



WASHTENAW COUNTY BOARD OF COMMISSIONERS

Wednesday, January 15, 2003

RECORD OF PROCEEDINGS

An adjourned session of the Washtenaw County Board of Commissioners was held at the Administration Building, in the City of Ann Arbor, Michigan, on Wednesday, January 15, 2002.

The meeting was called to order at 7:05 p.m. by Comm. Gunn, Chair.

MEMBERS PRESENT: Comms. Armentrout, Bergman, Brackenbury, Gunn, Irwin, Kern, Peterson, Prater, Sizemore, Solowczuk, Yekulis.

MEMBERS ABSENT: None.

OTHERS PRESENT: Frank Cambria, Deputy Administrator; Curtis Hedger, Corporation Counsel; Peter Ballios, Finance Director; Verna McDaniel, Diane Heidt, Bob Hubbard, Human Resources; Amy Klinke, Administration; David Behen, ITS; Greg Dill, Facilities; Jennifer Watson, Finance; Barbara King, Deputy Clerk; various citizens; and members of the press.

Pledge of Allegiance

Approval of the Minutes of the Previous Meeting

(Deferred to February 5, 2003)

Citizen Participation

Tom Miree addressed the Board regarding the dissolution of the Washtenaw County Metropolitan Planning Commission.

Bob Kellum addressed the Board regarding his dissatisfaction with the way the Planning Commission was dissolved.

Roberta Asplin congratulated the Board for all their accomplishments and suggested they re-establish a Public Health Board.

Commissioner Follow-Up to Citizen Participation

Several Commissioners apologized to Planning Commission members for the way this was handled.

Communications

Comm. Prater seconded by Comm. Irwin moved that the communications be received and dealt with as recommended. Motion carried.

R-0017 RECEIVED: December 16, 2002. Letter to Administrator from Theodore A. Pych, Director of Service Corporation, Michigan Association of Counties (MAC), dated December 13, 2002, re: Long Term Care Program. Received and filed; copy to Public Health, CSTS, and Administration.

R-0018 RECEIVED: December 16, 2002. Copy of letter to Hon. Archie Cameron Brown, Trial Court Chief Judge, from Dawn Monk, Deputy State Court Administrator, Michigan Supreme Court, dated December 10, 2002, re: Court Equity Fund – Fourth Quarter Disbursement. Received and filed; copy to Finance, Trial Court-Admin., and Administration...

R-0019 RECEIVED: December 16, 2002. Copy of letter to Rich Gonzalez, DEIS, from Ned L. Rathbun, Environmental Quality Analyst, Michigan Department of Environmental Quality, dated December 9, 2002, re: Washtenaw County Soil Erosion and Sedimentation Control Program. Received and filed; copy to Administration.

R-0020 RECEIVED: December 16, 2002. Letter to County Officials from David T. Steel, Cecilia E. Steel, Robert DuBois, and Jerry Kratz, Education Associations, dated December 12, 2002, re: Search for a County Administrator. Received and filed.

R-0021 RECEIVED: December 16, 2002. Resolution adopted by the Ottawa County Board of Commissioners on December 10, 2002, re: Agricultural Processing Renaissance Zone. Received and filed.

R-0022 RECEIVED: December 19, 2002. Letter to Suzanne Shaw, Chairperson, from George W. Day, Jackier, Gould, Bean, Upfal & Eizelman, dated December 17, 2002, re: Berkshire Creek Condominium. Received and filed; copy of Environmental Health Regulation and Building Services.

R-0023 RECEIVED: December 19, 2002. Coy of letter to The Honorable George W. Bush from Kathleen M. Root, Ann Arbor City Clerk, dated December 9, 2002, re: Resolution in opposition to a war with the County of Iraq. Received and filed.

R-0024 RECEIVED: December 20, 2002. Letter to Suzanne Shaw, Chairperson, from John Evans, Administrator, Child Care Fund, Bureau of Juvenile Justice, Michigan Family Independence Agency, dated December 17, 2002, re: 2002-03 Annual Plan and Budget for Child Care Fund expenditures is approved for state reimbursement. Received and filed; copy to Finance, Administration, Children's Services, and Trial Court-Family.

R-0025 RECEIVED: December 23, 2002. Notice from the Michigan Department of Natural Resources re: Application Material Availability for the 2003 Recreation Grants Program. Received and filed; copy to Parks & Recreation.

R-0026 RECEIVED: December 23, 2002. Public Notice from the Michigan Department of Environment Quality, dated December 19, 2002, re: Proposed construction of a bicycle path along the Huron River. Received and filed; copy to Drain and Environmental Health Regulation.

R-0027 RECEIVED: December 23, 2002. Copy of letter to Dianne Wright, Manager, Exemption Program Section, Department of Treasury, from Brenda L. Stumbo, Clerk, Clerk, Charter Township of Ypsilanti, (not dated), re: Industrial Facility Exemption Application. Received and filed.

R-0028 RECEIVED: December 24, 2002. Letter to Washtenaw County Board of Commissioners from Rev. Mark J. Lyons, Pastor, Second Baptist Church, dated December 19, 2002, re: Annual Martin Luther King, Jr. Unity March – January 12, 2003. Received and filed; copy to each Commissioner.

R-0029 RECEIVED: December 24, 2002. Letter to Washtenaw County Board of Commissioners from Robert A. Slone, Jr., Ypsilanti City Clerk, dated December 20, 2002, re: Approval of a Visteon Corporation Application for Exemption of New Personal Property. Received and filed.

R-0030 RECEIVED: December 27, 2002. Fax to Suzanne Shaw, Chair, from T. Nicolas, re: Thanks for enacting a smoke free law in Washtenaw County. Received and filed.

R-0031 RECEIVED: December 31, 2002. Letter to Suzanne Shaw, Chair, from John Engler, Governor, dated December 30, 2002, re: Notification that the member of our local Workforce Development Board has been approved and recertified for the calendar year 2003. Received and filed; copy to Administration.

Report of the Chair of the Board

03-0010 Comm. Prater seconded by Com. Irwin moved that the resolution of appreciation to Robert Polens for his years of service to the citizens of Washtenaw County, be adopted. Motion approved by voice vote.

Reports of Standing Committees

None.

Reports of Special Committees

Comm. Prater seconded by Comm. Irwin moved that the following reports be received: Employees Retirement Commission dated December 18, 2002, Enhanced Access Board dated December 3, 2002, Library Board of Trustees dated November 18, 2002, Money Purchase Pension Plan dated December 19, 2002, Road Commissioners dated December 5, 2002, Statutory Drainage Board dated November 18 2002, VEBA Board dated December 5, 2002, Washtenaw Community Health Organization dated November 19, 2002. .Motion carried. (Complete reports are on file in the County Clerk/Register's Office.)

Other Reports

None.

Report of the Treasurer

None.

Report from the County Administrator

Resolutions

Appointments

03-0011 Comm. Prater seconded by Comm. Irwin moved that the resolution appointing Comm. Jeff Irwin to the Economic Development Corporation Board for the remainder of a six-year term expiring December 31, 2007, be adopted. Roll call vote: YEAS: 11. NAYS: 0. ABSENT: 0. Motion carried.

03-0012 Comm. Prater seconded by Comm. Irwin moved that the resolution appointing Kathleen Root, Ann Arbor City Clerk, Sara Bassett, Freedom Township Clerk, and Jeff Fulton, Ypsilanti Public Schools Board Member, to serve with Peggy M. Haines, Washtenaw County Clerk/Register, as the Washtenaw County Election Scheduling Committee from January 1, 2003, through December 31, 2004, be adopted. Roll call vote: YEAS: 11. NAYS: 0. ABSENT: 0. Motion carried.

03-0013 Comm. Prater seconded by Comm. Irwin moved that the resolution appointing John Russel as an alternate member to the Huron River Watershed Council for a two year term expiring December 31, 2004, be adopted. Roll call vote: YEAS: 11. NAYS: 0. ABSENT: 0. Motion carried.

03-0014 Comm. Prater seconded by Comm. Irwin moved that the resolution appointing Comm. Jeff Irwin to the Intergovernmental Partnership Committee for Gelman Groundwater Remediation Plan, be adopted. Roll call vote: YEAS: 11. NAYS: 0. ABSENT: 0. Motion carried.

03-0015 Comm. Prater seconded by Comm. Irwin moved that the resolution recommending Comms. Vivienne Armentrout and Martha Kern to the State Emergency Planning Community Right-to-Know Commission for appointment to serve on the Washtenaw County Local Emergency Planning Commission, be adopted. Roll call vote: YEAS: 11. NAYS: 0. ABSENT: 0. Motion carried.

03-0016 Comm. Prater seconded by Comm. Irwin moved that the resolution appointing Comm. Bergman to the Space Plan Committee, be adopted. Roll call Roll call vote: YEAS: 11. NAYS: 0. ABSENT: 0. Motion carried.

03-0017 Comm. Prater seconded by Comm. Irwin moved that the resolution appointing Ann Chih Linto the Washtenaw County/City of Ann Arbor Community Corrections Advisory Board for a term expiring December 31, 2005, be adopted. Roll call vote: YEAS: 11. NAYS: 0. ABSENT: 0. Motion carried.

03-0018 Comm. Prater seconded by Comm. Irwin moved that the resolution appointing Mark Ouimet to the Washtenaw County Workforce Development Board for the remainder of a three-year term expiring December 31, 2003, be adopted. Roll call vote: YEAS: 11. NAYS: 0. ABSENT: 0. Motion carried.

03-0019 Comm. Prater seconded by Comm. Irwin moved that the resolution appointing members to various Boards, Committees, Commission and Agencies for terms ending December 31, 2003, be adopted. Roll call vote: Roll call vote: YEAS: 11. NAYS: 0. ABSENT: 0. Motion carried.

Ways & Means Committee – January 15, 2003

03-0020 Comm. Kern seconded by Comm. Gunn moved that the resolution confirming the hiring of Anthony Vanderworp as Washtenaw County Director of Planning & Environment effective February 18, 2003, at an annual salary of \$97,000, above midpoint of Grade 34, Group 32, be adopted. Roll call vote: YEAS: 11. NAYS: 0. ABSENT: 0. Motion carried.

03-0021 Comm. Kern seconded by Comm. Gunn moved that the resolution authorizing the Chair of the Board to sign an Estimate of Authorized Expenditures Summary in the amount of \$219,769 to the State of Michigan, Department of Natural Resources for the Marine Safety Program for calendar year 2003, be adopted. Roll call vote: YEAS: 11. NAYS: 0. ABSENT: 0. Motion carried.

03-0022 Comm. Kern seconded by Comm. Gunn moved that the resolution approving the Washtenaw County Money Purchase Pension Plan effective January 1, 1984, amended and restated effective January 1, 1989, further amended and restated effective December 31, 2001 be adopted. Roll call vote: YEAS: 11. NAYS: 0. ABSENT: 0. Motion carried.

03-0023 Comm. Kern seconded by Comm. Gunn moved that the resolution approving the Agreement with Teamsters Local #214 – Clerical Unit and Washtenaw County for the six year period January 1, 2002 through December 31, 2007, be adopted. Roll call vote: YEAS: 11. NAYS: 0. ABSENT: 0. Motion carried.

03-0024 Comm. Kern seconded by Comm. Gunn moved that the resolution approving the Agreement with Teamsters Local #214 – Probation Agents/Supervisors Unit and Washtenaw County for the five year period January 1, 2003 through December 31, 2007, be adopted. Roll call vote: YEAS: 11. NAYS: 0. ABSENT: 0. Motion carried.

Approval of Claims

03-0025 Comm. Kern seconded by Comm. Gunn moved that the resolution authorizing payment of claims commencing with the last previously approved claim and continuing through the date of January 3, 2003, be adopted. Roll call vote: YEAS: 11. NAYS: 0. ABSENT: 0. Motion carried.

