RESOLUTION 14

A RESOLUTION OF THE GOVERNING BOARD OF NORCOM, APPROVING THE MUNICIPAL EMPLOYEES' BENEFIT TRUST PLAN DOCUMENT

Whereas the North East King County Regional Public Safety Communication Agency ("NORCOM") is a Washington nonprofit corporation and instrumentality of its member governments;

Whereas the Governing Board (Board) constitutes the governing body of and is authorized to act on behalf of the NORCOM;

Whereas the Board desires to establish an employee retirement system for its employees; and

Whereas the Board adopts the following resolutions, for and as the action of NORCOM regarding the NORCOM Employees’ Benefit Plan and Trust ("Plan").

RESOLVED, that NORCOM adopt a defined contribution Profit Sharing Plan in accordance with the provisions of Section 401(a) of the Internal Revenue Code of 1986, as amended, effective July 1, 2009;

RESOLVED FURTHER, that the Plan presented to the Board is hereby approved and adopted, and that the Executive Director of NORCOM is authorized, empowered and directed on behalf of NORCOM and in its name, to execute the Plan with any changes, deletions or additions as may be approved with signature to conclusively evidence approval of such changes, deletions or additions, if any;

RESOLVED FURTHER, that the Executive Director of NORCOM is authorized, empowered and directed to file an application, together with any supporting documents, with the United States Treasury Department, with a request for determination that the Plan meets the requirements of Section 401(a) of the Internal Revenue Code of 1986, as amended, and to execute such Powers of Attorney, schedules and other documents as may be necessary and required in connection with such application;

RESOLVED FURTHER, that the Executive Director is authorized and empowered to execute such further amendments to such Plan as may be required in order to obtain the approval of the United States Treasury Department, if, in the Executive Director's judgment, such amendments are in the best interest of the Authority;

RESOLVED FURTHER, that NORCOM, in accordance with Internal Revenue Code Section 414(h)(2), hereby elects to assume and pay (pick up) all contributions required by employees under the Plan as of the effective date of the Plan, July 1, 2009. Contributions required under Plan Section 4.1, although designated as employee contributions, will be paid by the employer in lieu of
contributions by the employee. The employees will not have an option to choose to receive these amounts directly instead of having them paid by NORCOM to the Plan;

RESOLVED FURTHER, that pursuant to Section 415 of the Internal Revenue Code of 1986, as amended, and Treasury Regulations thereunder, the Authority shall use the Plan fiscal year as the “limitation year” for all purposes under the Plan; and

RESOLVED FURTHER, that the acts and deeds of the Executive Director of the Authority necessary to carry out the intent and purposes of these resolutions are hereby ratified, confirmed and adopted as the acts and deeds of the Authority.

Passed by majority vote of the Governing Board in open meeting on May 8, 2009.


Vice Chair

Attest: Secretary