

**LAKE COUNTY BOARD OF COMMISSIONERS**  
**Regular Meeting**  
**April 10, 2013**  
**10:30 a.m.**

Chairman Walls called the meeting to order at 10:45 a.m.

Commissioner Clarke gave the prayer and the Pledge of Allegiance was said.

Deputy Clerk Lori DeWolf called the roll with the following Commissioners present:

Dan Sloan, Barb Stenger, Colleen Carrington-Atkins, Sandy Clarke, John Fairbanks, Robert Myers and Karl Walls.

There were no Commissioners absent.

Commissioner Fairbanks moved that the agenda be approved as presented, seconded by Commissioner Myers, and by voice vote carried.

Commissioner Carrington-Atkins moved that the minutes from the March 27, 2013 regular meeting be approved as presented, seconded by Commissioner Clarke and by voice vote carried.

**BRIEF PUBLIC COMMENT** – *Limited to 5 minutes each, please!*

Bill Gillard, President of the Lake County Community Foundation (LCCF) and Sauble Township Supervisor was present regarding the Baked Potato Dinner, Saturday April 13<sup>th</sup> from 4:00 p.m. to 7:00 p.m. at \$6.00 per person. He had advanced tickets for sale.

Larry Collier was present and stated he was disappointed that the ORV Ordinance was not done by April 1, 2013. Mr. Collier also stated the County Website still shows him as a Commissioner and the new Undersheriff is not listed. Mr. Collier questioned the Resolution for the 2<sup>nd</sup> Amendment and why it failed with a 3 – 3 vote.

Discussion followed.

Chairman Walls agreed that the website needs to be updated and is thankful for those who bring this to the attention of the Commissioners.

Ernie Wogatzke was present and questioned where the Planning Commission is headed as the Trail and Webber Park project and is asking for guidance.

Chairman Walls stated that the Planning Commission has been given direction.

Kay Cummings was present to invite all to the Idlewild Community Corporation presentation and felt this would be an opportunity for the board to come hear what will be discussed. They did hire Michael Krauch for finance and housing and he is located in Mason County.

The Amendment to the ORV Ordinance was discussed. The map, with changes made, was discussed.

Commissioner Fairbanks moved for approval for the Amendment to the ORV Ordinance and Map, and the Ordinance reflects Lake County will be open year round with flags on the ATV's between December 1 and March 31, seconded by Commissioner Sloan, roll call vote 6 yes, 1 NO, Commissioner Myers.

**PERSONS SCHEDULED TO ADDRESS THE COMMISSIONERS**

**11:00 a.m.** Marilyn Burns, Area Agency on Aging, was present to speak on the demographics of the clients, both male and female, serviced by St. Ann's and Baldwin Health Care. The funding cuts at the State and Federal

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level will be felt in the future. For fiscal year 2014, the Governor did increase the Medicare waiver from 200 million to 299 million, to help keep elders in their homes and not in nursing homes. The reserves at Area Agency on Aging are in need and they do not want anyone to go hungry. April 22<sup>nd</sup> is the annual meeting at the Prince Conference Center. In June, Ms. Burns the proposals will be reviewed by the Proposal Review Committee and explained how this process works.

Ms. Burns thanked the board for allowing her to serve on the board for some 15 years.

**11:10 am.** Gus Motzer, Equalization Director was present to discuss and review the L-4024 for 2013. Mr. Motzer stated the SEVs are down 1.8% and the taxable values are up 1.4% due to new construction. He went on to explain CPI's and then requested approval and authorization to sign the County's L-4024.

In light of Mr. Motzer's retirement, Chairman Walls stated the Personnel Committee will meet with the equalization staff regarding the Director's position and possible options that may happen for a trial basis. The Personnel Meeting is Monday, April 15, 2013 at 10 a.m.

Commissioner Myers moved for approval and authorization for signature on the L-4024 Equalization Report, seconded by Commissioner Clarke, roll call vote 7 yes.

Chairman Walls asked Mr. Motzer to please let his office aware of the upcoming meeting and if they have concerns, etc. to please contact Clerk/Register/CFO Myers and she will bring these concerns to the board.

