

ORDINANCE NO. 3617

SUBJECT: Repealing sections 1503.13 and 1523, Jackson County Code, 1984, relating to the Pension Plan, and enacting, in lieu thereof, two new sections relating to the same subject.

INTRODUCED:	March 21, 2005
(Finance & Audit)	
ADOPTED:	April 4, 2005
SIGNED BY EXECUTIVE:	April 5, 2005

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE repealing sections 1503.13 and 1523, Jackson County Code, 1984, relating to the Pension Plan, and enacting, in lieu thereof, two new sections relating to the same subject.

ORDINANCE # 3617, March 21, 2005

INTRODUCED BY Henry C. Rizzo, Fred Arbanas, Bob Spence, Eugene Standifer, Jr., and Dennis Waits, County Legislators

WHEREAS, the County's pension plan is in need of amendment to properly credit all county employees for service to the county which is not properly accounted for in the current plan; and,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, as follows:

Section A. Enacting Clause.

Sections 1503.13 and 1523., Jackson County Code, 1984, is hereby repealed, and two new sections enacted in lieu thereof, to be known as sections 1503.13, and 1523, to read as follows:

1503.13 Credited Service.

The term "Credited Service" shall mean the number of years and months of employment for which a Member is given credit for the purpose of calculating his Monthly Retirement

Income or Spouse Death Benefit under this Plan. As of any date, "Credited Service" shall be equal to the sum of the years and months calculated under subsections (a), [and] (b) and (e) hereof, subject to the provisions of subsections (c) or (d) hereof, if applicable.

1503.13 (a) For any period of employment prior to January 1, 1967, three-fourths (3/4) of the number of years and completed months of the Member's continuous employment for the Employer as an Employee from his last date of hire as an Employee to December 31, 1966.

1503.13 (b) For any period of employment after December 31, 1966, the number of years and completed months of the Member's continuous employment for the Employer as an Employee from the later of (i) January 1, 1967, and (ii) his last date of hire as an Employee to the date of his termination of employment.

1503.13 (c) For the purposes of this Plan the following periods of employment shall be considered "continuous employment" but shall not be recognized as Credited Service:

(i) a break in continuity of employment of not more than two (2) years; provided the Employee returns to work for at least twelve (12) months;

(ii) any period of employment during which the Employee was not compensated by the Employer, except that any such period during which an employee was absent on approved leave without Compensation while serving on active military duty [in the Persian Gulf] in Operation Desert Storm, or between September 11, 2001 and December 31, 2006,

shall be recognized as Credited Service;

(iii) any period of employment excluded pursuant to section 1506 hereof;

(iv) any period of employment prior to January 1, 1977, during which the Employee was eligible to participate in the Prior Plan but refused to make the Employee contributions required thereunder;

(v) a break in the continuity of employment prior to April 1, 1967, of more than two (2) years; provided:

(A) the Employee was employed by the Employer as an Employee on April 1, 1967; and

(B) the Employee completes twenty-five (25) years of employment as an Employee by his Normal Retirement Date (including for this purpose any break in the continuity of employment occurring prior to April 1, 1967).

(vi) a break in the continuity of employment of more than two (2) years; provided:

(A) the reemployed Employee terminated Vested in the plan, or is a Retired Member of the Plan, or had completed fifteen (15) years of service during his prior employment; and,

(B) the Employee accrues sufficient Service during his period of reemployment to become Vested in the Plan.

1503.13 (d) Notwithstanding any other provision contained in this section, no Member shall receive credit for any period of employment by the Jackson County Law Library, Inc., prior to January 1, 1993.

1503.13 (e) Notwithstanding any other provision contained in this section, any Member who is employed on October 1, 2004, and is vested or becomes vested on or after that date shall receive Credited Service for period of Employment with the Employer for which the Member has not previously received Credited Service.

1523. Purchase of Prior Service Credit.

(a) Those Elected Officials who are in office as of January 1, 2004, may make a one-time irrevocable election to purchase Credited Service for purposes of calculating the Elected Official's Monthly Pension Income under section 1512.3, under the circumstances, terms and conditions provided in this section. The purchase of Credited Service may be made with either pre- tax contributions, such as rollover contributions or plan-to-plan transfers from other retirement arrangements qualified under sections 401(a), 403(a), 403(b), 457(b) or 408 of the Internal Revenue Code, or with after-tax amounts. Any Elected Official who elects to purchase Credited Service under this section [must purchase all prior service with the Employer between January 1, 1990, and December 31, 2003] may elect to purchase prior service with the employer. The election must be made no later than [March 31] June 1, 200[4]5, and must be effected by paying to the Plan the amount the Elected Official would have contributed under section 1505.1 had such member been an employee for the number of years for which the member is purchasing credit, and had the Elected Official's compensation during such period been the same as the Elected Official's annual salary as

of December 31, 2003. However, the amount paid to purchase additional credit will not exceed the actuarial value of the credit being purchased, as calculated by the Plan's Actuary. Payment of the amount calculated under this section must be made by the Elected Official in a single payment (or rollover or transfer) no later than December 31, 200[4]5.

(b) Any Elected Official may make a one-time election to purchase additional Credited Service made available by Section 1503.13(e). Such purchase must be in accordance with the general provisions of this Section 1523, except that payment of the amount calculated under this subsection 1523(a) must be made no later than December 31, 2005.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

2MG Snyder

Acting Chief Deputy County Counselor

[Signature]

County Counselor

I hereby certify that the attached Ordinance, Ordinance # 3617 introduced on March 21, 2005, was duly passed on April 4, 2005 by the Jackson County Legislature. In the votes thereon were as follows:

Yeas 7

Nays 0

Abstaining 1

Absent~~s~~ 1

This Ordinance is hereby transmitted to the County Executive for her signature.

4-5-05
Date

Mary Jo Spino
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance # 3617.

4-5-05
Date

Katheryn J. Shields
Katheryn J. Shields, County Executive