



CITY OF NORTH POLE *Alaska*

REGULAR CITY COUNCIL MEETING Tuesday, February 19, 2013

**Committee of the Whole – 6:30 p.m.
Regular City Council Meeting – 7:00 p.m.**

COUNCIL MEMBERS

Richard Holm -Alt. Dep. Mayor Pro Tem	488-1776
Sharron Hunter-Mayor Pro Tem	488-4282
Thomas McGhee	455-0010
Derrick Nelson	378-8207
Michelle Sikma -Dep. Mayor Pro Tem	378-5778
Preston Smith	488-8824

MAYOR

Bryce Ward – 488-7314

CITY CLERK

Kathy Weber, MMC 488-8583

1. **Call to Order/Roll Call**
2. **Pledge of Allegiance to the US Flag –**
3. **Invocation**
4. **Approval of the Agenda**
5. **Approval of the Minutes**
6. **Communications from the Mayor**
Students of the Month
“Owen” Xichun Luo- NPE
Elizabeth Metz – NPMS
Christopher Starkey - NPHS
7. **Council Member Questions of the Mayor**
8. **Communications from Department Heads, Borough Representative and the City Clerk**
9. **Ongoing Projects Report**

10. Citizens Comments (Limited to Five (5) minutes per Citizen)

11. Old Business

- a. Ordinance 13-01, An Ordinance Amending The City Of North Pole's 2013 Administration Budget By Reallocating Funds To Administration Office Equipment.

12. New Business

- a. Liquor License Renewal for Refinery Lounge
- b. Approval of Specimen 457(b) Plan Document for Deferred Compensation Plan with The Hartford
- c. Approval to sell two (2) 2011 Arctic Cat M8162 Snow Machines Using Consignment Process Through Local Arctic Cat Dealership
- d. Approval for Clerk to Travel to the 2013 International Institute of Municipal Clerks Conference in Atlantic City, New Jersey

13. Council Comments

14. Adjournment

The City of North Pole will provide an interpreter at City Council meetings for hearing impaired individuals. The City does require at least 48 hours notice to arrange for this service. All such requests are subject to the availability of an interpreter. All City Council meetings are recorded on CD. These CD's are available for listening or duplication at the City Clerk's Office during regular business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m. or can be purchased for \$5.00 per CD. The City Clerk's Office is located in City Hall, 125 Snowman Lane, North Pole, Alaska.

**Committee of the Whole – 6:30 P.M.
Regular City Council Meeting – 7:00 P.M.**

A regular meeting of the North Pole City Council was held on Monday, February 4, 2013 in the Council Chambers of City Hall, 125 Snowman Lane, North Pole, Alaska.

CALL TO ORDER/ROLL CALL

Mayor Ward called the regular City Council meeting of Monday, February 4, 2013 to order at 7:15 p.m.

There were present:

Mr. Holm

Ms. Hunter

Mr. McGhee

Mr. Nelson

Ms. Sikma

Mr. Smith

Mayor Ward

Absent/Excused

Excused Absent

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

Presentation of colors by Troop 42

Pledge of Allegiance led by Mayor Ward

INVOCATION

Invocation was given by Councilman Thomas McGhee.

APPROVAL OF AGENDA

Mr. McGhee moved to Approve the Agenda of February 4, 2013

Seconded by Mr. Smith

Discussion

None

Mr. McGhee moved to consent the following items on the agenda:

New Business

- a. Request from North Pole Economic Development for 4th Quarter 2012 Bed Tax.
- b. Engineering and construction management fee proposal from PDC for sewer main lining and manhole repair project.
- c. Engineering and construction management fee proposal from PDC for wireless communications link between drinking water wells and water treatment plant.

- e. Resolution 13-01, A Resolution Supporting Legislative Efforts To Construct A Natural Gas Pipeline From The North Slope To South Central Alaska.
- f. Resolution 13-02, A Resolution Supporting Legislative Action Which Would Allow Development Of Project Financing By The Alaska Industrial Development And Export Authority (AIDEA); Authorizing AIDEA To Provide Financing And Issue Bonds For A Liquefied Natural Gas Production System On The North Slope And Natural Gas Distribution System In Interior Alaska.
- g. Resolution 13-03, A Resolution Supporting Legislative Action To Fund Alaska Fire Chiefs Association Self-Contained Breathing Apparatus (SCBA) Project.

Seconded by Mr. Holm

Discussion

None

On the amendment

PASSED

YES –6- Holm, Sikma, Smith, McGhee, Nelson, Ward

NO – 0

Absent- 1 – Hunter

On the main motion as amended

PASSED

YES –6- Holm, Sikma, Smith, McGhee, Nelson, Ward

NO – 0

Absent- 1 – Hunter

APPROVAL OF MINUTES

Mr. Holm moved to Approve the minutes of January 22, 2013

Seconded by Mr. McGhee

Discussion

None

PASSED

YES –6- Holm, Sikma, Smith, McGhee, Nelson, Ward

NO – 0

Absent-1 – Hunter

COMMUNICATIONS FROM THE MAYOR

Official 2012 population as counted by the State of Alaska is 2,162

Breast cancer detection center is asking for donations and to help get the word out for 2013.

Eielson AFB EIS scoping meetings will occur this week

Wednesday February 6th at 12:00 noon Princess Riverside Lodge

Wednesday February 6th at 6:00 PM Princess Riverside Lodge

Thursday February 7th at 6:00 PM North Pole High School

Please come attend wearing Red. Avenues for written and oral testimony will be available. The purpose of the Scoping meetings is to find out what issues should be addressed in the final Environmental Impact Study, which will give the justifications for either keeping the F-16's here or moving them to Anchorage. Please address the issues such as housing, schools, jobs, proximity etc. in regards to the move in your written and or oral testimony.

Wednesday February 6th at 9:00 Am Mayor Sullivan of the Municipality of Anchorage is hosting an energy task force. To listen in please call in 1-888-572-6022

I will be out of the office Monday afternoon Monday February 11th till Thursday the 14th for AML in Juneau.

February 27th is the tentative date for our 2013 capital projects open house and public comment.

Please check your emails for the doodle poll sent to you two weeks ago regarding the Vision North Pole 2013.

AKRR Blanket Permit Fee. The city of North Pole has not paid this bill for the past 4 years. We signed a contract with AKRR in 2006 agreeing to pay \$8,000 a year for upgrades to the 8th Ave and Cross way crossings for 20 years. We currently owe \$32,000 and have no monies budgeted for our balance. I am working with AKRR to clarify the terms and come up with an acceptable solution. The issue lies with who is responsible to pay for the upgrades to the crossings.

Please check out our new ad that will be débating in The Travel Guide and Bearfoot Travel Guides this Summer. It replaces the ads we have had for 5-6 years.

The Fairbanks Art Association is seeking nominations for the Mayor's Awards for the Arts in the following categories: Arts in Leadership Award, Volunteer Award, Arts Advocacy Award, Youth Arts Award, and Lifetime Achievement Award. Please pass nominations to the Fairbanks Arts Association or to North Pole City Hall by the 8th of February.

COUNCIL MEMBER QUESTIONS OF THE MAYOR

Mr. McGhee has received complaints about the air quality.

Mayor Ward said that because of Proposition 3 the borough is no longer able to regulate any burning of any kind. He said there are things that the City of North Pole can do to help the air quality. He said that the City is not as bad as the surrounding areas and most of the complaints are from residents outside the city limits.

Mr. Smith asked the mayor to explain to the public what an EIS is.

COMMUNICATIONS FROM DEPT HEADS, BOROUGH REPRESENTATIVE AND THE CITY CLERK

Police Department, Chief Dutra

- 1) Statistical Data – Concerns. - Trends
- 2) As you are aware we hired our 3rd Officer. Academy costs, 1st time. Very proud of the quality of our department and the staff. Third Officer Fall academy.
- 3) Snow machines and Trailer had no bids. We will bring alternate options to council at next meeting.
- 4) ALMR from State of Alaska – excited about this prospect.
- 5) Entire Department completed CPR/AED and Blood borne and Hazmat. Two Officers currently in Methods of Instruction.
- 6) Would like to report that the impound process is running smoothly (Aprox. 20)

Fire Department, Chief Lane

- None

Accountant, Lisa Vaughn

- W2's are out.
- Working on audit and auditors will be here 1st week of May.

Director of City Services, Bill Butler

Building Department

- One permit issued since last council meeting—electrical permit for work on cell phone tower

Public Works

- Warm weather created icy roads that will be with us until spring
 - Public Works staff did extensive sanding
 - Sanding carries with it the cost of removal in the spring
- Light snowfalls have resulted in need for repeated clearing of sidewalks

Utility Department

- Before Council is a request to approve a contract amendment for the waste water treatment plant engineering project
 - Hopefully the last step in receiving USDA approval to proceed to final design of WWTP renovations
 - Goal is to proceed to construction of Phase 1 renovations at WWTP during 2013
- Requested a professional services proposal from PDC Engineers to develop design, bid preparation and construction management services for sewer lining project
 - Hope to proceed to construction during summer construction season
 - Project will be funded with a state grant (75%) and state loan (25%)
- Requested PDC Engineers to submit a professional services proposal for installation wireless of communication between wells and water treatment plant
 - Have approximately \$90,000 (no match required) remaining in a legislative grant to fund the project
 - Goal is to install the system this spring
- Will be enclosing a notification with the January utility bills announcing the increase in utility rates

Natural Gas Utility Board

- FNSB Assembly approved utility board's by laws
 - Board interviewed potential attorneys to represent the utility

Borough Representative

House cleaning to bring their code in compliance to prop 3

City Clerk

- Our next City Council Meeting will be on Tuesday February 19th due to Monday is Presidents Day.

ONGOING PROJECTS

NPEDC, Buzz Otis

Getting ready for IFSS Winter World Championship coming up February 26 – March 17th. There are over 160 participants. Our website is on the flyer to help keep everyone informed. They started planning last fall and have been expanding parking and trails as far as Salcha and in Fairbanks by the Mushers Hall.

NPEDC is continuing to raise money and take in-kind donations.

Mr. Smith asked about line item 6040 – dishonored pledge.

Mr. Otis said he didn't know and would find out and get back to the council on it. The books have been turned over to Yukon Accounting.

Mr. McGhee congratulated Mrs. Otis on her birthday and for overcoming her illness. He asked

that the watermark across the financials not be put there for the council. He also wanted to know what the \$500 per month for vehicle allowance was for.

Mr. Otis said that the board agreed to pay a flat fee for vehicle expenses. He does not receive reimbursement for computers, cell phone, etc.

CITIZENS COMMENTS – 5 Minutes

- None

OLD BUSINESS

None

NEW BUSINESS

ORDINANCE 13-01, AN ORDINANCE AMENDING THE CITY OF NORTH POLE'S 2013 ADMINISTRATION BUDGET BY REALLOCATING FUNDS TO ADMINISTRATION OFFICE EQUIPMENT

Mayor Ward informed council that the Administration is moving funds from 3 funds into one because they are in the process of purchasing new computers to keep the office up to date.

Public Comment

None

Mr. McGhee *moved to* Introduce and Advance Ordinance 13-01, An Ordinance Amending The City Of North Pole's 2013 Administration Budget By Reallocating Funds To Administration Office Equipment

Seconded by Mr. Holm

Discussion

Mr. McGhee had concerns with the department heads and their budgets. He felt that there should have been more foresight into what the needs of each department would be for their operating equipment.

PASSED

YES: 6- Sikma, Holm, Nelson, McGhee, Smith, Ward

NO: 0

Absent: 1- Hunter

COUNCIL COMMENTS

Ms. Sikma –No Comment

Mr. McGhee *moved to* suspend the rules to allow Mayor Ward to give a presentation on the

ASAP (Alaska Stand Alone Pipeline).

The organization was unable to attend the meeting tonight and Mayor Ward stepped in and gave the presentation.

Mr. Smith – everyone drive safe and watch for animals. He congratulated North Pole High School and the wrestling team.

Mr. Holm – It's really a pleasure to see Troop #42. He feels this adds to the council meetings and appreciates them staying for the council meeting. He stated that they have a lot a pride in their unit.

Mr. McGhee – Thanked Troop #42. He asked everyone to be careful driving.

Mr. Nelson- No Comment.

Mayor Ward – asked everyone to please be carful the roads are icy and thanked Troop #42 for coming.

ADJOURNMENT

Mr. Nelson adjourned the meeting at 8: 35 p.m.

Seconded by Mr McGhee

The regular meeting of February 4, 2013 adjourned at p.m.

These minutes passed and approved by a duly constituted quorum of the North Pole City Council on Tuesday, February 19, 2013.

Bryce J. Ward, Mayor

ATTEST:

Kathryn M. Weber, MMC
North Pole City Clerk



PRESIDENT AND CEO REPORT • SEPTEMBER AND OCTOBER 2012 • DHICKOK@EXPLOREFAIRBANKS.COM

DESTINATION FAIRBANKS NEWS

- Fairbanks has been named the #2 of the top ten destinations to visit in the United States in 2013 by Lonely Planet, the leading travel guidebook publisher and website. <http://www.lonelyplanet.com/usa/travel-tips-and-articles/77583>
- Chena Hot Springs Resort together with the Chena River State Recreation Area have been selected as one of the Ten Best 2013 Winter Trips worldwide by National Geographic. http://travel.nationalgeographic.com/travel/best-trips-winter-2013/#/chena-hot-springs-resort_60484_600x450.jpg



The 85th Annual Conference for the Outdoor Writers Association of America (OWAA) was held in September 3



OWAA attendees participate in an Alaska Native traditional dance during the opening night dinner of the conference held in the newly-constructed Activitorium at Chena Hot Springs Resort.

through 5 at Chena Hot Springs Resort who together with FCVB, Fairbanks and Alaska partners hosted a well-orchestrated conference. This was the first time that the organization had met in Alaska in its 85-year history and marked the culmination of nine years of effort by former FCVB Director of Marketing Karen Lundquist and Alaska-based OWAA media member Chris Batin to bring this group to Fairbanks. Around 100 media and an additional 100 supporting members and guests attended the conference; many of whom spent an average of seven to ten days exploring the Interior and the rest of Alaska. Under the coordination of FCVB Communications and Meetings and Conventions directors, FCVB assisted with logistics prior to and during the conference, including coordination of the pre- and post-tour offerings, spousal tour program, Alaska- and Fairbanks-generated sponsorships, community night, and many other tasks as well as on-site staffing.



FCVB Tourism Sales Manager Ed Malen answers questions from potential visitors at the JATA Tourism Forum & Travel Showcase. Fluent in Japanese with a Japanese Studies degree from UAF, he also conducted sales presentations to Japanese tour operators and travel agents

Tourism Department pitched Fairbanks at the 2012 Japanese Association of Travel Agents Tourism Forum & Travel Showcase 2012 in the Alaska booth from September 20-23 at the Tokyo Big Sight. The event was attended by 125,989 visitors (including 49,485 industry related persons), breaking last year's record of 117,236 participants. Ed also attended the 2012 International Travel Fair (ITF) in Taipei from October 26-29. FCVB Tourism and Visitor Services department staff assisted airport personnel/TSA with arrival and departures of Japan Airlines, Korean Airlines and Condor. Coordinated by the State of Alaska, FCVB made sales calls and conducted training sessions for Taiwanese travel professionals interested in developing Alaska product. Tourism Sales Manager Greg Allison attended the 2012 American Society of Travel Agents where he met with over 70 travel agents to discuss Alaska and Interior product. In conjunction with travel partner Premier Alaska Tours, FCVB met with producers agents from Norwegian Cruise Lines for the Fairbanks portion of their FAM on September 14. In summer 2013, after many years of round-trip Inside Passage cruises, Norwegian Cruise Lines will offer - for the first-time - a Gulf of Alaska cruise with pre- and post-tour opportunities along the railbelt, including overnight and tour options in the Fairbanks area.

