

RESOLUTION ADOPTING THE WYOMING RETIREMENT SYSTEM DEFERRED COMPENSATION PLAN FOR THE BENEFIT OF EMPLOYEES OF ALBANY COUNTY, WYOMING.

**WHEREAS**, the individual signing below has the legal authority to take the action set forth herein on behalf of Albany County;

**WHEREAS**, Albany County wishes to adopt the Wyoming Retirement System Deferred Compensation Plan (Plan), and eligible deferred compensation plan governed by Section 457 of the Internal Revenue Code, for its employees pursuant to enabling Wyoming Statute Article 5, Sections 9-3-501 through 9-3-509;

**NOW THEREFORE, BE IT RESOLVED**, that Albany County adopts the Plan, effective February 16, 2016;

**FURTHER RESOLVED**, that the participation of Albany County's employees in the Plan shall be governed by the Plan Document (a copy of which is attached), any applicable services agreements entered into by the Plan on behalf of its participants, and any and all rules and regulations promulgated by the Wyoming Retirement Board (Board);

**FURTHER RESOLVED**, that Albany County agrees to be bound by and honor the decisions and action taken by the Wyoming Retirement System, in its role as the Plan Administrator, in connection with Plan management and administration, including but not limited to, amending or terminating the Plan, selecting investment options and service providers, and approving unforeseeable emergency distribution requests;

**FURTHER RESOLVED**, that Albany County agrees that no employee shall be allowed to contribute more than the maximum annual contribution into the Plan. If the Albany County offers multiple 457 plans to its employees, the Albany County shall coordinate the maximum annual contribution among all of the plans and agrees that any excess deferrals resulting from participation in multiple plans shall be attributable to and distributed from one of the 457 plans other than the Plan;

**FURTHER RESOLVED**, it is recommended that Albany County facilitate educational programs developed for use with the Plan at least once a year, and, to the extent possible, to allow employees to attend during work hours;

**FURTHER RESOLVED**, the chief payroll clerk for Albany County is hereby authorized to provide all relevant information to the Plan Administrator as requested;

**FURTHER RESOLVED**, that Albany County, pursuant to Wyo. Stat. § 9-3-509 and Section 2.03 of the Plan Document, is electing to implement automatic enrollment of new employees into the Plan by establishing an Eligible Automatic Contribution Arrangement (EACA) in accordance with procedures established by the Plan Administrator, for all employees hired after the following date: February 16, 2016.

**FURTHER RESOLVED**, that Albany County, by electing to establish an EACA, agrees to regularly share information with the Plan and/or its recordkeeper on each employee hired, terminated and/or rehired on or after the date given above pursuant to Plan requirements.

**FURTHER RESOLVED**, Albany County, by electing to establish an EACA, agrees to follow the processes established by the Plan for notifying and automatic enrolling new employees. In general, Albany County agrees to:

1. Transfer or upload to the Plan's recordkeeper indicative data on new employees each month; data will be used to notify employees of their opt-out options and the applicable time periods;

2. Receive and verify authorized deferral files from the Plan and/or its recordkeeper; and
3. Use the authorized deferral file to generate and update a contribution file to be submitted to the Plan's recordkeeper.

**FURTHER RESOLVED**, Albany County is electing to establish an EACA agrees to electronically submit payroll contribution files to the Plan.


**FURTHER RESOLVED**, Albany County is electing to ease automatic enrollment shall submit a new participation resolution reflecting the election and give at least 60 days' notice to the Plan Administrator.

PASSED, APPROVED, AND ADOPTED THIS 16th day of February, 2016.

THE BOARD OF COUNTY COMMISSIONERS  
OF ALBANY COUNTY, WYOMING

  
\_\_\_\_\_  
Tim Sullivan, Chairperson

ATTEST:

  
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Jackie R. Gonzales,  
Albany County Clerk