

GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

ADOPTION: December 15, 2015

At the regular meeting of the Gwinnett County Board of Commissioners held in the Gwinnett Justice and Administration Center, Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

Name	Present	Vote
Charlotte J. Nash, Chairman	Yes	Aye
Jace W. Brooks, District 1	Yes	Aye
Lynette Howard, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
John Heard, District 4	Yes	Aye

On motion of **Commissioner Heard**, which carried a **5-0** vote, the Resolution of the **Second Amendment to the Gwinnett County Board of Commissioners Defined Contribution Pension Plan**, as set forth below, is hereby adopted:

WHEREAS, the County has adopted and maintains the Gwinnett County Board of Commissioners Defined Contribution Pension Plan (the "Plan");

WHEREAS, the County now wishes to amend the Plan to add a new vesting schedule under the Plan applicable to new hires on and after January 1, 2016;

NOW, THEREFORE, BE IT RESOLVED, that the Gwinnett County Board of Commissioners (the "Board of Commissioners") hereby authorizes and approves the adoption of the Second Amendment to the Plan, in substantially the form attached hereto.

IT IS FURTHER RESOLVED, that the Chairman of the Board of Commissioners or her designee is hereby authorized, empowered and directed to take all actions and to execute and deliver all agreements, instruments, indentures and documents as he or she shall deem necessary to carry out the intent of the foregoing resolutions, including, without limitation, the execution of the amendment described above.

IT IS FURTHER RESOLVED, that the signature of the Chairman of the Board of Commissioners or her designee on any agreement, instrument, indenture or document shall be conclusive evidence of his or her authority.

BE IT FINALLY RESOLVED, that this Resolution shall become effective when adopted, and that all resolutions and parts of resolutions in conflict with this Resolution are hereby repealed to the extent of the conflict.

GWINNETT COUNTY BOARD OF COMMISSIONERS

BY: Charlotte J. Nash
CHARLOTTE J. NASH, CHAIRMAN

ATTEST:

BY: Tina King (SEAL)
Tina King, COUNTY CLERK, Deputy



APPROVED AS TO FORM:

BY: [Signature]
SR. ASSISTANT COUNTY ATTORNEY

**SECOND AMENDMENT TO THE
GWINNETT COUNTY BOARD OF COMMISSIONERS
DEFINED CONTRIBUTION PENSION PLAN**

This SECOND AMENDMENT is made as of this 8th day of February, 2016, by Gwinnett County (the "County").

WITNESSETH:

WHEREAS, the County maintains the Gwinnett County Board of Commissioners Defined Contribution Pension Plan (the "Plan"), which was last amended and restated effective as of January 1, 2014, by the adoption of the 2011 Basic Section 401(a) MPPP Plan Document for Governmental Employers (the "Basic Plan Document") and the 2011 Basic 401(a) MPPP Adoption Agreement for Governmental Employers (the "Adoption Agreement"); and

WHEREAS, the County now wishes to amend the Plan to add a new vesting schedule under the Plan applicable to new hires on and after January 1, 2016.

NOW, THEREFORE, the County does hereby amend the Plan, effective as of January 1, 2016, by deleting Section S.4 of the Adoption Agreement for the Plan and by substituting therefor the following:

"4. For Participants hired before January 1, 2016:

 33% after one Year of Service.
 67% after two Years of Service.
 100% after three or more Years of Service.

5. For Participants hired on and after January 1, 2016:

 0% after one Year of Service.
 0% after two Years of Service.
 33% after three Years of Service.
 67% after four Years of Service.
 100% after five Years of Service."

Except as specifically amended hereby, the Plan shall remain in full force and effect prior to this Second Amendment.

[SIGNATURE PAGE IS NEXT PAGE]

IN WITNESS WHEREOF, the County has caused this Second Amendment to be executed as of the day and year first above written.

Gwinnett County Board of Commissioners

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Attest:

By: Jina M. King (Seal)
Tina King, County Clerk, Deputy



Approved As To Form:

By: [Signature]
Sr. Assistant County Attorney