

TENTATIVE AGENDA

DELTA COUNTY BOARD OF COMMISSIONERS

STATUTORY MEETING

April 12, 2016

5:15 p.m.

- I. CALL TO ORDER
- II. PRAYER
- III. PLEDGE OF ALLEGIANCE
- IV. ROLL CALL

SPECIAL ORDERS OF BUSINESS:

- V. APPROVAL OF MINUTES OF PREVIOUS MEETINGS
 - County Board minutes: 4-5-16
 - Committee of the Whole:
- VI. APPROVAL OF AGENDA
- VII. PRESENTATION OF WRITTEN COMMUNICATIONS
 - A. COMMUNICATIONS RECEIVED
 - B. COMMUNICATIONS FORWARDED
- VIII. REPORTS OF STANDING, STATUTORY, SPECIAL COMMITTEES AND OTHERS
- IX. **PUBLIC COMMENT ON AGENDA ITEMS** (Sign In)
- X. **COMMITTEE REPORTS**
 - 1. **Administrators Report**
- XI. GENERAL ORDERS OF BUSINESS
 - A. UNFINISHED BUSINESS
 - 1. **Appointment to Building Authority**
 - B. NEW BUSINESS
 - 1. **Payment of Bills**
 - 2. **Housing Rehab Program**

3. 2016 Equalization Report
4. Valic-Adopt Resolution, Adopt Agreement, and Missing Legislative Amendment
5. Executive Session

XII. GENERAL PUBLIC COMMENT

XIII. COMMISSIONER'S COMMENTS

XIV. MEETING SCHEDULE

- A. Board of Commissioners Meeting on 4-19-16 at 5:15 p.m. in the Service Center Boardroom.
- B. Building and Grounds Meeting on 4-27-16 at 1:00 p.m. in the Service Center Boardroom.
- C. Board of Commissioners Meeting on 5-3-16 at 5:15 p.m. in the Service Center Boardroom.

XV. NOTICES

30 day notice of Appointments

XVI. ADJOURNMENT

*****DUE TO THE TIME CONSTRAINTS, THE DELTA COUNTY BOARD OF COMMISSIONERS HAS ADOPTED A POLICY THAT ANY INDIVIDUAL WISHING TO ADDRESS THE BOARD WILL BE ALLOCATED THREE (3) MINUTES. THE THREE MINUTES USED BY THE INDIVIDUAL ARE TO MAKE STATEMENTS. THERE WILL BE NO QUESTION AND ANSWER SESSION FORMAT. THIS WILL STRICTLY BE A STATEMENT TYPE FORMAT. IF YOU WISH TO ADDRESS THE BOARD, PLEASE SIGN YOUR NAME ON THE SIGN UP LIST AVAILABLE FROM THE COUNTY CLERK. SPEAKERS WILL BE CALLED IN ORDER OF SIGN UP.*****

THE COUNTY OF DELTA WILL PROVIDE REASONABLE AUXILIARY AIDS AND SERVICES FOR THE HEARING IMPAIRED AND TO INDIVIDUALS WITH DISABILITIES AT THE MEETING/HEARING UPON REASONABLE NOTICE TO THE COUNTY OF DELTA. INDIVIDUALS WITH DISABILITIES REQUIRING SERVICES SHOULD CONTACT THE COUNTY OF DELTA ADA COORDINATOR BY WRITING OR CALLING THE FOLLOWING:

Daniel Menacher, DELTA COUNTY ADA COORDINATOR
310 LUDINGTON STREET
ESCANABA, MI 49829
TELEPHONE (906) 789-5189

The Honorable Members of the Delta
County Board of Commissioners

Dear Commissioners:

A statutory meeting of the Delta County Board of Commissioners is scheduled for
Tuesday, April 12, 2016 at 5:15 p.m. in the Boardroom in the Delta County Service Center.

Sincerely yours,

Nancy J. Kolich
Delta County Clerk

Proposed

DELTA COUNTY BOARD OF COMMISSIONERS MEETING
April 5, 2016

Escanaba, Michigan

A Regular meeting of the Delta County Board of Commissioners was held this date, pursuant to the following call:

March 31, 2016

The Honorable Members of the Delta
County Board of Commissioners

Dear Commissioners:

A Regular Meeting of the Delta County Board of Commissioners is scheduled for Tuesday April 5, 2016, at 5:15 p.m. in the Boardroom of the Delta County Service Center.

Sincerely yours,
Nancy J. Kolich
Delta County Clerk

ROLL CALL

PRESENT: Commissioners Malnar, Johnson, Harrington, and Moyle.

EXCUSED: Commissioner Rivard.

The meeting was called to order at 5:15 p.m. in the Boardroom of the Delta County Service Center by Delta County Clerk, Nancy Kolich.

VIII. PUBLIC COMMENT ON AGENDA ITEMS

None.

V. APPROVAL OF MINUTES OF PREVIOUS MEETING

Moved by Commissioner Moyle and seconded by Commissioner Malnar to approve the minutes of the March 15, 2016 meeting.
MOTION CARRIED.

VI. APPROVAL OF AGENDA

Moved by Commissioner Malnar and seconded by Commissioner Moyle to approve the agenda as presented. MOTION CARRIED.

Proposed

VII. PRESENTATION OF WRITTEN COMMUNICATIONS

A. Received:

1. Letter from UP State Fair.
2. Letter from Cohl, Stoker & Toskey, P.C.
3. Letter from State of Michigan.
4. Letter from CUPPAD.

B. Forwarded:

1. Letter to Peter Brock.
2. Letter to William Marmalick.
3. Letter to Sandra Buckland.
4. Letter to Loren Veaser.
5. Letter to Julie Moker.
6. Letter to Governor Snyder.

VIII. REPORTS OF STANDING AND STATUTORY SPECIAL COMMITTEES AND OTHERS

1. CAA/HRA minutes of 1-7-16.
2. Airport Advisory Board minutes of 1-11-16.
3. Solid Waste Management minutes of 2-23-16.
4. Public Health Board minutes of 2-18-16.
5. Central Dispatch minutes of 3-9-16.

VIII. REPORTS OF SPECIAL COMMITTEES AND OTHERS.

1. Township Association minutes of 2-25-16

Moved by Commissioner Moyle and seconded by Commissioner Malnar that the Communications and Reports of Standing and Statutory Committees and the Reports of Special Committees and Others be received and placed on file. MOTION CARRIED.

IX. COMMITTEE REPORTS:

1. Finance Committee minutes of 4-4-16.
3. Airport Subsidy.

Moved by Commissioner Moyle and seconded by Commissioner Malnar to decrease the Airport appropriation from \$350,000 to \$300,000 for FY2016, as recommended by the Administrator and the Finance Committee. MOTION CARRIED.

5. Airport Hanger Loan

Moved by Commissioner Moyle and seconded by Commissioner Johnson to change the terms of Airport Hanger Loan from a 20 year loan at 3% interest to allow the Airport to pay back the Residual Equity Fund through its budget surplus whenever

Proposed

available with no interest as recommended by the Administrator and the Finance Committee. MOTION CARRIED.

Moved by Commissioner Moyle and seconded by Commissioner Malnar to receive the minutes of the Finance Committee minutes of 4-4-16 and place on file. MOTION CARRIED.

2. Personnel Committee minutes of 4-4-16.

1. Corrections Officer Staffing.

Moved by Commissioner Moyle and seconded by Commissioner Malnar to hire one additional full-time Corrections Officer, as recommended by the Personnel and Finance Committees. MOTION CARRIED.

2. Airport Management.

Moved by Commissioner Moyle and seconded by Commissioner Johnson to increase the Airport Manager's salary from \$45,900 to \$53,500 as recommended by the Administrator, Personnel and Finance Committees. MOTION CARRIED.

Moved by Commissioner Moyle and seconded by Commissioner Malnar to allow Commissioner Johnson to recues himself for the Assistant Manager salary vote.

ROLL CALL	MALNAR	YES
	JOHNSON	-
	MOYLE	YES
	RIVARD	ABSENT
	HARRINGTON	YES

MOTION CARRIED.

Moved by Commissioner Moyle and seconded by Commissioner Harrington to increase the Airport Assistant Manager's salary from \$28,560 to \$31,130 as recommended by the Administrator, and Personnel Committee. MOTION CARRIED.

ROLL CALL	MALNAR	YES
	JOHNSON	-
	MOYLE	YES
	RIVARD	ABSENT
	HARRINGTON	YES

MOTION CARRIED.

Proposed

Moved by Commissioner Moyle and seconded by Commissioner Malnar to receive the minutes of the Personnel Committee minutes of 4-4-16 and place on file. MOTION CARRIED.

X. GENERAL ORDERS OF BUSINESS

A. UNFINISHED BUSINESS

B. NEW BUSINESS

1. Payment of Bills.

Moved by Commissioner Malnar and seconded by Commissioner Johnson to approve payment of the bills in the amount of \$379,949.72 and Commissioner's expenses of \$1,245.11. MOTION CARRIED.

2. District Court Updates from Judge Parks.

Judge Parks gave the Board an update on the District Court Drug Court that will be starting in June. Judge Parks also noted the positive changes in morale since Mr. Bergman came on board.

Moved by Commissioner Moyle and seconded by Commissioner Harrington to support Judge Parks request to reimburse the District Court Probation Officers training time for the Drug Court from the District Court budget. MOTION CARRIED.

3. Housing Rehab Program.

Tabled.

4. Administrator's Mid-year Financial Report.

Mr. Bergman gave a mid-year Financial Report to the Board stating that we just completed last year's audit and we had a surplus, we are on track for this fiscal year and we are on target for FY2016-17 if we don't have any significant property tax losses.

5. USDA Rural Development Loan Pre-application.

Moved by Commissioner Johnson and seconded by Commissioner Moyle to authorize the Board Chair to sign the USDA Rural Development loan pre-application. MOTION CARRIED.

6. Request to U.P. State Fair Authority.

Moved by Commissioner Johnson and seconded by Commissioner Harrington to send a letter to the UP State Fair

Proposed

Authority requesting that they not give seasonal permits at their campground. MOTION CARRIED.

7. ARFF Protective Clothing Engineer Contract Approval -
Authorize Chair to Sign the Engineer Contracts.

Moved by Commissioner Johnson and seconded by Commissioner Moyle to authorize the Board Chair to sign the Engineer Contracts as presented. MOTION CARRIED.

Moved by Commissioner Moyle and seconded by Commissioner Malnar to authorize the Administrator and the Airport Manager to award the bid Administrator and Airport Manager. MOTION CARRIED.

XII. PUBLIC COMMENT

None.

XIII. COMMISSIONERS CONCERNS

Commissioner Malnar: None.

Commissioner Johnson: None.

Commissioner Moyle: None.

Commissioner Rivard: Absent.

Commissioner Harrington: Dave Dzewior plans to keep the Veterans Service Office at the Airport.

XIV. MEETING SCHEDULE

April 12 th	5:15 p.m.	Statutory Board meeting.
April 19 th	5:15 p.m.	Board meeting.
May 3 rd	5:15 p.m.	Board meeting.

XV. NOTICES

30 day notice of Appointments

XVI. ADJOURNMENT

Moved by Commissioner Moyle and seconded by Commissioner Johnson to adjourn at 6:14 p.m.

Respectfully Submitted,

DELTA COUNTY BOARD OF COMMISSIONERS

ADMINISTRATION OFFICE
310 LUDINGTON STREET
ESCANABA, MICHIGAN 49829
PHONE: 906-789-5100
FAX: 906-789-5197

B1



April 12, 2016

TO: Delta County Board of Commissioners
FR: Ryan Bergman, Administrator
RE: Payment of Bills

I have examined all claims presented, and recommend payment of the following; and that the County Clerk be directed to issue orders on the County Treasurer to the Claimants for the amounts allowed.

Ryan Bergman, Administrator

Date	Amount
04-07-16	344,667.02
Total Report of Claims \$	344,667.02
Total Jury Expense \$	0.00
GRAND TOTAL OF BILLS \$	344,667.02
Commissioner Expenses: \$	1,028.29 Paid

AUTHORIZED SIGNATURE _____
AUTHORIZED SIGNATURE _____
AUTHORIZED SIGNATURE _____
AUTHORIZED SIGNATURE _____
AUTHORIZED SIGNATURE _____

