



Monroe County
Board of Commissioners

Monroe County Courthouse

125 East Second Street Monroe, Michigan 48161-2197

Telephone: 734.240.7003 – Fax: 734.240.7004

R. LaMar Frederick, Chairman – William D. Sisk, Vice-Chairman

Audrey Lewis, Deputy Clerk

October 1, 2012

Mr. Royce Maniko
Secretary
Monroe County Employee's Retirement System
125 East Second Street
Monroe, MI 48161

Re: Supplemental Pension Benefit Resolution and Amendment to Section 8.6 of the Monroe County Employee's Retirement System

Dear Mr. Maniko:

At the Regular Meeting of the Monroe County Board of Commissioners held on Tuesday, September 25, 2012, the Board of Commissioners unanimously approved the following:

- Resolution to Adopt a New Monroe County Employees Post-Retirement Supplemental Pension Benefit Program and Repeal the Old Program
- Amendment to Section 8.6, entitled "Post-Retirement Pension Adjustment".

A signed original of each of these documents is attached for your use in transmitting this information to the Retirement Board of Trustees and for recordkeeping purposes.

In addition, enclosed is a copy of the Notice of Adoption published in the Monroe Evening News on Saturday, September 29, 2012 along with the affidavit of publication. Again, the Notice of Adoption and the affidavit of publication should be kept on file with the records of the Monroe County Employee's Retirement System.

Finally, the Resolution directs the Board of Trustees to terminate the Excess Earnings Reserve Fund and transfer the remaining amount, after the 2012 year payment of the supplemental benefit of \$50,000, to the general assets of the pension fund for the benefit of all retirees of the Sheriff's, General County, Dispatcher and County Agency employee groups.

Please let me know if you need any additional information or documents with respect to the action of the Monroe County Board of Commissioners.

Sincerely,

A handwritten signature in black ink, appearing to read "R. LaMar Frederick". The signature is written in a cursive style with a large initial "R".

R. LaMar Frederick, Chairman
Monroe County Board of Commissioners

**COUNTY OF MONROE
(MICHIGAN)**

**RESOLUTION TO ADOPT A NEW
MONROE COUNTY EMPLOYEES POST-RETIREMENT
SUPPLEMENTAL PENSION BENEFIT PROGRAM AND REPEAL THE OLD
PROGRAM**

WHEREAS, the Monroe County Board of Commissioners, as the governing body of Monroe County, Michigan, a Michigan county government, has established the Monroe County Employees Retirement System pursuant to Section 12a of Act No. 156 of the Michigan Public Acts of 1851, as amended; and

WHEREAS, the Monroe County Board of Commissioners has adopted the Monroe County Employees Retirement System Ordinance to provide and regulate retirement benefits for its County employees; and

WHEREAS, that Monroe County Employees Retirement System Ordinance provided in Section 8.6 for certain post-retirement supplemental pension benefits to be paid to retirees under the Monroe County Employees Retirement System; and

WHEREAS, the Monroe County Board of Commissioners has or will in the near future amend said Section 8.6 of the Monroe County Employees Retirement System Ordinance, but will retain, in a modified form, the post-retirement supplemental pension benefit program under said Section 8.6; and

WHEREAS, the Monroe County Board of Commissioners passed a Motion at its regular County Board meeting on September 11, 2012, authorizing a change in the post-retirement supplemental pension benefit program; and

WHEREAS, the Monroe County Board of Commissioners wishes to adopt by this Resolution a new post-retirement supplemental pension benefit program for 2012 and subsequent years.

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Monroe County Board of Commissioners of the County of Monroe, Michigan, a Michigan county government, hereby establishes its new form of the post-retirement supplemental pension benefit program pursuant to Section 8.6 of the Monroe County Employees Retirement System Ordinance; and

IT IS FURTHER RESOLVED, that the new post-retirement supplemental pension benefit program for the Monroe County Employees Retirement System shall be in effect as stated in this Resolution, from year to year, until further modified or terminated by the Monroe County Board of Commissioners; and

IT IS FURTHER RESOLVED, that the total dollar amount of the post-retirement supplemental pension benefit paid for all qualified retirees each year that a post-retirement supplemental pension benefit is authorized by the Monroe County Board of Commissioners, shall be \$50,000.00, and that shall be the total annual amount paid to all qualified retirees or their eligible spouses regardless of how many retirees or the eligible spouses qualify for and are being paid under the post-retirement supplemental pension benefit program; and

IT IS FURTHER RESOLVED, that the amount of the individual post-retirement supplemental pension benefit paid to each qualified retiree or their eligible spouses where a post-retirement supplemental pension benefit has been authorized for any particular year, shall be an equal amount for each and every qualified retiree or the retiree's eligible spouse, such that the \$50,000.00 total annual payment amount shall be spread equally among all of those qualified retirees or their eligible spouses; and