FUND/COMPANY	SYSTEM CHECKS	UTILITIES/CREDIT CARD	PRE-CLAIMS	TOTAL
1010 GENERAL FUND	\$306.51	\$0.00	\$0.00	\$306.51
1100 GYPSY MOTH SUPPRESSION	\$0.00	\$0.00	\$0.00	\$0.00
1110 CHILDRENS SERVICES GRANTS-COOP	\$0.00	\$0.00	\$0.00	\$0.00
1310 OPERATION NIGHT CAP	\$0.00	\$0.00	\$0.00	\$0.00
1320 COMMUNITY POLICING ENHANCEMENT	\$0.00	\$0.00	\$0.00	\$0.00
1330 MDSS REINTEGRATION SERV.	\$0.00	\$0.00	\$0.00	\$0.00
1340 I-94 SHORE TO SHORE	\$0.00	\$0.00	\$0.00	\$0.00
1400 SHERIFF ROAD PATROL	\$0.00	\$0.00	\$0.00	\$0.00
1412 L.A.W.N.E.T.	\$0.00	\$0.00	\$0.00	\$0.00
1414 L.A.W.N.E.T. HIDTA GRANT	\$0.00	\$0.00	\$0.00	\$0.00
1490 PA 302 TRAINING	\$0.00	\$0.00	\$0.00	\$0.00
1590 SHERIFF SPECIAL SVCS. FUND	\$0.00	\$0.00	\$0.00	\$0.00
1620 PROS ATTNY -CR	\$0.00	\$0.00	\$0.00	\$0.00
1690 SHELTER PLUS CARE	\$0.00	\$0.00	\$0.00	\$0.00
1710 BFI SOLID WASTE COORD.	\$0.00	\$0.00	\$0.00	\$0.00
1750 BUILDING INSPECTION & SOIL EROSION	\$0.00	\$0.00	\$0.00	\$0.00
1760 ENVIRONMENTAL HEALTH	\$0.00	\$0.00	\$0.00	\$0.00
1770 ILLEGAL DUMPING PROGRAM	\$0.00	\$0.00	\$0.00	\$0.00
1810 VETERANS TRUST FUND ADMIN.	\$0.00	\$0.00	\$0.00	\$0.00
1850 RRNWWD:STORM WATER GENERAL PE	\$0.00	\$0.00	\$0.00	\$0.00
1870 MICHIGAN GREAT LAKES PROTECTION	\$0.00	\$0.00	\$0.00	\$0.00
1880 DOMESTIC VIOLENCE COURT PILOT	\$0.00	\$0.00	\$0.00	\$0.00
1881 VIOLENCE AGAINST WOMEN	\$0.00	\$0.00	\$0.00	\$0.00
1900 3 - 911 FUND	\$0.00	\$0.00	\$0.00	\$0.00
2080 PARKS & RECREATION	\$0.00	\$0.00	\$0.00	\$0.00
2060 LAW LIBRARY	\$0.00	\$0.00	\$0.00	\$0.00
2110 COUNTY LIBRARY FUND	\$0.00	\$0.00	\$0.00	\$0.00
2150 FRIEND OF THE COURT	\$0.00	\$0.00	\$0.00	\$0.00
2370 JTPA ADMINISTRATION	\$0.00	\$0.00	\$0.00	\$0.00
2410 NO WRONG DOOR	\$0.00	\$0.00	\$0.00	\$0.00
2420 JTPA - FIRST	\$0.00	\$0.00	\$0.00	\$0.00
2490 EMPLOYMENT SERVICES	\$0.00	\$0.00	\$0.00	\$0.00
2510 CSA HEADSTART	\$0.00	\$0.00	\$0.00	\$0.00
2600 CSBG	\$0.00	\$0.00	\$0.00	\$0.00
2630 CSA SR NUTRITION	\$0.00	\$0.00	\$0.00	\$0.00
2650 FOSTER GRANDPARENTS	\$0.00	\$0.00	\$0.00	\$0.00
2700 CSA DOE - WEATHERIZATION	\$0.00	\$0.00	\$0.00	\$0.00
2800 MDSS REINTEGRATION SERVICES	\$0.00	\$0.00	\$0.00	\$0.00
2801 ZAAP	\$0.00	\$0.00	\$0.00	\$0.00
2804 COMMUNITY CORRECTIONS	\$0.00	\$0.00	\$0.00	\$0.00
2810 JUVENILE ACCOUNTABILITY	\$0.00	\$0.00	\$0.00	\$0.00
2820 STRONG FAMILIES/SAFE CHILDREN	\$0.00	\$0.00	\$0.00	\$0.00
2920 WCHO	\$0.00	\$0.00	\$0.00	\$0.00
2930 MENTAL HEALTH	\$0.00	\$0.00	\$0.00	\$0.00
2940 SUBSTANCE ABUSE	\$0.00	\$0.00	\$0.00	\$0.00
2960 HEALTH	\$0.00	\$0.00	\$0.00	\$0.00
2961 HSRA COMMUNITY ACCESS GRANT	\$0.00	\$0.00	\$0.00	\$0.00
2990 CHILD CARE/PROBATE CT.	\$46.31	\$0.00	\$0.00	\$46.31

4010 CAPITAL PROJECTS	\$0.00	\$0.00	\$0.00	\$0.00
4050 CAPITAL EQUIPMENT	\$0.00	\$0.00	\$0.00	\$0.00
4520 MULTI-LAKE SEWER SYSTEM	\$0.00	\$0.00	\$0.00	\$0.00
4860 B.A. E-911 CONSTRUCTION	\$0.00	\$0.00	\$0.00	\$0.00
4900 B.A. SPACE PLAN PHASE II CONST.	\$0.00	\$0.00	\$0.00	\$0.00
5720 INMATE ENTERPRISE FUND	\$120.98	\$0.00	\$0.00	\$120.98
6280 DEL TAX REVOLVING #28	\$0.00	\$0.00	\$0.00	\$0.00
6310 FACILITIES MGMT - O & M	\$0.00	\$0.00	\$0.00	\$0.00
6320 FACILITIES MGMT - TRANSP	\$0.00	\$0.00	\$0.00	\$0.00
6330 FACILITIES MGMT - GEN SVC	\$0.00	\$0.00	\$0.00	\$0.00
6340 GEN SVCS - REVOLV.	\$0.00	\$0.00	\$0.00	\$0.00
6440 SELF INSURANCE	\$0.00	\$0.00	\$0.00	\$0.00
6630 MEDICAL SELF INSURANCE	\$0.00	\$0.00	\$0.00	\$0.00
6650 FRINGE BENEFIT REVOLVING	\$0.00	\$0.00	\$0.00	\$0.00
6900 CENTREX ASSOCIATION	\$0.00	\$0.00	\$0.00	\$0.00
6930 MENTAL HEALTH	\$0.00	\$0.00	\$0.00	\$0.00
7350 T&A 14A DISTRICT COURT	\$0.00	\$0.00	\$0.00	\$0.00
7412 LAWNET - DRUG ENFORCEMENT	\$0.00	\$0.00	\$0.00	\$0.00
7413 LAWNET NON-FORFEITURE FUND	\$0.00	\$0.00	\$0.00	\$0.00
7520 EMPLOYEE RETIREMENT FUND	\$0.00	\$0.00	\$0.00	\$0.00
7550 MONEY PURCHASE PENSION PLAN	\$0.00	\$0.00	\$0.00	\$0.00
7570 VEBA HEALTH TRUST	\$0.00	\$0.00	\$0.00	\$0.00
7900 REGIONAL DISPATCH FUND	\$0.00	\$0.00	\$0.00	\$0.00
7950 HAZ MATL RESPONSE TEAM	\$0.00	\$0.00	\$0.00	\$0.00
7990 CO-OP EXTENSION SERVICE	\$0.00	\$0.00	\$0.00	\$0.00
8005 PORTAGE-BASELINE LAKE LEVEL	\$0.00	\$0.00	\$0.00	\$0.00
8007 WHITMORE LAKE LEVEL	\$0.00	\$0.00	\$0.00	\$0.00
8008 FOUR MILE LAKE LEVEL	\$0.00	\$0.00	\$0.00	\$0.00
8297 SWAN CREEK & PLINEY HARRIS	\$0.00	\$0.00	\$0.00	\$0.00
TOTALS	\$473.80	\$0.00	\$0.00	\$473.80

New Business

None.

Liaison Reports

Comm. Yekulis reported that the Park's and Recreation Commission last evening approved its first natural areas preservation purchase for 137 acres of wetlands and woods in Scio Township.

Comm. Bergman reported that Community Corrections has recently received money from the State, but without staff, it's hard to put a program together. She said they had a very good meeting with their lobbyist.

Items for Current/Future Discussion

None.

Citizen Participation

Roberta Asplin said that we need a Health Board so we can get more citizen input on public health issues.

Commissioners Follow-up to Citizen Participation

None.

Adjournment

Comm. Peterson seconded by Comm. Prater moved to adjourn until Wednesday, February 5, 2003, 6:45 p.m. in the Board Room, Washtenaw County Administration Building. Motion carried.

The meeting adjourned at 7:39 p.m.

Comm. Leah Gunn, Chair

Peggy M. Haines, Clerk/Register
By: Barbara L. King, Deputy Clerk

Board Approved: 2/15/03

A RESOLUTION OF APPRECIATION TO ROBERT L. POLENS FOR HIS 17 YEARS OF SERVICE TO THE CITIZENS OF WASHTENAW COUNTY

WASHTENAW COUNTY BOARD OF COMMISSIONERS

January 15, 2003

WHEREAS, Robert L. Polens has spent 17 years serving the citizens of Washtenaw County as the managing director of the Washtenaw County Road Commission; and

WHEREAS, Robert L. Polens served as the executive director of the Ypsilanti Urban Area Transportation Study Committee for eight years prior to serving as the Road Commission managing director; and

WHEREAS, through Robert L. Polens tenure, the Washtenaw County Road Commission improved its facilities, equipment and operations; and

WHEREAS, Robert L. Polens has demonstrated his leadership, managing the many challenges of a growing community and increasing traffic volumes while maintaining well conditioned roadways; and

WHEREAS, Robert L. Polens has touched the lives of many citizens of Washtenaw County by providing safe and commutable roadways; and

WHEREAS, Robert L. Polens is held in the highest regards by his peers for his enthusiasm, direction and expertise

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby extends its appreciation to Robert L. Polens for his 17 years of service to the citizens of Washtenaw County and wishes him continued success in his future endeavors

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Armentrout	X			Irwin	X			Sizemore	X		
Bergman	X			Kern	X			Solowczuk	X		
Brackenbury	X			Peterson	X			Yekulis	X		
Gunn	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY ROLL CALL VOTE: TOTALS 11 0 0

STATE OF MICHIGAN)
COUNTY OF WASHTENAW)SS.

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on January 15, 2003, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY: _____

Deputy Clerk



Res. No. 03-0010

A RESOLUTION ADVISING AND CONSENTING TO THE APPOINTMENT OF A
BOARD OF DIRECTOR TO THE ECONOMIC DEVELOPMENT CORPORATION
OF THE COUNTY OF WASHTENAW, STATE OF MICHIGAN

At a regular meeting of the Board of Commissioners of the County of Washtenaw, Michigan, held in the Washtenaw County Administration Building, 220 N. Main Street, Ann Arbor, Michigan on January 15, 2003 at 6:45 p.m., Eastern Standard Time, there were

PRESENT: Comms. Armentrout, Bergman, Brackenbury, Gunn, Irwin, Kern, Peterson, Prater, Sizemore, Solowczuk, and Yekulis.

ABSENT: None.

The following resolution was offered by Comm. Prater and seconded by Comm. Irwin.

WHEREAS, on July 18, 2001 the Board of Commissioners of the County of Washtenaw (the "County") approved and adopted the incorporation of the Economic Development Corporation of the County of Washtenaw (the "EDC") in compliance with Act 338 of the Public Acts of Michigan of 1974, as amended ("Act 338"); and

WHEREAS, under Act 338 the Chair of the County Board of Commissioners, with the advice and consent of the Board of Commissioners, shall appoint nine (9) directors to the Board of Directors of the EDC; and

WHEREAS, not more than three (3) directors shall be an officer or employee of the County; and

WHEREAS, a vacancy exists for a County representative for the remainder of a six-year term expiring December 31, 2007; and

WHEREAS, the following persons have been appointed by the Chair of the Board of Commissioners to serve as the Board of Directors for the EDC to the term set forth below:

	<u>NAME</u>	<u>Representing</u>	<u>Expiring</u>
1.	Jeff Irwin	County	12/31/07

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

1. The Board of Commissioners hereby advises and consents to the appointment of the person appointed as a director of the EDC by the Chair of the Board of Commissioners.

2. All resolutions and parts of resolutions inconsistent with the provisions hereof be and are hereby declared repealed, revoked and rescinded.

A vote on the foregoing resolution was taken and was as follows:

YES: Comms. Armentrout, Bergman, Brackenbury, Gunn, Irwin, Kern, Peterson, Prater, Sizemore, Solowczuk, and Yekulis.

NO: None.

ABSTAIN: None.

The Resolution was declared adopted.

CLERK'S CERTIFICATE

The undersigned, being the duly qualified and acting Clerk of the County of Washtenaw, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Board of Commissioners at a regular meeting held on January 15, 2003, at which meeting a quorum was present and remained throughout, (2) that an original thereof is on file in the records of the County, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended), and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

DATED: _____

[SEAL]

Peggy M. Haines, County Clerk/Register
By: Deputy Clerk

Res. No. 03-0011

A RESOLUTION APPOINTING KATHLEEN ROOT, ANN ARBOR CITY CLERK, SARA BASSETT, FREEDOM TOWNSHIP CLERK, AND JEFF FULTON, YPSILANTI PUBLIC SCHOOLS BOARD MEMBER, TO SERVE WITH PEGGY M. HAINES, WASHTENAW COUNTY CLERK/REGISTER AS THE WASHTENAW COUNTY ELECTION SCHEDULING COMMITTEE FROM JANUARY 1, 2003 THROUGH DECEMBER 31, 2004

WASHTENAW COUNTY BOARD OF COMMISSIONERS

January 15, 2003

WHEREAS, MCL 168.639 mandates the appointment of the County Election Scheduling Committee by the County Board of Commissioners at the first meeting of the board each odd-numbered year. The committee consists of the County Clerk and three (3) other members; and

WHEREAS, the Washtenaw County Clerk/Register has made recommendation in this matter,

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby appoints the following individuals to serve with Peggy M. Haines, Washtenaw County Clerk/Register as the Washtenaw County Election Scheduling Committee for two year terms expiring December 31, 2004

Kathleen Root, Ann Arbor City Clerk
Sara Bassett, Freedom Township Clerk
Jeff Fulton, Ypsilanti Public Schools Board Member,

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY

STATE OF MICHIGAN)
COUNTY OF WASHTENAW)SS

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of the Circuit Court for said County, the same being a Court of Record:Do hereby certify that this is a true and compared copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan on January 15, 2003, as appears of record in my office. That I have compared the same with the original and that it is a true transcript thereof and of the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY _____
Deputy Clerk/Register



A RESOLUTION APPOINTING A COMMISSIONER MEMBER TO THE INTERGOVERNMENTAL PARTNERSHIP COMMITTEE FOR GELMAN GROUNDWATER REMEDIATION PLAN

WASHTENAW COUNTY BOARD OF COMMISSIONERS

JANUARY 15, 2003

WHEREAS, the Washtenaw County Board of Commissioners approved participation in the Gelman Groundwater Remediation Plan Intergovernmental Partnership and appointed representation; and

WHEREAS, Washtenaw County representation included two commissioners; and

WHEREAS, resolution 97-0156 appointed Commissioner DeLong; and

WHEREAS, resolution 01-0015 appointed Commissioner Armentrout; and

WHEREAS, a vacancy exists due to the retirement of Commissioner DeLong

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby appoints the following commissioner representative to the Intergovernmental Partnership Committee for Gelman Groundwater Remediation Plan:

- 1) Jeff Irwin

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY

STATE OF MICHIGAN)
COUNTY OF WASHTENAW^{SS}

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of the Circuit Court for said County, the same being a Court of Record:

Do hereby certify that this is a true and compared copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan on January 15, 2003, as appears of record in my office. That I have compared the same with the original and that it is a true transcript thereof and of the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY _____
Deputy Clerk/Register