Check Date	Check	Vendor	Vendor Name	Description	Amount
Bank FIRST ALL FUNDS					
03/31/2016	161314	013036	SARA R. MACGREGOR	ATTORNEY FEES	886.50
				ATTORNEY FEES	491.91
					<u>1,378.41</u>
04/07/2016	161329	001021	RELX INC DBA LEXISNEXIS	LEXISNEXIS SUBSCRIPTION (01-MAR-2016 - 3	300.00
04/07/2016	161330	001050	ALGER DELTA ELECTRIC ASSOC.	TOWER POWER ACCT 200500	135.92
04/07/2016	161331	001058	ALPENA COUNTY - FOC	BOND JOHN BAKEWELL	300.00
04/07/2016	161332	0011019	KIESLER'S POLICE SUPPLY INC	COLTLE6920MP-B COLT M4 CARBINE 16" 5.56	80.22
04/07/2016	161333	001102	ANDERSON COMMUNICATIONS INC	RADIO WITH CHARGER	799.00
04/07/2016	161334	002141	RYAN BERGMAN	REIMB BRIDGE/MILEAGE- MAC CONF 2/29-3/1/	416.24
04/07/2016	161335	002324	BRUTE INDUSTRIES INC	RESTITUTION- LAMBRECHT - 14-FH-8979	20.00
04/07/2016	161336	003058	CBM FOOD SERVICE	FOOD SERVICE 3/17 - 3/23/16	3,412.54
04/07/2016	161337	003110	CITY OF ESCANABA	DISPATCHING SERVICES- MARCH 2016	63,500.00
04/07/2016	161338	003120	CITY OF ESCANABA	MARCH 2016 PENAL FINES	3,385.89
04/07/2016	161339	003140	CITY OF GLADSTONE	MARCH 2016 PENAL FINES	375.55
04/07/2016	161340	003170	COMMUNITY ACTION AGENCY	PROP TAX=\$153372.89, HOUSING=\$2763.11	156,136.00
04/07/2016	161341	003240	COOPER OFFICE EQUIPMENT INC.	CONTRACT BIZHUB 200 FOR 4/4/16 - 7/3/16	120.00
				QRTLY COPIER MAINT-KONICA MINOLTA/284E	135.00
					<u>255.00</u>
04/07/2016	161342	003255	CORRECTIONAL HEALTHCARE COMPANIES I	OVER CAP PYMTS/SERVICE OF SITE SERVICES	10,090.77
				MEDICAL SERVICES - MAY 2016	16,208.02
					<u>26,298.79</u>
04/07/2016	161343	004141	DELL MARKETING L.P.	NETSHELTER RACK AND CASTER KIT	1,196.13
				PRINTER	191.99
					<u>1,388.12</u>
04/07/2016	161344	004143	TAMMY DELKE	RESTITUTION - DELKE - 14-FH-9028	50.00
04/07/2016	161345	004200	DELTA COUNTY CLERK	10% BOND - RUVOLO- 16-FH-9239	25.00
04/07/2016	161346	004241	DELTA COUNTY 4-H COUNCIL	7 PLAT BOOKS	245.00
04/07/2016	161347	004270	DELTA COUNTY TREASURER	DELTA CO TREASURER ADMIN FEE FOR 2016 FI	122.01
				137 REDEMPTIONS FOR 2014 TAX YR	1,370.00
				2 REDEMPTIONS 0510102930281003 & 0523570	20.00
					<u>1,512.01</u>
04/07/2016	161348	004272	DELTA DISPOSAL	GARBAGE DISPOSAL - ACCT: 496	395.00
04/07/2016	161349	004418	DTE ENERGY	NAT'L GAS - ACCT 4576 021 0002 8	4,577.09
04/07/2016	161350	004419	STEVEN A. DOSH, M.D.	MEDICAL EXAMINER FEES- APRIL 2016	3,500.00
04/07/2016	161351	006050	FIRST BANK	RESTITUTION - GUSTAFSON - 06-FH-7609	25.00
				RESTITUTION - GUSTAFSON - 06-FH-7609	25.00
					<u>50.00</u>
04/07/2016	161352	006053	FRATERNAL ORDER OF EAGLES	RESTITUTION - EVANS - 14-FH-8969	150.00
				RESTITUTION - EVANS - 14-FH-8969	1,206.00
				RESTITUTION - EVANS - 14-FH-8969	150.00
				RESTITUTION - EVANS - 14-FH-8969	150.00
				RESTITUTION - EVANS - 14-FH-8969	150.00

161315 - 161328 PIR cks + PIR Deed

Check Date	Check	Vendor	Vendor Name	Description	Amount
					1,806.00
04/07/2016	161353	006057	FIRST LUTHERAN CHURCH	RESTITUTION - OLIVER - 99-FH-6468	30.00
04/07/2016	161354	006071	RACHEL FRAZHO	RESTITUTION - FRAZHO - 15-9208-FH	20.00
04/07/2016	161355	006088	DAN FORESTER	COURT TRAVEL - 3/30/16	144.00
04/07/2016	161356	007011	GALLS, AN ARAMARK COMPANY	TROUSER BELT AND DUTY HOLSTER	175.49
04/07/2016	161357	007067	GENE'S TOWING & RECOVERY	WINCH OUT SERVICE ON FEH13	100.00
04/07/2016	161358	008031	MARK HANSON	MEAL REIMB-UPSET - MARCH 2016	89.75
04/07/2016	161359	008049	MARY HARRINGTON	MILEAGE/PHONE REIMB-MARCH 2016	132.20
04/07/2016	161360	008090	HIAWATHA CHEF SUPPLY	KLENEX AND BRUSH COUNTER	8.50
04/07/2016	161361	008126	JACOB HUSTED	RESTITUTION - POTTER - 13-FH-8852	234.03
04/07/2016	161362	011054	ANN KANANEN	RESTITUTION - GRAVES - 12-FH-8675	20.00
04/07/2016	161363	012016	LAKESTATE INDUSTRIES	SHREDDING 521LBS	93.78
04/07/2016	161364	012025	RICHARD L LALONDE	CREDIT CARD OVERPAY	10.00
04/07/2016	161365	012078	TRANSUNION RISK AND ALTERNATIVE	INVESTIGATIVE CHECKS-ACCT 363167	25.00
04/07/2016	161366	012101	ANDREW LOSCALZO	RESTITUTION - PELTIN - 14-FH-9049	50.00
04/07/2016	161367	013016	MADCPO	MADCPO - 2016 ANNUAL DUES - BENJAMIN BOO	25.00
04/07/2016	161368	013016	MADCPO	MADCPO - 2016 ANNUAL DUES - MARIE KWARCI	25.00
04/07/2016	161369	013037	JOHN MALNAR	MILEAGE/PHONE REIMB- MARCH 2016 - W/ ADJ	311.09
04/07/2016	161370	013350	MICHIGAN MUNICIPAL RISK MANAGEMENT	TACTICAL ENCOUNTERS TRAINING - FLAGSTADT	380.00
04/07/2016	161371	013435	MIDWEST CLAIMS SERVICE	RESTITUTION - GUSTAFSON - 06-FH-7610	25.00
				RESTITUTION - GUSTAFSON - 06-FH-7610	25.00
					50.00
04/07/2016	161372	014040	NAHMA TOWNSHIP TREASURER	2015 TAX OVERPAYMENT NAHMA TOWNSHIP	510.63
				2015 TAX SETTLEMENT	10,507.84
					11,018.47
04/07/2016	161373	014220	NORTHERN STAR PATHOLOGY PC	AUTOPSY- IVAN RYAN	450.00
04/07/2016	161374	014250	NU-WAY CLEANERS	DRY CLEANING - MARCH 2016	108.50
04/07/2016	161375	015039	OFFICE PLANNING GROUP	YELLOW FILE FOLDERS	895.90
04/07/2016	161376	016032	P & M INSPECTIONS, INC.	PAYROLL 3-21-2016 THROUGH 4-1-2016	1,892.00
04/07/2016	161377	016038	HONORABLE STEVEN C PARKS	MILEAGE/BRIDGE/MEALS 3/14-3/16/16	477.61
04/07/2016	161378	016088	PIONEER QUICK LUBE - 23	OIL CHANGE	58.47
04/07/2016	161379	018040	RAMPART EMERGENCY SERVICE	RESTITUTION - BARTELD - 13-FH-8772	41.32
04/07/2016	161380	018063	REINHART FOOD SERVICE	GARBAGE BAGS AND HAIRNETS	129.16
04/07/2016	161381	019067	CORY SCHROEDER	RESTITUTION - BARTKE - 00-FH-6582	20.00
				RESTITUTION - BARTKE - 00-FH-6582	20.00
					60.00
04/07/2016	161382	019184	SOUTHERN COMPUTER WAREHOUSE	PANASONIC TOUGHPAD/WARRANTY/AND ACCESSOR	1,460.63
				PANASONIC TOUGHPAD/WARRANTY/AND ACCESSOR	267.93
					1,728.56
04/07/2016	161383	019201	STATE OF MICH, ST. EDUCATION TAX	SET & TLR TAX 3/16-31/16	6,008.12
04/07/2016	161384	019228	STATE OF MICHIGAN	RESTITUTION - GAGNE - 12-FH-8594	50.00
04/07/2016	161385	019238	STATE OF MICHIGAN	03/01/2016-03/30/2016	782.13
04/07/2016	161386	019241	STATE OF MICHIGAN	RESTITUTION - PERSONDEK- 15-FH-9127	200.00
				RESTITUTION - PERSONDEK - 15-FH-9127	200.00
					400.00
04/07/2016	161387	019290	STATE OF MICHIGAN	MICH DEPT OF TREASURY 1ST QTR REMON FEES	8,012.05

Check Date	Check	Vendor	Vendor Name	Description	Amount
04/07/2016	161388	019325	STATE OF MICHIGAN	CIRCUIT, DIST, AND PROB CRT REMITTANCE	29,104.86
				1ST QUARTER OFFICER TRAINING FUND TRANSF	318.00
					<u>29,422.86</u>
04/07/2016	161389	020031	BOBBI JO & ROBERT TAYLOR	RESTITUTION - BALDWIN - 14-FH-8994	50.00
04/07/2016	161390	021048	U.P.S.E.T.	RESTITUTION - EAGLE - 16-FH-9234	60.00
04/07/2016	161391	021059	UPAA	UPAA DUES - 2016	15.00
04/07/2016	161392	022025	VERIZON WIRELESS	PHONE - ACCT 482996167-00001	822.08
04/07/2016	161393	022049	JAMES J VIAU	CIRCUIT CT ATTORNEY FEES - FEB 2016	1,979.16
04/07/2016	161394	023016	KURT WILSON	MEAL REIMB 3/23-3/24/16 WORKSHOP	30.67
04/07/2016	161395	023032	WAL-MART	RESTITUTION - HAACK- 12-FH-8651	35.64
04/07/2016	161396	023084	WEX BANK	GASOLINE-MARCH 2016 - ACCT 0496-00-16501	62.86
04/07/2016	161397	023140	WRIGHT EXPRESS FINANCIAL SERVICES	CREDIT CARD BILL - ACCT 5567 3400 0301 8	1,149.84
				ELECTRIC STRIKE/LODGING/CAMERA/BOOSTER/F	5,369.92
					<u>6,519.76</u>
04/07/2016	161398	084072	LUKE HAMLIN	MILEAGE REIMB - MARCH 2016	318.60
04/07/2016	161399	084528	FRANK ALLEN	RESTITUTION - SINN-JOHNSON - 08-FH-7968	20.00
04/07/2016	161400	084614	RENAISSANCE ACADEMY OF BEAUTY	RESTITUTION - LEMIRE- 01-FH-6745	2.50
04/07/2016	161401	084668	BRENDA WERY	RESTITUTION - JOHNSON - 09-FH-8112	50.00
				RESTITUTION - JOHNSON - 09-FH-8112	25.00
					<u>75.00</u>
04/07/2016	161402	085015	TIMOTHY KOBASIC	RESTITUTION - ARBOUR - 11-FH-8519	100.00
				RESTITUTION - ARBOUR - 11-FH-8519	50.00
				RESTITUTION - ARBOUR - 11-FH-8519	100.00
					<u>250.00</u>
04/07/2016	161403	085304	GARY PRATT	RESTITUTION - OSTRANDER - 05-FH-7464	60.00
04/07/2016	161404	085379	MICHAEL & NANCY KOSSOW	RESTITUTION - IVES - 11-FH-8522	200.00
04/07/2016	161405	085408	ROBERT KOSKI	RESTITUTION - JOHNSON - 09-FH-8156	50.00
				RESTITUTION - JOHNSON - 09-FH-8156	25.00
					<u>75.00</u>
04/07/2016	161406	085488	CHRIS GILL	RESTITUTION - SEYMOUR - 09-FH-8181	10.00
04/07/2016	161407	CLERK MISC	CLAUDIA GARLAND	RETURN BOND - LESS 10% - RUVOLO 16-FH-9	225.00
04/07/2016	161408	TAX REFUND	DUNCAN JOHN & CHRISTINE	Win Tax Refund 051-420-2836-100-041	54.98
FIRST TOTALS:					
Total of 81 Checks:					344,667.02
Less 0 Void Checks:					0.00
Total of 81 Disbursements:					<u>344,667.02</u>

3

DELTA COUNTY TRAVEL EXPENSE VOUCHER

Vendor Number: 13037

Line item: _____

Department _____

Charged: John Malnar

Date: _____

Employee: John Malnar

Address: _____

Period Covered:
From 3-01-16 to 3-31-16

Date	\$20.00 0-3 hrs	\$35.00 3-6 hrs	\$50.00 over 6 hrs	Meeting	Meals Other	Comments	Mileage	Mileage \$	Meeting \$
3-1			X	MAC CONFERENCE			—		50 ⁰⁰
3-2			X	MAC CONFERENCE			—		50 ⁰⁰
3-8	NC			PARKS					NC
3-9	NC			PRINCIPLES ON TOWN T.M.			127		—
3-10	X			GARDEN TOWNSHIP			78		20 ⁰⁰
3-11	X			BUILDING & GROUNDS			32		20 ⁰⁰
3-14	X			BALTIMORE TOWNSHIP			52		20 ⁰⁰
3-15	X			BOARD MEETING			28		20 ⁰⁰
3-16	X			CORVELL TOWNSHIP			22		20 ⁰⁰
3-17	X			CARPENTERS/IRON WORKS			31		20 ⁰⁰
3-18	X			MAC TRANSPORTATION			32		20 ⁰⁰
3-21	X			BRAMPTON TOWNSHIP			15		20 ⁰⁰
3-22	NC			SCHOOLS MEETING-1SD			31		NC
3-23	NC			Deb Doyle M. Works					NC
3-23	X			PIPELINE EMERGENCY RESPONSE			28		20 ⁰⁰
3-28	X			MEET WITH RYAN & DAVE			32		20 ⁰⁰
3-29	X			MAPLERIDGE TOWNSHIP			29		20 ⁰⁰
3-30	X			BALDWIN TOWNSHIP			14		20 ⁰⁰
	240		100				551	297.54	

I hereby certify that all items of expense included in this statement were incurred in the discharge of authorized official business, that the amounts are correct, and that they represent proper charges against the County.

TOTAL PER DIEM: 340.00
 101-101-710.002
 TOTAL MILEAGE: 297.54
 101-101-860.001
 TOTAL PHONE: ~~35.00~~ 13.55
 101-101-850.000
 OTHER: _____

NATURE OF BUSINESS: _____
 SIGNED: John Malnar
 APPROVED: _____

AP
3/1/16

GRAND TOTAL: 651.09

4



COMMUNITY ACTION AGENCY HUMAN RESOURCES AUTHORITY

B2

Serving Menominee, Delta and Schoolcraft Counties

Delta County Housing Rehab Program CDBG Funding Source

In response to:

MICHIGAN CONSOLIDATED PLAN
Public Comment
3/18/2016

On behalf of Delta County Housing Rehabilitation and Menominee-Delta-Schoolcraft Community Action Agency/Human Resources, Inc. (Agency) as the Third Party Administrator of the CDBG Grant for Delta County, we would like to enter the following comments:

Several areas of need and interest were reviewed in the Draft Michigan Consolidated Plan (Draft) that directly affect the services provided by Delta County and the Agency.