IT IS FURTHER RESOLVED, that beginning in 2012, and for each year thereafter, the Monroe County Board of Commissioners shall determine whether the \$50,000.00 post-retirement supplemental pension benefit shall be paid to the retirees who qualify or their eligible spouses, and the Monroe County Board of Commissioners may approve or not approve the post-retirement supplemental pension benefit payment in any particular year for any reason it deems appropriate; and

IT IS FURTHER RESOLVED, that for 2012, the payment of a post-retirement supplemental pension benefit is authorized and it shall be made to the retirees who qualify or their eligible spouses, in the total amount of \$50,000.00, to be spread equally among the qualifying retirees or their eligible spouses; and

IT IS FURTHER RESOLVED, that for any year subsequent to 2012, the Monroe County Board of Commissioners may approve or not approve the payment of the \$50,000.00 post-retirement supplemental pension benefit by resolution or motion passed at any of its public meetings, which shall then be transmitted to the Board of Trustees of the Monroe County Employees Retirement System for it to make payment or no payment of that year's benefit to the qualifying retirees or their eligible spouses; and

IT IS FURTHER RESOLVED, that the retirees of the Monroe County Employees Retirement System, in order for them or their eligible spouses to receive an individual post-

retirement supplemental pension benefit payment for 2012 and for future years, must qualify as provided for in this Resolution; and

IT IS FURTHER RESOLVED, that in order to qualify for an individual post-retirement supplemental pension benefit payment, the retiree must be age 62, or if deceased, would have been age 62 by December 1 of the year in which the post-retirement supplemental pension benefit payment is authorized by the Monroe County Board of Commissioners, which for 2012, means that the retiree must be age 62, or if deceased, would have been age 62 by December 1, 2012 in order for the retiree or the retiree's eligible spouse to receive the authorized individual post-retirement supplemental pension benefit payment for 2012; and

IT IS FURTHER RESOLVED, that in order to qualify for an individual post-retirement supplemental pension benefit payment, the retiree shall have been retired for no less than ten years as of December 1 of the year in which the post-retirement supplemental pension benefit payment is authorized by the Monroe County Board of Commissioners, which for 2012, means that the retiree shall have been retired by December 1, 2002, which is ten years back from December 1, 2012, the year in which the 2012 post-retirement supplemental pension benefit has been authorized; and

IT IS FURTHER RESOLVED, that in order to qualify for an individual post-retirement supplemental pension benefit payment, at the time of retirement of the retiree, the retiree shall have worked full time for the County of Monroe for a continuous period of no less than ten years previous to the date of retirement for the retiree; and

IT IS FURTHER RESOLVED, that in order to qualify for an individual post-retirement supplemental pension benefit payment, the retiree or the retiree's eligible spouse shall be receiving no more than \$1,225.00 in monthly retirement benefits from the Monroe County Employees Retirement System; and

IT IS FURTHER RESOLVED, that in order to qualify for an individual post-retirement supplemental pension benefit payment, the retiree or the retiree's eligible spouse shall be living as of December 1 in the year in which a post-retirement supplemental pension benefit payment has been authorized by the Monroe County Board of Commissioners; and

IT IS FURTHER RESOLVED, that a spouse of a deceased retiree continuing to receive a pension benefit from the Monroe County Employees Retirement System in an amount not exceeding \$1,225.00 per month, and where the retiree would qualify for an individual post-retirement supplemental pension benefit payment if living, shall be eligible to participate in the post-retirement supplemental pension benefit program, and in order to qualify for a payment, an eligible spouse who survives a deceased qualifying retiree shall be living as of December 1 in the year in which a post-retirement supplemental pension benefit payment has been authorized by the Monroe County Board of Commissioners; and

IT IS FURTHER RESOLVED, that the Monroe County Board of Commissioners directs the Board of Trustees of the Monroe County Employees Retirement System to issue or not issue the post-retirement supplemental pension benefit payments in accordance with this Resolution and the future annual directives of the Monroe County Board of Commissioners, and further directs said Board of Trustees to terminate the Excess Earnings Reserve Fund previously utilized to fund the post-retirement supplemental pension benefit program, and transfer the remaining funds on hand, less the \$50,000.00 to be used for the post-retirement supplemental pension benefit payment for 2012, to the general County pension fund; and

IT IS FURTHER RESOLVED, that the Monroe County Board of Commissioners shall fund from its annual contribution to the general County pension fund, or shall direct the Board of Trustees of the Monroe County Employees Retirement System to fund from the general County pension fund, any post-retirement supplemental pension benefit payments authorized for future years after 2012; and

IT IS FURTHER RESOLVED, that a copy of this Resolution shall be provided to the Board of Trustees for the Monroe County Employees Retirement System; and

IT IS FURTHER RESOLVED, that the post-retirement supplemental pension benefit program may be modified or terminated at any time by the Monroe County Board of Commissioners; and

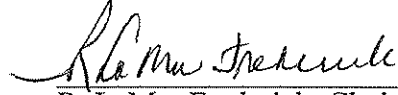
IT IS FURTHER RESOLVED, that any and all previously adopted resolutions, policies or programs of the Monroe County Board of Commissioners that are inconsistent with this Resolution are hereby repealed and terminated.

