

BOARD OF TRUSTEES
KARL B. SCHULTZ
KENDAL A. TRACY
MARY MAKLEY WOLFF

FISCAL OFFICER
ERIC C. FERRY

ADMINISTRATOR
JEFFREY A. WRIGHT



ADMINISTRATION
248-3725
248-3730 (FAX)
COMMUNITY DEVELOPMENT
248-3731
SERVICE DEPARTMENT
248-3728
POLICE DEPARTMENT
248-3721
FIRE/EMS
248-3700
PARKS / RECREATION
248-3727

MIAMI TOWNSHIP
6101 MEIJER DRIVE • MILFORD, OH 45150-2189

RESOLUTION 2018-17

The Board of Trustees of Miami Township, Clermont County, Ohio met in regular session at the Miami Township Civic Center on June 19, 2018 with the following members present: Mary Makley Wolff and Ken Tracy.

A motion was made to adopt the following Resolution:

A RESOLUTION THAT MIAMI TOWNSHIP WILL PICK UP THE STATUTORILY REQUIRED EMPLOYEE CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR THE TOWNSHIP ADMINISTRATOR PURSUANT TO I.R.C. §414(h)(2) AND DISPENSING WITH A SECOND READING.

WHEREAS, pursuant to Ohio law and federal law, the Board of Trustees of Miami Township, Clermont County, Ohio (the "Board") may offset future salary increases and "pick up" (assume and pay) the contributions statutorily required to be made by such elected officials and covered employees to the Ohio Public Employees Retirement System ("OPERS") and such individuals will not be required to pay federal and state income taxes on such contributions; and

WHEREAS, Consistent with his Employment Agreement, the Board desires to offset the future salary increases and assume the required contributions to OPERS for the Township Administrator as a fringe benefit of his employment.

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of Miami Township, Clermont County, Ohio as follows:

SECTION 1: Effective upon him beginning employment with the Township, the full amount of the statutorily required employer contributions to OPERS shall be picked up and paid as a fringe benefit by the Board for the Township Administrator. No person subject to this "pick up" shall have the option of choosing to receive the statutorily required contribution to OPERS directly instead of having it "picked up" by the Board or of being excluded from the "pick up." The Board shall, in reporting and making remittance to OPERS, report that the public employee contribution for each person subject to the "pick up" has been made as provided by the statute. Therefore, contributions, although designated as employee contributions, are employer-paid, and employees do not have the option to receive the contributions directly. All contributions are paid by the employer directly to the plan.

SECTION 2: Under the fringe-benefit method of employer pick up, salary is not modified; however, the employer will pay the employees' statutorily required contribution to OPERS.

SECTION 3: The Fiscal Officer is hereby authorized and directed to implement the provisions of this resolution to institute the "pick up" of the statutorily required contributions to OPERS for the Township Administrator so as to enable him to have his employee contributions paid by Miami Township.

SECTION 4: That the Board does hereby dispense with the requirement that this Resolution be read on two separate days, pursuant to Section 504.10 of the Ohio Revised Code, and authorizes the adoption of this Resolution upon its first reading.

SECTION 5: This resolution shall repeal and replace Resolution 2015-48 in its entirety.

SECTION 6: That this Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 7: This Resolution shall take effect at the earliest period allowed by law.

First Reading:	<u>June 19, 2018</u>
Second Reading:	<u>Dispensed with</u>
Effective:	<u>June 19, 2018</u>

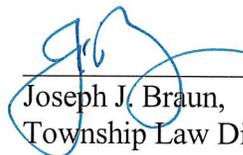
This motion was seconded and the resolution was adopted.

Resolution 2018-17 adopted June 19, 2018

ATTEST:

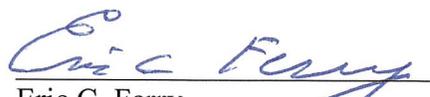
APPROVED AS TO FORM:


Eric Ferry, Fiscal Officer


Joseph J. Braun,
Township Law Director

CERTIFICATION OF FUNDS

I hereby certify that at the time of making of this certification the amount required to meet the obligations set forth in this Resolution has been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrance.


Eric C. Ferry
Fiscal Officer, Miami Township