County Allocation vs. Competitive Award

We have seen several changes over the last two grant cycles that lead us to believe that the CDBG funding will be limited in scope and potentially become non-existent in the smaller rural counties. We were asked to conduct a Targeted Strategy review such that funding would be concentrated in the downtown corridor after three years. After much discussion, it was agreed by all parties concerned that the County Allocation grants would be allowed to be used in a 25% county-wide and 75% city-wide fashion. Targeted cities in Delta County were Escanaba, Gladstone, and the village of Garden based on income and population density.

Most recently, the county allocation formulas have been abandoned, and funds available are now issued in a competitive round. Smaller counties and communities have little or no chance of competing with the larger metropolitan counties/cities for funding. The 2015 competitive round has already been issued, and Delta county, for one, though within the spending guidelines to apply, cannot even be considered due to the fact that all funding for 2015 has been issued.

The Draft eludes to the fact that a majority of the population of Michigan lives in certain densely populated areas, and that future funding might possibly be focused in those areas, potentially leaving the more rural sector (a majority of the land mass of Michigan) with little or no funding for homeowner rehabilitation.

We hope this is not the case. We would encourage the county allocation formula system be re-established for CDBG Homeowner Rehabilitation, and that spending limits be loosened up such that more funds can be used county-wide, and not targeted to a downtown corridor.

Mission Statement: Providing Opportunities for people of all ages and means to improve their quality of life through advocacy, education, housing, nutrition, volunteerism and support services.

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Fair Housing:

MSHDA places great focus on Fair Housing. We would encourage administration to re-consider its use of funds, as mentioned above, in a broader spectrum of county spending (not specific to downtown corridors). Fair Housing provides citizens the right to **choose** where they live. Much of the rural sector is elderly, living in the homes in which they raised their families, and quite possibly, were raised in themselves. It is their “choice” to live in their family homestead. Delta County serves a large elderly population, and while there may not be sufficient multiple housing units in the cities of Escanaba and Gladstone to accommodate all the seniors who wish to live in multiple housing facilities, those that are still able wish to stay in their homes, no matter how far away from community services they live. Walkability and the availability of public transportation is not important to them. Aging in Place has become important to many of the senior sector in many parts of Michigan. We hope that MSHDA will consider their division of funds in this matter.

Lead Based Paint/Contractors

The Upper Peninsula of Michigan has very few Lead Based Paint Abatement Supervisors. My agency is lucky in that the two contractors who have provided consistent and regular service to the program determined it was in their best interest to secure their Abatement Supervisor’s license in order to work on MSHDA Rehab homes at great cost, including the required fees to both the EPA and DEQ/DCH. The new rule recently instituted requires licensed lead abatement supervisors on **all** projects built before 1978 that require window replacement due to lead paint contamination, making it more difficult for UP agencies to secure contractors willing to work on projects. We believe there may be 6 supervisors to serve the entire UP without going out of state, or calling Community Health to supply a supervisor from down-state Michigan. Two of those supervisors will not work on any other agency’s projects, focusing only in their agency, and at least one is very difficult to contact, or, once contacted, does not respond.

While we understand the need to protect the population under 6 and over 70 from lead contamination, we would hope the state understands the difficult situation many rural counties and communities face when looking for qualified lead abatement contractors/supervisors.

Leverage

Leveraging funds to provide a better “bang for the buck” should be encouraged at all levels. However, in rural counties and communities, this becomes difficult at best and almost impossible at worst if the leverage isn’t available. Many residents looking for rehab on their home cannot afford to pay a bank loan to assist in leveraging a project on their own home, thus their need to

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come to community services such as the use of Rehabilitation funds. **If** all state and federal programs had identical income/asset tests and program requirements, with a one-stop application, projects could be better leveraged. However, we know this not to be the case. Weatherization funds and Housing Rehab funds both have different income requirements, and may not have asset tests. USDA Rural Development has yet a different set of guidelines.

Additionally, various contractors may or may not have to be certified in lead based paint methods depending on the program. Some programs require RFQ's to secure contractors, others require the homeowner to secure estimates from contractors, who may not be reputable. For example: USDA RD provided funding to a homeowner to rehab her home in addition to financing the mortgage. The contractor selected provided the lowest responsible bid, but USDA RD never required a license, insurance or certification. Three years later, CDBG Funds were utilized to provide a livable home to this same client because the contractor chosen previously did shoddy workmanship, and never completed the job contracted for. USDA RD had no recourse for insurance or subrogation. And this is not the first time this has occurred.

In Closing

Delta County and this Agency appreciate the opportunity to provide public comment regarding the Consolidated Plan. With the MEDC/MSHDA merger, we hope the program focus does not change so much that the general population has no opportunity to secure a livable environment, no matter where they choose to live, whether it be in the city center or the rural farm. An individual's choice of where to live should not decide where their tax dollars are being spent.

Recap

Restore County Allocation formulas and allow flexibility within the county for spending, provide additional training to the rural sector contractors in the areas they serve, lower leveraging requirements and standardize program requirements across the broad spectrum of community services provided through grant funds.

Regards,

Naomi Fletcher, Program Manager
Delta County Housing

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Delta County Housing is an Equal Opportunity, Equal Housing Provider



BB

2016 EQUALIZATION REPORT AGRICULTURAL REAL

<u>Unit of Government</u>	<u>2016 Assessed</u>	<u>Ratio</u>	<u>2016 True Cash Value</u>	<u>2015 Assessed</u>	<u>Difference</u>	<u>% of Class</u>
Baldwin Township	3,747,336	49.37	7,590,876	3,748,741	(1,405)	8.40%
Bark River Township	7,076,600	49.91	14,179,814	6,664,700	411,900	15.87%
Bay De Noc Township	312,500	49.91	626,106	333,200	(20,700)	0.70%
Brampton Township	-	-	-	-	-	0.00%
Cornell Township	5,967,850	49.76	11,992,573	5,974,700	(6,850)	13.38%
Ensign Township	1,613,400	49.87	3,235,204	1,470,400	143,000	3.62%
Escanaba Township	3,833,800	49.70	7,713,754	3,554,822	278,978	8.60%
Fairbanks Township	5,938,900	49.10	12,095,152	5,928,700	10,200	13.32%
Ford River Township	1,650,800	49.88	3,309,572	1,536,900	113,900	3.70%
Garden Township	3,966,500	49.89	7,950,005	4,146,200	(179,700)	8.89%
Maple Ridge Township	4,369,520	49.57	8,815,243	4,116,431	253,089	9.80%
Masonville Township	3,223,332	49.43	6,520,884	3,142,398	80,934	7.23%
Nahma Township	777,600	49.55	1,569,213	787,500	(9,900)	1.74%
Wells Township	2,118,800	49.55	4,275,878	1,973,500	145,300	4.75%
City of Escanaba	-	-	-	-	-	0.00%
City of Gladstone	-	-	-	-	-	0.00%
Totals	44,596,938		89,874,274	43,378,192	1,218,746	100.00%

Change over 2015 assessed values

2.73%

2016 EQUALIZATION REPORT COMMERCIAL REAL

<u>Unit of Government</u>	<u>2016 Assessed</u>	<u>Ratio</u>	<u>2016 True Cash Value</u>	<u>2015 Assessed</u>	<u>Difference</u>	<u>% of Class</u>
Baldwin Township	206,079	49.70	414,619	172,640	33,439	0.13%
Bark River Township	2,657,900	49.36	5,385,165	2,620,000	37,900	1.70%
Bay De Noc Township	-	-	-	49,000	(49,000)	0.00%
Brampton Township	247,200	49.84	496,990	241,200	6,000	0.16%
Cornell Township	91,300	49.58	184,147	125,900	(34,600)	0.06%
Ensign Township	534,800	49.38	1,083,005	565,800	(31,000)	0.34%
Escanaba Township	1,890,100	49.90	3,788,068	1,911,838	(21,738)	1.21%
Fairbanks Township	203,100	49.22	412,618	219,100	(16,000)	0.13%
Ford River Township	2,940,200	49.34	5,958,765	2,678,600	261,600	1.88%
Garden Township	1,485,400	50.00	2,970,800	1,895,600	(410,200)	0.95%
Maple Ridge Township	482,884	49.84	968,816	514,054	(31,170)	0.31%
Masonville Township	3,306,371	49.24	6,715,325	3,571,040	(264,669)	2.11%
Nahma Township	638,600	49.53	1,289,321	682,300	(43,700)	0.41%
Wells Township	14,822,900	49.99	29,649,114	15,176,100	(353,200)	9.46%
City of Escanaba	110,643,005	49.85	221,972,709	110,922,888	(279,883)	70.62%
City of Gladstone	16,533,500	49.61	33,324,530	15,812,100	721,400	10.55%
Totals	156,683,339		314,613,992	157,158,160	(474,821)	100.00%
						Change over 2015 assessed values
						-0.30%

2016 EQUALIZATION REPORT INDUSTRIAL REAL

<u>Unit of Government</u>	<u>2016 True</u>		<u>2015 Assessed</u>	<u>Difference</u>	<u>% of Class</u>
	<u>2016 Assessed</u>	<u>Cash Value</u>			
Baldwin Township	387,112	781,844	369,939	17,173	1.52%
Bark River Township	281,000	565,333	276,900	4,100	1.11%
Bay De Noc Township	190,100	382,557	214,500	(24,400)	0.75%
Brampton Township	-	-	-	-	0.00%
Cornell Township	623,100	1,260,826	623,100	-	2.45%
Ensign Township	-	-	-	-	0.00%
Escanaba Township	1,594,200	3,194,621	1,672,384	(78,184)	6.27%
Fairbanks Township	40,000	80,499	40,000	-	0.16%
Ford River Township	78,600	159,783	79,700	(1,100)	0.31%
Garden Township	8,500	17,089	8,500	-	0.03%
Maple Ridge Township	147,909	296,184	147,174	735	0.58%
Masonville Township	1,028,962	2,069,780	1,012,798	16,164	4.05%
Nahma Township	-	-	-	-	0.00%
Wells Township	10,207,500	20,734,296	18,050,100	(7,842,600)	40.17%
City of Escanaba	6,250,755	12,567,293	6,305,349	(54,594)	24.60%
City of Gladstone	4,574,400	9,170,563	4,825,900	(251,500)	18.00%
Totals	25,412,138	51,280,668	33,626,344	(8,214,206)	100.00%
				Change over 2015 assessed values	-32.32%

2016 EQUALIZATION REPORT TOTAL REAL PROPERTY

<u>Unit of Government</u>	2016		<u>Ratio</u>	2016		<u>2015 Assessed</u>	<u>Difference</u>	<u>% of Class</u>
	<u>2016 Assessed</u>	<u>Cash Value</u>		<u>Equalized Value</u>	<u>2015 Assessed</u>			
Baldwin Township	39,733,149	79,927,343	49.71	39,733,149	39,180,258	552,891	3.22%	
Bark River Township	54,109,400	109,283,625	49.51	54,109,400	50,072,000	4,037,400	4.38%	
Bay De Noc Township	39,878,500	79,779,680	49.99	39,878,500	40,700,625	(822,125)	3.23%	
Brampton Township	36,614,853	74,407,334	49.21	36,614,853	34,942,719	1,672,134	2.97%	
Cornell Township	31,607,900	63,626,114	49.68	31,607,900	30,327,700	1,280,200	2.56%	
Ensign Township	35,600,000	71,310,028	49.92	35,600,000	35,668,394	(68,394)	2.88%	
Escanaba Township	112,005,962	226,408,144	49.47	112,005,962	107,437,156	4,568,806	9.08%	
Fairbanks Township	33,244,505	66,990,353	49.63	33,244,505	33,397,057	(152,552)	2.69%	
Ford River Township	84,631,600	172,072,316	49.18	84,631,600	86,788,900	(2,157,300)	6.86%	
Garden Township	53,343,645	107,587,951	49.58	53,343,645	53,828,630	(484,985)	4.32%	
Maple Ridge Township	35,841,423	71,853,282	49.88	35,841,423	34,972,316	869,107	2.90%	
Masonville Township	68,087,185	136,727,201	49.80	68,087,185	66,471,008	1,616,177	5.52%	
Nahma Township	49,114,200	99,406,583	49.41	49,114,200	47,119,800	1,994,400	3.98%	
Wells Township	150,901,400	306,503,932	49.23	150,918,924	156,618,600	(5,717,200)	12.23%	
City of Escanaba	303,387,925	613,697,702	49.44	303,387,925	301,915,463	1,472,462	24.58%	
City of Gladstone	106,082,400	212,639,687	49.89	106,082,400	107,711,700	(1,629,300)	8.60%	
Totals	1,234,184,047	2,492,221,275		1,234,201,571	1,227,152,326	7,049,245	100.00%	
							Change over 2015 assessed values	0.57%

