

ORDINANCE #330

An Ordinance to amend an Ordinance approved October 24, 1972, as amended, establishing a retirement plan for the employees of the City of Montezuma, Georgia, and setting forth the joint trust agreement and the contract for the administration of said plan by the City of Montezuma and the Georgia Municipal Employees Benefit System as provided by O.C.G.A. 47-5-1 et seq., so as to modify the minimum hour requirement for participation in the Plan; to modify the benefit formula for elected officials; to provide an effective date; to repeal conflicting ordinances; and for other purposes.

BE IT ORDAINED by the Mayor and Council of the City of Montezuma, Georgia and it is hereby ordained by the authority thereof:

Section 1. An Ordinance establishing a retirement plan for the employees of the City of Montezuma and setting forth the joint trust agreement and the contract for the administration of said Plan between the City and the Georgia Municipal Employees Benefit System as provided by O.C.G.A. § 47-5-1 et seq., is hereby amended by striking Section 26 of Article II and substituting in lieu of a new Section 26 to read as follows:

“Section 26. Full-Time Employee shall mean: (1) an Employee who works at least thirty (30) hours per week with respect to those initially employed or reemployed by the Employer on or after October 1, 2001; or (2) an Employee not described in (1) above who works at least twenty (20) hours per week.”

Section 2. Said Plan is further amended by striking Section 1 from Article III and substituting in lieu thereof a new Section 1 to read as follows:

“Section 1. Ineligible Classes of Employees. The following classes of Employees shall not become eligible for participation in the Plan:

CLASS 1 - Employees, other than elected or appointed members of the Governing Authority, who are initially employed or reemployed by the Employer on or after October 1, 2001 and who regularly work less than thirty (30) hours per week in the Service of the Employer.

CLASS 2 - Employees, other than elected or appointed members of the Governing Authority, who are employed by the Employer on September 30, 2001 and who regularly work less than twenty (20) hours per week in the Service of the Employer.

CLASS 3 - Employees, other than elected or appointed members of the Governing Authority, who are regularly employed for less than five (5) months in any year.

CLASS 4 - Any person employed by the Employer to perform scientific, technical, engineering, accounting, legal, or similar expert services in a consulting capacity and/or on a retainer or fee basis.”

Section 3. Said Plan is further amended by striking subparagraph (2) of Article V, Section 1a., and substituting in lieu thereof a new subparagraph (2) to read as follows:

“(2) As an elected or appointed member of the Governing Authority shall be thirty-three dollars (\$33.00) per month for each year of Service or major fraction thereof.”

Section 4. The rights and obligations under the Plan with respect to persons whose employment or term of office with the City is terminated for any reason whatsoever prior to the effective date of this Ordinance are fixed and shall be governed by such Plan as existed as was in effect at the time of such termination, unless he or she returns to service with the City.

Section 5. The effective date of this Ordinance shall be October 1, 2001.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

ORDAINED this 11th day of September, 2001.

City of Montezuma, Georgia

Mayor

Attest:

City Clerk

(SEAL)

Approved:

City Attorney

