

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
6611 Kenilworth Avenue • Riverdale, Maryland 20737

M-NCPPC  
Resolution 17-29

AMENDMENTS TO MARYLAND-NATIONAL CAPITAL PARK AND PLANNING  
COMMISSION EMPLOYEES' RETIREMENT SYSTEM - INCLUSION OF THE  
INSPECTOR GENERAL IN PLANS B AND E

WHEREAS, the Maryland-National Capital Park and Planning Commission Employees' Retirement System (ERS) was established effective July 1, 1972 and amended from time to time; and

WHEREAS, the ERS currently consists of five (5) plans, Plans A, B, C, D and E; and

WHEREAS, Section 3 of the Plan Document reserves the right of the Maryland-National Capital Park and Planning Commission (Commission), as plan sponsor, to amend any or all of the provisions of the Plans from time to time, provided that, no amendments shall adversely affect benefits that have accrued prior to the effective date of any such amendments; and

WHEREAS, the General Assembly of Maryland recently enacted amendments to the Land Use Article of the Maryland Annotated Code by 2017 Maryland Laws, Chapter 361 ("Chapter 361") to establish the Office of the Inspector General of the Maryland-National Capital Park and Planning Commission effective October 1, 2017;

WHEREAS, Section 15-503(B)(3) of Chapter 361 provides that the Inspector General may not participate in the Merit System but, may participate in the any employee benefits program offered by M-NCPPC and may be offered supplemental employee benefit programs;

WHEREAS, Section 15-503(B)(3)(II) of Chapter 361 provides that the Commission may offer the Inspector General any supplemental employee benefit programs it determines are necessary to recruit and retain an employee who does not participate in the Merit System;

WHEREAS, the Commission desires to allow the Inspector General to participate in ERS;

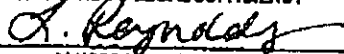
WHEREAS, the Commission has determined that the 10-year vesting requirement of Plan E is prohibitive to recruiting and retaining an individual for the position of Inspector General; and

WHEREAS, ERS Plans B and E are the only Plans that are currently open to general service employees (although Plan B is only open to current Members of Plan B who return to service).

NOW THEREFORE, BE IT RESOLVED, that the Maryland-National Capital Park and Planning Commission does hereby modify the Plans B and E as follows:

- 1) An individual who is appointed to the position of Inspector General will be required to participate in ERS as a condition of employment;
- 2) An individual who is appointed to the position of Inspector General who, as a result of prior service, is a Participant or Member of Plan B, will continue to accrue service in Plan B and enjoy all of the benefits of Plan B, which includes a five-year vesting requirement;
- 3) An individual who is appointed to the position of Inspector General that is a Participant or Member of Plan E, will continue to accrue service in Plan E but, will enjoy a reduction in the vesting requirement from ten-years to five-years; and
- 4) An individual who is appointed to the position of Inspector General that has never accrued service in any ERS Plan, will be required to participate in Plan E subject to a five-year vesting requirement.

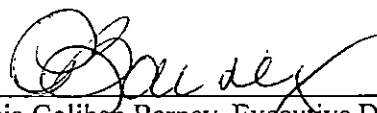
APPROVED AS TO LEGAL SUFFICIENCY

  
M-NCPKC Legal Department  
Date 9/15/2017

CERTIFICATION

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This is to certify that the foregoing is a true and correct copy of Resolution No. 17-29, adopted by the Maryland-National Capital Park and Planning Commission on motion of Commissioner Geraldo, seconded by Commissioner Fani-Gonzalez, with Commissioners, Hewlett, Anderson, Bailey, Cichy, Doerner, Dreyfuss, and Patterson voting in favor of the motion, and Commissioner Washington being absent from the Commission meeting held on September 20, 2017, in the Montgomery Regional Office in Silver Spring, Maryland.

  
Patricia Colihan Barney, Executive Director