

RESOLUTION NO. 1-2018

A RESOLUTION AUTHORIZING A COUNTY WIDE ELECTION REGARDING WHETHER THE SWORN EMPLOYEES OF THE COUNTY'S SHERIFF OFFICE MAY WITHDRAW FROM THE COUNTY'S CCOERA RETIREMENT

WHEREAS, Montezuma County, Colorado, (the "County") is an employer with all eligible employees participating in an Internal Revenue Code Section 401(a) Plan administered by the Colorado County Officials and Employees Retirement Association ("CCOERA Plan"); and

WHEREAS, in excess of 65% of the sworn employees of the County's Sheriff Office who currently participate in the CCOERA Plan have formally expressed their desire to participate in a 401(a) qualified plan administered by another provider; and

WHEREAS, the County desires to permit the sworn employees of the County's Sheriff Office to withdraw from CCOERA and the CCOERA Plan on the Effective Date, as defined below, if 65% or more of all County eligible employees vote to permit such withdrawal, as CCOERA requires; and

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

Section 1. The County shall hold a vote of all County employees who are currently participating in the CCOERA Plan by secret personal and absentee ballot on whether to permit the sworn employees of the County's Sheriff Office to withdrawal from participation in the CCOERA Plan; and

At minimum of two weeks prior to the Employee Vote, all employees of the County currently participating in the CCOERA Plan may attend group meetings conducted by CCOERA regarding the question of the withdrawal of the sworn employees of the County's Sheriff Office from the CCOERA Plan; and

Each Eligible Elector shall be advised on their election ballot that: (a) if 65% of Eligible Electors approve the sworn employees of the County's Sheriff Office withdrawal from the CCOERA Plan, then all sworn employees will enroll in the FPPA Plan; and (b) the County will immediately re-apply for membership with CCOERA so that no non-Sheriff Office County employee will be adversely impacted by such withdrawal; and

The results of the Employee Vote shall be certified by the County Clerk to the Montezuma County Commissioners and communicated to the CCOERA Board of Directors following the Employee Vote; and

If the Employee Vote results in at least 65% of Eligible Electors voting to permit the sworn employees of the County's Sheriff Office to withdrawal from participation in the CCOERA Plan, the County will provide notice to CCOERA to effectuate a withdrawal from the CCOERA Plan regarding the sworn employees of the County's Sheriff Office and the County shall immediately re-apply for membership with CCOERA for all non-Sheriff Office County employees so that no non-Sheriff Office County employee will be adversely impacted by such withdrawal.

Section 2. Effective Date. The Employee Vote shall be held no less than 90 days prior to the effective date of any withdrawal from the CCOERA Plan by the sworn employees of the County's Sheriff Office. (the "Effective Date").

APPROVED this 8th day of January, 2018.

Montezuma County Board of Commissioners

Ken Percell
County Clerk and Recorder
Montezuma County, Colorado

James R. Lambert
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