

STATE OF INDIANA

BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 15 -2015

AN ORDINANCE ESTABLISHING A DEFERRED COMPENSATION PLAN FOR  
ELIGIBLE SHERIFF'S DEPARTMENT EMPLOYEES

**WHEREAS**, this Board of Commissioners of Clark County, Indiana (this "Board"), is the executive body of Clark County government pursuant to the provisions of Ind. Code § 36-2-2-2; and,

**WHEREAS**, this Board is also the legislative body of Clark County government pursuant to the provisions of Ind. Code § 36-1-2-9; and

**WHEREAS**, the Sheriff and County Commissioners of Clark County, Indiana, wish to establish a Deferred Compensation Plan for all eligible employees of the Sheriff's Department of this County; and

**WHEREAS**, tax benefits could accrue to employees of the Sheriff's Department who participate in such a Deferred Compensation Plan, which would encourage such employees to invest a portion of their compensation in the Deferred Compensation Plan and assist them in providing for their future financial security and supplement their retirement benefits; and

**WHEREAS**, Ind. Code § 5-10-1.1 *et seq.* allows for any political subdivision to establish by ordinance a deferred compensation plan that is available under Federal law, including Section 457 of the Internal revenue Code; and

**WHEREAS**, the Clark County Sheriff's Department wishes to participate in a Deferred Compensation Plan established with other County Sheriff's Departments in the State of Indiana and to sign the appropriate Adoption Agreement to permit its employees to enroll in and invest some of their compensation in such Deferred Compensation Plan;

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CLARK COUNTY COMMISSIONERS, AS FOLLOWS:**

1. That a Deferred Compensation plan pursuant to Indiana Revenue Code 457(b) shall be established to allow for the voluntary participation of all eligible Sheriff's Department employees; and
2. That the Sheriff's Department will utilize the Deferred Compensation Plan established by County Sheriff's Departments in Indiana known as the Indiana Sheriffs 457(b) Plan and participate in the group trust arrangement established by

that Deferred Compensation Plan; and the Sheriff is authorized to sign the Adoption Agreement to participate in the Deferred Compensation Plan.

3. That the County Commissioners hereby authorize the County Auditor to make deductions from the pay of employees of the Sheriff's Department who voluntarily participate in the Deferred Compensation Plan and to deposit the deferrals in the Trust.
4. The County Commissioners further authorize the Committee made up of representatives of the Sheriff Departments participating in the Plan (as determined by participating Sheriff Departments) to make such other arrangements as are necessary to implement the Plan. It is understood that, other than the incidental expenses related to collecting the employees' deferrals, there is to be no cost to or contribution by the County to this Plan.
5. This Ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Board.

**So Ordained this \_\_\_\_\_ Day of May, 2015.**

*Members voting "NO":*

\_\_\_\_\_  
Jack Coffman, Commissioner

\_\_\_\_\_  
Rick Stephenson, Commissioner

\_\_\_\_\_  
Bryan Glover, Commissioner

*Members voting "YES":*

  
\_\_\_\_\_  
Jack Coffman, Commissioner

  
\_\_\_\_\_  
Rick Stephenson, Commissioner

*- absent -*  
\_\_\_\_\_  
Bryan Glover, Commissioner

*Attested by:*

  
\_\_\_\_\_  
R. Monty Snelling, Clark County Auditor



ORDINANCE NO. 15-2015

AN ORDINANCE ESTABLISHING A DEFERRED COMPENSATION PLAN

WHEREAS, the County Commissioners of Clark County, Indiana, wish to establish a Deferred Compensation Plan for all eligible employees of the Sheriff's Department of this County; and

WHEREAS, tax benefits could accrue to employees of the Sheriff's Department who participate in such a Deferred Compensation Plan, which would encourage such employees to invest a portion of their compensation in the Deferred Compensation Plan and assist them in providing for their future financial security and supplement their retirement benefits; and

WHEREAS, the State of Indiana permits the establishment by Ordinance of a Deferred Compensation Plan by any of its political subdivisions; and

WHEREAS, the Clark County Sheriff's Department wishes to participate in a Deferred Compensation Plan established with other County Sheriff's Departments in the State of Indiana and to sign the appropriate Adoption Agreement to permit its employees to enroll in and invest some of their compensation in such Deferred Compensation Plan;

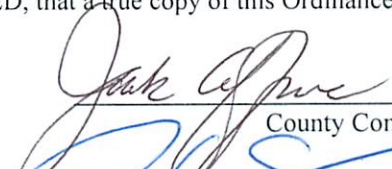
NOW, THEREFORE, THE COUNTY COMMISSIONERS OF CLARK COUNTY, INDIANA HEREBY RESOLVE AS FOLLOWS:

The County Commissioner meeting in a regularly scheduled session, this 21<sup>st</sup> day of May, 2015, hereby establish a Deferred Compensation Plan for the Clark County Sheriff's Department to allow for the voluntary participation of employees of such Sheriff's Department; and

The Sheriff's Department will utilize the Deferred Compensation Plan established by County Sheriff's Departments in Indiana known as the Indiana Sheriffs 457(b) Plan and participate in the group trust arrangement established by that Deferred Compensation Plan; and the Sheriff is authorized to sign the Adoption Agreement to participate in the Deferred Compensation Plan.

The County Commissioners hereby authorize the County Auditor to make deductions from the pay of employees of the Sheriff's Department who voluntarily participate in the Deferred Compensation Plan and to deposit the deferrals in the Trust. The County Commissioners also authorize the Committee made up of representatives of the Sheriff Departments participating in the Plan (as determined by participating Sheriff Departments) to make such other arrangements as are necessary to implement the Plan. It is understood that, other than the incidental expenses related to collecting the employees' deferrals, there is to be no cost to or contribution by the County to this Plan.

IT IS HEREBY FURTHER ORDERED, that a true copy of this Ordinance be part of the County's record of this date.

  
\_\_\_\_\_  
County Commissioner

  
\_\_\_\_\_  
County Commissioner

\_\_\_\_\_  
County Commissioner