Res . No. 03-0014

A RESOLUTION RECOMMENDING NAMES OF INDIVIDUALS TO STATE EMERGENCY PLANNING
COMMUNITY RIGHT-TO-KNOW COMMISSION FOR APPOINTMENT TO SERVE ON THE
WASHTENAW COUNTY LOCAL EMERGENCY PLANNING COMMISSION

WASHTENAW COUNTY BOARD OF COMMISSIONERS
January 15, 2003

WHEREAS, the "Superfund Amendments and Reauthorization Act" (SARA) was enacted on October 17, 1986; and

WHEREAS, SARA Title III (The Emergency Planning and Community Right-To-Know Act of 1986) established requirements for reporting on hazardous and toxic chemicals; and

WHEREAS, the State Emergency Planning and Community Right-To-Know Commission was established in 1987; and

WHEREAS, local emergency management jurisdictions were adopted to serve as emergency planning districts under Title III of SARA; and

WHEREAS, Washtenaw County and the City of Ann Arbor each represent a district; and

WHEREAS, each Local Emergency Planning Committee shall include at a minimum elected state, elected local, law enforcement, fire fighting, first aid, health, civil defense, local environmental, hospital, transportation, broadcast and print media, community groups, owners and operators of facilities subject to the requirements under this Act; and

WHEREAS, the Washtenaw County Board of Commissioners directed the County Administrator to seek recommendations from various organizations and agencies for names of individuals for consideration by the Board for submission to the State for a Local Emergency Planning Committee (87-0260); and

WHEREAS, establishing a three-year term to revisit the recommended membership will effectively update the State Emergency Planning and Community Right-To-Know Commission; and

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby recommends the names of individuals to the State Emergency Planning and Community Right-To-Know Commission for appointment to the Washtenaw County Local Emergency Planning Committee for the remainder of three year terms expiring December 31, 2004, as attached hereto and made a part hereof

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY

STATE OF MICHIGAN)
COUNTY OF WASHTENAW)ss

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of the Circuit Court for said County, the same being a Court of Record:

Do hereby certify that this is a true and compared copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan on January 15, 2003, as appears of record in my office. That I have compared the same with the original and that it is a true transcript thereof and of the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY _____
Deputy Clerk/Register



Res . No. 03-0015

LOCAL EMERGENCY PLANNING COMMITTEE

Representing

Elected State

Elected Local (BOC)

Elected Local (BOC)

Local Environment

Community Groups

Agriculture

Agriculture (Farm Bureau)

Member

1)

2) Vivienne Armentrout

3) Martha Kern

4)

5)

6)

7)

A RESOLUTION APPOINTING A COMMISSIONER REPRESENTATIVE TO THE SPACE PLAN COMMITTEE

WASHTENAW COUNTY BOARD OF COMMISSIONERS

January 15, 2003

WHEREAS, in June 1999, the Washtenaw County Board of Commissioners created a 14 member Public Safety and Courts Ad Hoc Committee for the purpose of providing oversight to a comprehensive and systemic study of the future needs, placement and nature of the physical facilities for the public safety and judicial system; and

WHEREAS, this study, was intended to provide a comprehensive and system wide long-term plan which will facilitate coordinated decision making for the immediate and future configurations of the court facilities and jail; and

WHEREAS, in December of 1999, the Washtenaw County Board of Commissioners adopted a resolution (99-0285) to hire HLM Design to perform the Public Safety & Courts Study; and

WHEREAS, this same resolution, established a Public Improvement Fund under MCLA 141.261 et.seq. and encouraged the Unified Courts to improve the increase in court costs to ensure funding for the PIF; and

WHEREAS, a ballot proposal was approved and failed in 2000 to build a Public Safety & Court Facility; and

WHEREAS, resolution 02-0084 established a committee to deal with the County's short term needs (approximately 3 years) including the reuse of existing buildings ie. Environmental Services Building, Courthouse, 110 North Fourth; and the Eastern County Government Center, and

WHEREAS, in addition, resolution 02-0084 directed this committee to consider the possibility of the purchase of the HVA for the jail and Sheriff's use, and 14 A District Court as well as to hire a consultant to be paid from the Public Improvement Fund to assist in the development and recommendation of the short term plan; and

WHEREAS, resolution 02-0084 appointed representation to this committee including 3 Commissioner representatives; and

WHEREAS, a vacancy for a Commissioner representative exists due to the retirement of Richard DeLong; and

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby appoints the following Commissioner to the Space Plan Committee as follows:

Representing:
Commissioner

Member
1. Barbara Levin Bergman

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY

STATE OF MICHIGAN)
COUNTY OF WASHTENAW^{SS}

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of the Circuit Court for said County, the same being a Court of Record:

Do hereby certify that this is a true and compared copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan on January 15, 2003, as appears of record in my office. That I have compared the same with the original and that it is a true transcript thereof and of the whole thereof.

In Testimony Whereof, I have this _____ day
of _____, _____.

16th day of January, 2003.

PEGGY M. HAINES, Clerk/Re gister

BY _____
Deputy Clerk/Register

Res . No. 03-0016



A RESOLUTION APPOINTING MEMBERS TO THE WASHTENAW COUNTY/CITY OF ANN ARBOR
COMMUNITY CORRECTIONS ADVISORY BOARD FOR TERMS EXPIRING AS INDICATED

WASHTENAW COUNTY BOARD OF COMMISSIONERS

January 15, 2003

WHEREAS, on August 2, 1989, by Resolution 89-0219 the Board of Commissioners established, in conjunction with the Ann Arbor City Council, a City/County Community Corrections Advisory Board pursuant to P.A. 511 of 1988; and

WHEREAS, Resolution 89-0219 designated specific representation to the City/County Community Corrections Advisory Board; and

WHEREAS, there currently exists a vacancy for a general public representative for a three-year term expiring December 31, 2005; and

WHEREAS, a vacancy exists for a Judge of Probate Court, Juvenile for the remainder of a three-year term expiring December 31, 2004; and

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby appoints the following members to the Washtenaw County/City of Ann Arbor Community Corrections Advisory Board for terms expiring as indicated:

<u>Member</u>	<u>Representing</u>	<u>Term</u>
1) Ann Chih Lin	General Public	12/31/05
2)	Judge of Circuit Court, Juvenile	12/31/04

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY

STATE OF MICHIGAN)
COUNTY OF WASHTENAW)ss

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of the Circuit Court for said County, the same being a Court of Record:

Do hereby certify that this is a true and compared copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan on January 15, 2003, as appears of record in my office. That I have compared the same with the original and that it is a true transcript thereof and of the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY _____
Deputy Clerk/Register



A RESOLUTION APPOINTING A MEMBER TO THE WASHTENAW COUNTY WORKFORCE DEVELOPMENT BOARD FOR THREE-YEAR TERMS EXPIRING DECEMBER 31, 2003

WASHTENAW COUNTY BOARD OF COMMISSIONERS

January 15, 2003

WHEREAS, on December 13, 1995, the Board of Commissioners adopted a resolution establishing the Washtenaw County Workforce Development Board; and

WHEREAS, the Workforce Development Board guidelines require a 51% private sector representation, with a 15% community based organization/organized labor representation; and

WHEREAS, the composition of the Workforce Development Board includes 2 education representatives, 16 private sector representatives, 5 community based organization/organized labor representatives, 1 rehabilitation representative, 1 economic development representative, 1 public assistance representative and 3 other positions (one of which represents the rehabilitation-veteran), 29 members in total; and

WHEREAS, in addition to the 29 members of the Workforce Development Board there are two Board of Commissioners representatives: 1 CEO/Liaison and 1 BOC/Liaison; and

WHEREAS, a vacancy exists on the Workforce Development Board for areas representing private sector for the remainder of a three-year term expiring December 31, 2003; and

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby appoints a member to the Washtenaw County Workforce Development Board for the remainder of a three-year term expiring December 31, 2003

<u>Member</u>	<u>Representing</u>
1) Mark Ouimet	Private

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY

STATE OF MICHIGAN)
COUNTY OF WASHTENAW)ss

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of the Circuit Court for said County, the same being a Court of Record:

Do hereby certify that this is a true and compared copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan on January 15, 2003, as appears of record in my office. That I have compared the same with the original and that it is a true transcript thereof and of the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY _____
Deputy Clerk/Register



Res . No. 03-0018

A RESOLUTION APPOINTING MEMBERS TO VARIOUS BOARDS, COMMITTEES, COMMISSIONS
AND AGENCIES FOR TERMS ENDING DECEMBER 31, 2003

WASHTENAW COUNTY BOARD OF COMMISSIONERS

January 15, 2003

WHEREAS, various appointments to boards, committees, commissions and external agencies; boards, committees and commissions are scheduled to be made in January of each year; and

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby confirms the appointments of the Chair of the Board Commissioners of members to the following Boards, Committees, Commissions and agencies for terms ending December 31, 2003:

Accommodations Ordinance Commission

- 1) Ronnie Peterson
- 2) Wesley Prater

Ann Arbor School Safety Committee

- 1) VACANT

Area Agency on Aging

- 1) Barbara Levin Bergman
- 2) Martha Kern, alternate

Central Dispatch Authority

- 1) Joseph Yekulis, Jr.
- 2) Vivienne Armentrout, alternate

Community Action Board

- 1) Robert Brackenbury
- 2) Rolland Sizemore Jr.

Depository Committee

- 1) Leah Gunn (Chair of the Board)

Drainage Board

- 1) Leah Gunn (Chair of the Board specified by Drain Code another Comm. appointed
- 2) Barbara Levin Bergman by the Chair)

Drug Forfeiture Committee

- 1) Jeff Irwin

Emergency Medical Services Commission

- 1) Barbara Levin Bergman
- 2) Martha Kern

Emergency Telephone District Board

- 1) Leah Gunn (Chair of the Board)
- 2) Vivienne Armentrout
- 3) Joseph Yekulis, Jr., alternate

Foster Grandparent Advisory Board

- 1) Rolland Sizemore Jr.
- 2) Ronnie Peterson, alternate

Head Start Policy Board

- 1) Leah Gunn
- 2) Ronnie Peterson, alternate

Local Development Finance Authority - Dexter

- 1) Martha Kern

Local Development Finance Authority – Augusta Township

- 1) Rolland Sizemore Jr.

Michigan Township Association (Liaison)

- 1) Martha Kern

Money Purchase Pension Plan

- 1) Jeff Irwin
- 2) Wesley Prater

Property Tax Foreclosure Prevention Task Force

- 1) Barbara Levin Bergman

Public Works Board (Liaison)

- 1) Vivienne Armentrout

Retirement Commission (Ex-Officio)

- 1) Wesley Prater
- 2) Ronnie Peterson

Road Commission (Liaison)

- 1) Wesley Prater
- 2) Robert Brackenbury, alternate

Sheriff's Community Relations Advisory Board Ad Hoc Committee

- 1) Jeff Irwin
- 2) Stephen Solowczuk
- 3) Leah Gunn

Sheriff's Youth, Community Projects and Special Projects Fund

- 1) Rolland Sizemore Jr.

Solid Waste Management Consortium

- 1) Dan Myers
- 2) Jeff Irwin

Southeastern Michigan Council of Governments (SEMCOG)

Member

- 1) Jeff Irwin
- 2) Martha Kern

Alternate

- 3) Barbara Levin Bergman
- 4) Robert Brackenbury

Washtenaw Area Transportation Policy Study Committee

- 1) Martha Kern

Washtenaw Development Council

- 1) Robert Guenzel
- 2) Robert Brackenbury, alternate

Workforce Development Board (Liaison)

- 1) Leah Gunn (Chair of the Board)
- 2) Rolland Sizemore Jr.

Washtenaw/Kent County Joint Advisory Committee on e-Government

- 1) Leah Gunn, (Chair of the Board)
- 2) Jeff Irwin

800 Mhz (Liaison)

- 1) Joseph Yekulis Jr.

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY

STATE OF MICHIGAN)
COUNTY OF WASHTENAW^{SS}

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of the Circuit Court for said County, the same being a Court of Record:

Do hereby certify that this is a true and compared copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan on January 15, 2003, as appears of record in my office. That I have compared the same with the original and that it is a true transcript thereof and of the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Re gister

BY _____
Deputy Clerk/Register

Res . No. 03-0019



A RESOLUTION CONFIRMING THE HIRING OF ANTHONY VANDERWORP AS WASHTENAW COUNTY DIRECTOR OF PLANNING & ENVIRONMENT, EFFECTIVE FEBRUARY 18, 2003, AT AN ANNUAL SALARY OF \$97,000 ABOVE MID -POINT OF GRADE 34, GROUP 32

WASHTENAW COUNTY BOARD OF COMMISSIONERS

January 15, 2003

WHEREAS, the Director of Planning & Environment is a newly created position as part of a departmental reorganization in 2002; and

WHEREAS, the Director of Planning & Environment was posted in compliance with County policy, and the County Administrator directed the Deputy County Administrator to appoint and serve on a panel to conduct interviews of candidates for the position; and

WHEREAS, the panel unanimously determined that Anthony VanDerworp, former City Manager of Sanford, Florida, was the candidate of choice; and

WHEREAS, Anthony VanDerworp brings to the Washtenaw County Planning & Environment Department over 20 years of professional experience in the area of planning and environmental matters, including comprehensive planning, economic development, housing, community grants, development review, permitting and inspections, code enforcement, transportation planning, public transit and natural lands programming; and

WHEREAS, Anthony VanDerworp shall commence as Washtenaw County Director of Planning & Environment on February 18, 2003; and

WHEREAS, Anthony VanDerworp will be hired at an annual salary of \$97,000 an amount above the mid-point of Grade 34 and afforded all benefits applicable to Group 32 non-union; and

WHEREAS, the starting salary of \$97,000 can be absorbed within the existing Planning & Environment budget; and

WHEREAS, this mater has been reviewed by Corporation Counsel, the Finance Department, Human Resources, the County Administrator's Office and the Ways & Means Committee

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby confirms the hiring of Anthony VanDerworp as Washtenaw County Director of Planning & Environment, effective February 18, 2003, at an annual salary of \$97,000 above mid-point of Grade 34, Group 32

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Armentrout	X			Irwin	X			Sizemore	X		
Bergman	X			Kern	X			Solowczuk	X		
Brackenbury	X			Peterson	X			Yekulis	X		
Gunn	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY ROLL CALL VOTE: TOTALS 11 0 0

STATE OF MICHIGAN)
COUNTY OF WASHTENAW)SS.