FCVB Visitor Information Staff greeted 106,270 visitors year-to-date through October at the Morris Thompson Cultural and Visitors Center (MTCVC), an 18% increase over the same period last year.



The UAF Meeting & Event Planner luncheon coordinated by FCVB has become a popular event. Area hoteliers, attractions, retailers, transportation companies provide updated information to UAF professionals who plan meetings and events

Meetings and Conventions Department

provided assistance for the International Congress on Circumpolar Health Conference (ICCH) conference registration, info booth, bag stuffing and evening events held on the UAF campus. The department conducted several site visits for meeting planners for the Clinical Laboratory Scientists of Alaska 2013 conference; two representatives of the Alaska Bar Association and two from the Alaska Court System. The department coordinated two separate sales events targeting people who plan meetings: a sales blitz and luncheon in Anchorage as well as locally on campus. FCVB staff ensured a Fairbanks presence at the Alaska Federation of Natives Conference in Anchorage where FCVB had an exhibit booth for three days from which we served coffee and tea to delegates; attended AFN Board meeting and two caucuses; as well as reserved a table at the final banquet with Mayor Luke Hopkins as a guest. Staff prepared five bid packets: Remote Rural Summit, Alaska Peony Growers' Conference, Alaska Greenhouse & Nursery Conference, Alaska Power Association, Alaska Independent Insurance Agents & Brokers (Transportation & Activities).

FCVB continues leadership FCVB President and CEO Deb Hickok was re-elected as an Interior representative to the Board of Directors of the Alaska Travel Industry Association in October and was appointed to serve on the Executive Committee as Chair of the Tourism Planning Committee. In September, she participated in the kick-off meeting for the Downtown Wayfinding Steering Committee, a project advocated by FCVB. A member of the Society of American Travel Writers since 1987, Hickok met with U.S. travel journalists during the organization's annual conference held in September in Indianapolis, Indiana.

Advertising & Public Relations attended the 2012 Alaska Media Roadshow in Santa Barbara, CA from October 21-23. Director of Communications Amy Geiger and Public Relations Manager Bill Wright, had meetings with 24 U.S. based travel journalists and networked with Alaska tourism partners. Through October, the FCVB www.explorefairbanks.com website had a total of 175,830 unique visits, a 23% increase over the same period in 2011. As of October, the number of Twitter followers was 2,807 and total number of "likes" on Facebook was 2,761. The staff fulfilled media requests from Animal Planet (horseback tours); documentary film producer Little Minx TV (looking for cast members for Your Love); Sunset Magazine (Aurora photos); Mt. Melvil, LLC, a Japanese film producer (location with early snow to shoot a television commercial); State of

Alaska re: Halloween activities and "What's New" for 2012/13, North Pole, Christmas in Ice, International Federation of Sled Dog Sports; Margie Goldsmith Productions (Aurora Ice Museum); Laura Read for VIA Magazine (restaurants in historic buildings); Duo Creative Productions (Japanese TV show about Hot Springs in Alaska); Travel Age West magazine (northern lights); Yahoo Travel (Christmas in Ice photos); Kate Siber for Outside Magazine (Fairbanks climate); and BBC Worldwide Productions (filming in "bush" Alaska). FCVB hosted photojournalist and writer Lisa Densmore on September 7 and 8 on assignment for Trailer Life, Northwest Fly Fishing, Backpacker Magazine and AudubonGuides.com.

a spotlight on convention centers

FCVB's approved 2013 budget includes more in-depth analysis of the potential for incremental meeting market demand if a convention center was to be built in Fairbanks. This research continues work begun in 2008 by FCVB, in collaboration with the Fairbanks Arts Association, through the hiring of Convention, Sports and Leisure International (CSL) to conduct a feasibility study for a convention and/or performing arts center in Fairbanks. CSL was established in 1988 for the specific purpose of providing a source of focused research and expertise in convention, sport, entertainment and visitor industries. The CSL report was released in July 2012 and was reviewed immediately by hotel owners /operators and government officials.

The Boise Centre in Boise, Idaho (population: 210,000) is 85,000 square feet which includes 50,000 square feet of exhibition/meeting space with a 25,000 square-foot ballroom and 20 different meeting room combinations. The facility also has a 349 seat auditorium known as the Summit. The total capacity for the facility is 4,200.



Completed in January 1990, according to the Boise Centre: "... (it) quickly became a valuable economic catalyst for growth—not only in downtown Boise where the facility located, but also for lodging properties throughout the District that accommodate thousands of guests every year." It took 14 months to construct the facility at a cost of \$10,565,000. <http://boisecentre.com/>



is



Retirement Community of Fairbanks

Building to Keep Seniors in Our Community

PO Box 73006, Fairbanks, AK 99707 949 McGown St.
(907) 374-5016 retirement@gci.net www.ravenlanding.org

February 7, 2013

Raven Landing Senior Community is holding a public open house to celebrate the opening of its third apartment building at 1035 Kellum Street, and we would love to have you attend.

Join us on Friday, Feb. 22 from 4:00 to 7:00. There will be refreshments in the Commons on the ground floor, and escorted tours of some of the apartments and other features of this lovely new building. Many of the residents of Raven Landing and Board members of Retirement Community of Fairbanks, the parent company, will be on hand to welcome you.

There will be parking on-site, as well as on Kellum Street. The front door of Building 3 is on the south side of the building, accessible from Kellum, next to the Weeks Field Estates driveway.

Raven Landing has come a long way since opening in October of 2010. The complex has been designed by Bettisworth North and is being built by G2 Construction. Each building has 20 apartments, nearly always full, though a few are still available in the new building which opened just six weeks ago. Construction of the Raven Landing Community Center, which will serve all seniors in the borough, is progressing rapidly, with the core areas expected to be open for use in the next few weeks. It will be a beautiful addition to downtown Fairbanks, and a facility everyone can enjoy.



Please come and celebrate with us.

Sincerely,

Karen Parr and residents of Raven Landing



Independent living community for Fairbanks seniors

Why Raven Landing?

Raven Landing is a place where residents live independently, where they enjoy the company of others, where they do not have to worry about plowing snow or home maintenance, and where the building was designed specifically for seniors.

Raven Landing is a vibrant, pleasant community—not isolated from town, but in town and surrounded by it. Residents, as they age, can continue to be an active part of what living in Fairbanks is all about.



Raven Landing Community Center -

The Raven Landing Community Center will be a facility for all Fairbanks seniors. The Community Center will offer meals, common spaces for socializing, exercise, education, and recreation for Raven Landing residents as well as the public. The Community Center is designed to welcome community use, especially for dining and as a venue for classes, meetings, and performances such as music and theatrical events.



Enclosed walkways connect the residential buildings to the Community Center. The kitchen and dining room will be finished first, and then the offices, meeting rooms, and other public space will be completed in spring 2013.



Raven Landing Apartments -

Residents must be age 55 or older. Apartments have one bedroom (1 bath) or two bedrooms (1 1/2 baths). All apartments are handicapped accessible and built with our aging population in mind.

The first 20-unit building opened in November 2010, the second opened in March 2012, and the third will open in January 2013. Up to 100 rental units (no condos) will be built on this site.

Rents are market-based and include: *all utilities, *maintenance, *door security system, *emergency call system, *appliances, *washer-dryer hookups (free laundry room is in the building), *local telephone, *cable TV, *wireless internet, *carport with plug-in (heated garage available at extra cost), *light housekeeping, and *two meals per week. Pets are welcome.



Monthly costs, with all above amenities included:

One-bedroom, one person	\$1785/month
Two-bedroom, one person	\$2250/month
Extra person	\$175/month

Raven Landing is being developed and managed by the Retirement Community of Fairbanks, a local nonprofit 501 (c) (3) corporation. Tax ID # 20-1253962

OUR MISSION

Raven Landing: A dynamic residence and community center for Fairbanks seniors where diversity, security, healthy living, independence and mutual assistance are core values.



Groundbreaking 2009

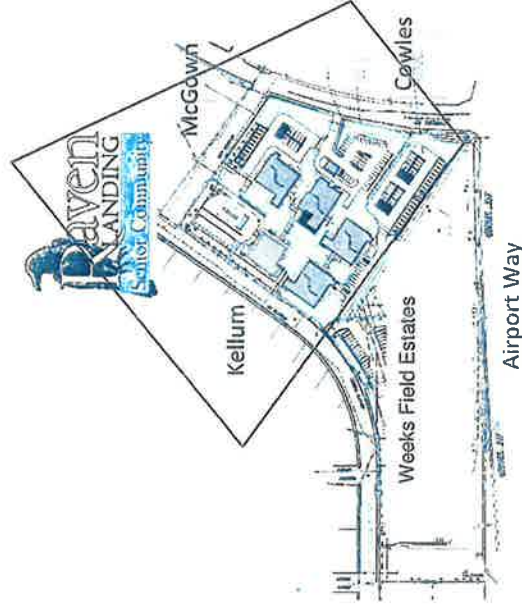


Moved-in! November 2010



Community Center started 2012

Raven Landing is located across from Noel Wien Library between Cowles and Kellum—a great location in downtown Fairbanks!



Retirement Community of Fairbanks
949 McGown St.
PO Box 73006, Fairbanks, AK 99707
Phone: 907-374-5016

www.ravenlanding.org
retirement@gcl.net

October 2012



RL-1 949 McGown St.
RL-2 945 McGown St.
RL-3 1035 Kellum St.
Fairbanks, Alaska



STATE OF ALASKA
DIVISION OF ELECTIONS
28th ALASKA STATE LEGISLATURE
2013 - 2014 SESSION

HOUSE OF REPRESENTATIVES

1	Doug Isaacson	(R)
2	Tammie Wilson	(R)
3	Steve Thompson	(R)
4	Scott Kawasaki	(D)
5	Pete Higgins	(R)
6	Eric Feige	(R)
7	Wes Keller	(R)
8	Shelley Hughes	(R)
9	Lynn Gattis	(R)
10	Mark Neuman	(R)
11	Bill Stoltze	(R)
12	Dan Saddler	(R)
13	Gabrielle LeDoux	(R)
14	Max Gruenberg	(D)
15	Andrew Josephson	(D)
16	Harriet Drummond	(D)
17	Geran Tarr	(D)
18	Les Gara	(D)
19	Lindsey Holmes	(R)
20	Mia Costello	(R)
21	Craig Johnson	(R)
22	Chris Tuck	(D)
23	Bob Lynn	(R)
24	Charisse Millett	(R)
25	Lance Pruitt	(R)
26	Lora Reinbold	(R)
27	Mike Hawker	(R)
28	Mike Chenault	(R)
29	Kurt Olson	(R)
30	Paul Seaton	(R)
31	Cathy Muñoz	(R)
32	Beth Kerttula	(D)
33	Peggy Wilson	(R)
34	Jonathan Kreiss-Tomkins	(D)
35	Alan Austerman	(R)
36	Bryce Edgmon	(D)
37	Bob Herron	(D)
38	David Guttenberg	(D)
39	Neal Foster	(D)
40	Benjamin Nageak	(D)

SENATE

A	John Coghill	(R)
B	Pete Kelly	(R)
C	Click Bishop	(R)
D	Mike Dunleavy	(R)
E	Charlie Huggins	(R)
F	Fred Dyson	(R)
G	Bill Wielechowski	(D)
H	Berta Gardner	(D)
I	Johnny Ellis	(D)
J	Hollis French	(D)
K	Lesil McGuire	(R)
L	Kevin Meyer	(R)
M	Anna Fairclough	(R)
N	Cathy Giessel	(R)
O	Peter Micciche	(R)
P	Dennis Egan	(D)
Q	Bert Stedman	(R)
R	Gary Stevens	(R)
S	Lyman Hoffman	(D)
T	Donald Olson	(D)

Senate: 13 Republicans, 7 Democrats
House: 26 Republicans, 14 Democrats

My Legislators



Senator Pete Kelly



Senator Click Bishop



Representative Doug Isaacson



Representative Tammie Wilson



Representative Steve Thompson



Representative Scott Kawasaki



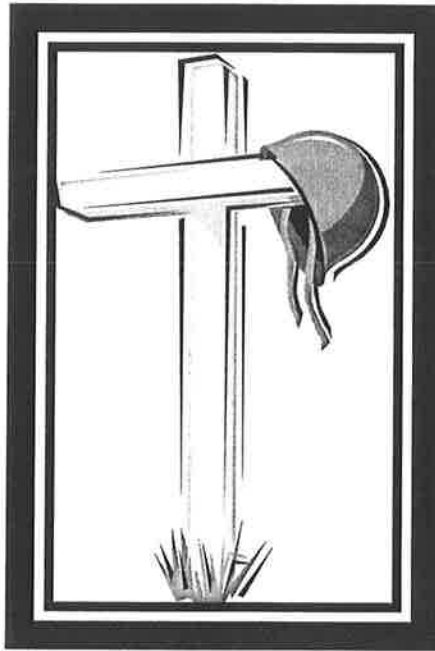
Representative Eric Feige



Representative Pete Higgins



1SG Thomas Uptgraft Memorial



16 February 2013/1400

Lord of Life Lutheran Church

North Pole Alaska

Reception to follow for "Celebration of Life"

PS: Viewing on 15 Feb at 1800-2000

Chapel of Chimes Funeral Home

Fairbanks Alaska

Office of the Mayor
City of North Pole

Proclamation

WHEREAS, "Owen" Xichun Luo is in the 5th grade at North Pole Elementary School and is the son of Monica Meng & Jeff Kaufman of North Pole; and

WHEREAS, Owen is a conscientious, bright, and gifted student; and

WHEREAS, Owen is well respected among his classmates and is a good citizen; and

WHEREAS, Owen is responsible and helpful to other and has been a great addition to his class; and

WHEREAS, Owen scores high in all subjects and completes his work on time and above standards; and

WHEREAS, the City of North Pole desires to recognize the outstanding students in the community.

NOW, THEREFORE I, Bryce J. Ward, Mayor of the City of North Pole, do hereby proclaim "Owen" Xichun Luo:

The North Pole City Council

"Student of the Month"

For the Month of February, 2013



Bryce J. Ward, Mayor



Kathryn M. Weber, MMC
North Pole City Clerk

Office of the Mayor
City of North Pole

WHEREAS, Elizabeth Metz is in the 8th grade at North Pole Middle School and is the daughter of Daniel & Jessica Bloodworth of North Pole; and

WHEREAS, Elizabeth is a highly engaging young lady who is always a pleasure to work with. She is an outgoing and competitive individual and is a member of the wrestling team; and

WHEREAS, Elizabeth is a hard worker, pleasant, polite and well prepared for class; and

WHEREAS, Elizabeth loves to learn, has terrific attendance and is an all around good student; and

WHEREAS, the City of North Pole desires to recognize the outstanding students in the community.

NOW, THEREFORE, I, Bryce J. Ward, Mayor of the City of North Pole, do hereby proclaim Elizabeth Metz the:

North Pole City Council
Middle School Student of the Month
for the Month of February, 2013.



Bryce J. Ward, Mayor



Kathryn M. Weber, MMC
North Pole City Clerk

Office of the Mayor
City of North Pole

Proclamation

WHEREAS, Christopher Starkey is a senior at North Pole High School and is the son of Michael & Jody Starkey of North Pole; and

WHEREAS, Christopher is focused and self disciplined which makes him a great student and athlete. He has a 4.2 GPA and was named Most Improved Player by his teammates for the North Pole High School football team in 2012; and

WHEREAS, Christopher was named NPHS Student of the Month several times, received the Presidents Academic Award, was an Ignition Mentor his sophomore year and was selected KTVF Prep Athlete of the Week during his senior year; and

WHEREAS, Christopher has an outstanding work ethic, is honest, and is a natural leader. He has the ability to mix with all groups and situations and is dedicated and dependable. His is a caring individual who is willing to help others both academically and socially; and

WHEREAS, Christopher achieved the rank of Eagle Scout and has helped the Shriners with hospital fundraising and participated in Shrine activities and parades. He is a compassionate young man who has helped an elderly couple by visiting them twice a week for over a year and taking their trash, shoveling snow, and doing other chores to help make their lives easier; and

WHEREAS, Christopher is an amazing person with a unique presence about him. He strives to help others succeed and is a good citizen; and

WHEREAS, the City of North Pole desires to recognize the outstanding students in the community.

