

**FRENCHTOWN CHARTER TOWNSHIP  
PENSION PLAN ORDINANCE  
Ord. No. 168; Date of Adoption: November 1993**

An Ordinance to create and establish a pension plan for the board members and employees of Frenchtown Charter Township and to authorize the Township Supervisor and Clerk to contract, in the name of the Township, for such plan; to define those classes of board members and employees who shall be covered by such pension plan; to set forth the respective contribution which Frenchtown Charter Township shall contribute to the pension plan and to further provide for the deduction of contributions from board members' and employees' compensation; to establish the time at which existing and future employees shall become eligible for such plan and to further establish the normal retirement date for all employees; to set forth a date wherein each person covered under the pension plan shall have a vested right or interest in such plan; to ratify and confirm the validity of any pension plan in existence on the effective date of this Ordinance and to repeal all ordinances or parts of ordinances in conflict herewith.

**THE CHARTER TOWNSHIP OF FRENCHTOWN HEREBY ORDAINS:**

**Section 1. Title.**

This Ordinance shall be known as the Frenchtown Charter Township Pension Plan Ordinance.

**Section 2. Retirement Plan Established.**

Pursuant to Public Act 77 of 1989, as amended, the Township of Frenchtown hereby confirms and, to the extent required by law, creates and establishes, a retirement plan for its eligible board members and employees, and for such purposes, also hereby authorizes the Township Supervisor and 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 pension plans.

**Section 3. Eligible Employees.**

The pension plan confirmed, created, established and contracted for under this Ordinance shall cover the (1) Township Supervisor, Township Clerk, Township Treasurer, (2) Township Trustees elected or appointed on or before December 31, 1999, (3) Township employees working fifteen (15) hours or more per week on a regular basis on or before December 31, 1999, and (4) employees entitled to participate pursuant to an employment contract. Eligible employees shall not include Recreation Department employees. Fire Department employees shall be eligible for benefits in accordance with the terms of their collective bargaining unit agreements.

Amended by Ordinance No. 168-1, June 13, 2000.

**Section 4. Contributions of Employer; Eligible Employees.**

Section 4: Contributions of Employer: Eligible Employees.

Section 4 (A): The Township of Frenchtown shall annually contribute fifteen (15%) percent of the annual salary, or compensation as defined in the plan document, for (1) each Township Supervisor, Township Treasurer, Township Clerk (2) Township Trustees who held office on or before December 31, 1999, and (3) eligible employees working fifteen (15) or more hours per week who were employed by the Township, on or before December 31, 1999, unless provided otherwise by an employment agreement. Said contributions shall commence upon meeting the participation requirements set forth in 4 (D) herein.

Section 4 (B): The Township of Frenchtown shall annually contribute two (2%) percent of the annual salary, or compensation as defined in the plan document each year until the maximum contribution of ten (10%) is reached, or such other amount as agreed to pursuant to an employment contract for each employee employed by the Township on or after January 1, 2000, who participates in the Plan and who is entitled to benefits pursuant to an employment contract. Said contributions shall commence upon meeting the participation requirements set forth in 4 (E) herein.

Section 4 (C): Such contributions described in Sections 4(A) and (B) above, shall be distributed as required by the retirement plan authorized by the Frenchtown Charter Township Board and said funds shall be contributed to the plan from the general fund of the Township. Each participant shall be eligible to make after tax contributions to the plan and the Township Treasurer is hereby authorized to deduct the same from each such persons pay salary or compensation and to contribute the same to the plan.

Section 4 (D): Every employee who was eligible to participate in the plan on or before December 1, 1999, shall become a participant upon the first day of the month following the date on which he or she began employment with Frenchtown Charter Township.

Section 4 (E): Every employee who was eligible to participate in the plan on or after January 1, 2000 shall become a participant on the first day of the month following the first year on which he or she began employment or took office with Frenchtown Charter Township.

Section 4 (F): 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 plan 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 plan.

Amended by Ordinance No. 168-1, June 13, 2000.

## **Section 5. Vested Rights.**

Section 5 (A): Employees Eligible to Participate in the Plan on or before December 31, 1999. Each person so covered under the pension plan shall have a vested right or interest in such plan upon completion of thirty-six (36) months of participation in the plan. A participant in the plan

shall be eligible for normal retirement upon the attainment of age sixty-five (65) and completion of thirty-six (36) months of participation in the plan.

Section 5 (B): Employees Eligible to Participate in Plan on or after January 1, 2000. Each person so covered under the pension plan shall have a vested right or interest in such plan upon completion of sixty (60) months of participation in the plan. A participant in the plan shall be eligible for normal retirement upon the attainment of age sixty-five (65) and completion of sixty (60) months of participation in the plan.

Amended by Ordinance No. 168-1, June 13, 2000.

Amended by Ordinance No. 168-2, November 13, 2007.

**Section 6. Existing Plan Ratified.**

The Township of Frenchtown hereby ratifies and confirms the validity of the pension plan in existence on the effective date of this Ordinance.

**Section 7. Reservation of Right to Amend and/or Terminate.**

Frenchtown Charter Township reserves the right to amend and/or terminate this plan and the benefits offered pursuant to this Ordinance at any time. This Ordinance and the Plan shall not create any right on the part of any current or future:

1. Employee;
2. Board Member;
3. Retiree;
4. Spouse or former spouse of any employee, Board Member or Retiree

to have the benefits contemplated hereunder continued.

**Section 8. Repeal of Conflicting Ordinances.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 9. Effective Date.**

This Ordinance shall take effect immediately after passage and publication in the Monroe Evening News, a newspaper having general circulation in the Charter Township of Frenchtown, County of Monroe.

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