2016 EQUALIZATION REPORT TOTAL REAL & PERSONAL

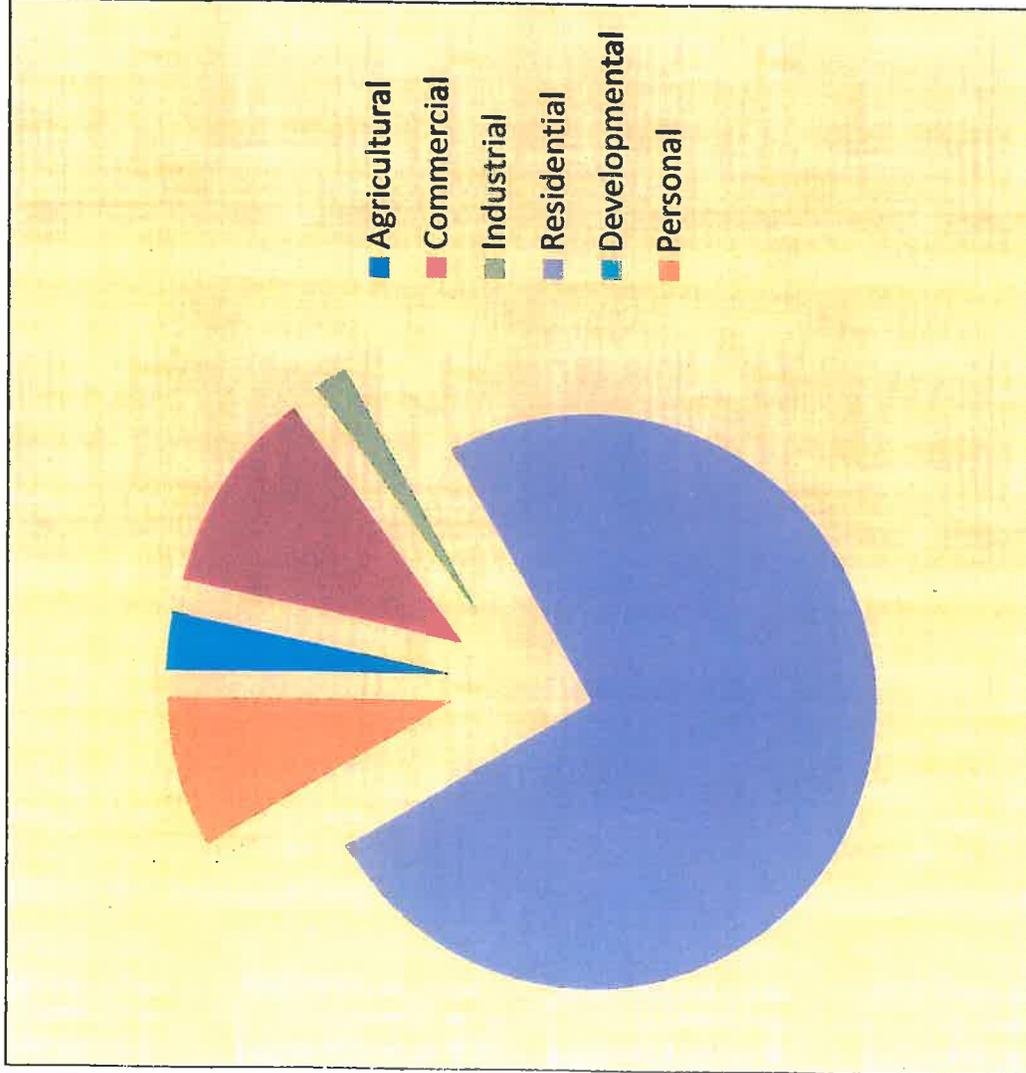
<u>Unit of Government</u>	2016		<u>2015 Assessed</u>	<u>Difference</u>	<u>% of Class</u>
	<u>2016 True</u>	<u>2016 Equalized Value</u>			
Baldwin Township	93,334,675	46,436,815	45,544,784	892,031	3.44%
Bark River Township	112,956,615	55,945,895	52,013,786	3,932,109	4.15%
Bay De Noc Township	80,299,594	40,138,457	41,168,328	(1,029,871)	2.97%
Brampton Township	76,182,806	37,502,589	35,685,173	1,817,416	2.78%
Cornell Township	66,125,014	32,857,350	31,554,950	1,302,400	2.44%
Ensign Township	73,613,552	36,637,022	36,697,529	(60,507)	2.72%
Escanaba Township	263,615,978	125,609,879	121,949,739	3,660,140	9.31%
Fairbanks Township	68,001,175	33,749,916	33,852,792	(102,876)	2.50%
Ford River Township	175,790,954	86,490,919	88,114,334	(1,623,415)	6.41%
Garden Township	151,320,307	75,209,823	76,396,655	(1,186,832)	5.57%
Maple Ridge Township	76,273,258	38,051,411	37,181,604	869,807	2.82%
Masonville Township	165,215,457	82,331,313	79,664,082	2,667,231	6.10%
Nahma Township	106,501,923	52,711,870	50,546,687	2,165,183	3.91%
Wells Township	335,043,732	165,188,824	247,660,894	(82,489,594)	12.24%
City of Escanaba	650,220,976	321,649,862	330,681,713	(9,031,851)	23.84%
City of Gladstone	238,009,441	118,767,277	118,990,562	(223,285)	8.80%
Totals	2,732,505,457	1,349,279,222	1,427,703,612	(78,424,390)	100.00%
					Change over 2015 assessed values
					-5.81%

Delta County Equalization Department

Assessors in Delta County

Baldwin Township	Daina Norden	Director	JuliAnne Kolbe
Bark River Township	Vicki Esch	Clerk	Lee Anne Strand
Bay De Noc Township	Ginny Dahlin		
Brampton Township	John Anderson		
Cornell Township	Henry DeGroot		
Ensign Township	John Wolf		
Escanaba Township	Kevin Dubord		
Fairbanks Township	Joe Maki		
Ford River Township	Vicki Esch		
Garden Township	Joe Maki		
Maple Ridge Township	Daina Norden		
Masonville Township	Peter Brock		
Nahma Township	Joe Maki		
Wells Township	Joe Maki		
City of Escanaba	Daina Norden		
City of Gladstone	Vicki Esch		

Breakdown of 2016 Equalized Values



Class	Equalized Value	%
Agricultural	\$44,596,927	3.30%
Commercial	\$156,683,339	11.61%
Industrial	\$25,412,138	1.88%
Residential	\$1,007,364,343	74.68%
Developmental	\$127,300	0.01%
Personal	\$115,077,351	8.52%

Equalized Valuations - REAL

L-4024

DELTA County

Statement of acreage and valuation in the year 2016 made in accordance with Sections 209.1 - 209.8 of the Michigan Compiled Laws.

Real Property Equalized by County Board of Commissioners							
Township or City	(Col. 1) Agricultural	(Col. 2) Commercial	(Col. 3) Industrial	(Col. 4) Residential	(Col. 5) Timber-Cutover	(Col. 6) Developmental	(Col. 7) Total Real Property
BALDWIN TOWNSHI	3,747,335	206,079	387,112	35,392,623	0	0	39,733,149
BARK RIVER TOWN	7,076,600	2,657,900	281,000	44,093,900	0	0	54,109,400
BAY DE NOC TOWN	312,500	0	190,100	39,375,900	0	0	39,878,500
BRAMPTON TOWNS	0	247,200	0	36,367,653	0	0	36,614,853
CORNELL TOWNSHI	5,967,850	91,300	623,100	24,925,650	0	0	31,607,900
ENSIGN TOWNSHIP	1,613,400	534,800	0	33,451,800	0	0	35,600,000
ESCANABA TOWNS	3,833,800	1,890,100	1,594,200	104,687,862	0	0	112,005,962
FAIRBANKS TOWNS	5,938,900	203,100	40,000	27,062,505	0	0	33,244,505
FORD RIVER TOWN	1,650,800	2,940,200	78,600	79,962,000	0	0	84,631,600
GARDEN TOWNSHIP	3,966,500	1,485,400	8,500	47,883,245	0	0	53,343,645
MAPLE RIDGE TOW	4,369,520	482,884	147,909	30,841,110	0	0	35,841,423
MASONVILLE TOWN	3,223,322	3,306,371	1,028,962	60,528,530	0	0	68,087,185
NAHMA TOWNSHIP	777,600	638,600	0	47,698,000	0	0	49,114,200
WELLS TOWNSHIP	2,118,800	14,822,900	10,207,500	123,624,900	0	144,824	150,918,924
CITY OF ESCANABA	0	110,643,005	6,250,755	186,494,165	0	0	303,387,925
CITY OF GLADSTON	0	16,533,500	4,574,400	84,974,500	0	0	106,082,400
Total for County	44,596,927	156,683,339	25,412,138	1,007,364,343	0	144,824	1,234,201,571

OFFICE OF THE COUNTY BOARD OF COMMISSIONERS OF DELTA COUNTY

WE HEREBY CERTIFY that the foregoing is a true statement of the number of acres of land, the value of the real property and of the personal property, the aggregate valuation of the real property and personal property, the equalized and assessed valuations of real property classifications in each township and city in said county as equalized by the Board of Commissioners in April of the reporting year, at a meeting of said board held in pursuant to the provisions of sections 209.1 - 209.8, MCL. I further certify that said statement does not embrace any property taxed under P.A. 77 of 1951; P.A. 68 of 1963; P.A. 199 of 1974; P.A. 385 of 1994; P.A. 224 of 1995; P.A. 147 of 1992 or Section 5 of Article IX of the Constitution of the State of Michigan.

Dated _____, 20____

Equalization Director

Clerk of the Board of Commissioner

Chairperson of Board of Commissioner

DELTA County

Statement of acreage and valuation in the year 2016 made in accordance with Sections 209.1 - 209.8 of the Michigan Compiled Laws.

Township or City	Real Property Assessed Valuations Approved by Boards of Review							Total Real Property
	(Col. 1) Agricultural	(Col. 2) Commercial	(Col. 3) Industrial	(Col. 4) Residential	(Col. 5) Timber-Cutover	(Col. 6) Developmental	(Col. 7)	
BALDWIN TOWNSHIP	3,747,335	206,079	387,112	35,392,623	0	0	39,733,149	
BARK RIVER TOWNS	7,076,600	2,657,900	281,000	44,093,900	0	0	54,109,400	
BAY DE NOC TOWNS	312,500	0	190,100	39,375,900	0	0	39,878,500	
BRAMPTON TOWNS	0	247,200	0	36,367,653	0	0	36,614,853	
CORNELL TOWNSHI	5,967,850	91,300	623,100	24,925,650	0	0	31,607,900	
ENSIGN TOWNSHIP	1,613,400	534,800	0	33,451,800	0	0	35,600,000	
ESCANABA TOWNSH	3,833,800	1,890,100	1,594,200	104,687,862	0	0	112,005,962	
FAIRBANKS TOWNS	5,938,900	203,100	40,000	27,062,505	0	0	33,244,505	
FORD RIVER TOWNS	1,650,800	2,940,200	78,600	79,962,000	0	0	84,631,600	
GARDEN TOWNSHIP	3,966,500	1,485,400	8,500	47,883,245	0	0	53,343,645	
MAPLE RIDGE TOWN	4,369,520	482,884	147,909	30,841,110	0	0	35,841,423	
MASONVILLE TOWN	3,223,322	3,306,371	1,028,962	60,528,530	0	0	68,087,185	
NAHMA TOWNSHIP	777,600	638,600	0	47,698,000	0	0	49,114,200	
WELLS TOWNSHIP	2,118,800	14,822,900	10,207,500	123,624,900	0	127,300	150,901,400	
CITY OF ESCANABA	0	110,643,005	6,250,755	186,494,165	0	0	303,387,925	
CITY OF GLADSTON	0	16,533,500	4,574,400	84,974,500	0	0	106,082,400	
Total for County	44,596,927	156,683,339	25,412,138	1,007,364,343	0	127,300	1,234,184,047	

OFFICE OF THE COUNTY BOARD OF COMMISSIONERS OF DELTA COUNTY

WE HEREBY CERTIFY that the foregoing is a true statement of the number of acres of land, the value of the real property and of the personal property, the aggregate valuation of the real property and personal property, the equalized and assessed valuations of real property classifications in each township and city in said county as equalized by the Board of Commissioners in April of the reporting year, at a meeting of said board held in pursuant to the provisions of sections 209.1 - 209.8, MCL. I further certify that said statement does not embrace any property taxed under P.A. 77 of 1951; P.A. 68 of 1963; P.A. 199 of 1974; P.A. 385 of 1994; P.A. 224 of 1995; P.A. 147 of 1992 or Section 5 of Article IX of the Constitution of the State of Michigan.

Dated _____, 20____

Equalization Director

Clerk of the Board of Commissioner

Chairperson of Board of Commissioner

Personal and Real Property - TOTALS

L-4024

DELTA County

Statement of acreage and valuation in the year 2016 made in accordance with Sections 209.1 - 209.8 of the Michigan Compiled Laws.

Township or City	Number of Acres Assessed		Total Real Property Valuations		Personal Property Valuations		Total Real Plus Personal Property	
	(Col. 1) Acres Hundredths	(Col. 2) Assessed Valuation	(Col. 3) Equalized Valuation	(Col. 4) Assessed Valuation	(Col. 5) Equalized Valuation	(Col. 6) Assessed Valuation	(Col. 7) Equalized Valuation	
BALDWIN TOWNSHI	35,594.73	39,733,149	39,733,149	6,703,666	6,703,666	46,436,815	46,436,815	
BARK RIVER TOWNS	25,238.01	54,109,400	54,109,400	1,836,495	1,836,495	55,945,895	55,945,895	
BAY DE NOC TOWNS	22,481.64	39,878,500	39,878,500	259,957	259,957	40,138,457	40,138,457	
BRAMPTON TOWNS	9,799.73	36,614,853	36,614,853	887,736	887,736	37,502,589	37,502,589	
CORNELL TOWNSHI	23,055.11	31,607,900	31,607,900	1,249,450	1,249,450	32,857,350	32,857,350	
ENSGN TOWNSHIP	18,083.98	35,600,000	35,600,000	1,037,022	1,037,022	36,637,022	36,637,022	
ESCANABA TOWNSH	31,031.81	112,005,962	112,005,962	13,603,917	13,603,917	125,609,879	125,609,879	
FAIRBANKS TOWNS	21,562.18	33,244,505	33,244,505	505,411	505,411	33,749,916	33,749,916	
FORD RIVER TOWNS	24,970.21	84,631,600	84,631,600	1,859,319	1,859,319	86,490,919	86,490,919	
GARDEN TOWNSHIP	20,906.11	53,343,645	53,343,645	21,866,178	21,866,178	75,209,823	75,209,823	
MAPLE RIDGE TOWN	42,631.27	35,841,423	35,841,423	2,209,988	2,209,988	38,051,411	38,051,411	
MASONVILLE TOWN	29,500.75	68,087,185	68,087,185	14,244,128	14,244,128	82,331,313	82,331,313	
NAHIMA TOWNSHIP	19,788.83	49,114,200	49,114,200	3,597,670	3,597,670	52,711,870	52,711,870	
WELLS TOWNSHIP	21,114.37	150,901,400	150,918,924	14,269,900	14,269,900	165,171,300	165,188,824	
CITY OF ESCANABA	4,747.04	303,387,925	303,387,925	18,261,637	18,261,637	321,649,562	321,649,562	
CITY OF GLADSTON	1,471.04	106,082,400	106,082,400	12,684,877	12,684,877	118,767,277	118,767,277	
Totals for County	351,976.81	1,234,184,047	1,234,201,571	115,077,351	115,077,351	1,349,261,398	1,349,278,922	

OFFICE OF THE COUNTY BOARD OF COMMISSIONERS OF DELTA COUNTY

WE HEREBY CERTIFY that the foregoing is a true statement of the number of acres of land, the value of the real property and of the personal property, the aggregate valuation of the real property and personal property, the equalized and assessed valuations of real property classifications in each township and city in said county as equalized by the Board of Commissioners in April of the reporting year, at a meeting of said board held in pursuant to the provisions of sections 209.1 - 209.8, MCL. I further certify that said statement does not embrace any property taxed under P.A. 77 of 1951; P.A. 68 of 1963; P.A. 199 of 1974; P.A. 385 of 1994; P.A. 224 of 1995; P.A. 147 of 1992 or Section 5 of Article IX of the Constitution of the State of Michigan.