NOW, THEREFORE, I, Bryce J. Ward, Mayor of the City of North Pole, do hereby proclaim Christopher Starkey the:

North Pole City Council
High School Student of the Month
For February, 2013


Bryce J. Ward, Mayor

TEST:


Kathryn M. Weber, MMC
North Pole City Clerk



By: Mayor Ward
Introduced & Advanced: February 4th, 2013
Adoption: February 19th, 2013

**CITY OF NORTH POLE
ORDINANCE 13-02**

**AN ORDINANCE AMENDING THE CITY OF NORTH POLE'S 2013
ADMINISTRATION BUDGET BY REALLOCATING FUNDS TO
ADMINISTRATION OFFICE EQUIPMENT**

WHEREAS, the City of North Pole operates on an annual budget, and;

WHEREAS, proper management of the City's finances requires the council be apprised of unexpected expenses, and;

WHEREAS, The City of North Pole Budget should be amended when unforeseen expenditures occur and effect the operation of the city, and;

WHEREAS, The City of North Pole Administration needs functional working equipment to operate, and;

WHEREAS, Section 6.4 (a). of the City Charter states; Unencumbered appropriation balances may be transferred within a department by the Council at any time on its own initiative. The Council may by ordinance transfer unencumbered balances from one office, department or agency to another.

NOW, THEREFORE, BE IT ORDAINED *by the City Council of the City of North Pole: alter the following sections of the 2013 Administration budget.*

(please see attached documents Budget 1A,)

FISCAL NOTE ORD. 13-02

Account Title	Account Number	Fiscal action
Publication and advertising	01-01-00-7001	(1000.00)
Travel	01-01-00-7004	(1000.00)
Office Supplies	01-01-00-7022	(1500.00)
Office Equipment	01-01-00-7030	3500.00

Section 3. Effective Date. This ordinance shall be effective at 5:00 pm on the first City business day following its adoption.

PASSED AND APPROVED by a duly constituted quorum of the North Pole City Council this 19th day of February, 2013.

Bryce J. Ward, Mayor

ATTEST:

Kathryn M. Weber, MMC
North Pole City Clerk

PASSED/FAILED

YES

NO

Absent

ADMINISTRATION DEPARTMENT - Fund 01-01

Line #	Account Number	Account Title	2010 Actual	2011 Actual	2012 Amended Budget	2013 Adopted Budget	Amendments Ordinance 13-02	2013 Amended Budget
1	01-01-00-6000	Salaries Expense	263,876	267,147	273,380	273,265		273,265
2	01-01-00-6060	Salaries Expense - Council	12,805	14,950	21,000	18,000		18,000
3	01-01-00-6090	Admin Overtime Exp	1,020	295	650	750		750
5	01-01-00-6097	Workers Comp. Ins.	1,866	1,602	2,004	1,944		1,944
6	01-01-00-6098	FICA	652	462	868	1,134		1,134
7	01-01-00-6099	Medicare	3,925	4,093	4,274	4,292		4,292
8	01-01-00-6100	PERS	76,572	91,535	61,772	64,243		64,243
9	01-01-00-6102	Health & Disability Insurance	65,680	80,507	81,000	81,000		81,000
10	01-01-00-6103	Leave Cash Out	4,133	4,375	5,500	4,000		4,000
11	01-01-00-7001	Publications & Advertising	23,186	20,469	23,500	22,000	(1,000.00)	21,000
12	01-01-00-7002	Election Expense	4,358	3,879	4,500	4,500		4,500
13	01-01-00-7003	Promotion	5,094	7,403	6,000	6,000		6,000
14	01-01-00-7004	Travel/Administration	13,993	11,641	12,100	13,500	(1,000.00)	12,500
15	01-01-00-7006	Sales Tax Rebates	4,800	4,648	4,800	800		800
16	01-01-00-7007	Maint. Contracts/Equipment	35,212	41,377	35,302	35,302		35,302
17	01-01-00-7009	Council Supplies & Equipment		4,892	1,800	1,800		1,800
18	01-01-00-7015	Vehicle Gas	77	1,061	3,400	3,400		3,400
19	01-01-00-7016	Vehicle Maintenance		863	-	-		-
20	01-01-00-7022	Office Supplies	14,574	9,294	13,500	13,500	(1,500.00)	12,500
21	01-01-00-7029	Admin/Misc. Expenses	13,740	6,135	6,500	6,500		6,500
22	01-01-00-7030	Office Equipment	-	5,557	-	-	3,500.00	3,000
23	01-01-00-7039	Postage/Meter Rental	2,348	6,409	6,100	6,100		6,100
24	01-01-00-7041	Bad Debts	5,879		500	-		-
25	01-01-00-7049	Training Classes/Manuals	7,881	9,884	6,400	6,100		6,100
26	01-01-00-8050	Itadori (bed tax revenue)	-		2,500	-		-
29	01-01-00-8055	Arctic Winter Games			15,000	-		-
30	01-01-00-8500	Land Acquisition	-		54,000	-		-
31	01-01-00-8056	Sled Dog Races			20,000	-		-
32	01-01-00-7999	Move to Fund Balance	-		-	-		-
		TOTAL	561,670	598,478	666,350	568,131	-	568,131
						568,131		568,131

Memo

City of North Pole Office of the City Clerk/HR Mgr

To: Council Members
From: Kathy Weber
CC: Mayor Ward
Date: 2/14/2013
Re: Liquor License Renewal

Red Pants, dba Refinery Lounge is in the process of renewing their liquor license. The City of North Pole checks the following factors in making a motion of non-objection for businesses to continue with their liquor license within the city limits:

1. Water/Sewer bills up to date;
2. Assessments paid to date (if any);
3. Sales Tax paid to date;
4. Amount of police activity at each establishment;

Attached is the information on this liquor establishment to date and the notice from the ABC Board.

We have received application(s) for renewal of liquor license(s) listed licensees within your jurisdiction. You are being notified as required by AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board and the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice. AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s). If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 13 AAC 104.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 13 AAC 104.335(a)(3), AS 04.11.090(e), and 13 AAC 104.660(e) must be approved by the governing body.

Shirley A Cote
Licensing & Records Supervisor
ABC Board
Dept. of Public Safety
State of Alaska
907-269-0350 - Main Line
907-272-9412 - Fax



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

5848 E. Tudor Road
Anchorage, Alaska 99507
Main: 907.269.0350
Chris Lambert: 907.269.0359
TDD: 907.465.5437
Fax: 907.272.9412

January 22, 2013

Renewal Application Notice

City of North Pole

Attn: City Clerk & Borough Clerk

VIA EMAIL: Kathy@northpolealaska.com & pphillips@co.fairbanks.ak.us

DBA	Lic Type	Lic #	Owner	Service Location
The Refinery Lounge	Beverage Dispensary	780	Red Pants Inc	6TH & Old Richardson Hwy

We have received a renewal application for the above listed licenses within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 13 AAC 104.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 13 AAC 104.335(a)(3), AS 04.11.090(e), and 13 AAC 104.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. COTÉ
Director

/s/ *Christine C. Lambert*

Christine C. Lambert
Licensing & Records Supervisor
Christine.lambert@alaska.gov



**North Pole Police Dept.
125 Snowman Ln.
North Pole, AK 99705**

**Chief Steve Dutra
Phone: 907-488-8459
Fax: 907-488-5299**

February 14, 2013

To: Mrs. Weber, MMC – City Clerk
North Pole City Council

Re: Liquor License Renewal

The North Pole Police Department has no documented complaints or problems from the following establishments that would cause us to “protest” license renewal.

The Refinery Lounge

Thank you

Chief Dutra



CITY OF NORTH POLE

"Where the Spirit of Christmas Lives Year Round"

125 Snowman Lane • North Pole, Alaska 99705-7708
E-mail: mayor@northpolealaska.com • Website: www.northpolealaska.com

City Hall
907-488-2281
Fax: 907-488-3002

Mayor
907-488-8584

City Clerk
907-488-8583

Police
Department
907-488-6902

Fire
Department
907-488-2232

Utilities
907-488-6111

Director of
City Services
907-488-8593

Finance
907-488-8594

February 14, 2013

City of North Pole
125 Snowman Lane
North Pole, AK 99705

RE: Red Pants
Dbas: The Refinery Lounge
2643 Old Richardson Hwy
North Pole, AK 99705

Dear City Council:

The above establishment is current and in good standing on their utility account. All sales and alcohol tax's is current.

Thank you,

Tricia Fogarty
Accounts Receivable Clerk

Marilyn Zrucky
Sales Tax Administrator

CITY OF NORTH POLE DEFERRED COMPENSATION PLAN

Effective Date of This Document December 13, 2011

Neither The Hartford nor any of its employees can provide legal or tax advice in connection with the execution of this specimen document. Prior to execution of this document, you should consult with your legal or tax advisor on whether this document is appropriate for your plan.

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457(b) PLAN DOCUMENT
DEFERRED COMPENSATION PLAN
PREAMBLE

Adoption of Plan

The City of North Pole Deferred Compensation Plan (hereinafter "the Plan"), an eligible deferred compensation plan within the meaning of Section 457(b) of the Internal Revenue Code of 1986, as amended (hereinafter the "Code"), of a State or local government as described in Code Section 457(e)(1)(A), adopted by City of North Pole (hereinafter the "Employer") effective December 13, 2011.

Purpose of Plan

The primary purpose of this Plan is to permit Employees of the Employer to enter into an agreement which will provide for deferral of payment of a portion of his or her current compensation until death, retirement, severance from employment, or other event, in accordance with the provisions of the Code Section 457(b), with other applicable provisions of the Code, and in accordance with the General Statutes of the State.

Status of Plan

It is intended that the Plan shall qualify as an eligible deferred compensation plan within the meaning of Code Section 457(b) sponsored by an eligible employer within the meaning of Code Section 457(e)(1)(A), i.e., a State, political subdivision of a State, and agency or instrumentality of a State or political subdivision of a State.

Tax Consequences of Plan

The Employer does not and cannot represent or guarantee that any particular federal or State income, payroll, or other tax consequence will occur by reason of participation in this Plan. A Participant should consult with his or her own counsel or other representative regarding all tax or other consequences of participation in this Plan.

SECTION I DEFINITIONS

1.1 Plan Definitions

For purposes of this Plan, the following words and phrases have the meaning set forth below, unless a different meaning is plainly required by the context:

An **"Account Balance"** means the bookkeeping account maintained with respect to each Participant which reflects the value of the deferred Compensation credited to the Participant, including the Participant's Annual Deferrals, the earnings or loss of the Trust Fund (net of Trust Fund expenses) allocable to the Participant, any transfers for the Participant's benefit, and any distribution made to the Participant or the Participant's Beneficiary. If a Participant has more than one Beneficiary at the time of the Participant's death, then a separate Account Balance shall be maintained for each Beneficiary. The Account Balance includes any account established under Section VII for rollover contributions and plan-to-plan transfers made for a Participant, the account established for a Beneficiary after a Participant's death, and any account or accounts established for an alternate payee (as defined in Code Section 414(p)(8)).

The **"Administrator"** means the Employer. The term Administrator includes any person or persons, committee, or organization appointed by the Employer to administer the Plan.

An **"Annual Deferral"** means the amount of Compensation deferred in any calendar year.

The **"Beneficiary"** of a Participant means the person or persons (or, if none, the Participant's estate) who is entitled under the provisions of the Plan to receive a distribution in the event the Participant dies before receiving distribution of his or her entire interest under the Plan.

The **"Code"** means the Internal Revenue Code of 1986, as now in effect or as hereafter amended from time to time. Reference to a Code Section includes such section and any comparable section or sections of any future legislation that amends, supplements, or supersedes such section.

The **"Compensation"** of a Participant means all cash compensation for services to the Employer, including salary, wages, fees, commissions, bonuses, and overtime pay, that is includible in the Employee's gross income for the calendar year, including, as applicable, compensation attributable to services as an independent contractor, plus amounts that would be cash compensation for services to the Employer includible in the Employee's gross income for the calendar year but for a compensation reduction election under Code Section 125, 132(f), 401(k), 403(b), or 457(b) (including an election to defer compensation under Section II).

Any payments described below made to a Participant after a Severance from Employment shall qualify as Compensation for purposes of the Plan, but only if the payments are made by the later of (a) the end of the calendar year in which the Severance from Employment occurred or (b) within 2 ½ months of such Severance from Employment:

- (a) Payments that, absent a Severance from Employment, would have been paid to the Participant while the Participant continued in employment with the Employer, but only if such payments constitute regular compensation for services during the Participant's regular working hours, compensation for services outside the Participant's regular working hours (such as overtime or a shift differential), commissions, bonuses or other similar compensation;
- (i) Payments for accrued bona fide sick, vacation or other leave, but only if the Participant would have been able to use the leave if employment had continued; and

Any payment that is not described above shall not be considered Compensation if it is paid after the date of the Participant's Severance from Employment, even if it is paid within 2 ½ months of such date. Thus, for example, Compensation does not include severance pay.

For years beginning after December 31, 2008, (a) a Participant receiving a differential wage payment, as defined by Code §3401(h)(2), by reason of qualified military service (within the meaning of Code Section 414(u)), is treated as an Employee of the Employer making the payment and (b) the differential wage payment is treated as Compensation.

An "**Employee**" means each natural person who is employed by the Employer as a common law employee on a full time basis; provided, however, that the term Employee shall not include a leased employee or any employee who is included in a unit of employees covered by a collective bargaining agreement that does not specifically provide for participation in the Plan.

Any individual who is not treated by the Employer as a common law employee of the Employer shall be excluded from Plan participation even if a court or administrative agency determines that such individual is a common law employee of the Employer, unless the Employer has included the individual in Plan participation as an independent contractor.

An "**Employer**" means the eligible employer (within the meaning of Code Section 457(e)(1)) that has adopted the Plan. In the case of an eligible employer that is an agency or instrumentality of a political subdivision of a State within the meaning of Code Section 457(e)(1)(A), the term Employer shall include any other agency or instrumentality of the same political subdivision that has adopted the Plan.

"**Includible Compensation**" means, with respect to a taxable year, the Participant's compensation as defined in Code Section 415(c)(3) and the regulations thereunder, for services performed for the Employer. The amount of Includible Compensation is determined without regard to any community property laws.

"**Normal Retirement Age**" means age 65.

A Participant's Normal Retirement Age must be the same as his or her normal retirement age under any other eligible deferred compensation plan or plans sponsored by the Employer. The designation of a Normal Retirement Age under the Plan does not compel retirement with the Employer.

The "**Participant**" means an individual who is currently deferring Compensation, or who has previously deferred Compensation under the Plan by salary reduction and who has not received a distribution of his or her entire benefit under the Plan. Only individuals who perform services for the Employer as an Employee may defer Compensation under the Plan.

"**Severance from Employment**" means the date that the Employee dies, retires, or otherwise has a severance from employment with the Employer, as determined by the Administrator (and taking into account guidance issued under the Code). Solely for the purpose of determining whether the Participant is entitled to receive a distribution of his or her Account Balance pursuant to Section 6.2, a Participant shall be treated as having incurred a severance from employment during any period the Participant is performing service in the uniformed services (as defined in chapter 43 of title 38, United States Code) while on active duty for a period of more than 30 days.

