30 a.m.

PRESENT: Clark Bates, Paul Beachnau, Paul Liss, Lee Olsen, Erma Backenstose, Richard Sumerix, Doug Johnson, Ken Borton, Bruce Brown.

ABSENT: \_\_\_\_\_

The following preamble and resolution was offered by Commissioner: \_\_\_\_\_.

**OCR 11-26**  
**SEPTEMBER 2011 - NATIONAL PREPAREDNESS MONTH**

Otsego County Board of Commissioners  
September 13, 2011

**WHEREAS**, "National Preparedness Month" creates an important opportunity for every resident of Otsego County, Michigan, to prepare their homes, businesses, and communities for any type of emergency including natural disasters and potential terrorist attacks; and

**WHEREAS**, investing in the preparedness of ourselves, our families, businesses, and communities can reduce fatalities and economic devastation in our communities and in our nation; and

**WHEREAS**, the Federal Emergency Management Agency's *Ready* Campaign, Citizen Corps, and other federal, state, local, tribal, territorial, private, and volunteer agencies are working to increase public activities in preparing for emergencies and to educate individuals on how to take action; and

**WHEREAS**, all citizens of Otsego County, Michigan, are encouraged to participate in citizen preparedness activities and asked to review the *Ready* campaign's websites at Ready.gov and become more prepared; now therefore, be it

**RESOLVED** that Chairman Paul Beachnau and the Otsego County Board of Commissioners hereby proclaim September, 2011 as National Preparedness Month, and encourage all citizens and businesses to develop their own emergency preparedness plan, and work together toward creating a more prepared society.

This resolution shall be in effect from and after its passage and approval as provided by law.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: Unanimous.

NO: None.

ABSTAIN: None.

THE RESOLUTION WAS DECLARED ADOPTED.

*Paul M. Beachnau*

Paul M. Beachnau, Chairman

*Susan I. DeFeyter*

Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)  
§  
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 13<sup>th</sup> day of September, 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011



**RESOLUTION FOR CHANGING MERS BENEFITS  
(OTHER THAN DB COMPONENT OF HYBRID PROGRAM)**

In accordance with the MERS Plan Document of 1996, the Otsego County  
(Participating Municipality)  
6902-1 adopts the following benefits for: General Local #214 Clerical  
(Municipality No.) (Reporting Unit No., MERS Division No. and Name)

A "division" is defined as an employee or group of employees covered by the same benefit programs and the same employee contribution program. Each division has a specific MERS number and name, such as "Div. 10, General-Admin.," and is part of a Reporting Unit, such as: "01."

Supporting Supplemental Valuation is dated August 24, 2011

**BENEFIT MULTIPLIER**

From B-3 2.25% To B-3 2.25% Effective Date 10-1-2011  
(Current Benefit Multiplier) (New Benefit Multiplier)

**Provisions for Earlier Normal Retirement**

F50/25     F50/30     F(N)-Years and Out (Specify number of years) \_\_\_\_\_  
 F55/15     F55/20     F55/25     F55/30  
Effective Date 10-1-2011

**EMPLOYEE CONTRIBUTION RATE**

**ADDITIONAL BENEFITS  
AFFECTING FUTURE RETIREES**

New Rate \_\_\_\_\_  FAC 3     FAC 5     V-6     V-8     V-10     RS - 50%  
Effective Date \_\_\_\_\_  D-2     E-2     DROP+ with \_\_\_\_\_ %  
Effective Date \_\_\_\_\_

**RETIREE COST-OF-LIVING BENEFIT PROGRAMS FOR CURRENT RETIREES**

E Standard     E-1  
 B - Other (Specify Factor \_\_\_\_\_ Adjustment Years \_\_\_\_\_)  
Effective Date \_\_\_\_\_

**WINDOW PERIOD (If applicable)**

From \_\_\_\_\_ To \_\_\_\_\_  
(Date) (Date)

I CERTIFY THAT THE ABOVE WAS ADOPTED BY Otsego County Board of Commissioners 9-13-2011  
Governing Body Date of Meeting  
Paul M. Brachman Chair, Board of Commissioners 9-13-2011  
Authorized Signature Title Date

**NOTE: Standard/Nonstandard Benefit Provisions—Attach page fully describing provision(s), and (1) a complete copy of the fully executed collective bargaining agreement and a certified copy of official minutes where the collective bargaining agreement or this Resolution was adopted, or (2) a copy of the arbitration or mediation decision. If further information is needed, please contact MERS Employer Services Division at 1 (800) 767-6377.**

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 of the County Building, 225 West Main Street, Gaylord, Michigan on the 27<sup>th</sup> day of September 2011 at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, ERMA BACKENSTOSE, RICHARD SUMERIX,

DOUG JOHNSON, KEN BORTON, BRUCE BROWN.

ABSENT: LEE OLSEN

The following preamble and resolution was offered by Commissioner: RICHARD SUMERIX.

**RESOLUTION NO. OCR 11-28**  
**COMMENDATION IN HONOR OF SHIRLEY JENKINS**  
OTSEGO COUNTY BOARD OF COMMISSIONERS  
September 27, 2011

**WHEREAS**, Shirley Jenkins moved to Gaylord in 1955 and graduated from Gaylord High School in 1956, after graduation she went onto Cleary Business College; and

**WHEREAS**, Shirley Jenkins was a public servant of Otsego County for over 50 years; and

**WHEREAS**, Shirley enjoyed serving her community for many years; and

**WHEREAS**, Shirley worked several years at the Otsego County Clerk's office and for Bagley Township as the Treasurer then Supervisor; and

**WHEREAS**, Shirley spent countless hours as a volunteer at the local food pantry, Eagle's bingo hall and on the board of the women's bowling league; and

**WHEREAS**, Shirley was a devoted member of Trinity Lutheran Church in Gaylord; and

**WHEREAS**; Shirley died on Wednesday, August 3, 2011 and will be greatly missed by her many friends and colleagues, now, therefore, be it

**RESOLVED**, that Shirley Jenkins shall be remembered by her fellow colleagues and the public for the giving of her time and talents to make Otsego County a better place to live and work, and be it further

**RESOLVED**, that the Otsego County Board of Commissioners honor and thank Shirley's family for her outstanding service to our community and offer their condolences.

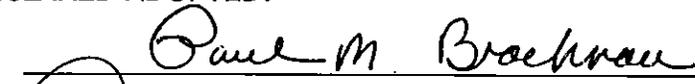
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

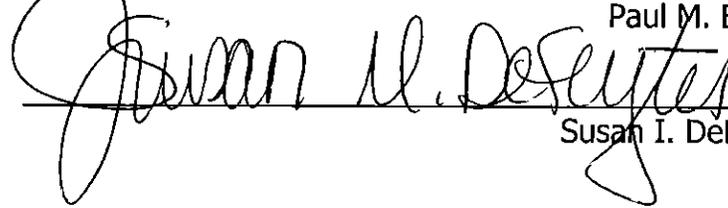
YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

  
\_\_\_\_\_  
Paul M. Beachnau, Chairman

  
\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)  
                                  ) ss.  
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 27<sup>th</sup> day of September 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011

## MERS Restated Uniform Hybrid Program (Benefit Program H) Resolution



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

[www.mersoflaj.com](http://www.mersoflaj.com)

**WHEREAS**, under the Municipal Employees Retirement Act of 1984, section 36(2)(a); MCL 38.1536(2)(a); Plan Document Section 36(2)(a), provides the Retirement Board (effective August 15, 1996):

[s]hall determine and establish all of the provisions of the retirement system affecting benefit eligibility, benefit programs, contribution amounts, and the election of municipalities, judicial circuit courts, judicial district courts, and judicial probate courts to be governed by the provisions of the retirement system ... [and] to establish additional programs including but not limited to defined benefit, defined contribution, ancillary benefits, health and welfare benefits, and other post employment benefit programs (as amended by 2004 PA 490).

