



# County of Ottawa

## *Board of Commissioners*

**Philip D. Kuyers**  
*Chairperson*

**James C. Holtrop**  
*Vice-Chairperson*

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December 22, 2011

To All Ottawa County Commissioners:

The Ottawa County Board of Commissioners will meet on **Tuesday, December 27, 2011 at 1:30 p.m.**, for the regular **December** meeting of the Board at the Ottawa County Fillmore Street Complex in West Olive, Michigan.

The Agenda is as follows:

1. Call to Order by the Chairperson
2. Invocation – Commissioner Holtvluwer
3. Pledge of Allegiance to the Flag
4. Roll Call
5. Presentation of Petitions and Communications
6. Public Comments and Communications from County Staff
7. Approval of Agenda
8. Actions and Reports

A. Consent Resolutions:

From the County Clerk

1. Board of Commissioners Meeting Minutes  
Suggested Motion:  
To approve the Minutes of the December 13, 2011 Board of Commissioners Meeting.
2. Payroll  
Suggested Motion:  
To authorize the payroll of December 27, 2011 in the amount of \$\_\_\_\_\_.

Stuart P. Visser    Dennis W. Swartout    Jane M. Ruiter    Greg J. DeJong    Roger G. Rycenga  
Joseph S. Baumann    Robert W. Karsten    James H. Holtvluwer    Donald G. Disselkoen

From Administration

3. Monthly Accounts Payable for December 5, 2011 through December 16, 2011  
Suggested Motion:  
To approve the general claims in the amount of \$2,878,105.03 as presented by the summary report for December 5, 2011 through December 16, 2011.

From the Finance and Administration Committee

4. Monthly Budget Adjustments  
Suggested Motion:  
To approve the appropriation changes greater than \$50,000 and those approved by the Administrator and Fiscal Services Director for \$50,000 or less which changed the total appropriation from the amended budget for the month of November 2011.

B. Action Items:

From Administration

5. Restated Uniform Defined Contribution Program Resolution  
Suggested Motion:  
To approve and authorize the Board Chair and Clerk to sign the MERS 2010 Restated Uniform Defined Contribution Program Resolution for employee divisions 1, 6, 10, 12, 19 and 60.
6. Restated Defined Contribution Plan Adoption Agreement  
Suggested Motion:  
To approve and authorize the Board Chair and Clerk to sign the MERS Restated Defined Contribution Plan Adoption Agreement for employee divisions 1, 6, 10, 12, 19 and 60.
7. Defined Contribution Plan Uniform Transfer Provision  
Suggested Motion:  
To approve and authorize the Board Chair and Clerk to sign the Employer Resolution Establishing Uniform Transfer Provision for the Defined Contribution Plan for employee divisions 1, 6, 10, 12, 19 and 60.

From the Planning and Policy Committee

8. HIPAA Compliance Policy (Second Reading)  
Suggested Motion:  
To adopt the proposed changes to the HIPAA Compliance Policy. (Second Reading)
9. Honorary Resolution Procedure Policy (formerly named Recognition Program Procedure) (Second Reading)  
Suggested Motion:  
To adopt the proposed changes to the Honorary Resolution Procedure Policy (formerly named Recognition Program Procedure). (Second Reading)

From the Finance and Administration Committee

10. Community Mental Health Personnel Request to Create One (1) FTE Team Supervisor - Children's Services  
Suggested Motion:  
To approve the request from Community Mental Health to create one (1) FTE Team Supervisor - Children's Services (Unclassified, Paygrade 06, F Step) at a cost of \$94,658.00 funding to come from Medicaid Funds.

11. 2010-2011 Wage and Classification Study

Suggested Motion:

To approve the 2010-2011 Wage and Classification Study including the Unclassified Group and Group T employees for Community Mental Health, the Prosecutor's Office, the Clerk's Office, Administration and the four Chief Deputy Clerks, to be effective January 1, 2012.

Total cost is \$279,747 in Medicaid Funds and \$102,964 in General Fund. The 2011 Medicaid Funds and General Fund contains sufficient funds for this purpose.

C. Appointments:

From the Human Resources Committee

12. Board Appointments

Suggested Motion:

To place into nomination the name(s) of (\*indicates recommendation of the Interview Subcommittee):

\*David Van Ginhoven

Scott Blease

John Burmeister

\*Thomas Werkman

to fill two (2) vacancies on the Ottawa County Parks and Recreation Commission beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

13. Board Appointments

Suggested Motion:

To place into nomination the name(s) of (\*indicates recommendation of the Interview Subcommittee):

\*Doug Zylstra

William Berns

to fill one (1) Business/Industrial/Tourism Vacancy on the Ottawa County Planning Commission beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

14. Board Appointments

Suggested Motion:

To place into nomination the name(s) of (\*indicates recommendation of the Interview Subcommittee):

\*James Miedema

to fill one (1) Financial, Sociological & Academic vacancy on the Ottawa County Planning Commission beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

\*Dale Sall

to fill one (1) Realtor vacancy on the Remonumentation Committee beginning January 1, 2012 and ending December 31, 2013 (two (2) year term).

\*Brett Laughlin

to fill one (1) Road Commission vacancy on the Remonumentation Committee beginning January 1, 2012 and ending December 31, 2013 (two (2) year term).

\*Matt Nederveld

to fill one (1) Surveyor vacancy on the Remonumentation Committee beginning January 1, 2012 and ending December 31, 2013 (two (2) year term).

\*Ryan Cotton

to fill one (1) Supervisor/Assessor vacancy on the Remonumentation Committee beginning January 1, 2012 and ending December 31, 2013 (two (2) year term).

\*Randal Cope

to fill one (1) War Veteran vacancy on the Veterans Affairs Committee beginning January 1, 2012 and ending December 31, 2015 (four (4) year term).

\*Randall Boss

\*Richard Sibley Jr.

\*James Holtrop

\*Claudia Berry

\*Ervin (Skip) Keeter

\*Carla Wallis

to fill six (6) Business Sector vacancies on the Workforce Development Board beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

\*David Miller

to fill one (1) Community Based vacancy on the Workforce Development Board beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

\*Eric Packer

to fill one (1) Education Sector vacancy on the Workforce Development Board beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

\*Doug Kamphuis

to fill one (1) MI Dept of Corrections/MPRI vacancy on the Workforce Development Board beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

\*Luke Meerman

to fill one (1) Agricultural Member vacancy on the Agricultural Preservation Board beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

\*Dennis Van Dam

to fill one (1) Real Estate/Land Development vacancy on the Agricultural Preservation Board beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

\*Leroy Dell

to fill one (1) vacancy on the Building Authority beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

\*Gary Barton

to fill one (1) Business Community vacancy on the Community Corrections Advisory Board beginning January 1, 2012 and ending December 31, 2013 (two (2) year term).

\*Matthew Messer

to fill one (1) Chief of Police vacancy on the Community Corrections Advisory Board beginning January 1, 2012 and ending December 31, 2013 (two (2) year term).

\*Heath White

to fill one (1) MDOC vacancy on the Community Corrections Advisory Board beginning January 1, 2012 and ending December 31, 2013 (two (2) year term).

\*Glenn Nykamp

to fill one (1) Township Representative vacancy on the Land Bank Authority beginning January 1, 2012 and ending December 31, 2017 (six (6) year term).

\*Jeff Smalla

to fill one (1) Public Sector vacancy on the Community Action Agency Advisory Board beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

\*Field Reichardt

to fill one (1) vacancy on the Ottawa County Officers' Compensation Commission beginning January 1, 2012 and ending December 31, 2015 (four (4) year term).

\*Robert Huff

to fill one (1) vacancy on the Ottawa County Officers' Compensation Commission beginning January 1, 2012 and ending December 31, 2015 (four (4) year term).

\*Mark Kleist

to fill one (1) vacancy on the Ottawa County Officers' Compensation Commission beginning January 1, 2012 and ending December 31, 2015 (two (2) year term).

\*Joan Epperson

to fill one (1) vacancy on the Comprehensive Economic Development Corporation Strategy Committee beginning January 1, 2012 and ending December 31, 2012 (one (1) year term).

\*Doug Zylstra

to fill one (1) vacancy on the West Michigan Regional Planning Commission beginning January 1, 2012 and ending December 31, 2012 (one (1) year term).

D. Discussion Items:

From Administration

15. Report of the County Administrator Review Committee/Approval of the County Administrator Contract January 1, 2013 through December 31, 2015.
9. Report of the County Administrator
10. General Information, Comments, and Meetings Attended
11. Public Comments
12. Adjournment

**PROPOSED  
PROCEEDINGS OF THE OTTAWA COUNTY  
BOARD OF COMMISSIONERS  
DECEMBER SESSION – FIRST DAY**

The Ottawa County Board of Commissioners met on Tuesday, December 13, 2011, at 1:30 p.m. and was called to order by the Chair.

Mr. Holtrop pronounced the invocation.

The Clerk led in the Pledge of Allegiance to the Flag.

Present at roll call: Messrs. Visser, Kuyers, Swartout, Mrs. Ruiters, Messrs. DeJong, Rycenga, Baumann, Disselkoen, Karsten, Holtrop, Holtvluwer. (11)

Public Comments and Communications from County Staff

A. Public Hearing on the Issuance of Refunding Bonds by the Economic Development Corporation for the County of Ottawa for the Benefit of Hope College.

B/C 11-275 Mr. Swartout moved to open the Public Hearing at 1:32 p.m. to receive comments on the Issuance of Refunding Bonds by the Economic Development Corporation of the County of Ottawa for the Benefit of Hope College. The motion passed.

The Administrator gave a brief summary of the request.

Roger Swets, Clark Hill Law Firm, explained that the EDC bonds are not County bonds and the County will have no financial obligation.

B/C 11-276 Mr. Swartout moved to close the Public Hearing at 1:38 p.m. on the Issuance of Refunding Bonds by the Economic Development Corporation of the County of Ottawa for the Benefit of Hope College. The motion passed.

B. Legislative Update – The legislative update was presented by Jim Miller, Governmental Consultant Services, Inc. (GCSI).

C. Matthew Hehl, 14468 – 88<sup>th</sup> Ave., supported the passage of the two motions being offered today dealing with the endowed and non-endowed funds with the Community Foundations.

B/C 11-277 Mr. Disselkoen moved to approve the agenda of today as presented and amended with a substitute motion for Action Item #6 – Issuance of

Refunding Bonds by the Economic Development Corporation of the County of Ottawa for the Benefit of Hope College and removing Discussion Item #14 – Closed Session to Discuss Pending Litigation. The motion passed.

B/C 11-278 Mr. Holtrop moved to approve the following Consent Resolutions:

1. To approve the Minutes of the November 22, 2011 Board of Commissioners Meeting and the November 22, 2011 Board of Commissioners Work Session.
2. To authorize the payroll of December 13, 2011 in the amount of \$575.86.
3. To receive for information the Correspondence Log.
4. To approve the general claims in the amount of \$4,891,408.21 as presented by the summary report for November 14, 2011 through December 2, 2011.

The motion passed as shown by the following votes: Yeas: Messrs. Swartout, Holtvluwer, Visser, Holtrop, Karsten, Disselkoen, Baumann, Rycenga, DeJong, Mrs. Ruiter, Mr. Kuyers. (11)

B/C 11-279 Mr. Swartout moved to approve and authorize the Board Chair and Clerk to sing the consulting agreement and contract for services with Governmental Consultant Services, Incorporated (GCSI), for a term of three (3) years, at the rate of \$3,000 per month. The motion passed as shown by the following votes: Yeas: Mr. Holtvluwer, Mrs. Ruiter, Messrs. Holtrop, Rycenga, Disselkoen, Baumann, Visser, Karsten, DeJong, Swartout, Kuyers. (11)

B/C 11-280 Mr. Swartout moved to approve and authorize the execution of the Resolution approving the Ottawa County Economic Development Corporation's issuance of limited obligation refunding revenue bonds for the benefit of Hope College. The motion passed as shown by the following votes: Yeas: Messrs. Rycenga, DeJong, Karsten, Mrs. Ruiter, Messrs. Baumann, Visser, Swartout, Holtvluwer, Disselkoen, Holtrop, Kuyers. (11)

B/C 11-281 Mr. Rycenga moved to approve the establishment of endowed and non-endowed funds with the Community Foundation of the Holland/Zeeland Area for the Ottawa County Purchase of Development Rights (PDR) Program, and to authorize the County Administrator to sign the agreement on behalf of Ottawa County. The motion passed as shown by the following votes: Yeas: Messrs. Holtrop, Holtvluwer, Swartout, Baumann,



Visser, Disselkoen, Karsten, Mrs. Ruiter, Messrs. Rycenga, DeJong, Kuyers. (11)

- B/C 11-282 Mr. Rycenga moved to approve the establishment of a non-endowed fund with the Coopersville Area Community Foundation for the Ottawa County Purchase of Development Rights (PDR) Program, and to authorize the County Administrator to sign the agreement on behalf of Ottawa County. The motion passed as shown by the following votes: Yeas: Messrs. Karsten, Disselkoen, Holtrop, Visser, Holtvluwer, DeJong, Mrs. Ruiter, Messrs. Swartout, Rycenga, Baumann, Kuyers. (11)
- B/C 11-283 Mr. Rycenga moved to receive for comment the following proposed policy for review: 1-HIPAA Compliance Policy. (First Reading) The motion passed.
- B/C 11-284 Mr. Rycenga moved to receive for comment the following proposed policy for review: 16-Honorary Resolution Procedure (formerly named Recognition Program Procedure). (First Reading) The motion passed.
- B/C 11-285 Mr. Rycenga moved to approve the existing Board Standing Committee Structure. The motion passed.
- B/C 11-286 Mr. Rycenga moved to approve the 2012 Board of Commissioners Approved Committees and Rates. The motion passed as shown by the following votes: Yeas: Messrs. Disselkoen, Karsten, DeJong, Holtrop, Visser, Swartout, Mrs. Ruiter, Messrs. Rycenga, Holtvluwer, Baumann, Kuyers. (11)

### Discussion Items

#### 13. Closed Session to Discuss Pending Litigation

- B/C 11-287 Mr. Disselkoen moved to go into a Closed Session at 2:08 p.m. for the purpose of discussing pending litigation. The motion passed as shown by the following votes: Yeas: Messrs. DeJong, Visser, Swartout, Holtvluwer, Mrs. Ruiter, Messrs. Disselkoen, Baumann, Holtrop, Karsten, Rycenga, Kuyers. (11)
- B/C 11-288 Mr. Holtrop moved to rise from Closed Session at 2:48 p.m. The motion passed.
- B/C 11-289 Mr. Swartout moved to resolve the Derek Copp litigation against the Ottawa County Sheriff and Deputy Ryan Huizenga in the manner recommended by legal counsel. The motion passed as shown by the following votes: Yeas: Messrs. Visser, Holtvluwer, Disselkoen, Holtrop,

Mrs. Ruiter, Messrs. Karsten, DeJong, Rycenga, Swartout, Baumann, Kuyers. (11)

The Administrator's report was presented.

Several Commissioners commented on meetings attended and future meetings to be held.

B/C 11-290 Mr. Holtrop moved to adjourn at 2:58 p.m. subject to the call of the Chair. The motion passed.

DANIEL C. KRUEGER, Clerk  
Of the Board of Commissioners

PHILIP KUYERS, Chairman  
Of the Board of Commissioners

# Action Request



**Committee:** Board of Commissioners

**Meeting Date:** 12/27/2011

**Requesting Department:** County Clerk

**Submitted By:** Bob Spaman

**Agenda Item:** Payroll

## SUGGESTED MOTION:

To authorize the payroll of December 27, 2011 in the amount of \$\_\_\_\_\_.

## SUMMARY OF REQUEST:

To pay the current payroll of the members of the Ottawa County Board of Commissioners. Pursuant to MCL 46.11, the Board of Commissioners is authorized to provide for and manage the ongoing business affairs of the County.

## FINANCIAL INFORMATION:

Total Cost: \_\_\_\_\_ General Fund Cost: \_\_\_\_\_ Included in Budget:  Yes  No

If not included in budget, recommended funding source: \_\_\_\_\_

## ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated  Non-Mandated  New Activity

## ACTION IS RELATED TO STRATEGIC PLAN:

Goal:

- 1: To Maintain and Improve the Strong Financial Position of the County.
- 2: To Maintain and Enhance Communication with Citizens, Employees, and Other Stakeholders.
- 3: To Contribute to a Healthy Physical, Economic, & Community Environment.
- 4: To Continually Improve the County's Organization and Services.

Objective: \_\_\_\_\_

**ADMINISTRATION RECOMMENDATION:**  Recommended  Not Recommended  Without Recommendation

County Administrator: \_\_\_\_\_

Committee/Governing/Advisory Board Approval Date: \_\_\_\_\_

# Action Request



**Committee:** Board of Commissioners

**Meeting Date:** 12/27/2011

**Requesting Department:** Fiscal Services

**Submitted By:** Bob Spaman

**Agenda Item:** Monthly Accounts Payable for December 5, 2011 through December 16, 2011

## SUGGESTED MOTION:

To approve the general claims in the amount of \$2,878,105.03 as presented by the summary report for December 5, 2011 through December 16, 2011.

## SUMMARY OF REQUEST:

Approve vendor payments in accordance with the Ottawa County Purchasing Policy.

## FINANCIAL INFORMATION:

Total Cost: \$2,878,105.03 | General Fund Cost: \$2,878,105.03 | Included in Budget:  Yes |  No

If not included in budget, recommended funding source:

## ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated |  Non-Mandated |  New Activity

## ACTION IS RELATED TO STRATEGIC PLAN:

Goal: 1: To Maintain and Improve the Strong Financial Position of the County.

Objective:

- 1: Advocate on legislative issues to maintain and improve the financial position of the County.
- 2: Implement processes and strategies to deal with operational budget deficits.
- 3: Reduce the negative impact of rising employee benefit costs on the budget.
- 4: Maintain or improve bond ratings.

**ADMINISTRATION RECOMMENDATION:**  Recommended |  Not Recommended |  Without Recommendation

County Administrator:

Committee/Governing/Advisory Board Approval Date:



# County of Ottawa

*Fiscal Services Department*

**Robert Spaman**  
*Fiscal Services Director*

**Marvin Hinga**  
*Fiscal Services Assistant Director*

12220 Fillmore Street • Room 331 • West Olive, Michigan 49460

West Olive (616) 738-4847  
Fax (616) 738-4098  
e-mail: [rspaman@miottawa.org](mailto:rspaman@miottawa.org)  
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To: Board of Commissioners  
From: Robert Spaman, Fiscal Services Director  
Subject: Accounts Payable Listing – December 5, 2011 to December 16, 2011  
Date: December 21, 2011

I have reviewed the Accounts Payable Listing for December 5 through December 16, 2011. The following information will give you the detail of some of the purchases made in specific funds during this period:

Fund 6641 – Equipment Pool Fund

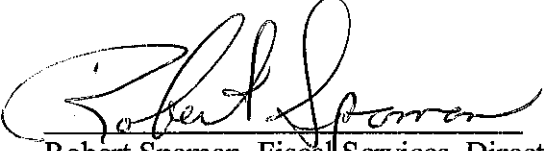
Barracuda Web Filter	\$6,165.03
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If you have any additional questions, please feel free to contact me.

Total Checks/Automated Clearing House (ACH) 12/05/2011 through 12/16/2011

I hereby certify that to the best of my knowledge the List of Audit Claims, a summary of which is attached, constitutes all claims received and audited for payment. The List of Claims shows the name of claimant, amount of claim, check number, ACH number, check date and ACH date. The net amount of checks/ACH written during the period was \$2,616,907.35. The amount of claims to be approved totals \$\$2,878,105.03.

\*Adjustments are voided checks or ACH.

  
\_\_\_\_\_  
Robert Spaman, Fiscal Services, Director

12/21/11  
Date

We hereby certify that the Board of Commissioners has approved the claims on this 27<sup>th</sup> day of December, 2011.

\_\_\_\_\_  
Philip Kuyers, Chairperson  
Board of Commissioners

\_\_\_\_\_  
Daniel Krueger, Clerk

ACCOUNTS PAYABLE CHECKS/ACH 12/05/2011 THROUGH 12/16/2011

<u>FUND NUMBER</u>	<u>FUND NAME</u>	<u>CLAIMS TO BE APPROVED</u>	<u>ADJUSTMENTS*</u>	<u>NET CHECK/ACH TOTALS</u>
1010	GENERAL FUND	342,284.68	0.00	342,284.68
1500	CEMETERY TRUST	0.00	0.00	0.00
2081	PARKS & RECREATION	22,054.40	(259,048.68)	-236,994.28
2082	PARK 12	0.00	0.00	0.00
2160	FRIEND OF COURT	678.99	0.00	678.99
2170	9/30 JUDICIAL GRANTS	1,091.11	0.00	1,091.11
2210	HEALTH	37,865.39	0.00	37,865.39
2220	MENTAL HEALTH	610,110.74	0.00	610,110.74
2271	SOLID WASTE CLEAN-UP	0.00	0.00	0.00
2272	LANDFILL TIPPING FEES	2,078.82	0.00	2,078.82
2320	TRANSPORTATION SYSTEM	15,032.00	0.00	15,032.00
2420	PLANNING COMMISSION	0.00	0.00	0.00
2430	BROWNFIELD REDEVELOPMENT	0.00	0.00	0.00
2444	INFRASTRUCTURE FUND	0.00	0.00	0.00
2450	PUBLIC IMPROVEMENT	0.00	0.00	0.00
2550	HOMESTEAD PROPERTY TAX	11,998.33	0.00	11,998.33
2560	REGISTER OF DEEDS AUTOMATION FUND	3,527.16	0.00	3,527.16
2590	LIPPERT GRANT	0.00	0.00	0.00
2601	PROSECUTING ATTORNEY GRANTS	0.00	0.00	0.00
2602	WEMET	2,943.09	0.00	2,943.09
2603	WEED AND SEED	0.00	0.00	0.00
2605	COPS-AHEAD-GEORGETOWN	0.00	0.00	0.00
2606	COPS-FAST-GEORGETOWN	0.00	0.00	0.00
2608	COPS-FAST-ALLENDALE	0.00	0.00	0.00
2609	SHERIFF GRANT PROGRAMS	493.05	0.00	493.05

ACCOUNTS PAYABLE CHECKS/ACH 12/05/2011 THROUGH 12/16/2011

<u>FUND NUMBER</u>	<u>FUND NAME</u>	<u>CLAIMS TO BE APPROVED</u>	<u>ADJUSTMENTS*</u>	<u>NET CHECK/ACH TOTALS</u>
2610	COPS-UNIVERSAL	10,899.92	0.00	10,899.92
2640	EMT HOLLAND-PARK	0.00	0.00	0.00
2650	EMT GEORGETOWN TOWNSHIP	0.00	0.00	0.00
2661	SHERIFF ROAD PATROL	342.94	0.00	342.94
2690	LAW LIBRARY	0.00	0.00	0.00
2740	WIA-ADMIN. COST POOL	5,371.45	0.00	5,371.45
2741	WIA-YOUTH	57,280.41	0.00	57,280.41
2742	WIA-ADULT	36,260.32	0.00	36,260.32
2743	WIA-6/30 GRANT PROGRAMS	98,460.56	0.00	98,460.56
2744	WIA-12/31 GRANT PROGRAMS	8,636.76	0.00	8,636.76
2747	WIA-WORK FIRST YOUTH	0.00	0.00	0.00
2748	WIA-9/30 GRANT PROGRAMS	162,879.42	0.00	162,879.42
2749	WIA-3/31 GRANT PROGRAMS	0.00	0.00	0.00
2750	GRANT PROGRAMS-PASS THRU	15,317.00	0.00	15,317.00
2800	EMERGENCY FEEDING	507.84	0.00	507.84
2810	FEMA	100.00	0.00	100.00
2850	COMMUNITY CORRECTIONS PROG. GRANT	1,988.37	0.00	1,988.37
2870	COMMUNITY ACTION AGENCY (CAA)	12,324.82	0.00	12,324.82
2890	WEATHERIZATION	67,657.96	0.00	67,657.96
2900	DEPT OF HUMAN SERVICES	0.00	0.00	0.00
2901	DEPT OF HUMAN SERVICES	2,435.00	0.00	2,435.00
2920	CHILD CARE - PROBATE	82,782.55	0.00	82,782.55
2921	CHILD CARE - SOCIAL SERVICES	0.00	0.00	0.00
2930	SOLDIER & SAILORS RELIEF	0.00	0.00	0.00



ACCOUNTS PAYABLE CHECKS/ACH 12/05/2011 THROUGH 12/16/2011

<u>FUND NUMBER</u>	<u>FUND NAME</u>	<u>CLAIMS TO BE APPROVED</u>	<u>ADJUSTMENTS*</u>	<u>NET CHECK/ACH TOTALS</u>
2940	VETERANS TRUST	0.00	0.00	0.00
2941	VETERANS TRUST	1,406.54	0.00	1,406.54
2970	DB/DC CONVERSION	0.00	0.00	0.00
5160	DELINQUENT TAXES	808.54	0.00	808.54
6360	INFORMATION TECHNOLOGY	208,382.55	0.00	208,382.55
6410	WATER & SEWER REVOLVING	0.00	0.00	0.00
6450	DUPLICATING	0.00	0.00	0.00
6550	TELECOMMUNICATIONS	10,012.33	0.00	10,012.33
6641	EQUIPMENT POOL	6,165.03	0.00	6,165.03
6770	PROTECTED SELF-FUNDED INSURANCE	0.00	0.00	0.00
6771	PROTECTED SELF-FUNDED HEALTH INS.	0.00	0.00	0.00
6772	PROTECTED SELF-FUNDED UNEMPL INS.	267.04	0.00	267.04
6775	LONG-TERM DISABILITY INSURANCE	7,988.23	0.00	7,988.23
6776	PROTECTED SELF-FUNDED DENTAL INS.	0.00	0.00	0.00
6777	PROTECTED SELF-FUNDED VISION	0.00	0.00	0.00
6782	PROTECTED SELF-FUNDED INS PROG M.H.	0.00	0.00	0.00
7010	AGENCY	852,393.58	(2,149.00)	850,244.58
7040	IMPREST PAYROLL	177,278.11	0.00	177,278.11
7210	LIBRARY PENAL FINE	0.00	0.00	0.00
7300	EMPLOYEE SICK PAY BANK	0.00	0.00	0.00
7360	OPEB TRUST	0.00	0.00	0.00
		<u>\$2,878,105.03</u>	<u>(261,197.68)</u>	<u>\$2,616,907.35</u>

# Action Request



**Committee:** Board of Commissioners

**Meeting Date:** 12/27/2011

**Requesting Department:** Fiscal Services

**Submitted By:** Bob Spaman

**Agenda Item:** Monthly Budget Adjustments

## SUGGESTED MOTION:

To approve the appropriation changes greater than \$50,000 and those approved by the Administrator and Fiscal Services Director for \$50,000 or less which changed the total appropriation from the amended budget for the month of November 2011.

## SUMMARY OF REQUEST:

Approve budget adjustments processed during the month for appropriation changes and line item adjustments.

Mandated action required by PA 621 of 1978, the Uniform Budget and Accounting Act.

Compliance with the Ottawa County Operating Budget Policy.

## FINANCIAL INFORMATION:

Total Cost: \$0.00 | General Fund Cost: \$0.00 | Included in Budget:  Yes |  No

If not included in budget, recommended funding source:

## ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated |  Non-Mandated |  New Activity

## ACTION IS RELATED TO STRATEGIC PLAN:

Goal: 1: To Maintain and Improve the Strong Financial Position of the County.

Objective:

- 1: Advocate on legislative issues to maintain and improve the financial position of the County.
- 2: Implement processes and strategies to deal with operational budget deficits.
- 3: Reduce the negative impact of rising employee benefit costs on the budget.
- 4: Maintain or improve bond ratings.

**ADMINISTRATION RECOMMENDATION:**  Recommended |  Not Recommended |  Without Recommendation

County Administrator:

Committee/Governing/Advisory Board Approval Date: Finance and Administration Committee 12/20/2011

County of Ottawa  
Fiscal Services Department  
Changes to Total Appropriations and Adjustments  
Budget Adjustments From Date: 11/01/2011 Thru 11/30/2011

Adjustment Number	G/L Date	Fund	Dept	Sub Dept	Account Number	Account Name	Adjustment Amount
<u>REPL FURNTR @ PROBAT</u>							
BA 819	11/07/2011	1010	1480		7390.0000	Operational Supplies	32,948.00
BA 819	11/07/2011	1010	1490		7390.0000	Operational Supplies	1,146.00
BA 819	11/07/2011	1010	2150		7390.0000	Operational Supplies	16,000.00
BA 819	11/07/2011	1010	2530		5740.0000	State Revenue Sharing	50,094.00-
<u>ESTABLISH BUDGET FOR</u>							
BA 841	11/15/2011	1010	2251		6080.0000	Departmental Services	61,204.00-
BA 841	11/15/2011	1010	2251		7040.0000	Salaries - Regular	17,149.00
BA 841	11/15/2011	1010	2251		7050.0000	Salaries - Temporary	6,520.00
BA 841	11/15/2011	1010	2251		7130.0000	Vacation Payoff	500.00
BA 841	11/15/2011	1010	2251		7150.0000	Social Security	1,422.00
BA 841	11/15/2011	1010	2251		7160.0000	Hospitalization	3,107.00
BA 841	11/15/2011	1010	2251		7160.0020	OPBB - Health Care	326.00
BA 841	11/15/2011	1010	2251		7170.0000	Life Insurance	34.00
BA 841	11/15/2011	1010	2251		7180.0000	Retirement & Sick Leave	1,568.00
BA 841	11/15/2011	1010	2251		7190.0000	Dental Insurance	210.00
BA 841	11/15/2011	1010	2251		7200.0000	Worker'S Compensation	6.00
BA 841	11/15/2011	1010	2251		7220.0000	Unemployment	84.00
BA 841	11/15/2011	1010	2251		7230.0000	Optical Insurance	31.00
BA 841	11/15/2011	1010	2251		7240.0000	Disability Insurance	47.00
BA 841	11/15/2011	1010	2251		7270.0000	Office Supplies	200.00
BA 841	11/15/2011	1010	2251		7280.0000	Printing & Binding	5,213.00
BA 841	11/15/2011	1010	2251		7300.0000	Postage	650.00
BA 841	11/15/2011	1010	2251		8080.0000	Service Contracts	3,900.00
BA 841	11/15/2011	1010	2251		8300.0000	Memberships & Dues	175.00
BA 841	11/15/2011	1010	2251		8600.0000	Travel - Mileage	1,200.00
BA 841	11/15/2011	1010	2251		8610.0000	Conferences & Othr Travel	37.00
BA 841	11/15/2011	1010	2251		9400.0000	Equipment Rental	50.00
BA 841	11/15/2011	1010	2251		9560.0000	Employee Training	300.00
<u>CNSTRCTN OF KNOWA FRL</u>							
BA 842	11/15/2011	2081	7510		9740.0000	Land Improvements	200,000.00
<u>TO ESTABLISH MPRI GRA</u>							
BA 843	11/15/2011	2748	7431	0038	5610.0000	State Of Mich - Welfare	1,331,935.00-
BA 843	11/15/2011	2748	7433	0038	8080.0000	Service Contracts	182,364.00
BA 843	11/15/2011	2748	7433	0039	8080.0000	Service Contracts	136,325.00
BA 843	11/15/2011	2748	7433	0040	7040.0000	Salaries - Regular	20,708.00
BA 843	11/15/2011	2748	7433	0040	7150.0000	Social Security	1,584.00
BA 843	11/15/2011	2748	7433	0040	7160.0000	Hospitalization	6,079.00

County of Ottawa  
Fiscal Services Department  
Changes to Total Appropriations and Adjustments  
Budget Adjustments From Date: 11/01/2011 Thru 11/30/2011

Adjustment Number	G/L Date	Fund	DEPT	Sub DEPT	Account Number	Account Name	Adjustment Amount
<u>TO ESTABLISH MPRI GRA</u>							
BA 843	11/15/2011	2748	7433	0040	7160.0020	OPEB - Health Care	369.00
BA 843	11/15/2011	2748	7433	0040	7170.0000	Life Insurance	60.00
BA 843	11/15/2011	2748	7433	0040	7180.0000	Retirement & Sick Leave	2,761.00
BA 843	11/15/2011	2748	7433	0040	7180.0010	457 Plan Contribution	75.00
BA 843	11/15/2011	2748	7433	0040	7190.0000	Dental Insurance	312.00
BA 843	11/15/2011	2748	7433	0040	7200.0000	Worker'S Compensation	4.00
BA 843	11/15/2011	2748	7433	0040	7220.0000	Unemployment	15.00
BA 843	11/15/2011	2748	7433	0040	7230.0000	Optical Insurance	72.00
BA 843	11/15/2011	2748	7433	0040	7240.0000	Disability Insurance	88.00
BA 843	11/15/2011	2748	7433	0040	7270.0000	Office Supplies	6,054.00
BA 843	11/15/2011	2748	7433	0040	7390.0000	Operational Supplies	6,053.00
BA 843	11/15/2011	2748	7433	0040	8080.0000	Service Contracts	74,165.00
BA 843	11/15/2011	2748	7433	0040	8210.0060	Outside Temporary Service	14,800.00
BA 843	11/15/2011	2748	7433	0040	8440.0040	Other Training	88,212.00
BA 843	11/15/2011	2748	7433	0040	8500.0000	Travel - Mileage	750.00
BA 843	11/15/2011	2748	7433	0040	8610.0000	Conferences & Othr Travel	750.00
BA 843	11/15/2011	2748	7433	0040	9010.0000	Advertising	2,000.00
BA 843	11/15/2011	2748	7433	0040	9390.0000	Building Rental	1,335.00
BA 843	11/15/2011	2748	7433	0041	8080.0000	Service Contracts	326,364.00
BA 843	11/15/2011	2748	7433	0042	8080.0000	Service Contracts	460,636.00
<u>COMBINING BUDGET</u>							
BA 845	11/15/2011	2220	6491	1454	8270.0000	Client Care	912,906.00
BA 845	11/15/2011	2220	6491	1455	8270.0000	Client Care	912,906.00
<u>FARMER'S MARKET GRANT</u>							
BA 865	11/07/2011	2210	6054		5160.0000	Federal Grants - Health	22,610.00
BA 865	11/07/2011	2210	6054		7040.0000	Salaries - Regular	7,988.00
BA 865	11/07/2011	2210	6054		7150.0000	Social Security	597.00
BA 865	11/07/2011	2210	6054		7160.0000	Hospitalization	360.00
BA 865	11/07/2011	2210	6054		7160.0020	OPEB - Health Care	66.00
BA 865	11/07/2011	2210	6054		7170.0000	Life Insurance	15.00
BA 865	11/07/2011	2210	6054		7180.0000	Retirement & Sick Leave	714.00
BA 865	11/07/2011	2210	6054		7180.0010	457 Plan Contribution	26.00
BA 865	11/07/2011	2210	6054		7200.0000	Worker'S Compensation	2.00
BA 865	11/07/2011	2210	6054		7220.0000	Unemployment	50.00
BA 865	11/07/2011	2210	6054		7240.0000	Disability Insurance	22.00
BA 865	11/07/2011	2210	6054		7270.0000	Office Supplies	120.00
BA 865	11/07/2011	2210	6054		7280.0000	Printing & Binding	350.00
BA 865	11/07/2011	2210	6054		7390.0000	Operational Supplies	1,100.00
BA 865	11/07/2011	2210	6054		8210.0000	Contractual - Other	10,000.00

Adjustment Number	G/L Date	Fund	Dept	Sub Dept	Account Number	Account Name	Adjustment Amount
<u>FARMER'S MARKET GRANT</u>							
BA 865	11/07/2011	2210	6054		9010.0000	Advertising	1,200.00
<u>EST BDG FOR CAA TRAIN</u>							
BA 869	11/07/2011	2870	7470		5610.0060	Comm. Serv. Block Grant	10,000.00-
BA 869	11/07/2011	2870	7472		8420.0010	Supportive Services	10,000.00
<u>ALGN BDG W/REMAIN \$</u>							
BA 871	11/07/2011	2870	7483		5610.0000	State Of Mich - Welfare	305.00
BA 871	11/07/2011	2870	7483		7040.0000	Salaries - Regular	238.00-
BA 871	11/07/2011	2870	7483		8600.0000	Travel - Mileage	6.00-
BA 871	11/07/2011	2870	7483		8610.0000	Conferences & Othr Travel	61.00-
<u>ADJ BDG FOR CHLD CARE</u>							
BA 873	11/07/2011	2921	6630		5610.0000	State Of Mich - Welfare	500.00-
BA 873	11/07/2011	2921	6630		6990.1010	Oper Trans-General Fund	500.00-
BA 873	11/07/2011	2921	6630		9660.0000	Project Costs	1,000.00
<u>INC FOR MI HWHY STUDY</u>							
BA 874	11/15/2011	1010	7210		5470.0000	St Of MI-Highways/Streets	80,034.00-
BA 874	11/15/2011	1010	7210		9600.0000	Special Projects	80,034.00
<u>SET UP GRNT,DNTNS, PUR</u>							
BA 875	11/15/2011	2081	7510		5050.0000	Fed. Grants-Public Safety	200,000.00-
BA 875	11/15/2011	2081	7510		6750.0010	Donations	100,000.00-
BA 875	11/15/2011	2081	7510		9710.0000	Land	646,000.00
<u>ADJUST TO LCC BUDGET</u>							
BA 876	11/15/2011	2210	6048		6070.0000	Chrgs. For Serv. - Fees	5,000.00-
BA 876	11/15/2011	2210	6048		6710.0000	Other Revenue	61,687.00-
BA 876	11/15/2011	2210	6048		7040.0000	Salaries - Regular	22,549.00
BA 876	11/15/2011	2210	6048		7130.0000	Vacation Payoff	100.00
BA 876	11/15/2011	2210	6048		7150.0000	Social Security	1,869.00
BA 876	11/15/2011	2210	6048		7160.0000	Hospitalization	4,179.00
BA 876	11/15/2011	2210	6048		7160.0020	OPEB - Health Care	177.00
BA 876	11/15/2011	2210	6048		7170.0000	Life Insurance	48.00
BA 876	11/15/2011	2210	6048		7180.0000	Retirement & Sick Leave	2,254.00
BA 876	11/15/2011	2210	6048		7180.0010	457 Plan Contribution	1,000.00

County of Ottawa  
Fiscal Services Department  
Changes to Total Appropriations and Adjustments  
Budget Adjustments From Date: 11/01/2011 Thru 11/30/2011

Adjustment Number	G/L Date	Fund	Dept	Sub Dept	Account Number	Account Name	Adjustment Amount
BA 876	11/15/2011	2210	6048		7190.0000	Dental Insurance	282.00
BA 876	11/15/2011	2210	6048		7200.0000	Worker'S Compensation	6.00
BA 876	11/15/2011	2210	6048		7210.0000	Longevity	3.00-
BA 876	11/15/2011	2210	6048		7220.0000	Unemployment	203.00
BA 876	11/15/2011	2210	6048		7230.0000	Optical Insurance	42.00
BA 876	11/15/2011	2210	6048		7240.0000	Disability Insurance	69.00
BA 876	11/15/2011	2210	6048		7270.0000	Office Supplies	477.00
BA 876	11/15/2011	2210	6048		7280.0000	Printing & Binding	550.00
BA 876	11/15/2011	2210	6048		7300.0000	Postage	985.00
BA 876	11/15/2011	2210	6048		7390.0000	Operational Supplies	6,249.00
BA 876	11/15/2011	2210	6048		8080.0000	Service Contracts	100.00
BA 876	11/15/2011	2210	6048		8210.0000	Contractual - Other	13,336.00
BA 876	11/15/2011	2210	6048		8300.0000	Memberships & Dues	165.00
BA 876	11/15/2011	2210	6048		8500.0000	Telephone	315.00
BA 876	11/15/2011	2210	6048		8600.0000	Travel - Mileage	1,500.00
BA 876	11/15/2011	2210	6048		8610.0000	Conferences & Othr Travel	434.00
BA 876	11/15/2011	2210	6048		9010.0000	Advertising	3,688.00
BA 876	11/15/2011	2210	6048		9390.0000	Building Rental	992.00
BA 876	11/15/2011	2210	6048		9400.0000	Equipment Rental	153.00
BA 876	11/15/2011	2210	6048		9660.0000	Project Costs	5,000.00
BA 876	11/15/2011	2210	6049		6070.0000	Chrgs. For Serv. - Fees	5,000.00
BA 876	11/15/2011	2210	6049		6710.0000	Other Revenue	53,333.00
BA 876	11/15/2011	2210	6049		7040.0000	Salaries - Regular	26,225.00-
BA 876	11/15/2011	2210	6049		7130.0000	Vacation Payoff	100.00-
BA 876	11/15/2011	2210	6049		7150.0000	Social Security	2,084.00-
BA 876	11/15/2011	2210	6049		7160.0000	Hospitalization	5,212.00-
BA 876	11/15/2011	2210	6049		7170.0000	OPEB - Health Care	222.00-
BA 876	11/15/2011	2210	6049		7170.0000	Life Insurance	54.00-
BA 876	11/15/2011	2210	6049		7180.0000	Retirement & Sick Leave	2,523.00-
BA 876	11/15/2011	2210	6049		7180.0010	457 Plan Contribution	710.00-
BA 876	11/15/2011	2210	6049		7190.0000	Dental Insurance	353.00-
BA 876	11/15/2011	2210	6049		7200.0000	Worker'S Compensation	10.00-
BA 876	11/15/2011	2210	6049		7210.0000	Longevity	3.00-
BA 876	11/15/2011	2210	6049		7220.0000	Unemployment	109.00-
BA 876	11/15/2011	2210	6049		7230.0000	Optical Insurance	53.00-
BA 876	11/15/2011	2210	6049		7240.0000	Disability Insurance	76.00-
BA 876	11/15/2011	2210	6049		7270.0000	Office Supplies	477.00-
BA 876	11/15/2011	2210	6049		7280.0000	Printing & Binding	200.00-
BA 876	11/15/2011	2210	6049		7300.0000	Postage	985.00-
BA 876	11/15/2011	2210	6049		7390.0000	Operational Supplies	2,500.00-
BA 876	11/15/2011	2210	6049		8080.0000	Service Contracts	100.00-
BA 876	11/15/2011	2210	6049		8210.0000	Contractual - Other	9,000.00-
BA 876	11/15/2011	2210	6049		8300.0000	Memberships & Dues	165.00-

ADJUST TO ICC BUDGET

County of Ottawa  
Fiscal Services Department  
Changes to Total Appropriations and Adjustments  
Budget Adjustments From Date: 11/01/2011 Thru 11/30/2011

Adjustment Number	G/L Date	Fund	Dept	Sub Dept	Account Number	Account Name	Adjustment Amount
<u>ADJUST TO LCC BUDGET</u>							
BA 876	11/15/2011	2210	6049		8500.0000	Telephone	315.00-
BA 876	11/15/2011	2210	6049		8600.0000	Travel - Mileage	1,500.00-
BA 876	11/15/2011	2210	6049		8610.0000	Conferences & Othr Travel	434.00-
BA 876	11/15/2011	2210	6049		9010.0000	Advertising	3,688.00-
BA 876	11/15/2011	2210	6049		9390.0000	Building Rental	992.00-
BA 876	11/15/2011	2210	6049		9400.0000	Equipment Rental	153.00-
<u>TO EST TAA 2012 BDGT</u>							
BA 877	11/15/2011	2748	7430	0014	5610.0000	State Of Mich - Welfare	1,500,000.00-
BA 877	11/15/2011	2748	7430	0014	8440.0050	Administration-Sub Agents	1,500,000.00
<u>BDG ROLL FRWRD 2012</u>							
BA 878	11/15/2011	2750	2930		5050.0000	Fed. Grants-Public Safety	126,997.00-
BA 878	11/15/2011	2750	2930		8080.0000	Service Contracts	99,690.00
BA 878	11/15/2011	2750	2930		9800.0000	Office Furniture & Equip.	27,307.00
<u>SEPARTE OUT OF ST CST</u>							
BA 879	11/15/2011	2920	6621		8280.0010	Private Institutional Cst	100,000.00-
BA 879	11/15/2011	2920	6621		8280.0040	Out of State Private Inst	100,000.00
<u>ADJ FOR ANTICIPD COSTS</u>							
BA 882	11/15/2011	1010	1310		6010.0000	Court Filing Fees	45,000.00-
BA 882	11/15/2011	1010	1310		7270.0000	Office Supplies	3,000.00
BA 882	11/15/2011	1010	1310		7280.0000	Printing & Binding	1,500.00
BA 882	11/15/2011	1010	1310		8010.0000	Consultants	2,000.00
BA 882	11/15/2011	1010	1310		8030.0020	Juror Fees	16,000.00
BA 882	11/15/2011	1010	1310		8030.0060	Interpreter Fees	2,000.00
BA 882	11/15/2011	1010	1310		8070.0000	Legal/Trial Ct Apt Att Fe	20,500.00
<u>COR REV/ALLOW EXPNDR</u>							
BA 886	11/15/2011	1010	3020		5050.0000	Fed. Grants-Public Safety	141.00-
BA 886	11/15/2011	1010	3020		6070.0180	Fees - Canine Dog	431.00-
BA 886	11/15/2011	1010	3020		6710.0000	Other Revenue	2,394.00-
BA 886	11/15/2011	1010	3020		8660.0000	Vehicle Repairs & Maint.	10,000.00
BA 886	11/15/2011	1010	3020		9400.0000	Equipment Rental	7,034.00-
<u>TO CORRECT REVENUE</u>							

County of Ottawa  
Fiscal Services Department  
Changes to Total Appropriations and Adjustments  
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Adjustment Number	G/L Date	Fund	Dept	Sub Dept	Account Number	Account Name	Adjustment Amount
<u>TO CORRECT REVENUE</u>							
BA 888	11/15/2011	1010	3310		6080.0000	Departmental Services	300.00-
BA 888	11/15/2011	1010	3310		6420.0000	Sales	2,400.00-
BA 888	11/15/2011	1010	3310		7040.0000	Salaries - Regular	5,000.00
BA 888	11/15/2011	1010	3310		7050.0040	Temp. Salaries-Reserves	6,371.00-
BA 888	11/15/2011	1010	3310		7160.0000	Hospitalization	1,651.00
BA 888	11/15/2011	1010	3310		7180.0000	Retirement & Sick Leave	2,000.00
BA 888	11/15/2011	1010	3310		7200.0000	Worker's Compensation	70.00
BA 888	11/15/2011	1010	3310		7210.0000	Longevity	350.00
<u>TO COR. REV RECEIVED</u>							
BA 889	11/15/2011	1010	3510		5050.0000	Fed. Grants-Public Safety	15,000.00-
BA 889	11/15/2011	1010	3510		6070.0130	Inmate Housing Fees	5,000.00-
BA 889	11/15/2011	1010	3510		7030.0000	Overtime	2,722.00
BA 889	11/15/2011	1010	3510		9770.0000	Equipment	17,278.00
<u>FDS RCVD THRU MOASH</u>							
BA 892	11/15/2011	2210	6310		6710.0000	Other Revenue	1,000.00-
BA 892	11/15/2011	2210	6310		7280.0000	Printing & Binding	150.00
BA 892	11/15/2011	2310	6310		7300.0000	Postage	50.00
BA 892	11/15/2011	2210	6310		7330.0000	Operational Supplies	200.00
BA 892	11/15/2011	2210	6310		8210.0000	Contractual - Other	600.00
<u>PMTO GRANT AGREEMENT</u>							
BA 895	11/15/2011	2220	6493	3247	8210.0000	Contractual - Other	10,000.00
BA 895	11/15/2011	2220	6494	4244	5180.0000	Federal Block Grant	10,000.00-
<u>ADJ FOR CORP CLEAN PO</u>							
BA 902	11/15/2011	2748	7431	0003	5610.0100	Most-Allegan DSS Revenue	1.00-
BA 902	11/15/2011	2748	7431	0003	8080.0000	Service Contracts	1,522.00-
BA 902	11/15/2011	2748	7431	0003	9390.0000	Building Rental	1,523.00
<u>ADJ TO ST. FOOD ASSIST</u>							
BA 903	11/15/2011	2748	7445		5610.0000	State Of Mich - Welfare	37,105.00
BA 903	11/15/2011	2748	7445		7040.0000	Salaries - Regular	2,612.00-
BA 903	11/15/2011	2748	7445		7150.0000	Social Security	199.00-
BA 903	11/15/2011	2748	7445		7160.0000	Hospitalization	707.00-
BA 903	11/15/2011	2748	7445		7160.0020	OPEB - Health Care	43.00-
BA 903	11/15/2011	2748	7445		7170.0000	Life Insurance	6.00-



County of Ottawa  
Fiscal Services Department  
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Adjustment Number	G/L Date	Fund	Dept	Sub Dept	Account Number	Account Name	Adjustment Amount
<u>ADJ TO ST.FOOD ASSIST</u>							
BA 903	11/15/2011	2748	7445		7180.0000	Retirement & Sick Leave	241.00-
BA 903	11/15/2011	2748	7445		7190.0000	Dental Insurance	36.00-
BA 903	11/15/2011	2748	7445		7220.0000	Unemployment	2.00-
BA 903	11/15/2011	2748	7445		7230.0000	Optical Insurance	8.00-
BA 903	11/15/2011	2748	7445		7240.0000	Disability Insurance	11.00-
BA 903	11/15/2011	2748	7445		8420.0010	Supportive Services	378.00
BA 903	11/15/2011	2748	7445		8440.0050	Administration-Sub Agents	33,830.00-
BA 903	11/15/2011	2748	7445		8600.0000	Travel - Mileage	212.00
<u>ANALYZE MED EXAMINERS</u>							
BA 916	11/21/2011	1010	6480		6070.0000	Chrgs. For Serv. - Fees	3,762.00-
BA 916	11/21/2011	1010	6480		7040.0000	Salaries - Regular	50.00
BA 916	11/21/2011	1010	6480		7050.0000	Salaries - Temporary	6,540.00
BA 916	11/21/2011	1010	6480		7150.0000	Social Security	700.00
BA 916	11/21/2011	1010	6480		7160.0000	Hospitalization	1,000.00-
BA 916	11/21/2011	1010	6480		7200.0000	Worker'S Compensation	15.00-
BA 916	11/21/2011	1010	6480		7220.0000	Unemployment	20.00
BA 916	11/21/2011	1010	6480		7270.0000	Office Supplies	40.00
BA 916	11/21/2011	1010	6480		8080.0000	Service Contracts	20.00-
BA 916	11/21/2011	1010	6480		8350.0000	Health Services	2,553.00-
BA 916	11/21/2011	1010	6480		8500.0000	Telephone	30.00-
<u>DONATN FRM TRNSCANADA</u>							
BA 917	11/21/2011	2081	7510		6750.0010	Donations	4,000.00-
BA 917	11/21/2011	2081	7510		8500.0000	Telephone	3,000.00
BA 917	11/21/2011	2081	7510		9740.0000	Land Improvements	22,000.00
<u>RSTRCTD DNATNS CRYFRD</u>							
BA 918	11/21/2011	2210	6061		6750.0013	Donations-Elmer Dense Fun	937.00
BA 918	11/21/2011	2210	6061		6750.0014	Donations-Amer Lung Assoc	160.00-
BA 918	11/21/2011	2210	6061		7640.0013	P.A.B.-Elmer Dense Fund	937.00-
BA 918	11/21/2011	2210	6061		7640.0014	PAE-American Lung Assoc.	160.00
<u>NEW KITCHEN AT CBS</u>							
BA 919	11/21/2011	2220	6491	1357	5170.0050	Medicaid - Capitated	11,549.00-
BA 919	11/21/2011	2220	6491	1357	9800.0000	Office Furniture & Equip.	11,549.00
<u>EST SWA JET SUPPORT</u>							

Date 12/08/11  
Time 11:54:36

County of Ottawa  
Fiscal Services Department  
Changes to Total Appropriations and Adjustments  
Budget Adjustments From Date: 11/01/2011 Thru 11/30/2011

Adjustment Number	G/L Date	Fund	Dept	Sub Dept	Account Number	Account Name	Adjustment Amount
<u>BST SWA JET SUPPORT</u>							
BA 921	11/21/2011	2743	7431	0024	5610.0000	State Of Mich - Welfare	26,859.00-
BA 921	11/21/2011	2743	7431	0024	7390.0000	Operational Supplies	2,685.00
BA 921	11/21/2011	2743	7433	0024	8440.0050	Administration-Sub Agents	24,174.00
<u>DONAIN FROM FRNDS GRP</u>							
BA 929	11/28/2011	2081	7510		7390.0000	Operational Supplies	1,275.00

# Action Request



**Committee:** Board of Commissioners

**Meeting Date:** 12/27/2011

**Requesting Department:** Administration

**Submitted By:** Keith Van Beek

**Agenda Item:** Restated Uniform Defined Contribution Program Resolution

## SUGGESTED MOTION:

To approve and authorize the Board Chair and Clerk to sign the MERS 2010 Restated Uniform Defined Contribution Program Resolution for employee divisions 1, 6, 10, 12, 19 and 60.

