

**BEAR CREEK TOWNSHIP
EMMET COUNTY, MICHIGAN**

**PENSION PLAN ORDINANCE
ORDINANCE NO. 47-24**

An ordinance to create and establish Annuity or Pension Plan(s) for the officers and employees of Township and to authorize the Township Supervisor and the Township Clerk to contract, in the name of the Township, for such Plan(s); to define those classes of officers and employees who shall be covered by such Annuity or Pension Plan(s); to provide a method for non-coverage of an officer or employee of the Annuity or Pension Plan(s); to ratify and confirm the validity of any Annuity or Pension Plan(s) in existence on the effective date of this ordinance; and to repeal all ordinances or parts of ordinances in conflict herewith.

THE TOWNSHIP OF BEAR CREEK, EMMET COUNTY, MICHIGAN, ORDAINS:

Section 1. Title.

This ordinance shall be known and cited as the Bear Creek Township Pension Plan Ordinance.

Section 2. Establishment of Pension Plan.

The Bear Creek Township Board, by prior action, has established Pension Plan(s) as authorized by MCL 41.110b, and these plans have been administered ever since. Eligible officers and employees of the Township have relied upon the plan(s); and that in order to satisfy the formal requirements of MCL 41.110b(5), this Ordinance is adopted.

Pursuant to Section 110b of Public Act 77 of 1989, as amended, (MCL 41.110b), the Township hereby creates and establishes Annuity or Pension Plan(s) and programs for the pensioning of its officers and employees enumerated herein; and for such purposes, also hereby authorizes the Township Supervisor and the Township Clerk to contract, in the name of the Township Board, with any company authorized to transact such business within the State of Michigan for such annuities or pensions.

Section 3. Coverage.

The Annuity or Pension Plan(s) authorized, created, established, and contracted for under this ordinance shall cover persons within the following classes of officers and employees, subject to the applicable plan provisions, elections, and contribution provisions:

- All members of the Township Board, with regard to their statutory duties
- All Township Employees that are regularly employed by the Township for 40 hours per week.
- All members of the Township Board, with regard to additional duties they may agree to fulfill
- All township fire department officers and paid on-call firefighters

Section 4. Eligibility and Township Contributions.

A. Persons covered by the pension plan(s) shall be eligible for coverage and for Township contributions under the pension plan(s) in accordance with existing motions, resolutions, and policies of the Township

Board concerning such plan(s), and in accordance with further motions, resolutions, and policies of the Township Board that may be adopted from time-to-time.

B. If permitted by the applicable pension plan, persons covered by the plan may elect to make additional voluntary personal contributions to the plan. Arrangements for the payroll deduction for the payment of such additional contributions may be made between the Township and the employee and/or officer.

C. Any person desiring not to be so covered shall give written notice to the Township Clerk that he or she desires not to be covered, and if the notice is received before the person has become covered under the contract, he or she shall not be covered thereunder. If the notice is received after the individual has become covered, his or her coverage under the contract shall cease as provided for in the contract.

Section 5. Vesting.

Each person so covered under the Annuity or Pension Plan(s) shall have a vested right or interest in such plan(s) when they become effective for such person in according with the applicable plan terms.

Section 6. Ratification of Existing Pension Plan(s).

The Township hereby ratifies and confirms the validity of any previously enacted Annuity or Pension Plan that exists on the effective date of this Ordinance.

Section 7. Repeal of Prior Ordinances.

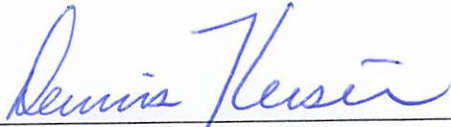
All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

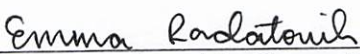
Section 8. Amendment.

The Township reserves the right to change, amend, modify, or terminate at any time the annuity or pension plan(s) provided pursuant to this Ordinance.

Section 9. Effective Date.

This ordinance shall take effect on the day following the publication of the ordinance or a summary thereof in the manner provided by law.


Dennis Keiser, Township Supervisor


Emma Radatovich, Township Clerk

CLERK'S CERTIFICATION

I hereby certify this ordinance was adopted by the Bear Creek Township Board of Trustees at a meeting held on Nov 14, 2024, and that the vote was as follows:

FOR: Golding, Uman, Radatovich, Keiser, Hoffman

AGAINST: —

I further certify this ordinance or a summary thereof was published in the *Petoskey News-Review* on Nov 20, 2024

Emma Radatovich
Emma Radatovich, Township Clerk

BEAR CREEK TOWNSHIP
EMMET COUNTY, MICHIGAN

Summary of a Pension Plan Ordinance, No. 47-24, adopted by the Bear Creek Board of Trustees at a meeting on November 14, 2024.

Section 1. Title. This ordinance is known as the Bear Creek Township Pension Plan Ordinance.

Section 2. Establishment of Pension Plan. Provides for the establishment of Pension Plan(s) for eligible officers and employees of the township as authorized by MCL 41.110b.

Section 3. Coverage. Provides for the coverage of indicated classes of officers and employees, subject to plan provisions, elections, and contribution provisions.

Section 4. Eligibility and Township Contributions. Provides for coverage for eligible persons under the existing plan(s) as they are and may be adopted. Provides for additional voluntary contributions when permitted. Provides for voluntary non-coverage.

Section 5. Vesting. Provides for vested rights and interests in accordance with applicable plan(s).

Section 6. Ratification of Existing Pension Plan(s). Ratifies and confirms enacted and existing group insurance plans.

Section 7. Repeal of Prior Ordinances. Provides for the repeal of all conflicting ordinances or parts of ordinances.

Section 8. Amendment. Reserves the right to amend or terminate pension plans.

Section 9. Effective Date. This ordinance shall take effect on the day following the publication of the ordinance or a summary thereof in the manner provided by law.

A true copy of the entire Bear Creek Township Pension Plan Ordinance may be inspected or obtained at the Bear Creek Township Hall, 373 N. Division Road, Petoskey, Michigan 49770, during regular business hours.

Emma Radatovich
Emma Radatovich, Township Clerk