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Clerk

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Trustees

Robert C. Homan  
Manager

## **PLAINFIELD CHARTER TOWNSHIP**

### **SPECIAL BOARD OF TRUSTEES MEETING JUNE 28, 2010 7:00 P.M.**

PLAINFIELD CHARTER TOWNSHIP OFFICES  
6161 BELMONT AVENUE NE, BELMONT, MI 49306  
(616) 364-8466

### AGENDA

1. Call Meeting to Order
2. Closed Session as permitted under Section 8(h)
  - Discuss legal opinion regarding changes to employees' and retirees' health insurance benefits
3. Open Meeting
  - Receive and discuss Insurance Advisory Committee recommendations
4. Public Comments
5. Adjournment



# PLAINFIELD CHARTER TOWNSHIP

## Memorandum

Date: June 23, 2010  
To: Members of the Township Board  
From: Robert C. Homan, Township Manager

**SUBJECT: Special Meeting June 28 7:00 PM to receive and discuss Plainfield Township Employees and Retirees Health Insurance Benefit Restructuring Proposal**

The Township Board has requested that the matter of Other Post Employment Benefits ("OPEB") liability for retiree health insurance benefits be analyzed and proposed restructuring or changes to the Township's health insurance program be discussed. The Township's Insurance Advisory Committee has been meeting for months to prepare a recommended proposal to generate this discussion, and it is attached to this memorandum, along with an indepth analysis of issues and legal considerations by attorney Timothy Tornga, a specialist/expert in these matters. His legal opinion is "Privileged and Confidential," to be handled as such and to be discussed on June 28 in closed session of the Township Board.

Among other things, his memorandum suggests that initial discussion and development of policy on this subject be limited to non-bargaining unit employees and retirees. In concurring with this, I encourage the Board to eventually establish a template, or standard, for dealing with the matter of health insurance, particularly retiree health insurance. I am assuming that whatever the Board ultimately decides to do with the non-bargaining unit group is what the Board intends to accomplish with the other groups. There will be negotiations, bargaining, and perhaps even arbitration (with the IAFF), but all that will follow the Board's determination on what kind of revisions to the current benefit structure that you wish to see.

After the closed session with Mr. Tornga, the Board can receive the Insurance Committee's recommended proposal, discuss and ask questions about it and related matters, and then to hear comments from the public - which will probably include a number of employees and retirees. I doubt that the Board will move to adopt the proposal or modification of it on the 28th; rather, the Board may consider tasking the committee or others to consider other options and ideas to be brought back to the Board at a later date. Perhaps by the end of this year, the Board will have worked through this complex issue and settle on a new benefit structure that addresses everyone's concern about the sustainability and evolution of the Township's health insurance benefit program.



# Insurance Committee Proposal

## Current Non-bargaining Employees

1. Employees will contribute to payment of their health insurance premium as follows:  
(currently 5%)

	<u>2010 mo. rates</u>	<u>Single</u>	<u>Double</u>	<u>Family</u>
a.	2011 10%	\$ 28.21	\$ 62.05	\$ 81.80
b.	2012 15%	42.31	93.08	122.70
c.	2013 20%	56.41	124.10	163.59

2. No retiree health insurance benefit until a minimum of 15 years of service with Plainfield Township. (Currently have a 10 years of service benefit – ½ of a 1-person policy). Currently, at 15 years of service an employee is provided 1-person health insurance coverage with the Township paying 100% of the premium. At 20 years of service an employee is provided a 2-person policy.
3. An employee must be age 62 (currently age 55) upon termination of employment from Plainfield Township to receive retirement health insurance benefits based on their years of service; OR
4. An employee with 30-years of employment or more with Plainfield Township may terminate employment (“retire”) prior to age 62 and be able to claim the retirement insurance benefit, but cannot actually enroll in Plainfield Township retirement health insurance (begin receiving the benefit) until age 62 (new) ✓
5. NEW Option – Employees having at least 15 years of service with Plainfield Township and have reached age 55, but less than age 62, upon voluntary separation from employment (retirement) with Plainfield Township may elect to receive a monthly cash payment equal to 80% of the value of their earned retirement health insurance premium, based on years of service. The value of this monthly payment will be frozen at the 80% cost of the earned premium at the time of retirement to age 65. Upon turning 65, the employee will continue to receive a monthly cash payment equal to 80% of the value of their earned retirement health insurance premium, based on years of service, OR a monthly cash payment equal to 80% of the value of a Medicare-type policy, based on years of service, **whichever is less**. This is a one-time election and an employee will not be able to opt back in the Township’s insurance program. This benefit does not transfer to a spouse upon the death of employee. (new)