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on January 15, 2003, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY: _____

Deputy Clerk



Res. No. 03-0020

A RESOLUTION AUTHORIZING THE CHAIR OF THE BOARD TO SIGN AN ESTIMATE OF AUTHORIZED EXPENDITURES SUMMARY IN THE AMOUNT OF \$219,769 TO THE STATE OF MICHIGAN, DEPARTMENT OF NATURAL RESOURCES FOR THE MARINE SAFETY PROGRAM FOR CALENDAR YEAR 2003

WASHTENAW COUNTY BOARD OF COMMISSIONERS

January 15, 2003

WHEREAS an Estimate of Authorized Expenditures Summary in the amount of \$219,769 will be submitted to the State of Michigan, Department of Natural Resources which includes \$52,000 for the purchase of capital equipment; and

WHEREAS, the State of Michigan supports Marine Safety Programs in the amount of three-quarters of the County's authorized expenditures; and

WHEREAS, the amount of state revenue has historically remained approximately \$47,000 despite variations in Marine Safety expenditures, and

WHEREAS, the State has notified the Sheriff's Department of the availability of additional State funds to cover up to \$39,000 of the anticipated \$52,000 in capital purchases that the Marine Safety Program may incur in 2003, in accordance with the Sheriff's Fleet Purchase and Replacement plan; and

WHEREAS, these operating and capital expenditures were anticipated by the county and have been included in the approved 2003 county budget; and

WHEREAS, this matter has been reviewed by Corporation Counsel, the Finance Office, Human Resources, the County Administrator, and the Ways and Means Committee.

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby authorizes the Chair of the Board to sign the Estimate of Authorized Expenditures Summary to the State of Michigan, Department of Natural Resources, Law Enforcement Division, for a Marine Safety Program for the calendar year 2003, in the amount of \$219,769, as on file with the County Clerk

BE IT FURTHER RESOLVED that the Board of Commissioners approves the following actions, contingent upon receipt of the grant award in conformity with the application:

1. Authorizes the County Administrator to sign the Notice of Grant Award
2. Authorizes the County Administrator to sign delegate contracts, upon review of Corporation Counsel to be filed with the County Clerk

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Armentrout	X			Irwin	X			Sizemore	X		
Bergman	X			Kern	X			Solowczuk	X		
Brackenbury	X			Peterson	X			Yekulis	X		
Gunn	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY

ROLL CALL VOTE: TOTALS 11 0 0

STATE OF MICHIGAN)
 COUNTY OF WASHTENAW^{SS}

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on January 15, 2003, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY: _____

Deputy Clerk



Res. No. 03-0021

A RESOLUTION APPROVING THE WASHTENAW COUNTY MONEY PURCHASE PENSION PLAN EFFECTIVE JANUARY 1, 1984, AMENDED AND RESTATED EFFECTIVE JANUARY 1, 1989, FURTHER AMENDED AND RESTATED EFFECTIVE DECEMBER 31, 2001

WASHTENAW COUNTY BOARD OF COMMISSIONERS

January 15, 2003

WHEREAS, the Washtenaw County Board of Commissioners has previously approved the Washtenaw County Money Purchase Pension Plan; and

WHEREAS, it is necessary to revise and amend the plan to conform with changes in the Internal Revenue Code; and

WHEREAS, the Board of Trustees of the Washtenaw County Money Purchase Pension Plan has retained Legal Counsel to review and prepare necessary amendments to the plan in order to maintain the qualified status of the plan; and

WHEREAS, the Washtenaw County Money Purchase Pension Plan Board of Trustees has unanimously recommended the approval of these plan amendments; and

WHEREAS, the Corporation Counsel has reviewed the plan amendments and has recommended their approval; and

WHEREAS, these requests have been considered by the Board of Commissioners

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby approves the amendments to the Washtenaw County Money Purchase Pension Plan Effective January 1, 1984, Amended and Restated Effective January 1, 1989, Further Amended and Restated Effective December 31, 2001, a copy of which is attached hereto and made a part of.

BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners authorizes Legal Counsel to the Washtenaw County Money Purchase Pension Plan to take the necessary action to gain approval of the amended plans from the Internal Revenue Service.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Armentrout	X			Irwin	X			Sizemore	X		
Bergman	X			Kern	X			Solowczuk	X		
Brackenbury	X			Peterson	X			Yekulis	X		
Gunn	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY ROLL CALL VOTE: TOTALS 11 0 0

STATE OF MICHIGAN)
COUNTY OF WASHTENAW)SS.

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on January 15, 2003, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY: _____

Deputy Clerk



Res. No. 03-0022

**WASHTENAW COUNTY
MONEY PURCHASE PENSION PLAN**

Effective January 1, 1984

As Amended and Restated Effective January 1, 1989

As Further Amended and Restated Effective December 31, 2001

Subject to the limitations specified herein, the Board of Commissioners of Washtenaw County, Ann Arbor, Michigan (hereinafter referred to as the County) has approved the following Plan, originally effective as of January 1, 1984, as amended and restated *herein* effective January 1, 1989, and as further amended and restated effective December 31, 2001.

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ARTICLE I DEFINITIONS

1.01 Account or Accounts means for any Participant the record of money and assets held by the Trustee for an individual Participant or Beneficiary pursuant to the provisions of the Plan, derived from County Contributions to the Trust Fund, and Participant Contributions to the Trust Fund which are "Picked Up" by the County under Section 3.01. Such Accounts are primarily for accounting purposes and do not require the actual segregation of assets within the Trust Fund, although they will be separately invested pursuant to Section 4.01.

1.02 Administrative Costs means those expenses of Plan operation, which are reasonable, necessary and proper, as further described in Section 9.02.

1.03 Board of Trustees means those persons responsible for the general administration, management and proper operation of the Plan, and for construing the Plan. The members of the Board of Trustees are elected or appointed pursuant to established bylaws of the Plan, which are incorporated herein by this reference.

1.04 Beneficiary means the person, persons or entity designated or determined pursuant to the provisions of Section 8.03 of the Plan.

1.05 Code means the Internal Revenue Code of 1986, as amended from time to time. Any reference to a section of the Code shall be deemed to include any applicable regulations and rulings pertaining to that section and any comparable section or sections of any future legislation that amends, supplements or supersedes said section.

1.06 Committee means the Board of Trustees.

1.07 County means Washtenaw County, a political subdivision of the State of Michigan.

1.08 County Contribution means a contribution made by the County pursuant to the provisions of Article III of the Plan.

1.09 Covered Compensation means, for purposes of determining statutory maximum retirement income as required by Code section 415 and set forth at section 3.03, all amounts paid to a Participant by the County for personal services as reported on the Participant's federal income withholding statement (Form W-2) for the Plan Year as provided at Internal Revenue Service Regulations section 1.415-2(d)(11)(ii).

Compensation, for all other purposes under the Plan means all of each Participant's W-2 earnings (as described above) for the Plan Year:

- (a) Increased by any amount which is contributed by the County pursuant to a salary reduction agreement and which is not includible in the gross income of the Participant pursuant to one or more of the following Code sections:
 - (1) 125 for cafeteria plans,
 - (2) 402(a)(8) for cash or deferred arrangements,
 - (3) 402(h) for simplified employee pensions,
 - (4) 403(b) for tax deferred annuities,

- (5) 457 for eligible deferred compensation plans, and
 - (6) 414(h) for picked up contributions to governmental plans such as participant contributions to this Plan described in Section 3.01.
- (b) Decreased by all of the following amounts (even if includible in gross income):
- (1) Reimbursements or other expense allowances,
 - (2) Fringe benefits (cash and non-cash),
 - (3) Moving expenses,
 - (4) Deferred compensation, and
 - (5) Welfare benefits such as the taxable cost of group term life insurance in excess of \$50,000.00

The annual Covered Compensation of each Participant taken into account under the Plan for any year shall not exceed \$200,000, as adjusted by the Secretary of Treasury at the same time and in the same manner as under section 415(d) of the Code. Effective January 1, 1994, the \$200,000 is reduced to \$150,000 (or such other amount, adjusted for the cost of living as may be determined by the Secretary of Treasury, pursuant to Code Section 401(a)(17)). The compensation of each Participant taken into account in determining allocations for any Plan year beginning after December 31, 2001, shall not exceed \$200,000, as adjusted for cost-of-living increases in accordance with section 401(a)(17)(B) of the Code. Annual compensation means compensation during the Plan year or such other consecutive 12-month period over which compensation is otherwise determined under the Plan (the determination period). The cost-of-living adjustment in effect for a calendar year applies to annual compensation for the determination period that begins with or within such calendar year.

1.10 Disability for purposes of this Plan means, in respect to any given Participant, that on the basis of medical evidence satisfactory to the Committee, including, if requested by the Committee, a certificate in form satisfactory to the Committee furnished by the Participant and signed by at least one medical doctor acceptable to the County, such Participant is determined to be unable indefinitely to meet requirements for employment by the County.

1.11 Effective Date means January 1, 1984.

1.12 Employee means any person who is performing services for the County under such terms and conditions that his or her relationship to the County is that of employer and employee. The term Employee shall also include all elected officials of the County, including (without limitation) County Commissioners, Judges, the Sheriff, Prosecuting Attorney, County Clerk/Register of Deeds, Treasurer and Drain Commissioner. However, the term Employee shall not include:

- (a) any person who is employed by the County on a basis that is not considered at least half-time employment,
- (b) any person who is covered by a collective bargaining agreement entered into with the County, unless, and to the extent such agreement provides that the Plan shall apply to such person.

1.13 Fund means any or all of the investment funds established pursuant to Section 4.01 hereof.

1.14 Highly Compensated Participant means a Participant who, during the current Plan Year or the preceding Plan Year, (i) received Covered Compensation from the County in excess of \$85,000 (or such greater amount as determined by the Secretary of the Treasury pursuant to section 414(q) of the Code), or (ii) received Covered Compensation from the County in excess of \$50,000 (or such greater amount as determined by the Secretary of the Treasury pursuant to section 414(q) of the Code), and was in the "Top-Paid Group Of Employees" for such year. (The "Top Paid Group of Employees" is the top 20% of the Employees when ranked on the basis of compensation during a Plan Year, as further defined at Code section 414(q).) The provisions of section 414(q) shall apply in determining whether a Participant is a Highly Compensated Participant. The County for any Plan Year may elect to identify Highly Compensated Participants based upon only the current Plan Year to the extent permitted by section 414(q) of the Code and regulations issued thereunder.

1.15 Participant means an Employee included in the Plan in accordance with its provisions and whose participation in the Plan has not terminated.

1.16 Participant Contributions means the mandatory before-tax contributions, which are deducted from a Participant's Covered Compensation, Picked Up by the County and paid to this Plan.

1.17 Plan means the Washtenaw County Money Purchase Plan described herein or as hereafter amended.

1.18 Plan Year means the calendar year.

1.19 Spouse means the person who is legally married to a Participant on the earlier of (a) the date payments commence or (b) the date of death of the Participant.

1.20 Trust Fund means the Agreement entered into between the County and the Trustee to carry out the provisions of the Plan.

1.21 Trustee means the Trustee with whom the funds of the Plan are held as provided in Article IV.

1.22 Valuation Date means each March 31, June 30, September 30, and December 31, and such other times as the Committee may designate.

ARTICLE II
ELIGIBILITY AND PARTICIPATION

2.01 Participation

- (a) Any person who becomes an Employee of the County on or after April 1, 1984 shall participate in the Plan as of the date the person became an Employee.
- (b) Any person who becomes an Employee of the County prior to April 1, 1984 shall become a Participant in the Plan effective on such date as such person irrevocably elects to terminate active participation in the Washtenaw County Employees' Retirement System.
- (c) Subject to the following, after an Employee becomes a Participant, participation in the Plan shall continue until the Employee's employment with the County is terminated.
 - (i) Any Employee who has become a Participant and whose full-time equivalency (F.T.E.) becomes less than 50% shall remain a Participant so long as he or she is employed by the County, although neither the County nor the Participant shall contribute to the Plan while the Participant's FTE is less than 50%.
 - (ii) Any Participant who is on an approved leave of absence shall remain a Participant during the leave of absence, although neither the County nor the Participant shall contribute to the Plan during the leave of absence, except as provided in Section 3.06.

ARTICLE III CONTRIBUTIONS

3.01 Participant Contributions percentage, as negotiated by union collective bargaining agreements, Covered Compensation paid to such Participant during the applicable pay period shall be contributed to the Trust Fund.

Participant Contributions shall be remitted to the Trustee as soon as practicable after each payday for which such contributions were made.

The compensation paid to a Participant shall be reduced by the amount of the Participant Contribution. Participant Contributions shall be paid ("Picked Up") by the County in lieu of being paid by the Participant. Such amounts paid by the County shall be designated as County Contributions for all purposes under this Plan and shall be remitted to the Participant's County Contribution Account.

3.02 County Contributions The County will contribute biweekly on behalf of each of its Employees who are a Participant an amount equal to 100% of the Participant's Contributions for the period. County Contributions shall be allocated to the Participant's County Contribution Account as provided herein.

