

**PERTAINING TO THE FOURTH AMENDMENT OF THE CALVERT COUNTY
EMPLOYEES RETIREMENT PLAN**

WHEREAS, the Board of County Commissioners of Calvert County, Maryland (the "County"), approved Ordinance No. 52-10 which adopted the Calvert County Employees Retirement Plan (the "Plan"), as amended and restated effective as of July 1, 2010, as amended by Ordinance 40-13, Ordinance 38-14, and Ordinance 06-18;

WHEREAS, the County now desires to amend the Plan to permit the establishment of a voluntary retirement benefit; and

WHEREAS, Section 9.1 of the Plan authorizes the County to amend the Plan from time to time.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of County Commissioners of Calvert County, Maryland, that, effective on October 1, 2021, the Plan be amended and hereby is amended by adding the following new Section 5.12:

5.12 VOLUNTARY RETIREMENT BENEFIT

(a) Establishment

The Plan Administrator may establish a voluntary retirement program to encourage certain participants to elect retirement or early retirement in accordance with the Plan.

(b) Voluntary Retirement Benefit

For the purposes of this section 5.12, the "voluntary retirement benefit" means an amount equal \$1,000 per year, or such other amount determined by the Plan Administrator.

A participant shall at all times be 100% vested in his or her voluntary retirement benefit, and the voluntary retirement benefit shall be in addition to, and not a part of, the participant's accrued benefit.

(c) Eligibility

A participant who, as of a date or window period determined by the Plan Administrator, is otherwise eligible to retire on his or her normal retirement date or early retirement date, shall be entitled to receive, at the participant's benefit commencement date, in addition to the monthly retirement income pursuant to section 5.1 or 5.2, the voluntary retirement benefit.

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(d) **Form of Benefit**

A participant entitled to receive the voluntary retirement benefit shall elect, pursuant to section 6.3(b), whether to receive such benefit in the form in which the participant has elected to receive the monthly retirement income otherwise payable under the Plan or in a lump sum distribution.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that, in the event any portion of this Ordinance is found to be unconstitutional, illegal, null or void, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Ordinance shall be enforceable and valid;

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that the foregoing recitals are adopted as if fully rewritten herein; and

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that this Resolution shall be effective on October 1, 2021, following recordation and publication of a fair summary.

DONE, this 24th day of August, 2021, by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
OF CALVERT COUNTY, MARYLAND**

Rachel Distel, Clerk

Earl F. Hance, President

Steven R. Weems, Vice President

Christopher J. Gadway

Mike Hart

Approved for Form and Legal
Sufficiency:

By:
Paolo Pasicolan, Plan Attorney

Kelly DeMoro

Recorded August 24, 2021

8:30 o'clock A M. Same day

recorded in Liber KPS No. 65

Folio 310 COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.