Member Contributions by Salary Reduction for Counties, Cities, Towns, and Other Political Subdivisions

(In accordance with Chapter 822 of the 2012 Acts of Assembly (SB497))

Resolution 2013-04

WHEREAS, the Town of Hamilton 55312 employees who are Virginia Retirement System members who commence or recommence employment on or after July 1, 2012, shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pre-tax basis upon commencing or recommencing employment; and

WHEREAS, the Town of Hamilton 55312 employees who are Virginia Retirement System members and in service on June 30, 2012, shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pre-tax basis no later than July 1, 2016; and

WHEREAS, such employees in service on June 30, 2012, shall contribute a minimum of an additional one percent of their creditable compensation beginning on each July 1 of 2012, 2013, 2014, 2015, and 2016, or until the employees' contributions equal five percent of creditable compensation; and

WHEREAS, the Town of Hamilton 55312 may elect to require such employees in service on June 30, 2012, to contribute more than an additional one percent each year, in whole percentages, until the employees' contributions equal five percent of creditable compensation; and

WHEREAS, the second enactment clause of Chapter 822 of the 2012 Acts of Assembly (SB497) requires an increase in total creditable compensation, effective July 1, 2013, to each such employee in service on June 30, 2013, to offset the cost of the member contributions, such increase in total creditable compensation to be equal to the percentage increase of the member contribution paid by such pursuant to this resolution.

BE IT THEREFORE RESOLVED, that the Town of Hamilton 55312 does hereby certify to the Virginia Retirement System Board of Trustees that it shall effect the implementation of the member contribution requirements of Chapter 822 of the 2012 Acts of Assembly (SB497) according to the following schedule for the fiscal year beginning July 1, 2013:

Type of Employee	Employer Paid Member Contribution	Employee Paid Member Contribution
Plan 1	3 %	2 %
Plan 2	3 %	2 %
FY2013-14 Employees	**0%**	**5%**

; and

BE IT FURTHER RESOLVED, that such contributions, although designated as member contributions, are to be made by the Town of Hamilton in lieu of member contributions; and

BE IT FURTHER RESOLVED, that pick up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees; and

BE IT FURTHER RESOLVED, that member contributions made by the Town of Hamilton under the pick up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick up arrangement; and

BE IT FURTHER RESOLVED, that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the pick up contributions made by the Town of Hamilton directly instead of having them paid to VRS; and

BE IT FURTHER RESOLVED, that notwithstanding any contractual or other provisions, the wages of each member of VRS who is an employee of the Town of Hamilton shall be reduced by the amount of member contributions picked up by the Town of Hamilton on behalf of such employee pursuant to the foregoing resolutions.

BE IT FURTHER RESOLVED, that in accordance with the Appropriation Act, no salary increase that ere provided solely to offset the cost of required member contributions to the Virginia Retirement System under §51.1-144 of the Code of Virginia will be used to certify that the salary increases required by the Appropriations Act have been provided.

NOW, THEREFORE, the officers of the Town of Hamilton 55312 are hereby authorized and directed in the name of the Town of Hamilton to carry out the provisions of this resolution, and said officers of the Town of Hamilton are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the Town of Hamilton for this purpose.

Gregory K. Wilmoth, Mayor

CERTIFICATE

I, Lori M. Jones, Treasurer for the Town of Hamilton, certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of the Hamilton Town Council held at 53 E Colonial Highway, Hamilton, Virginia at seven o'clock on June 17, 2013. Given under my hand and seal of the Town of Hamilton this 17th day of June, 2013.

Lori M. Jones, Treasurer