

RESOLUTION NO. 569A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT, WHATCOM
COUNTY, WASHINGTON, ADOPTING A FLEXIBLE BENEFITS PLAN

WHEREAS, the District wishes to adopt a cafeteria plan within the context of Section 125 of the Internal Revenue Code for the benefit of the District's eligible employees;

BE IT RESOLVED by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington as follows:

Section 1: The Board of Commissioners do hereby adopt the flexible benefits plan (consisting of the flexible benefits plan document, the Adoption Agreement, and component benefit plans and Policies) for the District effective as of April 1, 1996.

Section 2: RESOLVED FURTHER, that the General Manager of the District may, without a further resolution, execute the Adoption Agreement and any related documents or amendments which may be necessary or appropriate to adopt the plan or maintain its compliance with applicable federal, state and local law.

Section 3: BE IT FURTHER RESOLVED that any resolutions or parts of resolutions in conflict herewith are hereby repealed insofar as they conflict with the provisions of this resolution.

Section 4: If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Board hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, and if, for any reason, this Resolution should be declared invalid or unconstitutional, then the original Resolution or Resolutions shall be in full force and effect.

PASSED by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington, at a regular meeting held the 14th day of March, 1996.

COMMISSIONER

COMMISSIONER

COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 569 of Birch Bay Water and Sewer District, Whatcom County, Washington, adopted at the regular meeting of the Board of Commissioners on March 14th, 1996.

SECRETARY

RESOLUTION ADOPTING A FLEXIBLE BENEFITS PLAN

The undersigned hereby certifies that the following described Resolution was officially and legally adopted at the duly authorized official meeting of the body with legal authority (hereafter "Authority") to pass said Resolution. Said meeting was held on the date set forth below.

WHEREAS, the Authority wishes to adopt a cafeteria plan within the context of Section 125 of the Internal Revenue Code for the benefit of the employer's eligible employees.

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby adopts the flexible benefits plan (consisting of the flexible benefits plan document, the Adoption Agreement, and component benefit plans and Policies) for the Employer named herein below effective as of the date specified in the Adoption Agreement.

RESOLVED FURTHER, that any officer of the employer may, without a further resolution, execute the Adoption Agreement and any related documents or amendments which may be necessary or appropriate to adopt the plan or maintain its compliance with applicable federal, state and local law.

Name: _____

Body With Legal Authority Of Employer To Pass Resolution: _____
(Examples - Board of Directors, Board of Commissioner, etc.)

Date of Official Meeting of Authority
at which Resolution was Legally Passed: _____

Signature of Person with Authority to certify
that Resolution was legally passed

x

Secretary

Print Name and Title of Person above

[OFFICIAL SEAL]

Date: _____

*Note: Legal requirements for a valid Board of Directors Resolution vary from state to state. This document is merely a suggested form. Each Employer should consult with its own legal counsel to ensure compliance with applicable law.