### **COMMITTEE REPORTS**

#### **FINANCE**

Commissioner Clarke moved for approval for the conference and training request for Dave Sanders and Jim Anderlohr, 911/Emergency Management, to attend the Great Lakes Homeland Security Conference in Grand Rapids April 30<sup>th</sup> – May 2, 2013 for the cost of registration \$700.00, cost of hotel, \$198.00 plus taxes, cost of meals \$84.00 and the cost of mileage \$100.00 for a total cost of \$1,082.00 and being paid out of Emergency Managements budget, seconded by Commissioner Stenger, roll call vote 7 yes.

Commissioner Clarke moved for approval for the conference and training request for Carol Koon and Donna Grein, 911, to attend the "When the 911 Caller is a Kid", at Oakland Police Academy April 22, 2013 for the cost of registration \$490.00, cost of hotel \$89.00 plus taxes, cost of meals \$84.00 and the cost of mileage \$127 for a total cost of \$790.00, seconded by Commissioner Myers, roll call vote 7 yes.

Commissioner Clarke moved for approval for the conference and training request from Craig Cooper, Prosecutor, to attend the Keeping Kids Alive, Child Death Review Team Member Training at Crystal Mountain, Thompsonville April 28<sup>th</sup> – April 30<sup>th</sup> for the cost of hotel \$142.70, the cost for meals \$64.00 and the cost of mileage \$55.09, for a total cost of \$261.79, seconded by Commissioner Stenger, roll call vote 7 yes.

Commissioner Clarke moved for approval for the conference and training request for Carol Wallace, Friend of the Court, to attend the Northern Michigan Family Support Council Spring Conference and Training in Traverse City May 15, 2013 for the cost of registration \$20.00 and the cost of mileage \$68.00 for a total cost of \$88.00, seconded by Commissioner Myers, roll call vote 7 yes.

Commissioner Clarke moved for approval for the conference and training request from Alicia McCarthy, Prosecutor's Office, to attend the Basic Training for New Prosecutors, in East Lansing, May 13<sup>th</sup> – May 16, 2013 for the cost of registration \$500.00 and the cost of mileage \$80.78, for a total cost of \$580.78, seconded by Commissioner Stenger, roll call vote 7 yes.

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Commissioner Clarke moved for approval for the purchase requisition from Accounting to CDW-G.com for the purchase of Cisco Catalyst Switch for the wireless internet in the Courthouse for a total cost of \$1,282.78, with a budget amendment forthcoming for this purchase, seconded by Commissioner Myers, roll call vote 7 yes.

Commissioner Clarke moved for approval of the purchase requisition from Maintenance to M-R Digging for the demolition of the barn at the fairgrounds and a dumpster, if needed for a total cost not to exceed \$4,078.00, seconded by Commissioner Fairbanks, roll call vote 7 yes.

Commissioner Clarke moved for approval for the purchase requisition from Lake County Sheriff's Department/Road Patrol to TeleRad for labor and material to remove equipment from the 2009 Dodge Durango and install the equipment in a 2013 Dodge Durango for the total cost of \$3,375.00, seconded by Commissioner Myers, roll call vote 7 yes.

Commissioner Clarke moved for approval for the purchase requisition from Lake County Sheriff's Department/Road Patrol to TeleRad for labor and material to install equipment removed from old patrol vehicle to a 2013 Dodge Charger for the total cost of \$1,900.00, seconded by Commissioner Myers, roll call vote 7 yes.

Commissioner Carrington-Atkins moved for approval for the purchase requisition from Lake County Sheriff's Department/Jail to Western Detention Hardware Products for 3 Electronic Locks for the Jail for a total cost of \$1,741.47, seconded by Commission Clarke, roll call vote 7 yes.

Commissioner Carrington-Atkins moved for approval for the purchase requisition from Lake County Sheriff's Department/RRP Center to Brooks Security for 1 16 Channel DVR 120 FPS for a total cost of \$2,250.00, seconded by Commissioner Stenger, roll call vote 7 yes.