**Retirees** (Retiree: A person who is at least 62 years of age at the time they cease employment with Plainfield Charter Township)

1. Current and future retirees living in Michigan will contribute to payment of their health insurance premium at the same level as non-bargaining unit employees. **(Currently 0%)**

	<u>2010 mo. rates</u>	<u>Single</u>	<u>Double</u>
a.	2011 10%	\$ 27.58	55.15
b.	2012 15%	\$ 41.36	82.73
c.	2013 20%	\$ 55.15	110.30

2. Current and future retirees who are not legal Michigan residents will be paid monthly, an amount equal to 80% of their earned retiree health care benefit, based on the rates of the Township's Michigan retirees' policy, to be used towards health insurance. These individuals may not opt back into coverage under the Township's insurance plan. **(Township currently pays more for out-of-state policies)**
3. Current and future retirees may choose cash-in-lieu of health insurance (now \$2,600), the amount to be determined annually by the Board of Trustees, at the same level as non-bargaining unit employees, with the provision to opt back in the Township's health insurance program if spouse's insurance plan is terminated or substantially changes, subject to the provider. This option cannot be used in conjunction with any other option or benefit election. **(New)**
4. The level of benefits (services and cost sharing) for health insurance (not drug copays or reimbursements) for retirees will be substantially similar to that of current non-bargaining unit employees. **(Current)**

# PLAINFIELD CHARTER TOWNSHIP

## PERSONNEL POLICY MANUAL

### 1.00 GENERAL

#### 1.01 SCOPE

The provisions of this policy shall apply to all employees of Plainfield Charter Township, except where provisions of contracts with bargaining units supersede policies, procedures, and benefits described herein. Certain provisions of this policy shall not apply to elected officials where noted by an asterisk(\*). To the extent that the policies contained in this Manual are covered by or conflict with a written agreement executed by the employee and the Township, the written agreement will control. This policy supersedes and replaces all previous policies promulgated and distributed by Plainfield Charter Township.

#### 1.02 EQUAL OPPORTUNITY

Plainfield Charter Township is an "Equal Employment Opportunity" employer and is pledged to nondiscrimination in employment as required by law.

#### 1.03 ADMINISTRATION

The Township Superintendent is the Chief Administrative Officer and is responsible for the operation of all departments not specifically assigned to other officers by state statute. The Township Superintendent, although responsible for the administration of these policies, shall (where appropriate) consult with and receive advice from individual department heads where employees directly supervised by them are subject to final determinations by the Superintendent.

All applicants for employment must complete the official application form. The Township Superintendent, after receiving advice from the respective department head, has sole authority to hire or discharge any employee according to the procedures adopted by the Township Board. The Township Board must approve employment and termination of department heads by the Superintendent.

#### 1.04 INTENT OF POLICIES

These Personnel Policies have been developed for the use of employees so that there may be an awareness of the policies and procedures governing employment with Plainfield

Charter Township and about the various benefits available to them. Neither this Personnel Policy nor any statement therein purports to create any contract of employment other than a contract of at-will employment. An understanding of these Personnel Policies will promote teamwork, cooperation and serve the best interests of all employees.

#### 1.05 AMENDING OF POLICIES

The employment policies and benefits contained in this Personnel Policy may be modified, deleted or added to from time to time by the Plainfield Charter Township Board in its sole discretion. Employees will be notified of any such changes. Revisions will be distributed in written form to be placed in the Personnel Policy. Employees are responsible for keeping their copy of the Personnel Policy current.

