

**RESOLUTION 41**

**A RESOLUTION OF THE GOVERNING BOARD OF NORCOM ADOPTING THE  
NORCOM EMPLOYEES' BENEFIT PLAN GOOD FAITH AMENDMENT FOR  
PENSION PROTECTION ACT, HEART ACT (NOTICE 2010-15) AND CODE §  
401(A)(9)(H)**

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

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

**WHEREAS**, the Board previously established the NORCOM Employees' Benefit Plan and Trust ("Plan") for its employees;

**WHEREAS**, from time to time, the Plan must be updated to remain in compliance with the provisions of federal law with respect to qualified retirement plans; and

**WHEREAS**, the Board adopts the following resolutions, for and as the action of the NORCOM regarding the Plan.

**RESOLVED**, that NORCOM amend the Plan in accordance with the provisions of Section 401(a) of the Internal Revenue Code of 1986, as amended, updating the Plan to comply with law changes prescribed by: (1) the Pension Protection Act of 2006 (PPA); (2) the Heroes Earnings Assistance and Relief Tax Act of 2008 (HEART); and (3) the Worker, Retiree, and Employer Recovery Act of 2008 (WRERA), substantially in the form attached (the "Amendment");

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


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

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


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

Passed by majority vote of the Governing Board in open meeting on November 4, 2011.

Signed in authentication thereof on November 4, 2011.

  
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Chair

Attest:   
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Secretary