Commissioner Carrington-Atkins moved for approval for the purchase requisition from Lake County Sheriff's Department/RRP Center to Western Detention Hardware Products for 2 Electronic Locks for the RRP for a total cost of \$1,145.76, seconded by Commissioner Fairbanks, roll call vote 7 yes.

Commissioner Carrington-Atkins moved for approval and authorize signature for the Emergency Management 2<sup>nd</sup> Quarter Work Agreement Report, seconded by Commissioner Myers, roll call vote 7 yes.

Commissioner Carrington-Atkins moved for approval for the purchase requisition from Lake County Sheriff's Department/Animal Control to Wolverine Coach Inc. for the Dog Box for the new truck in the amount of \$3,400.00 with a budget amendment forthcoming, seconded by Commissioner Fairbanks, roll call vote 7 yes.

Commissioner Carrington-Atkins moved for approval to pay per diem to Commissioner Fairbanks for attending the Stormwater Conference, seconded by Commissioner Clarke, roll call vote, 5 yes and 2 NO, Commissioner Fairbanks and Chairman Walls.

Commissioner Myers moved for payment of bills by fund as follows:

General Fund	\$40,384.31
Road Patrol	6,144.01
E911	63,723.14
RRP Center	14,994.06
Building Inspection Department	4,254.39
Register of Deeds	1,167.95
Law Library	197.50
Child Care-Probate	24,692.24
Veterans Trust	778.92

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Ambulance	26,006.83	
D.H.S. Building	112.98	
Commissary Fund	3,953.94	
Lake Level Revolving	<u>4,396.91</u>	
GRAND TOTAL		<u>\$190,807.18</u>

Seconded by Commissioner Carrington-Atkins.

Discussion followed regarding the ambulance and lake level bills, with Clerk/Register/CFO Myers explaining that the ambulance fees are monthly and lake level fees are an in and out process. There was additional discussion concerning the \$62,000 capital outlay for 911. Commissioner Sloan questioned what substances were involved on the invoices to AKT Peerless and Michigan Association of Counties (MAC). Clerk/Register/CFO Myers responded that it was petroleum. Chairman Walls asked if Brownfield members could find out and report at the next meeting. Commissioner Fairbanks remarked the fees for Child Care-Probate to institutionalize youngsters and has concerns on the cost.

Roll call vote 7 yes.

*The Board recessed for lunch at 11:45 a.m.*

*The Board reconvened at 1:18 p.m.*

**COMMITTEE REPORTS cont.**

**PERSONNEL**

Commissioner Clarke reported that at the recent meeting the board approved moving the part-time person in the Treasurer's Office to fulltime effective April 15, 2013 as requested by the County Treasurer, Brenda Kutchinski.

Commissioner Carrington-Atkins commented that she had asked about having two part-time employees, but the Treasurer wanted to move the part-time employee to fulltime to avoid any changes.

Commissioner Clarke moved for approval the request from the County Treasurer to move the part-time person to fulltime effective April 15, 2013 as requested from the Personnel Committee, seconded by Commissioner Myers

Commissioner Stenger asked what extra work is needed for this person to go from part-time to fulltime and Chairman Walls explained the Land Bank Program and the work that is involved.

Clerk/Register/CFO Myers stated there is a possibility of one person retiring next year and it would be a good time to move the part-time employee to fulltime.

Roll call vote 7 yes.

Commissioner Clarke reported that there were many applications received for the MSUe position and they interviewed five candidates. It was recommended to hire Nora Lennen by Commissioner Clarke and Chairman Walls but Commissioner Carrington-Atkins and Kay Cummings, MSUe Director did not approve with this selection.

Chairman Walls stated they had five great candidates and explained why they chose Nora and she is also a county resident.

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Kay Cummings stated she had done all the reference checks before determining who to hire and explained why she would prefer Ms. Applewhite for this position.

Commissioner Myers stated the Board is here to do a job. The Personnel Committee did their job and after the interviews they make a recommendation to come to the full board.

A lengthy discussion followed regarding this position and pros and cons on their recommendations.

Commissioner Sloan called for a motion for the floor.

