

## RESOLUTION R-2011-38

A RESOLUTION ADOPTING A PLAN UNDER THE OHIO PUBLIC EMPLOYEES DEFERRED COMPENSATION PROGRAM ADMINISTERED BY THE OHIO PUBLIC EMPLOYEES DEFERRED COMPENSATION BOARD AND DECLARING AN EMERGENCY.

ADOPTION OF A PLAN UNDER THE PROGRAM BY ELIGIBLE EMPLOYER

This Resolution has been approved as to form by the Ohio Attorney General

A RESOLUTION adopting a Plan under the Ohio Public Employees Deferred Compensation Program administered by the Ohio Public Employees Deferred Compensation Board for participation by “eligible employees” of the Village of Windham

WHEREAS, Ohio Revised Code Section 148 (the “Enabling Statute”) creates the Ohio Public Employees Deferred Compensation Board (the “Board”) and establishes the Ohio Public Employees Deferred Compensation Program (The “Program”) (A copy of the uniform Plan Document for the Program has been provided to the appropriate officer(s) of the Village of Windham); and

WHEREAS, the Village of Windham is an employer of “Eligible Employee(s)” (as defined by Ohio Revised Code Section 148.01(A)(1)), and thereby may adopt a Plan under the Program; and

WHEREAS, the Village of Windham desires to or is required to adopt a Plan under the Program for participation by “eligible employees.”

NOW THEREFORE, the Governing Body of the Village of Windham hereby resolves as follows:

The Village of Windham hereby adopts a Plan under the Program and shall properly contract with any Eligible Employee who desires to participate in the Plan. The Village of Windham’s Plan shall be the uniform Plan as promulgated by and as amended from time to time by the Board.

The Board is hereby authorized to administer the Plan under the Program, and to do all things necessary or proper for the administration of the Plan, consistent with the Enabling Statutes and all the Rules and Regulations promulgated by the Board, whether by the Ohio Administrative Code or otherwise, and consistent with the Adoption Agreement executed by the Village of Windham.

The \_\_\_\_\_ (title of individual who will be the Responsible Official for the plan) is hereby appointed the Responsible Official and is authorized and directed by the Governing Body to execute the Adoption Agreement.

Consistent with the Adoption Agreement and the Rules and Regulations promulgated by the Board, the proper officials, officers, employees, and agents of the Village of Windham are authorized to provide the Board with any information it may properly require for the administration of the Plan under the Program.

It is hereby found and determined that all actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Passed in Council as an emergency this 28<sup>th</sup> day of June, 2011

Vote of Council: Ayes: Mrs. Meszaros, Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mrs. Miranda, Mr. Snyder Nays: None.

Attest:

Approved:

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Village Fiscal Officer, Lloyd Billman

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Mayor, Robert Donham II

Approved as to Form:

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Solicitor, Thomas Reitz