

RESOLUTION NO. 20 -2016

A RESOLUTION FOR THE INCLUSION OF LAW ENFORCEMENT OFFICERS WHOSE EMPLOYERS PROVIDE SOCIAL SECURITY

WHEREAS, Montezuma County covers its law enforcement officers the federal Social Security Act; and

WHEREAS, pursuant to § 31-31-704.5 C.R.S., Montezuma County desires to affiliate with the Fire and Police Pension Association for purposes of supplemental coverage under both the statewide defined benefit plan under § 31-31-401 *et seq.*, C.R.S. and the statewide death and disability plan under § 31-31-801 *et seq.*, C.R.S.

WHEREAS, Montezuma County, in addition to social security benefits, currently does not provide an additional pension plan.

NOW THEREFORE BE IT RESOLVED by the Montezuma County Board of Commissioners that:

1. Montezuma County does hereby intend to cover its law enforcement officers with the Montezuma County Sheriff's Office whose duties are directly involved with the provision of police and fire protection under the social security supplemental plan component of the statewide defined benefit plan established pursuant to §31-31-704.6 C.R.S., and under the statewide death and disability plan established pursuant to part 8 of Title 31, Article 31, C.R.S.
2. Such supplemental retirement benefits shall be funded by contributions as established in §31-31-704.6(3) C.R.S. for the social security supplemental plan component of the statewide defined benefit plan and § 31-31-811(4) C.R.S. for the social security supplemental plan component of the statewide death and disability plan.
3. Coverage under the statewide defined benefit plan offered as a supplement to social security and the statewide death and disability plan shall be subject to the approval of at least 65% of all full time certified active members employed by the Montezuma County Sheriff's Office prior to approval of the application by FPPA.
4. Coverage shall become effective on February 1, 2017, assuming all necessary forms, procedures, election of the membership if required, and other relevant work is completed.
5. Montezuma County makes the following certifications:
 - a. All full time certified active Sheriff's Deputies will become participants in the social security supplemental plan component of the statewide defined benefit plan and the social security supplemental plan component of the statewide death and disability plan.

- b. Montezuma County acknowledges that the Montezuma County Sheriff's Office election to participate in the social security supplemental plan is irrevocable.
 - c. Montezuma County agrees to participate in the social security supplemental plan as described herein and to be bound by the terms of the plan and the decisions and actions of the board with respect to the plan.
6. Montezuma County intends to continue to offer the defined benefit or defined contribution plan indicated on page 1 of this resolution in addition to the social security supplemental plan(s).
 7. This affiliation resolution shall be revocable at any time prior to the commencement of the withholding of contributions from the members' salaries. If the employer does not revoke the resolution prior to the withholding of contributions, affiliation becomes irrevocable.
 8. The Montezuma County Clerk is directed to file a certified copy of this resolution with the Fire and Police Pension Association as soon as is practicable and full time certified law enforcement officers with the Montezuma County Sheriff's Office will take all other actions necessary to implement the coverage.

APPROVED this 12 day of Dec, 2016, at 10:30 o'clock am.

Montezuma County Board of Commissioners

Ben Drell
 County Clerk and Recorder
 Montezuma County, Colorado

Larry J. Leck

James R. Lambert
Kim L. Smith



APPROVED:

[Signature]
 Montezuma County Sheriff

DECEMBER 12, 2016
 Date