The "**State**" means the State that is the Employer or of which the Employer is a political subdivision, and any agency, or instrumentality, including any agency or instrumentality of a political subdivision of the State, or the State in which the Employer is located.

The "**Trust Fund**" means the trust fund created under and subject to a trust agreement or a custodial account or contract described in Code Section 401(f) held on behalf of the Plan.

The "**Valuation Date**" means each business day.

SECTION II PARTICIPATION AND CONTRIBUTIONS

2.1 Eligibility

Each Employee shall be eligible to participate in the Plan and defer Compensation hereunder immediately upon becoming employed by the Employer.

2.2 Election

An Employee may elect to become a Participant by executing an election to defer a portion of his or her Compensation (and to have that amount contributed as an Annual Deferral on his or her behalf) and filing such election with the Administrator. This participation election shall be made on the deferral agreement provided by the Administrator under which the Employee agrees to be bound by all the terms and conditions of the Plan. Any such election shall remain in effect until a new election is filed. The Administrator may establish a minimum deferral amount, and may change such minimums from time to time. The deferral agreement shall also include designation of investment funds and a designation of Beneficiary.

- (a) **Special Deferral Election of Sick, Vacation, or Back Pay:** A Participant who has not had a Severance from Employment may authorize a special election to defer accumulated sick pay, accumulated vacation pay, and back pay for any calendar month if an election to defer is entered into before the beginning of the month in which the amounts would otherwise be paid or made available and the Participant is an Employee on the date the amounts would otherwise be paid or made available. For this purpose, Compensation that would otherwise be paid for a payroll period that begins before Severance from Employment is treated as an amount that would otherwise be paid or made available before an Employee has a Severance from Employment. In addition, a Participant who is a former Employee may authorize a special election to defer accumulated sick pay, accumulated vacation pay, and back pay that is paid by the later of 2 ½ months following the date of the Participant's Severance from Employment or the end of the calendar year in which the Severance from Employment occurred, provided that the special election to defer is entered into before the amount is currently available.

2.3 Commencement of Participation

An Employee shall become a Participant as soon as administratively practicable following the date the Employee files an election pursuant to Section 2.2. Such election shall become effective no later than the calendar month following the month in which the election is made. A new Employee may defer compensation payable in the calendar month during which the Participant first becomes an Employee if an agreement providing for the deferral is entered into on or before the first day on which the Participant performs services for the Employer.

2.4 Amendment of Annual Deferral Election, Investment Direction, or Beneficiary Designation

Subject to other provisions of the Plan, a Participant may at any time revise his or her participation election, including a change of the amount of his or her Annual Deferrals, his or her investment direction and his or her designated Beneficiary. Unless the election specifies a later effective date, a change in the amount of the Annual Deferrals shall take effect as of the first day of the next following month or as soon as administratively practicable if later. A change in the investment direction shall take effect as of the date provided by the Administrator on a uniform basis for all Employees. A change in the Beneficiary designation shall take effect when the election is accepted by the Administrator.

2.5 Information Provided by the Participant

Each Employee enrolling in the Plan should provide to the Administrator at the time of initial enrollment, and later if there are any changes, any information necessary or advisable for the Administrator to administer the plan, including, without limitation, whether the Employee is a participant in any other eligible plan under Code Section 457(b).

2.6 Contributions Made Promptly

Annual Deferrals by the Participant under the Plan shall be transferred to the Trust Fund within a period that is not longer than is reasonable for the proper administration of the Participant's Account Balance. For this purpose, Annual Deferrals shall be treated as contributed within a period that is not longer than is reasonable for the proper administration if the contribution is made to the Trust Fund within 15 business days following the end of the month in which the amount would otherwise have been paid to the Participant, or earlier if required by law.

2.7 Employer Contributions

Nothing in this Plan prohibits the Employer from making annual deferrals to the Account Balance of a Participant on a non-elective basis, subject to the Participant's contribution limits in Section III.

2.8 Leave of Absence

Unless an election is otherwise revised, if a Participant is absent from work by leave of absence, Annual Deferrals under the Plan shall continue to the extent that Compensation continues.

2.9 Disability

A disabled Participant (as determined by the Administrator) may elect Annual Deferrals during any portion of the period of his or her disability to the extent that he or she has actual Compensation (not imputed Compensation and not disability benefits) from which to make contributions to the Plan and has not had a Severance from Employment.

2.10 Protection of Persons Who Serve in a Uniformed Service

An Employee whose employment is interrupted by qualified military service under Code Section 414(u) or who is on a leave of absence for qualified military service under Code Section 414(u) may elect to make additional Annual Deferrals upon resumption of employment with the Employer equal to the maximum Annual Deferrals that the Employee could have elected during that period if the Employee's employment with the Employer had continued (at the same level of Compensation) without the interruption or leave, reduced by the Annual Deferrals, if any, actually made for the Employee during the period of the interruption or leave. This right applies for five years following the resumption of employment (or, if sooner, for a period equal to three times the period of the interruption or leave).

A reemployed Employee shall also be entitled to an allocation of any additional Employer Contributions, if applicable, that such Employee would have received under the Plan had the Employee continued to be employed as an eligible Employee during the period of qualified military service. Such restorative Employer Contributions (without interest), if applicable, shall be remitted by the Employer to the Plan on behalf of the Employee within 90 days after the date of the Employee's reemployment or, if later, as of the date the contributions are otherwise due for the year in which the applicable qualified military service was performed.

2.11 Corrective Measures

In the event that an otherwise eligible Employee is erroneously omitted from Plan participation, or an otherwise ineligible individual is erroneously included in the Plan, the Employer shall take such corrective measures as may be permitted by applicable law. Such measures may include, in the case of an erroneously omitted Employee, contributions made by the Employer to the Plan on behalf of such Employee equal to the missed deferral opportunity, subject to the Participant's contribution limits in Section III, and, in the case of an erroneously included individual, a payment by the Employer to such individual of additional compensation in an amount equal to the amount of the individual's elective deferrals under the Plan.

SECTION III LIMITATIONS ON AMOUNTS DEFERRED

3.1 Basic Annual Limitation

- (a) The maximum amount of the Annual Deferral and, if applicable, Employer Contributions under the Plan for any calendar year shall not exceed the lesser of:
 - (i) The "applicable dollar amount" (as defined in paragraph (b) below); or
 - (ii) The Participant's Includible Compensation for the calendar year.
- (b) The "applicable dollar amount" means the amount established under Code Section 457(e)(15), as indexed, and in accordance with Section 3.4(a).
- (c) Rollover amounts received by the Plan under Treasury Regulation Section 1.457-10(e) and any plan-to-plan transfer into the Plan made pursuant to Section 7.2 shall not be applied against the Annual Deferral limit.

3.2 Age 50 Catch-up Annual Deferral Contributions

A Participant who will attain age 50 or more by the end of a calendar year is permitted to elect an additional amount of Annual Deferral for the calendar year, up to the maximum age 50 catch-up Annual Deferral limit under §414(v)(2), as indexed.

The amount of the age 50 catch-up Annual Deferral for any calendar year cannot exceed the amount of the Participant's Compensation, reduced by the amount of the elective deferred compensation, or other elective deferrals, made by the Participant under the Plan and in accordance with Section 3.4(a).

The age 50 catch-up Annual Deferral limit is not available to a Participant for any calendar year for which the Special Section 457 Catch-up Limitation described in Section 3.3 is available and applied.

3.3 Special Section 457 Catch-up Limitation

Notwithstanding the provisions of Sections 3.1 and 3.2, with respect to a year that is one of a Participant's last three (3) calendar years ending before the year in which the Participant attains Normal Retirement Age and the amount determined under this Section 3.3 exceeds the amount computed under Sections 3.1 and 3.2, then the Annual Deferral limit under this Section 3.3 shall be the lesser of:

- (a) An amount equal to two (2) times the Section 3.1 Applicable Dollar Amount for such year; or
- (b) The sum of:

- (i) An amount equal to (A) the aggregate Section 3.1 limit for the current year plus each prior calendar year beginning after December 31, 2001, during which the Participant was an Employee under the Plan, minus (B) the aggregate amount of Compensation that the Participant deferred under the Plan during such years, plus
- (ii) An amount equal to (A) the aggregate limit referred to in Code Section 457(b)(2) for each prior calendar year beginning after December 31, 1978, and before January 1, 2002, during which the Participant was an Employee (determined without regard to Sections 3.2 and 3.3), minus (B) the aggregate contributions to Pre-2002 Coordination Plans (as defined in Section 3.4(c)) made by or on behalf of the Participant for such years.

However, in no event can the deferred amount be more than the Participant's Compensation for the year.

3.4 Special Rules

For purposes of this Section III, the following rules shall apply:

- (a) Participant Covered By More Than One Eligible Plan. If the Participant is or has been a participant in one or more other eligible plans within the meaning of Code Section 457(b), then this Plan and all such other plans shall be considered as one plan for purposes of applying the foregoing limitations of this Section III. For this purpose, the Administrator shall take into account any other such eligible plan maintained by the Employer and shall also take into account any other such eligible plan for which the Administrator receives from the Participant sufficient information concerning his or her participation in such other plan.
- (b) Pre-Participation Years. In applying Section 3.3, a year shall be taken into account only if (i) the Participant was eligible to participate in the Plan during all or a portion of the year and (ii) Compensation deferred, if any, under the Plan during the year was subject to the Basic Annual Limitation described in Section 3.1 or any other plan ceiling required by Code Section 457(b).
- (c) Pre-2002 Coordination Years. For purposes of Section 3.3(b)(ii)(B), "contributions to Pre-2002 Coordination Plans" means any employer contribution, salary reduction or elective contribution under any other eligible Code Section 457(b) plan, or a salary reduction or elective contribution under any Code Section 401(k) qualified cash or deferred arrangement, Code Section 402(h)(1)(B) simplified employee pension (SARSEP), Code Section 403(b) annuity contract, and Code Section 408(p) simple retirement account, or under any plan for which a deduction is allowed because of a contribution to an organization described in Code Section 501(c)(18), including plans, arrangements or accounts maintained by the Employer or any employer for whom the Participant performed services. However, the contributions for any calendar year are only taken into account for purposes of Section 3.3(b)(ii)(B) to the extent that the total of such contributions does not exceed the aggregate limit referred to in Code Section 457(b)(2) for that year.

- (d) Disregard Excess Deferral. For purposes of Sections 3.1, 3.2, and 3.3, an individual is treated as not having deferred compensation under a plan for a prior taxable year if excess deferrals under the plan are distributed, as described in Section 3.5. To the extent that the combined deferrals for pre-2002 years exceeded the maximum deferral limitations, the amount is treated as an excess deferral for those prior years.

3.5 Correction of Excess Deferrals

If the Annual Deferral on behalf of a Participant for any calendar year exceeds the limitations described above, or the Annual Deferral on behalf of a Participant for any calendar year exceeds the limitations described above when combined with other amounts deferred by the Participant under another eligible deferred compensation plan under Code Section 457(b) for which the Participant provides information that is accepted by the Administrator, then the Annual Deferral, to the extent in excess of the applicable limitation (adjusted for any income or loss in value, if any, allocable thereto), shall be distributed to the Participant as soon as administratively practicable after the Administrator determines that the amount is an excess deferral.

SECTION IV INVESTMENT RESPONSIBILITIES

4.1 Investment of Deferred Amount

Each Participant or Beneficiary shall direct the investment of amounts held in his or her Account Balance under the Plan among the investment options of the Trust Fund. The investment of amounts segregated on behalf of an alternate payee pursuant to a Plan approved domestic relations order (as defined under Code Section 414(p)) may be directed by such alternate payee to the extent provided in such order. In the absence of such direction, such amounts shall be invested in the same manner as they were immediately before such segregation was made on account of such order. Each Account Balance shall share in any gains or losses of the investment(s) in which such account is invested.

4.2 Investment Election for Future Contributions

A Participant may amend his or her investment election at such times and by such manner and form as prescribed by the Administrator. Such election will, unless specifically stated otherwise, apply only to future amounts contributed under the Plan.

4.3 Investment Changes for an Existing Account Balance

The Participant, Beneficiary, alternate payee, or Administrator may elect to transfer amounts in his Account Balance among and between those investments available under the Trust Fund at such times and by such manner and form prescribed by the Administrator, subject further to any restrictions or limitations placed on any investment by the Administrator to be uniformly applied to all Participants.

4.4 Investment Responsibility

To the extent that a Participant, Beneficiary, or alternate payee exercises control over the investment of amounts credited to his Account Balance, the Employer, the Administrator, and any other fiduciary of the Plan shall not be liable for any losses that are the direct and necessary result of investment instructions given by a Participant, Beneficiary or an alternate payee.

4.5 Default Investment Fund

The Employer shall maintain a Default Investment Fund which shall be held and administered under the Trust Fund. Any Participant who does not make an investment election on the deferral agreement provided by the Administrator will have his contributions invested in the Default Investment Fund until such time he provides investment direction under Sections 4.2 and 4.3. Additionally, a Beneficiary or alternate payee who does not make an investment election will have his Account Balance invested in the Default Investment Fund until such time he provides investment direction under Section 4.3. The interest of each Participant, Beneficiary, or alternate payee under the Plan in the Default Investment Fund shall be an undivided interest.

4.6 Statements

The Administrator will cause to be issued statements periodically to reflect the contributions and actual earnings posted to the Account Balances.

SECTION V LOANS

5.1 No Loans

There shall be no loans made to Participants from the Plan.

SECTION VI DISTRIBUTIONS

6.1 Distributions from the Plan

- (a) Earliest Distribution Date. Payments from a Participant's Account Balance shall not be made earlier than:
- (i) the Participant's Severance from Employment pursuant to Section 6.2
 - (ii) the Participant's death pursuant to Section 6.3
 - (iii) Plan termination under Section 10.3
 - (iv) an unforeseeable emergency withdrawal pursuant to Section 6.10(a), if permitted under the Plan
 - (v) a de minimis account balance distribution pursuant to Section 6.10(b), if permitted under the Plan
 - (vi) a rollover account withdrawal pursuant to Section 6.10(c), if permitted under the Plan
 - (vii) attainment of age 70 ½ withdrawal pursuant to Section 6.10(d), if permitted under the Plan
 - (viii) Qualified Military Service Deemed Severance withdrawal pursuant to Section 6.10(e), if permitted under the Plan
 - (ix) Qualified Military Reservist withdrawal pursuant to Section 6.10(f) , if permitted under the Plan
 - (x) Qualified Distributions for Retired Public Safety Officers pursuant to Section 6.11, if permitted under the Plan
- (b) Latest Distribution Date. In no event shall any distribution under this Section VI begin later than the Participant's "required beginning date". Such required minimum distributions must be made in accordance with Section 6.6.
- (c) Amount of Account Balance. Except as provided in Section 6.3, the amount of any payment under this Section VI shall be based on the amount of the Account Balance as of the Valuation Date.

6.2 Benefit Distributions Upon Severance from Employment

Upon Severance from Employment (other than due to death), a Participant may elect to commence distribution of benefits at any time after such Severance from Employment by filing a

request with the Administrator before the date on which benefits are to commence. However, in no event may distribution of benefits commence later than his or her "required beginning date".

Distributions required to commence under this section shall be made in the form of benefit provided under Section 6.5. Distributions postponed until the Participant's "required beginning date" will be made in a manner that meets the requirements of Section 6.6.

6.3 Distributions on Account of Participant's Death

Upon receipt of satisfactory proof of the Participant's death, the designated Beneficiary may file a request with the Administrator to elect a form of benefit provided under Section 6.5 and made in a manner that meets the requirements of Section 6.6.

