

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

R-30-12

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 11th day of June, 2012:

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

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

**A RESOLUTION TO CERTIFY
VIRGINIA RETIREMENT SYSTEM
MEMBER CONTRIBUTIONS EFFECTIVE JULY 1, 2012
FOR NEW KENT COUNTY**

WHEREAS, New Kent County 55163 employees who are Virginia Retirement System members who commence or recommence employment on or after July 1, 2012 ("FY2013 Employees" for purposes of this resolution), shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pre-tax basis upon commencing or recommencing employment; and

WHEREAS, New Kent County 55163 employees who are Virginia Retirement System members and in service on June 30, 2012, shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pre-tax basis no later than July 1, 2016; and

WHEREAS such employees in service on June 30, 2012, shall contribute a minimum of an additional one percent of their creditable compensation beginning on each July 1 of 2012, 2013, 2014, 2015 and 2016, or until the employees' contributions equal five percent of creditable compensation; and

WHEREAS, New Kent County 55163 may elect to require such employees in service on June 30, 2012, to contribute more than an additional one percent each year in whole percentages, until the employees' contributions equal five percent of creditable compensation; and

WHEREAS, the second enactment clause of Chapter 822 of the 2012 Acts of Assembly (SB497) requires an increase in total creditable compensation, effective July 1, 2012, to each such employee in service on June 30, 2012, to offset the cost of the member contributions, such increase in total creditable compensation to be equal to the difference between five percent of the employee's total creditable compensation and the percentage of the member contribution paid by such employee on January 1, 2012.

BE IT THEREFORE RESOLVED that New Kent County 55163 does hereby certify to the Virginia Retirement System Board of Trustees that it shall effect the implementation of the member contribution requirements of Chapter 822 of the 2012 Acts of Assembly (SB497) according to the following schedule for the fiscal year beginning July 1, 2012 (i.e., FY2013):

Type of Employee	Employer Paid Member Contribution	Employee Paid Member Contribution
Plan 1	0%	5%
Plan 2	0%	5%
FY2013 Employees	0%	5%

BE IT FURTHER RESOLVED that such contributions, although designated as member contributions, are to be made by New Kent County in lieu of member contributions; and

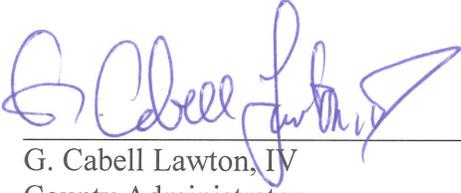
BE IT FURTHER RESOLVED that pick-up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees; and

BE IT FURTHER RESOLVED that member contributions made by New Kent County under the pick up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick up arrangement; and

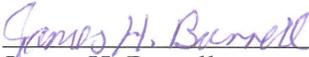
BE IT FURTHER RESOLVED that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the pick up contributions made by New Kent County directly instead of having them paid to VRS; and

BE IT FURTHER RESOLVED that notwithstanding any contractual or other provisions, the wages of each member of VRS who is an employee of New Kent County shall be reduced by the amount of member contributions picked up by the New Kent County on behalf of such employee pursuant to the foregoing resolutions.

NOW THEREFORE the New Kent County Board of Supervisors hereby authorizes and directs the officers of New Kent County 55163 to carry out the provisions of this resolution, and to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the New Kent County for this purpose.



G. Cabell Lawton, IV
County Administrator



James H. Burrell
Chairman