Commissioner Stenger felt the Personnel Committee should be a Committee of the Whole and felt she could not make any decision when she did not meet nor participate in the interviews.

Chairman Walls said this issue may need to be discussed and/or reviewed in the future.

Commissioner Sloan stated he supports the Personnel Committee's recommendation, but feels there are other issues involved. He would like clarification from the Department Head.

Clerk/Register/CFO Myers responded that this is a county employee. Although they work in another funded department, they are paid from a General Fund account and stated that a resolution was done to have the CFO oversee all non-elected department heads.

Discussion followed.

Commissioner Clarke moved for approval to accept the recommendation from the Personnel Committee to hire the applicant Nora Lennen for the open position at MSUe, seconded by Commissioner Myers.

Additional discussion followed prior to the vote.

Roll call vote 3 yes and 4 NO, Commissioners Carrington-Atkins, Fairbanks, Sloan and Stenger. Motion fails.

Commissioner Fairbanks moved for approval to retain the current County employee for the MSUe position, seconded by Commissioner Carrington-Atkins, roll call vote 5 yes and 2 NO, Commissioner Myers and Chairman Walls.

Clerk/Register/CFO Myers stated Ms. Applewhite can start when her physical is complete.

Kay stated the invitations she distributed earlier, stated the presentation is Monday April 29<sup>th</sup>, but it actually is Friday, April 26, 2013.

Commissioner Sloan asked about the Equalization Director's position.

Clerk/Register/CFO Myers said she has emailed the Equalization Directors Association and spoke with Osceola County to discuss their help on a temporary basis and the one resume we received declined the interview.

Discussion followed regarding the Building Department and consolidation.

### **PROPERTY/SAFETY**

Commissioner Fairbanks reported Chief Deputy Dagen has drafted a policy regarding the panic buttons in the Courthouse and testing them and this needs to be reviewed at a Safety meeting then bring to the board for approval. The next Property/Safety Meeting is scheduled for April 15, 2013 at 1:30 pm.

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Commissioner Fairbanks reported on the water quality at the RRP and the fact that too many minerals are going through the water lines and plugging up the heat exchangers and asked why can't the RRP use Webber Township's water. He stated there need to be an open dialogue with the Village of Baldwin.

Discussion followed regarding the legal issues.

### **AGENCY REPORTS**

#### **BUILDING AUTHORITY**

Commissioner Myers reported they met last week regarding the new EMS building. There are issues with the Village of Baldwin concerning the location of the driveway, fence, etc.

Commissioner Fairbanks asked about the budget, and Commissioner Myers stated they are within the budget.

Commissioner Fairbanks stated the roof is leaking at the new EMS building.

#### **ECONOMIC DEVELOPMENT AD-HOC COMMITTEE**

Commissioner Sloan reported they will begin a study regarding where to go for help with MSU, USDA, etc. and what sources are available for grants.

#### **FIVECAP**

Commissioner Stenger reported in the last 6 months the cuts have been 5.1% and they will rise to 8% after another 6 months and this is affecting the kids. Head start is not replacing busses and will be cutting a classroom, which most likely will be in Newaygo County resulting in losing a bus driver, teacher and a teacher's aide. She continued to report there will be cuts that will affect Earned Income Credit (EIC) and those with low income.

#### **HOUSING**

Commissioner Clarke reported she is in the process of writing a new grant for this year. She also reported that in the information from HUD, section 3, contractors must be licensed through low income/general laborer. This will mandatory.

#### **LAKE COUNTY FAMILY YOUTH PROGRAM**

Commissioner Sloan reported on the Spring Fling held at the Webber Park and the weather was a hindrance, which affected the outcome of participants. D.A.R.E. was also there. This committee would like to coordinate with Webber Park group and work together on programs between the two places.

#### **MAC SUB-COMMITTEES**

Commissioner Stenger reported that she had received an email from MAC and it was stated there is no marketing and steering committee.

Commissioner Sloan reported he had reached out also and reviewed upcoming programs.

#### **ECONOMIC & TAXATION**

Commissioner Myers reported they discussed the export trade.

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Discussion followed regarding attending these meetings and receiving per diem and mileage.