- (a) Death of Participant Before Distributions Begin. If the Participant dies before his or her distributions begin, the designated Beneficiary may elect to have distributions to be made (i) in full within 5 years of the Participant's death (5-year rule) or (ii) in installments over the designated Beneficiary's "life expectancy" (life expectancy rule).

If the designated Beneficiary does not make an election by September 30 of the year following the year of the Participant's death, the Participant's Account Balance will be distributed in a lump sum payment by December 31 of the calendar year containing the fifth anniversary of the Participant's death or if the Participant's spouse is the sole designated Beneficiary by December 31 of the year the Participant would have attained age 70 ½.

- (b) Death of Participant On or After Date Distributions Begin. If the Participant dies on or after his or her distributions began, the Participant's Account Balance shall be paid to the Beneficiary at least as rapidly as under the payment option used before the Participant's death.

For purposes of this Section 2.7, a Participant who dies on or after January 1, 2007, while performing qualified military service (as defined in Code Section 414(u)) will be deemed to have resumed employment in accordance with the Participant's reemployment rights under chapter 43 of title 38, United States Code, on the day preceding death and to have terminated employment on the actual date of death for purposes of determining the entitlement of the Participant's survivors to any additional benefits (other than benefit accruals relating to the period of qualified military service) provided under the Plan, in accordance with the provisions of Code Sections 401(a)(37), 414(u)(9), and 457(g)(4).

6.4 Distribution of Small Account Balances Without Participant's Consent

Notwithstanding any other provision of the Plan to the contrary, if the amount of a Participant's or Beneficiary's Account Balance (including the rollover contribution separate account) is not in excess of the amount specified below on the date that payments commence under Section 6.2 or on the date the Administrator is notified of the Participant's death, the Administrator may direct

payment without the Participant's or Beneficiary's consent as soon as practicable following the Participant's retirement, death, or other Severance from Employment.

- (a) The Plan does not provide for distribution of small Account Balances without Participant or Beneficiary consent.

6.5 Forms of Distribution

In an election to commence benefits under Section 6.2, a Participant entitled to a distribution of benefits under this Section VI may elect to receive payment in any of the following forms of distribution:

- (a) a lump sum payment of the Participant's total Account Balance.
- (b) partial distribution of the Participant's Account Balance.
- (c) in a series of installments over a period of years (payable on a monthly, quarterly, semi-annual or annual basis) which extends no longer than the life expectancy of the Participant as permitted under Code Section 401(a)(9).

6.6 Minimum Distribution Requirements

- (a) General Rules.

Notwithstanding anything in this Plan to the contrary, distributions from this Plan shall commence and be made in accordance with Code Section 401(a)(9) and the regulations promulgated thereunder. Additionally, the requirements of this Section 6.6 will take precedence over any inconsistent provisions of the Plan.

- (b) Time and Manner of Distribution.

- (i) Required Beginning Date. 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".
- (ii) Death of Participant Before Distributions Begin. 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:
 - (A) 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 dies, or by December 31 of the calendar year in which the Participant would have attained age 70 ½, if later.
 - (B) If the Participant's surviving spouse is not the Participant's sole "designated Beneficiary" (i.e., multiple beneficiaries), then distributions to the "designated Beneficiaries" will begin by December 31 of the calendar

year immediately following the calendar year in which the Participant died.

- (C) If the Participant's sole "designated Beneficiary" is not the Participant's spouse, 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.
- (D) If there is no "designated Beneficiary" as of September 30 of the year following the year of the Participant's death, the Participant's Account Balance will be distributed in a lump sum payment by December 31 of the calendar year containing the fifth anniversary of the Participant's death.
- (E) 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 subparagraph (b)(ii), other than subsection (b)(ii)(A), will apply as if the surviving spouse were the Participant.

For purposes of this subparagraph (ii) and paragraph (d), unless subsection (b)(ii)(D) applies, distributions are considered to begin on the Participant's "required beginning date". If subsection (b)(ii)(E) applies, distributions are considered to begin on the date distributions are required to begin to the surviving spouse under subsection (b)(ii)(A). 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 subsection (b)(ii)(A)), the date distributions are considered to begin is the date distributions actually commence.

- (iii) Death of Participant On or After Distributions Begin. If the Participant dies on or after distributions begin and before depleting his or her Account Balance, distributions must commence to the "designated Beneficiary" by December 31 of the calendar year immediately following the calendar year in which the Participant died.
- (iv) Forms of Distribution. Unless the Participant's Account Balance is distributed in the form of an annuity contract or in a lump sum on or before the Participant's "required beginning date", as of the first distribution calendar year, distributions will be made in accordance with paragraphs (c) and (d). If the Participant's interest is distributed in the form of an annuity contract, distributions thereunder will be made in accordance with the requirements of Code Section 401(a)(9).

- (c) Required Minimum Distributions During the Participant's Lifetime.

- (i) Amount of Required Minimum Distribution For Each "Distribution Calendar Year". During the Participant's lifetime, the minimum amount that will be distributed for each distribution calendar year is the lesser of:
 - (A) The quotient obtained by dividing the "Participant's account balance" by the distribution period in the Uniform Lifetime Table set forth in Treasury Regulation Section 1.401(a)(9)-9, Q&A-2 using the Participant's age as of the Participant's birthday in the "distribution calendar year"; or
 - (B) if the Participant's sole "designated Beneficiary" for the "distribution calendar year" is the Participant's spouse and the spouse is more than 10 years younger than the Participant, the quotient obtained by dividing the "Participant's account balance" by the distribution period in the Joint and Last Survivor Table set forth in Treasury Regulation Section 1.401(a)(9)-9, Q&A-3 using the Participant's and spouse's attained ages as of the Participant's and spouse's birthdays in the "distribution calendar year".
 - (ii) Lifetime Required Minimum Distributions Continue Through Year of Participant's Death. Required minimum distributions will be determined under this paragraph (c) beginning with the first "distribution calendar year" and up to and including the "distribution calendar year" that includes the Participant's date of death.
- (d) Required Minimum Distributions After Participant's Death.

For purposes of this Section 6.6(d), the Participant's and Beneficiary's "life expectancy" determination will use the Single Life Table set forth in Treasury Regulation Section 1.401(a)(9)-9, Q&A-1.

(i) Death On or After Date Distributions Begin.

(A) Participant Survived by Designated Beneficiary.

If the Participant dies on or after the date distributions begin and there is a "designated Beneficiary", the minimum amount that will be distributed for each "distribution calendar year" after the year of the Participant's death is the quotient obtained by dividing the "Participant's account balance" by the longer of the remaining "life expectancy" of the Participant or the remaining "life expectancy" of the Participant's "designated Beneficiary", determined as follows:

- (1) The Participant's remaining "life expectancy" is calculated using the age of the Participant in the year of death, reduced by one for each subsequent year.
- (2) If the Participant's surviving spouse is the Participant's sole "designated Beneficiary", the remaining "life expectancy" of the

surviving spouse is calculated for each "distribution calendar year" after the year of the Participant's death using the surviving spouse's age as of the spouse's birthday in that year. For "distribution calendar years" after the year of the surviving spouse's death, the remaining "life expectancy" of the surviving spouse is calculated using the age of the surviving spouse as of the spouse's birthday in the calendar year of the spouse's death, reduced by one for each subsequent calendar year.

- (3) If the Participant's surviving spouse is not the Participant's sole "designated Beneficiary" (i.e., multiple beneficiaries), the "designated Beneficiary's" remaining "life expectancy" is calculated using the age of the oldest Beneficiary in the year following the year of the Participant's death, reduced by one for each subsequent year.
- (4) If the Participant's sole "designated beneficiary" is not the Participant's spouse, the "designated Beneficiary's" remaining "life expectancy" is calculated using the age of the Beneficiary in the year following the year of the Participant's death, reduced by one for each subsequent year.

(B) No Designated Beneficiary.

If the Participant dies on or after the date distributions begin and there is no "designated Beneficiary" as of September 30 of the year after the year of the Participant's death, the minimum amount that will be distributed for each "distribution calendar year" after the year of the Participant's death is the quotient obtained by dividing the "Participant's account balance" by the Participant's remaining "life expectancy" calculated using the age of the Participant in the year of death, reduced by one for each subsequent year.

(ii) Death Before Date Distributions Begin.

(A) Participant Survived by Designated Beneficiary.

Except as provided in this Section, if the Participant dies before the date distributions begin and there is a "designated Beneficiary", the minimum amount that will be distributed for each "distribution calendar year" after the year of the Participant's death is the quotient obtained by dividing the "Participant's account balance" by the remaining "life expectancy" of the Participant's "designated Beneficiary", determined as follows:

- (1) If the Participant's surviving spouse is the Participant's sole "designated Beneficiary", the remaining "life expectancy" of the surviving spouse is calculated for each "distribution calendar year"

after the year of the Participant's death using the surviving spouse's age as of the spouse's birthday in that year.

- (2) If the Participant's surviving spouse is not the Participant's sole "designated Beneficiary" (i.e., multiple beneficiaries), the "designated Beneficiary's" remaining "life expectancy" is calculated using the age of the oldest Beneficiary in the year following the year of the Participant's death, reduced by one for each subsequent year.
- (3) If the Participant's sole "designated beneficiary" is not the Participant's spouse, the "designated Beneficiary's" remaining "life expectancy" is calculated using the age of the Beneficiary in the year following the year of the Participant's death, reduced by one for each subsequent year.

(B) No Designated Beneficiary.

If the Participant dies before the date distributions begin and there is no "designated Beneficiary" as of September 30 of the year following the year of the Participant's death, distribution of the Participant's entire interest will be distributed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.

(C) Death of Surviving Spouse Before Distributions to Surviving Spouse Are Required to Begin.

If the Participant dies before the date distributions begin, the Participant's surviving spouse is the Participant's sole "designated Beneficiary", and the surviving spouse dies before distributions are required to begin to the surviving spouse under subsection (b)(ii)(A), this subparagraph (d)(ii) will apply as if the surviving spouse were the Participant.

(e) Definitions.

- (i) A Participant's "required beginning date" is April 1 of the year that follows the later of (1) the calendar year the Participant attains age 70 ½ or (2) retires due to Severance from Employment. If the Participant postpones the required distribution due in calendar year he or she attains age 70 ½ or severs employment, to the "required beginning date", the second required minimum distribution must be taken by the end of that year.
- (ii) Participant's "designated Beneficiary" means the individual who is designated as the Beneficiary under Section 8.1 and is the designated Beneficiary under Code Section 401(a)(9) and Treasury Regulation Section 1.401(a)(9)-4.

- (iii) A "distribution calendar year" means a calendar year for which a minimum distribution is required. For distributions beginning before the Participant's death, the first "distribution calendar year" is the calendar year the Participant attains age 70 ½ or retires, if later. For distributions beginning after the Participant's death, the first "distribution calendar year" is the calendar year in which distributions are required to begin under subparagraph (b)(ii).

The required minimum distribution for the Participant's first "distribution calendar year" will be made on or before the Participant's "required beginning date". The required minimum distribution for other "distribution calendar years", including the required minimum distribution for the "distribution calendar year" in which the Participant's "required beginning date" occurs, will be made on or before December 31 of that "distribution calendar year".

- (iv) A married Participant's "life expectancy", whose spouse is the sole Beneficiary and is more than 10 years younger than the Participant, means the Participant's and spouse Beneficiary's life expectancy as computed by use of the Joint and Last Survivor Life Table under Treasury Regulation Section 1.401(a)(9)-9, Q&A 3. All other Participants will have his or her life expectancy computed by use of the Uniform Lifetime Table under Treasury Regulation Section 1.401(a)(9)-9, Q&A 2. A deceased Participant's or Beneficiary's "life expectancy" means his or her life expectancy as computed by use of the Single Life Table under Treasury Regulation Section 1.401(a)(9)-9, Q&A 1.
- (v) A "Participant's account balance" means the Account Balance as of the last valuation date in the calendar year immediately preceding the "distribution calendar year" (valuation calendar year) increased by the amount of any contributions made and allocated or forfeitures allocated to the Account Balance as of dates in the valuation calendar year after the valuation date and decreased by distributions made in the valuation calendar year after the valuation date. The Account Balance for the valuation calendar year includes any amounts rolled over or transferred to the Plan either in the valuation calendar year or in the "distribution calendar year" if distributed or transferred in the valuation calendar year.

(f) Special Provision Applicable to 2009 Required Minimum Distributions.

A Participant who would otherwise be required to receive a minimum distribution from the Plan in accordance with Code Section 401(a)(9) for the 2009 "distribution calendar year" may elect not to receive any such distribution that is payable with respect to the 2009 "distribution calendar year".

Notwithstanding the provisions of Section 6.9(b)(iii), the Administrator may permit a Participant who receives a minimum distribution from the Plan for the 2009 "distribution calendar year" to make a direct rollover of such distribution to an "eligible retirement plan" in accordance with the provisions of Section 6.9.

The Administrator may also permit a Participant or former Participant who has received a minimum distribution for the 2009 "distribution calendar year" to roll over such distribution back into the Plan, provided the requirements of Code Section 402(c), as modified by Notice 2009-82, extending the 60-day rollover deadline, and the requirements of Section 7.1 are otherwise satisfied. If the distribution received by the Participant included amounts in addition to the minimum required under Code Section 401(a)(9), the Administrator may allow the Participant to include a portion or all of the amount that was not a minimum distribution in the Rollover Contribution made to the Plan in accordance with this paragraph.

The provisions of this Section 6.6(f) are effective for minimum payments made for the 2009 "distribution calendar year" and do not include any minimum payment that is made in 2009, but is attributable to a different year (i.e., the participant reached his required beginning date in 2008, but payment of the 2008 minimum is not made until 2009).

6.7 Payments to Minors and Incompetents

If a Participant or Beneficiary entitled to receive any benefits hereunder is a minor or is adjudged to be legally incapable of giving valid receipt and discharge for such benefits, or is deemed so by the Administrator, benefits will be paid to such person as the Administrator or a court of competent jurisdiction may designate for the benefit of such Participant or Beneficiary. Such payments shall be considered a payment to such Participant or Beneficiary and shall, to the extent made, be deemed a complete discharge of any liability for such payments under the Plan.

6.8 Procedure When Distributee Cannot Be Located

The Administrator shall make all reasonable attempts to determine the identity and address of a Participant or a Participant's Beneficiary entitled to benefits under the Plan. For this purpose, a reasonable attempt means (a) the mailing by certified mail of a notice to the last known address shown in the Administrator's records; (b) use of the Internal Revenue Service letter forwarding program under IRS Revenue Procedure 94-22; (c) use of a commercial locator service, the internet or other general search method; (d) use of the Social Security Administration search program; or (e) use such other methods as the Administrator believes prudent.

If the Participant or Beneficiary has not responded within 6 months, the Plan shall continue to hold the benefits due such person until, in the Administrator's discretion, the Plan is required to take other action under applicable law.

Notwithstanding the foregoing, if the Administrator is unable to locate a person entitled to benefits hereunder after applying the search methods set forth above, then the Administrator, in its sole discretion, may pay an amount that is immediately distributable to such person in a direct rollover to an individual retirement plan designated by the Administrator.

6.9 Direct Rollover

- (a) A Participant or Beneficiary (or a Participant's former spouse who is the alternate payee under a domestic relations order, as defined in Code Section 414(p)) who is entitled to an

"eligible rollover distribution" may elect, at the time and in the manner prescribed by the Administrator, to have all or any portion of the distribution paid directly to an "eligible retirement plan" specified by the Participant or Beneficiary in a direct rollover.

- (b) For purposes of this Section 6.9, an "eligible rollover distribution" means any distribution of all or any portion of a Participant's Account Balance, except that an eligible rollover distribution does not include (i) any distribution that is one of a series of substantially equal periodic payment made not less frequently than annually for the life or life expectancy of the Participant or the joint lives or life expectancies of the Participant and the Participant's designated beneficiary, or for a specified period of ten years or more (ii) any distribution made as a result of an unforeseeable emergency, or (iii) any distribution that is a required minimum distribution under Code Section 401(a)(9).