Dated _____, 20____

Equalization Director

Clerk of the Board of Commissioners

Chairperson of Board of Commissioners

VALIC

VALIC Retirement Services Company
P.O. Box 15648
Amarillo, TX 79105

BH

ACTION ITEMS

	<u>Action Item Description</u>	<u>Due Date</u>	<u>Completion Date</u>
1	Adopt Resolution		
2	Sign Adoption Agreement		
3	Sign missing Legislative Amendment		

Documents to be returned to VALIC:

Adopting Resolution
Adoption Agreement
Missing Legislative Amendment

Prior documents with time-sensitive dates that should have been signed & returned to VALIC: Please provide signed copies.

✓ Amendment for the Final 415 Regulations (mailed in 2007) ✓

Please return all signed documents to:

VALIC Institutional Services
2929 Allen Parkway, L8-10
Houston, TX 77019

**RESOLUTION AUTHORIZING
AMENDMENT AND RESTATEMENT OF RETIREMENT PLAN
VIA ADOPTION OF VALIC RETIREMENT SERVICES COMPANY RETIREMENT PLAN FOR GOVERNMENTAL EMPLOYERS**

WHEREAS, Delta County, Michigan (hereinafter, the "Employer"), previously established the Delta County Retirement Health Savings Plan (hereinafter, the "Plan") for the exclusive benefit of its employees and their beneficiaries, which Plan was originally effective as of October 1, 2001; and

WHEREAS, the Employer retained the power to amend and/or terminate the Plan; and

WHEREAS, the Employer now desires to amend and restate the Plan by adopting the VALIC Retirement Services Company Retirement Plan for Governmental Employers document; and

NOW THEREFORE, BE IT RESOLVED that the Employer hereby amends and restates that Plan, effective October 1, 2015, by adopting the document titled "VALIC Retirement Services Company Retirement Plan for Governmental Employers," in the form and substance as the document heretofore presented to the governing body of the Employer; and

RESOLVED FURTHER, that the appropriate representatives of the Employer be, and the same hereby are, authorized and directed to: (i) execute the adoption agreement to the VALIC Retirement Services Company Retirement Plan for Governmental Employers document as approved; (ii) execute all other documents and to do all other things as may be necessary or appropriate to make the VALIC Retirement Services Company Retirement Plan for Governmental Employers document effective October 1, 2015, including the execution of any amendments required by the Internal Revenue Service in order to continue and maintain the qualified and exempt status of the Plan; and (iii) execute any other documents required to obtain reliance on advisory letters issued to the VALIC Retirement Services Company Retirement Plan for Governmental Employers by the Internal Revenue Service.

CERTIFICATION

I, _____, do hereby certify that the above resolutions were unanimously adopted by the governing body of the Employer at a meeting duly held at Escanaba, Michigan, on the _____ day of _____, _____.

Signed: _____

Name: _____

Title: _____

Date: _____

**VALIC Retirement Services Company
Retirement Plan for Governmental Employers**

Adoption Agreement #002 – Money Purchase Pension Plan

Advisory Letter Number: J593779a

The undersigned, Delta County, Michigan ("Employer"), by executing this Adoption Agreement, elects to establish (or restate) a retirement plan (and trust, if applicable) (hereinafter, the "Plan") under the VALIC Retirement Services Company Retirement Plan for Governmental Employers (the "Basic Plan Document"). The Employer, subject to the Employer's elections in this Adoption Agreement, adopts fully the Plan provisions (and if applicable, the Trust provisions). The Adoption Agreement and the Basic Plan Document together constitute the Employer's entire Plan (and Trust, if applicable) document. All section references within this Adoption Agreement are Adoption Agreement section references unless the Adoption Agreement or the context indicates otherwise. All "Article" references, and all "Plan Section" references, are references to the applicable article or section of the Basic Plan Document.

The Employer makes the following elections, as permitted under the corresponding provisions of the Basic Plan Document:

A. VOLUME SUBMITTER PRACTITIONER INFORMATION.

VALIC Retirement Services Company
Attn: Institutional Services
2929 Allen Parkway, L8-10
Houston, Texas 77019
888-478-7020

B. PLAN INFORMATION.

1. Plan Name: Delta County Retirement Health Savings Plan
2. Plan Number (e.g., 001, 002, etc.): 001
3. Effective Date: *(Note: The Effective Date for a new Plan or the Restated Effective Date for a restated Plan generally cannot be earlier than the first day of the Plan Year in which this plan or restatement is adopted. If this is a restatement to comply with the Pension Protection Act of 2006 ("PPA"), the Restated Effective Date may be the first day of the current Plan Year as the Plan contains applicable retroactive effective dates with respect to provisions affected by PPA and subsequent legislation/guidance. Section 414(h) pick-up contributions must relate solely to Compensation for services rendered after the later of the adoption or effective date of this Plan or restatement.)*
 - a. This is a new Plan effective as of _____ (hereinafter "Effective Date").
 - b. This amendment is a restatement of a previously established qualified plan which was originally effective October 1, 2001 (hereinafter "Effective Date"). The effective date of this restatement is October 1, 2015 (hereinafter "Restated Effective Date").
4. Plan Year/Limitation Year means the 12-consecutive month period (except for Short Plan Years) ending every (Check a. or b., and c., if applicable).
 - a. December 31
 - b. Other: September 30
 - c. Short Plan Year commencing on _____ and ending on _____.
5. Anniversary Date (annual Valuation Date):
 - a. last day of the Plan Year
 - b. first day of the Plan Year

C. EMPLOYER INFORMATION.

1. Name of Employer: Delta County, Michigan
2. Address: 310 Ludington Street, Suite 222
(Number and Street)

<u>Escanaba</u> (City)	<u>Michigan</u> (State)	<u>49829</u> (Zip Code)
---------------------------	----------------------------	----------------------------
3. Telephone Number: (906) 789-5100
4. Employer Identification Number: 38 – 6004846

5. By signing this Adoption Agreement, the Employer represents and affirms that it is a state or local governmental entity, as defined in Code section 414(d), and is a:
- a. K-12 educational organization
 - b. higher educational organization
 - c. city or county government
 - d. state government
 - e. other governmental entity (specify) _____
6. Employer's Fiscal Year: September 30

D. TRUST ELECTION.

1. All or a portion of this Plan shall be Trusteed pursuant to Article V of the Plan.
- a. No, this Plan shall be funded exclusively with annuity contracts pursuant to Article X.
 - b. Yes, this Plan shall have a nondiscretionary Trustee (as described in Article V).
 - c. Yes, this Plan shall have a discretionary Trustee (as described in Article V).

E. SERVICE.

1. PREDECESSOR EMPLOYER OR OTHER EMPLOYER.

This Plan shall recognize service with a predecessor Employer or other entity.

- a. No
- b. Yes, service with _____ shall be recognized for purposes of (check all that apply):
 - (i) eligibility
 - (ii) vesting
 - (iii) contribution accrual
 - (iv) early retirement
 - (v) normal retirement
 - (vi) other: _____

2. SERVICE CREDITING METHODS.

If this Plan requires an annual service requirement to receive an Employer contribution as selected in Section G, the Hours of Service crediting method shall be used for this purpose, and the applicable computation period shall be the Plan Year (or Short Plan Year). The service crediting method for all other purposes shall be as follows:

- a. SERVICE CREDITING METHOD (select one)
 - (i) Hours of Service crediting method
 - (ii) elapsed time crediting method
- b. If the Hours of Service crediting method is selected in Section E.2.a.(i) above, then the following must be completed, and shall apply to all Employees:
 - (i) Hours of Service crediting method (select one of the following):
 - (a) actual hours
 - (b) days worked
 - (c) months worked
 - (d) other: _____
 - (ii) Year of Service means the applicable computation period during which an Employee has completed (select one of the following):
 - (a) at least _____ Hours of Service. (May not exceed 2000 hours.)
 - (b) other: _____
- c. Break in service rules (described in Plan Section 6.04(e)) will be applied under this Plan.
 - (i) No
 - (ii) Yes

- d. If the Hours of Service Crediting Method is selected in E.2.a.(i) above, then the following computation period elections must be completed, and shall apply to all Employees (select all applicable):
- (i) If service is required for eligibility, the computation period for eligibility shall begin on the date an Employee first performs an Hour of Service and
 - (a) each anniversary thereof.
 - (b) shift to the Plan Year which includes the first anniversary of the date on which the Employee first performed an Hour of Service.
 - (ii) If service is required for vesting, early retirement or normal retirement, the computation period for such purposes shall begin on the date an Employee first performs an Hour of Service and:
 - (a) each anniversary thereof.
 - (b) shift to the Plan Year which includes the first anniversary of the date on which the Employee first performed an Hour of Service.
 - (c) end on the last day of each Plan Year.

F. ELIGIBILITY REQUIREMENTS; INITIAL PLAN ENTRY; PLAN ENTRY DATE.

NOTE: This Section F must not be completed in a manner which restricts an Employee's participation to the Plan Year in which that Employee terminates employment.

1. EXCLUDED CLASSIFICATIONS OF EMPLOYEES shall mean all Employees of the Employer checked below: (**NOTE:** Any classification under "other" must be objectively determinable and free from Employer discretion, and may not identify specific individuals (other than by eligible position or title). In addition, any classification under "other" must not exclude all employees other than a closed or finite group of individuals. Exclusions shall not apply to contributions under Section G.3.b. of this Adoption Agreement.)

<u>For all purposes of the Plan (Do not check items in additional columns if this column selected):</u>	<u>For purposes of Employee nonelective (414(h) pick-up) contributions:</u>	<u>For purposes of Employer matching contributions:</u>	<u>For purposes of Special Pay contributions and Employer contributions other than Employer matching contributions:</u>
<input type="checkbox"/> N/A. No exclusions	<input type="checkbox"/> N/A. No exclusions	<input type="checkbox"/> N/A. No exclusions	<input type="checkbox"/> N/A. No exclusions
<input type="checkbox"/> hourly paid	<input type="checkbox"/> hourly paid	<input type="checkbox"/> hourly paid	<input type="checkbox"/> hourly paid
<input type="checkbox"/> salaried	<input type="checkbox"/> salaried	<input type="checkbox"/> salaried	<input type="checkbox"/> salaried
<input type="checkbox"/> union employees	<input type="checkbox"/> union employees	<input type="checkbox"/> union employees	<input type="checkbox"/> union employees
<input type="checkbox"/> non-resident aliens	<input type="checkbox"/> non-resident aliens	<input type="checkbox"/> non-resident aliens	<input type="checkbox"/> non-resident aliens
<input type="checkbox"/> Leased Employees	<input type="checkbox"/> Leased Employees	<input type="checkbox"/> Leased Employees	<input type="checkbox"/> Leased Employees
<input type="checkbox"/> Reclassified Employees (as defined in the basic plan document)	<input type="checkbox"/> Reclassified Employees (as defined in the basic plan document)	<input type="checkbox"/> Reclassified Employees (as defined in the basic plan document)	<input type="checkbox"/> Reclassified Employees (as defined in the basic plan document)
<input type="checkbox"/> employees who have not accumulated at least _____ Special Pay days.	<input type="checkbox"/> employees who have not accumulated at least _____ Special Pay days.	<input type="checkbox"/> employees who have not accumulated at least _____ Special Pay days.	<input type="checkbox"/> employees who have not accumulated at least _____ Special Pay days.
<input type="checkbox"/> other (see limitations in "Note" above) _____	<input type="checkbox"/> other (see limitations in "Note" above) _____	<input checked="" type="checkbox"/> other (see limitations in "Note" above) <u>All Employees except Appointed Administrators.</u>	<input type="checkbox"/> other (see limitations in "Note" above) _____

2. CONDITIONS OF ELIGIBILITY (Plan Section 3.01).

Any Employee who is not a member of an excluded classification (Section F.1.) must satisfy the following minimum age and service requirements, if any, for participation in the Plan (other than contributions described in G.3.b.): (Check one of a. – e. May also check f., if applicable).

- a. No age or service required.
- b. Attainment of age _____ (not to exceed 26).
- c. Completion of _____ (not to exceed 5) Year(s) of Service.
- d. Completion of _____ (not to exceed 60) Month(s) of Service.
- e. Other age or service requirement (not to exceed the parameters in b.- d. above): _____

- f. FOR NEW PLANS ONLY – Regardless of any of the above age or service requirements, any Employee who was employed on the Effective Date of the Plan shall be eligible to participate in Employer contributions as of such date. (Must also elect 3.f. below.)

3. EFFECTIVE DATE OF PARTICIPATION (Plan Section 3.02).

An Employee who has satisfied the requirements, if any, of Section F shall become a Participant as of: (Check one of a. – e.; check f. if applicable.)