## SUMMARY OF REQUEST:

The Board of Commissioners has reviewed several reports and approved various actions in 2011, including the establishment of a new financing tool, to move new hires into a Defined Contribution (DC) retirement plan. Earlier financial analysis suggested a potential \$30 million savings over 30 years if new hires in all employee groups would transition to this plan. Because there is a short-term cost involved with this transition, the Board established the earlier referenced financing tool to facilitate the transition. Administration has also recommended that employee groups, or divisions within the current MERS Defined Benefit (DB) retirement plan, be transitioned over a period rather than all at once.

The MERS 2010 Restated Uniform Defined Contribution Program Resolution is the first of three documents that the Board must adopt in order to establish a DC plan for new hires effective January 1, 2012. Each Action Request Form will summarize the specifics of the respective document.

The MERS 2010 Restated Uniform Defined Contribution Program Resolution references Section 19A of the MERS Plan Document, which is included in your packet. The resolution adopts the DC benefit program as further described in the Adoption Agreement. It also outlines that current employees in the respective divisions will have a 6-month window to make a one-time irrevocable decision to transfer into the DC plan.

## FINANCIAL INFORMATION:

Total Cost: \_\_\_\_\_ General Fund Cost: \_\_\_\_\_ Included in Budget:  Yes  No

If not included in budget, recommended funding source: \_\_\_\_\_

## ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated  Non-Mandated  New Activity

## ACTION IS RELATED TO STRATEGIC PLAN:

Goal: 1: To Maintain and Improve the Strong Financial Position of the County.

Objective: 3: Approve strategies to reduce the negative impact of rising employee benefit costs on the budget.

**ADMINISTRATION RECOMMENDATION:**  Recommended  Not Recommended  Without Recommendation

County Administrator: \_\_\_\_\_

Committee/Governing/Advisory Board Approval Date: \_\_\_\_\_

# MERS 2010 Restated Uniform Defined Contribution Program Resolution



1134 Municipal Way Lansing, MI 48917 | 800.767.2308 | Fax 517.703.9711 [www.mersofmich.com](http://www.mersofmich.com)

This Resolution, together with Section 19A of the MERS Plan Document and the MERS Defined Contribution Plan Adoption Agreement, constitute the entire Benefit Program DC ("MERS Defined Contribution Plan") Plan Document.

**WHEREAS**, the MERS Plan Document of 1996, effective October 1, 1996, authorized a defined contribution option (Section 19A, Benefit Program DC) as a new benefit program that a participating municipality or participating court ("court") may adopt for MERS members to be administered under the discretion of the Municipal Employees' Retirement Board as trustee and fiduciary, directly by (or through a combination of) MERS or MERS' duly-appointed third-party administrator.

**WHEREAS**, as a new provision, Section 19A, along with the remainder of the Plan, received from the Internal Revenue Service a Letter of Favorable Determination (dated July 8, 1997, with most current Letter dated June 15, 2005) that the Plan is a qualified Plan under Section 401(a) of the Internal Revenue Code, and an exempt trust under Section 501(a).

**WHEREAS**, Benefit Program DC became operational in August 1997, following the July 8, 1997, Letter of Favorable Determination.

**WHEREAS**, this Restated Uniform Resolution has been approved by the Board under the authority of 2004 PA 490 (amending 1996 PA 220), Section 36(2)(a); MCL 38.1536(2)(a), declaring that the Retirement Board "shall determine . . . and establish" all provisions of the retirement system. Under this authority, the Board authorized Section 19A, the Benefit Program DC, which shall not be implemented unless in strict compliance with the terms and conditions of this Restated Resolution.

- It is expressly agreed and understood as an integral and nonseverable part of this Restated Resolution that Section 43B of the Plan Document shall not apply to this Restated Uniform Resolution and its administration or interpretation.
- As provided in Plan Document Section 19A(2), in the event any alteration of the terms or conditions stated in this Restated Uniform Resolution is made or occurs, under Section 43B or other plan provision or other law, it is expressly recognized that MERS and the Retirement Board, as sole trustee and fiduciary of the MERS Plan and its trust reserves, and whose authority is nondelegable, shall have no obligation or duty: to administer (or to have administered) the Benefit Program DC; to authorize the transfer of any defined benefit assets to the Benefit Program DC; or to continue administration by MERS (or any duly-appointed third-party administrator).

**WHEREAS**, concurrent with this 2010 Restated Resolution, and as a continuing obligation, this governing body has completed and approved, and submitted to MERS documents necessary for adoption and implementation of the MERS Benefit Program DC.

**NOW, THEREFORE, BE IT RESOLVED** that the governing body adopts MERS Benefit Program DC as provided below.

# MERS 2010 Restated Uniform Defined Contribution Program Resolution

I. NEW EMPLOYEES (Plan Sec 19A(4) – (10))

**AVAILABLE FOR ADOPTION SO LONG AS THE TOTAL FUNDED PERCENT OF AGGREGATE ACCRUED LIABILITIES AND VALUATION ASSETS OF ALL RESERVES SPECIFIED IN TABLE 13 (OR SUCCESSOR TABLE) FOR THE PARTICIPATING MUNICIPALITY OR COURT, AND FOR THE AFFECTED MERS BENEFIT PROGRAM CLASSIFICATION(S) OF THE MOST RECENT MERS ANNUAL ACTUARIAL VALUATION REPORT IS AT LEAST EIGHTY PERCENT (80%).**

**Effective** the first day of January, 2012, (to be known as the **ADOPTION DATE**),

the County of Ottawa hereby adopts Benefit Program  
(MERS municipality/court)

DC for Divisions 1, 6, 10, 12, 19, & 60  
(specify division #s)

first hired or rehired to the division at any time on and after the Adoption Date, and optional participation for any employee or officer of this municipality otherwise eligible to participate in MERS under Section 2B(3)(a) of the Plan Document who has previously elected to not participate in MERS. The employer shall establish the transfer rule for transferred employees in the Employer Resolution Establishing a Uniform Transfer Provision. **ONLY THOSE EMPLOYEES ELIGIBLE FOR MERS MEMBERSHIP (SECTIONS 2B(3) AND 3 OF THE PLAN DOCUMENT) SHALL BE ELIGIBLE TO PARTICIPATE.**

- (A) **CONTRIBUTIONS** shall be as allowed and specified in the MERS Defined Contribution Program Adoption Agreement (Attachment 2, completed and approved and a certified copy submitted to MERS concurrent with and incorporated by reference in this Resolution) **subject to the provisions of the Plan Document. A member is immediately vested 100% in any employee contributions (Section 19A(5)), and is vested in employer contributions under the employer vesting schedule (Section 19A(6)).**
- (B) **EARNINGS** under the Adoption Agreement shall be defined as “Compensation” under Section 2A(6) of the MERS Plan Document, being the Medicare taxable wages reported on the member’s W-2 statement.
- (C) **VESTING** shall be as allowed and specified under:
- (1) Plan Section 19A(6): and
  - (2) the Adoption Agreement.

**STOP**

If covering new employees only, skip II and go to III on page 5.

**STOP**

## MERS 2010 Restated Uniform Defined Contribution Program Resolution

II. **OPTIONAL PROVISION FOR CURRENT MERS DEFINED BENEFIT MEMBERS WHERE BENEFIT PROGRAM DC FOR NEW EMPLOYEES ESTABLISHED** (Plan Sec 19A(18)-(21))

**THIS OPTIONAL PROVISION SHALL ONLY BE SELECTED WHERE THE TOTAL FUNDED PERCENT OF AGGREGATE ACCRUED LIABILITIES AND VALUATION ASSETS OF ALL RESERVES SPECIFIED IN TABLE 13 (OR SUCCESSOR TABLE) FOR THE PARTICIPATING MUNICIPALITY OR COURT, AND FOR THE AFFECTED MERS BENEFIT PROGRAM CLASSIFICATION(S) OF THE MOST RECENT MERS ANNUAL ACTUARIAL VALUATION REPORT IS AT LEAST EIGHTY PERCENT (80%).**

**IT IS ADDITIONALLY RESOLVED**, as provided in each of the following paragraphs:

- (A) Effective on the **Adoption Date**, pursuant to Plan Section 19A(18) all current **MERS defined benefit** members who are members of the same employee classification described in Section I above on the **Adoption Date** shall:

**THE GOVERNING BODY SHALL SELECT ONLY ONE OF THE FOLLOWING:**

- where vested under this municipality's applicable MERS vesting program (10, 8, or 6 years)
- where the employee has at least the following number of years of credited service for this municipality on **Adoption Date**: \_\_\_\_\_ (insert whole number less than vesting program)
- without regard to vesting

be offered the opportunity to irrevocably elect coverage under Benefit Program DC, under the detailed procedures provided in Plan Section 19A(19)-(21).

Section 19A(19) specifies an employee's written election to participate shall be filed with MERS: (a) not earlier than the last day of the third month after this Resolution is adopted and received by MERS; and (b) not later than the first day of the first calendar month that is at least six months after MERS receives this Resolution. This means each eligible employee will have about 90 days to make the decision.

After MERS receives this Resolution, this governing body's authorized official and eligible employees will be advised by MERS of the election window timelines and other information to consider in making the irrevocable decision whether to participate in Benefit Program DC.

Participation for those electing coverage shall be effective the first day of the first calendar month at least six (6) months after MERS' receipt of the Resolution, here designated as being the month of \_\_\_\_\_ July \_\_\_\_\_, 20\_\_12\_\_, (insert month and year) which shall be known as the "**CONVERSION DATE.**"

## MERS 2010 Restated Uniform Defined Contribution Program Resolution

The opportunity for current employees on the Adoption Date to participate in the Benefit Program DC shall (select one of the following two choices):

- apply to all employees who separate from or terminate employment with this municipality after the **Adoption Date** and before the **Conversion Date**, so long as the employee does not receive a retirement allowance (including distributions from Benefit Programs DC or H) from MERS based on service for this municipality.
- not apply to any employee who separates from or terminates employment with this municipality after the **Adoption Date**.

(B) **CONTRIBUTIONS** shall be as provided in Section I (A) above.

(C) **EARNINGS** shall be as provided in Section I (B) above.

(D) **VESTING** shall be as provided in Section I (C) above, and participants shall be credited, on participant written request and MERS verification of such service, with all eligible service, if any, specified in Plan Section 19A(3):

Where a member has previously acquired in the employ of any participating municipality or court:

- (a) not less than one year of defined benefit service (including Benefit Program H, Hybrid) in force with any participating municipality or court;
- (b) eligible credited service where the participating municipality or court has adopted the Reciprocal Retirement Act, 1961 PA 88;
- (c) at least 12 months in which employer contributions by a participating municipality or court have been made on behalf of the member under Benefit Program DC or Benefit Program H,

such service shall be applied toward satisfying the vesting schedule for employer contributions.

(E) For each employee irrevocably electing to participate in Benefit Program DC, then under Plan Section 19A(21), MERS shall transfer to the member's credit (as adjusted through MERS' records to the Conversion Date) the greater of:

- (1) The member's accumulated contributions in the reserve for employee contributions; or
- (2) The actuarial present value (as determined in Paragraph (F) below).

The transfer shall be made approximately 30 calendar days after the **Conversion Date**, and the transfer amount shall include pro-rated regular interest at the regular Board-established rate for crediting of interest on member's accumulated contribution in the defined benefit program, measured from the **Conversion Date** to the actual transfer date.

## MERS 2010 Restated Uniform Defined Contribution Program Resolution

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- (F) Per Plan Section 19A(21)(b)(i), the MERS Retirement Board has established the assumptions for calculation of the actuarial present value of a member's accrued benefit that may be transferred. The assumptions are:
- (1) **The interest rate in effect as of the Adoption Date, to determine actuarial present value, shall be the Board-established investment earnings rate assumption (currently eight percent (8.00%)).**
  - (2) **The funded level for the member's specific MERS division** (total funded percentage of the present value of accrued benefits which shall be determined using Termination Liability under Table 12 or successor table and valuation assets of all reserves using Table 13) **as of the Adoption Date** from the most recent MERS annual actuarial valuation report data provided by MERS' actuary. In the APV calculation, the funded level used shall be:

### THE GOVERNING BODY SHALL SELECT ONLY ONE OF THE FOLLOWING:

- Table 12 Termination Liability funded level for the division (not less than 80% nor exceeding 100% funded level).
- If greater than the division's funded level but not more than 100% funded level, then MERS is directed to compute the funded percentage for the transfer calculation on 100 % funded basis (insert number greater than the division's Table 12 Termination Liability funded level percentage but not more than 100%). Where less than 100% funded level exists, this governing body recognizes that such direction shall increase its pension funding liability. MERS shall not implement such direction unless the governing body forwards to MERS sufficient cash up to the funded level selected for all members prior to the Conversion Date; if sufficient cash is not forwarded, then the governing body expressly covenants with MERS and directs, as a condition of this selection, to MERS billing and the governing body remitting to MERS all contributions necessary to fund the unfunded liability occasioned by the aggregate transfer of the difference between the actual funded level for the division and funded level directed above over a period of four (4) years.

### III. EFFECTIVENESS OF THIS RESTATED RESOLUTION

**BE IT FINALLY RESOLVED:** This Resolution shall have no legal effect under the MERS Plan Document until a certified copy of this adopting Resolution shall be filed with MERS, and MERS determines that all necessary requirements under Plan Document Section 19A, the Adoption Agreement, and this Resolution have been met. All dates for implementation of Benefit Program DC under Section 19A shall be determined by MERS from the date of filing with MERS of this 2010 Restated Resolution in proper form and content. Upon MERS determination that all necessary documents have been submitted to MERS, MERS shall record its formal approval upon this Resolution, and return a copy to the Employer's designated primary contact.



## MERS 2010 Restated Uniform Defined Contribution Program Resolution

In the event an amendatory Resolution or other action by the municipality is required, such Resolution or action shall be deemed effective as of the date of the initial Resolution or action where concurred in by this governing body and MERS (and any third-party administrator selected by MERS, if applicable and necessary). Section 54 of the Plan Document shall apply to this Resolution and all acts performed under its authority. The terms and conditions of this Restated Resolution supersede and stand in place of any prior resolution, and its terms are controlling.

I hereby certify that the above is a true copy of a Resolution adopted at the official meeting held on  
December 27, 2011.

\_\_\_\_\_  
(Signature of authorized official)

Please send MERS fully executed copy of:

- MERS 2010 Restated Uniform Defined Contribution Program Resolution (this form, MD-069)
- MERS Restated Defined Contribution Plan Adoption Agreement (MD-070)
- Certified minutes stating governing body approval, and/or union contract language

**Received and Approved by the Municipal Employees' Retirement System of Michigan**

Dated: \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(Authorized MERS signatory)

**COUNTY OF OTTAWA**

By: \_\_\_\_\_  
Daniel C. Krueger, County Clerk

**MUNICIPAL EMPLOYEES' RETIREMENT  
SYSTEM OF MICHIGAN  
PLAN DOCUMENT**

**ARTICLE III. RETIREMENT REQUIREMENTS AND BENEFIT PROGRAM.**

**Sec. 19A. 2010 Restatement of Benefit Program DC (Defined Contribution); Adoption; Contribution; Distribution.**

*This Section 19A, together with the MERS Defined Contribution Program Adoption Agreement ("Adoption Agreement"), the MERS Restated Uniform Defined Contribution Program Resolution ("Resolution"), and the Declaration of Trust, constitute the entire MERS Benefit Program DC Plan Document ("Benefit Program DC" or "defined contribution plan"). The defined contribution plan is a benefit program option under the Municipal Employees' Retirement System of Michigan Plan Document ("MERS Plan Document" or "Plan Document").*

- (1) This 2010 restatement of section 19A applies to a member covered exclusively by Benefit Program DC. This section as restated repeals and replaces predecessor section 19A. The entirety of former section 19A in effect as of September 15, 2009 Restatement, and the 2009 Restatement of section 19A prior to the May 12, 2010 revision, shall be placed in the Appendix to Plan Document.
- (2) In the event any alteration of any provision of this section 19A, or other sections of the Plan Document related to the provisions of Benefit Program DC is made or occurs, under section 43B of the Plan Document concerning collective bargaining or under any other plan provision or law, adoption of Benefit Program DC shall not be recognized, other than in accordance with this section and other sections of the Plan Document related to the provisions of Benefit Program DC.
- (3) Where a member has acquired in the employ of any participating municipality or participating court:
  - (a) not less than 1 year of defined benefit service (including Benefit Program H) in force with any participating municipality or participating court ("court");
  - (b) eligible credited service where the participating municipality or court has adopted the Reciprocal Retirement Act, 1961 PA 88;
  - (c) at least 12 months in which employer contributions by a participating municipality or court have been made on behalf of the member under Benefit Program DC or Benefit Program H;

such service shall be applied toward satisfying the vesting schedule under both the Benefit Program H Defined Benefit Component and for employer contributions under Benefit Program DC and Benefit Program H Defined Contribution Component.

The group or groups of members eligible to participate in Benefit Program DC are those members specified in the Adoption Agreement.

**DEFINED CONTRIBUTION--NEW HIRES ONLY (subsections (4) – (17))**

- (4) A participating municipality or court may adopt Benefit Program DC for new hires only upon compliance with the 80% actuarial funded requirements as provided in section 43C (without application of the last sentence of subsections 43C(2) and 43C(3)). In the Resolution adopting Benefit Program DC, the member's participating municipality or court shall provide for the contribution of a percentage of the member's compensation to the retirement system. *Specific contribution amounts shall be specified in the Adoption Agreement for each plan year.* The participating municipality or court shall choose the percentage from the available contribution programs. The contribution programs available for selection are any percentage of compensation allowed by federal law. The participating municipality or court shall choose the same contribution rate for all members in the same benefit program coverage classification. The Retirement Board shall determine the timing and mechanism for the remittance of employer contributions. The Retirement Board may establish a program for making transfers from the reserve for employer contributions to the reserve for defined contribution plan for the purpose of meeting all or a part of the participating municipality's or court's contribution under this subsection. *Contributions shall be contributed to the Trust in accordance with the payment schedule set forth in the Adoption Agreement. If so elected by the employer in the Adoption Agreement, a member shall be required to make contributions as provided in subsection (5) and in the Adoption Agreement in order to be eligible for employer contributions to be made on his/her behalf to the defined contribution plan.*

*To the extent required under Section 415(c) of the Internal Revenue Code of 1986 ("Code"), in no event shall the Annual Addition for a member for any plan year exceed the lesser of:*

- (a) *Forty Thousand Dollars (\$40,000) (as increased by the cost-of-living in accordance with Code Section 415(d)); or*
- (b) *One hundred percent (100%) of the Compensation of such member received from an employer during the plan year. The Compensation limit described in this paragraph (b) shall not apply to any contribution for medical benefits after separation from service (within the meaning of Code Section 401(h) or Code Section 419A(f)(2)) which is otherwise treated as an Annual Addition.*

*The defined contribution plan shall be administered so as to comply with the limitations of Code Section 415. Notwithstanding anything in this subsection (4), the contributions on behalf of any member shall be reduced to the extent necessary to comply with such limitations.*

- (c) *For purposes of this subsection, the following definitions apply:*

(i) *Annual Addition:* The sum of the following amounts credited to a member's account for the Limitation Year:

- Employer contributions;
- Forfeitures;
- Employee contributions; and
- Allocations under a simplified employee pension.

Amounts allocated, after March 31, 1984, to an individual medical account, as defined in section 415(l)(2) of the Code, which is part of a pension or annuity plan maintained by the employer, are treated as Annual Additions to a defined contribution plan.

(ii) *Compensation:* For purposes of applying section 415(c) of the Internal Revenue Code and for no other purpose, the definition of compensation where applicable will be compensation actually paid or made available during a limitation year, except as noted below and as permitted by Treasury Regulation section 1.415(c)-2, or successor regulation; provided, however, that member contributions picked up under section 414(h) of the Internal Revenue Code shall not be treated as compensation.

Compensation generally has the meaning set forth under Section 2A(6) of the MERS Plan Document and will be defined as wages within the meaning of section 3401(a) of the Internal Revenue Code and all other payments of compensation to an employee by an employer for which the employer is required to furnish the employee a written statement under sections 6041(d), 6051(a)(3) and 6052 of the Internal Revenue Code and will be determined without regard to any rules under section 3401(a) of the Internal Revenue Code that limit the remuneration included in wages based on the nature or location of the employment or the services performed (such as the exception for agricultural labor in section 3401(a)(2) of the Internal Revenue Code).

However, for limitation years beginning after December 31, 1997, compensation will also include amounts that would otherwise be included in compensation but for an election under section 125(a), 402(e)(3), 402(h)(1)(B), 402(k), or 457(b) of the Internal Revenue Code. For limitation years beginning after December 31, 2000, compensation shall also include any elective amounts that are not includible in the gross income of the member by reason of section 132(f)(4) of the Internal Revenue Code.

For limitation years beginning on and after January 1, 2009, compensation for the limitation year shall also include compensation paid by the later of 2½ months after a member's severance from employment or the end of the limitation year that includes the date of the member's severance from employment if:

- the payment is regular compensation for services during the member's regular working hours, or compensation for services outside the

*member's regular working hours (such as overtime or shift differential), commissions, bonuses or other similar payments, and, absent a severance from employment, the payments would have been paid to the member while the member continued in employment with the employer; or*

- the payment is for unused accrued bona fide sick, vacation or other leave that the member would have been able to use if employment had continued; or*
- payments pursuant to a nonqualified unfunded deferred compensation plan, but only if the payments would have been paid to the member at the same time if the member had continued employment with the employer and only to the extent that the payment is includible in the member's gross income.*

*Any payments not described above are not considered compensation if paid after severance from employment, even if they are paid within 2½ months following severance from employment, except for payments to the individual who does not currently perform services for the employer by reason of qualified military service (within the meaning of section 414(u)(1) of the Internal Revenue Code) to the extent these 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.*

*An employee who is in qualified military service (within the meaning of section 414(u)(1) of the Internal Revenue Code) shall be treated as receiving compensation from the employer during such period of qualified military service equal to (i) the compensation the employee would have received during such period if the employee were not in qualified military service, determined based on the rate of pay the employee would have received from the employer but for the absence during the period of qualified military service, or (ii) if the compensation the employee would have received during such period was not reasonably certain, the employee's average compensation from the employer during the twelve (12) month period immediately preceding the qualified military service (or, if shorter, the period of employment immediately preceding the qualified military service).*

*Back pay, within the meaning of Treasury Regulation section 1.415(c)-2(g)(8), shall be treated as compensation for the limitation year to which the back pay relates to the extent the back pay represents wages and compensation that would otherwise be included under this definition.*

*For limitation years beginning on or after January 1, 2009, a member's compensation for purposes of subsection (k) shall not exceed the annual limit under section 401(a)(17) of the Internal Revenue Code.*

(iii) *Limitation Year: A calendar year, or the twelve (12) consecutive month period elected by the employer in the Adoption Agreement.*

- (5) *Member Contributions. If the employer so elects in the Adoption Agreement, each eligible member shall make contributions at a rate prescribed by the employer or at any of a range of specified rates, as set forth by the employer in the Adoption Agreement, as a requirement for his/her participation in the defined contribution plan. Once an eligible member becomes a participant, he/she shall not thereafter have the right to discontinue or vary the rate of such mandatory participant contributions. Such contributions shall be accounted for separately in the participant contribution account. Such account shall be at all times nonforfeitable by the member.*

*If the employer so elects in the Adoption Agreement, the mandatory participant contributions shall be "picked up" by the employer in accordance with Code section 414(h)(2). The contributions so picked up shall be treated as an employer contributions pursuant to Internal Revenue Code Section 414(h)(2). The employer shall pay these picked-up contributions directly to the System, instead of paying such amounts to the participants, and such contributions shall be paid from the same funds that are used in paying salaries to the participants. Such contributions, although designated as employee contributions, shall be paid by the employer in lieu of contributions by participants. Participants may not elect to receive such contributions directly instead of having them paid by the employer to the System. Employee contributions so picked up shall be treated for all purposes of the Plan Document and Michigan law, other than federal tax law, in the same manner as employee contributions made before the date picked up.*

A member may *also* voluntarily contribute additional amounts *on an after-tax basis* to his or her individual account in the reserve for defined contribution plan *for any plan year in any amount* to the extent allowed by federal law and subject to procedures established by the Retirement Board. A member may roll over qualified distributions from other qualified retirement plans into this retirement system, to the extent allowed by federal law *and as specified in the Adoption Agreement*. A member is immediately 100% vested in the member's accumulated balance *for all member contributions*.

- (6) *Employer Contributions. A member vests in employer contributions as provided in the vesting schedule adopted by the employer in the Adoption Agreement, subject to subsection (3). The vesting schedule may provide for one of the following:*
- (a) *Immediate Vesting upon Participation; or*
  - (b) *100% Vesting after Stated Year (participant is 100% Vested after not to exceed maximum 5 Years of Service ("cliff" vesting)); or*

Stated Year (circle): 1      2      3      4      5

- (c) Graded Vesting Percentage Per Year of Service (not to exceed maximum 6 Years of Service for 100% Vesting, nor be less than stated minimums below)

\_\_\_\_\_ % after 1 Year of Service.  
\_\_\_\_\_ % after 2 Years of Service.  
\_\_\_\_\_ % (not less than 25%) after 3 Years of Service.  
\_\_\_\_\_ % (not less than 50%) after 4 Years of Service.  
\_\_\_\_\_ % (not less than 75%) after 5 Years of Service.  
\_\_\_\_\_ % (not less than 100%) after 6 Years of Service.

*Notwithstanding the above, a member shall be vested in his/her entire employer contribution account, to the extent that the balance of such account has not previously been forfeited, if he/she is employed on or after his/her Normal Retirement Age. "Normal Retirement Age" is age 60 or as otherwise specified in the Adoption Agreement.*

*In addition, notwithstanding the above, in the event of disability or death, a member or his/her beneficiary shall be vested in his/her entire employer contribution account, to the extent that the balance of such account has not previously been forfeited as described below.*

- (7) *Forfeitures. Except as provided above or as otherwise provided in this paragraph, a member who separates from service prior to obtaining full vesting shall forfeit that percentage of his/her employer contribution account balance which has not vested as of the date such member incurs a break in service of five (5) consecutive years or, if earlier, the date such member receives, or is deemed to have received, distribution of the entire vested interest in his/her employer contribution account.*
- (8) *Availability of Loans to Participants. If the employer has elected in the Adoption Agreement to make loans available to participants, a participant may apply for a loan from the defined contribution plan pursuant to uniform guidelines that have been approved by the plan administrator and subject to Internal Revenue Code Section 72(p).*

*The employer shall establish a written policy governing the granting of loans that is not inconsistent with the provisions of the defined contribution plan, and which makes loans available to all participants on a reasonably equivalent basis.*

- (9) *Military Service. Notwithstanding any provisions of this defined contribution plan to the contrary, contributions, benefits, and service credit with respect to qualified military service will be provided in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 ("USERRA"); Code Section 414(u); and effective January 1, 2007, Code Section 401(a)(37), as amended from time to time.*



*If the employer has elected in the Adoption Agreement to make loans available to participants, loan repayments will be suspended under the defined contribution plan as permitted under section 414(u)(4) of the Code.*

(10) *Investments.*

- (a) The Retirement Board may contract with private investment managers to invest the assets in the reserve for defined contribution plan. A member, vested former member, and beneficiary may direct the investment of the individual's accumulated balance to 1 or more of the available categories of investment provided by the investment managers; *provided, however, that the member's investment directions shall not violate any investment restrictions established by the employer and shall not include any investment in collectibles, as defined in Section 408(m) of the Code.* At least 3 categories of investment shall be made available to members, vested former members, and beneficiaries:
  - (i) Short-term securities.
  - (ii) Fixed income securities.
  - (iii) Equity securities.
- (b) The Retirement Board shall determine the investment category for the accumulated balance of a member, vested former member, or beneficiary, if that individual does not choose to direct his or her own investments under subsection (10)(a).

(11) *Beneficiaries.*

- (a) Upon the death of a member or vested former member, the accumulated balance of the deceased member or deceased vested former member is considered to belong to the beneficiary or beneficiaries, if any, nominated by the deceased member or deceased vested former member.
- (b) To nominate a beneficiary or beneficiaries, a member shall file a written nomination with the Retirement Board, based on procedures established by the Retirement Board. Written consent by the member's spouse to the beneficiary named is required unless the spouse is beneficiary to 100% of the balance; this requirement may be waived by the Retirement Board if the signature of the member's spouse cannot be obtained because of extenuating circumstances.

(12) *Distributions.*

- (a) *Forms of Benefit.* Upon termination of membership, a vested former member or a beneficiary, as applicable, shall elect 1 or a combination of several of the following methods of distribution of the vested former member's or beneficiary's accumulated balance, to the extent allowed by

federal law and subject to subsection (11)(b) and procedures established by the Retirement Board:

- (i) Lump sum distribution to the vested former member or beneficiary.
  - (ii) Lump sum direct rollover to another eligible retirement plan, to the extent allowed by federal law.
  - (iii) Annuity for the life of the vested former member or beneficiary.
  - (iv) *Annuity for the joint lives of the vested former member and a beneficiary.*
  - (v) *A period certain not extending beyond the life expectancy of the vested former member.*
  - (vi) *A period certain not extending beyond the life expectancy of the joint and last survivor expectancy of the vested former member and a beneficiary.*
  - (vii) No distribution, in which case the accumulated balance shall remain in the retirement system, to the extent allowed by federal law.
- (b) *Commencement of Benefits. A participant who retires, becomes disabled or incurs a severance from employment for any other reason may elect by written notice to the plan administrator to have his or her vested account balance benefits commence on any date, provided that such distribution complies with the following paragraph. A participant will be considered to be disabled if he or she is unable to engage in any substantial gainful activity due to any medically determinable physical or mental impairment which can be expected to result in death or to be of long-continued and indefinite duration, as provided in Internal Revenue Code Section 72(m)(7). For purposes of this Section, whether a disability exists shall be determined by the Employer.*

*Notwithstanding anything to the contrary in this section, if the value of a participant's vested account balance is greater than \$1,000, and the account balance is immediately distributable, the participant must consent to any distribution of such account balance. The participant's consent shall be obtained in writing during the ninety (90) day period ending on the date as of which benefit payments are to commence. No consent shall be required, however, to the extent that a distribution is required to satisfy Section 401(a)(9) or 415 of the Code.*

*A participant may upon written request withdraw a part of or the full amount of his/her voluntary contribution account. Such withdrawals may be made at any time, provided that no more than two (2) such withdrawals may be made during any calendar year. No forfeiture will occur solely as the result of any such withdrawal.*

*Where elected by the employer in the Adoption Agreement, a participant that has a separate account attributable to rollover contributions to the defined contribution plan, may at any time elect to receive a distribution of all or any portion of the amount held in the rollover account.*

*Unless otherwise elected by the employer in the Adoption Agreement, a participant who has reached age seventy and one-half (70½) regardless of his/her vested interest in his/her entire employer contribution account, shall, upon written request, receive a distribution of a part of or the full amount of the balance in any or all of his/her vested accounts. Such distributions may be requested at any time, provided that no more than two (2) such distributions may be made during any calendar year.*

*Notwithstanding anything to the contrary in this section, benefits shall begin no later than the participant's required beginning date, or as otherwise provided in the defined contribution plan. The "required beginning date" is April 1 of the calendar year following the later of the calendar year in which the participant attains age seventy and one-half (70½), or the calendar year in which the participant retires.*

- (c) *Distribution Requirements. Pursuant to Section 23(9) of the MERS Plan Document, the retirement system will pay all benefits in accordance with a good faith interpretation of the requirements of section 401(a)(9) of the Internal Revenue Code and the regulations in effect under that section, as applicable to a governmental plan within the meaning of section 414(d) of the Internal Revenue Code.*

*The participant's entire interest will be distributed, or begin to be distributed, to the participant no later than the participant's required beginning date.*

*If the participant dies before distributions begin, the participant's entire interest will be distributed, or begin to be distributed, no later than as follows:*

- (i) *If the participant's surviving spouse is the participant's sole designated beneficiary, then, distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the participant died, or by December 31 of the calendar year in which the participant would have attained age seventy and one-half (70½), if later.*
- (ii) *If the participant's surviving spouse is not the participant's sole designated beneficiary, then distributions to the designated beneficiary will begin by December 31 of the calendar year immediately following the calendar year in which the participant died.*

- (iii) *If there is no designated beneficiary as of September 30 of the year following the year of the participant's death, the participant's entire interest will be distributed by December 31 of the calendar year containing the fifth anniversary of the participant's death.*
- (iv) *If the participant's surviving spouse is the participant's sole designated beneficiary and the surviving spouse dies after the participant but before distributions to the surviving spouse begin, this subsection, other than paragraph (i), will apply as if the surviving spouse were the participant.*

*For purposes of this section, unless paragraph (iv) above applies, distributions are considered to begin on the participant's required beginning date. If paragraph (iv) applies, distributions are considered to begin on the date distributions are required to begin to the surviving spouse under paragraph (i). If distributions under an annuity purchased from an insurance company irrevocably commence to the participant before the participant's required beginning date (or to the participant's surviving spouse before the date distributions are required to begin to the surviving spouse under paragraph (i)), the date distributions are considered to begin is the date distributions actually commence.*

- (d) *2009 Distributions. Notwithstanding any other provision herein, a participant or beneficiary who would have been required to receive a minimum required distribution during 2009 and who would have satisfied that requirement with a distribution equal to the 2009 minimum required distribution or with a payment that was part of a series of substantially equal periodic payments received that distribution unless the participant or beneficiary chose not to receive such distribution. Participants and beneficiaries were given the opportunity to elect to not receive such distribution during 2009.*

- (13) *Eligible Rollover Distributions. For purposes of compliance with section 401(a)(31) of the Internal Revenue Code, this section and Sections 2A(7)-(10) and 55(10) of the MERS Plan Document apply notwithstanding any contrary provision or retirement law that would otherwise limit a distributee's election to make a rollover. A distributee may elect, at the time and in the manner prescribed by the board, to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover.*

*"Direct rollover" means a payment by the plan to the eligible retirement plan specified by the distributee.*

*"Distributee" means an employee or former employee. It also includes the employee's or former employee's surviving spouse and the employee's or former employee's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in section 414(p) of the Internal Revenue*

*Code. Effective January 1, 2007, a distributee further includes a nonspouse beneficiary who is a designated beneficiary as defined by section 401(a)(9)(E) of the Internal Revenue Code. However, a nonspouse beneficiary may only make a direct rollover to an individual retirement account or individual retirement annuity established for the purpose of receiving the distribution, and the account or annuity will be treated as an "inherited" individual retirement account or annuity.*

*"Eligible retirement plan" means any of the following that accepts the distributee's eligible rollover distribution:*

- (a) a qualified trust described in section 401(a) of the Internal Revenue Code;*
- (b) an annuity plan described in section 403(a) of the Internal Revenue Code;*
- (c) effective January 1, 2002, an annuity contract described in section 403(b) of the Internal Revenue Code;*
- (d) an individual retirement account described in section 408(a) of the Internal Revenue Code;*
- (e) an individual retirement annuity described in section 408(b) of the Internal Revenue Code;*
- (f) effective January 1, 2008, a Roth IRA described in section 408A of the Internal Revenue Code; or*
- (g) effective January 1, 2002, a plan eligible under section 457(b) of the Internal Revenue Code that is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or a political subdivision of a state that agrees to separately account for amounts transferred into that plan from the retirement system.*

*"Eligible rollover distribution" means any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or the life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of ten years or more; any distribution to the extent such distribution is required under section 401(a)(9) of the Internal Revenue Code; the portion of any distribution that is not includible in gross income; and any other distribution which the Internal Revenue Service does not consider eligible for rollover treatment, such as certain corrective distributions necessary to comply with the provisions of section 415 of the Internal Revenue Code or any distribution that is reasonably expected to total less than \$200 during the year. Effective January 1, 2002, a portion of a distribution will not fail to be an eligible rollover distribution merely because the portion consists of after-tax employee contributions that are not includible in gross income. However, such portion may be transferred only (i) to an individual retirement account or annuity described in*

section 408(a) or (b) of the Internal Revenue Code or to a qualified defined contribution plan described in section 401(a) of the Internal Revenue Code; (ii) on or after January 1, 2007, to a qualified defined benefit plan described in section 401(a) of the Internal Revenue Code or to an annuity contract described in section 403(b) of the Internal Revenue Code, that agrees to separately account for amounts so transferred (and earnings thereon), including separately accounting for the portion of the distribution that is includible in gross income and the portion of the distribution that is not so includible; or (iii) on or after January 1, 2008, to a Roth IRA described in section 408A of the Internal Revenue Code. Effective January 1, 2002, the definition of eligible rollover distribution also includes a distribution to a surviving spouse, or to a spouse or former spouse who is an alternate payee under a qualified domestic relations order, as defined in section 414(p) of the Internal Revenue Code.

- (14) *Eligible Domestic Relations Orders.* Pursuant to Section 53(2)-(3) of the MERS Plan Document, the right of an individual to a retirement allowance, to the return of accumulated contributions, the retirement allowance itself, or any other benefit under this Plan is subject to award by a court pursuant to section 18 of chapter 84 of the Revised Statutes of 1846, being section 552.18 of the Michigan Compiled Laws, and to any other order of a court pertaining to alimony or child support. The right of an individual to a retirement allowance, to the return of accumulated contributions, the retirement allowance itself, or any other benefit under this Plan is subject to an eligible domestic relations order under the Eligible Domestic Relations Order Act. However, this subsection does not permit or require a benefit to be paid or to be provided that is not otherwise available under the terms of this Plan.

*If an award or order described above requires the retirement system to withhold payment of a pension, deferred pension, accumulated contributions, or other benefit from the person to whom it is due or requires the retirement system to make payment or requires the person to request that the retirement system make payment of a pension, deferred pension, accumulated contributions, or other benefit, for the purpose of meeting the person's obligations to a spouse, former spouse or child, as provided above, the withholding or payment provisions of the award or order shall be effective only against such amounts as they become payable to the person receiving a retirement allowance unless otherwise provided in an eligible domestic relations order under the Eligible Domestic Relations Order Act.*

- (15) *Plan Amendment.*

- (a) *Amendment by Employer.* The employer reserves the right, subject to the following paragraphs, to amend the defined contribution plan from time to time by either:
- (i) *Filing an amended Adoption Agreement to change, delete, or add any optional provision; or*

- (ii) *Continuing the defined contribution plan in the form of an amended and restated defined contribution plan and Trust.*

*No amendment to the defined contribution plan shall be effective to the extent that it has the effect of decreasing a participant's accrued benefit.*

*No amendment to the defined contribution plan shall be effective to eliminate or restrict an optional form of benefit. The preceding sentence shall not apply to a defined contribution plan amendment that eliminates or restricts the ability of a participant to receive payment of his or her account balance under a particular optional form of benefit if the amendment provides a single-sum distribution form that is otherwise identical to the optional form of benefit being eliminated or restricted.*

- (b) *Amendment of Vesting Schedule. If the defined contribution plan's vesting schedule is amended, or the defined contribution plan is amended in any way that directly or indirectly affects the computation of the participant's nonforfeitable percentage, each participant may elect, within a reasonable period after the adoption of the amendment or change, to have the nonforfeitable percentage computed under the defined contribution plan without regard to such amendment or change.*

(16) *Plan Termination.*

- (a) *Termination by Retirement Board. The Retirement Board reserves the right to terminate this defined contribution plan. However, in the event of such termination no part of the Trust shall be used or diverted to any purpose other than for the exclusive benefit of the participants or their beneficiaries, except as provided in this subsection.*
- (b) *Termination by Employer. Upon compliance with section 44(1) or 44A(1) of the MERS Plan Document, a participating municipality or court may terminate participation in this defined contribution plan. No termination of MERS participation is required where the employer replaces this defined contribution plan with MERS Benefit Program H (Hybrid).*
- (c) *Upon plan termination or partial termination under subparagraphs (a) or (b), all account balances shall be valued at their fair market value and the participant's right to his/her employer contribution account shall be one hundred percent (100%) vested and nonforfeitable. Such amount and any other amounts held in the participant's other accounts shall be maintained for the participant until paid pursuant to the terms of the defined contribution plan.*

- (17) *Discontinuance of Contributions. A permanent discontinuance of contributions to the defined contribution plan by the employer, unless an amended and restated plan is established, shall constitute a plan termination. In the event of a complete*

*discontinuance of contributions under the defined contribution plan, the account balance of each affected participant shall be nonforfeitable.*

**MERS DEFINED CONTRIBUTION--CONVERSION FOR CURRENT MEMBERS**  
**IN MERS DEFINED BENEFIT PROGRAM (subsections (18) – (21))**

- (18) In the resolution adopting Benefit Program DC for new hires, the participating municipality or court may provide an opportunity for current members of the retirement system to elect coverage under Benefit Program DC if each of the following conditions are met:
- (a) The member's participating municipality or court elects under Section 43 or 43A to change the benefit program from a benefit program other than Benefit Program DC to Benefit Program DC, for members in a benefit program coverage classification who are first hired after the effective date of the change.
  - (b) On the effective date of the change to Benefit Program DC, the member is a member of the retirement system and is in the benefit program coverage classification described in subdivision (a).
  - (c) On the date of the resolution adopting Benefit Program DC, the total funded percent of aggregate accrued liabilities and valuation assets of all reserves and for the member's defined benefit program coverage classification as specified in Table 13 (or successor table) of the most recent annual actuarial valuation report for the municipality or court shall be at least 60% prior to July 1, 2009, and 80% commencing July 1, 2009 as provided in section 43C (without application of the last sentence of subsections 43C(2) and 43C(3)). The participating municipality or participating court may make additional contributions to the retirement system or reallocate assets among defined benefit program coverage classifications in order to meet the conditions of this subsection.
- (19) The retirement system shall offer 1 opportunity for a member who satisfies the conditions of subsection (18) to elect coverage under Benefit Program DC, and once made, the election is irrevocable. The member shall make the election under this subsection in writing, based on procedures established by the Retirement Board. The Retirement Board shall begin accepting written elections from members on and after the effective date of the change of benefit program pursuant to subsection (18), and shall not accept written elections from members:
- (a) Earlier than the end of the third month following the month in which the resolution is adopted and received by MERS; and
  - (b) Later than the first day of the first calendar month that is at least 6 months after MERS receipt of the resolution.



