

**BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT,
KITSAP COUNTY, WASHINGTON**

RESOLUTION 2010 – 16

A RESOLUTION of the of the Board of Commissioners of the Bainbridge Island Metropolitan Park & Recreation District, Kitsap County, Washington, relating to social security coverage for eligible employees of the District, retroactive to January 1, 2008; directing proper District officials to take necessary actions; and providing for other properly related matters.

BE IT RESOLVED BY the Board of Commissioners of Bainbridge Island Metropolitan Park & Recreation District, Washington, as follows:

Section 1. Recitals & Findings. The Board of Commissioners (the “Board”) of Bainbridge Island Metropolitan Park & Recreation District, Kitsap County, Washington (the “Park District” or “District”), hereby makes the following findings and determinations:

(a) The federal Old Age and Survivors Insurance (OASI) program became available to members of existing public retirement systems, in addition to and without any reduction or impairment of the protection and benefits afforded by such systems, by Congress (Pub.L. 83-761) and by the Washington State Legislature (Laws of 1955, ch.4).

(b) The District’s predecessor, the Bainbridge Island Park and Recreation District (a park and recreation district constituted under chapter 36.69 RCW), in 1971 opted into the OASI program by entering into an agreement (a “Section 218 Agreement”) with the federal social security administration to provide such coverage to its eligible employees.

(c) After formation of the District in 2006 and its assumption of its predecessor’s responsibilities in 2007, the District and its employees in 2008, opted to join the Public Employee Retirement System (PERS), operated by the Washington State Department of Retirement Systems, to provide retirement benefits for its employees.

(d) At such time, the District intended to continue participation in the OASI program in order to provide continuous federal social security coverage to its eligible employees; however, due to an error arising from a changeover in administration of the federal program at the State level, a new Section 218 Agreement was not executed at that time.

Therefore, the Board finds that it is in the best interests of the District to take such action as may be necessary or convenient to the end that coverage under the federal OASI program for all current and former employees of the District be maintained as continuous, retroactive to the date on which the District assumed responsibilities as employer for any employee of the predecessor Bainbridge Island Park & Recreation District.

Section 2. Purpose. It is hereby declared to be the policy and purpose of the District and its Board to extend the provisions of RCW 41.48.030, providing Social Security coverage to eligible employees of the District.

Section 3. Execution of Agreement. The Chair of the Board is authorized and directed to execute an agreement with the State of Washington to secure Social Security coverage of eligible employees as provided in this resolution.

Section 4. Effective Date of Coverage. The coverage of eligible employees shall take retroactive effect as of January 1, 2008 (or any such earlier date on which the District is found to have taken on the role of employer for any employee of the predecessor Bainbridge Island Park and Recreation District).

Section 5. Compliance with State and Federal Laws and Regulations.

(a) Withholdings from salaries or wages of employees for the purposes provided in this resolution are hereby authorized to be made in the amounts and at such times as may be required by applicable state and federal laws and regulations, and shall be paid to the Internal Revenue Service, in such amounts and at such times as are designated in IRS Code 3121(b)(7)(E) and 3126, as the same may be amended from time to time.

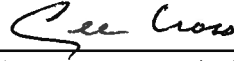
(b) Employer contributions shall be paid to the Internal Revenue Service from amounts appropriated for such purposes in accordance with applicable state and federal laws.

(c) The Metropolitan Park District shall maintain such records and submit such reports as may be required by applicable state and federal laws or regulations.

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Section 6. Effective Date. This resolution shall become effective immediately upon its adoption.

ADOPTED by the Board of Commissioners of Bainbridge Island Metropolitan Park & Recreation District, Kitsap County, Washington, at a regular meeting thereof, this 12th day of August, 2010, the following Commissioners being present and voting in favor of this action:



Chair and Commissioner Lee Cross

NOT PRESENT

Secretary and Commissioner Kenneth R. DeWitt

NOT PRESENT

Commissioner Kirk B. Robinson



Commissioner Paul Bang-Knudsen



Commissioner John Thomas Swolgaard

CERTIFICATION

I, the undersigned, Clerk to the Board of Park Commissioners of the Bainbridge Island Metropolitan Park & Recreation District, Kitsap County, Washington (the "District"), hereby certify as follows:

1. The attached copy of Resolution No. 2010-16 (the "Resolution") is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board held at the regular meeting place thereof on August 12, 2010, as that resolution appears on the minute book of the District; and the Resolution is now in full force and effect; and

2. A quorum of the members of the Board was present throughout the meeting and a majority of those members present voted in the proper manner for the adoption of the Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of August, 2010.

BAINBRIDGE ISLAND METROPOLITAN PARK &
RECREATION DISTRICT, KITSAP COUNTY,
WASHINGTON



Elizabeth Shepherd, Clerk to the Board