

Motion Made by Member Hornung

1-27-03  
#8

Motion Seconded by Member Steiner

To introduce and publish for the first time with the intent to adopt at the next regular meeting of the Board of Trustees of the Charter Township of Clinton on January 13, 2003, Ordinance No. 289-A-1 of the Charter Township of Clinton, State of Michigan, to amend Ordinance No. 289 of the Charter Township of Clinton, to approve, adopt and enact new matter therein modifying certain provisions relating to benefits provided to the full time elected officials of the Charter Township of Clinton, Macomb County, Michigan, the offices being the office of Supervisor, Treasurer, and Clerk within the Charter Township of Clinton, Macomb County, Michigan.

Motion by Member Hornung

Motion Seconded by Member Tomlinson

To adopt and publish Ordinance No. 289 -A-1 of the Charter Township of Clinton, State of Michigan on January 27, 2003, to amend Ordinance No. 289 of the Charter Township of Clinton, to approve, adopt and enact new matter therein modifying certain provisions relating to benefits provided to the full time elected officials of the Charter Township of Clinton, Macomb County, Michigan, the offices being the office of Supervisor, Treasurer, and Clerk within the Charter Township of Clinton, Macomb County, Michigan

**CHARTER TOWNSHIP OF CLINTON**  
**MACOMB COUNTY, MICHIGAN**  
**ORDINANCE NO. 289 A-1**

AN ORDINANCE TO AMEND ORDINANCE NO. 289 OF THE CHARTER TOWNSHIP OF CLINTON, TO APPROVE, ADOPT AND ENACT NEW MATTER THEREIN MODIFYING CERTAIN PROVISIONS RELATING TO BENEFITS PROVIDED TO THE FULL TIME ELECTED OFFICIALS OF THE CHARTER TOWNSHIP OF CLINTON, MACOMB COUNTY, MICHIGAN AND REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.

THE CHARTER TOWNSHIP OF CLINTON ORDAINS:

Section 1. LONG TERM DISABILITY BENEFITS

That commencing with the adoption of this Ordinance and the implementation of the provisions hereof, the three full time elected officials, namely the Supervisor, Treasurer, and Clerk shall be entitled to the long term disability benefits presently provided to the majority of

collective bargaining unit members of the Charter Township of Clinton as part of their "short term-long term disability insurance" benefits provided that the disability and claim occurs while the full time elected official was holding office.

## Section 2. LIFE INSURANCE

Provided any of the three full time elected officials serve and complete two four (4) year terms then the Township shall pay the premium for a Ten Thousand (\$10,000.00) Dollar term life insurance policy without double indemnity for the remainder of his or her life when the official leaves office.

## Section 3. HEALTH CARE COVERAGE AFTER LEAVING ELECTIVE OFFICE

### A. Payment for Coverage:

The Charter Township of Clinton will provide health care coverage as provided to the majority of collective bargaining unit members, excluding maternity coverage, to any of the full time elected officials, being the Supervisor, Treasurer, and Clerk after leaving elective office who have served and completed a minimum of four (4) years of service and being at least fifty-five (55) years or older based upon the following payment provisions:

- (1) If the full time elected official has completed one four (4) year term then he/she shall pay seventy-five (75%) percent of the cost with the Township paying twenty-five (25%) percent of the cost.
- (2) If the full time elected official completes two four (4) year terms he/she shall then pay fifty (50%) percent of the cost and the Township shall pay fifty (50%) percent of the cost.
- (3) If the full time elected official serves three four (4) year terms he/she shall pay twenty-five (25%) percent of the cost with the Township paying seventy-five (75%) percent of the costs.
- (4) Each said full time elected official who serves four four (4) year terms, shall be entitled to the benefits fully paid by the Township until he or she reaches the age of sixty-five (65).
- (5) In the event a full time elected official has a minimum of four (4) years of service but less than the increment levels of eight (8) years, twelve (12) years, or sixteen (16) years as stated above

when leaving office, then and in that event said officials shall be credited with each completed month of service above four (4) years at the rate of zero point five two (0.52%) percent.

(For example: An elected official who leaves office with nine years of service shall pay forty-three and three quarters (43.75%) percent of the cost and the Township shall pay fifty-six and one quarter (56.25%) percent.)

- (6) The benefits identified above shall be equal to the benefits that the majority of the collective bargaining unit members of the Charter Township of Clinton are receiving at the time the benefit is received.

*Continued to adjust*

- B. OPTIONS AVAILABLE AT AGE 55 IF NOT A FULL TIME ELECTED OFFICIAL.

If a full time elected official reaches the age of 55 and he or she is no longer an elected official nor is he or she an employee of the Charter Township of Clinton, then in that event, at his or her option he or she may decline to receive any further health care coverage, and in lieu thereof, he or she shall receive a cash payment or at the direction of the official the money shall be deposited into an annuity plan as directed by the official.