If the member is married at the time of election, the election is not effective unless the election is signed by the member's spouse, except that this requirement may be waived by the Retirement Board if the signature of the member's spouse cannot be obtained because of extenuating circumstances.

- (20) A member who makes a written election under subsection (19) shall elect to do all of the following:
- (a) Cease to be covered by the previous benefit program effective 12:01 a.m. on the first day of the first calendar month that is at least 6 months after the effective date of the change of benefit program.
  - (b) Become covered by Benefit Program DC effective 12:01 a.m. on the first day of the first calendar month that is at least 6 months after the effective date of the change of benefit program.
  - (c) Except as provided in subsection (21), waive all of his or her rights to a retirement allowance or any other benefit provided under the previous benefit program.
- (21) For each member who, under subsection (19), elects coverage under Benefit Program DC, the Retirement Board shall transfer the following amounts from the reserve for employee contributions and the reserve for employer contributions and benefit payments to the reserve for defined contribution plan:
- (a) The member's accumulated contributions, if any, as of 12:01 a.m. on the day the member becomes covered by Benefit Program DC shall be transferred from the reserve for employee contributions to the reserve for defined contribution plan.
  - (b) Pursuant to procedures established by the Retirement Board, the excess, if any, of the actuarial present value of the accrued benefit associated with the member's coverage under the previous benefit program, over the amount specified in subdivision (a), based upon the funded level percentage selected by the governing body in the MERS Uniform DC Program Resolution (which shall not be less than 80% nor exceed 100% funded level percentage in any case), shall be transferred from the reserve for employer contributions and benefit payments to the member's credit in the reserve for defined contribution plan. For purposes of this subparagraph:
    - (i) The actuarial present value shall be computed as of 12:01 a.m. on the day the member becomes covered by Benefit Program DC and shall be based on the actuarial assumptions adopted by the Retirement Board.
    - (ii) In determining final average compensation there shall not be included any accrued annual leave.

- (iii) The earliest retirement date (for an unreduced benefit) assumption under the defined benefit program in effect on the effective date of the change of the benefit program shall be utilized.
- (iv) For purposes of the actuarial present value calculation, any future benefit otherwise payable under Benefit Program E or E-1 shall be disregarded.

**History:** 1996 PA 220, Eff. Aug. 15, 1996, and Plan Document of 1996. Section 19A was enacted as part of the Plan Document of 1996, effective October 1, 1996. Section 19A became legally operative on July 8, 1997, the date on which the Internal Revenue Service issued its first Letter of Favorable Determination that the Plan Document conforms to all provisions of the Internal Revenue Code as a tax exempt governmental pension trust. The current IRS Favorable Determination Letter issued June 15, 2005, embracing all Plan Document provisions through November 2004.

**Note 1:** The entirety of former section 19A with History and Notes was repealed by Board action of September 19, 2006, and Restated Section 19A approved, all with immediate effect. The language, History and Notes of section 19A at the time of repeal appears in the Appendix to Plan Document.

**Note 2:** By Board action of July 15, 2009, with the amendments effective as indicated below:

- addition to section 19A(2) of new first sentence; text in subsection (9)(c) added, increasing the minimum actuarial funded percentage requirement from 60% to 80% as provided in section 43C, and deleted paragraph following subsection 9(c); in subsection (12)(b) after "shall not" added "be less than 80% nor"; in subsection (13) deleted adjective "previously" before "acquired", and in subsection (13)(a) changed "a" to "any" (amendments effective July 1, 2009); and
- in section 10(6) increased the minimum actuarial funded percentage requirement from 60% to 80% as provided in section 43C (section 10(6) amendment effective July 1, 2009); and
- amendments to sections 43 and 43A (effective October 1, 2009) (following Member Comment through September 1, 2009).

**Note 3:** By Board action of September 15, 2009, with immediate effect: Section title and subsection (1) amended; subsection (2) added (language has been part of Uniform Defined Contribution Resolution since Defined Contribution Program inception in 1997; former subsection (13) text moved to subsection (3); former subsections (2) through (12) renumbered as subsections (4) through (14), respectively, and all internal references revised; clarifying language added in subsections (11)(c) and (14). The amendments to section 19A complement those made on September 15, 2009 to section 19B.

**Note 4:** By Board action of May 12, 2010, with immediate effect: all pre-existing internal italics, underlining or bold (with exception of subsection headings) was removed; with eight new subsections (7)-(9), (13)-(17) inserted; former sections (7)-(9) now combined in subsection (10); and all new text in italics. Former section 19A as in effect prior to these 2010 amendments is found in the Appendix to this Plan Document.

**Note 5:** By Board action of September 15, 2010, with immediate effect: text of former subsection (16)(b) rearranged to allow DC plan termination only upon termination of MERS participation, unless MERS Benefit Program H (Hybrid) is adopted.

# Action Request



**Committee:** Board of Commissioners

**Meeting Date:** 12/27/2011

**Requesting Department:** Administration

**Submitted By:** Keith Van Beek

**Agenda Item:** Restated Defined Contribution Plan Adoption Agreement

## SUGGESTED MOTION:

To approve and authorize the Board Chair and Clerk to sign the MERS Restated Defined Contribution Plan Adoption Agreement for employee divisions 1, 6, 10, 12, 19 and 60.

## SUMMARY OF REQUEST:

The Restated Defined Contribution Plan Adoption Agreement does several things:

- Names the divisions that are being moved into the DC plan effective 1/1/2012. As previously outlined, other divisions will be moved at a later date when determined it is feasible to do so. The only division that is not authorized for a transition is the POAM 312 eligible group (division 21).
- Establishes the contribution provisions of mandatory 3% employer and 3% employee, with the additional employee option to total 4%, 5% or 6% which is matched by the employer with a maximum employer contribution of 6%.
- The vesting schedule for the employer contribution, where the employee realizes the vesting of 50% after 3 years, 75% after 4 years and 100% after 5 years. This is significantly less than the 10 year vesting requirement in the current DB pension plan.

## FINANCIAL INFORMATION:

Total Cost: \_\_\_\_\_ General Fund Cost: \_\_\_\_\_ Included in Budget:  Yes  No

If not included in budget, recommended funding source: \_\_\_\_\_

## ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated  Non-Mandated  New Activity

## ACTION IS RELATED TO STRATEGIC PLAN:

Goal: 1: To Maintain and Improve the Strong Financial Position of the County.

Objective: 3: Approve strategies to reduce the negative impact of rising employee benefit costs on the budget.

**ADMINISTRATION RECOMMENDATION:**  Recommended  Not Recommended  Without Recommendation

County Administrator: \_\_\_\_\_

Committee/Governing/Advisory Board Approval Date: \_\_\_\_\_

# MERS Restated Defined Contribution Plan Adoption Agreement



1134 Municipal Way Lansing, MI 48917 | 800.767.2308 | Fax 517.703.9711 [www.mersofmich.com](http://www.mersofmich.com)

The Employer, a participating municipality or participating court ("court") within the State of Michigan that has adopted MERS coverage, hereby establishes the following MERS Benefit Program: **Defined Contribution under MERS Plan Document ("MERS Defined Contribution Plan")** as authorized by Section 19A of the Municipal Employees' Retirement System of Michigan Plan Document. All references to "Plan Document" are to sections of the MERS Plan Document; any reference to "Plan," the "MERS Plan," "Plan Participant," "Participant," or "Program," shall mean the MERS Defined Contribution Plan, unless otherwise specified. This Adoption Agreement, together with Section 19A of the MERS Plan Document and the MERS Restated Uniform Defined Contribution Program Resolution ("Resolution"), constitute the entire MERS Benefit Program Defined Contribution Plan Document.

I. EMPLOYER: County of Ottawa  
Name of municipality or court

## II. EFFECTIVE DATE

1. If this is the initial Adoption Agreement relating to the MERS Defined Contribution Plan for this Division, the Effective Date of the Benefit Program here adopted shall be the first day of: January 2012.  
Month and Year
2. If this is an amendment and restatement of an existing adoption agreement relating to the MERS Defined Contribution Plan for this Division, the effective date of this amendment and restatement shall be the first day of: \_\_\_\_\_ . This adoption agreement is intended to replace and serve as an amendment and restatement of the Employer's preexisting plan, which was originally effective on the first day of: \_\_\_\_\_ .  
Month and Year

## III. ELIGIBILITY REQUIREMENTS

Only those Employees eligible for MERS Membership (Section 3 of the MERS Plan Document) shall be eligible to participate in the MERS Defined Contribution Plan. A copy of ALL employee enrollment forms must be submitted to MERS. The following group(s) of Employees are eligible to participate in the Plan:

Division 1-General, Division 6-Mental Health Group T, Division 10-Elected/Unclassified,

Division 12-Board of Commissioners, Division 19-Administrator,

Division 60-Mental Health Unclassified

Specify employee classification **and** division numbers

# MERS Restated Defined Contribution Plan Adoption Agreement

## IV. CONTRIBUTION PROVISIONS

1. The Employer shall contribute on behalf of each Participant 3 \_\_\_\_\_ % of Earnings or \$ \_\_\_\_\_ for the calendar year (subject to the limitations of Sections 415(c) of the Internal Revenue Code).
2. Each Participant is required to contribute 3 \_\_\_\_\_ % of Earnings for the calendar year as a condition of participation in the Plan. (Write "0" if no contribution is required.) \*If other contribution options are provided, please list on separate sheet of paper and attach to Adoption Agreement. **See Attached**

If Employee contributions are required, an Employee shall not have the right to discontinue or vary the rate of such contributions after becoming a Plan Participant.

The Employer hereby elects to "pick up" the Mandatory/Required Employee contribution. The "pick-up" provision allows the employer to direct mandatory employee contributions to be pre-tax.

Yes  No

**[Note to Employer:** Picked up contributions are excludable from the Employee's gross income under Section 414(h)(2) of the Internal Revenue Code of 1986 only if they meet the requirements of Rev. Rul. 2006-43, 2006-35 I.R.B. 329. Those requirements are (1) that the Employer must specify that the contributions, although designated as Employee contributions, are being paid by the Employer in lieu of contributions by the Employee; and (2) the Employee must not have the option of receiving the contributed amounts directly instead of having them paid by the Employer to the Plan. The execution of this Adoption Agreement by the Employer shall constitute the official action required by Revenue Ruling 2006-43.]

3. Each Employee may make a voluntary (unmatched), after-tax contribution, subject to the limitations of Section 415 of the Internal Revenue Code.
4. Employer contributions and Employee contributions shall be contributed to the Trust in accordance with the following payment schedule:

Weekly  Bi-weekly  Monthly

## V. EARNINGS

Earnings shall be defined as "compensation" under Section 2A(6) of the MERS Plan Document, being the Medicare taxable wages reported on the Employee's W-2 statement.

## MERS Restated Defined Contribution Plan Adoption Agreement

### VI. VESTING PROVISION FOR EMPLOYER CONTRIBUTIONS AND NORMAL RETIREMENT AGE

The Employer hereby specifies the following vesting schedule (choose one):

- Immediate Vesting upon Participation
- Cliff Vesting: The participant is 100% vested upon a stated number of years. Stated year may not exceed maximum 5 years of service:

Stated Year:       1    2    3    4    5

- Graded Vesting Percentage per year of service: Employers can select the percentage of vesting with the corresponding years of service, however the scale cannot exceed a maximum of six years of service to reach 100% vesting, nor less than the stated minimums below:

\_\_\_\_\_ % after 1 year of service.  
\_\_\_\_\_ % after 2 years of service.  
50 % (not less than 25%) after 3 years of service.  
75 % (not less than 50%) after 4 years of service.  
100 % (not less than 75%) after 5 years of service.  
\_\_\_\_\_ % (not less than 100%) after 6 years of service.

Notwithstanding the above, a member shall be vested in his/her entire employer contribution account, to the extent that the balance of such account has not previously been forfeited, if he/she is employed on or after his/her Normal Retirement Age. "Normal Retirement Age" shall be presumed to be age 60 (unless a different normal retirement age is here specified: \_\_\_\_\_).

In addition, notwithstanding the above, in the event of disability or death, a member or his/her beneficiary shall be vested in his/her entire employer contribution account, to the extent that the balance of such account has not previously been forfeited as described in Section 19A(7) of the MERS Plan Document.

- VII. Loans (not more than two) are permitted under the Program. MERS recommendation is "No," not to allow loans: loans permit your employees to borrow against their retirement account.

Yes                       No

- VIII. The Plan will accept an eligible rollover distribution from an eligible retirement plan described in Section 401(a)(including "401(k)") or 403(a) of the Code, an annuity contract described in Section 403(b) of the Code, an eligible deferred compensation plan described in Section 457(b) of the Code maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state, or an individual retirement account or annuity described in Section 408(a) or 408(b) of the Code, including after-tax employee contributions, as applicable. The Plan will account separately for pre-tax and post-tax contributions and earnings thereon.

# MERS Restated Defined Contribution Plan Adoption Agreement

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- IX. The Employer hereby agrees to the provisions of the MERS Uniform Defined Contribution Plan and agrees that in the event of any conflict between MERS Plan Document Section 19A and the MERS Defined Contribution Plan, the provisions of Section 19A shall control.
- X. The Employer hereby appoints MERS as the Plan Administrator pursuant to the terms and conditions of the Plan.
- XI. The Employer hereby agrees to the provisions of the Plan.
- XII. The Employer hereby acknowledges it understands that failure to properly fill out this Adoption Agreement may result in the ineligibility of the Plan in the MERS Benefit Program Defined Contribution.

In Witness Whereof, the Employer hereby causes this Agreement to be executed on this 27 day of December, 2012.

Employer: County of Ottawa

By: \_\_\_\_\_

Title: \_\_\_\_\_

Attest: \_\_\_\_\_

**COUNTY OF OTTAWA**

By: \_\_\_\_\_  
Daniel C. Krueger, County Clerk





# County of Ottawa

## Human Resources Department

Marie L. Waalkes  
Director of Human Resources  
[mwaalkes@miottawa.org](mailto:mwaalkes@miottawa.org)

12220 Fillmore Street, Room 359, West Olive, MI 49460

Tel. (616) 738-4800  
Toll Free (888) 731-1001  
Fax (616) 738-4082  
Holland (616) 392-3111  
Grand Rapids (616) 662-3100  
Grand Haven (616) 846-8295

To: Municipal Employees' Retirement System  
1134 Municipal Way  
Lansing, MI 48917

From: County of Ottawa

Date: December 21, 2011

RE: MERS Restated Defined Contribution Plan Adoption Agreement

In completion of the MERS Restated Defined Contribution Plan Adoption Agreement under section IV. Contribution Provision it states:

1. The employer shall contribute on behalf of each Participant 3% of Earnings for the calendar year (subject to the limitations of Section 415(c) of the Internal Revenue Code).
2. Each Participant is required to contribute 3% of Earnings for the calendar year as a condition of participation in the Plan. \*If other contribution options are provided, please list on a separate sheet of paper and attach to Adoption Agreement.

The following contribution language shall also be included in the Plan.

If the employee contributes 4% of Earnings for the calendar year, the Employer will contribute 4% on behalf of that Participant.

If the employee contributes 5% of Earnings for the calendar year, the Employer will contribute 5% on behalf of that Participant.

If the employee contributes 6% of Earnings for the calendar year, the Employer will contribute 6% on behalf of that Participant.

If the employee contributes any amount over 6% of Earnings for the calendar year, the Employer limits its contribution on behalf of that Participant to a 6% match maximum.

# Action Request



**Committee:** Board of Commissioners

**Meeting Date:** 12/27/2011

**Requesting Department:** Administration

**Submitted By:** Keith Van Beek

**Agenda Item:** Defined Contribution Plan Uniform Transfer Provision

## SUGGESTED MOTION:

To approve and authorize the Board Chair and Clerk to sign the Employer Resolution Establishing Uniform Transfer Provision for the Defined Contribution Plan for employee divisions 1, 6, 10, 12, 19 and 60.

## SUMMARY OF REQUEST:

The Uniform Transfer Provision establishes the procedure by which an employee that moves from one division to another can retain a DB plan rather than be forced to accept a DC plan. This is important as it allows for employee advancement and opportunities for movement within the County for existing employees.

## FINANCIAL INFORMATION:

Total Cost: \_\_\_\_\_ General Fund Cost: \_\_\_\_\_ Included in Budget:  Yes  No

If not included in budget, recommended funding source: \_\_\_\_\_

## ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated  Non-Mandated  New Activity

## ACTION IS RELATED TO STRATEGIC PLAN:

Goal: 1: To Maintain and Improve the Strong Financial Position of the County.

Objective: 3: Approve strategies to reduce the negative impact of rising employee benefit costs on the budget.

**ADMINISTRATION RECOMMENDATION:**  Recommended  Not Recommended  Without Recommendation

County Administrator: \_\_\_\_\_

Committee/Governing/Advisory Board Approval Date: \_\_\_\_\_

**EMPLOYER RESOLUTION ESTABLISHING  
UNIFORM TRANSFER PROVISION**



**WHEREAS**, the County of Ottawa is a participating municipality or court in the Municipal Employees' Retirement System of Michigan ("MERS"); and

**WHEREAS**, the Standard MERS Transfer Rules became effective in August 2007; and

**WHEREAS**, under the Standard Rules, all transferees to a new division are covered under the active employee plan in the new division; where the defined benefit plan in the new division is closed to entrants, the accrued defined benefit (based on benefits, service and wages as of transfer date) of transferees is frozen as of transfer date.

**WHEREAS**, pursuant to Retirement Board action on November 10, 2010, the employing municipality or court will be allowed, on a one-time irrevocable and uniform basis, to adopt for all its MERS divisions (present and future) an alternate policy which allows all transferred employees an individual choice at the time of transfer to either be placed in: (1) the division's open plan, or (2) the closed plan if it is the same plan type, provided there are active employees remaining in the plan type.

**WHEREAS**, this alternate transfer provision applies to transferred employees only; rehired employees will continue to be enrolled into the active plan; and

**NOW THEREFORE BE IT RESOLVED**, that effective January 1<sup>st</sup>, 2012, the Governing Body adopts this Resolution (or for a participating court, the Chief Judge by Administrative Order) for all present and future employee divisions requiring that all transferred employees (select only one):

- shall be covered under the active employee plan in the division they are transferred into.
- shall be given the individual choice to either be placed in the open plan or the closed division if it is the same plan type (in the division from which the employee is transferred from) provided there are active employees remaining in the closed plan type.

**CERTIFICATION FOR PARTICIPATING MUNICIPALITY OR COURT**

I hereby certify that this Resolution was adopted by (check one):

- The Governing Body of the County of Ottawa at its meeting held on December 27, 2011.
- Administrative Order No. \_\_\_\_\_ adopted by the Chief Judge of the \_\_\_\_\_, on \_\_\_\_\_, 20   .

\_\_\_\_\_  
(Signature of Authorized Official)

\_\_\_\_\_  
(Title)

**COUNTY OF OTTAWA**

By: \_\_\_\_\_  
Daniel C. Krueger, County Clerk

# Action Request



**Committee:** Board of Commissioners

**Meeting Date:** 12/27/2011

**Requesting Department:** Administration

**Submitted By:** Keith Van Beek

**Agenda Item:** HIPAA Compliance Policy (Second Reading)

## SUGGESTED MOTION:

To adopt the proposed changes to the HIPAA Compliance Policy. (Second Reading)

## SUMMARY OF REQUEST:

County policies require periodic review and updates. This request is to review the County policies and forward them to the Board of Commissioners for a first and second reading before final approval.

The change to the HIPAA Compliance Policy incorporates prior policy 12-HIPAA Policy Manual and Administrative Rule 12-Electronic Health Information Security Policy.

## FINANCIAL INFORMATION:

Total Cost: \$0.00 | General Fund Cost: \$0.00 | Included in Budget:  Yes |  No

If not included in budget, recommended funding source:

## ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated |  Non-Mandated |  New Activity

## ACTION IS RELATED TO STRATEGIC PLAN:

Goal: 4: To Continually Improve the County's Organization and Services.

Objective: 1: Review and evaluate the organization, contracts, programs, systems, and services for potential efficiencies.

**ADMINISTRATION RECOMMENDATION:**  Recommended |  Not Recommended |  Without Recommendation

County Administrator:

Committee/Governing/Advisory Board Approval Date: Planning and Policy Committee 12/8/2011



# County of Ottawa

## HIPAA COMPLIANCE POLICY

### **I. POLICY**

By federal law, Ottawa County is required to protect the privacy of health information. It is the policy of Ottawa County to comply with the requirements of the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) and the standards, implementation specifications, and other requirements of the HIPAA security and privacy regulations at 45 CFR Part 160 and Part 164.

### **II. STATUTORY REFERENCES**

The Health Insurance Portability and Accountability Act of 1996, and the Federal Regulations found at 45 CFR Part 160 and Part 164.

### **III. COUNTY LEGISLATIVE OR HISTORICAL REFERENCES**

The original Board policy on this subject matter was adopted April 14, 2003

Board of Commissioners Resolution Number and Policy Adoption Date: April 14, 2003

Board of Commissioner Review Date and Resolution Number: August 2005

Name and Date of Last Committee Review: Planning and Policy: July 2005

Last Review by Internal Policy Review Team: November 30, 2011



# County of Ottawa

## IV. PROCEDURE

- A. The revised “County of Ottawa Notice of Privacy Practices” is adopted and shall be implemented in the form attached as Exhibit “A.”
- B. The revised “County of Ottawa Policies for the Protection of Health Information” is adopted and shall be implemented in the form attached as Exhibit “B.”
- C. The revised “County of Ottawa Electronic Health Information Security Protocols” [“the HITECH Policies”] are adopted and shall be implemented in the form attached as Exhibit “C.”

## V. REVIEW PERIOD

The County Administrator will review this policy annually. The Internal Policy Review Team will review this Policy at least once every two years, and will make recommendations for changes to the Planning & Policy Committee.

EXHIBIT "A"

COUNTY OF OTTAWA

NOTICE OF PRIVACY PRACTICES

Effective: April 14, 2003  
Amended: August 12, 2005  
Amended: \_\_\_\_\_, 2011

**THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION OR MENTAL HEALTH INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.**

This notice will tell you how we may use and disclose protected health information or mental health information about you. Protected health information means any health information or mental health information about you that identifies you or for which there is a reasonable basis to believe the information can be used to identify you. In this notice, we call all of that protected health information, "medical information."

This notice also will tell you about your rights and our duties with respect to medical information or mental health information about you. In addition, it will tell you how to complain to us if you believe we have violated your privacy rights.

Versions of this Notice may also be made available in simplified, easy-to-understand formats, and will be made available to you at your request.

\_\_\_\_\_ **How We May Use and Disclose Medical Information About You.**

We use and disclose medical information and mental health information about you for a number of different purposes. Each of those purposes is described below.

**§ For Treatment.**

We may use medical information or mental health information about you to provide, coordinate or manage your health care, mental health care, and related services by both us and other health care providers. We may disclose medical information or mental health information about you to doctors, nurses, hospitals and other health facilities who become involved in your care. We may consult with other health care providers concerning you



and as part of the consultation share your medical information or mental health information with them. Similarly, we may refer you to another health care provider and as part of the referral share medical information or mental health information about you with that provider. For example, we may conclude you need to receive services from a physician or psychologist with a particular specialty. When we refer you to that person, we also will contact that person's office and provide medical information or mental health information about you to them so they have information they need to provide services for you.

**§ For Payment.**

We may use and disclose medical information or mental health information about you so we can be paid for the services we provide to you. This can include billing you, your insurance company, or a third party payor. For example, we may need to give your insurance company information about the health care services or mental health care services we provide to you so your insurance company will pay us for those services or reimburse you for amounts you have paid. We also may need to provide your insurance company or a government program, such as Medicare or Medicaid, with information about your medical condition or mental health condition and the care you need to receive to determine if you are covered by that insurance or program.

**§ For Health Care/ Mental Health Care Operations.**

We may use and disclose medical information or mental health information about you for our own health care operations. These are necessary for us to operate Ottawa County, the Ottawa County Health Department, and the Ottawa County Community Mental Health Agency, and to maintain quality health care for our patients and clients. For example, we may use medical information about you to review the services we provide and the performance of our employees in caring for you. We may disclose medical information or mental health information about you to train our staff and students working here. We also may use the information to study ways to more efficiently manage our organization.

**§ How We Will Contact You.**

Unless you tell us otherwise in writing, we may contact you by either telephone or by mail at either your home or your office. At either location, we may leave messages for you on the answering machine or voice mail. If you want to request that we communicate to you in a certain way ([including email communications](#)) or at a certain location, see "Right to Receive Confidential Communications" on page 8 of this Notice.

§ **Appointment Reminders.**

We may use and disclose medical information or mental health information about you to contact you to remind you of an appointment you have with us.

§ **Treatment Alternatives.**

We may use and disclose medical information or mental health information about you to contact you about treatment alternatives that may be of interest to you.

§ **Health Related Benefits and Services.**

We may use and disclose medical information or mental health information about you to contact you about health-related benefits and services that may be of interest to you.

§ **Individuals Involved in Your Care.**

We may disclose to a family member, other relative, a close personal friend, or any other person identified by you, medical information or mental health information about you that is directly relevant to that person's involvement with your treatment or care or payment related to your treatment or care. We also may use or disclose medical information about you to notify, or assist in notifying, those persons of your location, general condition, or death. If there is a family member, other relative, or close personal friend that you do not want us to disclose medical information about you to, please notify one of the persons listed on Exhibit [1A](#), or tell our staff member who is providing care to you.

§ **Disaster Relief.**

We may use or disclose medical information or mental health information about you to a public or private entity authorized by law or by its charter to assist in disaster relief efforts. This will be done to coordinate with those entities in notifying a family member, other relative, close personal friend, or other person identified by you of your location, general condition or death.

§ **Required by Law.**

We may use or disclose medical information or mental health information about you when we are required to do so by law.

**§ Public Health / Mental Health Activities.**

We may disclose medical information or mental health information about you for public health and mMental hHealth activities and purposes. This includes reporting medical information or mental health information to a public health authority that is authorized by law to collect or receive the information for purposes of preventing, treating, or controlling disease or mental illness. Or, to one that is authorized to receive reports of child abuse and neglect.

**§ Victims of Abuse, Neglect or Domestic Violence.**

We may disclose medical information or mental health information about you to a government authority authorized by law to receive reports of abuse, neglect, or domestic violence, if we believe you are a victim of abuse, neglect, or domestic violence. This will occur to the extent the disclosure is: (a) required by law; or, (b) ~~or~~ agreed to by you; or, (c) authorized by law and we believe the disclosure is necessary to prevent serious harm to you or to other potential victims, or, (d) if you are incapacitated and certain other conditions are met, and a law enforcement or other public official represents that immediate law enforcement activity depends on the disclosure. Any such disclosure will be consistent with the terms of Michigan law.

**§ Health / Mental Health Oversight Activities.**

We may disclose medical information or mental health information about you to a health oversight agency for activities authorized by law, including audits, investigations, inspections, licensure or disciplinary actions. These and similar types of activities are necessary for appropriate oversight of the health care system, government benefit programs, and entities subject to various government regulations.

**§ Judicial and Administrative Proceedings.**

We may disclose medical information or mental health information about you in the course of any judicial or administrative proceeding in response to an order of the court or administrative tribunal. We also may disclose medical information or mental health information about you in response to a subpoena, discovery request, or other legal process but only if efforts have been made to tell you about the request or to obtain an order protecting the information to be disclosed. Any such disclosure will be consistent with the terms of Michigan law.

**§ Disclosures for Law Enforcement Purposes.**

We may disclose medical information or mental health information about you to law enforcement officials for law enforcement purposes:

- a. As required by law.
- b. In response to a court, grand jury or administrative order, warrant or subpoena.
- c. To identify or locate a suspect, fugitive, material witness or missing person.
- d. About an actual or suspected victim of a crime and that person agrees to the disclosure. If we are unable to obtain that person's agreement, in limited circumstances, the information may still be disclosed, as may be required or permitted by Michigan law.
- e. To alert law enforcement officials to a death if we suspect the death may have resulted from criminal conduct.
- f. About crimes that occur at our facility.
- g. To report a crime in emergency circumstances.

**§ Coroners and Medical Examiners.**

We may disclose medical information or mental health information about you to a coroner or medical examiner for purposes such as identifying a deceased person and determining cause of death.

**§ Funeral Directors.**

We may disclose medical information or mental health information about you to funeral directors as necessary for them to carry out their duties.

**§ Organ, Eye or Tissue Donation.**

To facilitate organ, eye or tissue donation and transplantation, we may disclose medical information about you to organ procurement organizations or other entities engaged in the procurement, banking or transplantation of organs, eyes or tissue.

**§ Research.**

Under certain circumstances, we may use or disclose medical information or mental health information about you for research. Before we disclose medical information or mental health information for research, the research will have been approved through an approval process that evaluates the needs of the research project with your needs for privacy of your medical information or mental health information. We may, however, disclose medical information or mental health information about you to a person who is preparing to conduct research to permit them to prepare for the project, but no medical information or mental health information will leave the facilities of Ottawa County during that person's review of the information.

**§ To Avert Serious Threat to Health or Safety.**

We may use or disclose protected health information or mental health information about you if we believe the use or disclosure is necessary to prevent or lessen a serious or imminent threat to the health or safety of a person or the public. We also may release information about you if we believe the disclosure is necessary for law enforcement authorities to identify or apprehend an individual who admitted participation in a violent crime or who is an escapee from a correctional institution or from lawful custody.

**§ Military.**

If you are a member of the Armed Forces, we may use and disclose medical information or mental health information about you for activities deemed necessary by the appropriate military command authorities to assure the proper execution of the military mission. We may also release information about foreign military personnel to the appropriate foreign military authority for the same purposes.

**§ National Security and Intelligence.**

We may disclose medical information or mental health information about you to authorized federal officials for the conduct of intelligence, counter-intelligence, and other national security activities authorized by law.

**§ Protective Services for the President.**

We may disclose medical information or mental health information about you to authorized federal officials so they can provide protection to the President of the United States, certain other federal officials, or foreign heads of state.

§ **Inmates; Persons in Custody.**

We may disclose medical information or mental health information about you to a correctional institution or law enforcement official having custody of you. The disclosure will be made: (a) to provide health care to you; (b) for the health and safety of others; or, (c) for the safety, security and good order of the correctional institution.

§ **Workers' Compensation.**

We may disclose medical information or mental health information about you to the extent necessary to comply with workers' compensation and similar laws that provide benefits for work-related injuries or illness, ~~without regard to fault.~~

§ **Other Uses and Disclosures.**

Other uses and disclosures will be made only with your written authorization. You may revoke such an authorization at any time by notifying one of the persons listed on Exhibit 1A, in writing of your desire to revoke it. However, if you revoke such an authorization, it will not have any affect on actions taken by us in reliance on it.

**Your Rights With Respect to Medical Information About You.**

You have the following rights with respect to medical information or mental health information that we maintain about you.

§ **Right to Request Restrictions.**

You have the right to request that we restrict the uses or disclosures of medical information about you to carry out treatment, payment, or health care operations. You also have the right to request that we restrict the uses or disclosures we make to: (a) a family member, other relative, a close personal friend or any other person identified by you; or, (b) for to public or private entities for disaster relief efforts. For example, you could ask that we not disclose medical information or mental health information about you to your brother or sister.

To request a restriction, you may do so at the time you complete your consent form or at any time after that time. If you request a restriction after that time, you should do so in writing to one of the persons listed on Exhibit 1A and tell us: (a) what information you want to limit; (b) whether you want to limit use or disclosure or both; and, (c) to whom

you want the limits to apply (for example, disclosures to your spouse).

*We are not required to agree to any requested restriction.* However, if we do agree, we will follow that restriction unless the information is needed to provide emergency treatment. Even if we agree to a restriction, either you or we can later terminate the restriction.

## § **Right to Receive Confidential Communications.**

You have the right to request that we communicate medical information about you to you in a certain way or at a certain location. For example, you can ask that we only contact you by mail or at work. We will not require you to tell us why you are asking for the confidential communication.

You may ask us to contact you by email, using an email address supplied by you. If you want to request confidential communication, you must do so in writing to one of the persons listed on Exhibit 1A. Your request must state how or where you can be contacted.

We will accommodate your request. However, we may, when appropriate, require information from you concerning how payment will be handled.

## § **Right to Inspect and Copy.**

With a few very limited exceptions, such as psychotherapy notes, you have the right to inspect and obtain a copy of medical information about you.

To inspect or copy medical information about you, you must submit your request in writing to one of the persons listed on Exhibit 1A. Your request should state specifically what medical information or mental health information you want to inspect or copy. If you request a copy of the information, we will charge a fee for the costs of copying and, if you ask that it be mailed to you, the cost of mailing. All charges will be made pursuant to the “Freedom of Information Act” Policy of Ottawa County.

We will act on your request within thirty (30) calendar days after we receive your request. If we grant your request, in whole or in part, we will inform you of our acceptance of your request and provide access and copying.

We may deny your request to inspect and copy medical information if the medical information or mental health information involved is:

- a. Psychotherapy notes;

- b. Information compiled in anticipation of, or use in, a civil, criminal or administrative action or proceeding;

If we deny your request, we will inform you of the basis for the denial, how you may have our denial reviewed, and how you may complain. If you request a review of our denial, it will be conducted by a licensed health care professional designated by us who was not directly involved in the denial. We will comply with the outcome of that review.

## § **Right to Amend.**

You have the right to ask us to amend medical information about you. You have this right for so long as the medical information or mental health information is maintained by us.

To request an amendment, you must submit your request in writing to one of the persons listed on Exhibit [1A](#). Your request must state the amendment desired and provide a reason in support of that amendment.

We will act on your request within sixty (60) calendar days after we receive your request. If we grant your request, in whole or in part, we will inform you of our acceptance of your request and provide access and copying.

If we grant the request, in whole or in part, we will seek your identification of and agreement to share the amendment with relevant other persons. We also will make the appropriate amendment to the medical information or mental health information by appending or otherwise providing a link to the amendment.

We may deny your request to amend medical information or mental health information about you. We may deny your request if it is not in writing and does not provide a reason in support of the amendment. In addition, we may deny your request to amend medical information if we determine that the information:

- a. Was not created by us, unless the person or entity that created the information is no longer available to act on the requested amendment;
- b. Is not part of the medical information maintained by us;
- c. Would not be available for you to inspect or copy; or,
- d. Is accurate and complete.



If we deny your request, we will inform you of the basis for the denial. You will have the right to submit a statement of disagreeing with our denial. Your statement may not exceed 5 pages. We may prepare a rebuttal to that statement. Your request for amendment, our denial of the request, your statement of disagreement, if any, and our rebuttal, if any, will then be appended to the medical information or mental health information involved or otherwise linked to it. All of that will then be included with any subsequent disclosure of the information, or, at our election, we may include a summary of any of that information.

If you do not submit a statement of disagreement, you may ask that we include your request for amendment and our denial with any future disclosures of the information. We will include your request for amendment and our denial (or a summary of that information) with any subsequent disclosure of the medical information or mental health information involved.

You also will have the right to complain about our denial of your request.

**§ Right to an Accounting of Disclosures.**

You have the right to receive an accounting of disclosures of medical information or mental health information about you. The accounting may be for up to six (6) years prior to the date on which you request the accounting but not before April 14, 2003.

Certain types of disclosures are not included in such an accounting:

- a. Disclosures to carry out treatment, payment and health care operations;
- b. Disclosures of your medical information made to you;
- c. Disclosures for our facility directory;
- d. Disclosures for national security or intelligence purposes;
- e. Disclosures to correctional institutions or law enforcement officials;
- f. Disclosures made prior to April 14, 2003.

Under certain circumstances your right to an accounting of disclosures may be suspended for disclosures to a health oversight agency or law enforcement official.

To request an accounting of disclosures, you must submit your request in writing to one of the persons listed on Exhibit A. Your request must state a time period for the disclosures. It may not be longer than six (6) years from the date we receive your request

and may not include dates before April 14, 2003.

Usually, we will act on your request within sixty (60) calendar days after we receive your request. Within that time, we will either provide the accounting of disclosures to you or give you a written statement of when we will provide the accounting and why the delay is necessary.

There is no charge for the first accounting we provide to you in any twelve (12) month period. For additional accountings, we may charge you for the cost of providing the list. If there will be a charge, we will notify you of the cost involved and give you an opportunity to withdraw or modify your request to avoid or reduce the fee. All charges will be made pursuant to the Freedom of Information Act' Policy of Ottawa County.

#### **§ Right to Copy of this Notice.**

You have the right to obtain a paper copy of our Notice of Privacy Practices. You may obtain a paper copy even though you agreed to receive the notice electronically. You may request a copy of our Notice of Privacy Practices at any time.

You may obtain a copy of our Notice of Privacy Practices over the Internet at our web site, <http://www.mieo-ottawa.orgmi.us/>. To obtain a paper copy of this notice, contact Gregory R. Rappleye, Corporation Counsel, 12220 Fillmore Suite 331, West Olive, MI 49460 (616) 738-4865. You may also contact any of the persons who are listed on Exhibit 1A to receive a paper copy of this Notice.

### **Our Duties**

#### **§ Generally.**

We are required by law to maintain the privacy of medical information about you and to provide individuals with notice of our legal duties and privacy practices with respect to medical information or mental health information.

We are required to abide by the terms of our Notice of Privacy Practices in effect at the time.

#### **§ Our Right to Change Notice of Privacy Practices.**

We reserve the right to change this Notice of Privacy Practices. We reserve the right to make the new notice's provisions effective for all medical information or mental health information that we maintain, including that created or received by us prior to the effective date of the new notice.

**§ Availability of Notice of Privacy Practices.**

A copy of our current Notice of Privacy Practices will be posted in all Ottawa County facilities where services are provided. A copy of the current notice also will be posted on our web site, <http://www.mi-ee-ottawa.orgmi-us/>. In addition, each time you receive services at Ottawa County, a copy of the current notice will be available for your inspection and review.

At any time, you may obtain a copy of the current Notice of Privacy Practices by contacting any of the persons listed in Exhibit 1A.

**§ Effective Date of Notice.**

The effective date of the notice will be stated on the first page of the notice.

**§ Complaints.**

You may complain to us and to the United States Secretary of Health and Human Services if you believe your privacy rights have been violated by us.

To file a complaint with us, contact Gregory R. Rappleye, Corporation Counsel, 12220 Fillmore Suite 331, West Olive, MI 49460 (616) 738-4865. You may also contact any of the persons who are also listed in Exhibit 1A to file a complaint.

All complaints should be submitted in writing.

To file a complaint with the United States Secretary of Health and Human Services, send your complaint to him or her in care of: Office for Civil Rights, U.S. Department of Health and Human Services, 200 Independence Avenue SW, Washington, D.C. 20201.

You will not be retaliated against for filing a complaint.

**§ Questions and Information.**

If you have any questions or want more information concerning this Notice of Privacy Practices, please contact Gregory R. Rappleye, Corporation Counsel, 12220 Fillmore Room 331, West Olive, MI 49417, 616-738-4865, or one of the persons listed in Exhibit "1A".



**EXHIBIT "1A"**

**HIPAA PRIVACY OFFICERS**

<i>Department</i>	<i>Officer</i>	<i>Address &amp; Phone No.</i>
Chief Privacy Officer	Gregory Rappleye Corporation Counsel	12220 Fillmore West Olive, MI 49460 (616) 738-4861
For: Human Resources	Marie Waalkes	12220 Fillmore West Olive, MI 49460 (616) 738-4800
For: Community Mental James Street Health	<del>Breana</del> <del>Briana</del> Fowler <del>Lorrie</del> Hackney	12265 Holland, MI 49424 (616) 494-5410
For: Health Department	Lois Havermans	12251 James Street Holland, MI 49424 (616) 393-5771
For: Fiscal Services Fillmore Department	<del>Robert</del> Spaman <del>June</del> Hagan	12220 West Olive, MI 49460 (616) 738-4849
For: IT Fillmore	<del>Mark</del> Krouse <del>David</del> Hulst	12220 West Olive, MI 49460 (616) 738-48319

For: CAA  
~~Fillmore~~12251 James Street

~~Mark Krouse~~Bill Raymond—

~~12220~~

Holland, MI 49424  
(616) ~~738-4839~~393-5601

EXHIBIT "B"

COUNTY OF OTTAWA

POLICIES FOR PROTECTION OF THE PRIVACY  
OF  
PROTECTED HEALTH INFORMATION

I. INTRODUCTION

A. Purpose of These Privacy Policies.

These privacy policies for the protection of the privacy of protected health information are intended to comply with the requirements of the federal Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), regulations under HIPAA, and any applicable Michigan law that is more stringent than the HIPAA requirements. They are designed to comply with the standards, implementation specifications, and other requirements of the HIPAA security and privacy regulations at 45 CFR Part 160 and Part 164.

In all instances, these privacy policies shall be interpreted and construed so as to be consistent with the requirements of HIPAA, its regulations, and any more stringent laws of the State of Michigan.

In the event of any conflict between a provision of these privacy policies and a requirement of HIPAA, a regulation under HIPAA, or a more stringent state law, that HIPAA, HIPAA regulation, or more stringent state law requirement shall control.

B. Disclaimer.

All of the policies contained or referred to in these privacy policies, or that may be added or otherwise established by the County of Ottawa ("Ottawa County") in the future, represent the policies established by Ottawa County for the members of its workforce in relation to the particular subject addressed by the policy. It is the intention of Ottawa County that these privacy policies be used by its affected work force employees, and other members of its workforce, in meeting their responsibilities to Ottawa County and the general public. Violation of a policy can be the basis for discipline or termination of employment; however, because these privacy policies relate to the establishment and maintenance of high standards of performance, under no circumstances shall any policy be interpreted or construed as establishing a minimum standard, or any evidence of a minimum standard, of the safety, due care, or any other obligation which may be owed by

Ottawa County, its departments, agencies, officers, employees, or its agents to another person.

## **II. PROTECTED HEALTH INFORMATION.**

### **A. What is “Protected Health Information”?**

“Protected health information” is any health information or mental health information maintained by Ottawa County that is individually identifiable.

“Individually identifiable health information” means any information, whether oral or recorded in any form or medium, including demographic information collected from an individual, that:

1. Is created or received by a health care provider, mental health care provider, a health plan, or health care clearinghouse; and,
2. Relates to the past, present, or future physical or mental health or condition of an individual, the provision of health care to an individual, or the past, present, or future payment for the provision of health care to an individual.

All health information maintained by Ottawa County is individually identifiable unless and until it is de-identified as stated in Section II.B, below.

### **B. De-Identification of Health Information.**

1. De-Identification.

Health information or mental health information that does not identify an individual and with respect to which there is no reasonable basis to believe that the information can be used to identify an individual is not individually identifiable health information.

2. Requirements for De-Identification.

Before any member of Ottawa County’s workforce treats any information as being de-identified, it must be designated as de-identified by the Ottawa County Chief Privacy Officer or the person designated to make such a determination within the relevant department or agency of Ottawa County.

The Chief Privacy Officer or the designated person may find that health



information has been de-identified only if one of the following two conditions are met:

a. **Condition 1: Statistical and Scientific Principles.** A person with appropriate knowledge and experience with generally accepted statistical and scientific principles and methods for rendering information not individually identifiable:

- (1) Applying such principles and methods, determines that the risk is very small that the information could be used, alone or in combination with other reasonably available information, by an anticipated recipient to identify an individual who is subject to the information; and,
- (2) Documents the methods and results of the analysis that justify such determination. Such documentation shall be in accordance with the requirements stated in Section III.N and Section III.O of these privacy policies.

b. **Condition 2: Removal of Identifiers.** The following identifiers of the individual or of relatives, employers, or household members of the individual are removed and Ottawa County does not have actual knowledge that the information could be used alone or in combination with other information to identify an individual who is a subject of the information:

- (1) Names;
- (2) All geographic subdivisions smaller than a State, including street addresses, city, county, precinct, zip code, and their equivalent geocodes, except for the initial three digits of a zip code if, according to the current publicity available data from the Bureau of the Census:
  - (a) The geographic unit formed by combining all zip codes with the same three initial digits contains more than 20,000 people; and
  - (b) The initial three digits of a zip code for all such geographic units containing 20,000 or fewer people is changed to 000.
- (3) All elements of dates (except year) for dates directly related to an individual, including birth date, admission

date, discharge date, date of death; and all ages over 89 and all elements of dates (including year) indicative of such age, except that such ages and elements may be aggregated into a single category of age 90 or older;

- (4) Telephone numbers;
- (5) Fax numbers;
- (6) Electronic mail ([email](#)) addresses;
- (7) Social Security numbers;
- (8) Medical record numbers;
- (9) Health plan beneficiary numbers;
- (10) Account numbers;
- (11) Certificate/license numbers;
- (12) Vehicle identifiers and serial numbers, including license plate numbers;
- (13) Device identifiers and serial numbers;
- (14) Web Universal Resource Locators (URLs);
- (15) Internet Protocol (IP) address numbers;
- (16) Biometric identifiers, including finger and voice prints;
- (17) Full face photographic images and any comparable images; and,
- (18) Any other unique identifying number, characteristic, or code.

