

R E S O L U T I O N 2019-01
OF THE COMMISSIONERS OF ST. MICHAELS, MARYLAND
AUTHORIZING A TRANSFER TO THE
LAW ENFORCEMENT OFFICERS' PENSION SYSTEM

WHEREAS, the Commissioners of St. Michaels, Maryland, ("St. Michaels") has determined it would be in the best interests of St. Michaels and its citizens, and the law enforcement officers employed by the St. Michaels Police Department ("Officers"), to withdraw eligible Officers from the Employees' Pension System ("EPS") and transfer them to the Law Enforcement Officers' Pension System ("LEOPS") operated and maintained by the Board of Trustees for the Maryland State Retirement and Pension System ("System") for eligible law enforcement personnel throughout the State of Maryland; and

WHEREAS, in accordance with the Annotated Code of Maryland, State Personnel and Pensions Article ("SPP"), § 31-2A-03(a), at least sixty percent (60%) of the eligible Officers have petitioned to become members of LEOPS, and have elected to withdraw and make a transfer from the EPS to the LEOPS under the terms and conditions appertaining thereto; and

WHEREAS, in accordance with SPP § 31-2A-03(a)(1), a Resolution of the Commissioners of St. Michaels is required by the System to approve and effectuate participation of eligible Officers in the LEOPS.

NOW, THEREFORE, BE IT RESOLVED, that the Commissioners of St. Michaels, hereby authorize, approve, and agree to implement the LEOPS for eligible Officers in the St. Michaels Police Department, and further agree to the withdrawal of such Officers from the EPS and the transfer of such Officers to the LEOPS; and

BE IT FURTHER RESOLVED, that the Commissioners of St. Michaels, Maryland, approve the withdrawal of Officers from the EPS effective on June 30, 2019 at 11:59 p.m., and participation in the LEOPS effective on July 1, 2019 at 12:00 a.m., pursuant to Maryland Annotated Code, State Personnel and Pension Article, § 31-2A-03(a) and § 31-302; and

BE IT FURTHER RESOLVED, by the Commissioners of St. Michaels, Maryland, that in accordance with SPP § 26-202(b)(1)(vi)2 and (2), eligible Officers hired on or before June 30, 2019 shall have a one-time irrevocable election to join and participate in the LEOPS effective July 1, 2019, by submitting a written application to the State Retirement Agency before July 1, 2019; and

BE IT FURTHER RESOLVED, by the Commissioners of St. Michaels, Maryland, that in accordance with SPP §§ 26-201(a)(6), 26-202(a), and 31-2A-03(a)(2)(iii), all eligible Officers hired on or after July 1, 2019 shall not be entitled to join the EPS, but shall be in and part of the LEOPS; and

The above Resolution was introduced and passed at the regularly scheduled meeting of the Commissioners of St. Michaels, Maryland, on April 10, 2019, and shall become effective on July 1, 2019.

INTRODUCED by the Commissioners of St. Michaels, Maryland, at a Regular Meeting on April 10, 2019, at which meeting copies were available to the public for inspection.

ADOPTED by the Commissioners of St. Michaels, Maryland, at a Regular Meeting on April 10, 2019, at which meeting copies were available to the public for inspection.

Adopted: 4-10-2019

Attest: Gar Wuss

Michael Bibb
MICHAEL BIBB
Vice President

Recused - JWusman
JOYCE HARROO Town Manager
Commissioner

William Boos
President WILLIAM BOOS

Jaime Windon
Treasurer JAIME WINDON

Michael Gorman
Commissioner MICHAEL GORMAN