

DIVISION 2. DEFERRED COMPENSATION PLAN\*

\*State law references: Government Employees Deferred Compensation Program Act, F.S. § 112.215.

**Sec. 2-166. Plans adopted.**

The Board of County Commissioners, for its employees and for all county constitutional officers and their employees, hereby adopts such deferred compensation programs that shall meet the requirements of the Leon County Code of Laws, Florida Statutes, Chapter 112 (as same may be amended from time to time), and as are approved by the deferred compensation committee established by Chapter 2 of the Leon County Code of Laws, and hereby establishes for itself the county deferred compensation plans for the voluntary participation of all eligible county officials and employees. The plans are entered into with the understanding that, other than the incidental expenses of collecting and disbursing of the employees' deferrals and other minor administrative matters, there will be no cost or contribution by the county to either of the plans.

(Code 1980, § 2-23; Ord. No. 04-20, § 1, 9-14-04)

**Sec. 2-167. Administrator authorized to execute contracts, etc.**

The county administrator or his designee is hereby authorized to execute, on behalf of the county, individual participation agreements with each employee requesting to participate in the plans, and to execute such agreements and contracts as are necessary to implement the plans.

(Code 1980, § 2-24)

**Sec. 2-168. Deferred compensation committee.**

(a) *Establishment and composition.* The Board of County Commissioners hereby creates the deferred compensation committee. Such committee shall be composed of the following persons or designees of these persons:

- (1) The county administrator.
- (2) The personnel director.
- (3) The county finance director.
- (4) The county attorney.
- (5) Such other person or persons as the Board of County Commissioners may from time to time appoint.

The county administrator shall serve as chairman of the committee.

(b) *Powers and duties.* The deferred compensation committee shall have the following powers and duties:

- (1) Review the performance of the plans and the plan administrators and make appropriate recommendations to the Board of County Commissioners.
- (2) Review petitions by employees for advance distribution of deferred compensation in cases of unforeseen emergencies and make recommendations to the county administrator.
- (3) Make recommendations to the Board of County Commissioners on other matters related to deferred compensation.

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Attachment # /

(c) *Meetings.* Meetings shall be held at such time and place as determined by the county administrator, except that a meeting shall be held to consider a petition for hardship distribution within 30 days of such petition being filed.

(Code 1980, § 2-25)

**Cross references:** Boards, authorities, commissions and similar agencies, § 2-46 et seq.

### **Sec. 2-169. Effective date of plans.**

The plans shall not become effective until the deferred compensation committee is satisfied that the compensation deferred under the plans and the investment products purchased pursuant to the plans will not be included in an employee's taxable income under federal and state law until it is actually received by the employee under the plans, and that such compensation will nonetheless be deemed compensation at the time of deferral for purposes of social security coverage, the Florida Retirement System, and any other retirement, pension or benefit program established by law. The deferred compensation committee is hereby designated to make such determinations.

(Code 1980, § 2-26)

Secs. 2-170--2-190. Reserved.