### **3. Requirements for Re-Identification.**

A code or other means of record identification may be assigned to allow

information de-identified to be re-identified by Ottawa County provided:

- a. The code or other means of record identification shall not be derived from or related to information about the individual and shall not otherwise be capable of being translated so as to identify the individual; and,
- b. The code or other means of record identification shall not be used or disclosed for any other purpose and the mechanism for re-identification shall not be disclosed.

Whether or not information shall be coded for re-identification and be re-identified shall be determined by the Chief Privacy Officer or by the person so designated within each department or agency. If information is re-identified, the Chief Privacy Officer or the designated person shall oversee the process of doing so.

### **III. ADMINISTRATIVE POLICIES**

#### **A. Organizational Policies.**

##### **1. Hybrid Entity.**

The County of Ottawa is a “Hybrid Entity” under which some departments of the entity are engaged in health care operations and some are not. The Ottawa County Community Mental Health Agency and the Ottawa County Health Department are the health care components of the County of Ottawa but they are not designated health care components under 45 CFR S164.503 (j) (2)

#### **B. Designation of Privacy Official.**

##### **1. Designation.**

Ottawa County’s Administrator shall designate a chief privacy official who shall be responsible for the development, updating and implementation of Ottawa County’s privacy policies. That privacy official shall be called the “Chief Privacy Officer” of Ottawa County. The Chief Privacy Officer may designate a person within each department of Ottawa County having access to materials covered by these privacy policies as that department or agency’s privacy officer.

##### **2. Documentation.**

The Ottawa County Administrator shall maintain, or cause to be maintained, a written or electronic record of the designation of the Chief Privacy Officer and of any department or agency privacy officer. Such records shall be maintained for six (6) years from the date of its creation or the date it is last in effect, whichever is later.

**C. Designation of Other Persons.**

**1. Person/Office to Receive Complaints.**

The Ottawa County Administrator shall designate a contact person or office who shall:

- a. Be responsible for receiving complaints concerning Ottawa County's privacy policies and procedures, Ottawa County's compliance with those policies and procedures, or Ottawa County's compliance with the HIPAA privacy rule pursuant to Section III.H of these privacy policies; and,
- b. Provide further information about matters covered by Ottawa County's Notice of Privacy Practices.

**2. Person/Office to Receive and Process Requests for Access.**

The Ottawa County Administrator shall designate a contact person or office who shall be responsible for receiving and processing individuals' requests for access to protected health information pursuant to Section VII.B of these privacy policies.

**3. Person/Office to Receive and Process Requests for Amendment.**

The Ottawa County Administrator shall designate a contact person or office who shall be responsible for receiving and processing individuals' requests for amendment of protected health information pursuant to Section VII.C of these privacy policies.

**4. Documentation.**

The Ottawa County Administrator shall maintain, or cause to be main-

tained, a written or electronic record of the title of the person or office for each person or office designed under this Section III.C. Such record shall be maintained for six (6) years from the date of its creation or the date it was last in effect, whichever is later.

**D. Identification of Workforce Members' Access To Protected Health Information.**

Attached to these privacy policies as Appendix 1A is an identification of those classes of Ottawa County's workforce who need access to protected health information to carry out their duties and, for each of those classes, the category or categories of protected health information to which access is needed and any conditions appropriate to that access. Failure of a member of the workforce to comply with that access or those conditions will result in disciplinary action up to and including termination of employment.

At least annually, the Privacy Officer shall cause a review of the identification and categories stated in Appendix 1A and make such changes to Appendix 1A as the Privacy Officer determines is necessary or desirable to keep Appendix 1A current.

**E. Training of Workforce.**

All members of Ottawa County's workforce having access to protected health information in the course and scope of their duties ("the affected workforce") shall be trained on Ottawa County's policies and procedures with respect to protected health information as necessary and appropriate for the members of the workforce to carry out their functions within Ottawa County.

Each member of Ottawa County's workforce having access to protected health information in the course and scope of their duties on April 14, 2003, shall be trained by no later than April 14, 2003. Thereafter, each new member of the workforce shall be trained within ten (10) calendar days after the person joins the workforce. Each member of the workforce whose functions are affected by a material change in these privacy policies or procedures shall be trained within ten (10) calendar days after the material change becomes effective.

Documentation of the training for each member of the workforce shall be kept in written or electronic form for six (6) years after the date of its creation or the date that person ceases to be a member of Ottawa County's workforce, whichever is later.

**F. Safeguards to Protect the Privacy of Protected Health Information.**

**Option 1:** The administrative, technical and physical safeguards that Ottawa County has in place to safeguard the privacy of protected health information are stated in Appendix 2B to these privacy policies.

At least annually, the Ottawa County Administrator shall cause a review of the safeguards stated in Appendix 2B and assure such changes to Appendix 2B as the Ottawa County Administrator determines is necessary or desirable to keep Appendix 2B current.

**G. Receipt of Notice of Amended Protected Health Information.**

Any member of Ottawa County's affected workforce who is informed by another health care provider, health plan or a healthcare clearinghouse of an amendment to an individual's protected health information shall promptly inform the Privacy Officer or his/her designee of the amendment. The Privacy Officer shall cause the protected health information concerning that individual that is maintained by Ottawa County to be amended as stated in Section VII.C.4.a of these privacy policies.

**H. Process for Individuals to Make Complaints.**

Individuals who desire to make a complaint against Ottawa County concerning Ottawa County's privacy policies and procedures, its compliance with those policies and procedures, or the requirements of the HIPAA privacy rule shall submit the complaint to the Chief Privacy Officer or his/her designee, in writing.

The Chief Privacy Officer shall investigate the complaint and respond to the individual in writing concerning his or her findings and what action, if any, Ottawa County will take ins response to the complaint.

The Chief Privacy Officer shall cause written documentation of each complaint and its disposition to be kept in written or electronic form for six (6) years after the date of its creation or the date when it was last in effect, whichever is later.

**I. Sanctions.**

Except for actions that are covered by and meet the conditions of Section VI.F.15, Section VI.F.16, or Section III.K of these privacy policies, any member of Ottawa

County's affected workforce who fails to comply with Ottawa County's privacy policies and procedures or the requirements of the HIPAA privacy rule shall be subject to sanctions imposed through Ottawa County's discipline and discharge policies.

Examples of the Sanctions that may be applied for certain actions are:

1. Failure to promptly report any violation of any Ottawa County privacy policy or procedure or requirement of the HIPAA privacy rule to the Privacy Officer or his/her designee – sanctions pursuant to the employment policies of Ottawa County up to and including termination.
2. Inadvertent violation of any Ottawa County privacy policy or requirement of the HIPAA privacy rule - sanctions pursuant to the employment policies of Ottawa County up to and including termination.
3. Knowing violation of any Ottawa County privacy policy or requirement of the HIPAA privacy rule - sanctions pursuant to the employment policies of Ottawa County up to and including termination.
4. Knowingly and improperly obtaining or disclosing protected health information - sanctions pursuant to the employment policies of Ottawa County up to and including termination.
5. Obtaining protected health information under false pretenses - sanctions pursuant to the employment policies of Ottawa County up to and including termination.
6. Obtaining or disclosing protected health information with an intent to sell, transfer or use it for commercial advantage, personal gain or malicious harm - sanctions pursuant to the employment policies of Ottawa County up to and including termination.

The Ottawa County Human Resources Director shall cause written documentation of the sanctions that are applied, if any, to be kept in written or electronic form for six (6) years after the date of its creation or the date when it is last in effect, whichever is later.

#### **J. Mitigation of Harmful Effect.**

If there is a use or disclosure of protected health information by a member of Ottawa County's affected workforce or an Ottawa County business associate in violation of Ottawa County's privacy policies or the requirements of the HIPAA pri-

vacy rule, the Chief Privacy Officer or his/her designee shall mitigate, or cause to be mitigated, to the extent practicable, any harmful effect that is known to Ottawa County.

**K. Prohibition on Intimidating or Retaliatory Acts.**

Neither Ottawa County nor any member of Ottawa County's workforce may intimidate, threaten, coerce, discriminate against, or take other retaliatory action against:

1. **Individuals.** Any individual for the exercise by the individual of any right under, or for participation by the individual in any process established by, these privacy policies or the HIPAA privacy rule, including filing a complaint under the HIPAA privacy rule or under these privacy policies.
  
2. **Individuals and Others.** Any individual or other person for:
  - a. Filing of a complaint with the Secretary of Health and Human Services under the HIPAA privacy rule;
  
  - b. Testifying, assisting, or participating in an investigation, compliance review, proceeding, or hearing under the Administrative Simplification provisions of HIPAA; or
  
  - c. Opposing any act or practice made unlawful by the HIPAA privacy rule, provided the individual or person has a good faith belief that the practice opposed is unlawful, and the manner of the opposition is reasonable and does not involve a disclosure of protected health information in violation of the HIPAA privacy rule.

**L. Prohibition on Waiver of Rights.**

No member of Ottawa County's affected workforce may require an individual to waive the individual's rights under these privacy policies or the HIPAA privacy rule as a condition for the provision of treatment, payment, and enrollment in a health plan, or eligibility for benefits.

**M. Changes to Policies and Procedures.**



**1. Changes in Law.**

The Chief Privacy Officer with the consent of the Ottawa County Administrator shall promptly change these privacy policies as necessary and appropriate to comply with changes in the law, including changes in the HIPAA privacy rule. The changed policy or procedure shall be promptly documented and implemented. If the change materially affects the content of Ottawa County's Notice of Privacy Practices, the Privacy Officer shall promptly make the appropriate revisions to the notice in accordance with Section V.C of these privacy policies.

**2. Changes to Privacy Practices Stated In Notice of Privacy Practices.**

**Option 1:** When Ottawa County changes a privacy practice that is stated in its Notice of Privacy Practices and makes corresponding changes to Ottawa County's policies, the change shall be effective for protected health information Ottawa County created or received prior to the effective date of the notice revision provided:

- a. The Chief Privacy Officer ensures that the policy or procedure, as revised to reflect the change, complies with the HIPAA privacy rule;
- b. The Chief Privacy Officer documents the policy or procedure, as revised, as stated in Section III.N and Section III.O of these privacy policies; and,
- c. The Chief Privacy Officer revises the Notice of Privacy Practices to state the changed practice and makes the revised notice available as stated in Section V.B of these privacy policies. The changed practice may not be implemented prior to the effective date of the revised Notice of Privacy Practices.

If these conditions are not met, then the change is effective only with respect to protected health information created or received after the effective date of the revised Notice of Privacy Practices.

**Option 2:** When Ottawa County changes a privacy practice that is stated in its Notice of Privacy Practices and makes corresponding changes to its policies, the following actions shall be taken:

- (a) The Chief Privacy Officer shall ensure that the policy or procedure, as revised to reflect the change, complies with the HIPAA

privacy rule;

- (b) The Chief Privacy Officer shall document the policy or procedure, as revised, is documented as stated in Section III.N and Section III.O of these privacy policies; and,
- (c) The Chief Privacy Officer shall revise The Notice of Privacy Practices to state the changed practice and make the revised notice available as stated in Section V.B of these policies. The changed practice may not be implemented prior to the effective date of the revised Notice of Privacy Practices.

The change shall be effective only with respect to protected health information created or received after the effective date of the revised Notice of Privacy practices.

**3. Changes to Privacy Practices Not Stated In Notice of Privacy Practices.**

Ottawa County may change, at any time, a privacy practice that does not materially affect the content of the Notice of Privacy Practices, provided:

- a. The policy or procedure involved, as revised, complies with the HIPAA privacy rule; and,
- b. Prior to the effective date of the change, the policy or practice, as revised, is documented by the Ottawa County Administrator by causing it to be kept in written or electronic form.

**N. Documentation.**

The Chief Privacy Officer shall take, or cause to be taken, each of the following actions:

- a. Maintain these privacy policies and procedures in written or electronic form;
- b. If a communication is required by these privacy policies and procedures, or by the privacy rule, to be in writing, maintain that writing, or an electronic copy, as documentation;
- c. If an action, activity, or designation is required by these privacy

policies and procedures, or by the privacy rule, to be documented, maintain a written or electronic record of that action, activity or designation.

**O. Period of Retention.**

Documentation required by Section III.N, above, shall be retained for six (6) years from the date of its creation or the date when it last was in effect, whichever is later.

**P. Maintenance of Psychotherapy Notes.**

Psychotherapy notes, if any, shall be maintained by the mental health professional who prepared the notes in a locked file in his/her office. A duplicate of the key to the locked file shall be retained by the Director of the Ottawa County Community Mental Health Agency.

Upon termination of the mental health professional's employment, or contract of service, any psychotherapy notes maintained by him/her shall be destroyed.

**Q. Business Associates.**

Prior to Ottawa County disclosing any protected health information to a business associate or allowing a business associate to create or receive protected health information on its behalf, the Chief Privacy Officer or his/her designee shall obtain satisfactory assurance from the business associate that the business associate will appropriately safeguard the protected health information disclosed to it or that it creates or receives on Ottawa County's behalf. The satisfactory assurance shall be through a written contract with the business associate that contains at least all the provisions required by the privacy rule.

However, if the business associate is required by law to perform a function or activity on behalf of Ottawa County or to provide a service described in the HIPAA privacy rule's definition of a business associate (see, Section IX.B, "Business Associate" of these privacy policies) to Ottawa County, Ottawa County may disclose protected health information to the business associate to the extent necessary to comply with the legal mandate without meeting the requirements for business associates, provided:

1. Ottawa County attempts in good faith to obtain satisfactory assurances, as stated above; and,

2. If that attempt fails, the Chief Privacy Officer or his/her designee documents the attempt and the reasons that the assurances cannot be obtained.

Any contract of Ottawa County where the other party, or one of the other parties, may be a business associate shall be submitted to the Chief Privacy Officer for review for compliance with these privacy policies and the HIPAA privacy rule prior to being signed on behalf of Ottawa County.

**R. Reporting Violations.**

Each member of Ottawa County's affected workforce must report any actual or possible violation of Ottawa County's privacy policies or the HIPAA privacy rule to the Chief Privacy Officer as soon as he or she becomes aware of the actual or possible violation.

**S. Questions Concerning HIPAA Compliance.**

If any member of Ottawa County's affected workforce has a question concerning Ottawa County's privacy policies, the HIPAA privacy rule, or their application to any situation, he or she should contact the Chief Privacy Officer for guidance. The Chief Privacy Officer may contact legal counsel for legal advice as he or she believes is necessary or desirable.

**T. Action by Designee.**

Whenever an action may be or is required to be taken under these privacy policies by the Chief Privacy Officer, the Ottawa County Administrator, or any other member of Ottawa County's workforce, the action may be taken by that person's designee.

**IV. OTTAWA COUNTY REQUESTS FOR PROTECTED HEALTH INFORMATION.**

**A. Generally.**

When requesting protected health information from another health care provider, a health plan or a health care clearinghouse, a member of Ottawa County's affected workforce must limit the request to that which is reasonably necessary to accomplish the purpose for which the request is made.

Except when the entire medical record or mental health ~~record is~~record is specifically justified as the amount that is reasonably necessary to accomplish the purpose of the request, members of Ottawa County's affected workforce may not request an entire medical record or mental health record.

**B. Routine and Recurring Requests.**

For a request that is made on a routine and recurring basis, Ottawa County shall from time to time develop and implement standard protocols that limit the protected health information requested to the amount that is reasonably necessary to accomplish the purpose for which the request is made. The protocols established by Ottawa County, if any, are set forth in Appendix ~~3~~3E to these privacy policies.

**C. Other Requests.**

Whenever any member of Ottawa County's affected workforce desires to request protected health information from another provider, a health plan or a health care clearinghouse and the request is not one made pursuant to a protocol for routine and recurring requests, he or she shall first submit the request to the Chief Privacy Officer or his/her designee for review and approval prior to the request being made. The Chief Privacy Officer or his/her designee shall review the request on an individual basis to determine that the protected health information sought is limited to the information reasonably necessary to accomplish the purpose for which the request is made.

**V. NOTICE OF PRIVACY PRACTICES.**

**A. Form of Notice of Privacy Practices.**

The Notice of Privacy Practices used by Ottawa County shall be established from time to time by the Chief Privacy Officer and shall meet the requirements of the HIPAA privacy regulations.

**B. Provision of Notice of Privacy Practices.**

**1. To Each Patient, etc.**

**a. Generally.**

Ottawa County's Notice of Privacy Practices shall be made available to any individual patient or client of Ottawa County (except to an inmate of a correctional institution) and to Ottawa County employees, no later than the date of the first service delivery by Ottawa County and to other persons upon request. The Notice of Privacy Practices also shall be made available at Ottawa County's offices whose Health Services and/or Mental Health Services are provided for individuals to request to take with them.

**b. Via Em-Mail.**

If the individual agrees and that agreement has not been withdrawn, the Notice of Privacy Practices will be provided to that individual by e-mail in lieu of physical delivery. The transmission of the Notice of Privacy Practices by e-mail will be accomplished by the director of the affected department or agency, or his/her designee. If the e-mail transmission fails, a paper copy of the Notice of Privacy Practices will be provided to the individual. An individual who receives electronic notice may still obtain a paper copy of the notice upon request; his or her request should be submitted to the director of the affected department or agency, or his/her designee.

**2. Posting.**

Ottawa County's Notice of Privacy Practices shall be prominently posted on posters at the locations specified in Exhibit "4D" hereto.

**3. Web Site.**

Ottawa County's Notice of Privacy Practices shall be prominently posted on Ottawa County's web site and made available electronically through the web site.

**C. Revision of Notice of Privacy Practices.**

Whenever there is a material change to the uses or disclosures, the individual's rights, Ottawa County's legal duties, or other privacy practices stated in the notice, the Chief Privacy Officer shall cause the Notice of Privacy Practices to be

promptly revised, made available on request and distributed.

Except when the material change is required by law, a material change to any term of the Notice of Privacy Practices shall not be implemented prior to the effective date of the Notice of Privacy Practices in which the material change is reflected.

**D. Documentation.**

A copy of each Notice of Privacy Practices used by Ottawa County shall be maintained by Ottawa County in written or electronic form for six (6) years after the date the notice was last in effect.

**VI. USES AND DISCLOSURE OF PROTECTED HEALTH INFORMATION.**

**A. General Rule.**

Except as otherwise stated in this Section VI, Ottawa County shall obtain the individual's consent or authorization, whichever is applicable and in accordance with these privacy policies, prior to using or disclosing protected health information concerning the individual.

**B. Use and Disclosure of Only the Minimum Necessary Information.**

**1. General Rule.**

Except as stated in Section VI.B.2, below, when using or disclosing protected health information, members of Ottawa County's affected workforce shall make reasonable efforts to limit protected health information to the minimum necessary to accomplish the intended purpose of the use or disclosure.

**2. Exceptions to Minimum Necessary Requirement.**

The preceding general rule concerning limiting use and disclosure of protected health information to the minimum necessary does not apply to:

- a. Disclosures to a health care provider for treatment.
- b. Uses or disclosures made to the individual except for

authorizations requested by Ottawa County.

- (1) For Ottawa County's own uses and disclosures (see, Section VI.D.6, "Authorizations Requested by Ottawa County for its Own Uses and Disclosures" of these privacy policies);
  - (2) For disclosures to others (see, Section VI.D.7, "Authorizations Requested by Ottawa County for Disclosures by Others" of these privacy policies); or,
  - (3) For uses and disclosures of protected health information created for research that includes treatment of the individual (see, Section VI.D.8, "Authorizations for Uses and Disclosures of Protected Health Information Created for Research That Includes Treatment of the Individual" of these privacy policies).
- c. Disclosures made to the Secretary of Health and Human Services in accordance with the HIPAA privacy rule.
  - d. Uses or disclosures that are required by law.
  - e. Uses or disclosures that are required for Ottawa County's compliance with the HIPAA privacy rule.

### **3. Routine and Recurring Disclosures.**

For any type of disclosure that is made on a routine and recurring basis, the Ottawa County Administrator or his/her designee shall from time to time develop and implement standard protocols that limit the protected health information requested to the amount that is reasonably necessary to accomplish the purpose for which the disclosure is made. The protocols, if any, established are set forth in Appendix ~~5E~~ to these privacy policies.

### **4. Other Disclosures.**

Any disclosures that are not covered by an established protocol, shall be reviewed by the Chief Privacy Officer on an individual basis using the following criteria to limit the protected health information disclosed to the



information reasonably necessary to accomplish the purpose for which disclosure is sought.

The criteria to be applied are:

- a. Whether or not the information requested is reasonably related to the purpose of the request.
- b. Whether or not the information requested will assist in the accomplishment of the purpose of the request.
- c. Whether or not the purpose of the request can be accomplished without the information requested.
- d. Whether or not the purpose of the request can be met with information that is not protected health information.

## **5. Permitted Reliance.**

If the reliance is reasonable under the circumstances, members of Ottawa County's affected workforce may rely on a requested disclosure as the minimum necessary for the stated purpose when:

- a. Making disclosures to public officials that are permitted under Section VI.F of these privacy policies, if the public official represents that the information is the minimum necessary for the stated purpose(s);
- b. The information is requested by another covered entity;
- c. The information is requested by a professional who is a member of Ottawa County's affected workforce or a business associate of Ottawa County for the purpose of providing professional services to Ottawa County, if the professional represents that the information requested is the minimum necessary for the stated purpose(s); or,
- d. Documentation or representations that comply with the applicable requirements of Section VI.F.10 of these privacy policies have been provided by the person requesting the information for re-search purposes.

The basis for reliance under this Section VI.B.5 shall be documented by

the Privacy Officer. That documentation shall be maintained in the records of Ottawa County.

**C. Uses and Disclosures for Which an Authorization is Required.**

**1. General Rule.**

Except as otherwise permitted or required by these privacy policies, Ottawa County will not use or disclose protected health information without an authorization that is valid under this Section VI.C. When Ottawa County obtains or receives a valid authorization for its use or disclosure of protected health information, Ottawa County's use or disclosure must be consistent with that authorization.

**2.1. What is a Valid Authorization?**

An authorization is valid if it contains all the elements required by Section VI.D.5 of these privacy policies and it is not defective.

An authorization is defective if the document has any of the following defects:

a. The expiration date has passed or the expiration event is known by Ottawa County to have occurred.

~~b.a.~~ The authorization has not been filled out completely with respect to an element required to be included in the authorization;

~~c.a.~~ The authorization is known by Ottawa County to have been revoked;

~~d.a.~~ The authorization lacks a required element (see, Section VI.D.5, "Form of Authorization" of these privacy policies);

~~e.a.~~ The authorization violates the requirements concerning compound authorizations (see, Section VI.C.9, "Compound Authorizations" of these privacy policies); or,

~~f.a.~~ If any material information in the authorization is known by Ottawa County to be false.

If any member of Ottawa County's affected workforce believes an au-

thorization is defective for any reason, he or she should promptly report that fact and the basis for his or her belief to the Privacy Officer.

**3.1. Maintaining an Authorization.**

All authorizations shall be delivered to a designated records custodian who will file there in accordance with established protocols.

**4.1. Conditioning of Authorizations.**

**a. General Rule.**

Except as stated in Section VI.C.4.b, below, Ottawa County will not condition treatment or payment to an individual on the receipt of an authorization from that individual.

**b.a. Exceptions.**

Ottawa County will condition treatment or payment to an individual on the receipt of an authorization from that individual in the following situations:

(1) Research. Ottawa County will condition the provision of research-related treatment on provision of an authorization under Section VI.C.8 of these privacy policies.

~~(2)~~(1) Disclosure Is Sole Purpose. Ottawa County will condition the provision of health care that is solely for the purpose of creating protected health information for disclosure to a third party on provision of an authorization for the disclosure of the protected health information to that third party.

**5.1. Form of Authorization.**

a. **Core Elements.** An authorization must contain at least the following elements:

(1) A description of the information to be used or disclosed that identifies the information in a specific and meaningful

fashion;

~~(2)~~(1) The name or other specific identification of the person(s), or class of persons, authorized to make the requested use or disclosure;

~~(3)~~(1) The name or other specific identification of the person (s), or class of persons, to whom Ottawa County may make the requested use or disclosure;

~~(4)~~(1) An expiration date or an expiration event that relates to the individual or the purpose of the use or disclosure;

~~(5)~~(1) A statement of the individual's right to revoke the authorization in writing and the exceptions to the right to revoke, together with a description of how the individual may revoke the authorization;

~~(6)~~(1) A statement that information used or disclosed pursuant to the authorization may be subject to redisclosure by the recipient and no longer be protected by this rule;

~~(7)~~(1) Signature of the individual and date; and,

~~(8)~~(1) If the authorization is signed by a personal representative of the individual, a description of that personal representative's authority to act for the individual.

~~b.a.~~ **Additional Elements.** An authorization may contain elements or information in addition to the elements stated in this Section VI.C concerning "Uses and Disclosures for Which an Authorization is Required," provided those additional elements or information are not inconsistent with the elements required by this Section VI.C.

~~e.a.~~ **Plain Language.**

An authorization must be written in plain language.

~~6.1.~~ **Authorizations Requested by Ottawa County for Its Own Uses and Disclosures.**

If an authorization is requested by Ottawa County for its own use or disclosure of protected health information that it maintains, Ottawa County will comply with the following requirements:

**a. Required Elements.**

In addition to meeting the requirements stated in Section VI.D.5 of these privacy policies, the authorization must contain the following elements:

(1) For any authorization to which the prohibition on conditioning in Section VI.C.4 applies, a statement that Ottawa County will not condition treatment or payment on the individual's providing authorization for the requested use or disclosure;

~~(2)~~(1) A description of each purpose of the requested use or disclosure;

~~(3)~~(1) A statement that the individual may:

(a) Inspect or copy the protected health information to be used or disclosed as provided in Section VII.B of these privacy policies; and,

(b) Refuse to sign the authorization; and,

~~(4)~~(2) If use or disclosure of the requested information will result in direct or indirect remuneration to Ottawa County from a third party, a statement that such remuneration will result.

**b. Copy to Individual.** Ottawa County will provide the individual with a copy of the signed authorization.

**7.2. Authorizations Requested by Ottawa County for Disclosures by Others.**

If an authorization is requested by Ottawa County for another health care provider, health plan or health care clearinghouse to disclose protected health information to Ottawa County to carry out treatment, payment, or health care operations, Ottawa County will comply with the following requirements:

- a. **Required Elements.** In addition to meeting the requirements stated in Section VI.C.5 of these privacy policies, the authorization will contain the following elements:
  - (1) A description of each purpose of the requested disclosure; and,
  - (2) A statement that the individual may refuse to sign the authorization.
- b. **Copy to Individual.** Ottawa County will provide the individual with a copy of the signed authorization.

**8.3. Authorizations For Uses and Disclosures of Protected Health Information Created for Research That Includes Treatment of the Individual.**

Except as otherwise permitted by Section VI.E.10 of these privacy policies concerning “Uses and Disclosures for Research Purposes,” if Ottawa County creates protected health information for the purpose, in whole or in part, of research that includes treatment of individuals, Ottawa County will obtain an authorization for the use or disclosure of such information.

That authorization will:

- a. For uses and disclosures not otherwise permitted or required under these privacy policies, meet the requirement of Section VI.D.5 and Section VI.C.6 of these privacy policies; and,
- b. Contain:
  - (1) A description of the extent to which such protected health information will be used or disclosed to carry out treatment, payment, or health care operations;
  - (2) A description of any protected health information that will not be used or disclosed for purposes permitted in accordance with Section VI.D and VI.E of these privacy policies, provided Ottawa County will not include a limitation affecting its rights to make a use or disclosure that is

required by law or permitted by Section VI.E.11.b.(1) of these privacy policies; and,

- (3) If Ottawa County has obtained or intends to obtain the individual's consent under Section VI.C of these privacy policies, or has provided or intends to provide the individual with a Notice of Privacy Practices, (see Section V, "Notice of Privacy Practices"), the authorization will refer to that notice and state that the statements made pursuant to this Section VI.D.8, "Authorizations for Uses and Disclosures of Protected Health Information Created for Research That Includes Treatment of the Individual," are binding.

An authorization under this Section VI.C.8 may be in the same document as: Ottawa County's Notice of Privacy Practices (see, Section V, "Notice of Privacy Practices").

#### **9.4. Compound Authorizations.**

**a)a. General Rule.** Except as stated in Section VI.C.9.b, below, an authorization for use or disclosure of protected health information may not be combined with any other document to create a compound authorization.

**b)b. Exceptions.** Notwithstanding Section VI.C.9.a, above, an authorization for use or disclosure of protected health information may be combined with any other document to create a compound authorization in the following situations:

- (1) An authorization for the use or disclosure of protected health information created for research that includes treatment of the individual may be combined as stated in Section VI.C.8 of these privacy policies;
- (2) An authorization for a use or disclosure of psychotherapy notes may only be combined with another authorization for a use or disclosure of psychotherapy notes;
- (3) An authorization, other than an authorization for a use or disclosure of psychotherapy notes may be combined with any other authorization, except when Ottawa County has conditioned the provision of treatment or payment under

Section VI.C.4.b of these privacy policies on the provision of one of the authorizations.

**10.5. Revocation of an Authorization.**

An individual has the right to revoke an authorization in writing, except to the extent Ottawa County has taken action in reliance thereon.

A written revocation should be submitted to the Chief Privacy Officer or his/her designee who will cause the revocation to be filed in accordance with a standard protocol.

**11.6. Documentation.**

The Chief Privacy Officer or his/her designee will document and retain any signed authorizations under this section in writing, or an electronic copy, for six (6) years from the date of its creation or the date when it was last in effect, whichever is later.

**D. Uses and Disclosures Requiring an Opportunity for the Individual to Agree or to Object.**

**1. General Rule.**

Members of Ottawa County's affected workforce may use or disclose protected health information without the individual's written consent or authorization for the purposes described in this Section VI.D provided:

- a. The individual is informed orally or in writing in advance of the use or disclosure; and,
- b. The individual has an opportunity to agree to or prohibit or restrict the disclosure in accordance with the requirements of this Section VI.D.

**2. Persons Involved in the Individual's Care; Notification**

**a.c. General Rules.**

- (1) **Those Involved in Care.** Members of Ottawa County's



affected workforce may, in accordance with Sections VI.D.3.b and VI.D.3.c, below, disclose to a family member, other relative, or a close personal friend of the individual, or to any other person identified by the individual, the protected health information directly relevant to that person's involvement with the individual's care or payment related to that individual's health care.

- (2) **Notification of Location, Condition, or Death.** If authorized by Michigan law, members of Ottawa County's affected workforce may use or disclose protected health information to notify, or assist in the notification of (including identifying or locating) a family member, a personal representative of the individual, or another person responsible for the care of the individual of the individual's location, general condition or death. Any such use or disclosure must be in accordance with Section VI.D.3.b, VI.D.3.c, or VI.D.4, below, and Michigan law.

**b.d. When the Individual is Present.**

If the individual is present for, or otherwise available prior to, a use or disclosure to a person(s) involved in the individual's care and the individual has the capacity to make health care decisions, a member of Ottawa County's affected workforce may use or disclose the protected health information if he or she:

- (1) Obtains the individual's agreement;
- (2) Provides the individual with the opportunity to object to the disclosure, and the individual does not express an objection; or,
- (3) Reasonably infers from the circumstances, based on the exercise of professional judgment, that the individual does not object to the disclosure.

The ~~Ottawa County~~ affected workforce member shall document in the patient or client record which of the preceding reasons were the basis for the use or disclosure.

**e.e. When the Individual Is Not Present.**

- (1) **Incapacity; Emergency Circumstances.** If the individual is not present for, or the opportunity to agree or object to the use or disclosure cannot practicably be provided because of the individual's incapacity or an emergency circumstance, a member of Ottawa County's affected workforce may, in the exercise of professional judgment, and if authorized by Michigan law, determine whether the disclosure is in the best interests of the individual and, if so, disclose only the protected health information that is directly relevant to the person's involvement with the individual's health care.

The Ottawa County affected workforce member shall document in the patient or client record the individuals' incapacity or the emergency and why he or she determined the disclosure was in the individuals' best interests.

- (2) **Other Actions.** When authorized by Michigan law, a member of ~~Ottawa County's~~ affected workforce may use professional judgment and experience with common practice to make reasonable inferences of the individual's best interest in allowing a person to act on behalf of the individual to pick up filled prescriptions, medical supplies, X-rays, or other similar forms of protected health information.

The Ottawa County's affected workforce member shall document in the patient or client record the individuals' incapacity or the emergency and why he or she determined the disclosure was in the individual's best interests.

### **5.3. Disaster Relief.**

A member of Ottawa County's affected workforce may use or disclose protected health information to a public or private entity authorized by law or by its charter to assist in disaster relief efforts, *e.g.*, the Red Cross, for the purpose of coordinating with such entities the uses and disclosures permitted by Section VI.D.3 concerning notification of location, condition or death. However, the requirements of Sections VI.D.3.b and VI.D.3.c of these privacy policies apply to those uses and disclosures to the extent that the Ottawa County affected workforce member, in the exercise of

professional judgment, determines that those requirements do not interfere with the ability to respond to the emergency circumstances.

**E. Uses and Disclosures for which Consent, an Authorization, or an Opportunity to Agree or Object is Not Required.**

**1. General Rules.**

To the extent permitted by this Section VI.E, an authorized member of Ottawa County's affected workforce may use or disclose protected health information without the written consent or authorization of the individual, or the opportunity of the individual to agree or object, in the situations described in this Section VI.E.

When Ottawa County is required by any of these situations to inform the individual of a use or disclosure permitted by this Section VI.E or when the individual may agree to a use or disclosure required by this Section VI.E, Ottawa County's information and the individual's agreement may be given orally. However, if given orally, the Ottawa County affected workforce member involved shall document the giving of the information or the agreement by notification in the patient or client's records.

**2. Uses and Disclosures Required by Law.**

**a.a) Informing the Chief Privacy Officer or his/her designee.**

Any member of Ottawa County's affected workforce who receives a request, or who proposes, to use or disclose protected health information for a use or disclosure required by law must promptly deliver or otherwise communicate the request or proposal to the Chief Privacy Officer or his/her designee prior to the use or disclosure being made. The Chief Privacy Officer or his/her designee will then oversee the use or disclosure for compliance with these privacy policies. The use or disclosure should not occur until it has been approved by the Chief Privacy Officer or his/her designee.

**b.b) Permitted Uses and Disclosures.**

Ottawa ~~County may~~ County may use or disclose protected health information to the extent that the use or disclosure is required by law and the use or disclosure complies with and is limited to the relevant requirements of the law.

Ottawa County will meet the requirements of the following sections of these privacy policies, as applicable, for uses and disclosures required by law:

- (1) Section VI.E.4 concerning, “Uses and Disclosures About Victims of Abuse, Neglect or Domestic Violence”;
- (2) Section VI.E.6 concerning, “Disclosures for Judicial and Administrative Proceedings”, and,
- (3) Section VI.E.7 concerning “Disclosures for Law Enforcement Purposes.

### 3. **Uses and Disclosures for Public Health Activities.**

a. **Informing the Chief Privacy Officer.** Any member of Ottawa County’s affected workforce who receives a request, or who proposes, to use or disclose protected health information for public health activities must promptly deliver or otherwise communicate the request or proposal to the Chief Privacy Officer or his/her designee prior to the use or disclosure being made. The Chief Privacy Officer or his /her designee will then oversee the use or disclosure for compliance with these privacy policies. The use or disclosure should not occur until it has been approved.

b.a. **Permitted Disclosures.** An authorized member of Ottawa County’s affected workforce may disclose protected health information for the public health activities and purposes described below:

- (1) A public health authority that is authorized by law to collect or receive such information for the purpose of preventing or controlling disease, injury, or disability, including but not limited to, the reporting of disease, injury and vital events such as birth or death, and the conduct of public health surveillance, public health investigations, and public health interventions; or, at the direction of the public health authority, to an official of a foreign government agency that is acting in collaboration with a public health authority;

(2) A public health authority or other appropriate government authority authorized by law to receive reports of child abuse or neglect;

(3) A person subject to the jurisdiction of the United States Food and Drug Administration:

(a) To report adverse events (or similar reports with respect to food or dietary supplements), product defects or problems (including problems with the use or labeling of a product), or biological product deviations if the disclosure is made to the person required or directed to report such information to the Food and Drug Administration;

~~(b)(a)~~ To track products if the disclosure is made to a person required or directed by the Food and Drug Administration to track the product;

~~(e)(a)~~ To enable product recalls, repairs, or replacements (including locating and notifying individuals who have received products or product recalls, withdrawals, or other problems); or,

~~(d)(a)~~ To conduct post marketing surveillance to comply with requirements or at the direction of the Food and Drug Administration;

~~(4)(1)~~ A person who may have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading a disease or condition, if Ottawa County or another public health authority is authorized or required by law to notify such person as necessary in the conduct of a public health intervention or investigation; or

~~(5)(1)~~ An employer, about an individual who is a member of the workforce of the employer, if:

(a) Ottawa County provides health care to the individual at the request of the employer:

i) To conduct an evaluation relating to medical surveillance of the workplace; or,

~~ii~~i) To evaluate whether the individual has a work-related illness or injury; or,

~~b~~(a) The protected health information that is disclosed consists of findings concerning a work-related illness or injury or a work-related medical surveillance;

~~e~~(a) The employer needs such findings in order to comply with its obligations under 29 CFR Parts 1904 through 1928 (concerning occupational safety and health), 30 CFR parts 50 through 90 (concerning mine safety and health), or similar Michigan law, to record such illness or injury or to carry out responsibilities for workplace medical surveillance;

~~d~~(a) Ottawa County provides written notice to the individual that protected health information relating to the medical surveillance of the workplace and work-related illnesses and injuries is disclosed by the employer:

i) By giving a copy of the notice to the individual at the time the health care is provided; or

~~ii~~i) If the health care is provided on the work site of the employer, by posting the notice in a prominent place at the location where the health care is provided.

**7.4. Uses and Disclosures About Victims of Abuse, Neglect or Domestic Violence.**

- a. **Delivery to Chief Privacy Officer.** Any member of Ottawa County's affected workforce who receives a request, or who proposes, to use or disclose protected health information about a victim of abuse, neglect or domestic violence must promptly deliver or otherwise communicate the request or proposal to the Chief Privacy Officer or his/her designee prior to the use or disclosure being made. The Chief Privacy Officer or his/her designee will then oversee the use or disclosure for compliance

with these privacy policies and the requirements of Michigan law. The use or disclosure should not occur until it has been approved by the Chief Privacy Officer or his/her designee, unless otherwise required by Michigan law.

**b.a. General Rule.** Except for reports of child abuse or neglect that are permitted by Section VI.E.3.b.(2) of these privacy policies, an authorized member of Ottawa County's affected workforce may disclose protected health information about an individual that workforce member reasonably believes to be a victim of abuse, neglect, or domestic violence to a government authority, including a social service or protective services agency, authorized by Michigan law to receive reports of such abuse, neglect or domestic violence:

(1) To the extent the disclosure is required by Michigan law and the disclosure complies with and is limited to the relevant requirements of that law;

~~(2)~~(1) If the individual agrees to the disclosure; or,

~~(3)~~(1) To the extent the disclosure is expressly authorized by Michigan law or regulation and:

(a) The Ottawa County affected workforce member, in the exercise of professional judgment, believes the disclosure is necessary to prevent serious harm to the individual or other potential victim, or is required by Michigan law.

**c. Informing the Individual.**

If a member of Ottawa County's affected workforce makes a disclosure permitted by VI.E.4.b, above, Ottawa County shall comply with Michigan law with respect to notice of such disclosure to the patient or client.

**5. Uses and Disclosures for Health Oversight Activities.**

a. **Delivery to Chief Privacy Officer.** Any- member of Ottawa

County's affected workforce who receives a request, or who proposes, to use or disclose protected health information for purposes of a health oversight activity must promptly deliver or otherwise communicate the request or proposal to the Chief Privacy Officer or her/her designee prior to the use or disclosure being made. The Chief Privacy Officer or his/her designee will then oversee the use or disclosure for compliance with these privacy policies and Michigan and/or other applicable Federal law. The use or disclosure should not occur until it has been approved by the Chief Privacy Officer or his/her designee.

b. **General Rule.** An authorized member of Ottawa County's affected workforce may disclose protected health information to a health oversight agency, *e.g.*, state department of health, ~~CMS,~~ for oversight activities authorized by law, including: audits; civil, administrative, or criminal investigations; inspections; licensure or disciplinary actions; civil, administrative, or criminal proceedings or other actions; or, other activities necessary for appropriate oversight of:

- (1) The health care system;
- (2) Government benefit programs for which health information is relevant to beneficiary eligibility;
- (3) Entities subject to government regulatory programs for which health information is necessary for determining compliance with program standards; or,
- (4) Entities subject to civil rights laws for which health information is necessary for determining compliance.

c. **Exceptions.**

For purposes of the disclosures permitted by Section VI.E.5.b, above, a health oversight activity does not include an investigation or other activity in which the individual is the subject of the investigation or activity and such investigation or other activity does not arise out of and is not directly related to:

- (1) The receipt of health care;



- (2) A claim for public benefits related to health; or,
- (3) Qualification for, or receipt of, public benefits or services when a patient's health is integral to the claim for public benefits or services.

d. **Joint Activities or Investigations.** Notwithstanding the exceptions stated in Section VI.E.5.c, above, if a health oversight activity or investigation is conducted in conjunction with an oversight activity or investigation relating to a claim for public benefits not related to health, the joint activity or investigation is considered a health oversight activity for purposes of this section.

**6. Disclosures for Judicial and Administrative Proceedings.**

a. **Delivery to Chief Privacy Officer.** Any member of Ottawa County's affected workforce who receives an order of a court or administrative tribunal or a subpoena, discovery request, or other lawful process must promptly deliver or otherwise communicate the document to the Chief Privacy Officer or his/her designee prior to the disclosure being made. The Chief Privacy Officer or his/her designee will then oversee the disclosure for compliance with these privacy policies. The disclosure should not occur until it has been approved by the Chief Privacy Officer or his/her designee.

b. **General Rules.** Ottawa County will disclose protected health information in the course of any judicial or administrative proceeding:

- (1) In response to an order of a court or administrative tribunal, provided Ottawa County will disclose only the protected health information expressly authorized by the order; or,
- (2) In response to a subpoena, discovery request, or other lawful process, that is not accompanied by an order of a court or administrative tribunal, if such disclosure is authorized or required by Michigan law, and only if the procedures followed by the requesting party fully comply with the requirements of Michigan law.

c. **Satisfactory Assurance.**

(1) **That Individual Has Received Notice.** Ottawa County will be considered to have received “satisfactory assurance” from a party seeking protected health information that the individual has received notice if Ottawa County receives from that party a written statement and accompanying documentation demonstrating that:

(a) The party requesting the information has made a good faith attempt to provide written notice to the individual (or, if the individual’s location is unknown, to mail a notice to the individual’s last known address);

(b) The notice included sufficient information about the litigation or proceeding in which the protected health information is requested to permit the individual to raise an objection to the court or administrative tribunal; and,

(c) The time for the individual to raise objections to the court or administrative tribunal has elapsed, and:

i) No objections were filed; or,

ii) All objections filed by the individual have been resolved by the court or the administrative tribunal and the disclosures being sought are consistent with that resolution.

(d) Or it the disclaimer is made in compliance with Michigan law.

d. **Not Limitation on Other Uses and Disclosures.** The provisions of this section dealing with disclosures for judicial and administrative proceedings do not supersede other provisions of these privacy policies that otherwise permit or restrict uses of disclosures of protected health information.

**1.7. Disclosures for Law Enforcement Purposes.**

- a. **Delivery to Privacy Officer.** Any member of Ottawa County’s workforce who receives a request, or proposes, to disclose protected health information for law enforcement purposes must promptly deliver or otherwise communicate the request or proposal to the Chief Privacy Officer or his/her designee prior to the disclosure being made. The Chief Privacy Officer or his/her designee will then oversee the use or disclosure for compliance with these privacy policies and Michigan law. The use or disclosure should not occur until it has been approved by the Chief Privacy Officer or his/her designee, unless otherwise required by law.
  
- b. **Pursuant to Process and As Otherwise Required by Law.** An authorized member of Ottawa County’s affected workforce may disclose protected health information:
  - (1) As required by Michigan law including laws that require the reporting of certain types of wounds or other physical injuries, except:
    - (a) For laws concerning a public health authority or other appropriate government authority authorized by law to receive reports of child abuse or neglect (see, Section VI.E.3.b.(1).; or,
    - (b) To the extent the disclosure is pursuant to a mandatory reporting law concerning reporting of abuse, neglect, or domestic violence and the disclosure complies with and is limited to the relevant requirements of that law (see, Section VI.E.4.b.(1).
  - (2) In compliance with and as limited by relevant requirements of:
    - (a) A court order or court-ordered warrant, or a subpoena or summons issued by a judicial officer;
    - (b) A grand jury subpoena; or,

- (c) An administrative request, including an administrative subpoena or summons, a civil or an authorized investigative demand, or similar process authorized under law, if disclosure is authorized or required by law.

c. **Limited Information for Identification and Location Purposes.**

Except for disclosures required by law as permitted by VI.E.7.b, VI.E.7.b, above, an authorized member of Ottawa County's affected workforce may disclose protected health information in response to a law enforcement official's request for such information for the purpose of identifying or locating a suspect, fugitive, material witness, or missing person, provided that:

- (1) Ottawa County may disclose only the following information:

- (a) Name and address;
- ~~(b)~~(a) Date and place of birth;
- ~~(c)~~(a) Social Security number;
- ~~(d)~~(a) ABO blood type and rh factor;
- ~~(e)~~(a) Type of injury;
- ~~(f)~~(a) Date and time of treatment;
- ~~(g)~~(a) Date and time of death, if applicable; and,
- ~~(h)~~(a) A description of distinguishing physical characteristics, including height, weight, gender, race, hair and eye color, presence or absence of facial hair (beard or moustache), scars, and tattoos.

~~(2)~~(1) Except as stated in (1), above, a member of Ottawa County's workforce may not disclose for the purposes of identification or location under this section any protected health information related to the individual's DNA or DNA analysis, dental records, or typing, samples or analysis of body fluids or tissue, unless otherwise authorized or required by Michigan law.

~~d.a.~~ **Victims of a Crime.** Except for disclosures required by law as permitted by VI.E.7. b, VI.E.7.b, above, an authorized member of Ottawa County's affected workforce may disclose protected health information in response to a law enforcement official's request for such information about an individual who is or is suspected to be a

victim of a crime, other than disclosures that are subject to Section VI.E.7.b, VI.E.7.b, and Section VI.E.7.c, if:

- (1) If the individual agrees to the disclosure; or,
- (2) Ottawa County is unable to obtain the individual's agreement because of incapacity or other emergency circumstance, provided that the disclosure is otherwise authorized or required by Michigan law.

**e.b.** **Decedents.** An authorized member of Ottawa County's affected workforce may disclose protected health information about an individual who has died to a law enforcement official for the purpose of alerting law enforcement of the death of the individual if Ottawa County has a suspicion that such death may have resulted from criminal conduct, or if such notice is otherwise required by Michigan law.

