

**KINROSS CHARTER TOWNSHIP
ORDINANCE NO. 1.126**

**KINROSS CHARTER TOWNSHIP
PENSION PLAN ORDINANCE**

Adopted: November 25, 2002
Published: December 5, 2002
Effective: December 5, 2002

An ordinance to create and establish an annuity or pension plan for the officers and employees of Kinross Charter Township *pursuant to Public Act 77 of 1989 (MCLA 41.110b) as amended*, and to authorize the township supervisor and the township clerk to contract, in the name of the township, for such plan; to define those classes of officers and employees who shall be covered by such annuity or pension plan; to provide for the payment by the township of the premium or charges arising under such annuity or pension contract; to establish the time at which existing and future employees shall become eligible for such plan and to further establish the normal retirement date for all employees; to provide a method for non-coverage of an officer or employee of the annuity or pension plan; to set forth a date wherein each person covered under the annuity or pension plan shall have vested right or interest in such plan; to ratify and confirm the validity of any annuity or pension plan in existence on the effective date of this ordinance; and to repeal Ordinances 10 and 43, and all ordinances or parts of ordinances in conflict herewith.

**THE CHARTER TOWNSHIP OF KINROSS CHIPPEWA COUNTY, MICHIGAN
ORDAINS:**

**SECTION 1.
Title**

This ordinance shall be known and cited as the: Kinross Charter Township Pension Plan Ordinance.

**SECTION 2.
Authority**

Pursuant to *Public Act 77 of 1989 (MCLA 41.110b) as amended*, the Charter Township of Kinross hereby creates and establishes an annuity or pension plan and program for the pensioning of its officers and employees, and, for such purposes, also hereby authorizes the Township Supervisor and Township Clerk to contract, in the name of township subject to the approval of the township board, with any company authorized to transact such business within the State of Michigan for annuities or pensions.

**SECTION 3.
Affected Personnel**

The annuity or pension plans created, established and contracted for under this ordinance shall cover each person within the following classes of officers and employees:

1. All members of the Township Board
2. All Township employees who are classified fulltime.
3. Other positions as may be designated by the Township Board.

**SECTION 4.
Contribution, Eligibility, and Effective Date**

- A. The Charter Township of Kinross shall annually contribute 100% of that portion of the premium or charges arising under such annuity or pension contract for each person within the class of officers and employees enumerated in *Section 3* hereof. Such contributions shall be secured from the funds of the township.
- B. Each Township Board member, and employee who is employed on the effective date of the annuity or pension plan shall be eligible for coverage on that day. Every employee within the class of officers and employees enumerated in *Section 3* hereof who becomes subsequently employed shall be eligible when he or she meets the requirements of the Pension Plan Adoption Agreement.
- C. Each Township Board member and eligible employee shall be permitted, but not required, to make annual contributions to the pension plan, pursuant to the Pension Plan Adoption Agreement.

**SECTION 5.
RETIREMENT**

- A. An employee's normal retirement date shall be the first day of the month coincident with or following his/her attainment of the age designated within the Pension Plan Adoption Agreement.
- B. An employee may retire prior to their normal retirement date subject to the conditions set forth in *Section 6*.
- C. Any person desiring not to be so covered shall give written notice to the Township Clerk that he desires not to be covered, and if the notice is received before the person has become covered under the contract, he shall not be covered there under. If the notice is received after the individual has become covered, his coverage under the contract shall cease as provided for in the contract.

**SECTION 6.
Vested**

1. Each employee and Township Board member as covered under the annuity or pension plan shall have a vested right or interest in such plan as outlined within the Pension Plan Adoption Agreement.

**SECTION 7.
Severability and Saving Clause**

Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of this ordinance as a whole or any part thereof, other than the part declared to be invalid.

**SECTION 8.
Effective Date and Repeal**

This ordinance shall take effect immediately, after its publication. Ordinances 10, 43 and all ordinances or parts of ordinances in conflict herewith, are hereby repealed.

Passed and adopted by the Township Board of the Charter Township of Kinross,
County of Chippewa, Michigan, on November 25, 2002.