

CLINTON COUNTY BOARD OF COMMISSIONERS

COURTHOUSE
100 E. STATE STREET
ST. JOHNS, MICHIGAN 48879-1571
989-224-5120



Chairperson
Robert Showers
Vice-Chairperson
David Pohl

Members
Bruce DeLong
Kenneth B. Mitchell
Anne Hill
Adam C. Stacey
Kam J. Washburn

Administrator
Ryan L. Wood
Clerk of the Board
Diane Zuker

RESOLUTION 2016-15 ADOPTING RESTATED POST RETIREMENT HEALTH CARE PLAN AND TRUST AGREEMENT

At a regular meeting of the Board of Commissioners of Clinton County, Michigan, held at the County offices located at 100 East State Street, St. Johns, Michigan, 48879, on the 30th day of August, 2016, at 9:00 a.m.

PRESENT: Commissioners Kam Washburn, David Pohl, Bruce DeLong, Robert Showers, Anne Hill and Adam Stacey.

ABSENT: Kenneth B. Mitchell

The following Resolution was offered by Commissioner Washburn and seconded by Commissioner Pohl.

WHEREAS, Clinton County adopted the Clinton County Post Retirement Health Care Plan and Trust Agreement (the “Plan and Trust”) for the benefit of its eligible retirees effective as of May 1, 2002; and

WHEREAS, the Plan and Trust have been restated in order to incorporate discretionary changes made by the County and legal compliance changes that have occurred since the original May 1, 2002 effective date of the Plan and Trust; and

WHEREAS, Clinton County, in its sole discretion, by action of the Board of Commissioners of Clinton County, has the authority to amend the Plan and Trust at any time and to delegate certain duties with regard to the Plan and Trust; and

WHEREAS, the Clinton County Board of Commissioners desires to adopt the restated Plan and Trust and delegate certain enumerated duties relating to the Plan and Trust to the office of the County Administrator.

NOW, THEREFORE, BE IT RESOLVED, by the Clinton County Board of Commissioners, Clinton County, Michigan, as follows:

1. That the restated Clinton County Post Retirement Health Care Plan and Trust Agreement (the “Plan and Trust”) is hereby adopted effective as set forth therein.
2. That the Board of Commissioners hereby delegates to the office of the County Administrator the discretionary authority and responsibility for the discharge of the duties related to the Plan and Trust that are listed below (the “Delegated Duties”):

- a. communicating with participants regarding all aspects of participation in the Plan and Trust;
- b. providing any required notices to Plan and Trust participants;
- c. determining participant eligibility and processing benefit payments;
- d. addressing claims for benefits and appeals of claim denials and determining participant rights and benefits;
- e. interpreting the Plan and Trust, construing ambiguities and correcting omissions;
- f. responding to participants' requests for information;
- g. keeping accurate Plan and Trust records;
- h. complying with applicable tax reporting requirements;
- i. approving post-retirement insurance policy terms and premium costs;
- j. performing any testing that is appropriate for the purpose of ensuring that the Plan and Trust satisfies the requirements of Internal Revenue Code Section 501(c)(9); and
- k. employing or consulting with advisors, accountants, legal counsel, record keepers, third-party administrators, and others as necessary in order to assist in the performance of the foregoing duties.

The Delegated Duties do not include the authority to amend, terminate or freeze the Plan and Trust. That authority remains with the Clinton County Board of Commissioners.

- 3. That the Chairperson or any officer of the Clinton County Board of Commissioners is hereby authorized to execute the restated Plan and Trust and any other documents that are necessary to implement the foregoing resolutions on behalf of the County.

YEAS: Six (6) NAYS: Zero (0) ABSENT: One (1)

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
)
 COUNTY OF CLINTON)

CERTIFICATION

I, the undersigned, the duly qualified and acting Clerk of the County Board of Commissioners of Clinton County, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Board of said County at a regular meeting held on the 30th day of August, 2016.

Diane Zuker
 Clinton County Clerk