This Resolution was adopted by the Monroe County Board of Commissioners at a regular meeting held at the Monroe County Board Chambers, Monroe County Courthouse, Monroe County, Michigan, by a vote of a majority of the membership of the County Board of Commissioners, on the 25th day of September, 2012.

This Resolution was offered by Commissioner Bell, and supported by Commissioner Hoffman.

A roll call vote was taken and this Resolution was passed by a vote of: 8 For / 0 No

The Resolution Was Declared Adopted.



R. LaMar Frederick, Chairman
Monroe County Board of Commissioners

ATTEST:



Sharon Lemasters, Monroe County Clerk

WTG/bic
COUNTY\resolution.postretirementbenefits

AN ORDINANCE ENACTED PURSUANT TO ACT NO. 156 OF THE MICHIGAN PUBLIC ACTS OF 1851, AS AMENDED, TO AMEND SECTION 8.6, ENTITLED "POST-RETIREMENT PENSION ADJUSTMENTS", OF THE MONROE COUNTY EMPLOYEES RETIREMENT SYSTEM ORDINANCE; TO PROVIDE FOR THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE OF THE PERSONS AND PROPERTIES OF THE COUNTY OF MONROE; AND TO REPEAL ORDINANCES AND LAWS IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE MONROE COUNTY BOARD OF COMMISSIONERS THAT:

1. Section 8.6 of the Monroe County Employees Retirement System Ordinance is hereby deleted from said Ordinance, and a new Section 8.6 is hereby adopted to replace the deleted old Section 8.6, such that the new Section 8.6 shall read as follows:

Post-Retirement Supplemental Pension Benefit Program.

Section 8.6. The Monroe County Board of Commissioners hereby adopts for the County its new form of the previously existing post-retirement supplemental pension benefit program. The new form of the post-retirement supplemental pension benefit program shall be in effect for 2012 and subsequent years until modified or terminated by the Monroe County Board of Commissioners, which the County Board may do at any time. Post-retirement supplemental pension benefits may be paid by the Monroe County Employees Retirement System in an amount, and to those retirees deemed to qualify or their eligible spouses, and for those years annually approved for payment by the Monroe County Board of Commissioners, in an amount, manner and form as determined by resolution from time to time by the Monroe County Board of Commissioners, and as specifically authorized annually by the Monroe County Board of Commissioners prior to the end of each calendar year. The Monroe County Board of Commissioners shall establish by resolution the amounts, qualifying retirees or their eligible spouses, and general rules to regulate the post-retirement supplement pension benefits program, which shall be the governing rules from year to year, until modified or terminated by further resolution of the Monroe County Board of Commissioners. Pursuant to those rules

governing the post-retirement supplemental pension benefit program adopted by resolution of the Monroe County Board of Commissioners, the Monroe County Board of Commissioners shall act by resolution or motion at one of its public meetings during the year, to make the annual determination of whether to pay or not pay the post-retirement supplemental pension benefit payment for that particular year. In making its annual determination, the Monroe County Board of Commissioners may request from the Board of Trustees a status report as to the actuarial integrity and viability of the Monroe County Employees Retirement System, and the Board of Trustees shall cooperate with the Monroe County Board of Commissioners in submitting this information when requested. Obtaining this information from the Board of Trustees is not required for the Monroe County Board of Commissioners to act annually on determining whether a post-retirement supplemental pension benefit payment should be made for any particular year. Payment of any post-retirement supplemental pension benefit payment shall in no way be construed as a permanent increase in regular pension payments, nor does it establish for eligible retirees or their spouses any form of accrued or vested benefits, rights or entitlements, and the Monroe County Board of Commissioners shall be under no requirement to authorize the payment of any post-retirement supplemental pension benefit payments in any particular year, or at any time. The authorization to make any annual payment or not make any annual payment of a post-retirement supplemental pension benefit shall be solely within the discretion of the Monroe County Board of Commissioners. The provisions of this Section 8.6 providing for the post-retirement supplemental pension benefit program shall not apply to the retired employees, spouses or any beneficiaries of the Monroe County Board of Road Commissioners, the Monroe County Library System, or the Monroe County Community Mental Health Authority.