### **MI WORKS!**

Commissioner Myers reported they did a tour of Ice Mountain and they are running very efficiently and they work well with vendors. They do 6 million bottles per day and have 275 full time employees. He also reported that GED's are getting harder to receive and they have GED courses are college ready.

Discussion followed.

### **MSU DISTRICT 5**

Commissioner Fairbanks reported the main topic of discussion was the IRS and farmers that receive a subsidy and then will receive a 1099 and the issues they are having.

### **NORTHERN MICHIGAN SUBSTANCE ABUSE SERVICES**

Commissioner Myers reported there was an understanding that the State wants smaller groups, broken down to 4 or 5 counties per unit, but this would cost more and be less efficient. Other programs are all under budget and adding funds to the Veterans Group.

### **ORV**

Commissioner Fairbanks stated the Amendment to the ORV Ordinance passed this morning and there is two vacancies on this board and would like Bill Gillard and Al Shaughnessy to be appointed.

Chairman Walls appointed Bill Gillard, Sauble Township Supervisor, and Al Shaughnessy, Eden Township Supervisor to fill the vacancies on the ORV Ordinance Board.

Discussion followed regarding being a member on this committee and if there are any By-Laws stating such.

### **WMSRDC**

Commissioner Fairbanks stated he would like to attend the meeting July 16 and 17 to check if Rural Development Grant funds are available for a project in the Irons area.

Commissioner Fairbanks reported when Fire Departments need batteries for their radios, Dave Sanders purchases the batteries and then is reimbursed from the Fire Departments, and asked if this is done through the 911 budget.

Clerk/Register/CFO Myers stated this came through Emergency Management Department budget in the past and will review the recent orders and see how they were processed.

Discussion followed regarding reaching out to the Fire Departments.

Commissioner Clarke stated she will have this brought up at the next Lake County Township Officers Associations Meeting, and it was asked when we receive the notices for this meeting to please give a copy to Michael Applewhite and Dave Sanders.

### **CORRESPONDENCE – *see attachment "A"***

Item #4            Oceana County Resolution – it was requested a Resolution be done for the next meeting.

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Item #5 Letter regarding employee’s final check and Clerk/Register/CFO Myers explained the additional details.

Commissioner Fairbanks asked if all equipment from the employee’s vehicle was returned.

**CFO REPORT**

Clerk/Register/CFO Myers was present to report on the following:

1. Budget Amendments #10151 and #10152:

Commissioner Fairbanks moved for approval Budget Amendments #10151 and #10152 as follows:

**BA #10151**

Debit	101-430.00-744.001	Credit	101-901.00-983.002	\$2,480.00
Debit	101-430.00-744-000	Credit	101-901.00-983.002	\$ 920.00

Description: to move funds from Animal Control budget to Capital Outlay Budget for the purchase of the Animal Box for the new truck.

**BA #10152**

Debit	101-890.00-955.000	Credit	101-202.00-931.000	\$2,000.00
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Description: to move funds for the upgrade to server for the switches for wireless internet in the Courthouse.

Seconded by Commissioner Clarke, roll call vote 7 yes.

Clerk/Register/CFO Myers explained the \$2,480.00 is from donations specifically for the use of the Animal Box for the new ACO truck.

2. Received a letter from Ms. McClure and Richard Denney advising they had moved from the Senior Center and relocated at the Pathfinder Library.

3. Received a letter from Communities Overcoming Violent Encounters (COVE) describing their Capital Campaign to raise \$2.4 million for the construction of a new facility and have received two anonymous donations for this construction totaling \$1.1 million and on April 25<sup>th</sup> at 8:00 a.m. at the West Shore Bank, they will launch their campaign and all are invited to attend.

4. Received information from Newaygo County regarding the West Central Michigan County Alliance (WCMCA) on Monday April 29<sup>th</sup> and they will have a tour of the Sheriff’s Office at 5:00 p.m., then continue with appetizers, dinner and the meeting, and asked who all would attend.

Commissioner Fairbanks moved for approval that those Commissioners attending the WCMCA to receive per diem and mileage, seconded by Commissioner Clarke, roll call vote 7 yes.