**a.c.** **Crime on the Premises.** An authorized member of Ottawa County's may disclose to a law enforcement official protected health information that he or she believes in good faith constitutes evidence of criminal conduct that occurred on the premises of Ottawa County.

**b.d.** **Reporting Crime in Emergencies.** If Ottawa County is providing emergency health care in response to a medical or mental health emergency, other than on the premises of Ottawa County, an authorized member of Ottawa County's affected workforce may disclose protected health information to a law enforcement official if such disclosure appears necessary to alert law enforcement to:

- (1) The commission and nature of a crime;
- (2) The location of such crime or of the victim(s) of such crime; and,
- (3) The identity, description, and location of the perpetrator of the crime.

If the member of Ottawa County's affected workforce believes the

medical or mental health emergency is the result of abuse, neglect, or domestic violence of the individual in need of emergency health care, the preceding does not apply and any disclosure to a law enforcement official for law enforcement purposes is subject to Section VI.E.7.c of these privacy policies and if the disclosure is authorized or required by Michigan law.

**2.8. Uses and Disclosures About Decedents.**

- a. **Delivery to Privacy Officer.** Any member of Ottawa County's affected workforce who receives a request, or proposes, to use or disclose protected health information to a coroner, medical examiner, or funeral director must promptly deliver or otherwise communicate the request or proposal to the Chief Privacy Officer or his/her designee prior to the use or disclosure being made. The Privacy Officer will then oversee the use or disclosure for compliance with these privacy policies. The use or disclosure may not occur until it has been approved by the Chief Privacy Officer or his/her designee.
  
- b. **Coroners and Medical Examiners.** An authorized member of Ottawa County's affected workforce may disclose protected health information to a coroner or medical examiner for the purpose of identifying a deceased person, determining a cause of death, or other duties as authorized or required by Michigan law.
  
- c. **Funeral Directors.** An authorized member of Ottawa County's ~~affected workforce~~affected workforce may disclose protected health information to funeral directors consistent with applicable law, as necessary to carry out their duties with respect to the decedent. If necessary for funeral directors to carry out their duties, Ottawa County may disclose the protected health information prior to, and in reasonable anticipation of, the individual's death, in compliance with Michigan law.

**3.9. Uses and Disclosures for Cadaveric Organ, Eye or Tissue Donation.**

- a. **Delivery to Privacy Officer.** Any member of Ottawa County's authorized workforce who receives a request, or proposes, to use or disclose protected health information for purposes of

~~cadaver.~~Cadaveric organ, eye or tissue donation must promptly deliver or otherwise communicate the request or proposal to the Chief Privacy Officer or his/her designee prior to the use or disclosure being made. The Chief Privacy Officer or his/her designee will then oversee the use or disclosure for compliance with these privacy policies. The use or disclosure may not occur until it has been approved by the Chief Privacy Officer or his/her designee.

- b. **Permitted Uses and Disclosures.** An authorized member of Ottawa County's affected workforce may use or disclose protected health information to organ procurement organizations or other entities engaged in the procurement, banking or transplantation of Cadaveric organs, eyes or tissue for the purpose of facilitating organ, eye or tissue donation and transplantation, or authorized by Michigan law.

#### **4.10. Uses and Disclosures for Research Purposes.**

- a. **Delivery to Chief Privacy Officer.** Any member of Ottawa County's affected workforce who receives a request, or proposes, to use or disclose protected health information for research purposes must promptly deliver or otherwise communicate the request or proposal to the Chief Privacy Officer or his/her designee prior to the use or disclosure being made. The Chief Privacy Officer or his/her designee will then oversee the use or disclosure for compliance with these privacy policies. The use or disclosure may not occur until it has been approved by the Chief Privacy Officer or his/her designee.

~~b.a.~~ **Permitted Uses and Disclosures.** An authorized member of Ottawa County's affected workforce may use or disclose protected health information for research, regardless of the source of funding for the research, provided that:

- (1) **Board Approval of a Waiver of Authorization.** Ottawa County obtains documentation that an alteration to or waiver, in whole or in part, of the individual authorization required by Section VI.C.8 of these privacy policies for use and disclosure of protected health information has been approved by either:

- (a) An Institutional Review Board (IRB) established in accordance with the federal regulations set forth in the HIPAA privacy rule; or,
- (b) A privacy board that meets the requirements of the HIPAA privacy rule, *see*, 45 CFR §164.512(i)(1)(i)(B).

The documentation must include all of the information required by the HIPAA privacy rule, *see*, 45 CFR §164.512(i)(2).

(2) **Reviews Preparatory to Research.** Ottawa County obtains from the researcher representations that:

- (a) Use or disclosure is sought solely to review protected health information as necessary to prepare a research protocol or for similar purposes preparatory to research;
- (b) No protected health information will be removed from Ottawa County by the researcher in the course of the review; and,
- (c) The protected health information for which use or access is sought is necessary for the research purposes.

(3) **Research on Decedent's Information.** Ottawa County obtains from the researcher:

- (a) Representation that the use or disclosure is sought is solely for research on the protected health information of decedents;
- (b) Documentation, at the request of Ottawa County, of the death of such individuals; and,
- (c) Representation that the protected health information for which use or disclosure is sought is necessary for the research purposes.



**5.11. Uses and Disclosures to Avert a Serious Threat to Health or Safety.**

- a. **Delivery to Chief Privacy Officer.** Any member of Ottawa County's affected workforce who receives a request, or proposes, to use or disclose protected health information to avert a serious threat to health or safety must promptly deliver or otherwise communicate the request or proposal to the Chief Privacy Officer or his/her designee prior to the use or disclosure being made. The Chief Privacy Officer or his/her designee will then oversee the use or disclosure for compliance with these privacy policies. The use or disclosure may not occur until it has been approved by the Chief Privacy Officer or his/her designee.

**b.a. Permitted Uses and Disclosures.** An authorized member of Ottawa County's affected workforce may, consistent with Michigan law and standards of ethical conduct, use or disclose protected health information, if the member of Ottawa County's affected workforce, in good faith, believes the use or disclosure:

**(1) Serious and Imminent Threat.**

- (a) Is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public; and,
- (b) Is to a person or persons reasonably able to prevent or lessen the threat, including the target of the threat; and,
- (c) Is otherwise authorized by Michigan law.

**(2) Law Enforcement.**

Is necessary for law enforcement authorities to identify or apprehend an individual:

- (a) Because of a statement by an individual admitting participation in a violent crime that Ottawa County reasonably believes may have caused serious physical harm to the victim; or,

(b) Where it appears from all the circumstances that the individual has escaped from a correctional institution or from lawful custody; and,

(c) Is otherwise authorized by Michigan law.

**e.b. Uses and Disclosures Not Permitted.**

A use or disclosure pursuant to Section VI.E.11.b.(2)(a), above, concerning a statement of an individual may not be made if the information described in that section is learned by Ottawa County:

- (1) In the course of treatment to affect the propensity to commit the criminal conduct that is that basis for the disclosure under that section, or counseling or therapy; or,
- (2) Through a request by the individual to initiate or to be referred for the treatment, counseling, or therapy described in Section VI.E.11.b.(2)(a), above; unless,
- (3) The disclosure is required by Michigan law.

A disclosure made pursuant to Section VI.E.11.b.(2)(a), above, shall contain only the statement described in that section and the protected health information described in Section VI.F.7.c.(1) of these privacy policies, unless the disclosure of additional information is required by Michigan law.

**6.12. Uses and Disclosures for Specialized Government Functions.**

- a. **Delivery to Privacy Officer.** Any member of Ottawa County's affected workforce who receives an a request, or proposes, to use or disclose protected health information for purposes of a specialized government function described in this Section VI.E.12 must promptly deliver or otherwise communicate the request or proposal to the Chief Privacy Officer or his/her designee prior to the use or disclosure being made. The Chief Privacy Officer or his/her designee will then oversee the use or disclosure for compliance with these privacy policies. The use or disclosure may not occur until it has been approved by the Chief Privacy Officer or his/her designee.

**b. Military and Veterans Activities.**

**(1) Armed Forces Personnel.**

An authorized member of Ottawa County's affected workforce may use and disclose the protected health information of individuals who are Armed Forces personnel for activities deemed necessary by appropriate military command authorities to assure the proper execution of the military mission, if the appropriate military authority has published by notice in the *Federal Register* the following information:

- (a) Appropriate military command authorities; and,
- (b) The purposes for which the protected health information may be used or disclosed.

**(2) Foreign Military Personnel.** An authorized member of Ottawa County's affected workforce may use and disclose the protected health information of individuals who are foreign military personnel to their appropriate foreign military authority for the same purposes for which uses and disclosures are permitted for Armed Forces personnel under the notice published in the *Federal Register*.

**c. National Security and Intelligence Activities.**

An authorized member of Ottawa County's affected workforce may disclose protected health information to authorized federal officials for the conduct of lawful intelligence, counter-intelligence, and other national security activities authorized by the National Security Act, 50 U.S.C. 401 *et seq.*, and implementing authority, *e.g.*, Executive Order 12333.

**d. Protective Services for the President and Others.**

An authorized member of Ottawa County's affected workforce may disclose protected health information to authorized federal

officials for the provision of protective services to the President of the United States or other persons authorized by 18 U.S.C. 3056, or to foreign heads of state or other persons authorized by 22 U.S.C. 2709(a)(3), or to for the conduct of investigations authorized by 18 U.S.C. 871 and 879.

e. **Correctional Institutions and Other Law Enforcement Custodial Situations.**

(1) **Permitted Disclosures.** An authorized member of Ottawa County's affected workforce may disclose to a correctional institution or a law enforcement official having lawful custody of an inmate or other individual protected health information about such inmate or individual, if the correctional institution or such law enforcement official represents that such protected health information is necessary for:

- (a) The provision of health care to such individuals;
- (b) The health and safety of such individual or other inmates;
- (c) The health and safety of the officers or employees of or others at the correctional institution;
- (d) The health and safety of such individuals and officers or other persons responsible for the transporting of inmates or their transfer from one institution, facility, or setting to another;
- (e) Law enforcement on the premises of the correctional institution; and,
- (f) The administration and maintenance of the safety, security, and good order of the correctional institution.

(2) **No Application After Release.** For purposes of this provision, an individual is no longer an inmate when released on parole, probation, supervised release, or otherwise is no longer in lawful custody.

**7.13. Disclosures for Workers' Compensation.**

**a. Delivery to Chief Privacy Officer.**

Unless the use or disclosure has previously been approved by the Chief Privacy Officer, a member of Ottawa County's affected workforce who receives a request, or proposes to disclose protected health information to comply with laws relating to workers compensation or other similar programs, must promptly deliver or otherwise communicate the request or proposal to the Chief Privacy Officer or his/her designee prior to the disclosure being made. The Chief Privacy Officer or his/her designee will then oversee the use or disclosure for compliance with these privacy policies. The use or disclosure should not occur until it has been approved by the Chief Privacy Officer or his/her designee.

- b. **Permitted Disclosures.** An authorized member of Ottawa County's affected workforce may disclose protected health information as authorized by and to the extent necessary to comply with laws relating to workers' compensation or other similar programs, established by law, that provide benefits for work-related injuries or illnesses. ~~without regard to fault.~~

**8.14. Disclosure to the Secretary of Health and Human Services.**

**a. Delivery to Chief Privacy Officer.**

Any member of Ottawa County's affected workforce who receives a request, or proposes, to disclose protected health information to the Secretary of Health and Human Services must promptly deliver or otherwise communicate the request or proposal to the Privacy Officer prior to the disclosure being made. The Chief Privacy Officer or his/her designee will then oversee the disclosure for compliance with these privacy policies. The use or disclosure should not occur until it has been approved by the Chief Privacy Officer or his/her designee.

- b. **Permitted Disclosures.** Acting through its Chief Privacy Officer or his/her designee, Ottawa County will permit access by the

Secretary of Health and Human Services during normal business hours to its facilities, books, records, accounts and other sources of information, including protected health information, that are pertinent to ascertaining compliance with the applicable requirements of the HIPAA privacy rule. If the Secretary of Health and Human Services determines that exigent circumstances exist, such as when documents may be hidden or destroyed, Ottawa County will permit access by the Secretary of Health and Human Services at any time and without notice.

If any information required of Ottawa County under this section is in the exclusive possession of any other agency, institution, or person and that other agency, institution or person fails or refuses to furnish the information, the Chief Privacy Officer or his/her designee will so certify and set forth what efforts Ottawa County has made to obtain the information.

**9.15. Disclosures by Whistleblowers.**

A member of Ottawa County's affected workforce or a business associate may disclose protected health information, provided that:

- a. The workforce member or business associate believes in good faith that Ottawa County has engaged in conduct that is unlawful or otherwise violates professional or clinical standards, or that the care, services or conditions provided by Ottawa County potentially endangers one or more patients, workers, or the public; and,
- b. The disclosure is to:
  - (1) A health oversight agency or public health authority authorized by law to investigate or otherwise oversee the relevant conduct or conditions of Ottawa County or to an appropriate health care accreditation organization for the purpose of reporting the allegation of failure to meet professional standards or misconduct by Ottawa County; or,
  - (2) An attorney retained by or on behalf of the workforce member or business associate for the purpose of determining the legal options of the workforce member or business associate with regard to the conduct described in Section a., above.

The disclosure does not need to be approved by the Chief Privacy Officer or his/her designee before it is made.

**10.16. Disclosures by Workforce Members Who are Victims of a Crime.**

A workforce member who is the victim of a criminal act may disclose protected health information to a ~~law~~ law enforcement official, provided that:

- a. The protected health information disclosed is about the suspected perpetrator of the criminal act; and,
- b. The protected health information disclosed is limited to the following information:
  - (1) Name and address;
  - (2) Date and place of birth;
  - (3) Social Security number;
  - (4) ABO blood type and Rh factor;
  - (5) Type of injury;
  - (6) Date and time of treatment;
  - (7) Date and time of death, if applicable; and,
  - (8) A description of distinguishing physical characteristics, including height, weight, gender, race, hair and eye color, presence of absence of facial hair (beard or moustache), scars, and tattoos.

The disclosure does not need to be approved by the Chief Privacy Officer or his/her designee before it is made.

**11.17. Disclosures to Business Associates.**

**a. Delivery to Chief Privacy Officer.**

Unless the use or disclosure has previously been approved by the Chief Privacy Officer or his/her designee, any member of Ottawa County's workforce who receives a request, or proposes, to disclose protected health information to a business associate of Ottawa County must promptly deliver or otherwise communicate the request or proposal to the Chief Privacy Officer or his/her designee prior to the disclosure being made. The Chief Privacy Officer or his/her designee will then oversee the use or disclosure for compli-

ance with these privacy policies. The use or disclosure may not occur until it has been approved by the Chief Privacy Officer or his/her designee.

- b. **Permitted Disclosures.** Authorized members of Ottawa County's ~~affected workforce~~ affected workforce may disclose protected health information to a business associate and may allow a business associate to create or receive protected health information on Ottawa County's behalf, if Ottawa County has a written contract with the business associate that meets the requirements of the HIPAA privacy rule.

## F. Uses and Disclosures for Marketing.

### 1. General Rule.

Except as stated in section VI.F, below, a member of Ottawa County's ~~affected workforce~~ affected workforce may not use protected health information for marketing without an authorization that meets the applicable requirements of Section VI.C of these privacy policies, except as stated in this Section VI.F.

Any use of protected health information for marketing without an authorization must be approved in advance by the Chief Privacy Officer or his/her designee.

### 2. Exceptions.

An authorization does not need to be obtained if Ottawa County uses or discloses protected health information to make a marketing communication to an individual that:

- a. Occurs in a face-to-face encounter with the individual;
- b. Concerns products or services of nominal value (*e.g.*, pens, refrigerator magnets); or,
- c. Concerns the health-related products and services ~~of Ottawa~~ of Ottawa County or of a third party and the communication meets the applicable conditions stated below.



An authorized member of Ottawa County's ~~affected workforce~~affected workforce may disclose protected health information for purposes of such marketing communications to a business associate that assists Ottawa County with such communications.

**3. Conditions.**

For a marketing communication to be permitted under Section VI.F.2, above, the following conditions must be met:

- a. The communication must:
  - (1) Identify Ottawa County as the party making the communication;
  - (2) If Ottawa County has received or will receive direct or indirect remuneration for making the communication, prominently state that fact; and,
  - (3) Except when the communication is contained in a news-letter or similar type of general communication device that Ottawa County distributes to a broad cross section of patients or other broad groups of individuals, contain instructions describing how the individual may opt out of receiving future such communication.
- b. If Ottawa County uses or discloses protected health information to target the communication to individuals based on their health status or condition:
  - (1) Ottawa County must determine prior to making the communication that the product or service being marketed may be beneficial to the health of the type or class of individual targeted; and,
  - (2) The communication must explain why the individual has been targeted and how the product or services relates to the health of the individual.
- c. Ottawa County must make reasonable efforts to ensure that individuals who decide to opt out of receiving future marketing communications are not sent future communications.

4. **“Marketing” Defined.**

a. **General Rule.** Except as stated in Section VI.F.4.b, below, for purposes of these privacy policies, “marketing” means to make a communication about a product or service a purpose of which is to encourage recipients of the communication to purchase or use the product or service.

b. **Exception.** Marketing does not include:

(1) A communication that is made orally; or,

(2) A communication that is in writing and Ottawa County does not receive direct or indirect remuneration from a third party for making the communication; and

(3) The communication is made by Ottawa County:

(a) For the purpose of describing the entities participating in a health care provider network or health plan network, or for the purposes of describing if and the extent to which a product or service (or payment for that product or service) is provided by an entity covered by the HIPAA privacy rule or included in a plan of benefits; or,

(b) That are tailored to the circumstances of a particular individual and the communications are:

i) Made by Ottawa County as part of the treatment of the individual, and for the purposes of furthering the treatment of that individual; or,

ii) Made by Ottawa County to an individual in the course of managing the treatment of that individual, or for the purpose of directing or recommending to that individual alternative treatments, therapies, health care providers, or settings of care.

**A.G. Uses and Disclosures for Fundraising.**

**1. General Rule.**

An authorized member of Ottawa County’s affected workforce may use, or disclose to a business associate or to an institutionally related foundation, the following protected health information for the purpose of raising funds for its own benefit, without an authorization meeting the requirements of Section VI.C of these privacy policies:

- a. Demographic information relating to an individual; and,
- b. Dates of health care provided to an individual.

Any use of protected health information for the purpose of raising funds for Ottawa County’s benefit without an authorization must be approved in advance by the Chief Privacy Officer or his/her designee.

**2. Opting Out.** Any fundraising materials Ottawa County sends to an individual must include a description of how the individual may opt out of receiving any further fundraising communications.

Ottawa County must make reasonable efforts to ensure that individuals who decide to opt out of receiving future marketing communications are not sent future communications.

**B.H. Verification of Identity and Authority.**

**1. General Rule.**

Prior to any disclosure of protected health information, the authorized member of Ottawa County’s affected workforce who is making the disclosure must:

- a. Except with respect to disclosures under VI.D, “Uses and Disclosures Requiring an Opportunity for the Individual to Agree or to Object” of these privacy policies, verify the identity of a person requesting protected health information and the authority of that person to have access to protected health information under these privacy policies, if the identity of that person is not known to Ottawa County; and,

- b. Obtain any documentation, statements, or representations, whether oral or written, from the person requesting the protected health information when such documentation, statement, or representation is a condition of the disclosure under these privacy policies.

## **2. Personal Representatives.**

Unless the person and his or her authority is known to Ottawa County, the authorized member of Ottawa County's affected workforce who is making a disclosure to an individual's personal representative shall verify the person's identity by way of a government issued document with a picture (e.g., a driver's license, passport) and verify the person's authority (e.g., requiring a copy of a power of attorney, asking questions to establish relationship to a child.)

## **3. Conditions on Disclosures.**

If a disclosure is conditioned by these privacy policies on particular documentation, statements, or representations from the person requesting the protected health information, the authorized member of Ottawa County's affected workforce who is making the disclosure may rely, if such reliance is reasonable under the circumstances, on documentation, statements, or representations that, on their face, meet the applicable requirements.

In this regard:

- a. The conditions in Section VI.E.7.b.(2)(c) under "Disclosures for Law Enforcement Purposes" of these privacy policies may be satisfied by the administrative subpoena or similar process or by a separate written statement that, on its face, demonstrates that the applicable requirements have been met.
- b. The documentation required by Section VI.E.10.b.(1), "Board Approval of a Waiver of Authorization" of these privacy regulations, may be satisfied by one or more written statements provided that each is appropriately dated and signed in accordance with the HIPAA privacy rule, 45 CFR §164.512(i)(2)(i)&(v).

## **4. Identity of Public Officials.**

Ottawa County may rely, if such reliance is reasonable under the circumstances, on any of the following to verify identity when the disclosure of protected health information is to a public official or a person acting on behalf of a public official:

- a. If the request is made in person, presentation of an agency identification badge, other official credentials, or other proof of government status;
- b. If the request is made in writing, the request is on the appropriate government letterhead; or,
- c. If the disclosure is to a person acting on behalf of a public official, a written statement on appropriate government letterhead that the person is acting under the government's authority or other evidence or documentation of agency, such as a contract for services, memorandum of understanding, or purchase order, that establishes that the person is acting on behalf of the public official.

#### **5. Authority of Public Officials.**

Ottawa County may rely, if such reliance is reasonable under the circumstances, on any of the following to verify authority when the disclosure of protected health information is to a public official or a person acting on behalf of a public official:

- a. A written statement of the legal authority under which the information is requested, or , if a written statement would be impractical, on oral statement of such legal authority;
- b. If a request is made pursuant to legal process, warrant, subpoena, order or other legal process issued by a grand jury or a judicial or administrative tribunal is presumed to constitute legal authority.

#### **6. Exercise of Professional Judgment.**

The verification requirements of this section are met if a member of Ottawa County's affected workforce relies on the exercise of professional judgment in making a use or disclosure in accordance with Section VI.D, "Uses or Disclosures Requiring an Opportunity for the Individual to Agree or Object" of these privacy policies or acts on a good faith belief in

making a disclosure in accordance with Section VI.E.11, “Uses or Disclosures to Avert a Serious Threat to Health or Safety” of these privacy policies.

**C.I. How to Resolve Conflicting Consents and Authorizations.**

**1. Comply with More Restrictive.**

If Ottawa County obtains an authorization or written legal permission from the individual for a disclosure of protected health information to carry out treatment, payment, or health care operations, Ottawa County may disclose that protected health information only in accordance with the more restrictive authorization, or other written legal permission from the individual.

**2. Attempt to Resolve Conflict.**

Ottawa County may attempt to resolve a conflict between an authorization or other written legal permissions, from the individual by:

- a. Obtaining a new authorization from the individual for the disclosure; or,
- b. Communicating orally or in writing with the individual in order to determine the individual’s preference in resolving the conflict. Ottawa County must document the individual’s preference and may only disclose protected health information in accordance with the individual’s preference.

**3. Communicate to Chief Privacy Officer.** Any member of Ottawa County’s affected workforce who encounters conflicting authorizations or other legal permissions must promptly communicate the situation and documents to the Chief Privacy Officer or his/her designee who will determine how Ottawa County should proceed.

**D.J. Prior Consents and Authorizations.**

**1. General Rule.**

Notwithstanding other sections of these privacy policies, Ottawa County may continue to use or disclose protected health information pursuant to

an authorization or other express legal permission obtained from an individual permitting the use or disclosure of protected health information if:

- a. It was obtained prior to April 14, 2003;
- b. It does not comply with Section VI.B, “Consent for Uses and Disclosures to Carry Out Treatment, Payment and Health Care Operations” or Section VI.C, “Uses and Disclosures for Which an Authorization is Required” of these privacy policies; and,
- c. The use or disclosure complies with the conditions stated in Section VI.J.2, below.

**2. Conditions.**

- a. **For Treatment, Payment, or Health Care Operations.** If the authorization or other express legal permission obtained from an individual permits a use or disclosure for purposes of carrying out treatment, payment, or health care operations, Ottawa County may, with respect to protected health information it received before April 14, 2003, and to which the authorization or other express legal permission obtained from the individual applies, use or disclose such information for purposes of carrying out treatment, payment, and health care operations, provided that:
  - (1) Ottawa County does not make any use or disclosure that is expressly excluded from the authorization or other express legal permission obtained from the individual; and,
  - (2) Ottawa County complies with all limitations placed by the authorization or other express legal permission obtained from the individual.
- b. **For Purpose Other Than Treatment, Payment, or Health Care Operations.** If the authorization, or other express legal permission obtained from an individual specifically permits a use or disclosure for a purpose other than to carry out treatment, payment or health care operations, Ottawa County may, with respect to protected health information that Ottawa County created or received before April 14, 2003, and to which the authorization, or other express legal permission obtained from the individual applies, make such

use or disclosure, provided that:

- (1) Ottawa County does not make any use or disclosure that is expressly excluded from the authorization, or other express legal permission obtained from the individual; and,
- (2) Ottawa County complies with all limitations placed by the authorization, or other express legal permission obtained from the individual.

c. **Research.** In the case of an authorization, or other express legal permission obtained from the individual that identifies a specific research project that includes treatment of individuals:

- (1) If the authorization, or other express legal permission obtained from an individual specifically permits a use or disclosure for purposes of the project, Ottawa County may, with respect to protected health information that it created or received either before or after April 14, 2003, and to which the consent or authorization applies, make such use or disclosure for purposes of that project, provided that Ottawa County complies with all limitations placed by the authorization, or other express legal permission obtained from the individual.
- (2) If the authorization, or other express legal permission obtained from an individual is a general consent to participate in the project, and Ottawa County is conducting or participation in the research, Ottawa County may, with respect to protected health information that is created or received as part of the project before or after April 14, 2003, make a use or disclosure for purposes of that project, provided that Ottawa County complies with all limitations placed by the authorization, or other express legal permission obtained from the individual.

d. **Agreed to Restriction.** If, after April 14, 2003, Ottawa County agrees to a restriction requested by an individual under Section VII.A.1, "Restriction of Uses and Disclosures" of these privacy policies, a subsequent use or disclosure of protected health information that is subject to the restriction based on an authorization, or other express legal permission obtained from an



individual, as given effect by Section VI.J.1, “Prior Consents and Authorizations” of these privacy policies, must comply with such restriction.

## **VII. RIGHTS OF INDIVIDUALS.**

### **A. Right to Request Privacy Protection.**

#### **1. Restriction of Uses and Disclosures.**

a. **Generally.** Ottawa County will permit an individual to request that Ottawa County restrict:

- (1) Uses and disclosures of protected health information about the individual to carry out treatment, payment or health care operations; and,
- (2) Disclosures permitted under Section VI.D.3, “Persons Involved in the Individual’s Care; Notification” of these privacy policies, for involvement in the individual’s care and notification purposes.

Whether or not Ottawa County will agree to the restriction will be determined by the Chief Privacy Officer or his/her designee. If a restriction is agreed to, a written or electronic record of that restriction shall be retained by Ottawa County for six years from the date of its creation or the date when it was last in effect, whichever is later.

If Ottawa County agrees to a restriction, the protected health information shall not be used or disclosed in violation of such restriction, except that, if the individual who requested the restriction is in need of emergency treatment and the restricted protected health information is needed to provide the emergency treatment, the restricted protected health information may be used by Ottawa County, or may be disclosed by an authorized member of Ottawa County’s affected workforce to a health care provider, to provide such treatment to the individual. If the information is disclosed to a health care provider for emergency treatment, the member of Ottawa County’s affected workforce making the disclosure shall request that health care provider not further use or disclose the information.

A restriction agreed to by Ottawa County under this Section VII.A.1.a is not effective to prevent uses or disclosures:

- (a) To the individual when requested by the individual pursuant to the individual's right of access to the information (see, Section VII.B, "Right of Access").
- (b) When the use or disclosure does not require an authorization, or opportunity to agree or object is not required (see, Section VI.E, "Uses and Disclosures for which Consent, an Authorization, or an Opportunity to Agree or Disagree is Not Required").

b. **Termination of Restriction.** Ottawa County may terminate its agreement to a restriction under this Section VII.A.1, if:

- (1) The individual agrees to or requests the termination in writing;
- (2) The individual orally agrees to the termination and the oral agreement is documented in the patent or client's records; or,
- (3) Ottawa County informs the individual that it is terminating its agreement to the restriction, except that such termination shall be effective only with respect to protected health information created or received after Ottawa County has so informed the individual.

2. **Restriction on Means and Location of Communications.**

a. **Generally.** Ottawa County shall permit individuals to request and, subject to the conditions stated below, shall accommodate reasonable requests by individuals to receive communications of protected health information from Ottawa County by alternative means or at alternative locations.

The request by the individual to receive communications by alternative means or at alternative locations must be in writing.

b. **Conditions.** Ottawa County's accommodation of such requests

shall be conditioned on:

- (a) When appropriate, information as to how payment, if any, will be handled; and,
- (b) Specification by the individual of an alternative address or other method of contact.

Ottawa County shall not require an explanation from the individual as to the basis for the request as a condition of providing communications on a confidential basis.

**B. Right of Access.**

**1. Generally.**

Except when access is denied under Section VII.B.5 , “Denial of Access” of these privacy policies, an individual shall have a right of access to inspect and obtain a copy of protected health information about the individual for as long as the protected health information is maintained in that record set except for:

- a. Psychotherapy notes;
- b. Information compiled in reasonable anticipation of, or for use in, a civil, criminal, or administrative action or proceeding.
- c. Protected health information subject to the Clinical Laboratory Improvement Amendments of 1988 (CLIA), 42 U.S.C. Section 263a, to the extent the provision of access to the individual would be prohibited by law.

**2. Request for Access.**

The individual’s request for access must be submitted in writing to the Chief Privacy Officer or his/her designee.

**3. Action on Request for Access.**

**a. Time Limits for Action.**

The Chief Privacy Officer or his/her designee shall act on a request for access no later than thirty (30) calendar days after Ottawa County's receipt of the request. However, if the request for access is for protected health information that is not maintained or accessible to Ottawa County on-site, the Chief Privacy Officer or his/her designee shall act on the request for access no later than sixty (60) calendar days after Ottawa County's receipt of the request.

If the Chief Privacy Officer or his/her designee is unable to take an action on the request within the applicable time required by the preceding paragraph, the Chief Privacy Officer or his/her designee may extend the time for the action by no more than thirty (30) calendar days, provided:

- (1) Within the applicable time required by the preceding paragraph, the Chief Privacy Officer or his/her designee shall provide the individual with a written statement of the reason(s) for the delay and the date by which Ottawa County will complete its action on the request; and,
- (2) Only one such extension shall be permitted on a request for access.

**b. Inform Individual of Action on Request.**

If the request is granted, in whole or in part, the Chief Privacy Officer or his/her designee shall inform the individual of the acceptance of the request and provide the access requested in accordance with Section VII.B.4, below.

If the request is denied, in whole or in part, the Chief Privacy Officer or his/her designee shall provide the individual with a written denial, in accordance with Section VII.B.6.b, "Actions if Access is Denied"; of these privacy policies.

**4. Providing Access.**

- a. **Access.** If the individual is granted access, in whole or in part, to protected health information, Ottawa County shall provide the access requested by the individual, including inspection and obtaining a copy, or both, of the protected health information about

the individual in designated record sets. If the same protected health information that is the subject of a request for access is maintained in more than one designated record set or at more than one location, the protected health information will only be produced once in response to a request for access.

**b. Form and Format.**

The protected health information will be provided to the individual in the form or format requested by the individual, if it is readily producible in that form or format. If it is not readily producible in that form or format, it shall be provided in a readable hard copy form or such other form or format as agreed to ~~by Ottawa~~ by Ottawa County and the individual or as required by law.

**c. Summary In Lieu of Access.** The individual may be provided a summary of the protected health information requested, in lieu of providing access to the protected health information, or may be provided an explanation of the protected health information to which access has been provided, if:

- (1) The individual agrees in advance to such a summary or explanation; and,
- (2) The individual agrees in advance to the fees imposed, if any, by Ottawa County for such summary or explanation.

**d. Time and Manner of Access.**

Access shall be provided in a timely manner as stated in Section VII.B.3.a, "Action on Request for Access," of these privacy policies, including arranging with the individual for a convenient time and place to inspect or obtain a copy of the protected health information, or mailing the copy to the individual at the individual's request. Ottawa County may discuss the scope, format and other aspects of the request for access with the individual as necessary to facilitate the timely provision of access.

**e. Fees.**

If the individual requests a copy of the protected health information, or agrees to a summary or explanation of such information, Ottawa County shall impose charges as set forth in Appendix 6F to these privacy policies, as permitted by law.

**5. Denial of Access.**

**a. Unreviewable Grounds for Denial.**

Ottawa County may deny an individual access without providing the individual an opportunity for review, in any the following circumstances:

- (1) **Information Is Exempted.** The protected health information is exempted from the right of access as stated in Section VII.B.1, “Generally” of these privacy policies.
- (2) **Inmates.** When Ottawa County is acting under the direction of a correctional institution, Ottawa County may deny, in whole or in part, an inmate’s request to obtain a copy of protected health information, if obtaining such copy would jeopardize the health, safety, security, custody, or rehabilitation of the individual or of other inmates, or the safety of any officer, employee, or other person at the correctional institution or reasonable for the transporting of the inmate or if denial is otherwise authorized by law.:-
- (3) **Research.** An individual’s access to protected health information created or obtained by Ottawa County in the course of research that included treatment may be temporarily suspended for so long as the research is in progress, provided that the individual has agreed to the denial of access when consenting to participate in the research that includes treatment, and Ottawa County has informed the individual that the right of access will be reinstated upon completion of the research.
- (4) **Information Obtained From Others.** An individual’s access may be denied if the protected health information

was obtained from someone other than a health care provider under a promise of confidentiality and the access requested would be reasonably likely to reveal the source of the information, if denial is otherwise authorized by law.

b. **Reviewable Grounds for Denial.** Ottawa County may deny an individual access, provided that the individual is given a right to have the denial reviewed as stated in Section VII.B.6.c, “Review of Denial” of these privacy policies, in any the following circumstances:

(1) **Endangerment.** A licensed health care professional has determined, in the exercise of professional judgment, that the access requested is reasonably likely to endanger the life or physical safety of the individual or another person;

(2) **Reference to Another Person.** The protected health information makes reference to another person (unless such other person is a health care provider) and a licensed health care professional has determined, in the exercise of professional judgment, that the access requested is reasonably likely to cause substantial harm to such other person; or,

(3) **Personal Representative.** The request for access is made by the individual’s personal representative and a licensed health care professional has determined, in the exercise of professional judgment, that the provision of access to such personal representative is reasonably likely to cause substantial harm to the individual or another person.

**6. Actions if Access is Denied.**

If an individual’s access to protected health information is denied, in whole or in part, Ottawa County shall comply with the following:

a. **Making Other Information Accessible.** Ottawa County shall, to the extent possible, give the individual access to any other protected health information requested, after excluding the protected health information as which Ottawa County had the ground to deny access.

b. **Written Denial.** Ottawa County shall provide a written denial to the individual within the applicable time period stated in Section VII.B.6.c, “Review of Denial” of these privacy policies. The denial shall contain:

- (1) The basis for the denial;
- (2) If applicable, a statement of the individual’s review rights, including a description of how the individual may exercise such review rights;
- (3) A description of how the individual may complain pursuant to Ottawa County’s complaint procedures or to the Secretary of Health and Human Resources, including the name or title, and the telephone number of the Ottawa County contact person or office designated to receive complaints.
- (4) If Ottawa County does not maintain the protected health information that is the subject of the individual’s request for access, and Ottawa County knows where the requested information is maintained, a statement informing the individual where to direct the request for access.

c. **Review of Denial.**

If access is denied on a ground permitted under Section VII.B.5.b, “Reviewable Grounds for Denial” of these privacy policies, above, the individual shall have the right to have the denial reviewed by a licensed health care professional who is designated by the Chief Privacy Officer or his/her designee to act as a reviewing official and who did not participate in the original decision to deny.

The individual’s request for review shall be promptly referred to that designated reviewing official. The designated reviewing official shall then determine, within a reasonable period of time, whether or not to deny the access requested based on the standards stated in Section VII.B.5.b, “Reviewable Grounds for Denial” of these privacy policies.

The Chief Privacy Officer or his/her designee shall then promptly



provide written notice to the individual of the determination of the designated reviewing official and implement the designated reviewing official's determination.

**7. Documentation.**

The Chief Privacy Officer or his/her designee shall maintain, or cause to be maintained, documentation of:

- a. The designated record sets that are subject to access by individuals; and,
- b. The titles of the persons or offices responsible for receiving and processing request for access by individuals.

The documentation shall be maintained by Ottawa County in written or electronic form for six years after the date of its creation or the date when it was last in effect, whichever is later.

**C. Right to Request Amendment.**

**1. Generally.**

Except when access is denied under Section VII.C.5, "Grounds for Denying the Amendment" of these privacy policies, an individual shall have a right to have Ottawa County amend protected health information or a record about the individual in a designated record set for as long as the protected health information is maintained in the designated record set.

**2. Request for Amendment.**

The individual's request for amendment must be submitted in writing to the designated medical records custodian and must state in the written request a reason to support the requested amendment. Individuals shall be informed in advance of these requirements in Ottawa County's Notice of Privacy Practices.

**3. Action on Request for Amendment.**

- a. **Time Limits for Action.** Ottawa County shall act on a request for

access no later than sixty (60) calendar days after Ottawa County's receipt of the request.

If the designated medical records custodian is unable to take an action on the request within that sixty (60) day period, applicable time required by the preceding paragraph, Ottawa County may extend the time for the action by no more than thirty (30) calendar days, provided:

- (1) Within that sixty (60) day period, the designated medical records custodian shall provide the individual with a written statement of the reason(s) for the delay and the date by which Ottawa County will complete its action on the request; and,
- (2) Only one such extension shall be permitted on a request for amendment.

- b. **Inform Individual of Action on Request.** If the request for amendment is accepted, in whole or in part, the designated medical records custodian shall inform the individual of the acceptance of the request and make the amendment requested in accordance with Section VII.C.4.a, above, of these privacy policies.

If the request for amendment is denied, in whole or in part, the designated medical records custodian shall provide the individual with a written denial, in accordance with Section VII.C.6, "Actions if Amendment is Denied" of these privacy policies, and shall take the other actions required by that Section VII.C.6.

#### 4. **Accepting the Amendment.**

If the individual's request for amendment is accepted, in whole or in part, the designated medical records custodian shall:

- a. **Making the Amendment.** The designated medical records custodian shall make the appropriate amendment to the protected health information or record that is the subject of the request for amendment by, at a minimum, identifying the records in the designated record set that are affected by the amendment and appending or otherwise providing a link to the location of the amendment.

b. **Informing the Individual.** The designated medical records custodian shall inform the individual as stated in Section VII.C.3.b, “Inform Individual of Action on Request” of these privacy policies, that the amendment has been accepted and obtain the individual’s identification of and agreement to have Ottawa County notify the relevant persons with the amendment needs to be shared in accordance with Section VII.C.4.c, below.

c. **Informing Others.** The designated medical records custodian shall make a reasonable effort to inform and provide the amendment within a reasonable time to:

(1) Persons identified by the individual as having received protected health information about the individual and needing amendment;

(2) Persons, including Ottawa County business associates, that Ottawa County knows have the protected health information that is the subject of the amendment and that may have relied, or could foreseeably rely, on such information to the detriment of the individual.

## 5. **Grounds for Denying the Amendment.**

An individual’s request to amend protected health information may be denied if the designated medical records custodian determines that the protected health information or record that is the subject of the request:

a. Was not created by Ottawa County, unless the individual provides a reasonable basis to believe that the originator of the protected health information is no longer available to act on the requested amendment;

b. Is not part of the designated record set;

c. Would not be available for inspection (see, Section VII.B.1, “Generally” of these privacy policies); or,

d. Is accurate and complete.

**6. Actions if Amendment is Denied.**

If an individual's requested amendment is denied, in whole or in part, Ottawa County shall comply with the following:

a. **Written Denial.** The designated medical records custodian shall provide a written denial to the individual within the applicable time period stated in Section VII.C.3.a, "Time Limits for Action" of these privacy policies. The denial shall contain:

- (1) The basis for the denial;
- (2) The individual's right to submit a written statement disagreeing with the denial and how the individual may file such a statement;
- (3) A statement that, if the individual does not submit a statement of disagreement, the individual may request that Ottawa County provide the individual's request for amendment and the denial with any future disclosures of the protected health information that is the subject of the requested amendment; and,
- (4) A description of how the individual may complain to Ottawa County pursuant to Ottawa County's complaint procedure or to the Secretary of the United States Department of Health and Human Services. The description shall include the name or title and telephone number of the contact person or office designed by Ottawa County to receive complaints.

b. **Statement of Disagreement.**

The individual may submit a written statement disagreeing with the denial of all or part of a requested amendment and the basis for such disagreement. The written statement must be not more than ~~five~~<sup>ten</sup> (10) pages.

c. **Rebuttal Statement.**

The Chief Privacy Officer or his/her designee, may prepare, or

cause to be prepared, a written rebuttal of Ottawa County to the individual's statement of disagreement. If a rebuttal statement is prepared, a copy of it shall be provided to the individual who submitted the statement of disagreement.

d. **Recordkeeping.** As appropriate, the designated medical records custodian shall identify the record or protected health information in the designated record set that is the subject of the disputed amendment and append or otherwise link the individual's request for amendment, Ottawa County's denial of the request, the individual's statement of disagreement, if any, and Ottawa County's rebuttal, if any, to the designated record set.

e. **Future Disclosures.**

(1) If a statement of disagreement has been submitted by the individual, Ottawa County will include the material appended in accordance with section VII.C.6.d, above, or, at the election of the Privacy Officer, an accurate summary of any such information, with any subsequent disclosure of the protected health information to which the disagreement relates.

(2) If the individual has not submitted a written statement of disagreement, Ottawa County will include the individual's request for amendment and its denial, or an accurate summary of such information, with any subsequent disclosure of the protected health information only if the individual has requested such action in accordance with Section VII.C.6.a.(3), "Actions if Amendment is Denied" of these privacy policies.

(3) When a subsequent disclosure described in (1) or (2), above, is made using a transaction that does not permit the additional material to be included with the disclosure, Ottawa County shall separately transmit the material to the recipient of the transaction.

7. **Documentation.**

The Chief Privacy Officer or his/her designee shall maintain

documentation of the titles of the persons or offices responsible for receiving and processing requests for amendment. The documentation shall be maintained by Ottawa County in written or electronic form for six (6) years after the date the notice was last in effect.

**D. Right to an Accounting of Disclosures.**

**1. Right to Accounting.**

a. **General Rule.** Except as stated in VII.D.1.b, “Exceptions” or VII.D.1.c “Suspension of Right for Certain Disclosures”, below, an individual shall have a right to receive an accounting of disclosures of protected health information made by Ottawa County in the six (6) years prior to the date on which the accounting is requested or for such shorter period as the individual may request.

b. **Exceptions.** The right to an accounting of disclosures does not apply to the following types of disclosures:

(1) Pursuant to and in compliance with a consent that complies with Section VI.C, “Consent for Uses and Disclosures to Carry Out Treatment, Payment and Health Care Operations” (see, page 20) of these privacy policies, to carry out treatment, payment and health care operations;

(2) To individuals of protected health information about them;

(3) For national security or intelligence purposes as provided in Section VI.F.12.c, “National Security and Intelligence Activities” of these privacy policies);

(4) To correctional institutions or law enforcement officials as provided in Section VI.F.12.e, “Correctional Institutions and Other Law Enforcement Custodial Situations” of these privacy policies;

(5) That occurred prior to April 14, 2003.

c. **Suspension of Right for Certain Disclosures.** An individual’s right to receive an accounting of disclosures to a health oversight agency (see, Section VI.F.5, “Uses and Disclosures for Health

Oversight Activities” of these privacy policies) or to a law enforcement official (see, Section VI.F.7, “Disclosures for Law Enforcement Purposes” of these privacy policies) shall be temporarily suspended for the time specified by the agency or official, if the agency or official provides Ottawa County with a written statement that such an accounting to the individual would be reasonably likely to impede the agency’s activities and specifying the time for which such a suspension is required.

If the agency or official statement is made orally, the Chief Privacy Officer or his/her designee shall:

- (1) Document the statement, including the identity of the agency or official making the statement;
- (2) Temporarily suspend the individual’s right to an accounting of disclosures subject to the statement; and,
- (3) Limit the temporary suspension to no longer than thirty (30) calendar days from the date of the oral statement, unless a written statement as described above is submitted during that time.

## **2. Content of the Accounting.**

The written accounting provided to the individual shall meet the following requirements:

- a. Except as otherwise stated in Section VII.D.1.b, “Exceptions” of these privacy policies, the accounting must include the disclosures of protected health information that occurred during the period the individual requests up to a maximum of six (6) years prior to the date of the request, including disclosures to or by business associates of Ottawa County.
- b. The accounting must include for each disclosure:
  - (1) The date of the disclosure;
  - (2) The name of the entity or person who received the protected health information and, if known, the address of such entity or person;

- (3) A brief description of the protected health information disclosed; and,
- (4) A brief statement of the purpose of the disclosure that reasonably informs the individual of the basis for the disclosure; or, in lieu of such statement:
  - (a) A copy of the individual's written authorization pursuant to Section VI.D, "Uses and Disclosures for Which an Authorization is Required" of these privacy policies;
  - (b) A copy of a written request for disclosure by the Secretary of Health and Human Services under Section VI.F.14, "Disclosure to the Secretary of Health and Human Services" of these privacy policies, if any; or,
  - (c) A copy of a written request for disclosure under Section VI.F, "Uses and Disclosures for which Consent, an Authorization, or an Opportunity to Agree or Object is Not Required" of these privacy policies, if any.

c. If, during the period covered by the accounting, Ottawa County has made multiple disclosures of protected health information to the same person or entity for a single purpose under Section VI.F.14, "Disclosure to the Secretary of Health and Human Services" or Section VI.F, "Uses and Disclosures for which Consent, an Authorization, or an Opportunity to Agree or Object is Not Required" of these privacy policies, or pursuant to a single authorization under Section VI.D, "Uses and Disclosures for Which an Authorization is Required" of these privacy policies, the accounting may with respect to such multiple disclosures, provide:

- (1) The information required by Section VII.D.2.b of these privacy policies, for the first disclosure during the accounting period;
- (2) The frequency, periodicity, or number of the disclosures made during the accounting period; and,
- (3) The date of the last such disclosure during the accounting period.



3. **Provision of the Accounting.**

- a. **Time Limit to Provide the Accounting.** The Chief Privacy Officer or his/her designee shall act on a request for an accounting no later than sixty (60) calendar days after Ottawa County's receipt of the request.