#### 1.06 PERSONNEL RECORDS

Personnel files are maintained for all employees. Employees must advise the Township Clerk of their current address, telephone number, marital status, name of person to notify in case of emergency, and the names and addresses of their dependents as well as any changes in this information. The Clerk will provide this information to the Township Superintendent and Accounting Manager. Employees desiring their personnel information to be released to outside parties shall provide a signed authorization. Employees may review the contents of their personnel files upon request to the Township Superintendent, but may not remove their personnel file. Access to an employee's personnel file is limited to the Township Superintendent, an employee's supervisor, the employee and such other agents of the Township as deemed necessary by the Township Superintendent. Other individuals under the Freedom of Information Act may also access personnel files; however, such access is limited to requests for specific documents and not for the file itself. Personnel files are kept in three locations: (1) The Clerk's Office - for insurance, workers compensation, retirement account administration, and related purposes; (2) The Accounting Manager's Office - for payroll purposes; and (3) the Superintendent's Office - for hiring and termination, performance reviews, promotions, grievances and complaints, compensation changes, and disciplinary purposes. Requests for information should be made to the appropriate office.

5.00 EMPLOYEE BENEFITS

5.01 UNIFORMS

Employees may be required to wear a uniform or specified clothing with Township identification while on duty. These employees will be supplied uniforms or specified clothing with Township logo, or they will be provided an adequate allowance to purchase them.

5.02 MILEAGE

Regular full-time employees using personal vehicles for authorized Township business will receive mileage allowance at the current IRS rate.

5.03 RETIREMENT PLAN

The Township provides a retirement plan. <sup>For full time</sup> Employees hired after November 1, 2001, are required to participate in this plan immediately upon hiring. Employees will contribute at least 5% of their gross annual wages, and the Township shall contribute 7.5%. Employees desiring to increase their contribution to their retirement plan account shall contact the Township Clerk - Retirement Plan Administrator. After 10 consecutive years of regular full time employment the Township contribution will be 10%. After 15 consecutive years of regular full time employment, the Township contribution will be 12.5%. The Township's Retirement Plan Administrator shall provide all participating employees a summary of the Plan's rules, procedures, and options and any amendments as they are made.

Notwithstanding the above, the Township Board may approve other levels of Township Contribution to the retirement plan of individuals who are new hires as department heads or other management employees.

Employees are 100% vested in their retirement account after 22 months of enrollment. Questions concerning the administration of the Plan should be directed to the Township Clerk - Retirement Plan Administrator.

5.04 HEALTH CARE INSURANCE BENEFITS

The Township offers health care insurance for full-time employees. Employees should contact the Township Clerk regarding coverage and eligibility requirements. The terms of the health care insurance benefit will be controlled by the insurance carrier's plan description. The Township will pay the required contributions to cover eligible employees and their current spouses or one eligible dependent (as defined by

IRS rules and regulations) under the group insurance plan. The Township Board reviews its policy concerning the Township's and the Employee's contributions to the cost of health care insurance periodically. The current policy is shown in Exhibit F. Employee payments for dependent coverage shall be made by payroll deduction. The Township will continue to pay premiums for laid off employees for a period not to exceed ninety (90) calendar days following the month in which they were laid off. Employees who choose to do so may furnish proof of insurance coverage from another carrier and shall receive a cash benefit to be determined by the Township Board in lieu of coverage. Employees whose employment with the Township has terminated are eligible for continued coverage as provided by federal law at their own expense.

The Township may offer more than one health care insurance plan to its employees. If the Township, in its sole discretion, offers more than one plan, the plans shall be substantially similar. The Township will pay only the premium amount (or its designated portion) of the lowest cost plan.

Regular part-time employees scheduled to work an average of twenty (20) hours or more per week may elect health care insurance coverage if they pay 50% of the monthly premium in advance and if coverage on these terms is permitted by the health care insurance provider. Regular part-time employees do not have the option of receiving a cash benefit in lieu of health care insurance coverage.

#### 5.05 HEALTH CARE INSURANCE BENEFITS FOR RETIREES

Full-time officers of the Township Board of Trustees are full-time employees for purposes of this section and retirement benefits.

Retirees may choose from the eligible (retiree coverage is permitted by the plan) health care insurance plans that the Township offers to its regular full-time employees.

Retired Township employees hired on a full-time basis prior to January 1, 2005, shall be entitled to Employer-paid health care insurance benefits set forth in Section 5.04 under the following specified conditions, depending on the length of continuous regular full-time employment preceding termination of full time Township employment as follows:

1. Employees who retire from employment with Plainfield Township and who have reached at least age 55 with 10-14 years of regular full-time employment from date of hire to date of retirement from Plainfield Charter Township, will be permitted to continue health care insurance with the Township paying one-half (1/2) of the monthly premium cost of a one-person contract to be used by the employee only. If an employee wishes to include

coverage of a spouse or eligible dependent, the employee will pay three-quarters of the cost of a two-person policy.

