

**DULUTH TOWNSHIP BOARD OF SUPERVISORS
RESOLUTION NUMBER 20181013**

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WHEREAS Ms Ann Cox has served as Town Clerk for Duluth Township since 1997;

WHEREAS in 2001, the Duluth Town Board of Supervisors changed the Treasurer position from an elected position to an appointed position;

WHEREAS, unbeknownst to the Town Board at the time, the change from elected to appointed position should have changed Ms. Cox's retirement plan status under the Public Employees Retirement Association (PERA), but this change was not recognized at the time by either PERA or the Town, and as such the Town continued to make payments to PERA (as directed by PERA) under the program for elected officials, as part of Ms. Cox's benefits package;

WHEREAS the mis-classification resulted in a difference between the required contributions to PERA by both the Town and Ms. Cox, such that both paid less than would have been required if the misclassification had not occurred;

WHEREAS the Minnesota State Legislature passed, in 2018, SF2620, which in Chapter 211, Article 18, Section 6, contains language ^{Jimmy De}directly PERA to amend Ms. Cox's retirement plan status and directing the Town of Duluth to make additional payments to PERA to provide the equivalent contributions, plus interest, that would have been made/accrued had the appropriate classification change been made in 2001;

WHEREAS Ms. Cox, subsequently exercised her option to purchase PERA Coordinated Plan service credits for the period April 12, 2001, through December 31, 2013;

WHEREAS Ms. Cox certifies to the Town Board that she has made arrangements with PERA to make additional personal contributions to PERA consistent with the aforementioned legislation;

WHEREAS the Town of Duluth has received correspondence from PERA, dated September 21, 2018 and attached to this Resolution, directing the Town to make a payment of the amount of \$6,837.42 to PERA, to satisfy the Town's obligations under the aforementioned legislation;

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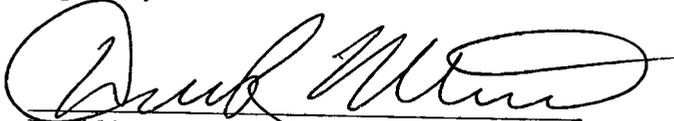
BE IT THEREFORE RESOLVED, that the Duluth Town Board of Supervisors directs the Town Clerk and Treasurer to issue payment to PERA in the amount of \$6,837.42 as per the referenced and attached communication from PERA.

This resolution is enacted this 11th day of October, 2018 by vote of the Duluth Town Board of Supervisors.

Supervisors votes:

	Yay	Nay	Abstain	Absent
Supervisor Carlson	<u>✓</u>	_____	_____	_____
Supervisor Crow	<u>✓</u>	_____	_____	_____
Supervisor Morton	<u>✓</u>	_____	_____	_____
Supervisor Mount	<u>✓</u>	_____	_____	_____
Supervisor West	<u>✓</u>	_____	_____	_____

Signed by:



David R. Mount, Chair, Duluth Town Board of Supervisors

Attest:


Ann Cox, Town Clerk

Attachment: Letter from PERA to Duluth Township dated September 21, 2018 (with attachment)