**WHEREAS**, pursuant to the Board's powers, the MERS Plan Document of 1996 was adopted effective October 1, 1996, and the Plan has been amended periodically by the Board.

**WHEREAS**, the MERS Plan, an agent, multiple employer, public employee pension plan, has been determined by the Internal Revenue Service to be a governmental plan that is tax qualified as a trust under Code section 401(a) and exempt from taxation under section 501(a) (Letter of Favorable Determination dated June 16, 2005; and letter dated July 8, 1997).

**WHEREAS**, on March 14, 2006, the Retirement Board has authorized establishment of a Hybrid Plan, with a defined benefit (DB) and defined contribution (DC) component.

**WHEREAS**, new Section 19B, Benefit Program H, and related plan amendments, create a new Hybrid Program that a participating municipality or court may adopt for MERS members to be administered in whole or in part under the discretion of the Municipal Employees' Retirement Board as trustee and fiduciary, directly by (or through a combination of) MERS or MERS duly-appointed third-party administrator for the DC component.

**WHEREAS**, this Uniform Hybrid Program Resolution has been approved by the Retirement Board under the authority of MCL 38.1536(2)(a); Plan section 36(2)(a) declaring that the Retirement Board "shall determine . . . and establish" all provisions of the retirement system. Under this authority, the Retirement Board authorized Section 19B, Benefit Program H, which shall not be implemented unless in strict compliance with the terms and conditions of this Resolution as provided under section 19B(2):

- In the event any alteration of any provision of this section 19B, or other sections of the Plan Document related to the provisions of Benefit Program H, is made or occurs, under section 43B of the Plan Document concerning collective bargaining or under any other plan provision or law, adoption of Benefit Program H shall not be recognized, other than in accordance with this section and other sections of the Plan Document related to the provisions of Benefit Program H.
- In the event any alteration of the terms or conditions stated in this Uniform Resolution is made or occurs, it is expressly recognized that MERS and the Retirement Board, as sole trustee and fiduciary of the MERS Plan and its trust reserves, and whose authority is nondelegable, shall have

## MERS Restated Uniform Hybrid Program (Benefit Program H) Resolution

no obligation or duty: to administer (or to have administered) the Benefit Program H; to authorize the transfer of any Plan assets to the Hybrid Program; or to continue administration by MERS directly or indirectly, or by any third-party administrator.

**WHEREAS**, concurrent with this Resolution, and as a continuing obligation, this governing body has completed and approved, and submitted to MERS, documents necessary for adoption and implementation of MERS Benefit Program H.

**NOW, THEREFORE, BE IT RESOLVED** that the governing body adopts MERS Benefit Program H (Hybrid Program) as provided below.

### I. NEW EMPLOYEES (Plan Sec 19B(4) – (12))

Effective the first day of June, 2011, (to be known as the ADOPTION DATE), the

Otsego County Judicial System hereby adopts Benefit Program H for  
(MERS municipality/court)

New Hires division 14 after 6/1/2011

(specify division numbers)

first hired or rehired to the division at any time on and after the Adoption Date, and optional participation for any employee or officer of this municipality otherwise eligible to participate in MERS under Section 2B(3)(a) of the Plan Document who has previously elected to not participate in MERS. The employer shall establish the transfer rule for transferred employees in the Employer Resolution Establishing a Uniform Transfer Provision. **ONLY THOSE EMPLOYEES ELIGIBLE FOR MERS MEMBERSHIP (SECTIONS 2B(3) AND 3 OF THE PLAN DOCUMENT) SHALL BE ELIGIBLE TO PARTICIPATE.**

#### (A) HYBRID PLAN CONTRIBUTIONS

- The DB Component shall be exclusively funded by the employer, with no member contributions permitted.
- For the DC Component, employee and employer contributions shall be required as allowed and specified in Plan section 19B(8) and the MERS Uniform Hybrid DC Component Adoption Agreement ("Adoption Agreement," Attachment 1, completed and approved and a certified copy submitted to MERS concurrent with and incorporated by reference in this Resolution). A member is immediately 100% vested in any employee contributions, and is vested in employer contributions under the employer vesting schedule.

#### (B) COMPENSATION AND EARNINGS

- For the DB Component, earnings shall include items of "Compensation" under Section 2A(6) of the MERS Plan Document, with the exception of the last sentence, which shall not apply.
- For the DC Component, earnings shall include items of "Compensation" under Section 2A(6) of the MERS Plan Document as provided for Benefit Program DC, which equals the Medicare taxable wages as reported by the employer on the member's federal form W-2, wage and tax statement.

## MERS Restated Uniform Hybrid Program (Benefit Program H) Resolution

### (C) HYBRID PLAN VESTING

- For the DB Component, 6 year vesting is mandatory (Plan Sec 19B(5)(b)).
- For the DC Component, employee and employer contributions shall be required as allowed and specified in Plan section 19B(8) and the Adoption Agreement (Attachment 1, completed and approved and a certified copy submitted to MERS concurrent with and incorporated by reference in this Resolution). A member is immediately 100% vested in any employee contributions, and is vested in employer contributions under the employer vesting schedule.
- As provided in Section 19B(3):

Where a member has previously acquired in the employ of any participating municipality or participating court:

- (a) not less than 1 year of defined benefit service in force (including Hybrid Program) with any participating municipality or participating court;
- (b) eligible credited service where the participating municipality or participating court has adopted the Reciprocal Retirement Act, 1961 PA 88;
- (c) at least 12 months in which employer contributions by a participating municipality or participating court have been made on behalf of the member under Benefit Program DC or Hybrid Program, such service shall be applied toward satisfying the vesting schedule for the DB Component, and for the DC Component, for employer contributions.

