

**RESOLUTION 2013-33  
AS AMENDED**

**RESOLUTION TO AUTHORIZAN EMPLOYER PARTICIPATING IN THE TENNESSEE  
CONSOLIDATED RETIREMENT SYSTEM AS OF JUNE 30, 2012 TO CHANGE FROM  
ITS EXISTING REGULAR DEFINED BENEFIT PLAN TO THE HYBRID PLAN  
IN ACCORDANCE WITH TCA§ 8-35-2.**

**WHEREAS**, Tennessee Code Annotated, Title 8, Chapter 35, Part 2 allows an employer participating in the Tennessee Consolidated Retirement System ("TCRS") as of June 30, 2012 to change from its existing regular defined benefit plan to the hybrid plan; and

**WHEREAS**, effective July 1, 2013 (the "Effective Date"), Weakley County (the "Employer") desires to change from its existing regular defined benefit plan to the hybrid plan in accordance with TCA § 8-35-2 and in accordance with the following terms and conditions; and

**WHEREAS**, employee of the Employer who are members of TCRS on the Effective Date shall continue membership in TCRS pursuant to the regular defined benefit plan as it exists for such Employer on the Effective Date; provided, however, any such employee who thereafter leaves or is discharged from employment with the Employer and later returns to employment with the Employer shall participate prospectively in whatever plan exists for that Employer on the date the employee returns to employment; and **amended to state the Weakley County Plan follow the State policy regarding any break in service by a county employee.**

**WHEREAS**, employees of the Employer who are not yet TCRS members but are serving a probationary period pursuant to TCA §8-35-107 on the Effective Date shall have such probationary period waived and shall participate in TCRS pursuant to the regular defined benefit plan as it exists for such Employer on the Effective Date; provided, however, any such employee who thereafter leaves or is discharged from employment with the Employer and later returns to employment with the Employer shall participate prospectively in whatever plan exists for that Employer on the date the employee returns to employment; and **amended to state the Weakley County Plan follow the State policy regarding any break in service by a county employee.**

**WHEREAS**, Employees of the Employer who are hired after the Effective Date shall participate in the hybrid plan as provided in this resolution:

- A. TYPE PLAN: Hybrid Plan (If the Hybrid Plan is chosen, the Employer MUST also maintain a defined contribution plan on behalf of is employees).
- B. ASSUMPTION OF EMPLOYEE CONTRIBUTIONS. The Employer shall: ASSUME 5.0% of its employees' contributions.
- C. COST- OF-LIVING INCREASES FOR RETIREES: PROVIDED cost-of-living increases for its retirees.
- D. ELIBILTIIY OF PART-TIME EMPLOYEES. The Employer shall NOT allow it part-time employees to participate in TCRS.

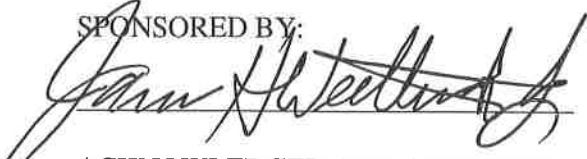
**WHEREAS**, the liability for participation and costs of administration shall be the sole responsibility of the Employer and not the State of Tennessee.

**NOW, THEREFORE, BE IT RESOLVED**, by the county legislative body of Weakley County, Tennessee, meeting in regular session in Dresden, Tennessee hereby changes from its existing defined benefit to the hybrid plan, as selected above, in accordance with TCA §8-35-2 and in accordance with the above terms and conditions. It is acknowledged and understood that pursuant to TCA §8-35-111 the Employer shall not make employer contributions to any other retirement or deferred compensation plans on behalf of any employee who participates in TCRS pursuant to this Resolution wherein the total combined employer contributions to such plans exceed 3% of the employee's salary, unless the Hybrid Plan is adopted by the Employer for such employee. In which case, the Employer may make employer contributions to the defined contribution plan component of the Hybrid Plan and to any one or more additional tax deferred compensation or retirement plans provided that the total combined employer contribution to such plans on behalf of any employee shall not exceed 7% of the employee's salary.

NOW, THEREFORE, BE IT FURTHER RESOLVED, This Resolution shall take effect upon adoption, the public welfare requiring it.

Pursuant To The Rules Of The Commission, This Resolution Is Sponsored By The Following Members Of The Weakley County Board Of County Commissioners:

SPONSORED BY:



SPONSORED BY:



ACKNOWLEDGED AND APPROVED:

  
Chairman, Personnel, Legislative, & Intergovernmental Affairs Committee

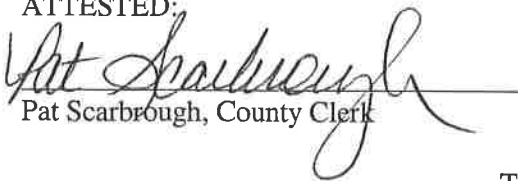
ACKNOWLEDGED AND APPROVED:

  
Chairman, Finance, Ways, & Means Committee

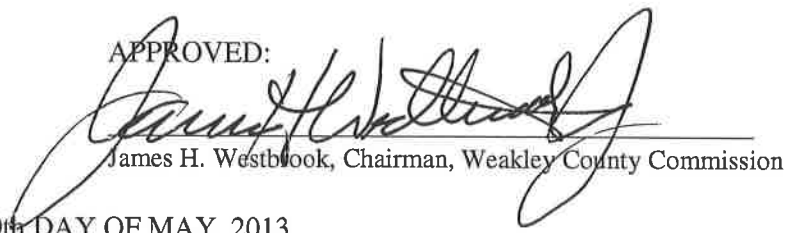
Motion made by Commissioner Stewart that the foregoing resolution be adopted. Motion seconded by Commissioner Salmon voice

Upon being put to a roll call vote, Motion carried by a vote of 17 Yeas, 0 Nays,  
0 Passed and 1 Absent.

ATTESTED:

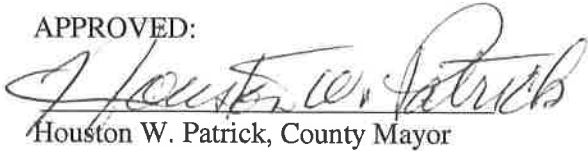
  
Pat Scarbrough, County Clerk

APPROVED:

  
James H. Westbrook, Chairman, Weakley County Commission

THIS THE 20th DAY OF MAY, 2013.

APPROVED:

  
Houston W. Patrick, County Mayor

VETOED:

\_\_\_\_\_  
Houston W. Patrick, County Mayor

Date: 05-22-13

Date: \_\_\_\_\_