3.03 Limitation on Contributions Under Section 415 of the Internal Revenue Code

- (a) Definitions for Purposes of Section 3.03 The "Limitation Year" for this Plan and for all other qualified plans maintained by the County, shall be the Plan Year. "Compensation", for purposes of this Section 3.03, means a Participant's Covered Compensation, less Participant Contributions reduced from Covered Compensation and paid ("Picked Up") by the County. ***For Limitation Years beginning on and after January 1, 2001, for purposes of applying the limitations described herein, Compensation paid or made available during such Limitation Years shall include elective amounts that are not includable in the gross income of the employee by reason of Section 132(f)(4) of the Code.***
- (b) Annual Limitation For Limitation Years beginning before January 2, 2002, the amount of Annual Additions, which may be credited to a Participant's Account for any Limitation Year, may not exceed the lesser of:
- (i) \$30,000, or such larger amount as may be determined by the Commissioner of Internal Revenue for Limitation Years ending on or after January 1, 1986, or
 - (ii) 25% of the Participant's Compensation for the Limitation Year.
- For Limitation Years beginning after December 31, 2001, the amount of Annual Additions, which may be credited to a Participant's Account for any Limitation Year, may not exceed the lesser of:
- (iii) \$40,000, as adjusted for increases in the cost-of-living under section 415(d) of the Code, or
 - (iv) 100% of the Participant's Compensation, within the meaning of section 415(c)(3) of the Code, for the Limitation Year.

The Compensation limit referred to in Section 3.03(b)(iv) shall not apply to any contribution for medical benefits after separation from service (within the meaning of section 401(h) or section 419A(f)(2) of the Code) which is otherwise treated as an Annual Addition.

- (c) Definition of Annual Additions shall mean the sum of the following amounts (if any) credited to a Participant's Account for the Limitation Year under all defined contribution plans maintained by the County:
- (i) Employee Contributions,
 - (ii) County Contributions plus Participant Contributions, and
 - (iii) forfeitures.

If, due to a reasonable error in estimating a Participant's annual compensation, or due to the allocation of forfeitures, an excess Annual Addition exists, such excess will be used to reduce County Contributions for such Participant in the next, and succeeding, Limitation Years *in accordance with Treasury Reg. Sec. 1.415(b)(6)(ii)*.

3.04 Exclusive Benefit of Employees All contributions and all principal and income of the Plan shall be held by the Trustee in accordance with the terms of the Plan and Trust Fund for the exclusive benefit of those Employees who are Participants under the Plan, including former Employees and their Beneficiaries, and shall be applied to provide benefits under the Plan and to pay administrative costs of the Plan and the Trust Fund, to the extent that such expenses are not otherwise paid. At no time prior to the satisfaction of all liabilities with respect to such Employees and their Beneficiaries shall any part of the Trust Fund (other than such part as may be required to pay administration expenses and taxes), be used for, or diverted to, purposes other than for the exclusive benefit of such Employees and their Beneficiaries. However, without regard to the provisions of this Section:

- (a) If a contribution or any portion thereof is made by the County by a mistake of fact, the Trustee shall, upon written request of the County, return the contribution or such portion to the County within one year after the date of payment to the Trustee; and
- (b) Earnings attributable to amounts to be returned to the County pursuant to subsection (a) above shall not be returned, and losses attributable to amounts to be returned pursuant to subsection (a) shall reduce the amount to be so returned.

3.05 Corrective Contributions The Board of Trustees may correct any error by making adjustments to Participants' Accounts as may be appropriate. The County may make an additional or alternative contribution where appropriate to correct an error. Any contribution made under this Section shall be allocated in a manner, which corrects the error.

3.06 Military Service Notwithstanding any provision of the Plan to the contrary, contributions, benefits and service credit with respect to qualified military service will be provided in accordance with section 414(u) of the Internal Revenue Code.

- (a) Prior to entering military service, a Participant is required to provide advance written or verbal notice to the County unless giving such notice is

precluded by military necessity or is otherwise impossible or unreasonable.

- (b) A Participant who enters the uniformed services of the United States and thereafter returns to covered employment with the County within ninety (90) days of his or her discharge or within one (1) year from hospitalization continuing after such discharge, shall be credited with contributions and service for a period not to exceed five (5) years unless such service is extended by the government for military necessity.
- (c) A Participant shall provide documentation to establish the timeliness of his or her application for reemployment. A copy of the Participant's discharge papers shall be sufficient.
- (d) A Participant who is absent from covered employment by reason of service in the uniformed services of the United States shall be entitled to County Contributions for the period or period of such service, in accordance with Chapter 43 of Title 38 of the United States Code, as amended by Public Law 103-353.
- (e) The Participant shall be permitted to make up Participant Contributions to the Plan in an amount not to exceed the amount of Participant Contributions the Participant would have been required to contribute had the Participant remained continuously employed by the County throughout the period of service in the uniformed services. Any payment of Participant Contributions shall be made during a period equal to three times the period of the Participant's service in the uniformed services, not to exceed five years, beginning on the date of the Participant's reemployment.
- (f) The Participant's compensation for purposes of determining the required Participant Contributions under this Section 3.06 shall be computed at the rate the Participant would have received but for such period of service, or in the case that the determination of such rate is not reasonably certain, on the basis of the Participant's average rate of compensation during the 12-month period immediately preceding such period of service (or, if shorter, the period of employment immediately preceding such period).

3.07 Rollovers from Other Plans The Plan will accept a direct rollover distribution made after December 31, 2001 from a qualified plan described in section 401(a) or 403(a) of the Code, excluding after-tax employee contributions.

ARTICLE IV
INVESTMENT OF CONTRIBUTIONS

4.01 Investment of Participant and County Contributions Participant Contributions and County Contributions to the Plan shall be invested by the Trustee, upon the direction of each Participant in multiples of 1% in one or more funds.

The Trustee in its sole discretion may keep such amount of cash as it shall deem necessary or advisable as part of such funds.

Any fund established for the investment of contributions under this Plan may be a commingled trust fund established for the collective investment of employee benefit plans qualified under Section 401(a) of the Code and any declaration of trust establishing such a commingled trust fund is hereby incorporated by reference.

Funds may be established at the discretion of both the County and the Committee, provided, however, that should the Committee establish a self-directed brokerage account fund, no participant shall direct the investment of more of his or her Account Balance in such a self-directed brokerage account fund than allowed by the Trustee (in its sole discretion).

Dividends, interest and other distributions received on the assets held by the Trustee in respect to any funds shall be re-invested in that fund.

If a Participant fails to completely direct the investment of his or her entire account, any portion with respect to which directions has not been given shall be in a (money market) fund (invested primarily in short term securities) as designated by the Committee for such purpose.

4.02 Change of Investment Election A Participant may elect, by notice to the Committee or the Trustee in such form as the Committee establishes, to change his or her investment election with respect to future Participant Contributions and County Contributions. Such change in election shall be effective only with respect to subsequent contributions and shall be made prior to the Valuation Date such election will take effect.

4.03 Reallocation of Funds A Participant may elect, by notice to the Committee or the Trustee in such form as the committee establishes prior to a Valuation Date, to reallocate as of the respective Valuation Date, his or her Account Balance in any of the investment funds. Such reallocations to the different Funds must be allocated in multiples of 1%.

4.04 Responsibility for Investment Options Each Participant is solely responsible for the selection of his or her investment option(s) and the Trustee, the Committee, the County or any employees thereof shall not have any liability or responsibility with respect to investment option(s) selected by a Participant. If a Participant fails to completely direct the investment of his entire Account, any portion with respect to which direction has not been given shall be invested in Stable Value Fund.

ARTICLE V
ESTABLISHMENT AND CREDITING OF ACCOUNTS

5.01 Establishment of Accounts The Trustee or such other persons or entity as may be designated by the Committee shall establish and maintain an Account for each Participant. Such Account shall reflect the value of the Contributions allocated thereto and the investment thereof. Each Participant shall be furnished at least annually with a statement of his or her Account.

5.02 Allocations And Adjustments To Accounts As of each Valuation Date, the Committee shall determine, on an accrual basis of accounting, the balance of each Participant's Account in the following manner:

- (a) As soon as feasible after each Valuation Date, the Committee shall determine the earnings and the amount of any realized or unrealized appreciation or depreciation in the fair market value of each of the Funds determined as of the Valuation Date. In determining such value, the Committee shall use such generally accepted methods and bases as the Committee, in its discretion, shall deem advisable. The judgment of the Committee as to the fair market value of any asset shall be conclusive and binding on all persons.
- (b) The earnings and market appreciation or depreciation on contributions made between Valuation Dates shall be allocated to Participants' Accounts in a manner which reflects the amount of the contribution, the date on which it was made, and the investment performance of the investment Fund or Funds to which it was allocated (pursuant to Section 4.01) from the date of contribution to the next Valuation Date. Earnings and market appreciation or depreciation so allocated is referred to as "interim gains or losses".
- (c) The contributions allocable to each Participant's Account pursuant to Sections 3.01 and 3.02 shall be added to each Participant's Account and the withdrawals or distributions made therefrom since the prior Valuation Date shall be deducted.
- (d) The earnings and market appreciation or depreciation of each Fund for a period ending on a Valuation Date which remain unallocated after the allocation of interim gains and losses (under Section 5.02(b) above) shall be allocated to each applicable Account that is invested in such Fund on the current Valuation Date by multiplying the earnings and market appreciation or depreciation of such Fund by a fraction, the numerator of which is the average of (1) the balance of such Account invested in the applicable Fund as of the prior Valuation Date (after recognizing any investment changes effective on such Valuation Date) and (2) the balance of the Account invested in the Fund after the application of Section 5.02(c) above, and the denominator of which is the total of the average of (1) the balances of all such Accounts invested in such Fund as of the prior Value Date (after recognizing any investment changes effective on such Valuation Date), and (2) the balances of all such Accounts invested in the Fund after the application of Section 5.02(c) above. Each such Account shall then be adjusted by adding thereto or subtracting therefrom its share of the earnings and market appreciation or depreciation of each Fund as determined by the preceding sentence.

ARTICLE VI
VESTING

6.01 Vesting At all times a Participant shall be 100% vested in the value of his or her Account.

ARTICLE VII
WITHDRAWALS PRIOR TO TERMINATION OF EMPLOYMENT

7.01 Withdrawals During Employment No withdrawals, loans or distributions of any kind from a Participant's Account are allowed prior to termination of employment.

ARTICLE VIII
DISTRIBUTIONS UPON TERMINATION OF EMPLOYMENT

8.01 Time and Amount of Distribution

- (a) In the event of the Disability or termination of employment of a Participant for any reason whatsoever, including retirement, death, resignation or discharge with or without cause, the Participant's Account shall be valued pursuant to Section 5.02 as of the Valuation Date coincident with or immediately following the Participant's termination of employment, and shall be distributed to or for the benefit of the Participant or his or her designated Beneficiary. The distribution shall be made in a manner set forth in Article VIII, and shall be paid as soon as is practicable after the Valuation Date coincident with or next following the date of such Participant's termination of employment.
- (b) Any request for distribution under this Section 8.01 may be accompanied by a request, subject to the approval of the Committee, to defer withdrawal (and final valuation) until a Valuation Date not more than one year from the Valuation Date coincident with or next following the date the Participant's employment is terminated, but not later than the date a Participant attains age 70 1/2. Any request for withdrawal under this Section 8.01 resulting from Disability may be accompanied by an election to defer withdrawal until a Valuation Date to be selected by the Participant which shall not exceed the Valuation Date coincident with or next following the date the Participant becomes age 60. During any deferral of withdrawal, the Participant's Account shall be maintained in accordance with the procedures set forth in Article V.
- (c) A former Employee who is not employed by the County due to a layoff may elect to defer withdrawal (and final valuation) until a Valuation Date to be selected by the former Employee which shall not be later than the Valuation Date coincident with or next following the termination of the former Employee's expiration of right to recall.
- (d) Notwithstanding anything in the Plan to the contrary, distribution of a Participant's Account shall be made not later than April 1 of the year following the year in which the later of the following occurs:
 - (i) The Participant attains age 70 1/2,
 - (ii) The Participant retires.

The later of these events shall be the Participant's "Required Distribution Date".

8.02 Method of Distribution of the value of the Participant's Account shall be made in the form of a cash distribution of all his or her interest in such Account.

8.03 Distributions on Death

- (a) Upon the death of a Participant prior to the payment of his or her distribution from the Plan, the Committee shall promptly notify the Trustee in writing of the Participant's death and the name of his or her Beneficiary and shall direct the Trustee to make distribution as provided in Section 8.01. All payments by reason of death shall be paid in the form of a cash distribution of the Participant's interest in his or her Account.
- (b) Each Participant shall have the right to designate in writing on a form provided by the Committee a person or persons or entity as Beneficiary to receive the death benefit provided under Section 8.03. Successive designations may be made, and the last designation received by the Committee prior to the death of the Participant shall be effective and shall revoke all prior designations. If a designated Beneficiary shall die before the Participant, the Beneficiary's interest shall terminate, and, unless otherwise provided in the Participant's designation if the designation included more than one Beneficiary, such interest shall be paid in equal shares to those Beneficiaries, if any, who survive the Participant. A Participant to whom this subsection applies shall have the right to designate different Beneficiaries to receive the adjusted balance of his or her Account under the Plan and shall have the right to revoke the designation of any Beneficiary without the consent of the Beneficiary.
- (c) If a Participant fails to designate a Beneficiary, if such designation is for any reason illegal or ineffective, or if no Beneficiary survives the Participant, the death benefits otherwise payable pursuant to subsections (b) or (c) shall be paid:
 - (i) To his or her Spouse;
 - (ii) If there is no Spouse, to his or her descendants (including legally adopted children or their descendants) per stirpes;
 - (iii) If there is no Spouse nor surviving descendants, to the duly appointed and qualified executor or other personal representative of the Participant to be distributed in accordance with the Participant's will or applicable intestacy law; or
 - (iv) If no such representative is duly appointed and qualified within six months after the date of death of such deceased Participant, then to such provisions of the applicable statute then in force governing the descent of intestate property, in the proportions specified in such statute.
- (d) The Committee may determine the identity of the distributees of any death benefit payable under the Plan and in so doing may act and rely upon any information it may deem reliable upon reasonable inquiry, and upon any affidavit, certificate, or other paper believed by it to be genuine, and upon any evidence believed by it sufficient.