2. Employees who retire from employment with Plainfield Township and who have reached at least age fifty-five (55) with 15-19 years of regular full-time employment from date of hire to date of retirement from Plainfield Charter Township will be permitted to continue health care insurance with the Township paying one hundred percent (100%) of the monthly premium cost of a one-person contract to be used by the employee only. If an employee wishes to include coverage of a spouse or eligible dependent, the employee will pay one-half (1/2) of a two-person policy. In the event of the retired employee's death, his/her then current spouse shall receive the retiree's individual coverage. Coverage will not be provided to a surviving spouse's future spouse if he or she remarries.

3. Employees who retire from employment with Plainfield Township and who have reached at least age fifty-five (55) with 20 years or more of regular full-time employment from date of hire to date of retirement from Plainfield Charter Township will be permitted to continue health care insurance with the Township paying one-hundred percent (100%) of the monthly premium cost of a two-person contract to cover the employee and the employee's current spouse -- or a dependent child, as defined by IRS rules and regulations. In the event of the retired employee's death, his/her then current spouse or dependent child living at home shall receive the retiree's individual coverage. Coverage will not be provided to a surviving spouse's future spouse if he or she remarries.

The age requirements (but not the service requirements) set forth in paragraphs 1-3 above shall be waived if an employee retires or leaves Township employment as the result of a permanent and total disability that renders the employee unable to perform the requirements of his/her job. The retiree must pay for any additional desired coverage not earned by years of full-time employment in paragraphs 1-3 above by remitting payment for the additional coverage to the Township Clerk on or before the 22<sup>nd</sup> day of each month for the following month. In the event of the disabled retiree's death, the surviving spouse for whom additional health care insurance was purchased under the provisions of Paragraph 1 or 2 above or under the provisions of this paragraph, may continue his or her coverage as required by law. Payment must be received on or before the 22<sup>nd</sup> day of each month for the following month.

When a retiree or covered dependent is eligible for Medicare, he or she must enroll at their cost in Medicare Part A and Part B, and the Township will provide health care coverage at a level that is Secondary.



The Township reserves the right to amend or modify this retiree health care insurance benefit program. Accordingly, modification of this health care insurance benefit

program shall apply to both current participants and potential future participants as may be determined by the Township.

#### 5.05.1 RETIREMENT MEDICAL SAVINGS ACCOUNTS

Employees hired on a full-time basis after January 1, 2005, are eligible to participate in a Retirement Medical Savings Plan that will be offered by the Township on or before November 1, 2005. The Plan provides for individual RMSA accounts for qualifying employees. The Township and the Employee will contribute to the RMSA as provided for in Appendix G to this policy. The Township Board will review this program periodically and may make appropriate changes as provided for by law.

#### 5.06 FLEXIBLE SPENDING ACCOUNTS

##### A. HEALTH CARE FLEXIBLE SPENDING ACCOUNT

Full-time employees will receive reimbursement for eligible medical expenses, as defined by Section 213(d) of the Internal Revenue Code, from a Health Care Flexible Spending Account as determined by the Township Board, per employee unit, per calendar year, for health care services provided in that calendar year. In addition to the amount designated by the Township Board, the employee may contribute money to the Health Care Flexible Spending Account on a pre-tax basis. Full time employees may contribute \$2,500 annually. The Township's annual designated contribution to an eligible newly hired employee's account will be prorated to the month of hire. (E.g., if an eligible employee were hired on June 16, he/she would receive 7/12ths of the Township's designated annual contribution.)

An employee unit consists of the employee, the current spouse, and the employee's dependents. Expenditures for eligible health care services from date of employment qualify for reimbursement.

Regular Part-time employees may contribute pre-tax earnings to a Health Care Flexible Spending Account up to \$1,000.

At the end of a fiscal year, unused monies are retained by the Township as required by federal law. Active employees have until March 31 of the following year to claim the benefits in their accounts for services provided in the previous fiscal year.

Procedures for administration of these accounts will be promulgated annually.

