

ORDINANCE NO. 28-15

PERTAINING TO THE THIRD AMENDMENT OF THE CALVERT COUNTY SHERIFF'S DEPARTMENT PENSION PLAN

WHEREAS, the Board of County Commissioners of Calvert County, Maryland (the "County"), approved Ordinance No. 50-10 which adopted the Calvert County Sheriff's Department Pension Plan (the "Plan"), as amended and restated effective as of July 1, 2010; and

WHEREAS, the County now desires to amend the Plan to exclude from participation any Deputy Sheriff or Correctional Officer who by contract has waived the right to participate in the Plan during periods of employment covered by that contract; and

WHEREAS, Section 14.1 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 as of the date of enactment of this ordinance, the Plan be amended and hereby is amended by adding the following new subparagraph immediately at the end of Section 1.14:

(iii) any Deputy Sheriff or Correctional Officer (i) whose position is funded in full by a source or sources other than the County and (ii) who by the express terms of his or her employment contract is denied the right or has waived the right to participate in this Plan during employment pursuant to that contract; provided, however, that an individual shall not be excluded under this subparagraph if on the date of the commencement of his or her employment under that contract there are three other individuals to whom this exclusion then applies, it being intended that no more than three individuals shall be excluded under this subparagraph at any given time. This exclusion shall not subsequently apply to that individual until such time as there are less than three individuals subject to this exclusion and that individual's employment contract is expressly modified to confirm that individual's exclusion under this subparagraph.

BE IT FURTHER ENACTED AND ORDAINED, by the Board of County Commissioners of Calvert County, Maryland, that, effective as of the date of enactment of this ordinance, Section 5.1 of the Plan be amended and hereby is amended by adding the word "Active" immediately before the word "Member" at each place that it appears in Subsections 5.1(a) and 5.1(b), so that the phrase "Active Member" is substituted for the word "Member" throughout those Subsections.

[THIS SPACE INTENTIONALLY LEFT BLANK]

000047411

DONE, this 21st day of July, 2015, by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

ATTEST:

Maureen L. Frederick
Maureen L. Frederick, Clerk

BOARD OF COUNTY COMMISSIONERS
OF CALVERT COUNTY, MARYLAND

[Signature]
Steven R. Weems, President

Evan K. Slaughterhoup
Evan K. Slaughterhoup, Jr., Vice President

[Signature]
Mike Hart

[Signature]
Tom Hejl

Recused
Pat Nutter

Sufficiency on

July 15, 2015

By: Edward J. Adkins
Edward J. Adkins, Plan Attorney

Received for Record July 22 2015
at 10:10 o'clock A M. Same day
recorded in Liber KPS No. 47
File 410 COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.

Garry P. Smith