8.04 Limitations on the Commencement and Duration of Benefits Notwithstanding anything to the contrary contained elsewhere in the Plan:

- (a) Benefits under the Plan will be paid in full to any Participant not later than the Required Distribution Date.
- (b) If the Participant dies before distribution has been made, then distribution of such Participant's entire interest in the Plan shall be made in one lump sum by the December 31 of the calendar year containing the fifth anniversary of the Participant's death.
- (c) With respect to distributions made for calendar years beginning on or after January 1, 2001, the minimum distribution requirements of section 401(a)(9) of the Internal Revenue Code will be applied in accordance with the regulations under section 401(a)(9) that were proposed on January 17, 2001, notwithstanding any provision of this Plan to the contrary. This amendment shall continue in effect until the end of the last calendar year beginning before the effective date of final regulations under section 401(a)(9) or such other date as may be specified in guidance published by the Internal Revenue Service.

8.05 Direct Rollovers. A Participant or the Participant's Spouse who is otherwise receiving a distribution under this Section 8.05 may elect to have the distribution paid, in whole or in part, directly to an Eligible Retirement Plan pursuant to the terms and provisions of this Section 8.05.

- (a) Definitions. For purposes of this Section 8.05, the following terms shall have the following meanings:
 - (i) "Eligible Retirement Plan". "Eligible Retirement Plan" means an individual retirement account described in IRC Section 408(a), an individual retirement annuity (other than an endowment contract) described in Section 408(b), a qualified plan described in Section 401(a) if it is a defined contribution plan which permits the acceptance of rollover distributions, or an annuity plan described in IRC Section 403(a). For distributions made after December 31, 2001, an Eligible Retirement Plan shall also mean an annuity contract described in section 403(b) of the Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state which agrees to account for amounts transferred into such plan from this Plan separately, and the definition of Eligible Retirement Plan shall also apply in the case of a distribution to a surviving spouse or to a spouse or former spouse who is the alternate payee under a domestic relations order, as defined in section 414(p) of the Code.
 - (ii) "Direct Rollover". A "Direct Rollover" is an Eligible Rollover Distribution that is paid directly to an Eligible Retirement Plan for the benefit of the Participant or the Participant's Spouse.
 - (iii) "Eligible Rollover Distribution". An "Eligible Rollover Distribution" means any distribution of all or any portion of the balance to the credit of the Participant in the Plan subject to the following exceptions:

- (1) Any distribution that is one of a series of substantially equal periodic payments (paid not less frequently than annually) paid over any one of the following periods: the life of the Participant (or the joint lives of the Participant and the Participant's designated beneficiary), the life expectancy of the Participant (or the joint life and last survivor expectancy of the Participant and the Participant's designated beneficiary), or a specified period of 10 years or more if and as applicable;
- (2) Any distribution to the extent the distribution is required under Section 401(a)(9) relating to the minimum distribution requirements;
- (3) The portion of any distribution that is not includable in gross income (determined without regard to the exclusion for net unrealized appreciation described in IRC Section 402(e)(4)). An Eligible Rollover Distribution does not include the portion of any distribution that is excludable from gross income under IRC Section 72 as a return of the employee's investment in the contract but an Eligible Rollover Distribution does include net unrealized appreciation. For distributions made after December 31, 2001, a portion of a distribution shall not fail to be an Eligible Rollover Distribution merely because the portion consists of after-tax employee contributions which are not includible in gross income; however, such portion may be transferred only to an individual retirement account or annuity described in section 408(a) or (b) of the Code, or to a qualified defined contribution plan described in section 401(a) or 403(a) of the Code that agrees to account for amounts so transferred separately, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible;
- (4) Returns of Section 401(k) elective deferrals described in Treasury Reg. Section 1.415-6(b)(6)(iv) that are returned as a result of the limitations under IRC Section 415 if and as applicable;
- (5) Corrective distributions of excess contributions and excess deferrals under qualified cash-or-deferred arrangements as described in Treasury Reg. Sec. 1.401(k)-1(f)(4) and 1.402(g)-1(e)(3), respectively, and corrective distributions of excess aggregate contributions as described in Treasury Reg. Sec. 1.401(m)-1(e)(3), together with the income allocable to these corrective distributions if and as applicable;
- (6) The P.S. 58 costs of life insurance coverage if and as applicable; or
- (7) Similar items designated in revenue rulings, notices, and other guidance from the Treasury Department of general applicability.

- (b) Procedures. If a Participant follows the procedures set forth below, then the distribution shall be paid as a Direct Rollover;
- (i) The Committee shall provide to the Participant a notice as required by IRC Section 402(f) at least 30 days, but not more than 90 days, before the distribution is to occur.
 - (ii) If a distribution is one to which sections 401(a)(11) and 417 of the Internal Revenue Code do not apply, such distribution may commence less than 30 days after the notice required under section 1.411(a)-11(c) of the Income Tax Regulations is given, provided that:
 - (1) The Committee clearly informs the Participant that the Participant has a right to a period of at least 30 days after receiving the notice to consider the decision of whether or not to elect a distribution (and, if applicable, a particular distribution option), and
 - (2) The Participant, after receiving the notice, affirmatively elects a distribution.
 - (iii) Following receipt of such notice, on a form provided by the Committee, the Participant may elect a Direct Rollover of all or part of the distribution. The Participant may elect a Direct Rollover up until the date set for the distribution. The election is revocable until the date set for the distribution. If no election is made by the Participant prior to the date set for the distribution, then the distribution shall be paid directly to the Participant, subject to withholding required by IRC Section 3405.
 - (iv) The Participant electing a Direct Rollover must supply to the Committee the following information:
 - (1) The name of the Eligible Retirement Plan;
 - (2) A statement from the plan designated by the Participant to receive the Direct Rollover stating that:
 - (a) the plan is, or is intended to be, an individual retirement account, an individual retirement annuity, a qualified defined contribution plan described in IRC Section 401(a) which receives rollover distributions, or a qualified annuity plan described in IRC Section 403(a), as applicable; and
 - (b) the plan will accept the Direct Rollover for the benefit of the Participant;

(3) Additional information in order for the Committee to effectuate the Direct Rollover including, but not limited to, the name and address of the trustee of the qualified plan (or the name and address of the custodian of the individual retirement account) if the distribution is to be paid by check mailed to the trustee or custodian or sufficient information to effectuate a wire transfer if the Direct Rollover is to be made by wire transfer.

(D) The Committee shall have complete discretion to choose the means for payment of a Direct Rollover. Payment may be by check mailed to the plan trustee or IRA custodian, a check delivered to the Participant to the plan trustee or IRA custodian, or by wire transfer to the plan trustee or IRA custodian. Under no circumstances shall a wire transfer or a check be directed to or made payable to the Participant for purposes of a Direct Rollover.

(c) Limitations.

(i) In electing a Direct Rollover, the Participant shall specify only one Eligible Retirement Plan to which a Direct Rollover shall be made.

(ii) If the aggregate of all distributions from the Plan in any calendar year is less than \$200, then the Participant shall not be entitled to elect a Direct Rollover.

(iii) A Participant may elect a Direct Rollover of a portion of the distribution with the balance of the distribution to be received by the Participant (less applicable withholding); provided, however, that in no event shall the portion of the distribution for which a Direct Rollover is elected be less than \$500.

(d) Effect on Non-Participant Beneficiaries.

(i) Payment to Participant's Spouse. If any distribution attributable to a Participant is paid to the Participant's surviving spouse, the above rules apply to the distribution in the same manner as if the Participant's surviving spouse were the Participant, except that only an individual retirement account or individual retirement annuity (other than an endowment contract) are treated as Eligible Retirement Plans with respect to the surviving spouse's Eligible Rollover Distribution.

(ii) Payment to Spouse as Alternative Payee. If any distribution attributable to a Participant is paid to the Participant's Spouse or former spouse by reason of being an alternate payee under a qualified domestic relations order then the above rule shall apply to the distribution in the same manner as if the spouse (or former spouse) were the Participant.

- (iii) Distribution to Non-Spouse Beneficiary. A distribution to a beneficiary who is not the Participant, the Participant's surviving spouse (or spouse or former spouse by reason of being an alternate payee under a qualified domestic relations order) does not constitute an Eligible Rollover Distribution and such beneficiaries may not elect a Direct Rollover.

- (e) Effective Date. The rules regarding Direct Rollovers shall be effective for all distributions payable on or after January 1, 1993.

ARTICLE IX
TRUST FUND AND INSURANCE CONTRACTS

9.01 Establishment of the Trust Fund; Appointment of Insurance Company and Investment Managers The Committee shall enter into a Trust Agreement with a Trustee providing for the administration of the Trust Fund in such form and containing such provisions as the Committee deems appropriate. The Committee may appoint one (1) or more investment managers to manage designated assets of the Trust. The Committee may amend the Trust Agreement and the Trustee, upon direction from the Committee, may amend the insurance contract at any time. The Committee may remove any Trustee, insurance company or investment manager at any time and appoint a replacement therefor.

9.02 Administrative Costs for the Plan, including advisory contracts, recordkeeping and fiduciary contracts shall be paid by the Trust Fund. The County shall pay for the annual audit until such time as the Plan has 350 Participants and thereafter it shall be paid by the Trust Fund. The County shall pay for the first evaluation and thereafter until such time as the Plan has 350 Participants. When the Plan has 350 Participants or more, the Trust Fund shall pay for the evaluation. If the Board of Trustees requires an evaluation of the Plan more often than every three years, the cost of the evaluation shall be paid by the Trust Fund. Any cost to the Plan in complying with a domestic relations order pursuant to Section 11.03 shall be borne by the accounts to which the order applies. The Board of Trustees shall be responsible for the approval of service contracts, providing that said contracts conform to the current Washtenaw County Procurement Policies for Professional Services and the remainder of said policy for non-professional services and are approved as to form by the Washtenaw County Corporation Counsel and the Administrator. The Board of Trustees may employ or appoint such legal, accounting and benefit consultant counsel as it deems advisable.

ARTICLE X ADMINISTRATION

10.01 Allocation of Responsibility Among Fiduciaries for Plan and Trust Administration The County, the Committee, the Trustee and any insurance company or investment manager appointed by the County shall have only those specific powers, duties, responsibilities and obligations as are specifically given them under this Plan and the Trust, and is not required to inquire into the propriety of any such direction, information or action. It is intended under this Plan and the Trust that each fiduciary shall be responsible for the proper exercise of its own powers, duties, responsibilities and obligations under this Plan and the Trust and shall not be responsible for any act or failure to act of another fiduciary. No fiduciary guarantees the Trust Fund in any manner against investment loss or depreciation in asset value.

10.02 Delegation of Authority by the County Any authority delegated to the County under this Plan or the Trust, including the power to designate Trustees, investment managers, insurance companies and to amend this Plan or the Trust Agreement, may be exercised by any duly authorized employee, agent or committee, including the Committee to the extent so authorized.

10.03 Claims Procedure Claims for benefits under the Plan shall be made in writing to the Committee. In the event a claim for benefits is wholly or partially denied by the Committee, the Committee shall, within a reasonable period of time, but not later than ninety (90) days after receipt of the claim, notify the claimant in writing of the denial of the claim. If the claimant shall not be notified in writing of the denial of the claim within ninety (90) days after it is received by the Committee, the claim shall be deemed denied. A notice of denial shall be written in a manner calculated to be understood by the claimant, and shall contain (i) the specific reason or reasons for denial of the claim, (ii) a specific reference to the pertinent Plan provisions upon which the denial is based, (iii) a description of any additional material or information necessary for the claimant to perfect the claim, together with an explanation of why such material or information is necessary, and (iv) an explanation of the Plan's review procedure. Within sixty (60) days of the receipt by the claimant of the written notice of denial of the claim, or within sixty (60) days after the claim is deemed denied as set forth above, if applicable, the claimant may file a written request with the Committee that it conduct a full and fair review of the denial of the claimant's claim for benefits, including the conducting of a hearing, if deemed necessary by the Committee. In connection with the claimant's appeal of the denial of his or her benefit, the claimant may review pertinent documents and may submit issues and comments in writing. The Committee shall render a decision on the claim appeal promptly, but not later than sixty (60) days after the receipt of the claimant's request for review, unless special circumstances (such as the need to hold a hearing, if necessary), require an extension of time for processing, in which case the sixty (60) day period may be extended to one hundred and twenty (120) days. The Committee shall notify the claimant in writing of any such extension. The decision upon review shall (i) include specific reasons for the decision, (ii) be written in a manner calculated to be understood by the claimant, and (iii) contain specific references to the pertinent Plan provisions upon which the decision is based.

10.04 Specific Powers of the Committee The Committee shall have such powers as may be necessary to administer the Plan, including, but not by way of limitation, the following:

- (a) to construe and interpret the Plan, decide all questions of eligibility and determine the amount, manner and time of payment of any benefit hereunder;
- (b) to prescribe procedures to be followed by Participants or their Beneficiaries in enrolling in the Plan and in filing applications for benefits;

- (c) Subject to approval of the County, to appoint or employ individuals to assist in the administration of the Plan, including legal counsel;
- (d) to adopt such rules as it deems necessary, desirable or appropriate for the administration of the Plan;
- (e) to select the Funds set forth in Article IV.

10.05 Committee Procedures The Committee shall only act at meetings which shall be held in accordance with the Michigan Open Meetings Act, M.C.L.A. Section 15.261 et seq, which Act is incorporated by reference in this Plan. The action of the Committee expressed by a vote at a meeting shall constitute the proper action of the Committee.

10.06 Finality of Fiduciary Actions Whenever the County or the Committee exercises discretion in interpreting or administering this Plan, the decision or action of the County or the Committee shall be conclusive, final and binding on all persons.

10.07 Indemnification of the Committee The Committee and the individual members thereof shall be indemnified by the County and not from the Trust Fund against any liability, cost or expense, including attorney fees and amounts paid in settlement of any claim, arising out of any act or omission to act, except in the case of willful misconduct.

10.08 Non-Discriminatory Administration In administering the Plan, the Committee shall act in a manner so as to not discriminate in favor of Highly Compensated Participants.

**ARTICLE XI
MISCELLANEOUS**

11.01 Non-Guarantee of Employment Nothing contained in this Plan shall be construed as a contract of employment between the County and any Employee, or as a right of any Employee to be continued in the employment of the County, or as a limitation of the right of the County to discharge any of its Employees, with or without cause.