Upon termination of employment (including retirement), participation in the health care flexible spending account ends, and no further expenses may be incurred for reimbursement. Claims must be filed within 90 days of termination for eligible expenses that were incurred before termination, provided they were incurred in the eligible plan year and sufficient funds are available in the account.

**PLAINFIELD CHARTER TOWNSHIP POLICY**

**HEALTH CARE INSURANCE PREMIUMS**  
**CONTRIBUTIONS**

**&**

**OTHER HEALTH CARE RELATED BENEFITS**

At a special meeting of the Plainfield Charter Township Board convened at 6:00 PM, November 9, 2004, the following determinations were made concerning Township and Employee contributions to health care coverage premiums, co-pays, and Flexible Spending Accounts:

1. The Township will pay 100% of the premiums for a single and two-person coverage and 90% for family coverage for the least expensive plan offered.
2. For 2005 only, employees with existing conditions that require continued coverage by Blue Cross / Blue Shield will continue to be covered by BC/BS plans upon furnishing documentation to the Clerk supporting that requirement.
3. Employees will be required to pay a \$20 co-payment for doctor's office visits, and employees must also pay two monthly co-payments for a 3-month prescription supply through the authorized mail-order program. Employee co-payments will be \$10 per monthly prescription for generic drugs and \$15 for brand name drugs.
4. The Township will increase its annual contribution to each employee's Flexible Spending Account to \$1,300. (At a subsequent meeting, the Board also approved up to \$400 per employee per year be allocated for family coverage premium co-payments instead of being allocated to an employee's Flexible Spending Account upon the employee's request.)





**CHARTER TOWNSHIP OF PLAINFIELD  
KENT COUNTY, MICHIGAN**

**OFFICER AND EMPLOYEE BENEFITS ORDINANCE**

**ORDINANCE No. 821  
RESOLUTION No. 09-49**

An ordinance to establish certain officer and employee benefits, and to authorize the township to enter into contracts to provide the benefits.

THE CHARTER TOWNSHIP OF PLAINFIELD ORDAINS:

1. Chapter 2, Article III is hereby created to read in full as follows:

**Section 2-61. Benefit system established.**

The Township hereby establishes a benefit system for its officers and employees.

**Section 2-62. Insurance programs authorized.**

Pursuant to Public Act 77 of 1989, as amended, the township hereby creates and establishes a group insurance program, and for such purposes, also hereby authorizes the township Supervisor and Clerk to contract, in the name of the Township Board, with any company authorized to transact such business within the state for the operation of the group insurance programs.

**Section 2-63. Types of insurance programs.**

The group insurance program shall consist of the following types of group insurance:

- (a) Health insurance
- (b) Retiree health insurance.
- (c) Short-term disability insurance.
- (d) Long-term disability insurance.
- (e) Life insurance.

**Section 2-64. Terms of insurance programs.**

The Township Board shall, by resolution, determine the precise terms of all insurance programs, including but not limited to:

- (a) The type, term and circumstances of any particular insurance program.
- (b) The definition and classes of officers (elected or appointed) and employees and their dependents eligible to receive such benefits.

- (c) The length of service and any other requirements for eligibility and enrollment under the group insurance program.
- (d) The amount, if any, which the township will expend to procure such benefits.
- (e) The formula, amounts, and/or limitations on amounts which may be deducted from the compensation of eligible officers and employees in payment of any portion of the premiums or charges established by the Board of Trustees as being payable by the officers or employees for such benefit(s).
- (f) The company selected by the township to operate the group insurance program unless the township desires to self insure.
- (g) The appropriate Township personnel who shall be responsible for daily administration, accounting, reporting and/or supervisory functions for the group insurance program on the Township's behalf.

The terms of the insurance programs shall be established by Township Board Resolution and may be incorporated into the Township's Personnel Policy Manual, contracts with collective bargaining units and/or written agreement executed by an employee and the Township.

**Section 2-65. Retirement/deferred compensation program authorized.**

Pursuant to Public Act 77 of 1989, as amended, the township hereby creates and establishes a retirement/deferred compensation program, and for such purposes, also hereby authorizes the township Supervisor and Clerk to contract, in the name of the Township Board, with any company authorized to transact such business within the state for the operation of the retirement/deferred compensation program.

