

**BOARD OF SUPERVISORS
COUNTY OF NEW KENT
VIRGINIA**

O-05-13

At the regular meeting of the Board of Supervisors of the County of New Kent in the Boardroom of the Administration Building in New Kent, Virginia, on the 12th day of August, 2013:

Present:	Vote:
C. Thomas Tiller, Jr.	Aye
James H. Burrell	Aye
Ron Stiers	Aye
Thomas W. Evelyn	Aye
W. R. Davis, Jr.	Aye

Motion was made by Mr. Evelyn, which carried 5:0, to adopt the following ordinance:

**AN ORDINANCE AMENDING CHAPTER 2, ARTICLE III,
OFFICERS AND EMPLOYEES, SECTION 2-74,
STATE RETIREMENT SYSTEM, WITH CHANGES
THAT RESULTED FROM THE 2012 GENERAL ASSEMBLY**

WHEREAS, the General Assembly has enacted certain changes to the Code of Virginia which require amendments to the New Kent County Code relating to the participation of County employees and officers in the Virginia Retirement System; and

WHEREAS, pursuant to Virginia Code Section §51.1-124.2 *et seq.*, the New Kent County Board of Supervisors has the authority to amend Chapter 98, Article XXVI of the County Code; and

WHEREAS, the Board finds that it is in the interest of the County and its citizens to amend the State retirement system provisions to reflect the enactment of Virginia Code Section §51.1-169 and application of other sections of the Virginia Code, to avoid frequent amendments; and

WHEREAS, the Board has provided notice and held a public hearing pursuant to the Code of Virginia;

NOW, THEREFORE BE IT ORDAINED, on this 12th day of August, 2013, Chapter 2, Administration, Article III, Officers and Employees, Sec. 2-74, State Retirement System, is amended, as set forth below:

Sec. 2-74. - State retirement system.

(a) The board of supervisors hereby resolves and elects to have the employees and officers of the county, who are regularly employed full time on a salary basis, and whose tenure is not restricted as to temporary, or provisional appointment, to become eligible, effective as January 1, 1960, to participate in the Virginia Retirement System, under the conditions set forth in Code of Virginia, §§ 51.1-124.2—~~51.1-168~~ *et seq.*, and such county agrees to pay its cost for participation of its employees for all services for the county prior to January 1, 1960, for which credit is authorized and established on forms required by the retirement board and for membership service in the system after such date and also to deduct from such employees' wages and pay over in the manner prescribed, the respective amounts required by law.

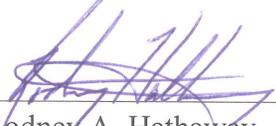
(b) The chairman of the board of supervisors and the county administrator are hereby authorized and directed, in the name of the county, to execute any required contract in order that officers and employees of the county may become entitled to the benefits provided under the Virginia Retirement Act (Code of Virginia, § 51.1-124.2 *et seq.*). In the execution of any contract which may be required, the seal of the county shall be affixed and attested by the county administrator, and the chairman of the board of supervisors and the county administrator are directed to do any other thing incident and necessary to the lawful conclusion of this matter in conformity with law.

(c) The county treasurer is hereby authorized and directed to pay from time to time such sums as are due to be paid under such contract by the county and its officers and employees.

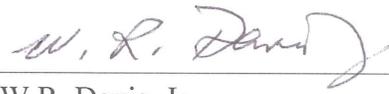
(Code 1999, § 2-4)

Editor's note— The contract authorized and directed to be executed by this section is on file in the office of the county administrator.

This Ordinance takes effect upon adoption.



Rodney A. Hathaway
County Administrator



W.R. Davis, Jr.
Chairman