

HABERSHAM COUNTY BOARD OF COMMISSIONERS
EXECUTIVE SUMMARY

SUBJECT: Habersham County Defined Contribution Plan for Senior Management

DATE: AUGUST 18, 2021

(X) RECOMMENDATION

(X) POLICY DISCUSSION

BUDGET INFORMATION:

() STATUS REPORT

ANNUAL-

() OTHER

CAPITAL-

COMMISSION ACTION REQUESTED ON: September 27, 2021

PURPOSE: To approve the adoption of the attached Adoption Agreement Amendment #2 to the Association County Commissioners of Georgia 401(a) Defined Contribution Plan for Senior Management of Habersham County, effective as of July 12 and to amend Schedule A of the Adoption Agreement to provide for participation by Alicia M Vaughn, Interim County Manager.

BACKGROUND / HISTORY: The County established a 401(a) Defined Contribution Plan for Senior Management employees. This plan is designated by the Board of Commissioners to offer a competitive retirement benefit to senior level employees.

FACTS AND ISSUES:

1. 401(a) Defined Contribution Plan for Senior Management of Habersham County was adopted in 2009.
 2. The County amended the plan in 2013.
 3. Senior level employees are designated at the County's discretion.
 4. The recent employment agreement between the County and Ms. Alicia Vaughn permits participation in the 401(a) Senior Management Plan.
 5. The County amends Schedule A to add the Interim County Manager and remove two former employees.
 6. Habersham County will be making a 10% contribution into Alicia Vaughn's, the interim county manager's, Senior Management 401(a) plan for every payroll effective 07/12/2021.
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OPTIONS:

- 1) Approval of the amendment to the Adoption Agreement Amendment #2 to the Association County Commissioners of Georgia 401(a) Defined Contribution Plan for Senior Management of Habersham County, effective as of July 12 and to amend Schedule A of the Adoption Agreement.
 - 2) Denial of the amendment to the Adoption Agreement Amendment #2 to the Association County Commissioners of Georgia 401(a) Defined Contribution Plan for Senior Management of Habersham County, effective as of July 12 and to amend Schedule A of the Adoption Agreement.
 - 3) Commission-defined alternative.
 - 4) Commission tabled until further notice.
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RECOMMENDED SAMPLE MOTION:

I make a motion to approve the amendment to the Adoption Agreement Amendment #2 to the Association County Commissioners of Georgia 401(a) Defined Contribution Plan for Senior Management of Habersham County, effective as of July 12 and to amend Schedule A of the Adoption Agreement.

DEPARTMENT:

Prepared by: Vinitha Robinson, MPA, PHR
Human Resources Director

**ADMINISTRATIVE
COMMENTS:** _____

_____ **DATE:** _____

Interim County Manager

**RESOLUTION TO AMEND THE
ACCG 401(a) DEFINED CONTRIBUTION PLAN
FOR SENIOR MANAGEMENT OF HABERSHAM COUNTY**

WHEREAS, Habersham County, Georgia (the “Employer”), by and through the Habersham County Board of Commissioners, has previously adopted the Association County Commissioners of Georgia 401(a) Defined Contribution Plan for Senior Management of Habersham County (the “Plan”), for the benefit of its eligible employees;

WHEREAS, the Employer adopted the Plan through an Adoption Agreement that was most recently amended and restated effective January 1, 2013;

WHEREAS, Section 13.01(a) of the Plan allows the Employer to amend the elective provisions of the Adoption Agreement at any time; and

WHEREAS, the Employer desires to amend Schedule A of the Adoption Agreement to provide for participation by Alicia M. Vaughn, Interim County Manager, effective as of July 12, 2021, and to delete from Schedule A two individuals who are no longer employed by the Employer.

NOW THEREFORE, the Habersham County Board of Commissioners, at a meeting held on the _____ day of _____, 2021, hereby resolves as follows:

RESOLVED, that the Board of Commissioners hereby approves the adoption of the attached Adoption Agreement Amendment #2 to the Association County Commissioners of Georgia 401(a) Defined Contribution Plan for Senior Management of Habersham County, effective as of July 12, 2021.

FURTHER RESOLVED, that the Commission Chair is hereby authorized, empowered, and directed to take all further actions and to execute all documents necessary to implement these resolutions.

FURTHER RESOLVED, that any resolution in conflict with this resolution is hereby repealed.

This ____ day of _____, 2021.

HABERSHAM COUNTY, GEORGIA BOARD OF COMMISSIONERS

By: _____
Chair, Habersham County Board of Commissioners

Date: _____

Attest:

By: _____
County Clerk

Date: _____

**ADOPTION AGREEMENT AMENDMENT #2 TO
ASSOCIATION COUNTY COMMISSIONERS OF GEORGIA
401(a) DEFINED CONTRIBUTION PLAN
FOR SENIOR MANAGEMENT OF HABERSHAM COUNTY**

THIS AMENDMENT is made and entered into by Habersham County, Georgia (the “Employer”), by and through the Habersham County Board of Commissioners.

W I T N E S S E T H:

WHEREAS, the Employer maintains the Association County Commissioners of Georgia 401(a) Defined Contribution Plan for Senior Management of Habersham County (the “Plan”) for the benefit of its eligible employees;

WHEREAS, the Employer adopted the Plan through an Adoption Agreement that was most recently amended and restated effective as of January 1, 2013;

WHEREAS, Section 13.01(a) of the Plan allows the Employer to amend the elective provisions of the Adoption Agreement at any time; and

WHEREAS, the Employer desires to amend Schedule A of the Adoption Agreement to provide for participation by Alicia M. Vaughn, Interim County Manager, effective as of July 12, 2021, and to delete from Schedule A two individuals who are no longer employed by the Employer.

NOW THEREFORE, the Employer hereby amends the Adoption Agreement as follows, effective as of July 12, 2021, by restating Schedule A (as previously amended effective as of September 16, 2013) in its entirety to read as follows:

**Schedule A
Eligible Employees**

Name	Participant Effective Date	Plan Year	Employer Basic or Discretionary Contribution	Employer Matching Contribution	Employee Contribution	Vesting Schedule
Alicia M. Vaughn	July 12, 2021	All	10% Employer Basic Contribution	None		100%

IN WITNESS WHEREOF, the Employer has caused its duly authorized officer to execute this Amendment on the date noted below.

HABERSHAM COUNTY, GEORGIA

By: _____

Title: _____

Date: _____