11.02 Non-Alienation of Benefits No interest of any person or entity in, or right to receive distributions from, the Trust Fund shall be subject in any manner to sale, transfer, assignment, pledge, attachment, garnishment, or other alienation or encumbrance of any kind; nor may such interest or right to receive distributions be taken, either voluntarily or involuntarily, for the satisfaction of the debts of, or other obligations or claims against, such person or entity, including claims in bankruptcy proceedings. The Accounts of any Participant, however, shall be subject to and payable in accordance with the applicable requirements of any Eligible Domestic Relations Order, as that term is defined in MCL 38.1702(e) and as set forth at Section 11.03. The Committee shall direct the Trustee to provide for payment from a Participant's Accounts in accordance with the applicable requirements of such order, provided however, the only form of payment available shall be a lump sum payment. All such payments pursuant to an Eligible Domestic Relations Order shall be subject to reasonable rules and regulations promulgated by the Committee respecting the time of payment pursuant to such order and the valuation of the Participant's Account or Accounts from which payment is made, provided that all such payments are made in accordance with such order and the Michigan Eligible Domestic Relations Order Act, MCL 38.1701 et seq. The balance of an Account that is subject to any Eligible Domestic Relations Order shall be reduced by the amount of any payment made pursuant to such order.

Notwithstanding anything in this Plan to the contrary, the benefit payable to an alternate pursuant to an eligible domestic relations order and this Section may be paid in a lump sum as soon as administratively feasible after the Committee determines that the order meets the requirements of MCL 38.1702(e), if so directed in such order.

11.03 Eligible Domestic Relations Orders

- (a) For purposes of this section the following definitions of terms will be applicable.
- (i) "Alternate Payee" means a Spouse of a Participant under a judgment of separate maintenance, or a former Spouse, child, or dependent of a Participant who is named in an Eligible Domestic Relations Order.
 - (ii) "Domestic Relations Order" means a judgment, decree or order of a court made pursuant to Michigan domestic relations law and relating to the provision of alimony payments, child support, or marital property rights to a spouse of a Participant under a judgment of separate maintenance, or to a former spouse, child, or dependent of a Participant. To be an Eligible Domestic Relations Order ("EDRO"), a Domestic Relations Order must:
 - (1) Not require the Plan to provide a type or form of benefit not provided by the Plan, provided that immediate payment of benefits under an EDRO (as of a Valuation Date, and with appropriate reduction of the Participant's Account) may be made if the EDRO so requires, notwithstanding the continued employment of the Participant to whom the EDRO relates;
 - (2) Not require the Plan to provide an increased benefit (determined on the basis of actuarial value);
 - (3) Not require payment of a benefit to an Alternate Payee, that is required to be paid to another Alternate Payee under a previously filed Eligible Domestic Relations Order;
 - (4) Specify
 - (A) The name, Social Security number and the last known mailing addresses of the Participant and each Alternate Payee;
 - (B) The amount or percentage of the Participant's benefits to be paid by the Plan to each Alternate Payee, or the manner in which such amount or percentage is to be determined;

- (b) In the case of any Domestic Relations Order received by the Plan, the Committee shall promptly notify the Participant and any Alternate Payee of the receipt of such order and the Plan's procedures for determining the eligible status of Domestic Relations Orders, and within a reasonable period after receipt of such order, the Committee shall determine whether such order is an Eligible Domestic Relations Order and notify the Participant and each Alternate Payee of such determination.

The Committee shall establish reasonable procedures to determine the eligible status of Domestic Relations Orders and to administer distributions under such Eligible orders. Such procedures shall be in writing, shall provide for the notification of each person specified in a Domestic Relations Order as entitled to payment of benefits under the Plan (at the address included in the Domestic Relations Order) of such procedures promptly upon receipt by the Plan or the Domestic Relations Order, and shall permit an Alternate Payee to designate a representative for receipt of copies of notices that are sent to the Alternate Payee with respect to a Domestic Relations Order.

11.04 Unclaimed Funds Each Participant shall keep the Committee informed of his current address and the current address of his Beneficiary or Beneficiaries. Neither the County, the Committee nor the Trustee shall be obligated to search for the whereabouts of any person. If the Committee cannot locate a Participant or Beneficiary at the time a distribution is payable, the Committee will withhold applicable taxes on the distribution, will prepare IRS Form W2-P (or its successor) to report the distribution, will send the funds by first class mail to the last-known available address, and will perform any other acts it deems necessary or proper, in all cases based on the best information available to the Committee. If the distribution check is returned or is not cashed, the distribution amount shall be held by the Trustee for the benefit of the distributee until such time (if ever) when the funds shall escheat to the State of Michigan, at which time the Plan shall have no further obligation to the distributee.

11.05 Duty to Furnish Information and Documents Participants and their Beneficiaries must furnish to the Committee and the Trustee such evidence, data or information as the Committee considers necessary or desirable for the purpose of administering the Plan, and the provisions of the Plan for each person are upon the condition that he or she will furnish promptly full, true, and complete evidence, data, and information requested by the Committee. All parties to, or claiming any interest under, the Plan hereby agree to perform any and all acts, and to execute any and all documents and papers, necessary or desirable for carrying out the Plan and the Trust Fund.

11.06 Applicable Law All questions pertaining to the validity, construction and administration of the Plan shall be determined in conformity with the laws of the State of Michigan.

11.07 No Guarantee Neither the Trustee, the Committee, nor the County in any way guarantee the Trust Fund from loss or depreciation or the payment of any benefits, which may be or become due to any person from the Trust Fund. No Participant or other person shall have any recourse against the Trustee, the County or the Committee if the Trust Fund is insufficient to provide Plan benefits in full. Nothing herein contained shall be deemed to give any Participant, former Participant, or Beneficiary an interest in any specific part of the Trust Fund or any other interest except the right to receive benefits out of the Trust Fund in accordance with the provisions of the Plan and Trust.

11.08 Headings The headings in this Plan are inserted for convenience of reference only and are not to be considered in construction of the provisions hereof.

11.09 Gender and Number Except when otherwise required by the context, any masculine terminology in this document shall include the feminine, and any singular terminology shall include the plural.

11.10 Approval Under Internal Revenue Code This Plan is intended to qualify as a Plan and Trust meeting the requirements of Sections 401 and 501(a) of the Code, as now in effect or hereafter amended. It shall be construed in a manner consistent with that intention.

ARTICLE XII
AMENDMENT, TERMINATION OR MERGER OF THE PLAN

12.01 Amendments The County reserves the right, subject to any collective bargaining and obligations, at any time and from time to time to modify or amend, in whole or in part, any or all of the provisions of the Plan, provided that no modification or amendment shall be made which shall affect adversely any right or obligation of any Participant with respect to contributions theretofore made or which shall make it possible for funds paid to the Trust Fund to revert to the County. Notwithstanding the foregoing, any modification or amendment of the Plan may be made, retroactively, if necessary, which the County deems necessary or proper to bring the Plan into conformity with any law or governmental regulation relating to the Plan or Trust, including requirements relating to the Plan and the Trust within the meaning of the relevant provisions of the Internal Revenue Code.

12.02 Termination The County may, subject to any collective bargaining obligations, terminate the Plan in whole or in part or completely discontinue contributions hereunder for any reason at any time. In the case of such termination, partial termination or complete discontinuance of contributions hereunder, the remaining Accounts of all Participants and Beneficiaries will be distributed as soon as practicable, after final accounting is completed, Internal Revenue Service and other appropriate rulings obtained, and other actions necessary or proper to winding up the Plan and Trust Fund may be completed.

IN WITNESS WHEREOF, this instrument has been executed this 15th day of January, 2003.

WASHTENAW COUNTY MICHIGAN

By: _____
Leah Gunn, Chair
Washtenaw County Board of Commissioners

ATTEST:

Peggy M. Haines
County Clerk/Register

A RESOLUTION APPROVING THE AGREEMENT WITH TEAMSTERS LOCAL #214– CLERICAL UNIT AND WASHTENAW COUNTY FOR THE SIX YEAR PERIOD JANUARY 1, 2002 THROUGH DECEMBER 31, 2007.

WASHTENAW COUNTY BOARD OF COMMISSIONERS

January 15, 2003

WHEREAS, beginning in February, 2002, Administration and Human Resources / Labor Relations brought to the Board of Commissioners a status of current negotiations with those labor union contract which expire 12/31/2001 and 12/31/2002; and

WHEREAS, again on May 2, 2002, and subsequently on September 18, 2002, the Washtenaw County Board of Commissioners provided their approval of a recommended strategy for negotiations; and

WHEREAS, the vision for the process has been *“To create a product and process that both the union and management are satisfied with.”*; and

WHEREAS, the guiding principles that were followed include partnership, engagement, fit with the 10-year financial projections, even application of policy, employee morale, professional approach, measures of success / checkpoints, and communication; and

WHEREAS, the collective bargaining agreement with *Teamsters Local #214 – Clerical Unit*, expired December 31, 2001; and

WHEREAS, the Union has ratified an agreement.

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby approves the agreement with *Teamsters Local #214 – Clerical Unit* and Washtenaw County for the period January 1, 2002 through December 31, 2007 as attached hereto and made a part hereof

BE IT FURTHER RESOLVED that the Labor Relations Manager is authorized to implement the changes negotiated as part of the job classification review, as well as draft a new collective bargaining agreement to be presented and signed by the Washtenaw County Board of Commissioners

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Armentrout	X			Irwin	X			Sizemore	X		
Bergman	X			Kern	X			Solowczuk	X		
Brackenbury	X			Peterson	X			Yekulis	X		
Gunn	X			Prater	X						

CLERK/REGISTER’S CERTIFICATE - CERTIFIED COPY ROLL CALL VOTE: TOTALS 11 0 0

STATE OF MICHIGAN)
COUNTY OF WASHTENAW)^{SS}

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on January 15, 2003, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY: _____

Deputy Clerk



Res. No. 03-0023

TENTATIVE AGREEMENT
Teamsters Local #214 – Clerical Unit

AGREEMENT

Six (6) year contract (2002 – 2007)

WAGES

January 1, 2002	3%
January 1, 2003	3%
January 1, 2004	3%
January 1, 2005	3%
January 1, 2006	3%
January 1, 2007	2%
July 1, 2007	2%

JOB CLASSIFICATION REVIEW

The parties agree to convene a job classification review committee within thirty (30) days of ratification to evaluate and negotiate the appropriateness and pay structure of the classifications within the bargaining unit. The committee shall be made up of the following members: Labor Relations Manager, District Court Administrator, Classification & Compensation Administrator, and two (2) representatives of Teamsters Local #214. Any changes shall be negotiated and implemented by July 1, 2003.

HEALTHCARE – Prescription Drugs – Effective 7/1/2003

Increase prescription drug co-pay to \$10 for generic and \$20 for brand names.

Negotiate prescription drug co-pays for those that have retired since the beginning of the contract (1/1/02) as part of the Pension Study Committee process.

RETIREMENT – Article 45

A committee shall be established outside of negotiations to study pension options. The proposed committee structure shall contain a representative from Teamsters Local #214. Representatives from other bargaining units and each Pension Board may also be appropriate. The committee will begin no later than thirty (30) days after ratification of the contract. The findings of the committee shall be subject to future negotiations within a timeframe of eighteen (18) months, with ratification no later than twenty four (24) months.

FUNERAL LEAVE – Article 37 (change to BEREAVEMENT) – replace current contract language

Clarification that stepchildren and stepparents would be considered as part of the funeral leave language definition if in fact a legal union occurred (e.g., marriage).

An employee shall be allowed three (3) working days with pay, as bereavement leave days, not to be deducted from sick or annual leave, for death in the immediate family. The immediate family is defined as: spouse, parent, brother or sister, child, step-child, mother in law, father in law, sister in law, brother in law, aunts, uncles, nieces, nephews, grandparents, spouse's grandparents, parents and grandparents of employees minor children, or someone with whom the employee has a legal relationship or a related member in an employee's household and all such relatives of one's spouse. An employee shall be allowed three (3) working days with pay, as bereavement leave, not to be deducted from sick or annual leave, for the death of a declared significant other. An additional two (2) bereavement days with pay shall be granted in the event of the death of a spouse, parent, sibling, and child of the employee or the employee's spouse.

A significant other is defined as one unrelated person living in the employee's household, who has the same type of relationship to the employee as the spouse, but does not have a marriage license. Declared means written notification to the Human Resources Department prior to the death.

Any employee selected to be a pallbearer for a deceased employee will be allowed (1) funeral day, with pay, not to be deducted from his/her sick or annual leave. The Steward, or his/her representative, shall be allowed one (1) funeral day, with pay, in the event of a death of a member of the Union who is a member of the bargaining unit, for the exclusive purpose of attending the funeral.

Employees may be required to provide proof of relationship to the deceased.

SAFETY COMMITTEE

A county-wide Safety Committee shall contain representation from the Teamsters Local #214 – Clerical Unit. The committee will meet at least quarterly, or as needed.

SICK LEAVE – Article 32

On an annual basis, employees may elect to convert sick time to vacation time at the rate of two (2) sick days to one (1) vacation day, provided that they have accumulated 120 days in their sick leave bank.

VACATION LEAVE – Article 34

Employees are encouraged to take yearly vacations. In no case will an employee accrue more than twice the amount of annual vacation to which he/she is entitled as of 1/1. If the amount of accrued vacation exceeds twice the amount of the annual vacation to which the person is entitled as of 12/31, any accrued days beyond twice the annual amount shall be paid out at 50% of their value. In the event that special circumstances exist and an employee is unable to use up his/her vacation time adequately throughout the year, the Union may request a special conference through Labor Relations to discuss and reach resolution.

Insert the following language:

Employees may request summer and winter vacation time during two window periods. The first window period shall be January 15 through February 15 for vacations requested during the subsequent period of April 1 through September 30. The second window period shall be July 15 through August 15 for vacations requested during the subsequent period of October 1 through March 31. The employer shall approve or deny vacation requests submitted during the two window period by February 28 and August 31 of each year. If two or more employees request the same summer or winter vacation time during the applicable window period, the more senior employee(s) shall be given priority.