### (D) BENEFITS UNDER HYBRID PLAN

- For the DB component:
  - (1) The Benefit Multiplier (Plan Section 19B(4)) initially selected shall be irrevocable, shall not later be changed and shall be the one here specified (select only one of the following):
    - (a) 1.0 % times (x) years of service times (x) FAC
    - (b) 1.25% times (x) years of service times (x) FAC
    - (c) 1.5% times (x) years of service times (x) FAC
  - (2) Final Average Compensation (FAC) shall be FAC-3 (Plan Section 19B(6)).
  - (3) The Benefit shall be payable at age 60 (Plan Section 19B(5)(b)).
  - (4) Credited Service shall be comprised solely of the sum of (a) the total of the member's credited service (if any) under the previous DB program on the effective date of coverage under the Hybrid Plan (Plan Section 19B(16)(b)(ii); see II (E)(b)(ii) below); plus (b) credited service earned by the member after the effective date of coverage under the Hybrid Plan (Plan Section 19B(17)(b)).
- For the DC Component (Plan Section 19B(12)):

## **MERS Restated Uniform Hybrid Program (Benefit Program H) Resolution**

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Upon termination of membership, a vested former member or a beneficiary, as applicable, shall elect one or a combination of several of the following methods of distribution of the vested former member's or beneficiary's accumulated balance, to the extent allowed by federal law and subject to Plan Section 19B(11)(b) and procedures established by the Retirement Board:

- (1) Lump sum distribution to the vested former member or beneficiary.
- (2) Lump sum direct rollover to another eligible retirement plan, to the extent allowed by federal law.
- (3) Annuity for the life of the vested former member or beneficiary, or optional forms of annuity as determined by the Retirement Board.
- (4) No distribution, in which case the accumulated balance shall remain in the retirement system, to the extent allowed by federal law.

<b>STOP</b> if covering new employees only, skip II and III and go to IV on page 9. <b>STOP</b>
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## MERS Restated Uniform Hybrid Program (Benefit Program H) Resolution

- II. **OPTIONAL PROVISION FOR CURRENT MERS DEFINED BENEFIT MEMBERS WHERE HYBRID PROGRAM FOR NEW EMPLOYEES ESTABLISHED (FOR TRANSFERS FROM MERS DEFINED CONTRIBUTION PROGRAM, SEE SECTION III)**  
(Plan Sec 19B(13)-(16))

***THIS OPTIONAL SECTION SHALL ONLY BE SELECTED WHERE THE TOTAL FUNDED PERCENT OF AGGREGATE ACCRUED LIABILITIES AND VALUATION ASSETS OF ALL RESERVES SPECIFIED IN TABLE 13 (OR SUCCESSOR TABLE) FOR THE PARTICIPATING MUNICIPALITY OR COURT, AND FOR THE AFFECTED MEMBER BENEFIT PROGRAM CLASSIFICATION(S) (DIVISION(S)) SPECIFIED IN THE MOST RECENT MERS ANNUAL ACTUARIAL VALUATION REPORT IS AT LEAST EIGHTY PERCENT (80%).***

IT IS ADDITIONALLY RESOLVED, as provided in each of the following paragraphs:

- (A) Effective on the Adoption Date, pursuant to Plan Section 19B(13):

all current MERS defined benefit members who are members of the same employee classification described in Section I above on the Adoption Date shall be offered the opportunity to irrevocably elect coverage under Benefit Program H. Section 19B(14) specifies an employee's written election to participate shall be filed with MERS: (a) not earlier than the last day of the third month after this Resolution is adopted and received by MERS; and (b) not later than the first day of the first calendar month that is at least six months after MERS receives this Resolution. This means each eligible employee will have about 90 days to make the decision.

After MERS receives this Resolution, this governing body's authorized official and eligible employees will be advised by MERS of the election window timelines and other information to consider in making the irrevocable decision whether to participate in Benefit Program H.

Participation for those electing coverage shall be effective the first day of the first calendar month at least six (6) months after MERS' receipt of the Resolution, here designated as being the month of \_\_\_\_\_, 20\_\_\_\_, (insert month and year) which shall be known as the "**CONVERSION DATE.**"

The opportunity for current employees on the Adoption Date to participate in the Hybrid Program shall (select 1 of the following 2 choices):

- apply to all employees who separate from or terminate employment with this municipality after the Adoption Date and before the Conversion Date, so long as the employee does not receive a retirement allowance (including distributions from Benefit Programs DC or H) from MERS based on service for this municipality.
- not apply to any employee who separates from or terminates employment with this municipality after the Adoption Date.

## MERS Restated Uniform Hybrid Program (Benefit Program H) Resolution

(B) **CONTRIBUTIONS** shall be as provided in Section I (A) above.

(C) **COMPENSATION AND EARNINGS** shall be as provided in Section I (B) above.

(D) **HYBRID PLAN VESTING** shall be as provided in Section I (C) above.

(E) For each employee irrevocably electing to participate in Benefit Program H, then under Plan Section 19B(16), the Retirement Board shall transfer the following amounts from the reserve for employee contributions and the reserve for employer contributions and benefit payments to the reserve for defined contribution plan:

- (a) The member's accumulated contributions, if any, as of 12:01 a.m. on the day the member becomes covered by Benefit Program H shall be transferred from the reserve for employee contributions to the member's credit in the reserve for Benefit Program H Defined Contribution component.
- (b) The funded excess present value shall be computed as the excess, if any, of the actuarial present value of the accrued benefit associated with the member's coverage under the previous benefit program, over the actuarial present value of the accrued benefit associated with the member's coverage under the defined benefit component of Benefit Program H, after such excess is multiplied by the funded level percentage selected by the governing body in subparagraph(F)(2) below (which shall not be less than 80% nor exceed 100% funded level percentage in any case). The excess, if any, of the funded excess present value over the amount specified in sub-paragraph (a) shall be transferred from the reserve for employer contributions and benefit payments to the member's credit in the reserve for Benefit Program H Defined Contribution component. For purposes of this subparagraph:
  - (i) The actuarial present values shall be computed as of 12:01 a.m. on the day the member becomes covered by Benefit Program H and shall be based on the actuarial assumptions adopted by the Retirement Board.
  - (ii) On the effective date of the change of the benefit program the member's credited service under Benefit Program H shall be equal to the member's credited service under the previous benefit program.
  - (iii) In determining final average compensation there shall not be included any accrued annual leave.
  - (iv) The earliest retirement date (for an unreduced benefit) assumption under the defined benefit program in effect on the effective date of the change of the benefit program shall be utilized. Likewise the earliest retirement date assumption under Benefit Program H shall be utilized.
- (v) For purposes of the actuarial present value calculation, any future benefit otherwise payable under Benefit Program E or E-1 shall be disregarded.

The transfer shall be made approximately 30 calendar days after the **Conversion Date**, and the transfer amount shall include pro-rated regular interest at the regular Board-established rate for crediting of interest on member's accumulated contributions in the defined benefit program, measured from the **Conversion Date** to the actual transfer date.