**Section 2-66. Types of retirement/deferred compensation programs.**

The retirement/deferred compensation program shall consist of the following types of benefits:

- (a) A retirement plan.
- (b) A retirement Medical Savings account plan.

**Section 2-67. Terms of retirement/deferred compensation programs.**

The Township Board shall, by resolution, determine the precise terms of all retirement/deferred compensation programs, including but not limited to:

- (a) The definition and classes of officers (elected or appointed) and employees eligible to participate in the plan or programs.
- (b) The age, length of service and any other requirements for eligibility and enrollment under the plan or program.
- (c) Any formula, percentage share, amounts, or limitation on the amounts of compensation which eligible officers and employees may elect to defer under the plan or program.
- (d) When applicable, the normal retirement age under the plan or program.
- (e) Any early or late retirement ages or dates as the Township Board may desire under the plan or program.

- (f) When applicable, the contractual obligations of the Township for the payment of benefits to participating employees under the plan or program including, but not limited to, time and methods of payment of benefits under the plan or program and the purchase of annuity contract(s) on the lives of participants and/or beneficiaries of participants.
- (g) The administrator and all other fiduciaries of the plan or program.
- (h) The appropriate Township personnel who shall be responsible for daily administration, accounting, reporting and/or supervisory functions for the plan or program on the Township's behalf.

The terms of the retirement/deferred compensation programs shall be established by Township Board Resolution and may be incorporated into the Township's Personnel Policy Manual, contracts with collective bargaining units and/or written agreement executed by an employee and the Township.

#### **Section 2-68. Cafeteria plan.**

The township may establish a cafeteria plan authorized under section 125 of the Internal Revenue Code of 1986 for its elected or appointed officers and employees, any classes or elected or appointed officers and employees, and dependents of those officers and those employees. The specific terms of the cafeteria plan shall be established by Resolution of the Township Board.

#### **Section 2-69. Other benefits.**

In addition to those types of benefits specifically enumerated in this article, the township may offer any other benefit authorized by state or federal law.

#### **Section 2-70. Authority to modify or terminate programs.**

Subject to federal and state law, and any binding contractual obligations, the Township Board shall have the authority to amend, modify or even terminate any or all of the officer, employee or retiree benefits.

#### **Section 2-71. Employee contributions.**

The proper disbursing officer of the township may deduct from an officer's or employee's pay, salary, or compensation that part of the premium or charge that is payable by the officer or employee.

#### **Section 2-72. Eligibility.**

Any contract of insurance or arrangement for prepayment of plan coverage procured pursuant to this article may provide that each elected or appointed officer or employee becoming eligible for insurance or coverage thereunder shall be insured or covered automatically when he or she becomes eligible, subject to any actively-at-work requirements specified in the contract or arrangement. If the insurance or coverage under the contract or arrangement requires contributions from the individual, any individual desiring not to be insured or covered shall give

written notice to his or her employing office that he or she desires not to be insured or covered, and if the notice is received before the individual has become insured or covered under the contract or arrangement, he shall not be insured or covered thereunder. If the notice is received after the individual has become insured or covered, his or her insurance or coverage under the contract or arrangement shall cease as provided for in the contract or arrangement.

**Section 2-73. Savings clause**

Should any portion of this ordinance be declared unenforceable by any court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect unaffected by the portion which might be so declared to be unenforceable.

**Section 2-74. Existing benefits not affected.**

The provisions of this article shall not affect the validity of any insurance program, retirement/deferred compensation program, cafeteria plan or any other benefit authorized by this article and previously entered in by the Township, and the Township Board hereby ratifies and confirms the validity of all such programs and benefits in existence on the effective date of this article.

2. This ordinance shall become effective upon publication. All ordinances in conflict herewith are hereby repealed.

Yeas: Meek, Stover, Harvey, Borek, Hagedorn, Matthews, Weldon

Nays: None.

Absent: None.

Motion Carried. Resolution 09 – 49 Ordinance 821 declared adopted.

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K. Scott Harvey  
Plainfield Charter Township Clerk

**CERTIFICATION**

I K. Scott Harvey, the Clerk of Plainfield Charter Township, certify that the foregoing is a true and accurate copy of a resolution / ordinance adopted by this Township Board of Plainfield Charter Township at a properly noticed regular meeting held on November 16, 2009.

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K. Scott Harvey  
Plainfield Charter Township Clerk