- a. such Employee's first Hour of Service (no age or service requirements).
- b. the first day of the first payroll period coinciding with or next following the date the eligibility requirements are satisfied.
- c. the earlier of the first day of the Plan Year or the first day of the seventh month of the Plan Year coinciding with or next following the date on which the eligibility requirements are satisfied.
- d. the first day of the Plan Year next following the date the eligibility requirements are satisfied.
- e. other: _____
- f. FOR NEW PLANS ONLY – Any Employee who was employed on the Effective Date of the Plan shall become a Participant on the Effective Date of the Plan. All other Employees shall become Participants as of the date selected in 3.a. through 3.e. above. (Must also elect 2.f. above.)

G. CONTRIBUTIONS AND FORFEITURES.

1. EMPLOYEE NONELECTIVE CONTRIBUTIONS (414(h) pick up; Plan Section 4.01(c)):

- a. N/A. No Employee nonelective contributions are allowed.
- b. Employee nonelective contributions in the amount of _____ (must be greater than zero if selected) percent of Compensation shall be made to the Plan.

2. EMPLOYER MATCHING CONTRIBUTIONS:

a. Formulas (select all that apply):

- (i) N/A. No Employer matching contributions in this Plan.
- (ii) 100 % of a Participant's elective deferral contributions. Elective deferral contributions in excess of 2.5 % of a Participant's Compensation for the year shall not be matched. (Must also complete G.2.b. below.)
- (iii) Equals the percentage of elective deferral contributions determined under the following schedule: (Must also complete G.2.b. below.)

Years of Service	Matching Percentage
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %

Elective deferral contributions in excess of _____ % of a Participant's Compensation for the year shall not be matched.

- (iv) Other: _____

b. Employer matching contributions shall be made based on elective deferral (pre-tax) contributions to the following plan(s) of the Employer (insert name of plan(s) to which the elective deferral contributions being matched will be made):
Delta County Qualified Deferred Compensation Plan

3. EMPLOYER CONTRIBUTIONS (other than Employer matching contributions):

The Employer shall make the following contribution(s) to the Plan:

- a. EMPLOYER CONTRIBUTIONS GENERALLY (choose all that apply): *Note: The applicable dollar amount or percentage of Compensation in this section G.3.a. must be greater than zero. In addition, contributions under this Section G.3.a. must be for the exclusive benefit of Employees or their Beneficiaries.*

- (i) An amount equal to \$_____ on behalf of each Participant per period indicated below:
- (a) calendar quarter
 - (b) month
 - (c) pay period
 - (d) week
 - (e) plan year
- (ii) An amount equal to \$_____ per Hour of Service up to _____ hours per Plan Year.
- (iii) An amount, equal to _____% of each Participant's Compensation for the Plan Year, or \$_____ on behalf of each Participant for the Plan Year. (May select either percentage of Compensation or dollar amount, but not both.)
- (iv) An amount equal to _____% of each Participant's Compensation for the Plan Year, plus _____% of such Compensation in excess of \$_____ (Must be an amount which is less than the applicable "annual compensation limit" as specified in Plan Section 1.08).
- (v) Other: An amount, for Employees classified as Non-Union, equal to 0.5% and for Employees classified as Appointed Administrators 3%, of each Participant's Compensation for the Plan Year.
- b. CONTRIBUTIONS FOR PART-TIME, SEASONAL AND TEMPORARY EMPLOYEES: An amount equal to 7.5% of the Participant's Compensation for the entire Plan Year, reduced by the Employee Nonelective Contributions described in Section G.1. actually contributed to the Participant's account during such Plan Year, provided that such Contribution shall be made solely for Part-time, Seasonal, or Temporary Employees who are not otherwise covered by another qualifying public retirement system as defined for purposes of Treasury Regulation Section 31.3121(b)(7)-2.
- c. SPECIAL PAY CONTRIBUTIONS: An amount equal to the Employee's current daily rate of pay multiplied by the Participant's number of unused accumulated Special Pay Days in excess of _____ (enter 0 if no excluded days), but not to exceed _____ days (enter N/A if no upper limit).
- Special Pay contributions shall be made with respect to:
- (i) accumulated Vacation Pay Days
 - (ii) accumulated Sick Leave Days
 - (iii) both accumulated Vacation Pay and accumulated Sick Leave Days
- Such contributions shall be made for a Plan Year:
- (i) for any Employee who is terminating employment during such Plan Year and who has accumulated Special Pay Days described in this Section G.3.c.
 - (ii) for any active or terminating Employee with accumulated Special Pay Days described in this Section G.3.c.
4. HOURS REQUIRED TO SHARE IN ALLOCATION: An active Participant must work a specified number of Hours of Service in order to share in:
- a. Employer matching contributions.
- (i) No minimum number of hours is required.
 - (ii) Yes, a Participant must work a minimum of _____ Hours of Service during such year. (May not exceed 2000 hours. This option not available if matching contributions are remitted to the Plan each pay period.)
- b. Employer contributions described in Section G.3.a.
- (i) No minimum number of hours is required.
 - (ii) Yes, a Participant must work a minimum of _____ Hours of Service during the Plan Year. (May not exceed 2000 hours. This option not available if Special Pay contributions are elected in Section G.3.c. This option also not available if Employer contributions are remitted to the Plan each pay period, or if an allocation period other than the Plan Year is selected in Section G.3.a.(i).)
5. FORFEITURES (Plan Section 4.03(e)):
- Forfeitures of Employer contributions under Sections G.2. and G.3.a. shall be:
- a. N/A. Employer contributions are 100% Vested.
 - b. used to reduce future Employer contributions under this Plan.
 - c. allocated to all Participants eligible to share in the allocations in the same proportion that each Participant's Compensation for the Plan Year bears to the Compensation of all Participants for the year.
 - d. Other (must require use/exhaustion of forfeitures as soon as administratively feasible): _____

6. CONTRIBUTIONS AND FORFEITURES ALLOCATED TO TERMINATED PARTICIPANTS (Plan Section 4.03(e)):

For contributions described in Section G.2. only, a Terminated Participant shall share in the allocation of Employer matching contributions and forfeitures for the Plan Year as follows:

- a. A Participant must be employed on the last day of the Plan Year in order to share in the allocation.
- b. A Participant must be employed on the last day of the Plan Year in order to share in the allocation, unless termination was for reason of death, Total and Permanent Disability, early retirement or normal retirement.
- c. A Participant must be employed on the last day of the Plan Year in order to share in the allocation, unless such Participant worked at least _____ Hours of Service during such year. (May not exceed 2000 hours.)
- d. A Participant must be employed on the last day of the Plan Year in order to share in the allocation, unless termination was for reason of death, Total and Permanent Disability, early retirement or normal retirement, and such Participant worked at least _____ Hours of Service during such year. (May not exceed 2000 hours.)
- e. A Participant is not required to be employed on the last day of the Plan Year or work a minimum number of hours in order to share in the allocation.

For contributions described in Section G.3.a. only, a Terminated Participant shall share in the allocation of Employer contributions (other than Employer matching contributions) for the Plan Year or other allocation period as follows. Notwithstanding the period selected in Section G.3.a.(i), forfeitures shall be allocated based on the Plan Year.

- a. A Participant must be employed on the last day of such Plan Year (or other applicable period as selected in Section G.3.a.(i)) to share in the allocation of Employer contributions.
- b. A Participant must be employed on the last day of the Plan Year (or other allocation period as selected in Section G.3.a.(i)) in order to share in the allocation, unless termination was for reason of death, Total and Permanent Disability, early retirement or normal retirement. Notwithstanding the period selected in Section G.3.a.(i), forfeitures shall be allocated to any Participant employed on the last day of the Plan Year, unless termination was for reason of death, Total and Permanent Disability, early retirement or normal retirement.
- c. A Participant must be employed on the last day of the Plan Year (or other applicable period as selected in Section G.3.a.(i)) in order to share in the allocation, unless such Participant worked at least _____ Hours of Service during such year. (May not exceed 2000 hours.) If Section G.3.a.(i) is selected, then the Hours of Service requirement is applicable to allocation of forfeitures only.
- d. A Participant must be employed on the last day of the Plan Year (or other applicable period as selected in Section G.3.a.(i)) in order to share in the allocation, unless termination was for reason of death, Total and Permanent Disability, early retirement or normal retirement, and such Participant worked at least _____ Hours of Service during such year. (May not exceed 2000 hours.) If Section G.3.a.(i) is selected, then the Hours of Service requirement is applicable to allocation of forfeitures only.
- e. A Participant is not required to be employed on the last day of the Plan Year (or other applicable period as selected in Section G.3.a.(i) or work a minimum number of hours in order to share in the allocation.

7. FROZEN PLAN:

- a. N/A. Plan is not frozen.
- b. This Plan is a frozen plan effective _____. No contributions will be made to the Plan with respect to any period following the stated date.

8. CONTINUED BENEFIT ACCRUALS FOR PARTICIPANTS ON MILITARY LEAVE (Plan Section 12.02). Continued benefit accruals for the HEART Act will not apply unless elected below:

- a. The provisions of Plan Section 12.02 apply effective as of: (select one)
 - (i) the first day of the 2007 Plan Year
 - (ii) _____ (may not be earlier than first day of the 2007 Plan Year)

However, the provisions no longer apply effective as of: (select if applicable)

- (iii) _____

H. COMPENSATION.

1. COMPENSATION with respect to any Participant means:

- a. Wages, tips and other Compensation on Form W-2.
- b. 415 safe-harbor compensation.
- c. Code section 3401 wages (wages for Federal income tax withholding).

However, Compensation shall exclude:

- (i) N/A. No exclusions
- (ii) overtime
- (iii) bonuses
- (iv) commissions
- (v) shift differential pay
- (vi) other _____

(Must be objectively determinable and applied in a uniform, nondiscriminatory basis, e.g., taxable reimbursements or other fringe benefits.)

2. Compensation shall be based on:

- a. the Plan Year.
- b. the Fiscal Year ending with or within the Plan Year.
- c. the calendar year ending with or within the Plan Year.

3. However, for an Employee's first year of participation, Compensation shall be recognized as of:

- a. the first day of the period selected in 2. above.
- b. the Participant's Effective Date of Participation (Section F.3.).

4. In addition, Compensation shall include compensation that is not currently includible in the Participant's gross income (salary reduction amounts) by reason of the application of Code Sections 125, 402(g)(3) or 457, and 132(f)(4).

- a. Yes
 - (i) Code Section 125 elective deferrals will include deemed Code Section 125 compensation.
 - (ii) Code Section 125 elective deferrals will not include deemed Code Section 125 compensation.
- b. No

5. Compensation for purposes of calculating contributions to the Plan will be determined:

- a. on an annual basis.
- b. on a payroll period basis (must also check (i) or (ii) below).
 - (i) Contributions will be adjusted, if necessary, to meet the Plan formula on an annual basis.
 - (ii) Contributions will not be adjusted to meet the Plan formula on an annual basis.

6. Differential wage payments (as described in Plan Section 12.03) will be treated, for Plan Years beginning after December 31, 2008, as Compensation for all Plan benefit purposes unless a. is elected below:

- a. In lieu of the above default provision, the Employer elects the following (select all that apply):
 - (i) The inclusion is effective for Plan Years beginning after _____ (may not be earlier than December 31, 2008).
 - (ii) The inclusion only applies to Compensation for purposes of Employee nonelective contributions.
 - (iii) Differential wage payments shall not be treated as Compensation for purposes of any Plan benefit accruals.

7. Compensation paid after severance from employment (Plan Section 4.04). Note: The Employer only needs to complete Section H.7.b. in order to override the default provisions set forth in H.7.a., below. If the Plan will use all of the default provisions, then Section H.7.b. should be skipped.

- a. **Default provisions.** Unless the Employer elects otherwise in Section H.7.b. below, the following defaults will apply:
 - (i) The provisions of the Plan setting forth the definition of compensation for purposes of Code § 415 (hereinafter referred to as "415 Compensation") shall be modified (with respect to amounts paid after Severance from Employment) by (1) including payments for unused sick, vacation or other leave and payments from nonqualified unfunded deferred compensation plans (Plan Section 4.04(d)(2)(ii)), (2) excluding salary continuation payments for participants on military leave (Plan Section 4.04(d)(2)(iii)), and (3) excluding salary continuation payments for disabled participants (Plan Section 4.04(d)(2)(iv)).
 - (ii) The "first few weeks rule" does not apply for purposes of 415 Compensation (Plan Section 4.04(d)(2)).
 - (iii) The Plan's definition of compensation for allocation purposes (hereinafter referred to as "Plan Compensation") shall be modified to provide for the same adjustments to Plan Compensation (for all contribution types) that are made to 415 Compensation pursuant to this Section H.7.
- b. In lieu of the default provisions in H.7.a., above, the following apply (select all that apply; if no selections are made, then the defaults apply):

415 Compensation (select all that apply):

- (i) Exclude leave cashouts and deferred compensation (Plan Section 4.04(d)(2)(ii))
- (ii) Include military continuation payments (Plan Section 4.04(d)(2)(iii))

- (iii) Include disability continuation payments (Plan Section 4.04(d)(2)(iv)) for all participants, and the salary continuation will continue for the following fixed or determinable period: _____
- (iv) Apply the administrative delay ("first few weeks") rule (Plan Section 4.04(d)(2))

Plan Compensation (select all that apply):

- (v) No change from existing Plan provisions
- (vi) Exclude all post-severance compensation
- (vii) Exclude post-severance regular pay
- (viii) Exclude leave cashouts and deferred compensation
- (ix) Include post-severance military continuation payments
- (x) Include post-severance disability continuation payments for all participants, and the salary continuation will continue for the following fixed or determinable period: _____
- (xi) Other: _____

Plan Compensation Special Effective Date. The definition of Plan Compensation is modified as set forth herein effective as of the same date as the 415 Compensation change is effective unless otherwise specified:

- (xii) _____ (enter the effective date)

I. TRANSFERS AND ROLLOVERS FROM OTHER EMPLOYER PLANS (Plan Section 4.06) will be allowed:

- 1. No.
- 2. Yes, for Participants only.
- 3. Yes, for all Employees. (Must be selected for plans which intend to accept transfers or rollovers from Code Section 414(k) accounts under defined benefit plans for all Employees, regardless of their status as Participants.)