## MERS Restated Uniform Hybrid Program (Benefit Program H) Resolution

(F) Per Plan Section 19B(16)(b), the Retirement Board has established the assumptions for calculation of the actuarial present value of a member's accrued benefit that may be transferred. The assumptions are:

- (1) The interest rate in effect as of the Adoption Date, to determine actuarial present value, shall be the Board-established investment earnings rate assumption (currently eight percent (8.00%)).
- (2) The funded level for the member's specific MERS division (total funded percentage of the present value of accrued benefits which shall be determined using Termination Liability under Table 12 or successor table and valuation assets of all reserves using Table 13) as of the Adoption Date from the most recent MERS annual actuarial valuation report data provided by MERS actuary. In the APV calculation, the funded level used shall be (select one of the following):
  - Table 12 Termination Liability funded level for the division (not less than 80% nor to exceed 100% funded level).
  - If greater than the division's funded level but not more than 100% funded level, then MERS is directed to compute the funded percentage for the transfer calculation on \_\_\_\_\_% funded basis (insert number greater than the division's Table 12 Termination Liability funded level percentage but not more than 100%). Where less than 100% funded level exists, this governing body recognizes that such direction shall increase its pension funding liability. MERS shall not implement such direction unless the governing body forwards to MERS sufficient cash up to the funded level selected for all members prior to the Conversion Date; if sufficient cash is not forwarded, then the governing body expressly covenants with MERS and directs, as a condition of this selection, to MERS billing and the governing body remitting to MERS all contributions necessary to fund the unfunded liability occasioned by the aggregate transfer of the difference between the actual funded level for the division and funded level directed above over a period of four (4) years.

### III. TRANSFER OF CURRENT MERS DEFINED CONTRIBUTION PROGRAM MEMBERS WHERE HYBRID PROGRAM FOR NEW EMPLOYEES ESTABLISHED Plan Sec 19B(13) – (15), (17)

IT IS ADDITIONALLY RESOLVED, as provided in each of the following paragraphs:

- (A) Effective on the Adoption Date, pursuant to Plan Section 19B(13) all current MERS defined contribution members who are members of the same employee classification described in Section I above on the Adoption Date shall be offered the opportunity to irrevocably elect coverage under Benefit Program H. Section 19B(14) specifies an employee's written election to participate shall be filed with MERS: (a) not earlier than the last day of the third month after this Resolution is adopted and received by MERS; and (b) not later than the first day of the first calendar month that is at least six months after MERS receives this Resolution. This means each eligible employee will have about 90 days to make the decision.

After MERS receives this Resolution, this governing body's authorized official and eligible employees will be advised by MERS of the election window timelines and other information to consider in making the irrevocable decision whether to participate in Benefit Program H.

## MERS Restated Uniform Hybrid Program (Benefit Program H) Resolution

Participation for those electing coverage shall be effective the first day of the first calendar month at least six (6) months after MERS' receipt of the Resolution, here designated as being the month of \_\_\_\_\_, 20\_\_\_\_, (Insert month and year), which shall be known as the "**CONVERSION DATE.**"

The opportunity for current employees on the **Adoption Date** to participate in the Hybrid Program shall (select 1 of the following 2 choices):

- apply to all employees who separate from or terminate employment with this municipality after the Adoption Date and before the Conversion Date, so long as the employee does not receive a retirement allowance (including distributions from Benefit Programs DC or H) from MERS based on service for this municipality.
- not apply to any employee who separates from or terminates employment with this municipality after the Adoption Date.

**(B) CONTRIBUTIONS** shall be as provided in Section I (A) above.

**(C) COMPENSATION AND EARNINGS** shall be as provided in Section I (B) above.

**(D) HYBRID PLAN VESTING** shall be as provided in Section I (C) above.

**(E)** For each employee irrevocably electing to participate in Benefit Program H, then under Plan Section 19B(17), the following shall apply:

- (a) The member's accumulated balance in the reserve for defined contribution plan under Benefit Program DC, if any, as of 12:01 a.m. on the day the member becomes covered by Benefit Program H shall be transferred to the member's credit in the reserve for defined contribution plan under Benefit Program H Defined Contribution component.
- (b) For purposes of calculating benefit amounts under the defined benefit component of Benefit Program H, only credited service earned after 12:01 a.m. on the day the member becomes covered by Benefit Program H shall be recognized.

#### **IV. THIRD PARTY ADMINISTRATION**

The Municipal Employees' Retirement Board retains full and unrestricted authority over the administration of MERS Benefit Program H, including but not limited to the appointment and termination of the third-party administrator, or MERS self-administration of the defined contribution program in whole or in part.

# MERS Restated Uniform Hybrid Program (Benefit Program H) Resolution

## V. EFFECTIVENESS OF THIS RESOLUTION

**BE IT FINALLY RESOLVED:** This Resolution shall have no legal effect under the MERS Plan Document until a certified copy of this adopting Resolution shall be filed with MERS, and MERS determines that all necessary requirements under Plan Document Section 19B, this Resolution, and other applicable requirements have been met. All dates for Implementation of Benefit Program H under Section 19B shall be determined by MERS from the date of filing with MERS of this Resolution in proper form and content. Upon MERS determination that all necessary documents have been submitted to MERS, MERS shall record its formal approval upon this Resolution, and return a copy to the Employer's Hybrid Program Plan Coordinator identified in Section IV (D) above.

In the event an amendatory Resolution or other action by this Governing Body is required, such Resolution or action shall be deemed effective as of the date of the initial Resolution or action where concurred in by this governing body and MERS (and the third-party administrator if necessary). Section 54 of the Plan Document shall apply to this Resolution and all acts performed under its authority. The terms and conditions of this Resolution supersede and stand in place of any prior resolution, and its terms are controlling.

I hereby certify that the above is a true copy of a Resolution adopted at the official meeting held

on September 27, 2011

Paul M. Buehner  
(Signature of authorized official)

Please send MERS fully executed copy of:

- MERS 2010 Restated Uniform Hybrid Program (Benefit Program H) Resolution (this form, MD-043)
- MERS Restated Hybrid Plan (Defined Contribution Component) Adoption Agreement (form MD-044)
- Declaration of Trust and certified minutes stating governing body approval, and/or union contract language

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

Dated: \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(Authorized MERS signatory)

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 11<sup>th</sup> day of October, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE,

ABSENT: BRUCE BROWN. RICHARD SUMERIX, DOUG JOHNSON, KEN BORTON.

The following preamble and resolution was offered by Commissioner: CLARK BATES.

**OCR 11-30**  
**PROCLAMATION**  
**Conflict Resolution Day**  
**Thursday, October 20, 2011**  
**Community Mediation Services**  
Otsego County Board of Commissioners  
October 11, 2011

**WHEREAS**, conflict resolution is a way of people solving individual disputes, as well as a means toward creating a more peaceful community; and

**WHEREAS**, our citizens possess the moral authority and power to resolve conflicts on their own; and

**WHEREAS**, the conflict resolution process empowers all individuals, families, communities, schools, businesses, and organizations to foster communication and devise solutions that are acceptable to the needs and interests of all the parties involved; and

**WHEREAS**, Michigan Public Act 260 of 1988, known as the Community Dispute Resolution Act, authorized the establishment of Community Dispute Resolution Centers throughout the State of Michigan; and

**WHEREAS**, the Michigan Supreme Court Administrative Office oversees twenty community resolution centers, which provide trained mediators to assist in conflict resolution; and

**WHEREAS**, Community Mediation Services is a center serving the counties of Alcona, Alpena, Cheboygan, Crawford, Iosco, Kalkaska, Montmorency, Oscoda, Otsego, and Presque Isle; and

**WHEREAS**, community based volunteers, trained in conflict resolution, are the backbone of this program. These trained volunteer mediators provide mediation, facilitation, and conciliation when asked by their peers or ordered by the court; and