In addition, an "eligible retirement plan" with respect to the Participant, the participant's spouse, or the Participant's spouse or former spouse who is an alternate payee under a domestic relations order as defined in Code Section 414(p) means any of the following: (i) an individual retirement account described in Code Section 408(a), (ii) an individual retirement annuity described in Code Section 408(b), (iii) an annuity plan described in Code Section 403(a), (iv) a qualified defined contribution plan described in Code Section 401(a), (v) an annuity contract described in Code Section 403(b), (vi) an eligible deferred compensation plan described in Code Section 457(b) that is maintained by a State, political subdivision of a State, or any agency or instrumentality of a State or political subdivision of a State, or (vii) effective for distributions made on or after January 1, 2008, a Roth IRA, as described in Code Section 408A, provided, that for distributions made before January 1, 2010, such rollover shall be subject to the limitations contained in Code Section 408A(c)(3)(B) .

Notwithstanding any other provision of this Section 6.9(b), a plan or contract described in clause (iii), (iv), (v), or (vi) above shall not constitute an "eligible retirement plan" with respect to a distribution of Roth Contributions unless such plan or contract separately accounts for such distribution, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.

- (c) A Beneficiary who is not the spouse of the deceased Participant may elect a direct rollover of a distribution to an individual retirement account described in Code Section 408(b) or to a Roth individual retirement account described in Code Section 408A(b) ("IRA"), provided that the distributed amount satisfies all the requirements to be an eligible rollover distribution. The direct rollover must be made to an IRA established on behalf of the designated Beneficiary that will be treated as an inherited IRA pursuant to the provisions of Code Section 402(c)(11). The IRA must be established in a manner that identifies it as an IRA with respect to a deceased Participant and also identifies the deceased Participant and the Beneficiary. This Section applies to distributions made on or after January 1, 2007.

6.10 Inservice Distributions

- (a) Unforeseeable Emergency Distributions. If the Participant who has not incurred a Severance from Employment or Beneficiary has an unforeseeable emergency, the Administrator may approve a single sum distribution of the amount requested or, if less, the maximum amount determined by the Administrator to be permitted to be distributed under this Section 6.10(a), Treasury Regulation Section 1.457-6(c) or other regulatory guidance. The Administrator shall determine whether an unforeseeable emergency exists based on relevant facts and circumstances, and Treasury Regulation Section 1.457-6(c) or other regulatory guidance.
- (i) An unforeseeable emergency is defined as a severe financial hardship of the resulting from the following:
- (A) an illness or accident of the Participant or Beneficiary, the Participant's or Beneficiary's spouse, or the Participant's or Beneficiary's dependent or the Participant's "primary Beneficiary";
 - (B) loss of the Participant's or Beneficiary's property due to casualty (including the need to rebuild a home following damage to a home not otherwise covered by homeowner's insurance, e.g., as a result of a natural disaster);
 - (C) the need to pay for the funeral expenses of a Participant's or Beneficiary's spouse, Participant's or Beneficiary's dependent or "primary Beneficiary" of the Participant;
 - (D) the need to pay for medical expenses of the Participant or Beneficiary, the Participant's or Beneficiary's spouse, Participant's or Beneficiary's dependent or the Participant's "primary Beneficiary" which are not reimbursed or compensated by insurance or otherwise, including non-refundable deductibles, as well as for the cost of prescription drug medication;
 - (E) the imminent foreclosure of or eviction from the Participant's or Beneficiary's primary residence; or
 - (F) other similar extraordinary and unforeseeable circumstances arising as a result of events beyond the control of the Participant or Beneficiary. However, except as otherwise specifically provided in this Section 6.10(a), certain circumstances are not considered an unforeseen emergency such as the purchase of a home or the payment of college tuition or credit card debt.

For purposes of this paragraph, if the Participant is not deceased, a "primary Beneficiary" shall be limited to a primary Beneficiary under the Plan, which is an individual who is named as a Beneficiary pursuant to Section 8.1 and has an

unconditional right to all or a portion of the Participant's Account Balance upon the death of the Participant, and which shall not include a contingent beneficiary. Additionally, dependent shall be limited to the definition under Code Section 152(a), and, for taxable years beginning on or after January 1, 2005, without regard to Code Sections 152(b)(1), (b)(2) and (d)(1)(B).

- (ii) Unforeseeable emergency distribution standard. A distribution on account of unforeseeable emergency may not be made to the extent that such emergency is or may be relieved through reimbursement or compensation from insurance or otherwise; by liquidation of the Participant's assets, to the extent the liquidation of such assets would not itself cause severe financial hardship; or by cessation of deferrals under the Plan if the cessation of deferrals would alleviate the financial need.
 - (iii) Distribution necessary to satisfy emergency need. Distributions because of an unforeseeable emergency may not exceed the amount reasonably necessary to satisfy the emergency need (which may include any amounts necessary to pay any federal, State, or local income taxes or penalties reasonably anticipated to result from the distribution).
- (b) De minimis Account Balance Distributions. A Participant before Severance of Employment may request a distribution of his or her total Account Balance (excluding the rollover contribution separate account), which shall be paid in a lump sum payment as soon as practical following the direction if (i) the total Account Balance does not exceed \$5,000 (or the dollar limit under Code Section 411(a)(11), if greater), (ii) the Participant has not previously received a distribution of their total Account Balance payable to the Participant under this Section 6.10(b), and (iii) no Annual Deferral has been made with respect to the Participant during the two-year period ending immediately before the date of the distribution.
- The Plan does not permit the Administrator to direct payments under the terms of this Section 6.10(b) without the Participant's consent.
- (c) Rollover Account Distributions. If a Participant has a separate account attributable to rollover contributions under the Plan, the Participant before Severance of Employment may at any time elect to receive an inservice distribution of all or any portion of the amount held in the rollover separate account.
 - (d) Age 70 ½ Distributions. Prior to Severance from Employment, a Participant may withdraw all or a portion of his or her Account Balance on or after first day of the calendar year in which the Participant shall attain age 70-1/2.
 - (e) Qualified Military Service Deemed Severance Distributions. The Plan does not permit "qualified military service deemed severance withdrawals".
 - (f) Qualified Military Reservist Distributions. The Plan does not permit "qualified military reservist withdrawals".

6.11 Qualified Distributions for Retired Public Safety Officers

A Participant who is an "eligible retired public safety officer" may elect to have qualified health insurance premiums deducted from amounts to be distributed to the Participant from the Plan, and to have such amounts paid directly to the insurer or group health plan, subject to the provisions of this Section 6.11. "Qualified health insurance premiums" include premiums for accident and health insurance (including under a self-insured plan) or qualified long-term care insurance contracts for the Participant and the Participant's spouse and dependents. It is intended that, pursuant to Code Section 402(l), the distribution shall be excluded from the Participant's gross income to the extent that the aggregate amount of the distributions does not exceed the amount used to pay the qualified health insurance premiums of the Participant and the Participant's spouse and dependents.

- (a) A Participant shall qualify as an "eligible retired public safety officer" for purposes of this Section 6.11 only if the Participant is an individual who separated from service, either by reason of disability (as determined by the Administrator) or after attainment of normal retirement age, as a public safety officer with the Employer. Consequently, a public safety officer who retires before the attainment of normal retirement age is not an eligible retired public safety officer unless the public safety officer retires by reason of disability (as determined by the Administrator).
- (b) For purposes of this Section 6.11, the term "public safety officer" means an individual serving the Employer in an official capacity, with or without compensation, as a law enforcement officer, a firefighter, a chaplain, or as a member of a rescue squad or ambulance crew.
- (c) In order to avoid unintended taxation, the aggregate amount that a Participant elects to have directly distributed to an insurer or group health plan pursuant to this Section 6.11 for any calendar year shall be limited to \$3,000. Moreover, for purposes of applying this \$3,000 limitation, distributions with respect to the Participant that are used to pay for qualified health insurance premiums from all qualified retirement plans of the Employer shall be aggregated.

SECTION VII ROLLOVERS AND PLAN TRANSFERS

7.1 Eligible Rollover Contributions to the Plan

- (a) A Participant who is an Employee and who is entitled to receive an eligible rollover distribution from another "eligible retirement plan", as defined in 6.9(b) excluding the direct rollover of after-tax contributions, may request to have all or a portion of the eligible rollover distribution paid to the Plan. The Administrator may require such documentation from the distributing plan as it deems necessary to effectuate the rollover in accordance with Code Section 402 and to confirm that such plan is an "eligible retirement plan" within the meaning of Code Section 402(c)(8)(B).
- (b) If an Employee makes a rollover contribution to the Plan of amounts that have previously been distributed to him or her, the Employee must deliver to the Administrator the cash that constitutes his or her rollover contribution within 60 days of receipt of the distribution from the distributing "eligible retirement plan". Such delivery must be made in the manner prescribed by the Administrator.
- (c) The Plan shall establish and maintain for the Participant a separate account for any eligible rollover distribution paid to the Plan from any "eligible retirement plan" that is an eligible governmental plan under Code Section 457(b). In addition, the Plan shall establish and maintain for the Participant a separate account for any eligible rollover distribution paid to the Plan from any "eligible retirement plan" that is not an eligible governmental plan under Code Section 457(b).

7.2 Plan-to-Plan Transfers to the Plan

At the direction of the Employer, the Administrator may permit Participants or Beneficiaries who are participants or beneficiaries in another eligible governmental plan under Code Section 457(b) to transfer assets to the Plan as provided in this Section 7.2. Such a transfer is permitted only if the other plan provides for the direct transfer of each Participant's or Beneficiary's interest therein to the Plan. The Administrator may require in its sole discretion that the transfer be in cash or other property acceptable to the Administrator. The Administrator may require such documentation from the other plan as it deems necessary to effectuate the transfer in accordance with Code Section 457(e)(10) and Treasury Regulation Section 1.457-10(b) and to confirm that the other plan is an eligible governmental plan as defined in Treasury Regulation Section 1.457-2(f). The amount so transferred shall be credited to the Participant's Account Balance and shall be held, accounted for, administered and otherwise treated in the same manner as an Annual Deferral by the Participant under the Plan, except that the transferred amount shall not be considered an Annual Deferral under the Plan in determining the maximum deferral under Section III.

7.3 Plan-to-Plan Transfers from the Plan

- (a) At the direction of the Employer, the Administrator may permit Participants or Beneficiaries to elect to have all or any portion of his or her Account Balance transferred to another eligible governmental plan within the meaning of Treasury Regulatory Section 1.457-2(f), if the other eligible governmental plan provides for the receipt of transfers, the Participant or Beneficiary whose amounts deferred are being transferred will have an amount deferred immediately after the transfer at least equal to the amount deferred with respect to that Participant or Beneficiary immediately before the transfer, and the conditions of subparagraph (i), (ii), or (iii) are met.
 - (i) A transfer from the Plan to another eligible governmental plan is permitted in the case of a transfer for a Participant if the Participant has had a Severance from Employment with the Employer and is performing services for the entity maintaining the other eligible governmental plan.
 - (ii) A transfer from the Plan to another eligible governmental plan is permitted if:
 - (A) The transfer is to another eligible governmental plan within the same State as the Plan;
 - (B) All the assets held by the Plan are transferred; and
 - (C) A Participant or Beneficiary whose amounts deferred are being transferred is not eligible for additional annual deferrals in the other eligible governmental plan unless he or she is performing services for the entity maintaining the other eligible governmental plan.
 - (iii) A transfer from the Plan to another eligible governmental plan of the Employer is permitted if:
 - (A) The transfer is to another eligible governmental plan of the Employer (and, for this purpose, an employer is not treated as the Employer if the Participant's compensation is paid by a different entity); and
 - (B) A Participant or Beneficiary whose deferred amounts are being transferred is not eligible for additional annual deferrals in the other eligible governmental plan unless he or she is performing services for the entity maintaining the other eligible governmental plan.
- (b) Upon the transfer of assets under this Section 7.3, the Plan's liability to pay benefits to the Participant or Beneficiary under this Plan shall be discharged to the extent of the amount so transferred for the Participant or Beneficiary. The Administrator may require such documentation from the receiving plan as it deems appropriate or necessary to comply with this Section (for example, to confirm that the receiving plan is an eligible governmental plan under paragraph (a) of this Section 7.3, and to assure that the transfer

is permitted under the receiving plan) or to effectuate the transfer pursuant to Treasury Regulation Section 1.457-10(b).

7.4 Permissive Service Credit Transfers

- (a) If a Participant is also a participant in a tax-qualified defined benefit governmental plan (as defined in Code Section 414(d)) that provides for the acceptance of plan-to-plan transfers with respect to the Participant, then the Participant may elect to have any portion of the Participant's Account Balance transferred to the defined benefit governmental plan. A transfer under this Section 7.4(a) may be made before the Participant has had a Severance from Employment and without regard to whether the defined benefit governmental plan is maintained by the Employer. The distribution rules applicable to the defined benefit governmental plan to which any amounts are transferred under this Section 7.4 shall apply to the transferred amounts and any benefits attributable to the transferred amounts.
- (b) A transfer may be made under Section 7.4(a) only if the transfer is either for the purchase of permissive service credit (as defined in Code Section 415(n)(3)(A)) under the receiving defined benefit governmental plan, including service credit for periods for which there is no performance of services, service credited in order to provide an increased benefit for service credit which a participant is receiving under the plan, and service (including parental, medical, sabbatical, and similar leave) as an employee (other than as an employee described in Code Section 415(n)(3)(C)(i)) of an educational organization described in Code Section 170(b)(1)(A)(ii) which is a public, private, or sectarian school which provides elementary or secondary education (through grade 12) or a comparable level of education, as determined under the applicable law of the jurisdiction in which the service was performed, without application of the limitations of Code Section 415(n)(3)(B) in determining whether the transfer is for the purchase of permissive service credit, or a repayment to which Code Section 415 does not apply by reason of Code Section 415(k)(3).

SECTION VIII BENEFICIARY

8.1 Designation

A Participant has the right, by written notice filed with the Administrator, to designate one or more beneficiaries to receive any benefits payable under the Plan in the event of the Participant's death prior to the complete distribution of benefits. The Participant accepts and acknowledges that he or she has the burden for executing and filing, with the Administrator, a proper beneficiary designation form.

The form for this purpose shall be provided by the Administrator. The form is not valid until it is signed, filed with the Administrator by the Participant, and accepted by the Administrator. Upon the Participant filing the form and acceptance by the Administrator, the form revokes all beneficiary designations filed prior to that date by the Participant.

If no such designation is in effect upon the Participant's death, or if no designated Beneficiary survives the Participant, the Beneficiary shall be the Participant's estate.

SECTION IX ADMINISTRATION AND ACCOUNTING

9.1 Administrator

The Administrator shall have the responsibility and authority to control the operation and administration of the Plan in accordance with the terms of the Plan, the Code and regulations thereunder, and any State law as applicable.

The Administrator may contract with a financially responsible independent contractor to administer and coordinate the Plan under the direction of the Administrator. The Administrator shall have the right to designate a plan coordinator or other party of its choice to perform such services under this agreement as may be mutually agreed to between the Administrator and the plan coordinator or other party. Notwithstanding any other provisions to the contrary, the Administrator agrees that it shall be solely responsible to the Employer for any and all services performed by a plan coordinator, subcontractor, assignee, or designee under this agreement.

The Administrator has full and complete discretionary authority to determine all questions of Plan interpretation, policy, participation, or benefit eligibility in a manner consistent with the Plan's documents, such determinations shall be conclusive and binding on all persons except as otherwise provided by law.