2. This Ordinance to amend the Monroe County Employees Retirement System Ordinance is adopted pursuant to the authority set forth in the Monroe County Employees Retirement System Ordinance, and Section 16.2 of said Ordinance, and in general, by the authority vested in Act No. 156 of the Michigan Public Acts of 1851, as amended.

3. If any portion of this Ordinance Amendment is held to be invalid by any court of competent jurisdiction, said decision shall not affect the validity of the remaining provisions of this Ordinance Amendment.

4. This Ordinance shall take effect when notice of its adoption is published in a newspaper of general circulation in the County of Monroe, Michigan, or as otherwise provided by law.

Made and passed by the Monroe County Board of Commissioners of the County of Monroe, Michigan, a Michigan county government, on this 25th day of September, 2012.



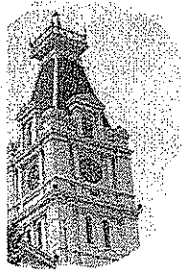
R. LaMar Frederick, Chairman
Monroe County Board of Commissioners

ATTEST:


Sharon Lemasters, Monroe County Clerk

I, Sharon Lemasters, Monroe County Clerk, of the County of Monroe, Michigan, a Michigan county government, do hereby testify and certify that Notice of Adoption of the foregoing Ordinance was published in the Monroe Evening News, a newspaper published and circulated on the 29th day of September, 2012.


Sharon Lemasters, Monroe County Clerk



Monroe County
Board of Commissioners

Monroe County Courthouse
125 East Second Street Monroe, Michigan 48161-2197
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R. LaMar Frederick, Chairman – William D. Sisk, Vice-Chairman
Audrey Lewis, Deputy Clerk

October 1, 2012

Mr. Royce Maniko
Secretary
Monroe County Employee's Retirement System
125 East Second Street
Monroe, MI 48161

Re: Supplemental Pension Benefit Resolution and Amendment to Section 8.6 of the Monroe County Employee's Retirement System

Dear Mr. Maniko:

At the Regular Meeting of the Monroe County Board of Commissioners held on Tuesday, September 25, 2012, the Board of Commissioners unanimously approved the following:

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Please let me know if you need any additional information or documents with respect to the action of the Monroe County Board of Commissioners.

Sincerely,


R. LaMar Frederick, Chairman

Monroe County Board of Commissioners

STATE OF MICHIGAN
COUNTY OF MONROE SS

PAID PUBLIC NOTICE

NOTICE OF ADOPTION
OF MONROE COUNTY ORDINANCE
TO AMEND SECTION 8.6 OF THE
MONROE COUNTY EMPLOYEES
RETIREMENT SYSTEM ORDINANCE
TO ADOPT A NEW POST-
RETIREMENT SUPPLEMENTAL
PENSION BENEFIT PROGRAM

TAKE NOTICE that on September 25, 2012, the Monroe County Board of Commissioners, of the County of Monroe, Michigan, a Michigan county government, adopted an Ordinance to amend Section 8.6 of the Monroe County Employees Retirement System Ordinance to provide for a new post-retirement supplemental pension benefit program. A copy of said Ordinance is available at the office of the Monroe County Clerk, the Monroe County Board of Commissioners at 125 East Second Street, Monroe, Michigan 48161, and on the County of Monroe web site: www.co.monroe.mi.us for public review and inspection. Pursuant to MCL 46.11(j), which is part of Act No. 156 of the Michigan Public Acts of 1951, as amended, the electors of the County of Monroe have a right of referendum relative to said Ordinance. This Ordinance shall become effective, unless otherwise provided by law, when published.

Dated: September 26, 2012
R. LaMar Frederick, Chairman
Monroe County
Board of Commissioners

I, Sharon Lemasters, Monroe County Clerk of the County of Monroe, Michigan, a Michigan county government, do hereby testify and certify that the Ordinance referenced above was duly adopted by a majority of the members of the Monroe County Board of Commissioners elected and serving, on the 25th day of September, 2012.

Sharon Lemasters
Monroe County Clerk

SEPTEMBER 29, 2012

Jay S. Hollon being first duly sworn, says that he is the Treasurer of The Monroe Evening News, a newspaper published in the English language for the dissemination of local or transmitted news and intelligence of a general character and legal news and which is a duly qualified newspaper, printed, published and circulated in the County of Monroe. The annexed notice is a printed copy taken from said newspaper, and has been duly published in said newspaper for one insertions, and that the first publication thereof was on the 29th day of September A.D. 2012 and the last publication thereof was on the 29th day of September A.D. 2012.

Jay S. Hollon

Sworn to and subscribed before me this 1st day of October A.D. 2012.

Janet Latondress
JANET LATONDRESS

Notary Public, Monroe County, Mich.

My commission expires Notary Public, Monroe County, Mich.

My Commission Expires Jan. 25, 2013