**WHEREAS**, these volunteers, serving as mediators, provide low-cost, quality service that can strengthen and restore relationships by relieving parties and courts of costly litigation, resulting in less time involved to reach a mutually satisfactory solution rather than an order imposed on them by a third party; and

**WHEREAS**, the third Thursday in October is set aside as Conflict Resolution Day in recognition of the mediation process and these volunteers and to increase public awareness of constructive ways to resolve conflicts of any type; now, therefore, be it

PROCLAIMED, that Thursday, October 20, 2011, be known as Conflict Resolution Day in Otsego County, Michigan, and encourage all citizens to acknowledge the value of conflict resolution through mediation, facilitation, and conciliation and encourage use of this form of dispute resolution and to get involved and to support Community Mediation Services.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

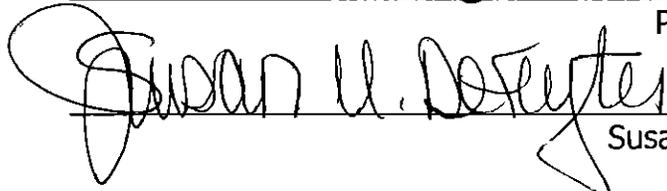
YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

  
\_\_\_\_\_  
Paul M. Beachnau, Chairman

  
\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)  
§  
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 11<sup>th</sup> day of October, 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 of the County Building, 225 West Main Street, Gaylord, Michigan on the 25<sup>th</sup> day of October 2011 at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE,  
RICHARD SUMERIX, KEN BORTON, BRUCE BROWN.

ABSENT: DOUG JOHNSON.

The following preamble and resolution was offered by Commissioner: ERMA BACKENSTOSE.

**RESOLUTION NO. OCR 11-31**  
**COMMENDATION IN HONOR OF JAMES COTANT**  
OTSEGO COUNTY BOARD OF COMMISSIONERS  
October 25, 2011

**WHEREAS,** James (Jim) Charles Cotant, Sr. was born on January 2, 1943 in Detroit; and

**WHEREAS,** Jim graduated from Xavier University in 1966 and earned his Juris Doctorate from the Detroit College of Law in 1970, being admitted to the State Bar of Michigan that same year; and

**WHEREAS,** Jim was married in 1966 to his loving wife, Janice Mary; and

**WHEREAS,** Jim and Janice moved to Gaylord in 1974 so that Jim could take a position as the Assistant Otsego County Prosecutor, later being elected as County Prosecutor; and

**WHEREAS,** Jim practiced law for over 37 years, spending most of his career as a partner in the law firm Bensinger & Cotant PC; and

**WHEREAS,** Jim enjoyed serving his community for many years including on the board of the Otsego Memorial Hospital, the Gaylord Industrial Development Commission, Chairman of directors for the Alpine Regional Education Center (later University Center), and on the boards of directors of the Otsego County United Way and Big Brothers-Big Sisters; and

**WHEREAS,** Jim was a member of the Rotary Club of Gaylord for over 25 years, being named a Paul Harris Fellow; and

**WHEREAS,** in 2010, Jim was the recipient of the Roberts P. Hudson Award, the State Bar of Michigan's highest award, given to the attorney that best exemplifies unselfishness and generosity in a spirit of self-sacrifice and with honor, esteem and respect; and

**WHEREAS,** Jim was very active as an arbitrator and mediator, being known for fairness, honesty, and diplomacy; and

**WHEREAS;** Jim died on Monday, October 17, 2011, and will be greatly missed by his many friends and family, now, therefore, be it

**RESOLVED,** that Jim Cotant shall be remembered by his friends and the public for the giving of his time and talents to make Otsego County a better place to live and work; and, be it further

**RESOLVED**, that the Otsego County Board of Commissioners honor and thank Jim's family for his outstanding service to our community and offer their condolences.

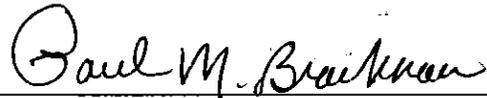
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

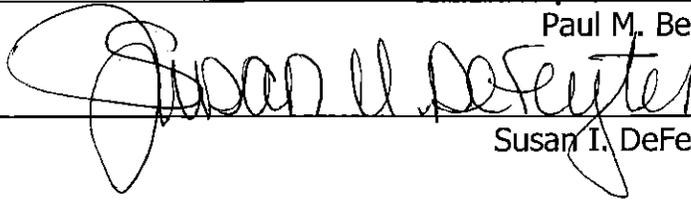
NO: NONE.

ABSTAIN: UNANIMOUS.

THE RESOLUTION WAS DECLARED ADOPTED.



Paul M. Beachnau, Chairman



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN )  
                                  ) ss.  
COUNTY OF OTSEGO )

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 25<sup>th</sup> day of October 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 of the County Building, 225 West Main Street, Gaylord, Michigan on the 25<sup>th</sup> day of October 2011 at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE,  
RICHARD SUMERIX, KEN BORTON, BRUCE BROWN.

ABSENT: DOUG JOHNSON.

The following preamble and resolution was offered by Commissioner: CLARK BATES.

**RESOLUTION NO. OCR 11-32**

**Resolution of Opposition to Closure of the Gaylord Processing and Distribution Facility**

OTSEGO COUNTY BOARD OF COMMISSIONERS

October 25, 2011

**WHEREAS**, United States Postal Service officials have proposed shutting down the Gaylord, MI Processing and Distribution Facility; and

**WHEREAS**, the United States Postal Service preliminary plan includes consolidating the Gaylord Processing and Distribution Facility services with that of the Traverse City, MI Processing and Distribution Facility; and

**WHEREAS**, the result of closing the Gaylord facility would be a loss of up to 50 jobs in the Gaylord region, a loss that would be devastating to our local economy which has already experienced the closure of several manufacturing companies, along with over 430 associated jobs, in the last six years; and

**WHEREAS**, the central location of Gaylord with its direct access to the I-75 and M-32 highways make it a better choice for consolidation than the Traverse City facility; and

**WHEREAS**, the proposed consolidation would have the effect of delaying mail delivery for much of the northern Michigan by moving the processing facility to a remote location; and

**WHEREAS**, it is our understanding that it is the United States Post Office policy to close the smaller facility when considering consolidation, which appears to be contrary to the best interest of the general public by not equally considering all of the involved factors; now, therefore, be it

**RESOLVED**, the Otsego County Board of Commissioners is strongly opposed to the closure of the Gaylord, MI Processing and Distribution Facility and entreats the United States Postal Service to reconsider its closure; and, be it, further

**RESOLVED**, that the Otsego County Board of Commissioners encourages the United States Postal Service to look at other options that better save money while preserving the quality of the service it provides; and, be it, further

**RESOLVED**, that copies of this resolution be forwarded to United States Senator Debbie Stabenow, United States Senator Carl Levin, United States Congressman Dan Benishek, the United States Postmaster General, and to the Manager of Consumer Affairs, Greater Michigan District.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

\_\_\_\_\_

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

*Paul M. Beachnau*

Paul M. Beachnau, Chairman

*Susan I. DeFeyter*

Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN )  
                                  ) ss.  
COUNTY OF OTSEGO )

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 25<sup>th</sup> day of October 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 8<sup>th</sup> day of November, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE, RICHARD SUMERIX,  
ABSENT: PAUL BEACHNAU, BRUCE BROWN, KEN BORTON.