If 1, 2, or 1.3. is chosen:

Distributions from a Participant's Rollover Account may be made at any time, even if there is no distributable event which permits a distribution of other accounts.

- a. No
- b. Yes

J. VESTING. (Plan Section 6 04(b)).

- 1. The vesting schedule(s) for Employer contributions (other than those described in G.1., G.3.b. or G.3.c.), based on number of Years of Service (or twelve month Periods of Service, if Elapsed Time) shall be as follows:

Employer contributions (other than matching):

Employer Matching Contributions:

- a. 100% immediate
- b. _____ - Year Cliff (not to exceed 15 years)
- c. Graded:

- a. 100% immediate
- b. _____ - Year Cliff (not to exceed 15 years)
- c. Graded:

<u>Years of Service</u> (not to exceed 15)	<u>Vesting Percentage</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	100%

<u>Years of Service</u> (not to exceed 15)	<u>Vesting Percentage</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	100%

- d. Other (must provide for 100% vesting after no more than 15 years of service): _____

- 2. In determining Years of Service or Periods of Service for vesting purposes, the following service shall be EXCLUDED:

- a. N/A. All Years of Service or Periods of Service shall be counted.
- b. Service prior to the Effective Date of the Plan or a predecessor plan.
- c. Service prior to the time an Employee attained age 18.

- 3. Vesting Upon Death

- a. 100% vesting, or
- b. apply vesting schedule

4. Vesting Upon Disability
- a. 100% vesting, or
 - b. apply vesting schedule

K. NORMAL RETIREMENT AGE; EARLY RETIREMENT AGE.

1. NORMAL RETIREMENT AGE ("NRA") means (must comply with Treas. Reg. § 1.401(a)-1(b)(2)):
- a. attainment of age 60 (not to exceed 65).
 - b. the later of attainment of age _____ (not to exceed 65) or the _____ (not to exceed 10th) anniversary of the first day of the Plan Year in which participation in the Plan commenced.
 - c. other: _____.
2. EARLY RETIREMENT AGE ("ERA") means:
- a. no early retirement provision.
 - b. attainment of age 55 (not to exceed 65).
 - c. the later of attainment of age _____ (not to exceed 65) or the _____ (not to exceed 10th) anniversary of the first day of the Plan Year in which participation in the Plan commenced.
 - d. the later of attainment of age _____ (not to exceed 65) or completion of _____ (not to exceed 10) Years of Service or _____ (not to exceed 120) Months of Service.
 - e. other: _____.

L. DISTRIBUTIONS UPON TERMINATION OF EMPLOYMENT (Plan Section 6.04(a)). Distributions upon termination of employment shall not be made unless the following conditions have been satisfied:

- 1. N/A. Immediate distributions may be made at Participant's election.
- 2. The Participant has incurred _____ (not to exceed five (5)) 1-Year Break(s) in Service.
- 3. The Participant has reached Early or Normal Retirement Age.
- 4. Distributions may be made at the Participant's election on or after the Anniversary Date following termination of employment.

M. RESTRICTIONS ON FORM OF DISTRIBUTIONS (Plan Sections 6.05 and 6.06). If the Employer has designated one or more annuity contracts as eligible investments under the Plan, distributions under the Plan may be made in the form of an annuity. In all cases, distributions under the Plan may be made:

- 1. in lump sums.
- 2. in lump sums or installments.

N. INVOLUNTARY DISTRIBUTIONS

An immediate distribution of a terminated Participant's Vested interest in the Plan may be made without the consent of the Participant. Note: If the Employer elects 3. or 4., below, the Employer must select an IRA provider for automatic rollovers. See Plan Section 6.05(b).

- 1. No.
- 2. Yes, but only if the distribution does not exceed \$1,000.
- 3. Yes, but only if the Participant's Vested interest does not exceed the cash-out limit in effect under Code Section 411(a)(11)(A) for the Plan Year that includes the date of distribution. For purposes of determining whether the Participant's Vested interest exceeds the cash-out limit, rollover contributions shall be (must select a. or b. below):
 - a. excluded
 - b. included
- 4. Yes, regardless of the amount. Note: If any portion of the Participant's Vested interest is attributable to contributions for Part-time, Seasonal or Temporary Employees under Section G.3.b., distribution may not be made without the Participant's consent if the Participant's Vested interest is greater than the cash-out limit in effect under Code Section 411(a)(11)(A) for the Plan Year that includes the date of distribution.
- 5. Other: _____.

O. NON-SPOUSAL ROLLOVERS (Plan Section 6.14(g)). Non-spousal rollovers are allowed after December 31, 2006 unless 1. or 2. is elected below (Plan Section 6.14(g) provides that such distributions are always allowed after December 31, 2009):

- 1. Non-spousal rollovers are not allowed prior to January 1, 2010.
- 2. Non-spousal rollovers are allowed effective _____ (not earlier than January 1, 2007 and not later than December 31, 2009).

P. IN-SERVICE DISTRIBUTIONS AT AGE 62 OR LATER (Plan Section 6.10). In-service distributions will not be allowed unless 1. is elected below:

- 1. In-service distributions will be allowed for Participants at age ____ (cannot be less than 62), effective as of the first day of the 2007 Plan Year, unless another date is elected below:
 - a. _____ (may not be earlier than the first day of the 2007 Plan Year).

AND, the following limitations apply to in-service distributions:

- b. N/A. No limitations.
- c. The following elections apply to in-service distributions at age 62 or later (select all that apply):
 - (i) The minimum amount of a distribution is \$_____ (may not exceed \$1,000).
 - (ii) No more than _____ distribution(s) may be made to a Participant during a Plan Year.
 - (iii) Distributions may only be made from accounts that are fully Vested.
 - (iv) In-service distributions may be made subject to the following provisions:
_____ (must be definitely determinable and not subject to discretion).

Q. QUALIFIED RESERVIST DISTRIBUTIONS (Plan Section 6.12). Qualified Reservist Distributions will not be allowed unless 1. is elected below:

- 1. Qualified Reservist Distributions are allowed effective as of September 12, 2001 (may not be earlier than September 12, 2001).

R. DISTRIBUTIONS FOR "DEEMED" SEVERANCE OF EMPLOYMENT OF PARTICIPANT ON MILITARY LEAVE (Plan Section 12.04). The Plan does not permit distributions pursuant to Plan Section 12.04 unless otherwise elected below:

- 1. The Plan permits such distributions, effective January 1, 2007.
- 2. The Plan permits such distributions, effective as of _____ (may not be earlier than January 1, 2007).

S. LOANS TO PARTICIPANTS (Plan Section 11.01)

Loans to Participants shall be made:

- 1. No (must be selected for plans that select G.3.b.)
- 2. Yes, for any reason
- 3. Yes, but only on account of hardship or financial need

T. DIRECTED INVESTMENT ACCOUNTS (Plan Section 4.09) are permitted for the interest in any one or more accounts:

- 1. Yes, but subject to the following restrictions:
 - a. No restrictions apply.
 - b. Only if accounts are 100% Vested
- 2. No
- 3. Other: _____

U. WRERA (RMD WAIVERS FOR 2009) (Plan Section 6.16). The provisions of Plan Section 6.16(a) apply (RMDs continue in accordance with the terms of the Plan for Participants or Beneficiaries receiving installment payments unless such Participant or Beneficiary elects otherwise, whereas RMDs are suspended for all other Participants and Beneficiaries) unless otherwise elected below:

- 1. The provisions of Plan Section 6.16(b) apply (RMDs continue in accordance with the terms of the Plan for all Participants and Beneficiaries, unless otherwise elected by a Participant or Beneficiary).
- 2. The provisions of Plan Section 6.16(c) apply (RMDs continue in accordance with the terms of the Plan for all Participants and Beneficiaries, but only Participants or Beneficiaries receiving installment payments may elect otherwise).
- 3. Other: _____

For purposes of Plan Section 6.16, the Plan will also treat the following as eligible rollover distributions in 2009: (If no election is made, then a direct rollover will be offered only for distributions that would be eligible rollover distributions without regard to Code §401(a)(9)(H)):

- 4. 2009 RMDs (as defined in Section 6.16(a) of the Plan) and installment payments that include 2009 RMDs.
- 5. 2009 RMDs (as defined in Section 6.16(a) of the Plan) but only if paid with an additional amount that is an eligible rollover distribution without regard to Code §401(a)(9)(H).

V. DOMESTIC RELATIONS ORDERS (Plan Section 6.13). Distributions to an "alternate payee" may be made prior to the time when the Participant is entitled to a distribution under the terms of the Plan:

- 1. No
- 2. Yes

W. TOTAL AND PERMANENT DISABILITY (Plan Section 1.45). Total and Permanent Disability will be determined based on the definition in Section 1.45 of the Plan unless an alternate definition is elected and described below:

- 1. Alternate definition: _____

RESTRICTIONS ON USE OF ADOPTION AGREEMENT: This Adoption Agreement may be used solely in conjunction with the VALIC Retirement Services Company Retirement Plan for Governmental Employers (the Basic Plan Document). The Adoption Agreement and the Basic Plan Document together constitute the "volume submitter document" that is being adopted by the Employer.

APPROVAL BY VOLUME SUBMITTER PRACTITIONER REQUIRED: This volume submitter specimen document may be adopted only with the approval of the Volume Submitter Practitioner identified in Section A above. However, the adoption of this Plan, its qualification by the IRS, and the related tax consequences are the responsibility of the Employer and its independent tax and legal advisors. The Volume Submitter Practitioner will inform the adopting Employer of any amendments made to the volume submitter document, or of the discontinuance or abandonment of the volume submitter document.

RELIANCE ON VOLUME SUBMITTER PLAN: The adopting Employer may rely on an advisory letter issued to the Volume Submitter Practitioner by the Internal Revenue Service as evidence that the plan is qualified under Code Section 401 only if (1) the Employer's plan is identical to a volume submitter specimen plan with a currently valid favorable advisory letter, (2) the Employer has chosen only options permitted under the Adoption Agreement portion of the specimen document, (3) the Employer has followed the terms of the plan, and (4) all other conditions of section 19 of Revenue Procedure 2011-49 have been satisfied.

The Employer may not rely on an advisory letter in certain circumstances or with respect to certain qualification requirements as described in section 19 of Revenue Procedure 2011-49. For example, the Employer may not rely on an advisory letter with respect to the requirements of Section 415 if the Employer maintains or has ever maintained another plan covering some of the same participants. In those circumstances where an Employer is not permitted to rely on an advisory letter issued to the Volume Submitter Practitioner, either generally or with respect to a particular qualification requirement, the Employer may choose to apply to the Internal Revenue Service for a determination letter.

CAUTION: This volume submitter document has been designed for use solely by Employers that are state or local governmental entities. As such, it is designed solely for "governmental plans" that are exempt from Title I of ERISA and certain provisions of the Internal Revenue Code that otherwise apply to qualified plans. However, there may be restrictions under state or local law on a governmental Employer's right to establish its own qualified plan (or on the types of provisions that may be included in such plan). The Employer should consult with legal counsel to verify that the establishment of this plan (or the specific provisions elected in this Adoption Agreement) are not contrary to existing state law. Neither the Volume Submitter Practitioner nor its employees or representatives are authorized to provide legal or tax advice to the Employer or its employees or representatives. Failure to properly complete this Adoption Agreement may result in disqualification of the plan.

Signed this _____ day of _____, 20_____.

Name of Employer: Delta County, Michigan

Signed: _____

Printed name and title: _____

Name of Trustee*: _____

Signed: _____

Printed name and title: _____

Name of Co-Trustee*: _____

Signed: _____

Printed name and title: _____

Mailing Address of Trustee(s)*:

Approval of Volume Submitter Practitioner: The Employer's adoption of this volume submitter document is approved by the Volume Submitter Practitioner, VALIC Retirement Services Company.

By: _____

Name: _____

Title: _____

Date: _____

Appendix A

Special Effective Dates

Pursuant to Section 7.01(a) of the Basic Plan Document, the Employer may specify or change the effective date of one or more provisions of the Adoption Agreement by completing this Appendix A. The Employer may wish to specify one or more special effective dates if, for example, (i) certain Plan provisions will not be effective until a later date, or (ii) the Plan is being restated for the Pension Protection Act of 2006 (retroactive to the first day of the current Plan Year), and special effective dates are needed to reflect discretionary amendments to the Plan since the beginning of the Plan Year. However, no special effective date may be earlier than the Effective Date (or the Restated Effective Date, in the case of a restatement) of the Plan, and no special effective date shall result in the delay of a Plan provision beyond the permissible effective date under any applicable law. For periods prior to the special effective date(s) specified below, the Plan terms in effect prior to its restatement under this Adoption Agreement will control for purposes of the designated provisions.

SPECIAL EFFECTIVE DATES. The following special effective dates apply: (select a. or all that apply)

- a. **N/A.** The Employer is not electing any special effective dates.
- b. **Eligibility Requirements.** The Eligibility and/or Entry Date provisions in Section F. are effective: _____
- c. **Contributions and Forfeitures.** The Contribution and/or Forfeiture provisions in Section G. are effective: _____
- d. **Compensation.** The Compensation provisions in Section H. are effective: _____
- e. **Vesting.** The Vesting provisions in Section J. are effective: _____
- f. **Other special effective date(s):** _____



AMENDMENT FOR THE FINAL 415 REGULATIONS

ARTICLE I PREAMBLE

- 1.1 **Effective date of Amendment.** This Amendment is effective for limitation years and plan years beginning more than ninety (90) days after the close of the first regular legislative session (of the legislative body with authority to amend the Plan) that begins on or after July 1, 2007, except as otherwise provided herein.
- 1.2 **Superseding of inconsistent provisions.** This Amendment supersedes the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this Amendment.
- 1.3 **Employer's election.** The Employer adopts all Articles of this Amendment, except those Articles that the Employer specifically elects not to adopt.
- 1.4 **Construction.** Except as otherwise provided in this Amendment, any reference to "Section" in this Amendment refers only to sections within this Amendment, and is not a reference to the Plan. The Article and Section numbering in this Amendment is solely for purposes of this Amendment, and does not relate to any Plan article, section or other numbering designations.
- 1.5 **Effect of restatement of Plan.** If the Employer restates the Plan, then this Amendment shall remain in effect after such restatement unless the provisions in this Amendment are restated or otherwise become obsolete (e.g., if the Plan is restated onto a plan document which incorporates the final Code §415 Regulation provisions).