By electing the cash disbursement or annuity payment the official will receive a portion or all of the amount paid by the Township for his or her benefit based on a two person plan instead of the family plan. The portion or percentage amount to be received by the official will be based on the percentage of cost the Township paid toward his or her insurance premiums based on the number of credited years of service completed as recited in Section 3,A, (1) through (5) above.

By the use of this option, each full time elected official shall receive his or her distribution during the month of April and each year thereafter until said official reaches the age whereby he or she qualifies for medicare benefits.

- C. MEDICARE SUPPLEMENT OR EQUIVALENT

Once a full time elected official has reached the age whereby he or she qualifies for medicare benefits, is no longer employed, and has at least one four (4) credited years of service completed then he/she shall be entitled to part or all of the cost of the supplemental

benefits to medicare available to the majority of collective bargaining unit members to maintain benefits.

The official's portion of any payment will be predicated upon his or her percentage of insurance cost as formulated in Section 3, A, (1) through (5) above. Any payment owed by the official to the Township shall be paid by the official thirty (30) days prior to the Township's contribution. Failure to pay timely will cause this benefit to be forfeited.

(Example: If the Township's obligation for supplemental benefits is \$250.00 per month and the official has completed three (3) four (4) year terms. The official's obligation at 25% equals (\$62.50 per month and the Township's obligation is \$187.50 per month.)

If said official desires, he/she shall be entitled to the percentage cost to the Township of the supplemental coverage upon reaching the age whereby he or she qualifies for medicare benefits and each year thereafter while they are alive. By electing this option the Township is relieved of providing supplemental benefits. Payment for this option shall be due during the month of April and each year thereafter.

#### Section 4. DENTAL AND OPTICAL COVERAGE

- a) The Charter Township of Clinton will provide dental and optical coverage to any of the full time elected officials, being the Supervisor, Treasurer, and Clerk after leaving elective office who have served and completed four four (4) year terms.
- b) The benefits identified above shall be equal to the benefits that the majority of the collective bargaining unit members of the Charter Township of Clinton are receiving at the time the benefit is received.

#### Section 5. OFFICIAL/SPOUSAL BENEFIT

All coverage identified in this Ordinance will provide for the official leaving office and his/her spouse, if the spouse does not have coverage provided elsewhere. If the spouse is covered elsewhere, but such other coverage terminates, without option to the spouse, the Township will add the spouse to the officials policy, attempting to provide continuous coverage. If the official becomes deceased, the benefit provided, including cash payment option, shall continue for the surviving spouse. To be eligible for

benefit, the surviving spouse must be the spouse of record at the time that the retiree first began receiving retirement benefits.

Section 6. DENIAL OF BENEFITS

No benefits shall be provided pursuant to this ordinance to a former elected full-time official nor his or her surviving spouse, including the cash payment option in lieu of health care coverage, if said person is receiving duplicate health care, optical, and/or dental coverage from the Charter Township of Clinton in another capacity.

Section 7. REPEALS

All ordinances or parts thereof which are in conflict with this Ordinance are hereby repealed.

Section 8. SEVERABILITY

If any Section, subdivision, sentence, clause, phrase or provisions of this Ordinance is found to be invalid by a Court of competent jurisdiction, such finding shall not affect the remaining provision of this Ordinance and they shall be deemed to remain in full force and effect.


Section 9. APPLICABILITY

This Ordinance shall be applicable to the full time officials who have held office since the original adoption date of Ordinance 289, being March 4, 1991, and their successors for determining years of service credit. Present officials shall be entitled to credit for past services while a full time official toward attainment of time necessary to obtain the benefits herein described. This Ordinance shall not provide for any retroactive economic payment.

Section 10. EFFECTIVE DATE

This Ordinance shall become effective upon publication hereof as provided by law.

ORDINANCE DECLARED ADOPTED.

  
DENNIS C. TOMLINSON, CLERK,  
CHARTER TOWNSHIP OF CLINTON

**CERTIFICATE OF CLERK**


I, Dennis C. Tomlinson, Clerk of the Charter Township of Clinton, Macomb County, Michigan, do hereby certify that the foregoing constitutes a true and complete copy of the Charter Township of Clinton Ordinance No. 289 A-1 adopted by the Charter Township of Clinton Board at a regular meeting held on the 27th day of January, 2003 by the following vote of the members hereof:

AYES: Members Hornung, Tomlinson, Steiner, Fitzgerald, Cannon, Meltzer, Sowerby

NAYS: Members

ABSENT: Members

I further certify that this ordinance was published in the Macomb Daily, a newspaper of general circulation in and about the Charter Township of Clinton, Macomb County, Michigan, on the 17th day of January, 2003, and the 1st day of February, 2003.

  
DENNIS C. TOMLINSON, Clerk  
Charter Township of Clinton

INTRODUCTION DATE: January 13, 2003  
PUBLICATION DATE: January 17, 2003  
ADOPTION DATE: January 27, 2003  
SECOND PUBLICATION DATE: February 1, 2003