9.2 Administrative Costs

All reasonable expenses of administration may be paid out of the Plan assets unless paid (or reimbursed) by the Employer. Such expenses shall include any expenses incident to the functioning of the Administrator, or any person or persons retained or appointed by any named fiduciary incident to the exercise of his or her duties under the Plan, including, but not limited to, fees of accountants, counsel, investment managers, agents (including nonfiduciary agents) appointed for the purpose of assisting the Administrator in carrying out the instructions of Participants as to the directed investment of his or her accounts and other specialists and his or her agents, and other costs of administering the Plan. In addition, unless specifically prohibited under statute, regulation or other guidance of general applicability, the Administrator may charge to the Account Balance of an individual a reasonable charge to offset the cost of making a distribution to the Participant, Beneficiary, or Alternate Payee. If liquid assets of the Plan are insufficient to cover the fees of the Administrator, then Plan assets shall be liquidated to the extent necessary for such fees. In the event any part of the Plan assets becomes subject to tax, all taxes incurred will be paid from the Plan assets. Until paid, the expenses shall constitute a liability of the trust fund described in Section 11.1.

9.3 Paperless Administration

The Administrator may use telephonic or electronic media to satisfy any notice requirements required by this Plan, to the extent permissible under regulations (or other generally applicable guidance). In addition, a Participant's consent to immediate distribution may be provided through telephonic or electronic means, to the extent permissible under regulations (or other generally

applicable guidance). The Administrator also may use telephonic or electronic media to conduct plan transactions such as enrolling participants, making (and changing) salary reduction elections, electing (and changing) investment allocations, and other transactions, to the extent permissible under regulations (or other generally applicable guidance).

SECTION X AMENDMENTS

10.1 Amendment

The Employer may at any time either prospectively or retroactively amend the Plan by notifying Participants of such action. The Employer shall not have the right to reduce or affect the value of any Participant's Account Balance or any rights accrued under the Plan prior to amendment.

10.2 Conformation

The Employer shall amend and interpret the Plan to the extent necessary to conform to the requirements of Code Section 457 and any other applicable law, regulation or ruling, including amendments that are retroactive. In the event the Plan is deemed by the Internal Revenue Code to be administered in a manner inconsistent with Code Section 457, the Employer shall correct such inconsistency within the period provided in Code Section 457(b).

10.3 Plan Termination

In the event of the termination of the Plan, all Account Balances shall be disposed to or for the benefit of each Participant or Beneficiary in accordance with the provisions of Section VI or Section VII as soon as reasonably practicable following the Plan's termination. The Employer shall not have the right to reduce or affect the value of any Participant's account or any rights accrued under the Plan prior to termination of the Plan. The Participant's or Beneficiary's written consent to the commencement of distribution shall not be required regardless of the value of his or her Account Balance.

SECTION XI TRUST FUND

11.1 Trust Fund

All amounts in a Participant's or Beneficiary's Account Balance, all property and rights purchased with such amounts, and all income attributable to such amounts, property, or rights shall be held and invested in the Trust Fund in accordance with this Plan. The Trust Fund, and any subtrust established under the Plan, shall be established pursuant to a written agreement that constitutes a valid trust, custodial agreement, annuity contract, or similar agreement under the laws of the State. All investments, amounts, property, and rights held under the Trust Fund shall be held in trust for the exclusive benefit of Participants and their Beneficiaries and defraying reasonable expenses of the Plan and of the Trust Fund. Prior to the satisfaction of all liabilities with respect to Participants and their Beneficiaries, no part of the assets and income of the Trust Fund may be used for, or diverted to, for purposes other than for the exclusive benefit of Participants and their Beneficiaries. The Employer has no beneficial interest in the Trust Fund and no part of the Trust Fund shall ever revert to the Employer, directly or indirectly, provided, however, that a contribution or any portion thereof made by the Employer through a mistake of fact under Section 12.4 shall upon written request of the Employer, reduced by losses attributable thereto, shall be returned to the Employer.

SECTION XII MISCELLANEOUS

12.1 Non-Assignability

Except as provided in Sections 12.2 and 12.3, no benefit under the Plan at any time shall be subject in any manner to anticipation, alienation, assignment (either at law or in equity), encumbrance, garnishment, levy, execution, or other legal or equitable process; and no person shall have power in any manner to anticipate, transfer, assign (either law or in equity), alienate or subject to attachment, garnishment, levy, execution, or other legal or equitable process, or in any way encumber his or her benefits under the Plan, or any part thereof, and any attempt to do so shall be void except to such extent as may be required by law.

12.2 Domestic Relation Orders

The Employer shall establish reasonable procedures to determine the status of domestic relations orders and to administer distributions under domestic relations orders which are deemed to be qualified orders. Such procedures shall be in writing and shall comply with the provisions of Code Section 414(p) and regulations issued thereunder.

Notwithstanding Section 12.1, the Administrator may affect a Participant's Account Balance for a "qualified domestic relations order" as defined in Code Section 414(p), and those other domestic relations orders permitted to be so treated by the Administrator under the provisions of the Retirement Equity Act of 1984. The amount of the Participant's Account Balance shall be paid in the manner and to the person or persons so directed in the qualified domestic relations order. Such payment shall be made without regard to whether the Participant is eligible for a distribution of benefits under the Plan.

12.3 IRS Levy

Notwithstanding Section 12.1, the Administrator may pay from a Participant's or Beneficiary's Account Balance the amount that the Administrator finds is lawfully demanded under a levy issued by the Internal Revenue Service to the Plan with respect to that Participant or Beneficiary or is sought to be collected by the United States Government under a judgment resulting from an unpaid tax assessment against the Participant or Beneficiary.

12.4 Mistaken Contributions

Notwithstanding any other provision of the Plan or the Trust Fund to the contrary, in the event any contribution of an Employer is made under a mistake of fact (and not a Plan operational error), such contribution may be returned to the Employer within one year after the payment of the contribution. Earnings attributable to the excess contribution may not be returned to the Employer, but losses attributable thereto must reduce the amount to be so returned.

12.5 Employment

Neither the establishment of the Plan nor any modification thereof, nor the establishment of any account, nor the payment of any benefits, shall be construed as giving to any Participant or other person any legal or equitable right against the Employer except as herein provided; and, in no event, shall the terms or employment of any Employee be modified or in any way affected hereby.

12.6 Successors and Assigns

The Plan shall be binding upon and shall inure to the benefit of the Employer, its successors and assigns, all Participants and Beneficiaries and their heirs and legal representatives.

12.7 Written Notice

Any notice or other communication required or permitted under the Plan shall be in writing, and if directed to the Administrator shall be sent to the designated office of the Administrator, and, if directed to a Participant or to a Beneficiary, shall be sent to such Participant or Beneficiary at his or her last known address as it appears on the Administrator's record. To the extent permitted by law, regulation or other guidance from an appropriate regulatory agency, the Administrator, Employer or any other party may provide any notice or disclosure, obtain any authorization or consent, or satisfy any other obligation under the Plan through the use of any other medium acceptable to the Administrator. Such other medium may include, but is not necessarily limited to, electronic or telephonic medium. In addition, any communication or disclosure to or from Participants or Beneficiaries that is required under the terms of the Plan to be made in writing may be provided in any other medium (electronic, telephonic, or otherwise) that is acceptable to the Administrator and permitted under applicable law.

12.8 Total Agreement

This Plan and Participant deferral election, and any subsequently adopted Plan amendment thereof, shall constitute the total agreement or contract between the Employer and the Participant regarding the Plan. No oral statement regarding the Plan may be relied upon by the Participant.

12.9 Gender

As used herein the masculine shall include the neuter and the feminine where appropriate.

12.10 Controlling Law

This Plan is created and shall be construed, administered and interpreted in accordance with Code Section 457 and the regulations thereunder, and under laws of the State as the same shall be at the time any dispute or issue is raised. If any portion of this Plan is held illegal, invalid or unenforceable, the legality, validity and enforceability of the remainder shall be unaffected.

IN WITNESS WHEREOF, the Employer has executed this Plan document this _____ day
of _____.

City of North Pole

SEAL

By _____

Name _____

Title _____

Attest:

Title

(Witness)

457(b) PLAN DOCUMENT CERTIFICATION

This form must be submitted to The Hartford along with your signed Specimen document.

Employer Name: City of North Pole																	
Plan Name: City of North Pole Deferred Compensation Plan																	
Effective Date of Plan: December 13, 2011	Hartford Group Number: 109225																
<p>Please select one of the following below:</p> <p><input checked="" type="checkbox"/> I, the undersigned employer representative, certify that the employer has adopted The Hartford's specimen 457(b) Plan Document without any modifications and have provided The Hartford with a copy of the adopted plan document.</p> <p><input type="checkbox"/> I, the undersigned employer representative, certify that the employer has adopted The Hartford's specimen 457(b) Plan Document <u>with</u> modifications and have provided The Hartford with a copy of the adopted document. I understand that the modifications will need to be approved by The Hartford to ensure that they conform to our Contract and Administrative Services Agreement with The Hartford, and their record keeping system and product. The provisions we have modified are as follows:</p> <table style="width: 100%; border-collapse: collapse;"><thead><tr><th style="text-align: left; border-bottom: 1px solid black; width: 45%;">Plan Selections</th><th style="text-align: left; border-bottom: 1px solid black; width: 55%;">Modifications</th></tr></thead><tbody><tr><td style="border-bottom: 1px solid black;"> </td><td style="border-bottom: 1px solid black;"> </td></tr><tr><td style="border-bottom: 1px solid black;"> </td><td style="border-bottom: 1px solid black;"> </td></tr><tr><td style="border-bottom: 1px solid black;"> </td><td style="border-bottom: 1px solid black;"> </td></tr><tr><td style="border-bottom: 1px solid black;"> </td><td style="border-bottom: 1px solid black;"> </td></tr><tr><td style="border-bottom: 1px solid black;"> </td><td style="border-bottom: 1px solid black;"> </td></tr><tr><td style="border-bottom: 1px solid black;"> </td><td style="border-bottom: 1px solid black;"> </td></tr><tr><td style="border-bottom: 1px solid black;"> </td><td style="border-bottom: 1px solid black;"> </td></tr></tbody></table>		Plan Selections	Modifications														
Plan Selections	Modifications																
Name of Authorized Signer: (please print)																	
Signature:	Date:																



**North Pole Police Dept.
125 Snowman Ln.
North Pole, AK 99705**

**Chief Steve Dutra
Phone: 907-488-8459
Fax: 907-488-5299**

February 13, 2013

To: Mrs. Weber, MMC – City Clerk
North Pole City Council

Re: Sale of Snow Machines and Trailer

The North Pole Police Department would like permission from the City Council to sell the two 2011 Arctic Cat M8162 snow machines and one 2011 ALUMA 14' trailer acquired from the OCDETF Joint Task Force in 2011. The plan, if approved, is to sell these items using the consignment process through the local Arctic Cat dealership.

Currently the North Pole Police Department has little need for two additional snow machines. The North Pole Police Department attempted to sale these items in January but received no bids. Considering the value of these items keeps decreasing, it is important for us to diversify our approach and sell these units as fast as possible all while complying with existing code and maximizing our return.

I am requesting that the two machines and trailer be placed on consignment at North Power Sports. The price determined to be successful, considering current market values of similar sleds and trailers, is \$7500 for each Arctic Cat and \$2500 for the Aluma trailer.

The consignment will cost \$1500 leaving the city with \$16,000 in proceeds minus the advertisement costs. Further delay, beyond this snow machine season will place the margin of return even lower.

Thank you for your consideration,

Chief Dutra

Memo

To: Mayor Ward & North Pole City Council
From: Kathy Weber - City Clerk/HR Manager
Date: February 13, 2013
Re: Request Funding to Attend the IIMC Conference in Atlantic City, New Jersey

Attending the IIMC Conference in Atlantic City, New Jersey is the single, largest professional development and networking opportunity that I will engage in all year next to the AAMC Conference in November. It is not just education and networking, but for six days I will be part of an extensive learning community.

My job is multi-faceted and changing with new citizen demands, legal changes in procedures and new information technologies increasing the speed and requirement for me to plan and expedite so many different tasks at once. This requires me to engage in continuing education and networking to keep abreast of changing laws and trends. I am also the one that our elected officials count on to make sure public meetings, public records, elections and special projects operate smoothly.

The attached schedule for the Institute outlines the topics covered. I believe my attendance would not only be beneficial to the city, but is necessary to ensure my effectiveness as your clerk in a growing community. The Institute will run from Saturday, May 18 – Thursday, May 23, 2013.

The amount requested for my attendance is as follows:

• Airfare.....	514.45
• Registration.....	575.00
• Academy Seminar – Look Before You Lead: Using the Power of Assumptions and Leveraged Thinking to Dramatically Improve Communication and Problem solving.....	195.00
• \$42 per day per diem for 7 days =	294.00
• Ground Transportation.....	49.00
• 6 nights lodging at Trump Taj Mahal.....	675.00
Total cost to City of North Pole =	\$2,302.45

Thank you for your continued support.

2013 Annual Conference Education Program (continued)

Saturday, May 18, 2013

1:30 p.m. – 5:45 p.m.

Fee: \$195.00

Look Before You Lead: Using the Power of Assumptions and Leveraged Thinking to Dramatically Improve Communication and Problem Solving

Dr. De Hicks

President & CEO

SCGI – The Stuart Consulting Group, Inc., Silverdale, WA

During this session, you will learn about the concept of leverage: How to focus on small changes that, when implemented over time, bring about substantial change. As a municipal leader, you will learn how to apply 'Points of Leverage' to solve complicated problems, without creating additional ones. You will also learn to communicate expectations more clearly and align efforts to improve performance.

In this session you will also discover the 'Power of Assumptions'. By listening for and identifying assumptions that function like rules of engagement, you will be able to dramatically improve your communication skills and manage conflict more productively.

During this session you will learn:

- How to apply leveraged thinking whether you are the leader, manager, supervisor or team member
- How to manage performance
- How to identify and discuss assumptions, even when there is a strong beliefs system in place- that may be incorrect!
- How to align assumptions and minimize conflict before people make significant investments of time, energy and money

By the end of this session, you will have a greater understanding of the disciplines of an effective leader. You will also understand the concepts of Fixed Invisible Belief Systems compared to Growth Invisible Belief Systems and the dramatic impact those two approaches have on you, your team and your organization.

In 1987, De Hicks, the founder of SCGI began a rewarding consulting relationship with a regional hospital. Shortly afterward, atop breathtaking Mt. Stuart in the Washington Cascade Range, he decided to create a unique organizational development consulting practice focusing on innovative implementation of time-tested truths about human interaction in groups under pressure.

In the years that followed, De has been joined by other gifted and effective consultants to form the Stuart Consulting Group, Inc.

With offices in Seattle, Spokane and Sacramento, SCGI supports medium to large sized public and private organizations. De has a Bachelor's in Business Administration, Master's in Business Administration, a Master's in Organizational Development and a Ph.D in the Science of Organizational Leadership.

Pre-registration and payment of a \$195.00 fee is required to attend this Academy session. In order to receive certification points, each participant is required to complete an assessment within one month of the session.

Sunday, May 19, 2013

8:00 a.m. – 12:15 p.m.

Fee: \$195.00

The New Jersey Shore Protection Program – Safeguarding Our Coastal Communities

Panelists:

William Dixon

Supervisor

Bureau of Coastal Engineering, Toms River, NJ

Jeffrey A. Gebert

Chief, Coastal Planning Section

Philadelphia District, Corps of Engineers, Philadelphia, PA

Constance A. Mahon, CMC

Municipal Clerk

Cape May Point, Cape May Point, NJ

Jon K. Miller, Ph.D.