**OLD BUSINESS**

Commissioner Fairbanks asked how the agreement with West Michigan Community Mental Health (WMCMH) is coming.

Clerk/Register/CFO Myers responded that the attorney reviewing has been in a trial and is hoping to have it for Chairman Walls to present it at the next WMCMH meeting.



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Discussion followed regarding the website and who maintains it. Chief Deputy DeWolf stated she will follow up with Dave Sanders on this.

Discussion followed regarding options to bring Fiber Optic in for the internet and that it should be discussed at an IT Meeting.

### **RESOLUTION – See Exhibit “B”**

Clerk/Register/CFO Myers requested the board rescind Resolution #02/27/13 1279 from February 27, 2013 and explained why.

Commissioner Fairbanks moved for approval to rescind Resolution # 02/27/13 1279 due to the fact that it was not sent to MERS in a timely matter and the hours were not correct, seconded by Commissioner Myers, roll call vote 7 yes.

Clerk/Register/CFO Myers requested approval for Resolution #04/10/13 1283 for defining the hours per month is equal to 140 hour for MERS retirement purposes.

Commissioner Fairbanks moved for approval for Resolutions #04/10/13 for defining the hours per month is equal to 140 hour for MERS retirement purposes, seconded by Commissioner Carrington-Atkins, roll call vote 7 yes.

Clerk/Register/CFO Myers followed up with Commissioners Fairbanks requests and stated all equipment is out of the vehicles with the exception of the antennas.

Discussion followed regarding the policy that was signed regarding County Property equipment and about getting the antennas back.

Discussion followed regarding what funds were used to purchase this equipment.

### **COMMISSIONERS PERSONAL PRIVILEGE**

Commissioner Stenger stated she respects each of the Commissioners and enjoys working with each of them.

Commissioner Clarke distributed the Lake County Community Foundation (LCCF) annual report to all.

Commissioner Fairbanks stated he enjoys working with this spirited group of individuals.

There being no further business, the meeting was adjourned at 3:45 p.m.

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Lori R. DeWolf, Deputy Clerk

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Karl Walls, Chairman of the Board

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**Exhibit “A”**

**NUMBERED CORRESPONDENCE**

- #1     MAC Legislative Update- April 1, 2013**
- #2     Lake County Permit Summary Report For March, 2013**
- #3     WMSRDC- March 28, 2013**
- #4     Oceana County Resolution**
- #5     Letter To Dave Fowler- April 2, 2013**
- #6     Bovine TB Confirmed In Saginaw County Dairy Heard**
- #7     WMSRDC- April 2, 2013**
- #8     MAC Legislative Update – April 8, 2013**

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Exhibit "B"

Resolution #04/10/13 1283

RESOLUTION FOR DEFINING A DAY OF WORK OR HOURS PER MONTH FOR MERS RETIREMENT PURPOSES



Note: To adopt the part-time to full-time employee service credit program under Plan Document Section 4(6), the governing body must adopt the Uniform Resolution Defining Hours Per Month For Part-Time Employees and Service Credit Conversion Upon Promotion to Full-Time Status.

In accordance with Section 3(1) of the MERS Plan Document, as the LAKE COUNTY BOARD OF COMMISSIONERS LAKE COUNTY 4301 (Governing Body) (Municipality)

does hereby certify that a day of work, or the number of hours of work in a month, for Non-Union - Division 11 (Indicate all employees or division name and number) for retirement purposes, shall

consist of one of the following to be effective as of April 1, 2013 (Date)

(Please complete either A or B)

- A. A day shall consist of hours. (Ten (10) days a month of such work days equals one month of credited service.)
B. [checked] A month shall consist of 140 hours. (Each month of such work hours equals one month of credited service.)

I hereby certify that the above is a true copy of a Resolution adopted at the meeting of the governing body held on APRIL 10, 2013 (Date)

[Signature of Shelley Myers] CLERK/REGISTER/CFO (Signature of Authorized Official) (Title)

RETURN TO: Municipal Employees' Retirement System of Michigan 1134 Municipal Way Lansing, MI 48917