Within that sixty (60) day period, the Chief Privacy Officer or his/her designee shall:

- (1) Provide the individual with the accounting requested; or,
  - (2) If the Chief Privacy Officer or his/her designee is unable to take an action on the request within that sixty (60) day period, the Chief Privacy Officer or his/her designee may extend the time for the action by no more than thirty (30) calendar days, provided:
    - (a) Within that sixty (60) day period, the Chief Privacy Officer or his/her designee shall provide the individual with a written statement of the reason(s) for the delay and the date by which Ottawa County will provide the accounting; and,
    - (b) Only one such extension shall be permitted on a request for amendment.
- b. **Fee for Accounting.** The first accounting to an individual in any twelve (12) month period will be provided to the individual without charge. For each subsequent request for an accounting by the same individual with the twelve (12) month period shall be as stated in Appendix F to these privacy policies; before charging the fee, however, the Chief Privacy Officer or his/her designee shall notify the individual in advance of the fee and provide the individual an opportunity to withdraw or modify the request for a subsequent accounting in order to avoid or reduce the fee.
- c. **Documentation.** The Chief Privacy Officer shall document and retain the following:

- (1) The information required to be included in an accounting under Section VII.D.2, “Content of Accounting” of these privacy policies, for disclosures of protected health information that are subject to an accounting;
- (2) The written accounting that is provided to the individual under this section; and,
- (3) The titles of the persons of offices responsible for receiving and processing requests for an accounting by individuals.

The documentation shall be maintained by Ottawa County in written or electronic form for six years after the date of its creation or the date when it was last in effect, whichever is later.

## **VIII. PERSONAL REPRESENTATIVES.**

### **A. General Rule.**

Except as otherwise stated or permitted in these privacy policies, Ottawa County will treat a personal representative as the individual for purposes of these privacy policies, as provided for under Michigan law.

### **B. Adults and Emancipated Minors.**

If, under ~~state~~Michigan law, a person has authority to act on behalf of an individual who is an adult or an emancipated minor in making decisions related to health care, Ottawa County will treat such person as a personal representative with respect to protected health information relevant to such personal representative.

### **C. Unemancipated Minors.**

#### **1. General Rule.**

If, under Michigan law, a parent, guardian, or other person acting *in loco parentis* has authority to act on behalf of an individual who is an ~~Unemancipated~~unemancipated minor in making decisions related to health care or mental health care, Ottawa County will treat such person as a personal representative with respect to protected health information relevant to such personal representative.

## **2. Exception.**

Notwithstanding the general rule stated, above, a person will not be treated as a personal representative of an unemancipated minor, and the minor has the authority to act as an individual, with respect to protected health information pertaining to health care services or mental health care services, if:

- a. The minor consents to such health care service or mental health care services; no other consent to such health care services or mental health care services is required by Michigan law, regardless of whether the consent of another persona has also been obtained; and, the minor has not requested that such person be treated as the personal representative.
- b. The minor may lawfully obtain such health care service or mental health care service without the consent of a parent, guardian, or other person acting in loco parentis, and the minor, a court, or another person authorized by Michigan law consents to such health care service or mental health care service; or,
- c. A parent, guardian, or other person acting in loco parentis assents to an agreement of confidentiality between Ottawa County and the minor with respect to such health care service or mental health care service.

## **D. Deceased Individuals.**

If under Michiganstate law an executor, administrator, or other person has authority to act on behalf of a deceased individual or of the individual's estate, Ottawa County will treat that person as a personal representative under these privacy policies with respect to protected health information relevant to such person representation.

## **E. Abuse, Neglect, Endangerment Situations.**

Notwithstanding anything in these privacy policies to the contrary, Ottawa County may elect not to treat a person as the personal representative of an individual if:

1. Ottawa County has a reasonable belief that:

- a. The individual has been or may be subjected to domestic violence, abuse, or neglect by such person; or,
  - b. Treating that person as the personal representative could endanger the individual; and
2. Ottawa ~~County~~, County, in the exercise of professional judgment, decides that it is not in the best interest of the individual to treat the person as the individual's personal representative.

## IX. DEFINITIONS.

### A. Authorized Member of Ottawa County's Workforce.

"Authorized member of Ottawa County's workforce" means a member of Ottawa County's affected workforce who has been authorized to take the action involved by: (a) his or her job description; (b) a protocol established by the Chief Privacy Officer; or, (c) by the Chief Privacy Officer or his/her designee.

### B. Business Associate.

"Business associate" means, with respect to Ottawa County, a person or other legal entity that:

1. On behalf of Ottawa County or an organized health care arrangement in which Ottawa County participates, but other than as a member of Ottawa County's workforce, performs, or assists in the performance of:
  - a. A function or activity involving the use or disclosure of individually identifiable health information, including claims processing or administration, utilization review, quality assurance, billing, benefit management, practice management, and reprising; or,
  - b. Any other function or activity regulated by the HIPAA privacy rule; or
2. Provides, other than as a member of Ottawa County's workforce, legal, actuarial, accounting, consulting, data aggregation, management, administrative, accreditation, or financial services to or for Ottawa County, or for an organized health care arrangement in which Ottawa

County participates, where the provision of such service involves the disclosure of individually identifiable health information from Ottawa County, or from another business associate of Ottawa County, to the person or legal entity.

However, in any of those situations, if a covered entity participating in a organized health care arrangement performs the function, activity or service for, on behalf of, or to the organized health care arrangement, that by itself does not make that covered entity a business associate of Ottawa County or any other covered entity participating in the organized health care arrangement.

**C. Covered Entity.**

“Covered entity” means a health plan, a health care clearinghouse, or a health care provider that is covered by the HIPAA privacy rule.

**D. Designated Record Set.**

“Designated record set” means a group of records maintained by or for Ottawa County that is:

1. The medical records and billing records about individuals maintained by or for Ottawa County; or,
2. Used, in whole or in part, by or for Ottawa County to make decisions about individuals.

For purposes of this definition, the term “record” means any item, collection, or grouping of information that includes protected health information and is maintained, collected, used, or disseminated by or for Ottawa County.

**E. Disclosure.**

“Disclosure” means the release, transfer, provision of access to, or divulging in any other manner of information outside Ottawa County.

**F. Health Care Operations.**

“Health care operations” means any of the following activities of Ottawa County to the extent that the activities are related to covered functions, and any of the fol-

lowing activities of an organized health care arrangement in which Ottawa County participates:

1. Conducting quality assessment and improvement activities, including outcomes evaluation and development of clinical guidelines, provided that the obtaining of generalizable knowledge is not the primary purpose of any studies resulting from such activities; population-based activities relating to improving health or reducing health care costs, protocol development, case management and care coordination, contacting of health care providers and patients with information about treatment alternatives; and related functions that do not include treatment;
2. Reviewing the competence or qualifications of health care professionals, evaluating practitioner and provider performance, health plan performance, conducting training programs in which students, trainees, or practitioners in areas of health care learn under supervision to practice or improve their skills as health care providers, training of non-health care professionals, accreditation, certification, licensing, or credentialing activities;
3. Conducting or arranging for medical review, legal services, and auditing functions, including fraud and abuse detection and compliance programs;
4. Business planning and development, such as conducting cost-management and planning-related analyses related to managing and operating the entity, including formulary development and administration, development or improvement of methods of payment or coverage policies; and,
5. Business management and general administrative activities of Ottawa County, including, but not limited to:
  - a. Management activities relating to implementation of and compliance with the requirements of these privacy policies and the HIPAA privacy rule;
  - b. Customer service;
  - c. Resolution of internal grievances;
  - d. Due diligence in connection with the sale or transfer of assets to a potential successor in interest, if the potential successor in interest is an entity covered by the HIPAA privacy rule or, following completion of the sale or transfer, will become an entity covered by the HIPAA privacy rule; and,

- e. Consistent with the applicable requirements of Section II.B, “De-Identification of Health Information” creating de-identified health information, fundraising for the benefit of Ottawa County, and marketing for which an individual authorization is not required.

**G. Health Care.**

“Health care” means care, services, or supplies related to the health or mental health of an individual.

“Health care” includes, but is not limited to, the following:

1. Preventive, diagnostic, therapeutic, rehabilitative, maintenance, or palliative care, and counseling, service, assessment, or procedure with respect to the physical or mental condition, or functional status, of an individual or that affects the structure or function of the body; and,
2. Sale or dispensing of a drug, device, equipment, or other item in accordance with a prescription.

**H. Health Oversight Agency.**

“Health oversight agency” means an agency or authority of the United States, a state, a territory, a political subdivision of a state or territory, or an Indian ~~tribe~~ tribe that is authorized by law to oversee the health care system (whether public or private) or government programs in which health information is necessary to determine eligibility or compliance, or to enforce civil rights laws for which health information is relevant.

“Health oversight agency” includes the employees or agents of such a public agency or its contractors or persons or entities to whom it has granted authority.

**I. HIPAA Privacy Rule.**

“HIPAA privacy rule” means 45 CFR Part 160 and 45 CFR Part 164 as amended from time to time.

**J. Inmate.**

“Inmate” means a person incarcerated in or otherwise confined to a correctional institution, including but not limited to the Ottawa County [Adult Correctional Facility](#). ~~Jail~~.

**K. Law Enforcement Official.**

“Law enforcement official” means an officer or employee of any agency or authority of the United States, a state, a county, a municipality, a territory, or an Indian tribe, who is empowered by law to:

1. Investigate or conduct an official inquiry into a potential violation of law; or,
2. Prosecute or otherwise conduct a criminal, civil, or administrative proceeding arising from an alleged violation of law.

**L. Payment.**

“Payment” means the activities undertaken by Ottawa County to obtain reimbursement for the provision of health care that relate to the individual for whom health care is provided.

“~~P~~Payment” includes but is not limited to:

1. Determinations of eligibility or coverage (including coordination of benefits or the determination of cost sharing amounts) and adjudication or subrogation of health benefit claims;
2. Billing, claims management, collection activities, obtaining payment under a contract for reinsurance (including stop-loss insurance and excess of loss insurance) and related health care data processing;
3. Review of health care services with respect to medical necessity, coverage under a health plan, appropriateness of care, or justification of charges;
4. Utilization review activities, including precertification and preauthorization of services, concurrent and retrospective review of services; and,
5. Disclosure to consumer reporting agencies of any of the following protected health information relating to collection of premiums or reimbursement:



- a. Name and address;
- b. Date of birth;
- c. Social Security number;
- d. Payment history;
- e. Account number;
- f. Name and address of Ottawa County.

**M. Psychotherapy Notes.**

“Psychotherapy notes” means notes recorded (in any medium) by a health care provider who is a mental health professional documenting or analyzing the contents of a conversation during a private counseling session or a group, joint or family counseling session and that are separated from the rest of the individual’s medical record. “Psychotherapy notes” excludes medication prescription and monitoring, counseling session start and stop times, the modalities and frequencies of treatment furnished, results of clinical tests, and any summary of the following items: diagnosis, functional status, the treatment plan, symptoms, prognosis, and progress to date.

**N. Secretary of Health and Human Services.**

“Secretary of Health and Human Services” means the Secretary of the United States Department of Health and Human Services or any other officer or employee of that Department to whom the authority involved has been delegated.

**O. These Privacy Policies.**

“These privacy policies” means these privacy policies adopted by Ottawa County concerning the protection of the privacy of protected health information.

**P. Treatment.**

“Treatment” means the provision, coordination, or management of health care and related services by one or more health care providers, including the coordination or management of health care by a health care provider with a third party; consultation between health care providers relating to a patient; or the referral of a patient for health care from one health care provider to another.

**Q. Use.**

“Use” means, with respect to individually identifiable health information, the sharing, employment, application, utilization, examination, or analysis of that information within Ottawa County.

**R. Affected Workforce.**

“Workforce” means employees, volunteers, trainees, students, and other persons whose conduct, in the performance of work for Ottawa County, is under the direct control of Ottawa County, whether or not they are paid by Ottawa County, and who are engaged in performing health care or payment activities on behalf of Ottawa County, or who have a role in administering these privacy policies. Faxes containing patient or client records or information may be sent only by a person authorized to send Faxes.

**X. AMENDMENTS.**

These Policies and the County of Ottawa “Notice of Privacy Practices” may be amended, from time-to-time to comply with the requirements of the federal Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), the regulations under HIPAA, any applicable Michigan law that is more stringent than the HIPAA requirements, and to assure prompt, efficient, and effective compliance with the requirements of law. ~~All Amendments shall be promulgated pursuant to the Ottawa County Board of Commissioners Policy on Administrative Rules.~~

WORKFORCE CLASSIFICATIONS NEEDING  
ACCESS TO PROTECTED HEALTH INFORMATION

As may be designated for the respective departments by the Ottawa County Administrator, the Ottawa County Health Officer, the Executive Director of the Ottawa County Mental Health Agency, the Ottawa County Human Resources Director, the Ottawa County Information Technology Director, and/or the Chief Privacy Officer.

APPENDIX 2

ADMINISTRATIVE, TECHNICAL AND  
PHYSICAL SAFEGUARDS

None Additional

APPENDIX 3

PROTOCOLS FOR REQUESTS FOR  
PROTECTED HEALTH INFORMATION

None Additional

APPENDIX 4

LOCATIONS FOR NOTICES OF PRIVACY PRACTICES

The Offices of the Ottawa County Human Resources Director, all offices of the Ottawa County Health Department, all offices of the Ottawa County Community Mental Health Agency, and such other locations as may be directed by the Ottawa County Administrator.

APPENDIX 5

PROTOCOLS FOR ROUTINE OR RECURRING  
REQUESTS FOR PROTECTED HEALTH INFORMATION

None Additional



APPENDIX 6

FEES FOR PROVISION OF PROTECTED  
HEALTH INFORMATION

Fees shall be charged for the provision of copies of protected health information in accordance with the Ottawa County Freedom of Information Act Policy.



# County of Ottawa

## EXHIBIT "C"

### ELECTRONIC HEALTH INFORMATION SECURITY PROTOCOLS POLICY

#### I.1. PURPOSE

This document ~~sets forth~~<sup>states</sup> the electronic health information security ~~protocol~~<sup>policy</sup> of the County of Ottawa ("Ottawa County"), and the standards by which all Ottawa County departments develop, implement, maintain and measure effective electronic health information security practices. ~~This policy will go into effect as an Administrative Rule of Ottawa County on April 20, 2005.~~

#### I. BACKGROUND INFORMATION:

#### II. RULE:

#### 1.2 2. SUPERSEDING EFFECT OF THIS DOCUMENT~~Filing Instructions; Superseding Effect of this Document~~

~~This document should be filed as an Administrative Rule of Ottawa County.~~

This document supersedes previously published Ottawa County electronic health information security ~~protocol~~<sup>policy</sup> ~~documents,~~ to the extent of any inconsistency.

Please review current security procedures, instructions and practices in light of these ~~protocols~~<sup>policy</sup> ~~is policy statement.~~ Continue those practices that are consistent with these ~~protocols~~<sup>policy</sup>. Please inform the ~~Security~~<sup>Chief Privacy</sup> Officer immediately if you are aware of any currently used procedures, instructions or practices that may be inconsistent with these ~~protocols~~<sup>is policy</sup>.

#### 1.33. Authority for Policy; Responsibility for Policy Maintenance

~~This policy has been reviewed and approved by the Ottawa County Administrator as an Administrative Rule.~~

~~The Security Officer has responsibility for continuing development, maintenance, communication and interpretation of this policy.~~

#### 1.4 BASIS FOR SECURITY PROTOCOLS~~Sasis for Policies and Procedures~~



# County of Ottawa

~~1.5~~ These security ~~protocols~~~~olicies~~ are based on an assessment of risks to the confidentiality, availability, and integrity of protected health information maintained by Ottawa County. Security policies, and specific security procedures developed to implement those policies, are based on that risk assessment, and an analysis of the probability and criticality of identified risks, the costs of security measures, technical resources available, and other business needs.

## 3.1 MODIFICATION AND EXCEPTIONS

### ~~1.5~~ Modification and Exceptions

Information security is an evolving science. Over time, we can expect many changes in technology, security threats and countermeasures available to safeguard the confidentiality, availability and integrity of protected health information. It is likely that ~~th~~~~these protocols~~~~is~~ policy will be modified from time to time. Any modifications will be based on a re-assessment and analysis of security risks, as described in section 1.4 above.

Exceptions to ~~these protocols~~~~is~~ policy may be granted in unusual or special circumstances. Exceptions are only granted with the written approval of the Security/Chief Privacy Officer. Any exceptions will be documented in writing, with a copy retained for six (6) years.

## ~~2~~ Definitions

~~Terms used in this policy are defined in the Glossary, which is attached hereto and incorporated herein by reference.~~

## ~~4.3~~ SECURITY PROTOCOLS~~Security Policy~~

### ~~4.3.1~~ Information Security Policy Statement

Ottawa County will identify and evaluate the likelihood and consequences of threats to the security of protected health information and implement reasonable and appropriate measures to safeguard the c~~C~~onfidentiality, a~~A~~vailability, and i~~I~~ntegrity of that information.

Ottawa County will adopt and implement additional information security practices as needed to effect ~~these protocols~~~~is~~ policy.

To the extent necessary, the ~~protocols~~~~olicies~~ herein shall also be interpreted to cover “hard” or paper copies of protected health information.

### ~~4.3.2~~ Scope



# County of Ottawa

These ~~protocols.is policy~~ applies to all members of the ~~affected w~~Workforce, ~~having access to electronic health information.~~

All independent contractors who provide services that require access to the Computer Network will be required to adhere to this policy, as well to any Procedures established to support ~~these protocols.is policy.~~

## 43.3 Regulatory Compliance

Ottawa County will safeguard information in a manner consistent with applicable requirements of federal, state and local law and regulations, including the final rule governing the security of health information systems enacted by the Department of Health and Human Services as required by HIPAA.

## 5.4 ORGANIZATIONAL MANAGEMENT OF SECURITY PROGRAM~~Organizational Management of Security Program~~

### 54.1 Chief Privacy~~Security~~ Officer

By separate Resolution, the Ottawa County Board of Commissioners has designated a ~~Security~~Chief Privacy Officer for Ottawa County.

The ~~Chief Privacy~~Security Officer has overall responsibility for development and implementation of information security policies pertaining to electronically generated and stored protected health information and procedures for Ottawa County. The ~~Security~~Chief Privacy Officer will have access to the County Administrator and other members of management, and to the Board of Commissioners of Ottawa County as needed to enable the ~~Security~~Chief Privacy Officer to inform the governing body of the actions and funding required to establish a reasonable and appropriate compliance program.

With the agreement of the County Administrator, ~~the Chief Privacy~~the Security Officer may delegate responsibility to develop and implement particular ~~sSecurity~~ ~~p~~Procedures to another person or unit of Ottawa County. The ~~Chief Privacy~~Security Officer will oversee the work of that person or unit, which will provide information and assistance to the ~~Chief Privacy~~Security Officer as requested.

### 54.2 Implementation of Technical Security Measures

The Ottawa County ~~Information Technology~~MIS Department (“the ~~ITMIS~~ Department”) will work with and support the ~~Chief Privacy~~Security Officer in the development and implementation of ~~sSecurity~~ ~~Procedures~~measures required by ~~these protocols.is policy.~~

The ~~ITMIS~~ Department will report to the ~~Chief Privacy~~Security Officer periodically, and as requested, about the status of implementation of technical ~~sSecurity~~ ~~measures~~Procedures. In addition, the ~~ITMIS~~ Department will report to the ~~Chief Privacy~~Security Officer in a timely



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manner about any difficulties it experiences implementing ~~Security protocols~~ Policies and Procedures, possible security risks, Computer Network activity, and serious security incidents.

The ITMIS Department will oversee the deployment of a network topology and configuration that supports the requirements of this policy. It will maintain an inventory of all network resources (including but not limited to workstations, servers, routers and firewalls) to provide an accurate map of the Ottawa County infrastructure. This inventory will be used as the basis for current and future risk assessment and audits.

The ITMIS Department will develop and implement standard Security Procedures that document acceptable and secure configurations for all network devices including workstations, servers, routers, switches and firewalls. The Security Procedures will support the provisions of these protocols ~~is Policy~~ and reflect Best Practices for Information Security.

The ITMIS Department will provide ongoing support and maintenance of the information technology infrastructure in such a way as to support the requirements of this policy and related documents and will ensure that administrative and technical safeguards are not modified, disabled or circumvented without the written consent of the Chief Privacy ~~Security~~ Officer.

## 54.3 Responsibility of Users

All Users of the Computer Network and other information system resources provided by Ottawa County having access to protected health information are required to follow these Security protocols ~~Policy~~, and accompanying policies and procedures ~~es~~.

Users must immediately report any suspicious, unauthorized or malicious activity involving Ottawa County information technology infrastructure to the ITMIS Department.

Users must immediately report suspected network, hardware or software security vulnerabilities to the ITMIS Department. Users must not attempt to demonstrate or exploit suspected security vulnerabilities; only authorized security personnel can conduct this activity.

Users may not download, or use hardware or software security or “hacker” tools while connected to the Ottawa County network unless authorized to do so by the IT Department ~~Security Officer~~.

## 4.4 Business Associates

~~Ottawa County will enter into contracts with business associates, as required by the HIPAA Privacy and Security Rules.~~

## 4.5 Group Health Plan



# County of Ottawa

~~The organizational documents of any health benefit plan that is a “group health plan” as that term is used in HIPAA that is sponsored by Ottawa County for the benefit of its Workforce and their dependents will ensure the privacy and security of individually identifiable health information. Ottawa County will abide by provisions of group health plan documents that require Ottawa County to limit use and disclosure of protected health information and to safeguard electronic protected health information.~~

## ~~4.6~~ Documentation

~~Ottawa County will maintain copies of the following documents for a period of six (6) years from the date of a document or event recorded in a document:~~

- ~~▪ Security Policies~~
- ~~▪ Security Procedures~~
- ~~▪ Written Reports of Security Incidents~~
- ~~▪ Security Audit Reports~~
- ~~▪ Procedures for Granting Access Privileges~~
- ~~▪ Policies for Acceptable Use of Information Systems~~
- ~~▪ Sanctions against persons who violate Security Policies or Procedures~~
- ~~▪ Other documents required to be retained by HIPAA or other applicable regulations.~~

~~Copies of documents may be maintained in printed or electronic form. The Security Officer shall be responsible for maintaining this documentation.~~

## ~~5~~ Workforce Security

### ~~5.1~~ Job Descriptions

~~Security functions, if any, shall be included in job descriptions.~~

### ~~5.2~~ Performance Appraisals

~~Execution of security functions will be measured as a component of employee performance appraisals.~~

## ~~6.~~ WORKFORCE SECURITY

### ~~6.15.3~~ Personnel Screening Policy

~~Background checks and pre-employment validation of references will be conducted in accordance with the Policies of the Ottawa County Human Resource Department.~~

~~Ottawa County may, at its discretion, conduct additional background checks of any prospective or current member of the affected wWorkforce who will have ongoing administrator level access~~



# County of Ottawa

to the ~~c~~Computer ~~n~~Network, play a key role in safeguarding the ~~c~~Computer ~~n~~Network or ~~p~~Protected ~~h~~Health ~~i~~Information, or have ongoing access to ~~p~~Protected ~~h~~Health ~~i~~Information.

## 6.25.4 Terms and Conditions of Participation in the Workforce

The terms and conditions of employment will require adherence to ~~these security protocols~~ ~~Security Policy~~ and related ~~s~~Security ~~p~~Procedures or requirements.

Independent contractors and volunteers who ~~provide services to Ottawa County~~ ~~are participate in the Workforce~~ will be required to agree to abide by ~~these~~ ~~s~~Security ~~p~~Protocols ~~Policy~~, and by related ~~s~~Security ~~p~~Procedures or requirements that may be established by Ottawa County.

## 6.35.5 Clear Desk and Screen Policy

All members of the ~~affected w~~Workforce are required to remove ~~p~~Protected ~~h~~Health ~~i~~Information from their desks whenever their work area is unattended and unlocked.

All workstation screens must be clear of ~~p~~Protected ~~h~~Health ~~i~~Information when unattended to prevent inadvertent or deliberate viewing by unauthorized individuals.

Screensavers on all workstations will be configured to hide content on workstation screens after an idle period of fifteen (15) minutes. A password will be required to unlock the screen.

## 6.45.6 Security Awareness Training

All members of the ~~affected w~~Workforce having access to protected health information, will participate in a training program about the need to safeguard ~~p~~Protected ~~h~~Health ~~i~~Information and these ~~s~~Security ~~p~~Protocols ~~olicies~~.

The ~~Chief Privacy~~ ~~Security~~ Officer, working with ~~the IT Department~~ ~~the HIPAA Compliance Committee~~, will develop a security awareness program to remind the Workforce of these policies and Ottawa County procedures for safeguarding protected health information. Security reminders will be distributed to all members of the ~~affected w~~Workforce at reasonable intervals.

## 6.55.7 Technical Security Training

Personnel directly involved in the design, deployment, maintenance and security of the information technology infrastructure will be given security specific training to enable them to develop the expertise necessary to maintain that infrastructure in a manner consistent with the provisions of this policy and ~~b~~Best ~~p~~Practices for ~~i~~Information ~~s~~Security.

## 6.65.8 Verification of Authority



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Ottawa County employees will verify the identity and authority of all individuals requesting information about, or access to, the Ottawa County information technology infrastructure. Suspicious requests should be immediately reported to the ITMIS Department .

## 6.75-9 Sanctions for Non-Compliance

Members of the workforce who knowingly violate these security protocols or related security procedures will be subject to sanction by Ottawa County. Employees will be subject to disciplinary action up to and including dismissal. Non-employees may be subject to termination of their business relationship with Ottawa County.

## 6.85-10 Termination of Access Privileges

The Human Resources Department will immediately notify the ITMIS Department when a member of the affected workforce has been separated from service due to retirement, resignation, or termination. If supervisors have advance notice of a termination, they will immediately inform the ITMIS-Department of the effective date of termination.

When notified of a termination, the ITMIS Department will disable all the individual's access to the computer network.

## 7.6 RISK ASSESSMENT, ANALYSIS & MANAGEMENT—Risk Assessment, Analysis & Management

### 7.6.1 Risk Assessment

Ottawa County will conduct risk assessments to identify threats to the security of the computer network and the confidentiality, availability, and integrity of its information. Risk assessments will be made periodically, to enable Ottawa County to make informed decisions about measures to be used to safeguard its computer network and protected health information, based on accurate and current information.

Ottawa County decisions about the design, deployment, maintenance, administration and growth of the information technology infrastructure will be guided by its security risk assessments.

### 7.26-2 Risk Assessment & Analysis Procedure

The Security Chief Privacy Officer will be responsible for developing and implementing a documented risk assessment procedure, taking into consideration existing models for risk assessment and best practices at the time of each assessment.

The Chief Privacy Security Officer may will solicit input from each department of Ottawa County having access to protected health information to ensure that the risk assessment identifies all





# County of Ottawa

critical information assets and resources, considers all existing and proposed technologies (and the life cycle of those technologies), and the security interests of the entire organization.

The Chief PrivacySecurity Officer may choose to establish a small representative work group of subject matter experts to advise the risk assessment and analysis process. Department heads and supervisors will cooperate ~~with the Security Officer~~ in this process.

The risk assessment will identify all key information assets, potential threats to those assets, and the likelihood and consequences of loss of confidentiality, integrity or availability of information. The Chief PrivacySecurity Officer and others involved in the risk assessment may recommend actions to be taken by Ottawa County to ensure that reasonable and appropriate measures are in place to safeguard pProtected hHealth iInformation.

Risk assessment will be an ongoing process. A full risk assessment and analysis will be conducted periodically, in accordance with a schedule established by the Chief PrivacySecurity Officer and approved by the IT MIS Director.

## 76.3 Data Classification

In the course of the conduct of risk assessment, the Chief PrivacySecurity Officer may assure that records are appropriately classified and safeguarded based upon the need for cConfidentiality, aAvailability and iIntegrity of the protected health information.

## 76.4 Risk Management

Ottawa County will utilize a comprehensive risk management program to protect the confidentiality, integrity and availability of ~~the protected electronic~~ health information. The components of that program may include physical and logical security mechanisms developed, implemented, maintained, and updated following a documented risk assessment process.

## 87 ACCESS CONTROL~~Access Control~~

### 87.1 Minimum Necessary Standard

Users will be granted privileges to access pProtected hHealth iInformation only to the extent necessary to enable uUsers to perform their work for Ottawa County. This principle applies to pProtected hHealth iInformation in both electronic and printed form.

Access privileges will be enforced by technical controls in the cComputer nNetwork to the extent feasible.

### 87.2 Unique User Identification



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All users, including administrators and vendors, will be assigned unique user IDs in order to produce a reliable audit trail. ~~Group or shared IDs are prohibited.~~

## 87.3 Remote Access

Remote access to the ~~c~~Computer ~~n~~Network will be granted only to those individuals with a legitimate business need for such access.

Remote access will only be allowed using computing devices approved for use by the ~~ITMIS~~ Department and configured according to procedures established by the ~~ITMIS~~ Department.

At the discretion of the ~~ITMIS~~ Department and the ~~Chief Privacy~~~~Security~~ Officer, Ottawa County may implement technical methods to safeguard against unauthorized remote access and interception of data.

Remote users may not establish multiple, simultaneous connections to the ~~c~~Computer ~~n~~Network, unless authorized by the ~~Chief Privacy~~~~Security~~ Officer.

## 87.4 Remote Access Request Procedure

All requests for remote access to the ~~c~~Computer ~~n~~Network must be submitted to the ~~ITMIS~~ Department. The appropriate supervisor of the person seeking remote access must approve the request.

All requests for remote access, and supervisor approval of requests, must be documented in written or electronic form. The ~~ITMIS~~ Department will retain copies of remote access requests.

Remote access rights will be granted based on the availability of system resources. Any dispute regarding a remote access request will be resolved by the ~~Chief Privacy~~~~Security~~ Officer.

## 87.5 User Access Privileges

Individual user access privileges may be modified from time to time, as users change assignments, departments and/or locations. The ~~ITMIS~~ Department will periodically review access privileges against user work assignments to verify the appropriateness of access rights granted to members of the ~~affected w~~Workforce. All access privileges found to exceed those commensurate with a user's current assignment will be suspended until the user's access privileges are validated by the appropriate supervisor.

## 9.8 APPROPRIATE USE OF COMPUTER NETWORKS — ~~Appropriate Use of Computer Networks~~

### 98.1 Business Purposes



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The computer network made available to users is intended for use to support the business of Ottawa County and to help users do their work.

The computer networks is to be used for business purposes only.

## 98.2 Adherence to Ottawa County Policies

~~Users may access the Internet from the Computer Network, for business purposes only.~~ Users will comply with the Computer Access by Non-Employees Policy, the Computer Software Privacy Policy, the Electronic Mail and Privacy Use Policy, the Internet Use Policy, and other Ottawa County policies pertaining to computer use.

## 10.9 NETWORK ARCHITECTURE~~Network Architecture~~

The ~~Ottawa County~~ computer network will be designed, implemented, maintained and secured in a manner consistent with best practices for information security and the policies of Ottawa County in order to safeguard protected health information that is stored on or traverses the network.

### 109.1 Security Gateways

The computer network will be segregated and protected from all “open” networks including the Internet and extranets by appropriate gateways, firewalls and other security devices.

### 109.2 Architectural Reviews

The ITMIS Department will periodically review the network topology and identify vulnerabilities and areas of risk introduced by changes in topology, new technologies and then current information about security threats and available countermeasures.

### 109.3 Device Configuration

Network components, including routers, switches and firewalls, will be configured in a manner consistent with Best Practices for Information Security.

### 109.4 Wireless Networks

Wireless (802.11a, b, g, Bluetooth®, etc.) access to the Ottawa County information security infrastructure, or the addition of wireless Local Area Networks (LANs) are prohibited unless specifically approved by the Chief Privacy~~Security~~ Officer.



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## 1140. SYSTEM SECURITY — ~~System Security~~

### 1140.1 Server Configuration

Servers will be configured, deployed, maintained and administered in a manner consistent with bBest pPractices for iInformation sSecurity and in accordance with guidelines established by the ITMIS Department.

### 110.2 System Administration Privileges

System administration privileges will be given only to those individuals with a verifiable and approved business need for such privilege levels.

System Administrators must be registered with the ITMIS Department.

### 110.3 Application Level Security

All applications deployed on the Ottawa County computer network shall be designed, deployed, configured, maintained and secured in a manner consistent with bBest pPractices for iInformation sSecurity, the provisions of this policy and the requirements established by the ITMIS Department.

Application level security controls, including access lists and privilege levels, will be activated and updated as necessary.

### 110.4 Workstation Security

All workstations will be configured, deployed, maintained and secured in a manner consistent with bBest pPractices for iInformation sSecurity and in accordance with the provisions of this policy and the requirements established by the ITMIS Department.

All workstations will be configured to automatically lock after a period of inactivity of no more than fifteen (15) minutes. A uUser ID and password will be necessary to unlock timed-out workstations.

Workstation configurations will be locked by an administrator level password to prevent inadvertent or deliberate disabling of security settings.

Multiple Network Interface Cards (NICs) are prohibited to prevent simultaneous network connections, unless specifically authorized by the Chief Privacy Security Officer.

The use of dial-up modems and remote control software (pcAnywhere® Netop®, etc.) must be approved by the Chief Privacy Security Officer.



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## 110.5 Patch Management

Software patches to safeguard the security of operating systems, applications, servers, workstations and network devices will be kept current and continuously maintained.

The ITMIS Department will develop and implement a documented Patch Management Procedure.

Users will cooperate with the ITMIS Department in efforts to maintain patch levels of portable computers or other portable devices.

## 110.6 Malicious Software Control

All workstations and all appropriate servers will have current “malware” protection enabled to prevent infections by: computer worms, viruses, Trojan horses, “spyware” and other malicious software.

All incoming electronic mail will be filtered for the presence of malware, malicious executable files and other damaging content.

## 110.7 Audit Controls

The ITMIS Department will implement mechanisms to record and examine activity in the computer network, and to monitor access to protected hhealth information. Intrusion detection software will be installed to monitor attempts to access the computer network from outside. Audit logs will be reviewed regularly to identify possible security incidents.

The ITMIS Department will report any security incident to the Chief Privacy Security Officer. Any systematic attack on or compromise of the computer network will be reported immediately.

## 124 USER IDENTIFIERS AND PASSWORDS ~~User Identifiers and Passwords~~

### 124.1 Password Sharing

Passwords are confidential and must not be shared with others.

### 124.2 Initial Use of Password

All authorized users will be issued a temporary password. The first time a user logs into a system they will be prompted to change that password to something they select.

### 124.3 Password Policy



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Users will follow the ITMIS Department policy on the selection and use of passwords.

## 132. DATA BACK-UP~~Data Back-Up~~

### 132.1 Data Back-Up Procedure

The ITMIS Department will develop and implement a data back-up procedure and schedule for all critical Ottawa County systems.

### 132.2 Data Back-Up Frequency

Data will be backed-up and archived at sufficient intervals to ensure critical data can be restored and recovered.

### 132.3 Storage of Back-Up Media

Back-up media will be stored in a manner consistent that protects it from tampering, theft, fire and flood. Off-site storage of back-up media will be utilized whenever possible.

## 143. DISPOSAL OF HARDWARE AND ELECTRONIC MEDIA~~Disposal of Hardware and Electronic Media~~

### 143.1 Sanitizing Hard Disk Drives

The ITMIS Department will remove or sanitize all hard disk drives before any Ottawa County computer may be reissued, sold or discarded.

### 143.2 Storage of Retired Hard Disk Drives

Removed hard drives will be stored in a secured area until they can be sanitized or destroyed

### 143.3 Removable Media

All removable media including floppy disks, CDs, DVDs, cassettes and flash drives, that may contain pProtected hHealth Information must be destroyed or sanitized in a manner consistent with requirements established by the ITMIS Department before being discarded.

## 15. PHYSICAL SECURITY



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## 14 — Physical Security

Ottawa County recognizes the importance of reasonable and prudent physical security measures to protect the safety of our employees and to safeguard our information technology infrastructure.

### 154.1 Identification Badges

All members of the affected wWorkforce having access to secure access containing pProtected hHealth information will wear and display an identification badge issued by Ottawa County.

Anyone not displaying the required identification badge should be challenged.

### 154.2 Facility Access Controls

Access to all areas containing critical components of the Ottawa County information technology infrastructure will be restricted to those with a verifiable and approved business need to have such access.

### 154.3 Physical Security of Network Access Points

“Wiring closets” and other areas that can afford access to the Ottawa County information technology infrastructure via jacks, switches, hubs, routers or other components must be secured at all times.

### 154.4 Disabling Physical Security Safeguards

The disabling or circumvention of physical security measures is prohibited.

### 154.5 Computer Screen Positioning

Users will position computer screens in a manner that prevents accidental display of pProtected hHealth information to unauthorized individuals.

## 16. BUSINESS CONTINUITY PLANNING

### 15 — Business Continuity Planning

Ottawa County wishes to ensure that it will be able to continue its business and access its information without unacceptable delay in the event of an emergency or other occurrence (for example, fire, vandalism, system failure, and natural disaster) that damages its cComputer



# County of Ottawa

~~n~~Network. To that end, Ottawa County will establish and routinely test a documented business continuity and disaster recovery plan.

The ~~Chief Privacy~~~~Security~~ Officer will be responsible for developing the business continuity and disaster recovery plan.

The plan will:

- Establish procedures for emergency access to facilities;
- Identify applications and data that are critical to resumption of business operations;
- Identify sources for most recent backup copies of data;
- Identify “mirror” sites (if any) to be used to enable immediate resumption of business activities;
- In the absence of a “mirror” site, identify “hot” or “warm” sites that will provide computer resources required to enable resumption of business activities;
- Establish procedures to restore lost data;
- Establish procedures for operation of critical business processes pending full recovery from the emergency;
- Establish procedures to safeguard ~~Protected~~~~protected~~ ~~h~~Health ~~i~~nformation pending full recovery from the emergency.

The ~~Chief Privacy~~~~Security~~ Officer will review the Business Continuity and Disaster Recovery Plan periodically, test the procedures described in the plan, and revise the plan as needed.

## 1746. SECURITY INCIDENT REPORTING~~Security Incident Reporting~~

All ~~u~~Users share in the responsibility of protecting ~~p~~Protected ~~h~~Health ~~i~~nformation. Users must report any suspicious, unauthorized or malicious activity that might affect the security of the ~~c~~Computer ~~n~~Network or the confidentiality, availability or integrity of [~~P~~rotected ~~h~~Health ~~i~~nformation] to the ~~ITMIS~~ Department as soon as it is discovered.

### 176.1 Incident Response Procedure

The ~~ITMIS~~ Department will develop a documented ~~i~~ncident ~~r~~esponse ~~p~~rocedure that is designed to identify and isolate suspicious activity and contain, and recover from, network damage resulting from any ~~s~~ecurity ~~i~~ncident.





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## 176.2 Computer Incident Response Team (CIRT)

The ITMIS Department will establish a Computer Incident Response Team (CIRT) to respond to major sSecurity iIncidents. The CIRT will have sufficient training to understand the basic principles of investigation of sSecurity iIncidents and preservation and management of forensic evidence.

## 18.7 INTERNAL AUDITS~~Internal Audits~~

### 187.1 Scope and Frequency

The SecurityChief Privacy Officer will conduct periodic audits of administrative, physical and technical safeguards of pProtected hHealth iInformation to ensure that those safeguards are adequate, consistent and enforced. The ITMIS Department will assist the SecurityChief Privacy Officer in the conduct of these audits.

The audits will be conducted with sufficient scope and frequency to provide a meaningful benchmark of compliance to this policy.

### 187.2 Audit Findings

The SecurityChief Privacy Officer will provide summaries of audit findings to the Ottawa County Administrator.

### 187.3 Cooperation with Internal Audits

All members of the affected wWorkforce, as well as vendors and consultants, are required to cooperate with security audits.

## 19. DESIGNATION OF IT DIRECTOR

For purposes of technical compliance, the IT Director may function in the capacity of the “Chief Privacy Officer” under these Security Protocols.

## **GLOSSARY**

The following definitions apply to terms used in these Security Protocols:~~is Security Policy.~~



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**Availability** means ensuring that information and vital services are accessible when required.

**Best Practices for Information Security** means commonly accepted and effective approaches to securing Computer Networks that are reasonable and appropriate for Ottawa County to implement, based on its security risk assessment, the likelihood and consequences of a breach of security, resources available, and cost.

**Computer Network** is the local and wide area networks, computers, communications devices, software systems, applications, electronic mail, and other systems operated by or on behalf of [Abbreviated Name] that are used to enable Ottawa County and Users to store, process, and use information in electronic form, and to facilitate communications among members of the Affected Workforce and to third parties. The Computer Network includes the Information Technology Infrastructure.

~~**Protected Health Information** means any Individually Identifiable Health Information that Ottawa County has a legal or ethical obligation to safeguard against unauthorized use or disclosure.~~

**Firewall** means a computing device that controls by protocol, source and destination the traffic between two networks or network segments.

**Gateway** means a computing device that separates a private network from an open network (like the Internet) and controls the type of electronic traffic that passes through it. May be a firewall, router or other device.

~~**HIPAA** refers to Title II of the Health Insurance Portability and Accountability Act of 1996 (Pub. Law 104-91) and implementing regulations issued by the Secretary of Health and Human Services found at 45 CFR Parts 160—164.~~

~~**Individually Identifiable Health Information** means information that identifies an individual as a recipient of physical or mental health services or services for the treatment of alcohol or chemical dependency; or relates to the past, present or future physical or mental health or condition of an individual, or the past, present or future payment for the provision of health care services to an individual.~~

**Information Technology Infrastructure** means the physical, logical and support components of a Computer Network including computers, software, databases, network devices, cabling, telephony systems, power supplies and environmental controls.

**Integrity** means safeguarding the accuracy and completeness of information and computer software and services.

**Policy** means a high-level and broad statement of goal, principle, intent, position, plan or course of action made to govern and guide the administration of operations and programs.



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**Procedure** means a specific set of administrative or technical instructions that provides the high level of detail required to implement and support a policy.

**Proprietary Information** means trade secrets and information about the business plans, finance, legal status, or operation of Ottawa County that is not in the public domain, access to, use, and disclosure of must be controlled by Ottawa County.

**Risk Assessment** means a formal process conducted to identify and quantify potential threats to an organization and the costs and benefits of developing methods of mitigating those threats.

**Security Incident** means an attempt that creates a substantial risk of or successful unauthorized access, use, disclosure, modification, or destruction of information or interference with system operations. This does not include trivial incidents that occur on a daily basis, such as scans, “pings”, or unsuccessful attempts to penetrate Computer Networks or servers.

**User** means a member of the Workforce of other person that accesses, utilizes, modifies or otherwise manipulates information stored on computers operated by or on behalf of [Abbreviated Name].

**Virtual Private Network (VPN)** means a remote connection method that facilitates secure connectivity to closed network by creating an encrypted path through an open network like the Internet.

**Affected Workforce** means directors, officers, employees, volunteers, trainees, and other persons (i) whose conduct, in the performance of work is under the control of Ottawa County and (ii) who have access to protected health information, in the course and scope of their duties.

~~###DATE APPROVED:~~

~~Administrator approval date: April 20, 2005~~ \_\_\_\_\_

~~Board of Commissioners notification date: April 20, 2005~~



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# Action Request



**Committee:** Board of Commissioners

**Meeting Date:** 12/27/2011

**Requesting Department:** Administration

**Submitted By:** Keith Van Beek

**Agenda Item:** Honorary Resolution Procedure Policy (formerly named Recognition Program Procedure) (Second Reading)

## SUGGESTED MOTION:

To adopt the proposed changes to the Honorary Resolution Procedure Policy (formerly named Recognition Program Procedure). (Second Reading)

## SUMMARY OF REQUEST:

County policies require periodic review and updates. This request is to review the County policies and forward them to the Board of Commissioners for a first and second reading before final approval.

## FINANCIAL INFORMATION:

Total Cost: \$0.00 | General Fund Cost: \$0.00 | Included in Budget:  Yes |  No

If not included in budget, recommended funding source:

## ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated |  Non-Mandated |  New Activity

## ACTION IS RELATED TO STRATEGIC PLAN:

Goal: 4: To Continually Improve the County's Organization and Services.

Objective: 1: Review and evaluate the organization, contracts, programs, systems, and services for potential efficiencies.

**ADMINISTRATION RECOMMENDATION:**  Recommended |  Not Recommended |  Without Recommendation

County Administrator:

Committee/Governing/Advisory Board Approval Date: Planning and Policy Committee 12/8/2011



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## HONORARY RESOLUTION RECOGNITION PROGRAM PROCEDURE POLICY

### I. POLICY

This procedure should be followed whenever a member of the Ottawa County Board of Commissioners, a County elected official, or a department head wishes to have the Ottawa County Board of Commissioners adopt a resolution of acknowledgment, recognition, appreciation, or proclamation.

### II. STATUTORY REFERENCES

### III. COUNTY LEGISLATIVE OR HISTORICAL REFERENCES

Adopted: B/C 99-174 5-18-99

Last Review by Internal Policy Review Team:



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## IV. PROCEDURE

A. All requests will be made to the County Administrator or his/her designee. The County Administrator may either complete the request or submitted the request to the Planning and Policy Committee for approval.

B. The requestor shall supply sufficient information necessary to draft the resolution.

~~B.A Recognition Program Request Form in the form attached or Exhibit "A" must be completely filled out and include any supporting documentation.~~

C. Civil County Corporate Counsel will be responsible for drafting the resolutions.

D. Ottawa County employees will continue to be recognized through the existing recognition program.

## V. REVIEW PERIOD

The Internal Policy Review Team will review this Policy at least once every two years, and will make recommendations for changes to the Planning & Policy Committee.



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## RECOGNITION PROGRAM REQUEST FORM

DATE: \_\_\_\_\_

NOMINATING COMMISSIONER(S): \_\_\_\_\_

TYPE OF REQUEST:

~~w~~Resolution of Acknowledgment (commendation for community services performed by individual or organization);

~~w~~Resolution of Recognition (Given in celebration of an organization, festival or event);

~~w~~Resolution of Appreciation (Community wide appreciation of an individual or organization);

~~w~~Proclamation (of a day, week, month i.e. "Volunteerism Week", "Smoke-out Day").

~~Please complete the following information (If additional space is needed, please attach extra sheet to form):~~

~~1. Preferred date of recognition: \_\_\_\_\_~~

~~2. Name of individual or organization receiving recognition: \_\_\_\_\_~~

~~3. Background information: \_\_\_\_\_~~

~~4. Accomplishments of individual/organization/event: \_\_\_\_\_~~

~~5. Specific reason for recognition: \_\_\_\_\_~~

~~6. Proclamation title (i.e. "Volunteerism Week");~~



# Action Request



**Committee:** Board of Commissioners

**Meeting Date:** 12/27/2011

**Requesting Department:** Human Resources

**Submitted By:** Marie Waalkes

**Agenda Item:** Community Mental Health Personnel Request to Create One (1) FTE Team Supervisor - Children's Services

## SUGGESTED MOTION:

To approve the request from Community Mental Health to create one (1) FTE Team Supervisor - Children's Services (Unclassified, Paygrade 06, F Step) at a cost of \$94,658.00 funding to come from Medicaid Funds.

