

I. AN ORDINANCE

An Ordinance to amend and restate the Retirement Plan for the Employees of the City of Hogansville, Georgia in accordance with and subject to the terms and conditions set forth in the attached Adoption Agreement, any Addendum to the Adoption Agreement, the Georgia Municipal Employees Benefit System (GMEBS) Master Plan Document, and the GMEBS Trust Agreement. When accepted by the authorized officers of the City and GMEBS, the foregoing shall constitute a Contract between the City and GMEBS, all as authorized and provided by O.C.G.A. § 47-5-1 et seq.

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

Section 1. The Retirement Plan for the Employees of the City of Hogansville, Georgia is hereby amended and restated as set forth in and subject to the terms and conditions stated in the following Adoption Agreement, any Addendum to the Adoption Agreement, the Georgia Municipal Employees Benefit System (GMEBS) Master Plan Document, and the GMEBS Trust Agreement.

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Section 2. Except as otherwise specifically required by law or by the terms of the Master Plan or Adoption Agreement (or any Addendum), the rights and obligations under the Plan with respect to persons whose employment with the City was terminated or who vacated his office with the City for any reason whatsoever prior to the effective date of this Ordinance are fixed and shall be governed by such Plan, if any, as it existed and was in effect at the time of such termination.

Section 3. The effective date of this Ordinance shall be March 19, 2018.

Section 4. All Ordinances and parts of ordinances in conflict herewith are expressly repealed.

Approved by the Mayor and Council of the City of Hogansville, Georgia this _____ day of _____, 20____.

Attest:

CITY OF HOGANSVILLE, GEORGIA

City Clerk

Mayor

(SEAL)

Approved:

City Attorney

The terms of the foregoing Adoption Agreement are approved by the Board of Trustees of Georgia Municipal Employees Benefit System.

IN WITNESS WHEREOF, the Board of Trustees of Georgia Municipal Employees Benefit System has caused its Seal and the signatures of its duly authorized officers to be affixed this _____ day of _____, 20____.

Board of Trustees
Georgia Municipal Employees
Benefit System

(SEAL)

Secretary

**GENERAL ADDENDUM TO THE
GEORGIA MUNICIPAL EMPLOYEES BENEFIT SYSTEM
DEFINED BENEFIT RETIREMENT PLAN
ADOPTION AGREEMENT**

This is an Addendum to the Adoption Agreement completed by the City of Hogansville, as follows (complete one or more sections, as applicable):

*** Item (1) of pre-approved Addendum – Not Applicable ***

- (2) **Discontinuance of participation in the Plan by one or more Departments or classes of Employees (for amendment of Adoption Agreement only - see Section 9 of Adoption Agreement):**

Transfer of Assets on Behalf of Certain Former Employees Transferred to Troup County as of July 1, 2001 – Provided that the former employee's properly completed asset transfer request form is received by the Georgia Municipal Employees Benefit System (GMEBS) on or before January 31, 2009, and provided that all of the other conditions of this subsection are satisfied, GMEBS is hereby authorized and directed to transfer from the Trust Fund of the City of Hogansville Retirement Plan (this Plan) to the Trust Fund for the Association County Commissioners of Georgia Defined Benefit Plan for Troup County Employees ("Troup County Plan") a lump sum amount equal to the present value of the Accrued Benefit under this Plan, as determined by the GMEBS actuary, for the following former employees of the City of Hogansville, who became Troup County employees effective July 1, 2001, pursuant to an intergovernmental agreement dated May 19, 2000, between Troup County and the cities of Hogansville, LaGrange, and West Point:

Donald Howell
Linda Prescott

The transfer of assets referred to herein is contingent upon GMEBS' receipt of a properly executed amendment to the Troup County Plan, providing that: (1) former City of Hogansville employees on whose behalf assets are transferred will receive under the Troup County Plan an additional amount of "Credited Service" for benefit accrual purposes that is equal to the amount of credited service necessary to provide an "Accrued Benefit" under the Troup County Plan for service with the City of Hogansville that is at least equal to the former employee's Accrued Benefit under this Plan; (2) said Credited Service will be taken into account (in addition to any Credited Service the former employee accrues under the Troup County Plan as an employee of Troup County) in determining the former employee's Accrued Benefit under the Troup County Plan; and (3) with respect to former employees on

whose behalf a transfer of assets is effected, the portion of his or her "Nonforfeitable Accrued Benefit" under the Troup County Plan attributable to prior service with the City of Hogansville will be no less than the former employee's Accrued Benefit as determined under the applicable terms of this Plan in effect as of June 30, 2001. As a precondition for the transfer of assets, said former employees must submit a request for said transfer, on an applicable form approved by GMEBS and the City for such purpose. The transfer of assets will not occur unless GMEBS receives the former employee's properly completed asset transfer request form on or before January 31, 2010. The former employee is responsible to ensure that GMEBS receives his or her properly completed asset transfer request form on or before January 31, 2010. If GMEBS does not receive the former employee's properly completed asset transfer request form on or before such date, then no transfer of assets will occur on behalf of the former employee. The former employee cannot revoke his/her request for transfer of assets once it has been submitted to GMEBS. If the former employee terminates employment from Troup County and if GMEBS receives written notice of same before the transfer of assets is completed, then the former employee's asset transfer request, if any, will be considered null and void and the transfer of assets will not occur. No assets were transferred on behalf of any former employee who has previously received a distribution from this Plan. Upon completion of the transfer of assets, former employees on whose behalf the transfer was effected and their beneficiaries, heirs and assigns will have no further right, title or interest under the City of Hogansville Retirement Plan (this Plan).

***** Item (3) – (14) of pre-approved Addendum – Not Applicable *****

- (15) Other (may include, but shall not be limited to, provisions relating to Master Plan Sections 6.03, 6.06, 8.04, 8.06, 8.08, 8.09, 8.10, 8.12, 9.01 and 9.02):**

(a) Re-Retirement Following Receipt of In-Service Distribution or Reemployment After Retirement; No Reduction of Monthly Retirement Benefit by Actuarial Equivalent of Retirement Benefits Received Prior to Re-Retirement – Notwithstanding any provision of the Master Plan to the contrary, in the event that a Retired Participant who receives an In-Service Distribution while serving as an elected or appointed member of the Governing Authority, or who returns to Service as an elected or appointed member of the Governing Authority, subsequently re-retires on or after January 5, 2015, the Retirement benefit payable upon the Participant's re-retirement shall be computed in accordance with Section 6.06(b)(4) of the Master Plan except that the Retirement benefit will not be reduced by the Actuarial Equivalent of any Retirement benefits received prior to such re-retirement.

The terms of the foregoing Addendum to the Adoption Agreement are approved by the Mayor and Council of the City of Hogansville, Georgia this _____ day of _____, 20____.

Attest: CITY OF HOGANSVILLE, GEORGIA

City Clerk

Mayor

(SEAL)

Approved:

City Attorney

The terms of the foregoing Addendum are approved by the Board of Trustees of the Georgia Municipal Employees Benefit System.

IN WITNESS WHEREOF, the Board of Trustees of the Georgia Municipal Employees Benefit System has caused its Seal and the signatures of its duly authorized officers to be affixed this _____ day of _____, 20____.

Board of Trustees
Georgia Municipal Employees
Benefit System

(SEAL)

Secretary