ARTICLE II EMPLOYER ELECTIONS

The Employer only needs to complete the questions in Section 2.2 in order to override the default provisions set forth below. If the Plan will use all of the default provisions, then these questions should be skipped.

- 2.1 **Default provisions.** Unless the Employer elects otherwise in Section 2.2, the following defaults will apply:
- a. The provisions of the Plan setting forth the definition of compensation for purposes of Code § 415 (hereinafter referred to as "415 Compensation"), shall be modified by (1) including payments for unused sick, vacation or other leave and payments from nonqualified unfunded deferred compensation plans (Section 3.2(b)), (2) excluding salary continuation payments for participants on military service (Section 3.2(c)), and (3) excluding salary continuation payments for disabled participants (Section 3.2(d)).
 - b. The "first few weeks rule" does not apply for purposes of 415 Compensation (Section 3.3).
 - c. The provision of the Plan setting forth the definition of compensation for allocation purposes (hereinafter referred to as "Plan Compensation") shall be modified to provide for the same adjustments to Plan Compensation (for all contribution types) that are made to 415 Compensation pursuant to this Amendment.
- 2.2 **In lieu of default provisions.** In lieu of the default provisions above, the following apply: (select all that apply; if no selections are made, then the defaults apply)

415 Compensation. (select all that apply):

- a. Exclude leave cashouts and deferred compensation (Section 3.2(b))
- b. Include military continuation payments (Section 3.2(c))
- c. Include disability continuation payments (Section 3.2(d)) for all participants, and the salary continuation will continue for the following fixed or determinable period: _____
- d. Apply the administrative delay ("first few weeks") rule (Section 3.3)

Plan Compensation. (select all that apply):

- f. No change from existing Plan provisions
- g. Exclude all post-severance compensation
- h. Exclude post-severance regular pay
- i. Exclude leave cashouts and deferred compensation
- j. Include post-severance military continuation payments
- k. Include post-severance disability continuation payments for all participants, and the salary continuation will continue for the following fixed or determinable period: _____
- l. Other (describe) _____

Plan Compensation Special Effective Date. The definition of Plan Compensation is modified as set forth herein effective as of the same date as the 415 Compensation change is effective unless otherwise specified:

m. _____ (enter the effective date)

**ARTICLE III
FINAL SECTION 415 REGULATIONS**

- 3.1 **Effective date.** The provisions of this Article III shall apply to limitation years beginning more than ninety (90) days after the close of the first regular legislative session (of the legislative body with the authority to amend the Plan) that begins on or after July 1, 2007.
- 3.2 **415 Compensation paid after severance from employment.** 415 Compensation shall be adjusted, as set forth herein and as otherwise elected in Article II, for the following types of compensation paid after a Participant's severance from employment with the Employer maintaining the Plan (or any other entity that is treated as the Employer pursuant to Code § 414(b), (c), (m) or (o)). However, amounts described in subsections (a) and (b) below may only be included in 415 Compensation to the extent such amounts are paid by the later of 2 1/2 months after severance from employment or by the end of the limitation year that includes the date of such severance from employment. Any other payment of compensation paid after severance of employment that is not described in the following types of compensation is not considered 415 Compensation within the meaning of Code § 415(c)(3), even if payment is made within the time period specified above.
- (a) **Regular pay.** 415 Compensation shall include regular pay after severance of employment if:
- (1) The payment is regular compensation for services during the participant's regular working hours, or compensation for services outside the participant's regular working hours (such as overtime or shift differential), commissions, bonuses, or other similar payments; and
- (2) The payment would have been paid to the participant prior to a severance from employment if the participant had continued in employment with the Employer.
- (b) **Leave cashouts and deferred compensation.** Leave cashouts shall be included in 415 Compensation, unless otherwise elected in Section 2.2 of this Amendment, if those amounts would have been included in the definition of 415 Compensation if they were paid prior to the participant's severance from employment, and the amounts are payment for unused accrued bona fide sick, vacation, or other leave, but only if the participant would have been able to use the leave if employment had continued. In addition, deferred compensation shall be included in 415 Compensation, unless otherwise elected in Section 2.2 of this Amendment, if the compensation would have been included in the definition of 415 Compensation if it had been paid prior to the participant's severance from employment, and the compensation is received pursuant to a nonqualified unfunded deferred compensation plan, but only if the payment would have been paid at the same time if the participant had continued in employment with the Employer and only to the extent that the payment is includible in the participant's gross income.
- (c) **Salary continuation payments for military service participants.** 415 Compensation does not include, unless otherwise elected in Section 2.2 of this Amendment, payments to an individual who does not currently perform services for the Employer by reason of qualified military service (as that term is used in Code § 414(u)(1)) to the extent those payments do not exceed the amounts the individual would have received if the individual had continued to perform services for the Employer rather than entering qualified military service.
- (d) **Salary continuation payments for disabled Participants.** Unless otherwise elected in Section 2.2 of this Amendment, 415 Compensation does not include compensation paid to a participant who is permanently and totally disabled (as defined in Code § 22(e)(3)). If elected, this provision shall apply to all participants for the period specified in Section 2.2 of this Amendment.
- 3.3 **Administrative delay ("the first few weeks") rule.** 415 Compensation for a limitation year shall not include, unless otherwise elected in Section 2.2 of this Amendment, amounts earned but not paid during the limitation year solely because of the timing of pay periods and pay dates. However, if elected in Section 2.2 of this Amendment, 415 Compensation for a limitation year shall include amounts earned but not paid during the limitation year solely because of the timing of pay periods and pay dates, provided the amounts are paid during the first few weeks of the next limitation year, the amounts are included on a uniform and consistent basis with respect to all similarly situated participants, and no compensation is included in more than one limitation year.
- 3.4 **Inclusion of certain nonqualified deferred compensation amounts.** If the Plan's definition of Compensation for purposes of Code § 415 is the definition in Regulation Section 1.415(c)-2(b) (Regulation Section 1.415-2(d)(2) under the Regulations in effect for limitation years beginning prior to July 1, 2007) and the simplified compensation definition of Regulation 1.415(c)-2(d)(2) (Regulation Section 1.415-2(d)(10) under the Regulations in effect for limitation years prior to July 1, 2007) is not used, then 415 Compensation shall include amounts that are includible in

the gross income of a Participant under the rules of Code § 409A or Code § 457(f)(1)(A) or because the amounts are constructively received by the Participant. [Note if the Plan's definition of Compensation is W-2 wages or wages for withholding purposes, then these amounts are already included in Compensation.]

3.5 **Definition of annual additions.** The Plan's definition of "annual additions" is modified as follows:

(a) **Restorative payments.** Annual additions for purposes of Code § 415 shall not include restorative payments. A restorative payment is a payment made to restore losses to a Plan resulting from actions by a fiduciary for which there is reasonable risk of liability for breach of a fiduciary duty under applicable federal or state law, where participants who are similarly situated are treated similarly with respect to the payments. Generally, payments are restorative payments only if the payments are made in order to restore some or all of the plan's losses due to an action (or a failure to act) that creates a reasonable risk of liability for such a breach of fiduciary duty (other than a breach of fiduciary duty arising from failure to remit contributions to the Plan). This includes payments to a plan made pursuant to a court-approved settlement to restore losses to a qualified defined contribution plan on account of the breach of fiduciary duty (other than a breach of fiduciary duty arising from failure to remit contributions to the Plan). Payments made to the Plan to make up for losses due merely to market fluctuations and other payments that are not made on account of a reasonable risk of liability for breach of a fiduciary duty are not restorative payments and generally constitute contributions that are considered annual additions.

(b) **Other Amounts.** Annual additions for purposes of Code § 415 shall not include: (1) The direct transfer of a benefit or employee contributions from a qualified plan to this Plan; (2) Rollover contributions (as described in Code §§ 401(a)(31), 402(c)(1), 403(a)(4), 403(b)(8), 408(d)(3), and 457(e)(16)); (3) Repayments of loans made to a participant from the Plan; and (4) Repayments of amounts described in Code § 411(a)(7)(B) (in accordance with Code § 411(a)(7)(C)) and Code § 411(a)(3)(D) or repayment of contributions to a governmental plan (as defined in Code § 414(d)) as described in Code § 415(k)(3), as well as Employer restorations of benefits that are required pursuant to such repayments.

(c) **Date of tax-exempt Employer contributions.** Notwithstanding anything in the Plan to the contrary, in the case of an Employer that is exempt from Federal income tax (including a governmental employer), Employer contributions are treated as credited to a participant's account for a particular limitation year only if the contributions are actually made to the plan no later than the 15th day of the tenth calendar month following the end of the calendar year or fiscal year (as applicable, depending on the basis on which the employer keeps its books) with or within which the particular limitation year ends.

3.6 **Change of limitation year.** The limitation year may only be changed by a Plan amendment. Furthermore, if the Plan is terminated effective as of a date other than the last day of the Plan's limitation year, then the Plan is treated as if the Plan had been amended to change its limitation year.

3.7 **Excess Annual Additions.** Notwithstanding any provision of the Plan to the contrary, if the annual additions (within the meaning of Code § 415) are exceeded for any participant, then the Plan may only correct such excess in accordance with the Employee Plans Compliance Resolution System (EPCRS) as set forth in Revenue Procedure 2006-27 or any superseding guidance, including, but not limited to, the preamble of the final §415 regulations.

3.8 **Aggregation and Disaggregation of Plans.**

(a) For purposes of applying the limitations of Code § 415, all defined contribution plans (without regard to whether a plan has been terminated) ever maintained by the Employer (or a "predecessor employer") under which the participant receives annual additions are treated as one defined contribution plan. The "Employer" means the Employer that adopts this Plan and all members of a controlled group or an affiliated service group that includes the Employer (within the meaning of Code §§ 414(b), (c), (m) or (o)), except that for purposes of this Section, the determination shall be made by applying Code § 415(h), and shall take into account tax-exempt organizations under Regulation Section 1.414(c)-5, as modified by Regulation Section 1.415(a)-1(f)(1). For purposes of this Section:

(1) A former Employer is a "predecessor employer" with respect to a participant in a plan maintained by an Employer if the Employer maintains a plan under which the participant had accrued a benefit while performing services for the former Employer, but only if that benefit is provided under the plan maintained by the Employer. For this purpose, the formerly affiliated plan rules in Regulation Section 1.415(f)-1(b)(2) apply as if the Employer and predecessor Employer constituted a single employer under the rules described in Regulation Section 1.415(a)-1(f)(1) and (2) immediately prior to the cessation of affiliation (and as if they constituted two, unrelated employers under the rules described in Regulation Section 1.415(a)-1(f)(1) and (2) immediately after the cessation of affiliation) and cessation of affiliation was the event that gives rise to the predecessor employer relationship, such as a transfer of benefits or plan sponsorship.

(2) With respect to an Employer of a participant, a former entity that antedates the Employer is a "predecessor employer" with respect to the participant if, under the facts and circumstances, the employer constitutes a continuation of all or a portion of the former entity.

(b) **Break-up of an affiliate employer or an affiliated service group.** For purposes of aggregating plans for Code § 415, a "formerly affiliated plan" of an employer is taken into account for purposes of applying the Code § 415 limitations to the employer, but the formerly affiliated plan is treated as if it had terminated immediately prior to the "cessation of affiliation." For purposes of this paragraph, a "formerly affiliated plan" of an employer is a plan that, immediately prior to the cessation of affiliation, was actually maintained by one or more of the entities that constitute the employer (as determined under the employer affiliation rules described in Regulation Section 1.415(a)-1(f)(1) and (2)), and immediately after the cessation of affiliation, is not actually maintained by any of the entities that constitute the employer (as determined under the employer affiliation rules described in Regulation Section 1.415(a)-1(f)(1) and (2)). For purposes of this paragraph, a "cessation of affiliation" means the event that causes an entity to no longer be aggregated with one or more other entities as a single employer under the employer affiliation rules described in Regulation Section 1.415(a)-1(f)(1) and (2) (such as the sale of a subsidiary outside a controlled group), or that causes a plan to not actually be maintained by any of the entities that constitute the employer under the employer affiliation rules of Regulation Section 1.415(a)- 1(f)(1) and (2) (such as a transfer of plan sponsorship outside of a controlled group).

(c) **Midyear Aggregation.** Two or more defined contribution plans that are not required to be aggregated pursuant to Code § 415(f) and the Regulations thereunder as of the first day of a limitation year do not fail to satisfy the requirements of Code § 415 with respect to a participant for the limitation year merely because they are aggregated later in that limitation year, provided that no annual additions are credited to the participant's account after the date on which the plans are required to be aggregated.

**ARTICLE IV
PLAN COMPENSATION**

- 4.1 **Compensation limit.** Notwithstanding Amendment Section 4.2 or any election in Amendment Section 2.2., if the Plan is a 401(k) plan, then participants may not make elective deferrals with respect to amounts that are not 415 Compensation. However, for this purpose, 415 Compensation is not limited to the annual compensation limit of Code § 401(a)(17).
- 4.2 **Compensation paid after severance from employment.** Compensation for purposes of allocations (hereinafter referred to as Plan Compensation) shall be adjusted, unless otherwise elected in Amendment Section 2.2, in the same manner as 415 Compensation pursuant to Article III of this Amendment, except in applying Article III, the term "limitation year" shall be replaced with the term "plan year" and the term "415 Compensation" shall be replaced with the term "Plan Compensation."
- 4.3 **Option to apply Plan Compensation provisions early.** The provisions of this Article shall apply for Plan Years beginning more than ninety (90) days after the close of the first regular legislative session (of the legislative body with authority to amend the Plan) that begins on or after July 1, 2007, unless an earlier effective date is specified in Section 2.2. of this Amendment.

_____ (signature and date)

This amendment has been executed this _____ day of _____, _____.

Name of Plan: Delta County Retirement Health Savings Plan

Name of Employer: Delta County, Michigan

By: _____

Name: _____

Title: _____