

RESOLUTION 2004 -3

AMENDED AND RESTATED RESOLUTION OF THE COUNCIL OF
CITY OF MASON, WARREN COUNTY, OHIO

The Council of City of Mason, Warren County, Ohio met at a duly called and authorized meeting of the Council on the date set forth below, such meeting being duly called pursuant to a notice stating the time, place and purpose of the meeting received by all Council members, and the following resolutions were made, seconded, and adopted by those present at the meeting.

WHEREAS, the eligible employees of Police and Fire Departments participate in the Ohio Police and Fire Pension Fund ("OP&F");

WHEREAS, the City of Mason Council has previously adopted a pick-up 10% of the ten percent (10%) mandatory contributions required under by Section 742.31 of the Ohio Revised Code for participating employees of Police and Fire Departments who are member of the OP&F;

WHEREAS, OP&F has adopted new procedures for reporting picked up contributions in order to properly prepare 1099-R forms for its members;

WHEREAS, the City of Mason Council wishes reaffirm and amend and restate its prior resolution in order to continue the pick-up under the new procedures;

NOW, THEREFORE, BE IT RESOLVED, that effective as of March 31, 2004, the City of Mason has determined to continue to pick up 10% of the ten percent (10%) mandatory contributions by the employees who are members of the Ohio Police and Fire Pension Fund through a payroll reduction.

NOW, THEREFORE, BE IT RESOLVED, that effective as of March 31, 2004, the City of Mason has determined to continue to pick up 10% of the ten percent (10%) mandatory contributions by the employees who are members of the Ohio Police and Fire Pension Fund by paying the contributions on behalf of the employee.

BE IT FURTHER RESOLVED, that said picked up contributions paid through a payroll reduction and by the employer, even though designated as employee contributions for state law purposes, are being paid by the City of Mason Council in lieu of said contributions by the employee;

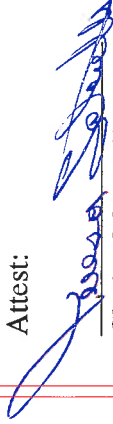
BE IT FURTHER RESOLVED, that said picked up contributions will not be included in the gross income of the employees for tax reporting purposes, that is, for federal or state income tax withholding taxes, until distributed from the Ohio Police and Fire Pension Fund;

BE IT FURTHER RESOLVED, that said picked up contributions will be included in the gross income of the employees, for employment tax purposes, as the contributions are made to the Ohio Police and Fire Pension Fund; and

BE IT FURTHER RESOLVED, that said employees shall not be entitled to any option of choosing to receive the contributed amounts directly instead of having them paid by the City of Mason to the Ohio Police and Fire Pension Fund.

Dated this 22nd day of March, 2004.

Attest:


Clerk of Council



Mayor