After the winter or summer vacation request window process is completed, employees may be granted vacation time on a first-come-first-served basis provided it will not create a staffing shortage.

TITLE CHANGE

Change *Floating Senior Clerk* job title to *Administrative Senior Clerk*.

HOUSEKEEPING

Article 13 (D) change “discrimination” to “determination”

Article 32 (A) Change “abject” to “absent”

Article 32 (G) Change “ours” to “hours”

Article 48 (D) Payments will be made to employees based on their seniority on October 1 of any year. The payments shall be paid no later than December 15th of each year.

GRIEVANCE / ARBITRATION – Article 51

- (B) Change ten (10) days to fifteen (15) working days

Modify **Step 2 – Written – Deputy Court Administrator** to read **14A District Court Administrator**.

Replace Step 3 language with Step 4 language as follows:

Step 3 - Chief Judge or his/her designee: If the grievance has not been settled in the 2nd step, the Union may appeal the grievance to the Chief Judge or his/her designee within five (5) work days after the Step 2 decision has been rendered. Upon receipt of this appeal, the Chief Judge or his/her designee will arrange a meeting with the Union's Grievance Committee at a convenient time. The Union Grievance Committee shall be made up of not more than three (3) individuals including the Business Representative, Chief Steward and the grievant. The Chief Judge or his/her designee shall render a decision, in writing, to the Union within fifteen (15) work days of the date of the last meeting with the Union's Grievance Committee.

- (O) Step 4 – Arbitration: any grievance that has been processed through Step 3 of the Grievance Procedure may be submitted to arbitration by the Union. Arbitration shall be invoked within ninety (90) workdays after the Step 3 decision by written notice to the other party of its intent to submit the grievance to arbitration. Such notice shall be delivered to the Court Administrator.
- (P) The parties may extend the time periods within the grievance procedure by mutual written agreement.
- (Q) Meetings concerning grievances shall be during normal business hours unless otherwise agreed between the parties. Union members and representatives shall not suffer loss of pay or benefits during the attendance at such meetings.
- (R) The grievant(s) shall be allowed to attend, with no loss of time or pay, all steps of the grievance procedure.
- (S) Any grievance not answered within the time limits by the Employer at Step 2 shall automatically go to the next step of the grievance procedure. If the Employer fails to answer the grievance at Step 3 within the time limits, it shall be deemed settled on the basis of the Union's last position.

OVERTIME – Article 42

Paragraph D – Bargaining unit work performed outside regular County hours shall be offered to qualified bargaining unit members prior to being offered to part time or temporary employees.

A RESOLUTION APPROVING THE AGREEMENT WITH TEAMSTERS LOCAL #214 – PROBATION AGENTS / SUPERVISORS UNIT AND WASHTENAW COUNTY FOR THE FIVE YEAR PERIOD JANUARY 1, 2003 THROUGH DECEMBER 31, 2007.

WASHTENAW COUNTY BOARD OF COMMISSIONERS

January 15, 2003

WHEREAS, beginning in February, 2002, Administration and Human Resources / Labor Relations brought to the Board of Commissioners a status of current negotiations with those labor union contract which expire 12/31/2001 and 12/31/2002; and

WHEREAS, again on May 2, 2002, and subsequently on September 18, 2002, the Washtenaw County Board of Commissioners provided their approval of a recommended strategy for negotiations; and

WHEREAS, the **vision** for the process has been *“To create a product and process that both the union and management are satisfied with.”*; and

WHEREAS, the **guiding principles** that were followed include partnership, engagement, fit with the 10-year financial projections, even application of policy, employee morale, professional approach, measures of success / checkpoints, and communication; and

WHEREAS, the collective bargaining agreement with *Teamsters Local #214 – Probation Agents / Supervisors Unit*, expired December 31, 2002; and

WHEREAS, the Union has ratified an agreement.

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby approves the agreement with *Teamsters Local #214 – Probation Agents / Supervisors Unit* and Washtenaw County for the period January 1, 2003 through December 31, 2007 as attached hereto and made a part hereof

BE IT FURTHER RESOLVED that the Labor Relations Manager is authorized to implement the changes negotiated as part of the job classification review, as well as draft a new collective bargaining agreement to be presented and signed by the Washtenaw County Board of Commissioners

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Armentrout	X			Irwin	X			Sizemore	X		
Bergman	X			Kern	X			Solowczuk	X		
Brackenbury	X			Peterson	X			Yekulis	X		
Gunn	X			Prater	X						

CLERK/REGISTER’S CERTIFICATE - CERTIFIED COPY ROLL CALL VOTE: TOTALS 11 0 0

STATE OF MICHIGAN)
 COUNTY OF WASHTENAW)SS

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on January 15, 2003, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this 16th day of January, 2003.

PEGGY M. HAINES, Clerk/Register

BY: _____

Deputy Clerk



Res. No. 03-0024

TENTATIVE AGREEMENT
Teamsters Local #214 – Clerical Unit

AGREEMENT

Five (5) year contract (2003 – 2007)

WAGES – Article 55

January 1, 2003	3%
January 1, 2004	3%
January 1, 2005	3%
January 1, 2006	3%
January 1, 2007	2%
July 1, 2007	2%

JOB CLASSIFICATION REVIEW

The parties agree to convene a job classification review committee within thirty (30) days of ratification to evaluate and negotiate the appropriateness and pay structure of the classifications within the bargaining unit. The committee shall be made up of the following members: Labor Relations Manager, District Court Administrator, Classification & Compensation Administrator, and two (2) representatives of Teamsters Local #214. Any changes shall be negotiated and implemented by July 1, 2003.

HEALTHCARE – Article 49 – Prescription Drugs – Effective 7/1/2003
Increase prescription drug co-pay to \$10 for generic and \$20 for brand names.

Negotiate prescription drug co-pays for those that have retired since the beginning of the contract (1/1/02) as part of the Pension Study Committee process.

RETIREMENT – Article 54

A committee shall be established outside of negotiations to study pension options. The proposed committee structure shall contain a representative from Teamsters Local #214. Representatives from other bargaining units and each Pension Board may also be appropriate. The committee will begin no later than thirty (30) days after ratification of the contract. The findings of the committee shall be subject to future negotiations within a timeframe of eighteen (18) months, with ratification no later than twenty four (24) months.

FUNERAL LEAVE – Article 33 (change to BEREAVEMENT) – replace current contract language

Clarification that stepchildren and stepparents would be considered as part of the funeral leave language definition if in fact a legal union occurred (e.g., marriage).

An employee shall be allowed three (3) working days with pay, as bereavement leave days, not to be deducted from sick or annual leave, for death in the immediate family. The immediate family is defined as: spouse, parent, brother or sister, child, step-child, mother in law, father in law, sister in law, brother in law, aunts, uncles, nieces, nephews, grandparents, spouse's grandparents, parents and grandparents of employees minor children, or someone with whom the employee has a legal relationship or a related member in an employee's household and all such relatives of one's spouse. An employee shall be allowed three (3) working days with pay, as bereavement leave, not to be deducted from sick or annual leave, for

the death of a declared significant other. An additional two (2) bereavement days with pay shall be granted in the event of the death of a spouse, parent, sibling, and child of the employee or the employee's spouse.

A significant other is defined as one unrelated person living in the employee's household, who has the same type of relationship to the employee as the spouse, but does not have a marriage license. Declared means written notification to the Human Resources Department prior to the death.

Any employee selected to be a pallbearer for a deceased employee will be allowed (1) funeral day, with pay, not to be deducted from his/her sick or annual leave. The Steward, or his/her representative, shall be allowed one (1) funeral day, with pay, in the event of a death of a member of the Union who is a member of the bargaining unit, for the exclusive purpose of attending the funeral.

Employees may be required to provide proof of relationship to the deceased.

SAFETY COMMITTEE – Article 38

A county-wide Safety Committee shall contain representation from the Teamsters Local #214 – Supervisors / Probation Agents. The committee will meet at least quarterly, or as needed.

SICK LEAVE – Article 27

On an annual basis, employees may elect to convert sick time to vacation time at the rate of two (2) sick days to one (1) vacation day, provided that they have accumulated 120 days in their sick leave bank.

VACATION LEAVE – Article 26

Employees are encouraged to take yearly vacations. In no case will an employee accrue more than twice the amount of annual vacation to which he/she is entitled as of 1/1. If the amount of accrued vacation exceeds twice the amount of the annual vacation to which the person is entitled as of 12/31, any accrued days beyond twice the annual amount shall be paid out at 50% of their value. In the event that special circumstances exist and an employee is unable to use up his/her vacation time adequately throughout the year, the Union may request a special conference through Labor Relations to discuss and reach resolution.

Insert the following language:

Employees may request summer and winter vacation time during two window periods. The first window period shall be January 15 through February 15 for vacations requested during the subsequent period of April 1 through September 30. The second window period shall be July 15 through August 15 for vacations requested during the subsequent period of October 1 through March 31. The employer shall approve or deny vacation requests submitted during the two window period by February 28 and August 31 of each year. If two or more employees request the same summer or winter vacation time during the applicable window period, the more senior employee(s) shall be given priority.

After the winter or summer vacation request window process is completed, employees may be granted vacation time on a first-come-first-served basis provided it will not create a staffing shortage.

DISCIPLINE & DISCHARGE – Article 15

Change Department Head to Court Supervisor.

Remove paragraph B.

LOSS OF SENIORITY – Article 17, #3

Last sentence to read, “If the disposition made in such case is not satisfactory, the matter shall be referred to the grievance procedure.”

GRIEVANCE / ARBITRATION – Article 14

D. **Step 1 – Written –14A District Court Administrator.**

In the event the grievance cannot be satisfactorily settled by informal resolution, the Union shall file a grievance with the Court Administrator within fifteen (15) working days of the event giving rise to the grievance on behalf of the employee(s). Such grievance shall be in writing upon a form provided by the Union and presented to the Court Administrator. The employee and Steward shall sign the grievance forms. The grievance form must indicate (1) a statement of the grievance and the facts upon which it is based and citing alleged violation(s) of this Agreement, and (2) the remedy or correction requested. The Court Administrator shall give his/her decision in writing to the Union and the employee within five (5) work days after the grievance has been presented to him/her.

Step 2 - Chief Judge or his/her designee: If the grievance has not been settled in the 1st step, the Union may appeal the grievance to the Chief Judge or his/her designee within five (5) work days after the Step 1 decision has been rendered. Upon receipt of this appeal, the Chief Judge or his/her designee will arrange a meeting with the Union's Grievance Committee at a convenient time. The Union Grievance Committee shall be made up of not more than three (3) individuals including the Business Representative, Chief Steward and the grievant. The Chief Judge or his/her designee shall render a decision, in writing, to the Union within fifteen (15) work days of the date of the last meeting with the Union's Grievance Committee.

Step 3 - Arbitration: Any grievance that has been processed through Step 2 of the Grievance Procedure may be submitted to arbitration by the Union. Arbitration shall be invoked within ninety (90) workdays after the Step 3 decision by written notice to the other party of its intent to submit the grievance to arbitration. Such notice shall be delivered to the Court Administrator.

E. **Cost of Arbitration:** If a grievance is submitted to the arbitrator under Step 3, the County and the Union shall pay one-half of the arbitrator's fees.

F. The parties may extend the time periods within the grievance procedure by mutual written agreement.

G. Meetings concerning grievances shall be during normal business hours unless otherwise agreed between the parties. Union members and representatives shall not suffer loss of pay or benefits during the attendance at such meetings.

H. The grievant(s) shall be allowed to attend, with no loss of time or pay, all steps of the grievance procedure.

I. Any grievance not answered within the time limits by the Employer at Step 2 shall automatically go to the next step of the grievance procedure. If the Employer fails to answer the grievance at Step 3 within the time limits, it shall be deemed settled on the basis of the Union's last position.

J. **Power of Arbitration** - The power and jurisdiction of any arbitrator chosen under the terms of this Agreement shall be limited to a decision as to whether or not there has been a violation of a provision of this Agreement. The arbitrator shall not be empowered, and shall have no jurisdiction to base his/her award of any alleged practice or oral understanding which is not incorporated in

writing. The arbitrator shall be without power or authorization to make any decision contrary to, or inconsistent with or modifying or varying in any way, or adding to, or subtracting the terms of this Agreement

- K. **Time Limitations for Grievance Procedure** - If the grievance is not timely filed or if no appeal is taken within the time limit, the employee and/or the Union shall be deemed to have accepted the action or decision. Conversely, if an answer in writing is not made within the prescribed time limit, or extended by mutual agreement, it may be advanced to the next step by the Union by written appeal within the proper time limit after the answer is due. Time limits may be extended by written agreement.

A RESOLUTION AUTHORIZING PAYMENT OF CLAIMS COMMENCING WITH THE LAST PREVIOUSLY APPROVED CLAIM AND CONTINUING THROUGH THE DATE OF JANUARY 3, 2003

WASHTENAW COUNTY BOARD OF COMMISSIONERS

January 15, 2003

WHEREAS, as filed with the County Clerk is a true copy of the record of claims commencing with the last previously approved claim and continuing through the date of January 3, 2003, inclusive; and

WHEREAS, the Board of Commissioners has been assured by the County Clerk that no claim received is withheld or rejected by the list, shows the name of the claimant, the amount of the claim and the date presented

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby authorizes the payment of claims commencing with the last previously approved claim and continuing through the date of January 3, 2003, inclusive, as listed in the statement of claims as attached hereto and made a part hereof

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Armentrout	X			Irwin	X			Sizemore	X		
Bergman	X			Kern	X			Solowczuk	X		
Brackenbury	X			Peterson	X			Yekulis	X		
Gunn	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY ROLL CALL VOTE: TOTALS **11 0 0**

STATE OF MICHIGAN)
 COUNTY OF WASHTENAW)SS.

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on January 15, 2003, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this _____ day of _____, _____.

PEGGY M. HAINES, Clerk/Register

BY: _____

Deputy Clerk



Res. No. 03-0025