

### Agency Motion to Adopt Contract

WHEREAS: The Public Employees' Retirement System Act, in sections 19-3-201 to 19-3-203, MCA, provides for the establishment of a retirement plan for employees of certain public agencies.

WHEREAS: This agency would like to become a covered employer on the same basis as the State of Montana under the Public Employees' Retirement System, as expressed in Montana Code Annotated Title 19, Chapters 2 and 3, and related rules, policies, and plan documents, as the same may be changed in the future.

WHEREAS: This agency, as a governmental entity, believes it meets the criteria to have sections 19-3-201 to 19-3-203, MCA apply.

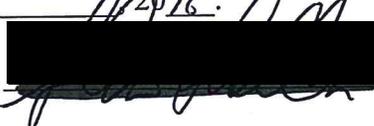
WHEREAS: A secret ballot election of all eligible employees was held on the 28 day of July, 2016, between the hours of 8:00 a.m. and 5:00 p.m., in the office of the clerk of this agency, at which election all eligible employees were requested and allowed to vote on the ballot prescribed on page two of this motion to adopt contract.

WHEREAS: The result of the employee election has been canvassed and the number of eligible employees voting for participation in the Public Employees' Retirement System was 7, which constitutes 100 percent of the total number of eligible employees.

THEREFORE IT IS MOVED:

That this agency adopt the Public Employees' Retirement System coverage contract as it appears on page three of this motion to adopt contract; that the appropriate blank on the contract reflect a requested effective date of either the first regular pay period that begins at least one month after PER Board approval or the pay period beginning August 11, 2016, whichever is later;<sup>1</sup> that the duplicate originals of the contract be signed and sealed as indicated; and that all necessary documents be sent to the PER Board.

THIS MOTION was duly passed by an affirmative vote of at least two-thirds of the members of Bis Mountain Fire District (Board or other legislative body) on this 28 day of July, 2016.

Officer Signature:  Title: Chairman, BMFD Board of Trustees

Certified as a true and accurate statement and proper signature: (SEAL) (if applicable)

Signature of Clerk:   
(Agency Motion to Adopt Contract continued on next page)

PAUL OKERBERG

<sup>1/</sup> Effective date must be after the PER Board approval and must allow time for proper implementation.

**CONTRACT**  
**FOR PUBLIC EMPLOYEES' RETIREMENT SYSTEM COVERAGE**

THIS AGREEMENT, by and between Big Mountain Fire District<sup>1</sup> (Employer) and the Montana Public Employees' Retirement Board, is made on the date of the latest signature below.

The parties mutually covenant and agree that:

1. The Public Employees' Retirement System (PERS) shall apply to the employees of the employer upon identical terms as for State of Montana employees with regard to rights, benefits, payments, duties, obligations, and in all other respects, effective \_\_\_\_\_, 20\_\_ or the first regular employer pay period beginning one month after PER Board approval, whichever is later.
2. The employer shall deduct and withhold the member contributions required by Montana Code Annotated Title 19, Chapters 2 and 3 from every salary payment earned by and paid to all eligible, covered employees after the effective date of this contract.
3. The employer shall promptly file employer reports and shall promptly pay to the PERS appropriate member contributions and employer contributions as required by Montana Code Annotated Title 19, Chapters 2 and 3.
4. Any amendments to the PERS, pursuant to Montana law, shall immediately apply to and become a part of this Contract, and shall amend the same accordingly. This Contract cannot otherwise be cancelled, amended or abrogated by any act of the parties.

IN WITNESS WHEREOF, the duly authorized officers of the parties have signed the document on the date indicated.

BMFD BOARD OF TRUSTEES

Public Employees' Retirement Board:

by: \_\_\_\_\_<sup>3</sup>

by: \_\_\_\_\_

Chairman BMFD<sup>4</sup>

Sheena Wilson, President

Attest: \_\_\_\_\_<sup>5</sup>

Attest: \_\_\_\_\_

PAUL H. SILVERMAN  
VICE CHAIRMAN, BMFD BOARD OF TRUSTEES

Dore D. Schwinden, MPERA Exec. Director

Date: August 26, 2016

Date: \_\_\_\_\_

<sup>1/</sup> Insert name of board or other legislative body.

<sup>2/</sup> Insert name of board or other legislative body.

<sup>3/</sup> Signature of chief executive officer.

<sup>4/</sup> Print name and title of chief executive officer.

<sup>5/</sup> Signature of clerk (or other similar employee), printed name and title.