## SUMMARY OF REQUEST:

The MH Team Supervisor will be responsible for providing clinical oversight to the staff that provide services to Children with Developmental Disabilities and to SED Children that receive Home Based Services.

As outlined in the CMHOC FY2011-2015 Strategic Plan, Children's Services was elevated to its own division. This division includes the provision of services to both children with DD and SED concerns. Therefore there is additional staff to provide daily support and supervision to which necessitates the additional of a Team Supervisor.

CMHOC has developed a Children's Services Improving Practices Leadership Team (IPLT) charged with the development and monitoring of child-specific outcome measurements. At this time there are several outcome factors that are being closely monitored. The addition of this position will be utilized to further develop outcome measures, as not all consumers of Children's Services have outcome measures directly correlating to their service provisions.

## FINANCIAL INFORMATION:

Total Cost: \$94,658.00 | General Fund Cost: \$0.00 | Included in Budget:  Yes |  No

If not included in budget, recommended funding source: CMH Budget

## ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated |  Non-Mandated |  New Activity

## ACTION IS RELATED TO STRATEGIC PLAN:

Goal: 4: To Continually Improve the County's Organization and Services

Objective: 1: Review and evaluate the organization, contracts, programs, systems, and services for potential efficiencies.

**ADMINISTRATION RECOMMENDATION:**  Recommended |  Not Recommended |  Without Recommendation

County Administrator:

Committee/Governing/Advisory Board Approval Date: Finance and Administration Committee 12/20/2011

**COUNTY OF OTTAWA**  
**2011 REGULAR FULL-TIME OR PART-TIME (BENEFITED) POSITION**  
**REQUEST FORM**

**Please Print Form and Return to the Fiscal Services Department**

**POSITION TITLE:** Mental Health Team Supervisor - Children's Services

**FUND/DEPARTMENT NUMBER:** 2220 (4244 - 50%; 5522 - 50%)

**CHECK ONE:**       New Position (Reclassification Number of hours per week requested: 40)  
                          Expansion of Existing Hours: From: \_\_\_\_\_ To: \_\_\_\_\_ per week

**GENERAL INFORMATION:**

1. Bargaining Unit:

2. Proposed Pay Grade:

3. Briefly describe the functions of this position:  
The MH Team Supervisor will be responsible for providing clinical oversight to the staff that provide services to Children with Developmental Disabilities and to SED Children that receive Home Based Services.
4. Describe the justification for this position (Provide supporting documentation if appropriate.)  
As outlined in the CMHOC FY2011-2015 Strategic Plan, Children's Services was elevated to its own division. This division includes the provision of services to both children with DD and SED concerns. Therefore there is additional staff to provide daily support and supervision to which necessitates the additional of a Team Supervisor.
5. Please identify the goals in the Board of Commissioners' Strategic Plan that this position will help to fulfill.  
1: To Maintain and Improve the Strong Financial Position of the County. (Advocate on legislative issues to maintain and improve the financial position of the County.); 3: To Contribute to a Healthy Physical, Economic, & Community Environment. (Continue initiatives to positively impact the community.) 4: To continually Improve the County's Organization and Services. (Review and evaluate the organization, contracts, programs, and services for potential efficiencies; Prioritize mandated and discretionary services; Examine opportunities for service-delivery with local units of government.
6. Will the job functions of this position be for mandated or discretionary functions of the department?  
Mandated
7. How will this position specifically impact the department's performance measurements and what process will be used to measure the outcomes?  
CMHOC has developed a Children's Services Improving Practices Leadership Team (IPLT) charged with the development and monitoring of child-specific outcome measurements. At this time there are several outcome factors that are being closely monitored. The addition of this position will be utilized to further develop outcome measures, as not all consumers of Children's Services have outcome measures directly correlating to their service provisions.

(If the position being requested does not have an existing job description, please attach a description of anticipated duties.)

**COST INFORMATION:**

ESTIMATED SALARY COST FOR THE BUDGET YEAR:

ESTIMATED FRINGE BENEFIT COSTS FOR THE BUDGET YEAR:

ESTIMATED COST OF EQUIPMENT NEEDED IN CONJUNCTION WITH POSITION:   
(If equipment is required, please complete an equipment request form and indicate it is for a new position.)

*Michael Brashears*

SIGNED:

\_\_\_\_\_

DATE:

\_\_\_\_\_

**BUDGET DATA:**

\_\_\_\_\_  
Fiscal Services Department Use Only

**CONTROL #:**

\_\_\_\_\_  
Fiscal Services Department Use Only

County of Ottawa Estimated Personnel Costs 2220 2012 Budget
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	Union code	W/C code	FTE	Salaries * Permanent	FICA	Hospi- talization	OPEB	Life	Retirement	Dental	W/C	Unemployem	Optical	Disability	Total Fringes	Total Salaries & fringes
Team Supervisor - F Step	15	8835	1.0000	\$64,193	\$4,911	\$10,323	\$438	\$191	\$10,996	\$698	\$215	\$417	\$104	\$180	\$28,473	\$92,666
				\$64,193	\$4,911	\$10,323	\$438	\$191	\$10,996	\$698	\$215	\$417	\$104	\$180	\$28,473	\$92,666
				7040.0000	7150.0000	7160.0000	7160.0020	7170.0000	7180.0000	7190.0000	7200.0000	7220.0000	7230.0000	7240.0000		

# Action Request



**Committee:** Board of Commissioners

**Meeting Date:** 12/27/2011

**Requesting Department:** Human Resources

**Submitted By:** Marie Waalkes

**Agenda Item:** 2010-2011 Wage and Classification Study

## SUGGESTED MOTION:

To approve the 2010-2011 Wage and Classification Study including the Unclassified Group and Group T employees for Community Mental Health, the Prosecutor's Office, the Clerk's Office, Administration and the four Chief Deputy Clerks, to be effective January 1, 2012. Total cost is \$279,747 in Medicaid Funds and \$102,964 in General Fund. The 2011 Medicaid Funds and General Fund contains sufficient funds for this purpose.

## SUMMARY OF REQUEST:

The County has conducted wage and classification studies of county positions for over 30 years. The purpose is to assure that the County's position in terms of total employee compensation is sufficient to be competitive to ensure that the County is able to attract and retain a well-qualified workforce to provide services to the citizens of and visitors to the county.

## FINANCIAL INFORMATION:

Total Cost: \$382,711.00 | General Fund Cost: \$102,964.00 | Included in Budget:  Yes |  No

If not included in budget, recommended funding source: Contingency Funds

## ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated |  Non-Mandated |  New Activity

## ACTION IS RELATED TO STRATEGIC PLAN:

Goal: 4: To Continually Improve the County's Organization and Services.

Objective: 5: Continue the effective and efficient management of human resources.

**ADMINISTRATION RECOMMENDATION:**  Recommended |  Not Recommended |  Without Recommendation

County Administrator:

Committee/Governing/Advisory Board Approval Date: Finance and Administration Committee 12/20/2011



# County of Ottawa

*Administrator's Office*

**Alan G. Vanderberg**  
*County Administrator*

**Keith A. Van Beek**  
*Assistant County Administrator*

12220 Fillmore Street, Room 331, West Olive, Michigan 49460

West Olive (616) 738-4898

e-mail: [avanderberg@miottawa.org](mailto:avanderberg@miottawa.org)

e-mail: [kvanbeek@miottawa.org](mailto:kvanbeek@miottawa.org)

[www.miottawa.org](http://www.miottawa.org)

**DATE:** December 15, 2011  
**TO:** Ottawa County Board of Commissioners  
**FROM:** Alan G. Vanderberg, County Administrator  
**SUBJECT:** Ottawa County Wage and Classification Study

I am pleased to present the 2010-2011 Ottawa County Wage & Classification Study and recommendation to the Board of Commissioners. The study consists of the report, the results of the Appeals Committee and the listing of classifications and final results from the study.

## **Background:**

In 2008, after William Rye of Rye & Associates notified the County that he was no longer conducting large scale wage studies, the County took the opportunity to review the different methodology's and vendors that conduct these types of studies, and the Board of Commissioners approved contracting with West Michigan Compensation Consultants. The Ottawa County 2008 Classification Project, conducted by Elizabeth Hawkins of West Michigan Compensation Consultants, consisted of two parts: a classification study, including the design and implementation of a point factor system for evaluating and classifying jobs that the County can maintain independently, and a salary market study covering all employee groups.

With that study and the current one, we continued the level of understanding and trust with open communication that had begun in the previous study. Throughout the process information was shared with all employees through a link on the Front Page updating questions and answers raised by employees.

## **Evaluation Process:**

In 2010, based upon the recommendation of the study completed in 2009, the Human Resources Training Coordinator trained additional employees to join the Evaluation Team. Throughout the remainder of 2010, job descriptions were revised and interviews were conducted by Human Resources. In 2011 the Evaluation Team worked on evaluating job classifications for those positions and classifications that were not studied in 2009. I want to thank these employees for their dedication and hard work, who devoted a tremendous amount of time to this project, in addition to their everyday workload.

Members of the Evaluation Team:

Dave Hulst – Information Technology  
Tina McConnell – Information Technology  
Lynne Doyle – Community Mental Health  
Thom Lattig – Juvenile Services

David Prout – Corrections  
Sherri Sayles – Clerk’s Office  
Rick Taylor – Juvenile Services  
Kathy Winston – Friend of the Court

In addition, I wish to thank Marie Waalkes, Marcie VerBeek, Kathy Kuck and Laura Mousseau from Human Resources who spent many hours providing support to both the Evaluation Team and the Appeals Committee during this endeavor.

A total of 83 job classifications were reviewed and evaluated affecting 214 individual positions. As a result of the initial study, prior to appeals, 36 classifications remained status quo, 42 classifications were upgraded and 5 classifications were downgraded.

**Appeals Process:**

Upon completion of the job classification evaluations and publishing of the points, all employees in this study had the opportunity to appeal their results. Information was provided to employees about the process and format to appeal their classification result. This appeals process began in the last two wage studies to maintain an atmosphere of an open and transparent process and to give employees the opportunity to present their arguments, if they believed they were not adequately evaluated, to a panel of individuals who did not conduct the initial evaluation.

The Appeals Committee consisted of the following individuals: Kevin Bowling, Circuit Court Administrator; Sheriff Gary Rosema, Jane Ruitter, County Commissioner, Lisa Stefanovsky, Health Officer, Al Vanderberg, County Administrator and Marie Waalkes, Chair - Human Resources Director. I also want to thank my fellow committee members for their time and input to this project.

A total of 11 appeals were filed affecting 77 employees. The Appeals Committee recommended 4 classifications (affecting 4 employees) that were downgraded be reinstated to their current level, 6 classifications (affecting 36 employees) remain status quo; and 1 classification (affecting 37 employees) be upgraded.

**County Administrator’s Recommendation:**

1. To approve the 2010-2011 Ottawa County Wage and Classification Study Report with an effective date of January 1, 2012.

**Implementation Date and Cost:**

It is recommended that the results of this study be effective January 1, 2012. The estimated salary and fringe cost of the 2010-2011 Wage and Classification Study is \$279,747 (Medicaid funds) and \$102,964 (General Fund), resulting in a total of \$382,711. The 2011 Medicaid Funds and General Fund contain sufficient funds for this study.

## **2010-2011 OTTAWA COUNTY WAGE & CLASSIFICATION STUDY**

The Ottawa County 2011 Wage & Classification Project consists of two parts: a classification study, including the design and implementation of a point factor system for evaluating and classifying jobs that the County can maintain independently, and a salary market study covering all employee groups.

### **OTTAWA COUNTY CLASSIFICATION SYSTEM**

#### **Evaluation/Classification Study**

The point-factor system devised for the County is designed to quantify the value of jobs in order to establish internal equity among diverse occupations and to define the relation between job value and market price. The point factor systems assign point values to a job's compensable factors, i.e. those properties of the job which provide its value to the organization. The system defines four basic categories of compensable factors: (1) knowledge and skills, which are the initial building block of the point factor evaluation, (2) critical thinking, which values the intensity and the creativity with which knowledge and skills must be applied in normal performance of job functions, (3) accountability, the responsibility of a position for final outcomes/overall success of the unit in which it operates, and (4) working conditions, the adverse conditions and exposure to risk which are a critical part of the day-to-day work of the position. The evaluation tool developed for Ottawa County takes into account that each of these factors is multi-dimensional, and assesses point values using a matrix of values for each factor. The project deliverables include the evaluation chart for each of the four factors and supporting definitions and instructions. Ottawa County Human Resources participated in development of the explanatory and instructional materials. The Training and Development Coordinator also developed the training program in the use of the system to train additional Evaluation Committee members. The set of charts, definitions, explanations, and instructional guides have been compiled into binders for use by present and future Evaluation Committee members.

The position classification project covered two hundred and fourteen (214) individual positions. Employees participated in the project both as a primary source of information used to develop new position descriptions, and as job evaluators. All employees were encouraged to complete Job Analysis Questionnaires and were given the option to participate in individual and group interviews. The process resulted in new job descriptions for eighty-three (83) position classifications, including both existing and new classification titles. The new position descriptions provided the job content documentation on which point-factor position evaluations were based.

Eight employees representative of the County workforce and employee groups, were appointed to the Evaluation Committee and were trained as evaluators. The Assistant Human Resources Director, Human Resources Assistant, and Human Resources Training & Development Coordinator were also trained, and served as Evaluation Committee and Appeals Committee facilitators. One member of the Appeals Committee was also fully trained in the application of the point-factor evaluation tool. The Evaluation Committee evaluated all covered jobs over several months, beginning in late 2010 and ending in October 2011. Appeals were heard in November, and the final evaluation results are summarized below.



## Summary of Classification Study

Employee Group	Total Number of Classifications	No Change in Grade	Increase in Grade	Decrease in Grade
Group T	47	16	30	1
Unclassified	36	23	13	0
<b>TOTAL NUMBER OF CLASSIFICATIONS</b>	<b>83</b>	<b>39</b>	<b>43</b>	<b>1</b>

In order to maintain the classification system, and internal equity among Ottawa County positions, new positions and requested reclassification of existing positions should be evaluated by the Committee. Each department should be reviewed on a multi-year schedule to ensure that the descriptions and classifications accurately reflect the changes that occur in jobs over time, both by design and to accommodate changes in the structure and work of County departments. The County has now developed its internal structure and has in place 367 benchmark evaluations to provide a framework for placing new and revised positions into the structure. Committee members can be rotated on a staggered schedule to ensure that there are always trained evaluators to assess jobs and to help in the experiential training of new Committee members.

## OTTAWA COUNTY WAGES

### Market Study

The market study consisted of a survey questionnaire covering 125 positions in all employee groups. The questionnaire was sent to the eleven comparable counties established in previous studies. The eleven comparable counties are, Allegan, Berrien, Ingham, Jackson, Kalamazoo, Kent, Livingston, Muskegon, Saginaw, St. Clair, and Washtenaw. The eleven comparable counties provided responses covering enough positions and employees to be included in the survey results. A separate survey covering employee benefits was compiled from seven of the participating counties of the West Michigan Strategic Alliance.

The salary survey covered 125 positions in all employee groups and departments. The County's pay ranges vary in relation to market rates both between and within bargaining units/employee groups. The aggregate pay ranges for each employee group are generally competitive, averaging at least 95% of the reported median market values for range minimums and maximums for most groups. However, within each employee group there are jobs that are below the reported market median pay ranges and jobs that are above the reported ranges. Taking the employee group as a whole the following illustrates where the groups place in relation to the survey median.

**Comparison of Ottawa County Pay Scales to Median Survey Scales  
Ottawa County as % Survey Median**

	<b>Scale Minimum</b>	<b>Scale Midpoint</b>	<b>Scale Maximum</b>
Group T	98.04%	97.30%	93.22%
Unclassified	99.74%	96.78%	99.48%

**OTTAWA COUNTY EMPLOYEE BENEFITS**

**HEALTH AND OTHER BENEFITS**

Ottawa County leads its comparable counties in the provision of health benefits to its employees. In 2011 Ottawa County's average monthly premium was 34% lower than the comparable counties. Ottawa County contributes 93.4% to the cost of medical insurance premiums for employees, compared to a median contribution of 88% by the seven responding counties. Ottawa County employees pay an average of 6.6% of the premium cost, as compared to a median of 12% for employees of the responding counties.

Because of variability in reporting format, and variations in benefits among employee groups within each county participating in the survey, it is difficult to analyze paid time off, income replacement, and retirement benefits in terms of median market statistics. It would appear that the County's position in terms of total employee compensation is sufficient to be competitive to ensure that the County is able to attract and retain a well-qualified workforce to provide services to the citizens of and visitors to the county.

**SUMMARY AND RECOMMENDATIONS**

A complete listing of the recommended changes to positions and classifications is attached in a separate table.

# Unclassified

Current Title	Current Grade	Department	New Title	KS	CT	ACC	WC	Total	New Grade
Administrative Assistant	U03	Mental Health	Administrative Assistant	152	33	50	0	235	U03
Administrative Secretary	U02	Mental Health	Clinical Office Manager	115	22	29	0	166	U02
Assistant County Administrator	U10	County Administrator	Assistant County Administrator	920	528	608	0	2056	U11A
Asst. Chief Deputy County Clerk	U04	County Clerk	Asst. Chief Deputy County Clerk	264	76	87	0	427	U06
Asst. Prosecuting Attorney I	U07	Prosecutor	Asst. Prosecuting Attorney I	350	132	175	0	657	U07
Asst. Prosecuting Attorney II	U10	Prosecutor	Asst. Prosecuting Attorney II	800	460	528	0	1788	U10
Chief Deputy County Clerk	U05A	County Clerk	Chief Deputy County Clerk	460	200	200	0	860	U07A
Chief Deputy County Treasurer	U05A	County Treasurer	Chief Deputy County Treasurer	400	152	200	0	752	U07
Chief Deputy Drain Commissioner	U05A	Drain Commission	Chief Deputy Drain Commissioner	350	152	175	0	677	U07
Chief Deputy Register of Deeds	U05A	Register of Deeds	Chief Deputy Register of Deeds	350	152	175	0	677	U07
Child Support Investigator	U03	Prosecutor	Child Support Investigator	175	38	50	0	263	U03A
Clinical Nurse Specialist	U08A	Mental Health	Clinical Nurse Specialist	528	230	264	0	1022	U08A
Compliance Mngr/Medical Rec Supv	U05	Mental Health	Compliance Mngr/Medical Rec Supv	304	100	115	0	519	U06
Deputy Director	U10	Mental Health	Deputy Director	800	528	400	0	1728	U10
Director of QI & Planning	U07	Mental Health	Director of QI & Planning	400	152	200	0	752	U07
Elections Coordinator	U03	County Clerk	Elections Coordinator	175	43	50	0	268	U03A
Employee & Labor Relations Manager	U08	Human Resources	Assistant Human Resources Director	528	304	400	0	1232	U09
Mental Health Nurse Supervisor	U07	Mental Health	Mental Health Nurse Supervisor	400	132	152	0	684	U07
Mental Health Specialist	T12	Mental Health	CBS Team Leader	230	57	76	0	363	U04
Office Administrator	U05A	Prosecutor	Office Administrator	350	100	115	0	565	U06
Program Coordinator	U07	Mental Health	Program Coordinator (Residential Comp & Dev)	400	132	152	0	684	U07
Program Coordinator	U07	Mental Health	Program Coordinator (Access)	400	132	152	0	684	U07
Program Supervisor	U08	Mental Health	Program Supervisor	528	230	175	0	933	U08
Recipient Rights Officer	U04	Mental Health	Recipient Rights Officer	230	50	57	0	337	U04
Recipient Rights Offr/Trng. Coordinator	U06	Mental Health	Director of Recipient Rights	264	87	76	0	427	U06
Senior Attorney	U10A	Prosecutor	Senior Attorney	920	460	528	0	1908	U10A
Staff Psychiatrist	U25	Mental Health	Staff Psychiatrist	Market Exception					U25
Team Supervisor	U06	Mental Health	Team Supervisor (Access)	350	100	132	0	582	U06
Team Supervisor	U06	Mental Health	Team Supervisor (Children's Service)	350	100	132	0	582	U06
Team Supervisor	U06	Mental Health	Team Supervisor (MI Services/Clubhouse)	350	100	132	0	582	U06
Team Supervisor	U06	Mental Health	Team Supervisor (MI-ACT)	350	100	132	0	582	U06
Team Supervisor	U06	Mental Health	Team Supervisor (MI Services/MDT)	350	100	132	0	582	U06
Team Supervisor	U06	Mental Health	Team Supervisor (Crisis Services)	350	100	132	0	582	U06
Team Supervisor	U06	Mental Health	Team Supervisor (DD Services)	350	100	132	0	582	U06
Victim Rights Coordinator	U04	Prosecutor	Victim Rights Coordinator	230	50	57	0	337	U04
Vital Records Supervisor	U02	County Clerk	Vital Records Supervisor	132	22	25	0	179	U03

# Group T

Current Title	Current Grade	Department	New Title	KS	CT	ACC	WC	Total	New Grade
Account Clerk	T07	County Clerk	Case Records Processor I	87	16	25	0	128	T06A
Case Records Processor I	T06A	County Clerk	Case Records Processor I	87	16	25	0	128	T06A
Case Records Processor II	T09	County Clerk	Case Records Processor II	100	22	29	0	151	T09
Case Records Specialist	T10	County Clerk	Case Records Specialist	132	29	33	0	194	T10
Community Dev. & Relations Coord.	T13	Mental Health	Consumer Services Coordinator	230	66	76	0	372	T14
Contract Manager	T14	Mental Health	Contract Manager	400	115	132	0	647	T15
Domestic Violence Intervention Offr.	T14	Prosecutor	Domestic Violence Intervention Offr.	230	57	76	8	371	T14
Legal Assistant I	T08	Prosecutor	Legal Assistant I	100	16	25	0	141	T08
Legal Assistant II	T09	Prosecutor	Legal Assitant II	115	22	29	0	166	T09
Legal Assitant III	T10	Prosecutor	Legal Assistant III	152	33	38	0	223	T10
Legal Clerk	T06	Prosecutor	Legal Clerk	87	12	19	0	118	T06
Medical Assistant	T07	Mental Health	Medical Assistant	132	25	29	0	186	T10
Medical Records Assistant	T10	Mental Health	Compliance Assistant	132	25	29	0	186	T10
Mental Health Aide	T06	Mental Health	Mental Health Aide	87	14	19	10	130	T07
Mental Health Clinician	T14	Mental Health	Mental Health Clinician (Children's Services)	304	87	115	0	506	T15
Mental Health Clinician	T14	Mental Health	Mental Health Clinician (Access)	304	87	115	0	506	T15
Mental Health Clinician	T14	Mental Health	Mental Health Clinician (DD Psychologist)	304	87	115	0	506	T15
Mental Health Clinician	T14	Mental Health	Mental Health Clinician (MI - Multidisciplinary Team)	304	87	115	0	506	T15
Mental Health Clinician	T14	Mental Health	Mental Health Clinician (Crisis Services)	304	87	115	8	514	T15
Mental Health Clinician	T14	Mental Health	Mental Health Clinician (ACT)	304	87	115	8	514	T15
Mental Health Nurse	T13	Mental Health	Mental Health Nurse (MI Services)	230	57	66	10	363	T14
Mental Health Nurse	T13	Mental Health	Mental Health Nurse (MI Services - ACT/IDDT)	230	57	66	10	363	T14
Mental Health Nurse	T13	Mental Health	Mental Health Nurse (DD Clinical Support Services)	230	57	66	10	363	T14
Mental Health Specialist	T12	Mental Health	Mental Health Specialist (MI Employment)	200	43	50	0	293	T13
Mental Health Specialist	T12	Mental Health	Mental Health Specialist (DD Employment)	200	43	50	0	293	T13
Mental Health Specialist	T12	Mental Health	Mental Health Specialist (Housing & Quality Improvement)	200	43	50	0	293	T13
Mental Health Specialist	T12	Mental Health	Mental Health Specialist (Clubhouse)	200	43	50	0	293	T13
Mental Health Specialist	T12	Mental Health	Mental Health Specialist (Access)	200	43	50	0	293	T13
Mental Health Specialist	T12	Mental Health	Mental Health Trainer	200	43	50	0	293	T13
Mental Health Specialist	T12	Mental Health	Mental Health Specialist (ACT/IDDT)	230	57	50	0	337	T13
Mental Health Specialist	T12	Mental Health	Mental Health Specialist (Children's Services)	230	57	66	0	353	T13
Mental Health Specialist	T12	Mental Health	Mental Health Specialist (DD Supports Coordination)	230	57	66	0	353	T13
Mental Health Specialist	T12	Mental Health	Mental Health Specialist (Multi-Disciplinary Team)	230	57	66	0	353	T13
Mental Health Specialist	T12	Mental Health	Mental Health Specialist (DD Behavior Specialist)	230	57	66	0	353	T13
Mental Health Specialist	T12	Mental Health	Mental Health Specialist - DD Residential	264	66	76	0	406	T14
Occupational Therapist	T15	Mental Health	Occupational Therapist	400	152	115	0	667	T15
Peer Specialist	T06	Mental Health	Peer Specialist	87	14	19	10	130	T07
Program Evaluator	T12	Mental Health	Program Evaluator	230	66	76	0	372	T14
QI Specialist	T12	Mental Health	QI Specialist	230	66	76	0	372	T14
Records Processing Clerk I	T04	County Clerk	Case Records Processor I	87	16	25	0	128	T06A
Records Processing Clerk II	T06	Mental Health	Mental Health Clerk	87	12	19	0	118	T06
Records Processing Clerk II	T06	Mental Health	Quality Improvement Clerk	87	12	19	0	118	T06
Records Processing Clerk II	T06	Mental Health	Access Center Clerk	87	12	19	0	118	T06
Records Processing Clerk III	T07	Mental Health	Training Center Clerk	100	14	29	0	143	T08
Speech Language Pathologist	T15	Mental Health	Speech Language Pathologist	400	152	115	0	667	T15
Victim Advocate	T09	Prosecutor	Victim Advocate	115	22	38	0	175	T09
Vital Records Clerk I	T06	County Clerk	Vital Records Clerk I	87	10	22	0	119	T06

# Action Request



**Committee:** Board of Commissioners

**Meeting Date:** 12/27/2011

**Requesting Department:** Human Resources

**Submitted By:** Keith Van Beek

**Agenda Item:** Board Appointments

## SUGGESTED MOTION:

To place into nomination the name(s) of (\*indicates recommendation of the Interview Subcommittee):

\*David Van Ginhoven  
Scott Blease  
John Burmeister  
\*Thomas Werkman

to fill two (2) vacancies on the Ottawa County Parks and Recreation Commission beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

**SUMMARY OF REQUEST:** The Board of Commissioners makes appointments to the various Boards and Commissions of the County per Administrative Policy – Appointments to Boards and Commissions.

## FINANCIAL INFORMATION:

Total Cost: \$0.00      General Fund Cost: \$0.00      Included in Budget:     Yes     No

If not included in budget, recommended funding source:

## ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated       Non-Mandated       New Activity

## ACTION IS RELATED TO STRATEGIC PLAN:

Goal: 2: To Maintain and Enhance Communication with Citizens, Employees, and Other Stakeholders.

Objective: 5: Evaluate communication with other key stakeholders.

**ADMINISTRATION**       Recommended       Not Recommended       Without Recommended

County Administrator:

Committee/Governing/Advisory Board Approval Date: Human Resources Committee 12/27/2011

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 09/07/2011

Position Applying For Parks and Recreation Commission/Public

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name David N Van Ginhoven

Address 9119 Stillwater Drive

City West Olive ST MI Zip 49460

Last 4 digits of social security number 2510 Birth Month 7 Birth Day 26

**Contact Information:**

Home Phone 616-748-3006

Work Phone 616-786-3717

E-mail dvanginh@zps.org

Fax Number 616-748-3006

**Education:**

School Adrian College

School Western Michigan University

Degree BA

Degree MA

**Employment Background:**

Current Employer Zeeland Public Schools Position Assistant Superintendent

Responsibilities

Budgeting and Finance, Planning, Construction, supervision of support services, negotiations.

This is my twenty-second year at Zeeland, which makes the next question not all that significant, i.e. that was a long time ago!

Previous Employer River Valley Schools Position Assistant Superintendent

Responsibilities

Same as with Zeeland, only less on the construction and more on the demolition of buildings.

Length of Residency in Ottawa County 21

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

I was a Zeeland Township Trustee from 2000 - 2006, prior to my moving into Port Sheldon Township. I was treasurer and president of Zeeland United Way from 1993 - 1999.

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

I have served on the Parks and Recreation Board for the last three years and believe my background and experience are beneficial in my service on this Board. I also believe strongly in the benefits and importance of our County Parks.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

Drain Commissioner/Parks and Recreation Commission/

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 10/04/2011

Position Applying For Parks and Recreation Commission/Public

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name SCOTT M BLEASE

Address 17300 Hazel St

City Spring Lake ST MI Zip 49456

Last 4 digits of social security number 604 Birth Month 10 Birth Day 8

**Contact Information:**

Home Phone 231-670-4816

Work Phone 231-728-5180

E-mail sbleases@yahoo.com

Fax Number 231-670-4816

**Education:**

School Grand Valley State University

School Muskegon Comm College

Degree 2001 BBA Marketing Major

Degree 1991 Associates in Arts

**Employment Background:**

Current Employer ACCESS HEALTH Position SALES REP

**Responsibilities**

June 2000 to present. New business sales, existing business retention, sales reports, Marketing Committee liason, Bike to Work Event Coordinator, health & wellness promotions, community resource referrals, etc.

Previous Employer Blue Cross Blue Shield of MI Position Customer Service Rep

**Responsibilities**

all customer service functions, in & out bound phone calls, provider inquiry, dental, vision & hearing issues.



Length of Residency in Ottawa County 45

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

Ottawa County Solid Waste Planning Committee 1998-2000.

Ferrysburg Recreation Committee Sept 2008-April 2011.

Deer Advisory Board Aug 2010-March 2011

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

I feel I have enough experience and knowledge to be a asset to the committee. I am very concerned and passionate about the outdoors and how we can maintain and keep our great parks now and in the future.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

Commissioner/Community Mental Health Board/, Drain Commissioner/Parks and Recreation Commission/

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 10/24/2011

Position Applying For Parks and Recreation Commission/Public

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name John R Burmeister

Address 2023 Breeze Drive

City Holland ST Mi Zip 49424

Last 4 digits of social security number 1462 Birth Month 9 Birth Day 2

**Contact Information:**

Home Phone 616-886-8732 Work Phone --

E-mail jrurmeister@hotmail.com Fax Number 616-886-8732

**Education:**

School Michigan State University School University of Texas

Degree B.S Degree Master of Saving Bank Management

**Employment Background:**

Current Employer Greenridge Realty, Inc. Position Sales Agent

Responsibilities  
Listing/Sales of Real Estate in the Ottawa/Allegan county area

Previous Employer West Michigan Community Bank Position Mortgage Lending Manager

Responsibilities  
Manager of 1-4 family residential mortgage origination/secondary sales and servicing.

Length of Residency in Ottawa County 16

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

wife Barbara is Recreation Director for Park Twp.

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

Previous public member of the Ottawa County Community Action Agency. Board member/secretary of Habitat For Humanity. Member of State of Michigan FIB committee on Community Reinvestment.

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

Share my commitment to providing the citizens of and visitors to Ottawa County with the opportunity to enjoy the natural resources that this county has been blessed with.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

**Thank you for your interest in Ottawa County Government**

October 7, 2011

Ottawa County  
12220 Fillmore Street  
West Olive, MI 49460

To Whom it May Concern,

I would like to be considered for an open vacancy for the Ottawa County Parks and Recreation Commission. I am a lifelong resident of Ottawa County. I have served on various boards and committees, which include leadership positions for The Outdoor Discovery Center and the Macatawa Greenway. I am an avid user of the parks and believe my talents could be of service to the county.

Thank you for your consideration

Sincerely,

Tom Werkman  
14478 Twin Oaks Street  
Holland, MI 49424  
616-502-4899  
616-935-1021 (w)

THOMAS R. WERKMAN  
[twerkman@boh.com](mailto:twerkman@boh.com)

**CURRENT ADDRESS**  
14478 Twin Oaks Street  
Holland, MI 49424

**OBJECTIVE**  
To obtain an appointment to the Ottawa County Parks and Recreation Board

**EDUCATION**  
Hope College – Holland, MI                      Bachelor of Arts: Social Work                      August 1988 – May 1992

**WORK EXPERIENCE:**

- Senior Vice & Market Manager, The Bank of Holland – Holland, MI August 2011 – Present**
- Responsible for implementing growth strategy and developing the Grand Haven / Muskegon Market
  - Oversee Cash Management Services and Business Development for the Holland, Grand Haven, Muskegon and Grand Rapids Market
  - Assist in developing and executing bank and holding company strategic plan
- Vice President, Business Development, The Bank of Holland – Holland, MI February 2009 – August 2011**
- Oversee Cash Management Services and Business Development for the Holland and Grand Rapids Market
  - Assist in developing and executing bank and holding company strategic plan
- Chief Risk Officer, North Star Financial Group Inc., Holland, MI March 2007 – February 2009**
- Responsible for developing, implementing and assessing credit, deposit, operational and systems risk for the corporation
  - Coordinated the due diligence of potential \$250 million bank acquisition. Which include working with state and federal banking regulators, auditors, and consultants.
- Vice President & Business Banking Manager – The Bank of Holland – Holland, MI January 2005 – March 2007**
- Co-managed \$200 million bank commercial loan portfolio, underwriting standards, loan approval process and lending guidelines
  - Managed \$55 million in commercial loans, which included commercial real estate development, commercial real estate and business loans
  - Managed a group of 6 Business Bankers
- Vice President & Loan Documentation Manager**
- Managed the bank's loan documentation process
  - Managed a group of 4 loan documentation specialist
  - Managed \$40 million in commercial loan which included commercial real estate development, commercial real estate and business loans
- Assistant Vice President / Business Banker**
- Managed \$40million in commercial loan which included commercial real estate development, commercial real estate and business loan
  - Responsible for business development

**ACTIVITIES & EXPERIENCES**

- The Outdoor Discovery Center – Treasurer – Helped hire Executive Director, transitioned the organization from Wildlife Unlimited to a 120 acre nature preserve focused in conservation and outdoor education
- Macatawa Area Greenway – Treasurer – Private / Public partnership to develop and conserve lands along the Black River
- Holland Area Arts Council – Treasurer – Reorganized and restructured the council to make it profitable, viable and sustainable for the community
- OAR – Board member
- Salvation Army – Board member

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 10/07/2011

Position Applying For Parks and Recreation Commission/Public

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Thomas R Werkman

Address 14478 Twin Oaks St

City Holland ST MI Zip 49424

Last 4 digits of social security number 3711 Birth Month 1 Birth Day 6

**Contact Information:**

Home Phone 616-502-4899

Work Phone 616-935-1021

E-mail twerkman@tboh.com

Fax Number 616-502-4899

**Education:**

School Hope College

School \_\_\_\_\_

Degree B.A.

Degree \_\_\_\_\_

**Employment Background:**

Current Employer The Bank of Holland Position Senior Vice President / Market Manager

Responsibilities  
See attached resume

Previous Employer \_\_\_\_\_ Position \_\_\_\_\_

Responsibilities

Length of Residency in Ottawa County 41

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

[See attached resume](#)

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

[I am passionate about conservation and providing access to outdoor recreation for all use groups. I am an avid user of the county parks and have used them for fishing, hiking, cross country skiing, education and interpretation and soon hunting. I would like to see more people connect with the parks and all they offer.](#)

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

[Commissioner/Community Mental Health Board/, Drain Commissioner/Parks and Recreation Commission/](#)

**Thank you for your interest in Ottawa County Government**

# Action Request



**Committee:** Board of Commissioners

**Meeting Date:** 12/27/2011

**Requesting Department:** Human Resources

**Submitted By:** Keith Van Beek

**Agenda Item:** Board Appointments

## SUGGESTED MOTION:

To place into nomination the name(s) of (\*indicates recommendation of the Interview Subcommittee):

\*Doug Zylstra  
William Berns

to fill one (1) Business/Industrial/Tourism Vacancy on the Ottawa County Planning Commission beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

**SUMMARY OF REQUEST:** The Board of Commissioners makes appointments to the various Boards and Commissions of the County per Administrative Policy – Appointments to Boards and Commissions.

## FINANCIAL INFORMATION:

Total Cost: \$0.00      General Fund Cost: \$0.00      Included in Budget:     Yes     No

If not included in budget, recommended funding source:

## ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated       Non-Mandated       New Activity

## ACTION IS RELATED TO STRATEGIC PLAN:

Goal: 2: To Maintain and Enhance Communication with Citizens, Employees, and Other Stakeholders.

Objective: 5: Evaluate communication with other key stakeholders.

**ADMINISTRATION**       Recommended       Not Recommended       Without Recommended

County Administrator:

Committee/Governing/Advisory Board Approval Date: Human Resources Committee 12/27/2011



**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 09/01/2011

Position Applying For Planning Commission/Business/Industrial/Tourism

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Doug Zylstra

Address 152 E 24th St

City Holland ST MI Zip 49423

Last 4 digits of social security number 9133 Birth Month 6 Birth Day 27

**Contact Information:**

Home Phone 616-953-6087 Work Phone --

E-mail doug.r.zylstra@gmail.com Fax Number 616-953-6087

**Education:**

School University of Michigan School Michigan State University

Degree Liberal Arts Degree Finance

**Employment Background:**

Current Employer West Side Clothing, Inc. Position Owner/President  
Responsibilities \_\_\_\_\_

Previous Employer \_\_\_\_\_ Position \_\_\_\_\_  
Responsibilities \_\_\_\_\_

Length of Residency in Ottawa County 2

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

Currently serving on OC Planning. Also serving WM Transit Linkages, and WM Regional Planning Commission

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

Continuation of present service. It's been a good experience thus far.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 09/02/2011

Position Applying For Planning Commission/Business/Industrial/Tourism

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name William J Berns

Address 14287 Garfield

City Spring Lake ST Mi Zip 49456

Last 4 digits of social security number 2213 Birth Month 2 Birth Day 27

**Contact Information:**

Home Phone 616-850-8578 Work Phone --

E-mail williamberns@sbcglobal.net Fax Number 616-850-8578

**Education:**

School UNIVERSITY OF DETROIT School \_\_\_\_\_

Degree BUSINESS AND ECONOMICS Degree \_\_\_\_\_

**Employment Background:**

Current Employer PT SL FITNESS CENTER Position DESK

Responsibilities \_\_\_\_\_

Previous Employer SEARS Position DISTRICT MANAGER SERVICE

Responsibilities \_\_\_\_\_

30 YEARS, STORE MGMT, GROUP MDSE MGR DETROIT GROUP, RAN SERVICE FOR PART OF MICH.

Length of Residency in Ottawa County 13

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

[CROCKERY TOWNSHIP BOARD AND PLANNING COMMISSION](#)

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

[I AM RETIRED AND ENJOYED WORKING ON PLANNING COMMISSION. ALSO WANT TO GIVE BACK TO THE COMMUNITY.](#)

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

[Business/Industrial/Tourism/Planning Commission/](#)

**Thank you for your interest in Ottawa County Government**

# Action Request



**Committee:** Board of Commissioners

**Meeting Date:** 12/27/2011

**Requesting Department:** Human Resources

**Submitted By:** Keith Van Beek

**Agenda Item:** Board Appointments

## SUGGESTED MOTION:

Page 1 of 4

To place into nomination the name(s) of (\*indicates recommendation of the Interview Subcommittee):

\*James Miedema

to fill one (1) Financial, Sociological & Academic vacancy on the Ottawa County Planning Commission beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

\*Dale Sall

to fill one (1) Realtor vacancy on the Remonumentation Committee beginning January 1, 2012 and ending December 31, 2013 (two (2) year term).

\*Brett Laughlin

to fill one (1) Road Commission vacancy on the Remonumentation Committee beginning January 1, 2012 and ending December 31, 2013 (two (2) year term).

\*Matt Nederveld

to fill one (1) Surveyor vacancy on the Remonumentation Committee beginning January 1, 2012 and ending December 31, 2013 (two (2) year term).

**SUMMARY OF REQUEST:** The Board of Commissioners makes appointments to the various Boards and Commissions of the County per Administrative Policy – Appointments to Boards and Commissions.

## FINANCIAL INFORMATION:

Total Cost: \$0.00      General Fund Cost: \$0.00      Included in Budget:     Yes     No

If not included in budget, recommended funding source:

## ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated       Non-Mandated       New Activity

## ACTION IS RELATED TO STRATEGIC PLAN:

Goal: 2: To Maintain and Enhance Communication with Citizens, Employees, and Other Stakeholders.

Objective: 5: Evaluate communication with other key stakeholders.

**ADMINISTRATION**       Recommended       Not Recommended       Without Recommended

County Administrator:

Committee/Governing/Advisory Board Approval Date: Human Resources Committee 12/27/2011

Page 2 of 4

\*Ryan Cotton

to fill one (1) Supervisor/Assessor vacancy on the Remonumentation Committee beginning January 1, 2012 and ending December 31, 2013 (two (2) year term).

\*Randal Cope

to fill one (1) War Veteran vacancy on the Veterans Affairs Committee beginning January 1, 2012 and ending December 31, 2015 (four (4) year term).

\*Randall Boss

\*Richard Sibley Jr.

\*James Holtrop

\*Claudia Berry

\*Ervin (Skip) Keeter

\*Carla Wallis

to fill six (6) Business Sector vacancies on the Workforce Development Board beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

\*David Miller

to fill one (1) Community Based vacancy on the Workforce Development Board beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

\*Eric Packer

to fill one (1) Education Sector vacancy on the Workforce Development Board beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

\*Doug Kamphuis

to fill one (1) MI Dept of Corrections/MPRI vacancy on the Workforce Development Board beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

\*Luke Meerman

to fill one (1) Agricultural Member vacancy on the Agricultural Preservation Board beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

\*Dennis Van Dam

to fill one (1) Real Estate/Land Development vacancy on the Agricultural Preservation Board beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

Page 3 of 4  
\*Leroy Dell

to fill one (1) vacancy on the Building Authority beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

\*Gary Barton

to fill one (1) Business Community vacancy on the Community Corrections Advisory Board beginning January 1, 2012 and ending December 31, 2013 (two (2) year term).

\*Matthew Messer

to fill one (1) Chief of Police vacancy on the Community Corrections Advisory Board beginning January 1, 2012 and ending December 31, 2013 (two (2) year term).

\*Heath White

to fill one (1) MDOC vacancy on the Community Corrections Advisory Board beginning January 1, 2012 and ending December 31, 2013 (two (2) year term).

\*Glenn Nykamp

to fill one (1) Township Representative vacancy on the Land Bank Authority beginning January 1, 2012 and ending December 31, 2017 (six (6) year term).

\*Jeff Smalla

to fill one (1) Public Sector vacancy on the Community Action Agency Advisory Board beginning January 1, 2012 and ending December 31, 2014 (three (3) year term).

\*Field Reichardt

to fill one (1) vacancy on the Ottawa County Officers' Compensation Commission beginning January 1, 2012 and ending December 31, 2015 (four (4) year term).

\*Robert Huff

to fill one (1) vacancy on the Ottawa County Officers' Compensation Commission beginning January 1, 2012 and ending December 31, 2015 (four (4) year term).

\*Mark Kleist

to fill one (1) vacancy on the Ottawa County Officers' Compensation Commission beginning January 1, 2012 and ending December 31, 2015 (two (2) year term).

Page 4 of 4

\*Joan Epperson

to fill one (1) vacancy on the Comprehensive Economic Development Corporation Strategy Committee beginning January 1, 2012 and ending December 31, 2012 (one (1) year term).

\*Doug Zylstra

to fill one (1) vacancy on the West Michigan Regional Planning Commission beginning January 1, 2012 and ending December 31, 2012 (one (1) year term).



**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 09/05/2011

Position Applying For Planning Commission/Financial, Sociological & Academic

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name James C Miedema

Address 2984 16th Ave.

City Hudsonville ST Mi Zip 49426

Last 4 digits of social security number 2058 Birth Month 11 Birth Day 3

**Contact Information:**

Home Phone 616-896-8376

Work Phone 616-291-2724

E-mail jmiedema@twp.jamestown.mi.us

Fax Number 616-896-8376

**Education:**

School Unity Chr. High

School \_\_\_\_\_

Degree \_\_\_\_\_

Degree \_\_\_\_\_

**Employment Background:**

Current Employer Jamestown Twp. Position Supervisor

Responsibilities  
Manage Twp. Affairs

Previous Employer Self Position Owner Jamestown Body and Frame

Responsibilities

Length of Residency in Ottawa County 37

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

Jamestown Board trustee 8 yrs. Supervisor 11 Yrs. Ottawa 911 Policy, Ottawa Co. Parks.

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

I am presently a member and would like to continue.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 11/11/2011

Position Applying For Remonumentation Committee/Realtor

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Dale Sall

Address 5623 Balsam Dr.

City Hudsonville ST MI Zip 49426

Last 4 digits of social security number 6463 Birth Month 3 Birth Day 16

**Contact Information:**

Home Phone 616-797-1025

Work Phone 616-896-9250

E-mail Dalesall@remax.net

Fax Number 616-797-1025

**Education:**

School Unity Christian High School

School Davenport College

Degree \_\_\_\_\_

Degree Business

**Employment Background:**

Current Employer RE/MAX Grand Valley Position Associate Broker

Responsibilities \_\_\_\_\_

Previous Employer \_\_\_\_\_ Position \_\_\_\_\_

Responsibilities \_\_\_\_\_

Length of Residency in Ottawa County 75

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

[City of Hudsonville DDA](#)

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

[Requested](#)

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 10/17/2011

Position Applying For Remonumentation Committee/Road Commission

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Brett A Laughlin

Address 14110 Lakeshore Drive

City Grand Haven ST MI Zip 49417

Last 4 digits of social security number 1784 Birth Month 2 Birth Day 27

**Contact Information:**

Home Phone 616-842-5400 Work Phone --

E-mail balaughlin@ottawacorc.com Fax Number 616-842-5400

**Education:**

School Michigan Tech School \_\_\_\_\_

Degree BS - Civil Engineering Degree \_\_\_\_\_

**Employment Background:**

Current Employer Road Commission Position Managing Director

Responsibilities \_\_\_\_\_

Previous Employer \_\_\_\_\_ Position \_\_\_\_\_

Responsibilities \_\_\_\_\_

Length of Residency in Ottawa County 14

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

I have been a member of the Remon Committee since 2008.