Research Assistant Professor, Coastal and Ocean Engineering

The Center for Maritime Systems

Stevens Institute of Technology, Hoboken, NJ

New Jersey has 130 miles of Atlantic Ocean shoreline, of which approximately 98 miles are intensively developed with public, private, business and residential infrastructure. Within this coastal zone, there are four counties, 44 independent municipal entities, four Congressional Districts, two USACE Districts, and ten congressionally authorized shore protection projects, of which eight have been constructed in whole or in part to date. Further, the New Jersey legislature has created a dedicated fund that provides \$25M annually for purposes of "shore protection". Together these components represent the most comprehensive commitment to shore protection of any state in the US.

Education Program continued on page 9

General Sessions

This year, we are offering three General Education Sessions presented by nationally known speakers who will discuss diverse and timely subjects relevant to the job of the Municipal Clerk. Sessions include themes of Leadership, Emergency Management and Communication.

Monday, May 20, 2013

1:30 p.m. - 2:30 p.m.

Leading from the Front: Leadership Amidst Chaos

Colonel (Ret) Jill Morgenthaler

Jill Morgenthaler, Inc. "CJMI"
Des Plaines, IL



Organizations face unpredictability every day. Cities worldwide are plagued with natural disasters and man-made emergencies. Cities cannot rule out terrorism. Recent events have shown how the lack of leadership or poor leadership worsens the situation. What do you need to be, know, and do to effectively save lives, property and reputation?

Retired Colonel Jill Morgenthaler will begin by sharing with us her showdown with Saddam Hussein. She will then cover three core leadership components necessary for facing a crisis, specific leadership skills for managing the crisis, and three C's for establishing credibility with the survivors, stakeholders and media. An award-winning speaker and storyteller, she will enthrall the audience while sharing concrete information on what a leader must be, know and do during chaos.

Crisis Leadership skills are necessary to save lives, property, and the reputation of organizations. Crisis leadership involves skills that are vital to recovery in the midst of a disaster. The question is what leadership skills are essential to define the crisis beyond the obvious, gain confidence of the responders, survivors and stakeholders, forecast consequences of decisions, assess the impact of the crisis on core assets and make decisive lifesaving decisions.

The US Army and the State of Illinois turned to Retired Colonel Jill Morgenthaler repeatedly to lead during disasters to include earthquakes, tornadoes, ice storms, and college shootings. Colonel Morgenthaler, a combat veteran of two wars, has received the Bronze Star and the Legion of Merit. She has advised foreign governments, US Senators, and local officials on emergency management.

Retired Colonel Jill Morgenthaler is a woman of many firsts. She was one of the first women to train as an equal with men in college ROTC. She was the first woman battalion commander in the 88th Regional Support Command; she was the first woman brigade commander in the 84th Division; and she was the first woman Homeland Security Advisor for the State of Illinois.

Colonel Morgenthaler handled disaster recovery during the San Francisco earthquake in 1989, worked as a peacekeeper in Bosnia, and conducted evacuation operations for Kosovar refugees. For her leadership performance in Iraq in 2004, she received the Bronze Star. For her thirty years of extraordinary service, the Army awarded her the Legion of Merit.

Colonel Morgenthaler advises leaders from local to international on crisis management, crisis leadership and crisis

General Sessions continued on page 15

Athenian Leadership Society Dialogues (continued)

She was also named City Clerk of the Year by her TMCA Chapter on four different occasions. She has also served on the Board of Directors of the Texas Municipal League.

In 2009, she was inducted as a Fellow in the Athenian Leadership Society, an advanced leadership program of the IIMC. Since that time, she has greatly enjoyed facilitating leadership dialogues at IIMC conferences and for several state associations on behalf of IIMC. She also serves as a facilitator mentor for other clerks wishing to become dialogue facilitators for IIMC. Stratta also serves as an instructor of

educational sessions for IIMC, the National League of Cities, the Texas Municipal League, the Texas Municipal Clerks Certification Program and various other state associations and organizations.

Pre-registration (on-site registrations are not allowed) and payment of a \$100.00 fee is required to attend this Athenian Leadership Society Dialogue. In order to receive points, each participant is required to complete an assessment within one month of the Dialogue.

communications. During her tenure as Homeland Security Advisor to the State of Illinois, she led emergency response for tornados, floods, and ice storms.

Tuesday, May 21, 2013

8:30 a.m. - 9:30 a.m.



**The Leadership Payoff:
How The Best Leaders Bring
Out The Best in Others...
And So Can You**

Dr. Alan R. Zimmerman, CSP
Bonita Springs, FL

Leadership has little or nothing to do with your title or your position. But it has everything to do with your ability to influence and bring out the best in others.

And it doesn't matter if you're an executive, a manager, a supervisor, a team leader, a committee member, or even a parent. Your effectiveness in any of those roles will be dependent on your leadership savvy and your use of "The Payoff Principle."

As a leader at any level, when you tap into your driving Purpose, share your contagious Passion, and engage the right Process, you generate an enormous Payoff: You trigger the other person's motivation and cooperation.

And unlike other leadership or motivational keynotes that merely focus on theory, this program focuses on the exact-how-to's. No guessing. You'll get time-tested, experience-proven strategies that engage the whole person and all of his talents. And you will leave this program with lasting tools you can use the very next day... to get better results than ever before.

During this session you will learn to:

- Eliminate words and actions that inadvertently de-motivate others.
- Harness the power of contagious enthusiasm to encourage "the will to win" in everyone at every level.
- Build a workplace atmosphere where trust and respect are the norms and not the exception.
- Launch strategies that get others "to give it their all" instead of "doing just enough to get by."

Dr. Zimmerman has a Bachelor's degree in Speech and Political Science, a Master's degree in Speech-Communication and Sociology and a Doctorate in the field of Interpersonal Communication and Psychology.

After 15 years of work as a university professor, he founded the Zimmerman Communi-Care Network, Inc. in 1985, a speaking, training, and consulting company, with offices in two states and employees in two countries. As the president of that company, he has delivered hundreds of presentations across the world, and maintained a 92% repeat and referral business.

In addition to his presentations, he has developed dozens of audio, video, and written materials to reinforce the skills and strategies that he teaches. Besides teaching and speaking, he's also worked in the international import business, a small business that he started, owned and operated in his teenage years. In addition, he's worked in retail sales, radio broadcasting, recreation management, and prison therapy.

And, of course, he's learned a great deal by working with hundreds of organizations, having access to their leaders, and consulting with the top decision makers in business, government, health care, and education.

Wednesday, May 22, 2013

8:30 a.m. - 9:30 a.m.



**The Truth About
Communication: Leverage Your
Language for Maximum Results**

Colette Carlson

Speak Your Truth, Inc., Encinitas, CA

Want to be recognized, respected and rewarded in your career? Want to be tapped for your leadership potential? To communicate with impact you must be

clear, concise and congruent! Exceptional communicators get hired quicker, promoted faster, get along better with others and live happier lives. Colette opens our eyes and ears to the latest research in communication to help you get what you want. You will laugh as you learn in this hands-on session as she unveils the language of leadership – the small changes that can have a huge impact on your career. Never be at a loss for words again or feel tongue-tied after learning how to DEAL with any communication confrontation with confidence and grace using her proprietary and practical technique. Most importantly, recognize defeating behavior and embrace positive mind, mouth, and motions that allow you to speak your truth, facilitate understanding and catapult your career and credibility!

General Sessions continued on page 17

Concurrent Education Sessions

Records Management

- Cloud Computing Primer for Municipal Records Management
- Social Media and E-Records Policies and Retention
- Electronic Posting of City Meeting Notices
- The Value of Taking Time to Clean Up Your Records
- How to Design a Legally Defensible Records Retention Plan
- Moving Your Records Safely: Strategies During Renovation, Relocation or Emergencies

Budget/Finance

- Forecasting in a Depressed Economy
- Budgeting: Numbers Are Only Part of the Story
- Fiscal Management

Ethics

- The City of Alexandria Ethics Initiative: Lessons Learned and Applied
- Ethical Financials
- Public Service Ethics

Professional Development

- Leading The Clerk's Office Through Difficult Economic Times
- Shared Services and Democratic Modernization
- Problem Solving and Finding the 2nd Right Answer
- The Partnership Payoff: The 7 Keys to Better Relationships and Greater Teamwork

- Grant Writing: Action Steps for Municipal Clerks
- Beyond Survival: Managing Public Employee Performance for the Future
- Understanding the Sovereign Citizen Movement
- Organizational Leadership: It's Not Just for Bosses Anymore

Information Technology

- Leveraging Social Media for Your Municipality
- Going Mobile: Handling Devices in the Public Sector
- Vendor Management

Crucial Conversations (Roundtables)

- Records Management
- Ethics
- Communication
- Technology in the Clerk's Office
- Emergency Management
- Agenda & Meeting Management
- Performance Management

Attention New Jersey IIMC Members: Application will be made to the New Jersey Division of Local Government Services for Continuing Education Units (CEU's) in all disciplines associated with the New Jersey Registered Municipal Clerk designation.

POINTS FOR ATTENDING 2013 IIMC Conference

Attending the ENTIRE IIMC Conference in Atlantic City, New Jersey, will earn you EIGHT CMC EDUCATION or EXPERIENCE points, or EIGHT MMC ADVANCED EDUCATION or PROFESSIONAL and SOCIAL CONTRIBUTION points. To receive all EIGHT Points, IIMC will be scanning Delegates prior to each education session.

MASTER MUNICIPAL ACADEMY POINTS

Master Municipal Clerk Academy attendees can earn two (2) points for each Academy attended and completed (including assessment) for a possible total number of eight (8) points.

ATHENIAN DIALOGUES

Athenian Dialogue attendees can earn two (2) points for each Dialogue attended and completed (including assessment).

The truth is there is nothing soft about soft skills! Human Resource professionals claim that over 80% of the people who fail do so because of their inability to communicate well with others. Recent research shows that even in highly technical jobs, success is determined more by soft, rather than hard skills, and even MBA programs at Harvard and Stanford recently added soft skills training to their curriculum.

This program acts as a mini coaching session: blending the theoretical with the practical, sound research with qualitative reasoning, objective insights with descriptive applications. Every individual walks away with easily assimilated action steps to incorporate into any working relationship.

After attending this program you will know how to:

- Ask for exactly what you want without offending a soul.
- Get your mind, mouth, and motions in synch to facilitate understanding.
- DEAL with any communication confrontation with confidence and grace using Colette's proprietary and practical technique.
- Recognize the difference between passive-aggressive and Passive-Digressive™ behavior in order to speak with strength and confidence.
- Leverage your language to speak like a leader to get the respect and rewards you deserve.

Colette is a funny and exciting Human Behavior Expert and author who motivates thousands worldwide revealing the power of Speaking Your Truth! Only by telling the truth on herself, combined with her hunger for personal development, was she able to overcome her own fears and addictions that kept her 50 lbs. overweight and making underwhelming

choices. This led to her passion to share her wit and wisdom with others saving them time, money and sanity!

Colette knows her stuff and has the research, education and experience to back it up. After applying the strategies she now teaches Colette found the courage to leave the safety net of a monthly paycheck as a top-notch administrative assistant and step out into the realm of a bold, commission-only sales livelihood. Working for sales legend Tom Hopkins, she quickly ascended to become the #1 sales producer. Her immediate success led to an opportunity to join sales guru Brian Tracy's international organization, and shortly thereafter she became a National Sales Trainer for US West. In the midst of raising her two daughters, Colette went back to night school to earn her Masters in Human Behavior.

Colette was recently featured in Success Magazine, and has also appeared in Working Mother and Personal Development publications. Her monthly column, "Tactfully Speaking" is featured in the National Institute of Business Management's hard-copy publication, in addition to her professional advice column, "Ask Colette." As a Show Host, her program, Communicate with Confidence, is presented at The Women's Information Network. Colette has been featured on The Success Training Network's "Made for Success" series, and played a role in motivational movies, Pass It On and Riches: The 7 Secrets of Wealth you Were Never Told. She is the author of her own soon-to-be-released book, and a contributing author in two other texts: Conversations on Success, along with Deepak Chopra and Mark Sanborn and The Book of Riches, along with T. Harv Eker, John Demartini and Brian Tracy. Lastly, she is an active member of the National Speakers Association.



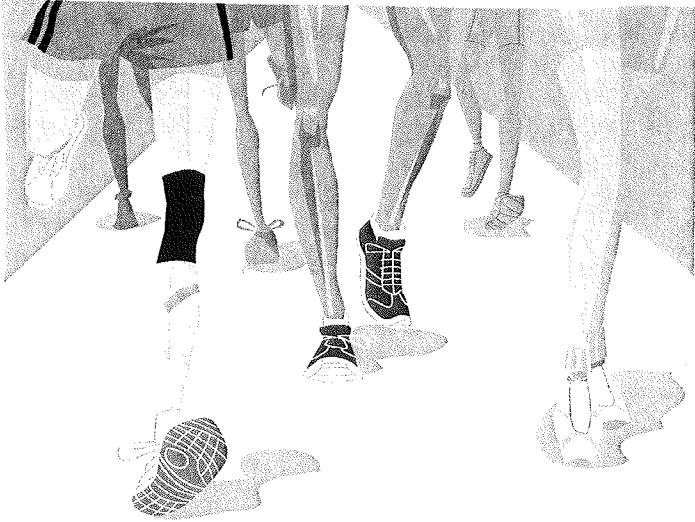
Monday, May 20 - Thursday, May 23, 2012

How May I Help You? **Your Certification Questions Answered Here**

Have a question regarding the CMC program? MMC Program? Want to meet the voice behind the phone and emails? IIMC's Verification Specialist, Ashley Carroll, will be in the Exhibit Hall and at the IIMC Registration Desk periodically to answer your questions regarding these programs.

Please do not bring your application and its supporting documents to the conference for review. The Education Department will not be able to accept or review any documentation at the conference.

15th Annual MCEF Walk/Run



MCEF welcomes all Delegates, guests and family members

The Municipal Clerks Education Foundation (MCEF) urges 2013 Conference Delegates, guests and family members to participate in an exciting, healthy and worthwhile fundraiser at the IIMC Conference - the MCEF Walk/Run.

On Sunday, May 19, you will have the opportunity to join your IIMC Delegates and friends at the 2013 MCEF Walk/Run. This year's Walk/Run features a unique setting with plenty of history.

One of the more memorable things about growing up was gathering around the table to play "board" games. Perhaps the

most famous board game of all time was none other than MONOPOLY!

The inspiration for Monopoly was the streets of Atlantic City. Whether you owned Ventnor Avenue, Atlantic Avenue or St. Charles Place, everyone's goal was to own the most famous piece of real estate in the game - BOARDWALK! This iconic structure was named for the beautifully scenic Atlantic City Boardwalk -- the site for the 2013 MCEF Walk Run!

Like the many celebrities and the many Miss Americas who've strolled, walked or ran down this famous boardwalk, you too can be a part of history by participating in the Walk Run. Help raise money for MCEF in a historical and beautiful setting - the Atlantic Ocean and the famous Atlantic City Boardwalk! Go ahead and "Pass Go"- and raise vital funds for your professional organization.

There will be prizes for participants who reach various pledge levels- including one complimentary registration for the 2014 IIMC Annual Conference in Milwaukee, WI. MCEF suggests you ask friends and colleagues to sponsor your participation in this worthwhile, healthy, and exciting event. We are excited to announce that the first 100 pre-registered participants will receive a complimentary Walk/Run T-Shirt, donated by Municipal Code Corporation.

Pledge sheets will be emailed to participants after they register.
You can also pick-up a pledge sheet at the MCEF booth in Atlantic City.

MCEF appreciates YOUR COMPASSION!



WHO: All IIMC Conference Attendees
WHAT: MCEF Walk/Run
WHEN: Sunday, May 19, 2013 - 7 a.m.
WHERE: Atlantic City Boardwalk
COST: \$25

