

**CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2022-003**

RETIREMENT SYSTEM ORDINANCE AMENDMENT

An Ordinance to update, amend, and add definitions to provide for a defined contribution plan committee in the Retirement System provisions of Article III, Chapter 2 of the Waterford Township Code of Ordinances.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

Section 2-072 of the Waterford Charter Township Code is amended to add section e for providing a retiree health care plan to read as follows:

The purpose of this article is:

Sections (a) - (d) unchanged

(e) To provide a retiree health saving plan to help pay for qualified medical expenses upon retirement.

Section 2 of Ordinance

Section 2-073 of the Waterford Charter Township Code is amended to clarify the definition of defined contribution plan and to add definitions for defined contribution committee, deferred compensation plan and retiree health care plan to read as follows:

Sec. 2-073. Definitions.

Deferred compensation plan means the plan adopted by the Township Board for employees to place their income into a retirement account where it remains untaxed until the funds are withdrawn.

Defined contribution committee means the defined contribution committee provided for in this article.

Defined contribution plan means the current Governmental Money Purchase Plan and Trust adopted by the Township Board. Members must refer to the plan and trust for a description of the eligibility requirements and benefits thereunder.

Retiree health savings program (RHS) means a tax-advantaged savings program that qualified employees may use upon retirement to pay for qualifying medical expenses.

Section 3 of Ordinance

Section 2-091 of the Waterford Charter Township Code is amended to provide for a defined compensation plan committee and is amended to read as follows:

Division 2 Pension Committee and Defined Contribution Committee

Section 2-091. Committee over pension plan

There is hereby created a pension committee which is vested with the power and authority to administer, manage and operate and to interpret and implement the provisions of this article pertaining to the pension plan. The pension committee shall consist of five (5) committee persons as follows:

- (a) The Township Treasurer.
- (b) Two (2) citizens who are electors of the Township and who are neither a member, retirant, nor beneficiary of the retirement system, to be appointed by the Township Board.
- (c) Two (2) members of the retirement system (one (1) member of the retirement system and one (1) member of the defined benefit plan, who may be retired) to be elected by the members of the system in accordance with such rules and regulations as the committee shall from time to time adopt to govern such elections. No more than one (1) such member committee person shall be from the same Township department. Members of the police and fire pension system who are participants in the defined contribution plan are not eligible to serve on the pension committee.

Section 4 of Ordinance

Section 2-098 of the Waterford Charter Township Code is added to provide for a defined contribution plan committee to read as follows:

Section 2-098. Committee over defined contribution plan, deferred compensation plan and retiree health savings program

There is hereby created a defined contribution plan committee, which is vested with the power and authority to administer, manage and operate the defined contribution plan, the deferred compensation plan and the health savings program and interpret and implement the provisions of this article relating to these plans. The committee shall consist of five (5) committee persons as follows:

- (a) The Township Treasurer.
- (b) One (1) citizen member who is an elector of the Township and is neither a member, retirant, nor beneficiary of any Township benefit plan, to be appointed by the Township Board.
- (c) One member of the defined contribution plan who is an employee of the fire department, to be elected as provided below.
- (d) One member of the defined contribution plan who is an employee of the police department, to be elected as provided below.

- (e) One member of the defined contribution plan who is an employee of Township who works in any Township department other than the fire or police departments, to be elected as provided below.

The three employee members of the defined contribution plan board shall be elected members of the system in accordance with such rules and regulations as the committee shall adopt to govern elections.

Section 5 of Ordinance

Section 2-099 of the Waterford Charter Township Code is added to provide for the term of office for the defined compensation plan committee to read as follows:

Section 2-099. Term of office defined contribution committee

The regular term of office for all defined contribution committeepersons, except the Treasurer, shall be for three (3) years. Each committeeperson shall continue to serve as a committeeperson until their successor has qualified for the office of committeeperson. For the first defined contribution committee, the term of office shall be three (3) years for the appointed citizen committeeperson, two (2) years for the committeepersons from the fire and police department and one (1) year for the remaining Township employee committeeperson.

Section 6 of Ordinance

Section 2-110 of the Waterford Charter Township Code is added to provide for the oath of office requirement, how a vacancy is filled, quorum and meeting proceedings, roles of the defined contribution plan committee Chairperson and Treasurer and the requirements for records and annual reports to read as follows:

Section 2-110. Defined contribution plan committee oath of office, filling of vacancies, quorum and meeting procedures, roles of committee Chairperson and Treasurer and requirement for records and annual reports.

The defined contribution plan committee shall follow the requirements of Sections 2-903 through Section 2-907 for oath of office, filling of vacancies, quorum and meeting procedures, roles of committee Chairperson and Treasurer and requirement for records and annual reports.

Section 7 of Ordinance

Should the Courts declare any section, subdivision, sentence, clause or phrase of this ordinance to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part as invalidated.

Section 8 of Ordinance

This Ordinance shall take effect immediately upon publication.

CERTIFICATION

I certify that this Ordinance was adopted by the Board of Trustees of the Charter Township of Waterford at a meeting duly called and held on November 14, 2022.

CHARTER TOWNSHIP OF WATERFORD

Date

By: _____
Kim Markee, Township Clerk