The following preamble and resolution was offered by Commissioner: CLARK BATES.

**OCR 11-33**  
**RESOLUTION OF APPRECIATION**  
**GAYLORD MIDDLE SCHOOL VETERAN'S DAY CEREMONY**

Otsego County Board of Commissioners  
November 8, 2011

**WHEREAS,** a Veteran's Day ceremony will be held at the Gaylord Middle School on Friday, November 11, 2011; and

**WHEREAS,** this will be the 15<sup>th</sup> Veteran's Day ceremony hosted by the Gaylord Middle School; and

**WHEREAS,** this event recognizes both peace and wartime veterans; and

**WHEREAS,** this event helps students learn respect for our country as well as for the sacrifices veterans have made for our country; and

**WHEREAS,** this event is organized by Principal Jerry Belanger, along with Clarence Ralston, Alex Greficz, and in the past by the late Sylvester Lenartowicz; and

**WHEREAS,** the participation of the students and student council are also essential in the preparation for this important ceremony; now, therefore, be it

**RESOLVED,** that the Otsego County Board of Commissioners, hereby officially honors and praises Principal Jerry Belanger, Clarence Ralston, Alex Greficz, and the late Sylvester Lenartowicz as well as the whole Gaylord Middle School student body and its Student Council for their efforts on behalf of all Otsego County veterans.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

*Paul L. Liss*

Paul L. Liss, Vice-Chairman

*Susan I. DeFeyter*

Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)  
                                  §  
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 8<sup>th</sup> day of November, 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100, 225 West Main, Gaylord, MI 49735, on the 22<sup>nd</sup> day of November, 2011, at 9:30 a.m.

**PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE, RICHARD SUMERIX, KEN BORTON.**

**ABSENT: BRUCE BROWN.**

The following preamble and resolution were offered by Commissioner Olsen.

**OCR 11-34  
Fiscal Year 2012 Budget Resolution  
And General Appropriations Act**

**WHEREAS**, the Uniform Budget and Accounting Act ("UBAA") MCLA 141.421 et seq., requires that the Board enact a general appropriations act designed to meet County-funded expenditures; and

**WHEREAS**, County offices, the courts, county departments, agencies and others have submitted requests for a county appropriation in the 2012 budget; and

**WHEREAS**, the County Administrator has submitted a proposed budget as required by statute; and

**WHEREAS**, the Board of Commissioners has taken into consideration the fact that there are required functions of county government or operations which must be budgeted at a serviceable level in order to provide required services programs; and

**WHEREAS**, the Board of Commissioners has determined the amount of money to be raised by taxation necessary for expenditures and liabilities for the 2012 fiscal year and has ordered that money to be raised by taxation within statutory and constitutional limitations.

**NOW, THEREFORE, BE IT RESOLVED**

1. That the 2012 Otsego County Budget for the General Fund which is incorporated by reference herein, is hereby adopted on a basis consistent with the Otsego County policies, subject to all County policies regarding the expenditure of funds as well as the conditions set forth in this resolution.
2. Tax rates are to be levied for the 2012 fiscal year as summarized in Appendix A of this document.
3. That this budget reflects a reasonable allocation of available resources to the various County departments, boards, and agencies, and allows for all mandated services, programs, and activities, including the courts to be performed at or beyond a serviceable level.

4. That the Board of Commissioners hereby authorizes monthly county-based surcharge of \$1.72 be placed on all communications service provider equipment able to call 9-1-1 for service as allowed under Public Act 164 of 2007 to defray the costs of being ready to process and of actually processing 9-1-1 calls placed within Otsego County for Fiscal Year 2012, and that such funds shall be used in accordance with all applicable state and federal laws and County policies.
5. That all County elected officials and department heads shall abide by all County policies, including the Purchasing policy, personnel policies, and applicable labor agreements, as adopted and amended by this Board and that the budgeted funds are appropriated contingent upon compliance with these policies.
6. That the approved employee positions on the Approved Position Control Number Roster contained in this Budget as Appendix B, shall limit the number of employees who can be employed. No funds are appropriated for any position or employee not on the Approved Position Control Number Roster. Further, there may be a need to increase or decrease various positions within the Budget and/or impose a hiring freeze and/or impose lay-offs due to the unforeseen financial changes; therefore, the Approved Position Control Number Roster List may be changed from time to time by the Board and/or the Board may impose a hiring freeze. County elected officials and department heads shall abide by whatever changes are made by the Board, if any, relative to the approved positions and the number of employees stated in the Approved Position Control Number Roster List.
7. That the authorized positions in the Approved Position Control Number Roster List contained in each budget indicates the authorized maximum number of employees in their respective classifications for that budget. Any deviations from said list must be specifically approved by the Board.
8. That certain positions contained in the Approved Position Control Number Roster List which are supported in some part by a grant, cost sharing, child care reimbursement, or other source of outside funding, are only approved contingent upon the County receiving the budgeted revenues. In the event outside funding is not received, or the County is notified that it will not be received, then said positions shall be considered unfunded and removed from the Approved Position Control Number Roster List.
9. That the Administrator is authorized upon request of the respective elected official or department head to transfer persons from certain positions contained in the Approved Position Control Number Roster List, which are supported in some part by grant, cost sharing, child care reimbursement or other source of outside funding, to another grant funded position in order to reduce County cost.
10. That revenues received by the County under Public Act 106 and 107, 1985 (Convention Facility Tax revenues) shall not be used to reduce the County's operating millage levy (2012 Budget Year) as defined by Public Act 2 of 1986.

11. That in accordance with Public Act 106 of 1985 and Public Act 2 of 1986, 50% or approximately \$96,381 of the estimated \$192,761, of the Convention Facility Tax revenues not used to reduce the County's operating tax rate, shall be transmitted to the Northern Michigan Substance Abuse Services with remaining revenues to be deposited into the County's General Fund.
12. That revenues received by the County under Public Act 264 of 1987 (Health and Safety Fund Act) shall not be used to reduce the County's operating millage levy (2012 Budget Year).
13. That in accordance with Public Act 264 of 1987, that 12/17 of the estimated Cigarette Tax revenue, not used to reduce the County's operating tax rate, shall be appropriated to the Northwest Michigan Health Department, for public health prevention programs and services, with remaining revenues to be deposited into the County's general fund. The County's estimated Cigarette Tax revenue for 2012 is \$0.
14. That the Administrator is hereby appointed "Budget Administrator," pursuant to the Uniform Budget and Accounting Act, MCLA 141.421 et seq., with power to administer such duties in connection with said budget, as may be from time to time, delegated to the Office of the County Administrator by this Board.
15. That the Budget Administrator be directed to disburse to the various agencies, the approved County appropriation on the basis of need as determined by the cash balances within their respective funds.
16. That the County Administrator, upon recommendation of the appropriate elected official or department head, be authorized to accept grants on behalf of the County if there is no local match required, or ongoing programming or funding which would require additional appropriations or staffing in current or future fiscal years.
17. That the County Administrator, upon recommendation of the appropriate elected official or department head, be authorized to accept grants on behalf of the County in an amount up to \$50,000 with a local match not to exceed 10% (\$5,000), if required, and if available within the requesting department's current budget, and to record the appropriate budget amendment.
18. That the County Administrator is required and directed to automatically reduce any department each time a reduction is made in federal, state or local funds. The County Administrator, in conjunction with the affected elected official or department head, shall promptly make the necessary lay-offs and advise those affected by the service that those services are being discontinued as a result of said cutbacks.
19. That the County Administrator is authorized to cause the drafting of contracts where necessary and appropriate within established budgetary limitations and that the County Administrator is authorized to sign said contracts after legal counsel approved each contract as to legal form, and the Board of Commissioners has approved each contract. The County Administrator is authorized to sign all contract renewals without prior approval of the Board if funds are previously approved for said contract and there are no changes to the contract as part of the renewal.