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

To continue as the Road Commission representative on the Remon. Committee.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 12/06/2011

Position Applying For Remonumentation Committee/Surveyor

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Matt Nederveld

Address 320 32nd Ave

City Hudsonville ST MI Zip 49426

Last 4 digits of social security number 4943 Birth Month 4 Birth Day 28

**Contact Information:**

Home Phone 616-437-5031 Work Phone --

E-mail mnederveld@nederveld.com Fax Number 616-437-5031

**Education:**

School Ferris St School \_\_\_\_\_

Degree B.S. Surveying Degree \_\_\_\_\_

**Employment Background:**

Current Employer Nederveld Position Professional Surveyor

Responsibilities  
Senior Crew Chief

Previous Employer \_\_\_\_\_ Position \_\_\_\_\_

Responsibilities

Length of Residency in Ottawa County 39

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

Participated in the Ottawa County Remon program for numerous years as a surveyor.

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

I enjoy the remon program and have an interest in seeing it run well.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

**Thank you for your interest in Ottawa County Government**



**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 12/01/2011

Position Applying For Remonumentation Committee/Supervisor/Assessor

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Ryan Cotton

Address 102 West Savidge

City Spring Lake ST MI Zip 49456

Last 4 digits of social security number 63 Birth Month 8 Birth Day 4

**Contact Information:**

Home Phone 616-842-1393

Work Phone 616-638-8910

E-mail ryan@springlakevillage.org

Fax Number 616-842-1393

**Education:**

School U of Kansas

School Western Mich. University

Degree Masters of Public Administration

Degree Masters of Political Science

**Employment Background:**

Current Employer Village of Spring Lake Position Village Manager

Responsibilities  
All administrative supervision

Previous Employer City of Grand Haven Position City Manager

Responsibilities  
All administrative supervision

Length of Residency in Ottawa County 16

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

30 years in a management capacity; 16 years in local regional capacities: Nows water advisory board, GH/SL Sewer Authority, Harbor Transit Authority, Vice Chair of Land Bank Board, etc.

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

I am a state certified assessor and feel that I can contribute from a municipal standpoint.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

Public/Parks and Recreation Commission/

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 12/12/2011

Position Applying For Veteran's Affairs Committee/War Veteran (BC)

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Randal J Cope

Address 17179 Lakeview Ave.

City Holland ST MI Zip 49424

Last 4 digits of social security number 5528 Birth Month 11 Birth Day 29

**Contact Information:**

Home Phone 616-738-9085 Work Phone --

E-mail lnrcope@yahoo.com Fax Number 616-738-9085

**Education:**

School Kelloggsville High School School Cornerstone University

Degree Diploma Degree Associates of Business

**Employment Background:**

Current Employer Magna Mirrors Position Maintenance Electronic Technician

Responsibilities  
14 Years so far  
Industrial Machine Maintenance  
Facilities Maintenance

Previous Employer \_\_\_\_\_ Position \_\_\_\_\_

Responsibilities

Length of Residency in Ottawa County 15

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

[2 Years on Ottawa County Veterans Affairs Committee](#)

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

[I am a Veteran. I can research applications and asses fraudulent claims. I have provided sound input at committee meetings.](#)

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

[War Veteran/Veteran's Affairs/](#)

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 09/04/2011

Position Applying For Workforce Development Board/Business Sector

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Randall Boss

Address 8985 24th Ave

City Jenison ST MI Zip 49428

Last 4 digits of social security number 8156 Birth Month 11 Birth Day 30

**Contact Information:**

Home Phone 616-457-1320

Work Phone 616-437-7557

E-mail rboss@ottawakent.com

Fax Number 616-457-1320

**Education:**

School Holland Christian High

School \_\_\_\_\_

Degree High School

Degree \_\_\_\_\_

**Employment Background:**

Current Employer Ottawa Kent Position Insurance Agent

Responsibilities

Risk Management, Insurance, Safety and Wellness for Business.

Previous Employer \_\_\_\_\_ Position \_\_\_\_\_

Responsibilities

Length of Residency in Ottawa County 53

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

Currently on Ottawa County Workforce Development board and executive committee.

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 08/25/2011

Position Applying For Workforce Development Board/Business Sector

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Richard J Sibley Jr

Address 12667 136th Ave

City Grand Haven ST MI Zip 49417

Last 4 digits of social security number 2811 Birth Month 4 Birth Day 11

**Contact Information:**

Home Phone 616-990-6200

Work Phone 616-546-6414

E-mail rich.sibley@safholland.com

Fax Number 616-990-6200

**Education:**

School Baker Collegge

School \_\_\_\_\_

Degree AAS

Degree \_\_\_\_\_

**Employment Background:**

Current Employer SAF-HOLLAND Position Sr Project Leader

Responsibilities  
Oversee engineering projects

Previous Employer Speedy Design Services Position Design Engineer

Responsibilities  
Design

Length of Residency in Ottawa County 32

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

[Current member of the OCWDB. Past Chair of same. Alum member of Leadership West Michigan](#)

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

[Work still to be done!!](#)

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

[Drain Commissioner/Parks and Recreation Commission/](#)

**Thank you for your interest in Ottawa County Government**



**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 08/21/2011

Position Applying For Workforce Development Board/Business Sector

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name James Holtrop

Address 3046 Country Ct.

City Hudsonville ST MI Zip 49426

Last 4 digits of social security number 3697 Birth Month 11 Birth Day 5

**Contact Information:**

Home Phone 616-669-6523 Work Phone --

E-mail jholtrop@miottawa.org Fax Number 616-669-6523

**Education:**

School Calvin College School \_\_\_\_\_

Degree AB, Political Science Degree \_\_\_\_\_

**Employment Background:**

Current Employer County of Ottawa Position County Commissioner

Responsibilities \_\_\_\_\_

Previous Employer \_\_\_\_\_ Position \_\_\_\_\_

Responsibilities \_\_\_\_\_

Length of Residency in Ottawa County 49

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

President, Hudsonville Jaycees

City Commissioner, City of Hudsonville

Mayor, City of Hudsonville

Trustee, Zeeland Community Hospital

Trustee, Hudsonville Community Foundation

Trustee, Hillcrest Christian Reformed Church.

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

Have served on Workforce Development Board for over 4 years, want to continue helping people to find work and job training.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

**Thank you for your interest in Ottawa County Government**

**CLAUDIA L. BERRY**

Huntington National Bank  
170 College Ave. Ste. 150  
Holland, Mi. 49423

Office: 616-355-8505  
Office Fax: 616-355-8507

Home Address  
174 Oakwood Ave.  
Holland, Mi. 49424

Home: 616-399-2538

**SUMMARY OF CAPABILITIES**

Over twenty five years of management experience within the financial services environment including leadership, sales/marketing and training.

**EXPERIENCE**

HUNTINGTON NATIONAL BANK

2002-Present

Vice President  
Senior Team Leader for Lakeshore  
Private Financial Team

FIFTH THIRD BANK

1998-2001

Vice President  
Regional Zone Manager

FIRST OF AMERICA BANK – MICHIGAN

1982-1996

Vice President/ Regional Manager 1990-1996  
Assistant Vice President/Branch Manager 1988-1990  
Marketing/Training Office, Quality Service Coordinator 1985-1988  
Teller 1982-1985

**EDUCATION AND TRAINING**

B.A. DePauw University, Greencastle, Indiana  
Postgraduate Study, Eastern University, Ypsilanti, Michigan  
Essentials School of Bank Marketing, University of Houston, Houston, Texas  
MBTI Professional Qualifying Program – Certified to administer the Myers-Briggs  
Type Indicator  
Leadership and Mastery Seminar – Innovative Associate – M.I.T.  
Certified Trainer – Action Systems Sales/Service Program

## **PROFESSIONAL/COMMUNITY INVOLVEMENT**

Executive Committee Boys and Girls Club of Greater Holland Area  
Ottawa Area Workforce Development Board  
Executive Committee Saugatuck Center for the Arts  
Chairperson Holland/ Zeeland Silent Observer Program  
Founder/Chairperson Lakeshore Athena Award Program  
Board Chair Tulip Time Festival  
Board Member Holland Chamber Policy Committee  
Past Chairperson Holland Area Chamber of Commerce  
Past Chairperson Center For Women in Transition

Member Huntington Women's Initiative Committee  
Member Huntington Lakeshore South Leadership Team

## **PROFESSIONAL RECOGNITION**

2004 Lakeshore Link Certificate of Appreciation  
1992 Athena Award Recipient for opening leadership positions for women within  
the community's workplace and for business, profession, and community  
service  
1990 James H. Duncan Award Recipient First of America Bank Corporation  
1989 Quality of Service Award Recipient, First of America Bank Corporation

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 08/19/2011

Position Applying For Workforce Development Board/Business Sector

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Claudia L Berry

Address 174 Oakwood

City Holland ST MI Zip 49424

Last 4 digits of social security number 6809 Birth Month 8 Birth Day 31

**Contact Information:**

Home Phone 616-355-8505

Work Phone 616-240-4562

E-mail claudia.berry@huntington.com

Fax Number 616-355-8505

**Education:**

School DePauw University

School Eastern Michigan University

Degree Bachelor of Arts

Degree post graduate

**Employment Background:**

Current Employer Huntington Bank Position VP/ Senior Team Lead Wealth Advisor Group

Responsibilities

Lead the wealth advisors group from Muskegon to South Haven. Oversee deposit, loan and investment growth.

Previous Employer 5/3 Bank Position VP/Zone manager

Responsibilities

Responsible for main office and surrounding offices. Oversee growth in loans and deposits and staff development.

Length of Residency in Ottawa County 31

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

Renewal of term that is expiring. Currently serving on the workforce development training and education committee. Previously served on the executive and the strategic planning committees

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

Desire to continue the work that the Training and Program committee has begun with job skill development and adult learning.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

Business Sector/Workforce Development Board/

**Thank you for your interest in Ottawa County Government**

**E. O. Keeter**  
**442 Lakeshore Drive N**  
**Holland, Michigan 49424-1340**  
**616-994-7408**  
**E-Mail: skip@tripsandtreasures.com**

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## **SUMMARY**

Experienced sales, marketing and creative manager skilled at selling intangibles and working at an executive management level. Designed and implemented marketing/promotion strategies for Fortune 500 companies that produced major sales and profit increases. Strong "hands-on" sales manager

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## **ACCOMPLISHMENTS**

### **SALES**

- MANAGEMENT:**
- Doubled sales volume of Tiffany's Chicago Corporate Branch in two years. Increased major account base adding NCR, GE, Buick, Ameritech, Motorola, Johnson Wax and Arthur Andersen. Staffed Detroit office and increased that market's sales over 100%
  - Increased Maritz Communications Company's regional sales volume 40% and profit 100%
  - Expanded sales areas in every management assignment through emphasis on new business development and account penetration

### **MARKETING**

- MANAGEMENT:**
- Worked with sales management in an Internet startup company to establish redemption partnerships for new online reward system, MyPoints. Developed a base of strong redemption sources including Eddie Bauer, Spiegel, Omaha Steaks, The Magazine Mall, Barnes & Noble, Red Lobster, Olive Garden, Sony Music, and Hyatt Hotels and Resorts
  - Created new employee incentive plan, an industry first, for White Hen Pantry, Inc. Created, sold and implemented new training and communications systems resulting in improved customer service
  - Headed team that developed consumer incentive program, "Club Rewards," for Diners Club
  - Designed major incentive programs for Chevrolet, Oldsmobile and Buick Divisions of GM
  - Created award winning promotional campaign for a major division of GE
  - Co-developed incentive programs for IH parts division that resulted in yearly sales increases of 14-20%

- SALES:**
- Increased domestic sales of communications services for Maritz Communications Co. 400% in two years, including major sales to J I Case Co., Miller Brewing Co., and West Bend Co.
  - Sold an international training system to J I Case Co. which launched Maritz Communications Company in Europe.

**BUSINESS EXPERIENCE**

**TRIPS & TREASURES**

*Incentive Travel and Merchandise Awards*

Holland, MI

Owner (2008-Present)

Provide incentive and recognition awards, and marketing communications services to client base. Also provide consulting services to companies in the premium/incentive industry.

**CRUISEONE**

*Cruise vacation planning*

Holland, MI

Owner (1999-2008)

Represent all cruise lines, providing discounted cruises to a base of retail customers and businesses.

**TIFFANY & Co.**

*Jewelry, gift ware and fancy goods retailer*

Chicago, Illinois

Corporate Branch Director - Chicago Branch (1988-1990)

Responsible for sales of Tiffany gift, incentive, sports and recognition programs to corporate clients in nine states in the Midwest. Supervised staff of seven sales and six support people.

**KEETER MARKETING SERVICES**

*Marketing and communications services*

Winnetka, Illinois

Principal (1987-2008)

Marketing and communications consultant providing program development and promotional plans to incentive companies

**IMAGEMATRIX, INC.**

*Business communications agency*

Cincinnati, Ohio

Vice President - Sales and Marketing (1986-1987)

Responsible for all sales and marketing activities, supervising a sales force of six account executives in the Cincinnati and Louisville offices, selling marketing communications materials and business meeting production

**CARLSON MARKETING GROUP**

*Widely diversified marketing services company*

Chicago, Illinois

Account Executive - E. F. MacDonald Motivation (1984-1986)

Responsible for development, sale and implementation of a full range of marketing services with emphasis on incentive programs



**MARITZ INC.**

St. Louis, Missouri

*Marketing services company including: sales incentive programs, productivity motivation programs, business communications, training, market research and travel services*

<u>Regional Vice President</u>	1979-1983
<u>Account Executive</u>	1976-1979
<u>Creative Director</u>	1973-1976
<u>Creative Project Head</u>	1965-1973

**EDUCATION**

MISSOURI STATE UNIVERSITY (formerly SMS), Springfield, Missouri  
AB English; Speech Minor  
All college education funded through full-time employment

**COMMUNITY ACTIVITIES**

**PARK TOWNSHIP**

- Park Township Clerk—2008 - Present
- Zoning Board of Appeals—2006 - 2008

**HOLLAND AREA CHAMBER OF COMMERCE**

Holland, Michigan

- Board of Directors—2007 – 2010
- Business Owners Roundtable—Chair
- Home Occupation Ordinance Task Force—2003
- Business to Business Showcase Committee
- Holland First—2002
- Leadership Holland—2004
- Leadership West Michigan—2008
- Small Business Committee—Chair, 2006
- Small Business Day Committee
- Small Business Person of the Year Committee—Chair
- Membership Sales Consultant
- Governmental Affairs—Chair, 2008 & 2009
- Public Policy Committee—Chair, 2008 & 2009
- Chamber Representative to West Michigan Chamber Coalition Legislative Advocacy Committee

**AMERICAN CANCER SOCIETY, LAKESHORE SERVICE CENTER**

Holland, Michigan

- Ottawa Leadership Council—2003 – 2004
- Legislative Ambassador—2004 - Present
- Relay for Life Committee—2006 & 2007 Chair

**LAKESHORE HABITAT FOR HUMANITY**

Holland, Michigan

- Leadership Committee—Congress Building America & Leadership Build
- Planning Committee—Jimmy Carter Work Project and Celebration
- Planning Committee—2005 Tulip Sales Campaign

**HOLLAND CHORALE**

Holland, Michigan

- Board of Directors since 2009
- Development Committee

**OTTAWA COUNTY REPUBLICANS**

- Executive Committee – 2010 – Present

**OTTAWA COUNTY**

- Workforce Development Board—January, 2011 – Present

**Recipient, Distinguished Leadership Award for 2006, presented by  
Leadership Holland and the Community Leadership Association.**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 11/20/2011

Position Applying For Workforce Development Board/Business Sector

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name E. O. Keeter

Address 442 Lakeshore Dr N

City Holland ST MI Zip 49424

Last 4 digits of social security number 8429 Birth Month 10 Birth Day 9

**Contact Information:**

Home Phone 616-994-7408

Work Phone 616-283-0514

E-mail skip@tripsandtreasures.com

Fax Number 616-994-7408

**Education:**

School Central High School, Springfield, MO

School Missouri State University (formerly Southwest Mis

Degree Graduate

Degree BA, English

**Employment Background:**

Current Employer Trips & Treasures Position Owner

**Responsibilities**

I provide incentive and recognition awards and marketing communications services to a client base. Also provide consulting services to companies in the premium/incentive industry.

Previous Employer CruiseOne Position Franchise Owner

**Responsibilities**

Represented all cruise lines, providing discounted cruises to a base of retail customers and businesses.

Length of Residency in Ottawa County 11

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

I am Clerk of Park Township

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

Park Township

Holland Chamber of Commerce

American Cancer Society

Lakeshore Habitat for Humanity

Holland Chorale

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

I have completed one year of services on the Workforce Development Board. I would like the opportunity to serve a complete three year term.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

Business Sector/Workforce Development Board/

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 12/16/2011

Position Applying For Workforce Development Board/Business Sector

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Carla S Wallis

Address 19046 130th Ave.

City Fruitport ST MI Zip 49417

Last 4 digits of social security number 876 Birth Month 10 Birth Day 22

**Contact Information:**

Home Phone 616-847-5299

Work Phone 616-846-7649

E-mail cwallis@noch.org

Fax Number 616-847-5299

**Education:**

School Baker College - Muskegon

School \_\_\_\_\_

Degree Assoc. Business Administration

Degree \_\_\_\_\_

**Employment Background:**

Current Employer North Ottawa Community Health System Position Human Resource Director

Responsibilities

Recruiting, orientation of new employees, salary administration, administration of benefit programs, employee relations, implement and administer policies relating to all phases of the health system's human resource activities.

Previous Employer \_\_\_\_\_ Position \_\_\_\_\_

Responsibilities

Length of Residency in Ottawa County 40

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

Currently serving on the Cemetary Committee for Crockery Township

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

Because of my interest in the workforce/economic development of Ottawa County, and to utilize my many years of experience in the Human Resouce field of Health Care Services here in Ottawa County.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 08/19/2011

Position Applying For Workforce Development Board/Community Based

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name David C Miller

Address 15450 Harry St.

City Grand Haven ST mi Zip 49417

Last 4 digits of social security number 8775 Birth Month 3 Birth Day 4

**Contact Information:**

Home Phone 616-843-6315

Work Phone 616-502-8324

E-mail dmiller@grandhavenchamber.org

Fax Number 616-843-6315

**Education:**

School Michigan State University

School \_\_\_\_\_

Degree Bachelors

Degree \_\_\_\_\_

**Employment Background:**

Current Employer Chamber of Commerce Grand Haven Spring Position Vice President

**Responsibilities**

All economic Development responsibilities in Northwest Ottawa County, including retention calls with area manufacturers, assistance with local units of government including tax abatements.

Previous Employer Mason County Growth Alliance Position President and CEO

**Responsibilities**

All economic development responsibilities within Mason County including retention and attraction of industry. Created the first Mason County Manufacturers Council.

Length of Residency in Ottawa County 4

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

I have served 1-1/2 years on the workforce development board. I currently serve on the executive committee, and two other committees. I have staffed several boards previously, including serving as the Executive Director of the Jackson County Brownfield Redevelopment Authority and Jackson County Economic Development Corporation for six years, as well as two Local Development Finance Authorities and two Downtown Development Authorities as lead staff.

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

I feel that I bring a lot to this board, as well as the various committees that I'm a part of. I regularly attend and participate in meetings. I have a long history working in economic development and understand the needs of business, particularly industry.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

Business Sector/Workforce Development Board/, Business Sector/Workforce Development Board/, Community Based/Workforce Development Board/, Director/Economic Development Corporation/

**Thank you for your interest in Ottawa County Government**



**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 11/14/2011

Position Applying For Workforce Development Board/Education Sector

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Eric L Packer

Address 5434 Eric Street

City Allendale ST MI Zip 49401

Last 4 digits of social security number 1180 Birth Month 11 Birth Day 21

**Contact Information:**

Home Phone 616-331-6617

Work Phone 616-291-9039

E-mail Eric\_Packer@gvsu.edu

Fax Number 616-331-6617

**Education:**

School Wayne State University

School Ferris State University

Degree Master of Education

Degree Bachelor of Science

**Employment Background:**

Current Employer Grand Valley State University Position Director, Workforce Development

**Responsibilities**

Director of continuing education corporate training, public workshops and online course implementation. Previously responsible for interactive television course coordination and media services management. Supervised staff and student employment positions.

Previous Employer Donnelly Corporation Position Organizational Development and Training Specialist

**Responsibilities**

Performance development and training design specialist for corporate and manufacturing leadership support. Involved in employee selection, leadership assessment and development, curriculum design, educational media creation, and instructional delivery.

Length of Residency in Ottawa County 20

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

[Ottawa County Workforce Development Board, April 2003 to present](#)

[Ottawa Area Intermediate School District - Board of Education, July 2005? Present](#)

[Allendale Public Schools - Board of Education, February 2001? June 2011](#)

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

[Continued support of Ottawa county workforce development.](#)

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

[Education Sector/Workforce Development Board/](#)

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 08/18/2011

Position Applying For Workforce Development Board/MI Dept of Corrections/MPRI

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Douglas J Kamphuis

Address 193 Sunrise Drive

City Holland ST MI Zip 49423

Last 4 digits of social security number 3140 Birth Month 7 Birth Day 1

**Contact Information:**

Home Phone 616-834-2819 Work Phone --

E-mail kamphuisd@michigan.gov Fax Number 616-834-2819

**Education:**

School University of Michigan School \_\_\_\_\_

Degree BA - Psychology Degree \_\_\_\_\_

**Employment Background:**

Current Employer State of Michigan/MDOC Position Area Manager

Responsibilities  
Oversee Parole/Probation offices located in 14 counties (including Ottawa County).

Previous Employer \_\_\_\_\_ Position \_\_\_\_\_

Responsibilities

Length of Residency in Ottawa County 46

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

[Holland Public School Board \(2004-2008\)](#)

[Ottawa County Planning Commission \(2008\)](#)

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

[Ottawa County Michigan Works is the fiscal agent for the MDOC Prisoner Reentry funds for our area. This money is used to support returning prisoners to our local communities. My role is to ensure we continue to offer quality programming for this population.](#)

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

[MI Dept of Corrections/MPRI/Workforce Development Board/](#)

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 10/14/2011

Position Applying For Agricultural Preservation Board/Agricultural (BC)

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Luke A Meerman

Address 14250

City Coopersville ST mi Zip 49404

Last 4 digits of social security number 6156 Birth Month 3 Birth Day 8

**Contact Information:**

Home Phone 616-997-9798

Work Phone 616-617-9400

E-mail LukeMeerman@gmail.com

Fax Number 616-997-9798

**Education:**

School Ottawa area tech school

School \_\_\_\_\_

Degree Diesel mechanic

Degree \_\_\_\_\_

**Employment Background:**

Current Employer Grassfields LLC Position Managing Partner

Responsibilities

Marketing  
Handyman

Previous Employer \_\_\_\_\_ Position \_\_\_\_\_

Responsibilities

Length of Residency in Ottawa County 36

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

*I have completed one term prior to this application on this same board.*

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

*Thought and time invested in the preservation of farmland ,county wide, will keep our county strong for generations.*

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

*Agricultural /Agricultural Preservation Board/*

**Thank you for your interest in Ottawa County Government**

September 30, 2011

Board of Commissioners

c/o Ottawa County  
12220 Fillmore Street  
West Olive, MI 49460

Re: Application for Position on Agricultural Preservation Board

Dear Ladies and Gentlemen;

Thank you for considering my application for the Real Estate/Land Development vacancy on the Agricultural Preservation Board. As you consider my interest, I want you to also be aware that I have filed as a 2012 candidate for County Commission for the new District 6 in Georgetown Township.

Raised on our family farm in Allegan County, I have since enjoyed a 30 year career as a broker/developer of both commercial and residential development projects throughout West Michigan. My experience includes extensive interaction with municipal officials, planning and zoning boards, as well as with the public in seeking approval for many types of projects. In nearly every case, we have been able to find common ground and compromise where needed, allowing our projects to be successfully developed.

Because of recent market conditions, land development pressure has obviously lessened. However market conditions will eventually improve re-introducing that interest. As this happens, I believe that Government at all levels must work to focus growth around existing urban and suburban areas while protecting our ag lands and balancing property owner rights. I believe that it is possible to allow development growth while at the same time helping to assure that Agriculture remains a major component of both the economy and the culture of Ottawa County. As stated in my application, I believe that my background, experience, and abilities can provide a solid contribution to the efforts of the Agricultural Preservation Board, and I look forward to the opportunity to serve.

Thank you again for your consideration.

Respectfully,

Dennis Van Dam





**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 09/30/2011

Position Applying For Agricultural Preservation Board/Real Estate/Land Development (BC)

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Dennis L Van Dam

Address 7369 Hidden Forest Dr

City Hudsonville ST MI Zip 49504

Last 4 digits of social security number 9155 Birth Month 5 Birth Day 27

**Contact Information:**

Home Phone 616-292-5805

Work Phone 616-292-3293

E-mail dvandam@visserdevelopment.com

Fax Number 616-292-5805

**Education:**

School Zeeland Public High

School Ferris State/GVSU

Degree Diploma

Degree \_\_\_\_\_

**Employment Background:**

Current Employer Visser Development Position Broker/Development Mgr

Responsibilities  
Broker and Project Manager

Previous Employer \_\_\_\_\_ Position \_\_\_\_\_

Responsibilities

Length of Residency in Ottawa County 25

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

Board member: Conquerors International Ministry; Board member: Garden of Hope (post-abortive ministry) Former Kent Co Jury Commissioner; former Chair of Deacon Board: Resurrection Life Church, Grandville; former Chair/Member of GR Area Realtors Govt Affairs Committee; former Member: Michigan Assoc. of Realtors Govt Affairs Committee  
Govt Affairs Committee

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

I believe that my background and experience and abilities will contribute to the efforts of the Agricultural Preservation Board.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

**Thank you for your interest in Ottawa County Government**

# Leroy R. Dell, P.E., DEE

## *Education:*

- Bachelor of Science in Civil Engineering, Michigan State University, 1966
- Associate Degree, Ferris State College, 1964

## *Professional Registration:*

- Registered Professional Engineer, States of Michigan, Wisconsin, Indiana, Ohio, Illinois, Missouri, Kentucky, Florida, Georgia, North Carolina, South Carolina, and Iowa
- Registered Professional Land Surveyor, State of Michigan

## *Technical Training:*

- 40-Hour OSHA Health and Safety Training for Hazardous Material Operations and Emergency Response, 1988.
- Sanitary Landfill Design, Engineering Society of Detroit, 1989
- Hazardous Waste Management Practices Course, University of Wisconsin, 1980
- Water Pollution Control, Manhattan College, N.Y., Biological Waste Treatment, 1978

## *Experience:*

- **Private Consultant** **2002-Present**  
Midwest Regional Manager, Principal in Charge, and member of ERM's Board of Directors and Senior Management Committee. Specific engineering experience includes extensive knowledge of water and wastewater treatment facilities including design, construction, operation, and maintenance. Broad experience in solid and hazardous waste engineering including planning, design construction observation, and monitoring. Additional experience includes hydrogeological studies and the development of remediation plans, facilities engineering, manufacturing process evaluation and design.
- **Dell Engineering, Inc.** **1978-1998**  
Founder, President and Chief Executive Officer. Specializing in process, water, and wastewater treatment facilities, solid and hazardous waste engineering, hydrogeological studies, environmental audits, and remediation plans for industrial, municipal, and commercial clients. Also specializing in engineering, operation and maintenance of treatment plants, facilities engineering, air monitoring (stack and ambient), liquid and solid waste disposal, solid waste planning, sanitary landfills, soil analyses, structural and geotechnical engineering, hazardous waste management consulting, and waste recycling and reuse.
- **Western Michigan Environmental Services, Inc.** **1976-1986**  
Founder, President and Chief Executive Officer of this analytical laboratory specializing in environmental consulting to industrial, commercial, professional, and municipal clients.
- **McNamee, Porter and Seeley** **1968-1978**  
Resident Engineer: Grand Rapids Wastewater Treatment Plant, Saginaw Water Filtration Plant; South Haven Water Filtration Plant, distribution system, sewer system, and highway report; Muskegon

Water Filtration Plant and Water Treatment Plant residuals management study. Project Engineer: bridge and street improvements, Sault Ste. Marie, Michigan. Also responsible for facilities plan, environmental assessments and operation and maintenance manual for Grand Rapids Wastewater Treatment Facility; 208 area wide waste management planning-portions for Michigan Region 8; master drainage plan, report on waste treatment and preliminary design on additions to wastewater treatment plant located in South Haven, Michigan. Master drainage plan, City of Lansing; and preliminary report on waste treatment, City of Niles.

- **City of Greenville**

**1966-1968**

Assistant City Engineer. Member of planning commission. Responsible for design, construction, and surveying for the municipality.

***Achievements:***

- Civil & Environmental Engineering Distinguished Alumni Award, Michigan State University, 2004
- Claude R. Erickson College of Engineering Alumnus Award, Michigan State University, 1999
- Recipient of the Michigan State University Alumni Association Distinguished Alumni Service Award, 1988
- Shepard Award, 1992, Michigan Water Environment Federation
- Small Business Person of the Year, 1992, Holland Area Chamber of Commerce
- Named to Who's Who in Engineering, 1976
- Named to Who's Who in United States, 1976
- Delegate, People to People Water Pollution Control Delegation to the People's Republic of China, 1986
- Certified "A" Sewage Plant Operator, State of Michigan
- Certified "F-2" Water Treatment Plant Operator, State of Michigan
- Certified Industrial Waste Treatment Plant Operator, State of Michigan
- Licensed Private Pilot

***Professional Affiliations:***

- Diplomate, American Academy of Environmental Engineers
- American Society of Civil Engineers
- American Consulting Engineers Council, ACEC/M, Board of Directors
- Michigan and National Society of Professional Engineers
- Michigan Society of Professional Land Surveyors
- Waste Systems Institute of Michigan, Board of Directors
- Water Environment Federation
- American Water Works Association
- American Society for Testing and Materials (ASTM)
- Member-ASTM Committee D-34 on Waste Disposal, D-18 on Soil and Rock and E-50 on Environmental Assessments.
- Chairperson-ASTM Subcommittee on Installation of Liner Systems, D-34
- Chi Epsilon, National Civil Engineering Honorary Fraternity, Chapter Honor Member, MSU
- Association for Facilities Engineering

- Chemical Coaters Association
- American Foundrymen's Society
- International Association on Water Pollution Research and Control

***Civic Affiliations:***

- Michigan State University Alumni Association, Board of Directors
- Michigan State University, Development Board of Directors
- Michigan State University, College of Engineering, Alumni Board of Directors
- Michigan State University, Department of Civil and Environmental Engineering, Visiting Committee, Chairperson
- Huntington National Bank, Advisory Board of Directors, West Michigan Region
- Holland Area Chamber of Commerce, Board of Directors, Chair, Executive Committee
- Zeeland Area Chamber of Commerce
- Ottawa County, Michigan, Building Authority Member, Chairman
- Macatawa Area Coordinating Council (MACC), Metropolitan Planning Organization (MPO), Chairman and Executive Committee
- Trout Unlimited

***Publications:***

Dedek, K.S., O'Connell, T.P., and Dell, L.R., "A Soil Flushing Study for Petroleum Hydrocarbon Removal," *Eighteenth International Madison Waste Conference*, University of Wisconsin, 1995.

Brunelle, T.M., Dell, L.R., and Meyer, C.J., "Effect of Permeameter and Leachate on a Clay Liner," *Geotechnical Practice for Waste Disposal '87, Geotechnical Special Publication*, No. 13, American Society of Civil Engineers, 1987, pp. 347-361.

Miner, R.A., Maltby, C.W., and Dell, L.R., "The Results of an Interlaboratory Study of a Column Method for Leaching Solid Wastes," *Hazardous and Industrial Solid Waste Testing and Disposal*, Sixth Volume, ASTM STP 933, American Society for Testing and Materials, 1986, pp. 375-389.

Dell, L.R., "Surrogate Organic Analysis of Wastewaters," *Journal of People to People Water Pollution Control Delegation to the People's Republic of China*, 1986.

Dell, L.R., "Establishing A Sludge Sampling Program," *Sludge and Its Ultimate Disposal*, Ann Arbor Science, 1981, pp. 91-97.

Authored/Co-authored numerous papers for presentation at ASTM, ASCE, WEF, AWWA, and other civic functions.

***Research Activities:***

Involved in several ASTM "Round-Robin" quality control studies of environmental samples, as well as participating in the ASTM column leachate studies. Co-sponsored with Hope College Department of Geology a long-term study of the effects of various organic and inorganic compounds upon the permeability of clay soils. Permeability studies in conjunction with Research Triangle Institute, U.S., EPA, and ASTM. Soil sorption study in conjunction with ASTM. Column leachate studies in conjunction with two major corporations and an industry research group. Participated in study and paper published on permeability of clay when subjected to landfill leachates. Performed numerous treatability studies on industrial wastewater and residuals.



**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 11/14/2011

Position Applying For Building Authority/Member (BC)

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Leroy R Dell

Address 6309 Brooklyn Drive

City West Olive ST MI Zip 49460

Last 4 digits of social security number 7165 Birth Month 4 Birth Day 30

**Contact Information:**

Home Phone 616-399-0889

Work Phone 616-283-7150

E-mail lrdell1@verizon.net

Fax Number 616-399-0889

**Education:**

School Michigan State University

School Ferris State College

Degree B.S. in Civil Engineering

Degree Associate of Applied Science

**Employment Background:**

Current Employer Retired Position \_\_\_\_\_

Responsibilities \_\_\_\_\_

Previous Employer Environmental Resources Management Position Principal/Partner/owner

Responsibilities \_\_\_\_\_

Management Team of an international consulting Engineering firm.

Length of Residency in Ottawa County 43

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

Building Authority, Macatawa Area Coordinating Council, Holland Chamber Board, 4 different boards at MSU, Park Twp. Planning Commission, numerous boards of profession societies.

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

An opportunity to serve my community in a position I enjoy.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

Member/Appeals Board for Sanitary Code/, Member A/Building Authority/

**Thank you for your interest in Ottawa County Government**



**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 10/03/2011

Position Applying For Community Corrections Advisory Board/Business Community

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Gary A Barton

Address 3581 Twin Oaks Ln.

City Holland ST MI Zip 49424

Last 4 digits of social security number 1074 Birth Month 5 Birth Day 15

**Contact Information:**

Home Phone 616-260-5721

Work Phone 616-796-0685

E-mail garyb@70x7liferecovery.org

Fax Number 616-260-5721

**Education:**

School Oregon State Univ.

School \_\_\_\_\_

Degree BS

Degree \_\_\_\_\_

**Employment Background:**

Current Employer 70x7 Life Recovery Position Business & Finance Director

Responsibilities \_\_\_\_\_

Previous Employer \_\_\_\_\_ Position \_\_\_\_\_

Responsibilities \_\_\_\_\_

Length of Residency in Ottawa County 11

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

I am a current member of the Community Corrections Advisory Board and I am applying to extend my term.

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

Due to the nature of my job, I believe I can contribute a unique viewpoint to the committee concerning the area of Community Corrections

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 10/03/2011

Position Applying For Community Corrections Advisory Board/Chief of Police

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Matthew J Messer

Address 89 West 8th Street

City Holland ST MI Zip 49423

Last 4 digits of social security number 1700 Birth Month 5 Birth Day 15

**Contact Information:**

Home Phone 616-355-1129 Work Phone --

E-mail m.messer@cityofholland.com Fax Number 616-355-1129

**Education:**

School Ferris State University School Grand Valley State University

Degree Bachelor - Criminal Justice Degree Masters - Public Administration

**Employment Background:**

Current Employer Holland Dept of Public Safety Position Chief of Public Safety

Responsibilities  
10 million Budget, 205 employees

Previous Employer None Position \_\_\_\_\_

Responsibilities

Length of Residency in Ottawa County 20

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

[Serve on several county and local boards](#)

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

[Re-appointment](#)

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 10/12/2011

Position Applying For Community Corrections Advisory Board/MDOC

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Heath S White

Address 1435 Woodfield Dr

City Zeeland ST MI Zip 49464

Last 4 digits of social security number 2555 Birth Month 9 Birth Day 19

**Contact Information:**

Home Phone 616-393-4401

Work Phone 616-283-6683

E-mail whiteh1@michigan.gov

Fax Number 616-393-4401

**Education:**

School Central Michigan University

School \_\_\_\_\_

Degree BS

Degree \_\_\_\_\_

**Employment Background:**

Current Employer MDOC Holland Probation/Parole Position Supervisor

Responsibilities

Manage day to day activities of a Probation and Parole Office.

Previous Employer MDOC Holland Parole/Probation Position Agent

Responsibilities

Supervised Sex Offenders on GPS

Length of Residency in Ottawa County 7

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

My wife Tina is a teach at Hamilton Community Schools.

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

I was the CCAB Secretary from January of 2011 up until present day.

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

I believe that the MDOC needs to have representation on the Community Corrections Board.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

Business Community/Community Corrections Advisory Board/

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 09/20/2011

Position Applying For Land Bank Authority/Township Representative

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Glenn L Nykamp

Address 505 84th Ave

City Zeeland ST MI Zip 49464

Last 4 digits of social security number 9480 Birth Month 3 Birth Day 18

**Contact Information:**

Home Phone 616-772-6701

Work Phone 616-218-2323

E-mail glenn.nykamp@zeelandtp.org

Fax Number 616-772-6701

**Education:**

School Zeeland Public Schools

School \_\_\_\_\_

Degree High School

Degree \_\_\_\_\_

**Employment Background:**

Current Employer Zeeland Charter Township Position Supervisor

Responsibilities \_\_\_\_\_

Previous Employer Consumers Energy Position Supervisor

Responsibilities \_\_\_\_\_

Length of Residency in Ottawa County 48

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

[27 years on Zeeland Charter Township Board](#)

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

[Interest in Government](#)

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

[Citizen Ottawa County/Land Bank Authority/](#)

**Thank you for your interest in Ottawa County Government**





# HOLLAND CHARTER TOWNSHIP

353 North 120th Avenue • Holland, MI 49424 • P.O. Box 8127 • Holland, MI 49422

Phone: 616.396.2345 • Fax: 616.396.2537

December 1, 2011

Mr. Philip Kuyers, Chair  
Ottawa County Board of Commissioners  
12220 Fillmore Street  
West Olive, MI 49460

Dear Mr. Kuyers:

As Supervisor for Holland Charter Township, I would like to nominate Mr. Jeff Smalla, a resident of Holland Township, to serve on the Ottawa County Community Action Agency Advisory Board as a representative of the public sector.

Mr. Smalla has a strong interest in the work of community action and addressing the issues that impact the lives of low-income individuals and families. He is active in the community and his background in financial planning, pastoral work and non-profit board membership and leadership will be a great asset to Ottawa County Community Action Agency.

Yours Truly,

A handwritten signature in cursive script, appearing to read "Terry Nienhuis".

Terry Nienhuis, Supervisor  
Holland Charter Township



**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 11/25/2011

Position Applying For Community Action Agency Advisory Board/Public Sector (BC)

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Jeff A Smalla

Address 2754 Fairfield Drive

City Zeeland ST MI Zip 49464

Last 4 digits of social security number 9908 Birth Month 8 Birth Day 16

**Contact Information:**

Home Phone 616-821-4861

Work Phone 616-772-6062

E-mail jeffsmalla@gmail.com

Fax Number 616-821-4861

**Education:**

School Temple Baptist Seminary

School Tennessee Temple University

Degree M. Div.

Degree B. A.

**Employment Background:**

Current Employer Edward Jones Investments Position Financial Advisor

**Responsibilities**

Provide financial guidance for serious long-term investors preparing for retirement, college expenses and intergenerational wealth transfer.

Previous Employer Moline Baptist Church Position Lead Pastor

**Responsibilities**

Provide spiritual and organizational guidance for the congregation, lay leaders and staff through teaching, discipling and counseling.

Length of Residency in Ottawa County <sup>1</sup> \_\_\_\_\_

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

Seven years serving on the Forreton Council of Churches which served the Forreton, IL community with food, clothing and other social programs.

Two years serving on the Blackhawk Area Youth for Christ board in Freeport, IL.

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

I am looking forward to learning the various ways that Ottawa Co assists residents toward independence through diverse programs and providing support to these programs through my involvement with the board.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 11/01/2011

Position Applying For Officers Compensation Commission/Member

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name John Field Reichardt

Address 18165 Mohawk Dr.

City Spring Lake ST MI Zip 49456

Last 4 digits of social security number 6552 Birth Month 8 Birth Day 12

**Contact Information:**

Home Phone 616-842-0535

Work Phone 616-842-1211

E-mail jfreichardt@gmail.com

Fax Number 616-842-0535

**Education:**

School Colby College

School \_\_\_\_\_

Degree BA, Admin. Science

Degree \_\_\_\_\_

**Employment Background:**

Current Employer self employed Position \_\_\_\_\_

Responsibilities \_\_\_\_\_

Previous Employer KMR Great Foods, LLC Position President

Responsibilities \_\_\_\_\_

CEO of company

Length of Residency in Ottawa County 63

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

Ottawa County OCC, Grand Haven City Planning Commission, Spring Lake Village Master Plan Commission, Michigan State export Development Authority, US Department of Commerce Michigan District Export Council and others

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

We are going through challenging times, and as a person who respects both the need for fiscal responsibility and the need to compensate people fairly and appropriately for their work, I feel I have good balance.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 11/22/2011

Position Applying For Officers Compensation Commission/Member

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name W. Robert Huff

Address 309 Robbins Road

City Grand Haven ST MI Zip 49417

Last 4 digits of social security number 9844 Birth Month 10 Birth Day 11

**Contact Information:**

Home Phone 616-566-1813 Work Phone --

E-mail bob-huff@sbcglobal.net Fax Number 616-566-1813

**Education:**

School Central Michigan University School Ferris State University

Degree Master of Science -Administration Degree Criminal Justice

**Employment Background:**

Current Employer Retired Position \_\_\_\_\_  
Responsibilities \_\_\_\_\_

Previous Employer City of Grand Haven Position Director of Public Safety  
Responsibilities  
In charge of all law enforcement, fire, building inspection, and code enforcement

Length of Residency in Ottawa County 21

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

[Ottawa County Officer Compensation Committee.](#)

[Numerous Boards and Commissions over a 38 year period in government, including State, City, County and Township organizations. Served as President of the Michigan Association of Chief's of Police, Representative to the Michigan Municipal League's Board of Directors for 13 years.](#)

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

[Have served on the Commission in the past and enjoyed the service to the county](#)

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

[Member A/Building Authority/](#)

**Thank you for your interest in Ottawa County Government**



**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 12/16/2011

Position Applying For Officers Compensation Commission/Member

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Mark A Kleist

Address 17978 Robbins Rd

City Grand Haven ST mi Zip 49417

Last 4 digits of social security number 437 Birth Month 12 Birth Day 22

**Contact Information:**

Home Phone 616-935-9529

Work Phone 616-842-3030

E-mail mkleist@scholtenfant.com

Fax Number 616-935-9529

**Education:**

School Wayne State

School WMU

Degree JD

Degree BA

**Employment Background:**

Current Employer Scholten Fant Position Attorney

Responsibilities  
Business/corporate/transactions/tax attorney

Previous Employer \_\_\_\_\_ Position \_\_\_\_\_

Responsibilities

Length of Residency in Ottawa County 35

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

President/chairperson of United Way, Rotary, Chamber of Commerce, CGF committee, local bank board member

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

Called, sounds interesting, understand comparative value

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

Director (BC)/Economic Development Corporation/

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 09/09/2010

Position Applying For Economic Development Corporation/Member (BC)

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Joan J Epperson

Address 6132 Regal Dr. SW

City Grandville ST MI Zip 49418

Last 4 digits of social security number 9250 Birth Month 10 Birth Day 1

**Contact Information:**

Home Phone 616-570-3877

Work Phone 616-667-9586

E-mail joan-epperson@globalbsa.com

Fax Number 616-570-3877

**Education:**

School Texas A & M

School \_\_\_\_\_

Degree Political Science

Degree \_\_\_\_\_

**Employment Background:**

Current Employer Global Business Solutions & Assoc., LLC Position President

**Responsibilities**

GBSA is an Organizational Design and Change Manage Firm. As President, I am responsible to developing the mission and vision, recruiting and training the team and ensuring that clients receive high quality service and products. We also provide a complete suite of training and development products.

We also provide meeting facilitation and team development.

Previous Employer State Farm Insurance Position Consultant

**Responsibilities**

I worked for State Farm for almost 25 years in multiple locations around the country. I moved to Michigan to work with agents and their staff.

During my career, I lead multiple departments, developed and implemented comprehensives programs and projects.

Length of Residency in Ottawa County 3

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

I was president of a Board of Directors for a non-profit organization; Member of the finance committee for United Way; and Board Members for other organizations.

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

As a resident of Ottawa county and a business owner, I would like to contribute to the current and future economic, social, and environmental future of our county.

I have extensive business and leadership experience. I have the ability to contribute and make a difference. In addition, I have knowledge and experience in areas of interest.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

**Thank you for your interest in Ottawa County Government**

**APPLICATION FOR POSITION ON A BOARD  
COMMISSION, OR ADVISORY BODY APPOINTED  
BY THE OTTAWA COUNTY BOARD OF COMMISSIONERS**

Date 09/01/2011

Position Applying For Planning Commission/Business/Industrial/Tourism

Position Applying For \_\_\_\_\_

Position Applying For \_\_\_\_\_

Name Doug Zylstra

Address 152 E 24th St

City Holland ST MI Zip 49423

Last 4 digits of social security number 9133 Birth Month 6 Birth Day 27

**Contact Information:**

Home Phone 616-953-6087 Work Phone --

E-mail doug.r.zylstra@gmail.com Fax Number 616-953-6087

**Education:**

School University of Michigan School Michigan State University

Degree Liberal Arts Degree Finance

**Employment Background:**

Current Employer West Side Clothing, Inc. Position Owner/President

Responsibilities \_\_\_\_\_

Previous Employer \_\_\_\_\_ Position \_\_\_\_\_

Responsibilities \_\_\_\_\_

Length of Residency in Ottawa County 2

Does the County of Ottawa or any other unit of government employ any members of your family?

Yes  No

If so, describe

What is your past experience in serving on governmental boards, or the boards of civic and other similar organizations?

Currently serving on OC Planning. Also serving WM Transit Linkages, and WM Regional Planning Commission

The Ottawa County Appointment Policy sets a minimum expectation of 75% attendance for all members of boards and commissions appointed by the Ottawa County Board of Commissioners. If appointed, will you be able to comply with the terms of the Policy with regard to attendance? Yes  No

If not, why not? \_\_\_\_\_

Why do you want to be considered for this appointment?

Continuation of present service. It's been a good experience thus far.

Do you desire to have your name kept on file up to one year in the office of the County Clerk and be sent applications for future appointment openings? Yes  No

If yes, please enter the Boards, Commissions or Advisory Bodies you are interested in:

**Thank you for your interest in Ottawa County Government**