



**CHARTER TOWNSHIP OF PLAINFIELD
KENT COUNTY, MICHIGAN**

OFFICER AND EMPLOYEE BENEFITS ORDINANCE

**ORDINANCE No. 821
RESOLUTION No. 09-49**

An ordinance to establish certain officer and employee benefits, and to authorize the township to enter into contracts to provide the benefits.

THE CHARTER TOWNSHIP OF PLAINFIELD ORDAINS:

1. Chapter 2, Article III is hereby created to read in full as follows:

Section 2-61. Benefit system established.

The Township hereby establishes a benefit system for its officers and employees.

Section 2-62. Insurance programs authorized.

Pursuant to Public Act 77 of 1989, as amended, the township hereby creates and establishes a group insurance program, and for such purposes, also hereby authorizes the township Supervisor and Clerk to contract, in the name of the Township Board, with any company authorized to transact such business within the state for the operation of the group insurance programs.

Section 2-63. Types of insurance programs.

The group insurance program shall consist of the following types of group insurance:

- (a) Health insurance
- (b) Retiree health insurance.
- (c) Short-term disability insurance.
- (d) Long-term disability insurance.
- (e) Life insurance.

Section 2-64. Terms of insurance programs.

The Township Board shall, by resolution, determine the precise terms of all insurance programs, including but not limited to:

- (a) The type, term and circumstances of any particular insurance program.
- (b) The definition and classes of officers (elected or appointed) and employees and their dependents eligible to receive such benefits.
- (c) The length of service and any other requirements for eligibility and enrollment under the group insurance program.
- (d) The amount, if any, which the township will expend to procure such benefits.
- (e) The formula, amounts, and/or limitations on amounts which may be deducted from the compensation of eligible officers and employees in payment of any portion of the premiums or charges established by the Board of Trustees as being payable by the officers or employees for such benefit(s).
- (f) The company selected by the township to operate the group insurance program unless the township desires to self insure.
- (g) The appropriate Township personnel who shall be responsible for daily administration, accounting, reporting and/or supervisory functions for the group insurance program on the Township's behalf.

The terms of the insurance programs shall be established by Township Board Resolution and may be incorporated into the Township's Personnel Policy Manual, contracts with collective bargaining units and/or written agreement executed by an employee and the Township.

Section 2-65. Retirement/deferred compensation program authorized.

Pursuant to Public Act 77 of 1989, as amended, the township hereby creates and establishes a retirement/deferred compensation program, and for such purposes, also hereby authorizes the township Supervisor and Clerk to contract, in the name of the Township Board, with any company authorized to transact such business within the state for the operation of the retirement/deferred compensation program.

Section 2-66. Types of retirement/deferred compensation programs.

The retirement/deferred compensation program shall consist of the following types of benefits:

- (a) A retirement plan.
- (b) A retirement Medical Savings account plan.

Section 2-67. Terms of retirement/deferred compensation programs.

The Township Board shall, by resolution, determine the precise terms of all retirement/deferred compensation programs, including but not limited to:

- (a) The definition and classes of officers (elected or appointed) and employees eligible to participate in the plan or programs.
- (b) The age, length of service and any other requirements for eligibility and enrollment under the plan or program.
- (c) Any formula, percentage share, amounts, or limitation on the amounts of compensation which eligible officers and employees may elect to defer under the plan or program.
- (d) When applicable, the normal retirement age under the plan or program.
- (e) Any early or late retirement ages or dates as the Township Board may desire under the plan or program.
- (f) When applicable, the contractual obligations of the Township for the payment of benefits to participating employees under the plan or program including, but not limited to, time and methods of payment of benefits under the plan or program and the purchase of annuity contract(s) on the lives of participants and/or beneficiaries of participants.
- (g) The administrator and all other fiduciaries of the plan or program.
- (h) The appropriate Township personnel who shall be responsible for daily administration, accounting, reporting and/or supervisory functions for the plan or program on the Township's behalf.

The terms of the retirement/deferred compensation programs shall be established by Township Board Resolution and may be incorporated into the Township's Personnel Policy Manual, contracts with collective bargaining units and/or written agreement executed by an employee and the Township.

Section 2-68. Cafeteria plan.

The township may establish a cafeteria plan authorized under section 125 of the Internal Revenue Code of 1986 for its elected or appointed officers and employees, any classes or elected or appointed officers and employees, and dependents of those officers and those employees. The specific terms of the cafeteria plan shall be established by Resolution of the Township Board.

Section 2-69. Other benefits.

In addition to those types of benefits specifically enumerated in this article, the township may offer any other benefit authorized by state or federal law.

Section 2-70. Authority to modify or terminate programs.

Subject to federal and state law, and any binding contractual obligations, the Township Board shall have the authority to amend, modify or even terminate any or all of the officer, employee or retiree benefits.

Section 2-71. Employee contributions.

The proper disbursing officer of the township may deduct from an officer's or employee's pay, salary, or compensation that part of the premium or charge that is payable by the officer or employee.

Section 2-72. Eligibility.

Any contract of insurance or arrangement for prepayment of plan coverage procured pursuant to this article may provide that each elected or appointed officer or employee becoming eligible for insurance or coverage thereunder shall be insured or covered automatically when he or she becomes eligible, subject to any actively-at-work requirements specified in the contract or arrangement. If the insurance or coverage under the contract or arrangement requires contributions from the individual, any individual desiring not to be insured or covered shall give written notice to his or her employing office that he or she desires not to be insured or covered, and if the notice is received before the individual has become insured or covered under the contract or arrangement, he shall not be insured or covered thereunder. If the notice is received after the individual has become insured or covered, his or her insurance or coverage under the contract or arrangement shall cease as provided for in the contract or arrangement.

Section 2-73. Savings clause

Should any portion of this ordinance be declared unenforceable by any court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect unaffected by the portion which might be so declared to be unenforceable.

Section 2-74. Existing benefits not affected.

The provisions of this article shall not affect the validity of any insurance program, retirement/deferred compensation program, cafeteria plan or any other benefit authorized by this article and previously entered in by the Township, and the Township Board hereby ratifies and confirms the validity of all such programs and benefits in existence on the effective date of this article.

2. This ordinance shall become effective upon publication. All ordinances in conflict herewith are hereby repealed.

Yeas: Meek, Stover, Harvey, Borek, Hagedorn, Matthews, Weldon
Nays: None.
Absent: None.

Ordinance declared adopted.

I K. Scott Harvey, the Clerk of Plainfield Charter Township, certify that the foregoing is a true and accurate copy of an ordinance adopted by this Township Board of Plainfield Charter Township at a properly noticed regular meeting held on November 16, 2009.

K. Scott Harvey, Clerk
Plainfield Charter Township