20. The Board of Commissioners has determined it would be fiscally prudent to set a goal to add approximately \$100,000 to the Budget Stabilization fund (Fund 257).
21. That the Board of Commissioners has determined that it is fiscally prudent to carry a \$500,000 fund balance in the Health Care fund (Fund 647). Funds in excess of this amount shall be refunded to the contributing funds outside of the general fund as follows: 208 Parks and Recreation, 588 Bus, 212 Animal Control, 232 Housing, 281 Airport, 261 9-1-1, 249 Land Use Services. All remaining leftover funds will be transferred to the General Fund.
22. The Board of Commissioners has determined that it is fiscally prudent to maintain a Legal Defense Fund, Fund 260.
23. The Board of Commissioners has determined that it is fiscally prudent to carry a fund balance level of 10% of expenditures from year-to-year in the Building and Grounds Fund, Fund 637, in order to avoid cash flow shortfalls.
24. The Board of Commissioners has determined that the Administrative Services Fund, Fund 645, will need to maintain a fund balance level of 5% of expenditures from year-to-year, in order to avoid cash flow shortfalls.
25. That the amounts indicated in the "Budgetary Detail" are hereby appropriated from the General Funds and other funds of Otsego County according to the Activity Centers (Departments) contained in that detail which is incorporated herein by reference, and that such appropriations shall be restricted to the functioning of those Activity Centers (Departments), all applicable federal and state laws, County policies, and the provisions of this Act. The "Budgetary Detail" chart is included in this document at Appendix C.
26. The Administrator has the authority to approve all amendments made to the 2012 budget except for instances where a) the amendment will increase the department's total net budget or b) the amendment will affect a payroll account (defined as any account in the 700.000-705.000 expenditure section of the general ledger, except education and training 704.400) and exceeds \$500 in total.



**APPENDIX A  
AUTHORIZED TAX RATES 2012 BUDGET YEAR**

<u>TAXING ENTITY</u>	<u>MILLAGE RATE</u>
COUNTY OPERATING*	0.0040502
BUS	0.0002500
COMMISSION ON AGING	0.0010000
COMMUNITY CENTER	0.0001875
SPORTSPLEX OPERATING	0.0002500
LIBRARY	0.0004000
EMERGENCY SERVICES	0.0004000
UNIVERSITY CENTER OF GAYLORD	0.0005569
M TEC	0.0006464
ANIMAL CONTROL	0.0003000
TOTAL	0.0080410

\*In accordance with the state mandated tax shift, the county operating millage will be levied in July 2012; all other millages listed are to be levied in December 2011.

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 22<sup>nd</sup> day of November, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE,  
RICHARD SUMERIX, DOUG JOHNSON, KEN BORTON.

ABSENT: BRUCE BROWN.

The following preamble and resolution was offered by Commissioner: ERMA BACKENSTOSE.

**RESOLUTION NO. OCR 11-35**  
**COMMENDATION IN HONOR OF PHILIP CURTISS**  
OTSEGO COUNTY BOARD OF COMMISSIONERS AND  
LIBRARY BOARD OF TRUSTEES  
11/22/2011

**WHEREAS**, Phil Curtiss has been a strong advocate for quality library services in Otsego County for many years; and

**WHEREAS**, in 1994 Phil Curtiss took an early interest in the community's first Internet connection through the Otsego County Library; and,

**WHEREAS**, Phil was one of the first subscribers to a Northland Library Cooperative email account in the Gaylord area; and

**WHEREAS**, Phil helped others in the County to learn new Internet and computer skills through his membership and mentoring in the Library's Gaylord User's Group; and

**WHEREAS**, Phil became a member of the Library Board of Trustees in April 1997 and has faithfully served in this volunteer role for the past 14 years; and

**WHEREAS**, Phil represented our Library on the regional Northland Library Cooperative Board of Trustees, developing services of benefit to library users in northern Michigan; and

**WHEREAS**, Phil served as President of the Library Board of Trustees for 10 years, from 2001 through 2010, now, therefore, be it

**RESOLVED**, that the Otsego County Board of Commissioners and the Otsego County Library Board of Trustees honor and thank Philip Curtiss for his outstanding service to Otsego County, the Otsego County Library, and library patrons throughout the region.

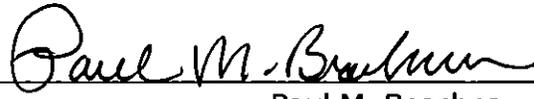
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

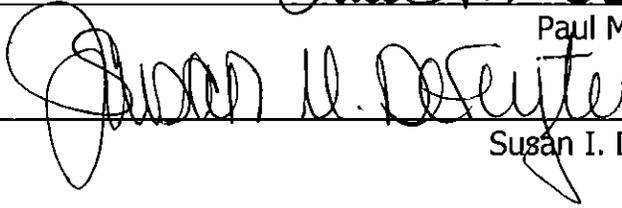
NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.



Paul M. Beachnau, Chairman



Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN )  
                                  ) ss.  
COUNTY OF OTSEGO )

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 22<sup>nd</sup> day of November 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

DATED: NOV 21, 2011

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 13<sup>th</sup> day of December, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE,  
ABSENT: BRUCE BROWN. RICHARD SUMERIX, DOUG JOHNSON, KEN BORTON.

The following preamble and resolution was offered by Commissioner: \_\_\_\_\_.

**OCR 11-36**  
**OTSEGO COUNTY COMMUNITY RECREATION PLAN 2012-2016**  
**RESOLUTION OF ADOPTION**  
Otsego County Board of Commissioners  
December 13, 2011

**WHEREAS**, the Otsego County Parks and Recreation Commission has undertaken the Otsego County Community Recreation Plan 2012-2016 which describes the physical features, existing recreation facilities and the desired actions to be taken to improve and maintain recreation facilities during the period between 2012 and 2016; and

**WHEREAS**, the Otsego Parks and Recreation Commission has developed the plan for the benefit of the entire community and as a document to assist in meeting the recreation needs of the community; and

**WHEREAS**, a public hearing was held November 7, 2011 at the Otsego County Community Center to provide an opportunity for citizens to express opinions, ask questions, and discuss all aspects of the Otsego County Community Recreation Plan 2012-2016; and

**WHEREAS**, another public hearing was held December 8, 2011 at the Elmira Township Hall to provide an opportunity for citizens of Elmira Township to express opinions, ask questions, and discuss all aspects of the Otsego County Community Recreation Plan 2012-2016; and

**WHEREAS**, following the public hearing on December 8, 2011, the Elmira Township Board has voted to adopt said Otsego County Community Recreation Plan 2012-2016; and

**WHEREAS**, following the public hearings, the Otsego County Parks and Recreation Commission has also voted to adopt said Otsego County Community Recreation Plan 2012-2016; now, therefore be it

**RESOLVED** that the Otsego County Board of Commissioners do approve and hereby adopt the Otsego County Community Recreation Plan 2012-2016 as a guideline for improving recreation for the residents of the Otsego County community.

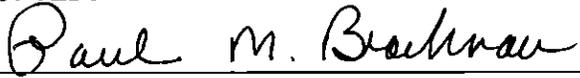
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

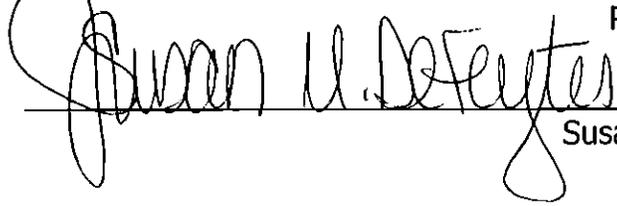
YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

  
\_\_\_\_\_  
Paul M. Beachnau, Chairman

  
\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)  
                                  §  
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 13<sup>th</sup> day of December, 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 13<sup>th</sup> day of December, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE,  
ABSENT: BRUCE BROWN. RICHARD SUMERIX, DOUG JOHNSON, KEN BORTON.

The following preamble and resolution was offered by Commissioner: \_\_\_\_\_.

**OCR 11-37**  
**AUTHORIZING RESOLUTION**  
Otsego County Board of Commissioners  
December 13, 2011

**WHEREAS**, the Otsego County Board of Commissioners is the owner of a property located at 1320 Wilkinson Road, Gaylord, Michigan 49735 and has a mortgage recorded in the office of the Register of Deeds for Otsego County Michigan, in Liber 732, Pages 25-33, in the name of Robert R. Rolinski, Survivor of himself and Isabelle Rolinski A/K/A Isabell Ann Rolinski, Whose Death Certificate is Recorded in Liber 234, Page 127, Otsego County Records and

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

**RESOLVED**, that Otsego County hereby issues a DISCHARGE OF MORTGAGE to, Robert R. Rolinski, Survivor of himself and Isabelle Rolinski A/K/A Isabell Ann Rolinski, Whose Death Certificate is Recorded in Liber 234, Page 127, Otsego County Records 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.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

*Paul M. Beachnau*

Paul M. Beachnau, Chairman

*Susan I. DeFeyter*

Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)  
                                  §  
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 13<sup>th</sup> day of December, 2011, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 13<sup>th</sup> day of December, 2011 beginning at 9:30 a.m.

PRESENT: CLARK BATES, PAUL BEACHNAU, PAUL LISS, LEE OLSEN, ERMA BACKENSTOSE,  
RICHARD SUMERIX, DOUG JOHNSON, KEN BORTON.

ABSENT: BRUCE BROWN.

The following preamble and resolution was offered by Commissioner: DOUG JOHNSON.

**OCR 11-38**  
**Support of CRAM's Position on HB 5125-5126**  
Otsego County Board of Commissioners  
December 13, 2011

**WHEREAS**, county roads are the backbone of our state's economy moving more than \$800 billion in goods and services annually. From seasonal roads to seven-lane highways and beyond, county road commissions are responsible for the majority (75 percent) of Michigan's road system, representing more than 90,000 miles of Michigan's roads and 5,700 bridges – the fourth largest local road system in the nation; and

**WHEREAS**, county road commissions, in serving the needs of the entire county road and bridge network, have embraced the principles of asset management in determining road projects. Gone are the days of fixing the worst roads first. Asset management requires that the right fix be applied at the right time to preserve pavement conditions. Bringing the road commission under county general government would interject political boundaries into the decision making process, undermining the road commission's ability to base decisions on scientific principles; and

**WHEREAS**, county road commissions were created by a vote of the people, and any attempts to change their composition by consolidation or regionalization should require a vote of the electorate in the affected counties; and

**WHEREAS**, county road commissions have implemented many reforms and efficiencies to increase operational efficiency, and are already working at or below minimum levels of staffing. Administrative salaries and benefits are only a small portion of a road commission's overhead. The majority of administrative expenses are static costs including: legal expenses, utilities, insurance, surety bonds, equipment rental, engineering supplies and services, and building maintenance and depreciation. Without due diligence and careful consideration of factors such as long-term financial needs, liabilities, debt, and bond ratings; bringing the road commission under county general government could substantially increase costs to the taxpayers and result in a decreased level of services; now, therefore, be it

**RESOLVED**, that the Otsego County Board of Commissioners opposes House Bills 5125-5126 as introduced. The County Road Association of Michigan (CRAM) has suggested amendments that will add transparency and ensure due diligence in creating a process to eliminate road commissions, require public input, and require a countywide vote of the electorate if the road commission were to become a department of the county government. CRAM has also suggested language allowing a county that has decided to eliminate the road commission to once again create an independent county road agency if the county board determines this would provide better services to the public at a reduced cost; and be it, further

**RESOLVED**, the Otsego County Board of Commissioners urges your support of the Geiss Substitute H-2 that would make the changes suggested by the County Road Association of Michigan. If this substitute

language or similar language is not adopted to add transparency, ensure due diligence, require public input, and require a countywide vote of the electorate, we urge your opposition of this legislation; and be it further

**RESOLVED**, that copies of this resolution be sent to Governor Rick Snyder, State Representative MacMaster, State Senator Moolenaar, the Michigan Association of Counties, the Michigan Townships Association, and the County Road Association of Michigan.

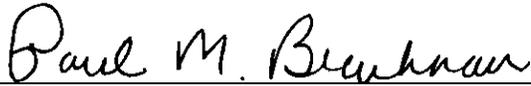
A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

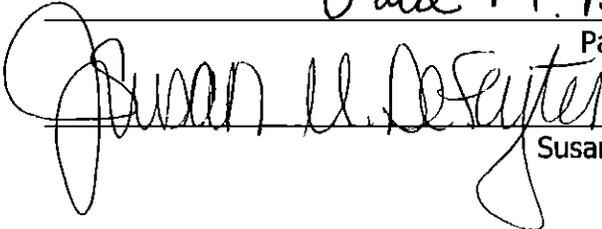
YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

  
\_\_\_\_\_  
Paul M. Beachnau, Chairman

  
\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)  
                                  §  
COUNTY OF OTSEGO)

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\_\_\_\_\_  
Susan I. DeFeyter, County Clerk

DATED: \_\_\_\_\_, 2011