

**RESOLUTION TO ADOPT
ACCG 457(b) DEFERRED COMPENSATION PLAN
FOR WALKER COUNTY EMPLOYEES**

WHEREAS, Walker County, Georgia (the “County”), desires to establish a deferred compensation plan pursuant to section 457(b) of the Internal Revenue Code of 1986, as amended for the benefit of its eligible employees by joining the Association County Commissioners of Georgia (“ACCG”) Defined Contribution Plan Program;

WHEREAS, ACCG has appointed a Defined Contribution Plan Program Board of Trustees (the “DC Board”) pursuant to the ACCG Defined Contribution Plan Program Master Trust Agreement (the “Master Trust”), to oversee Plan administration, Plan documentation and to select investment options for investment of the assets of the Plan;

WHEREAS, the County desires to adopt the Master Trust and the Association County Commissioners of Georgia 457(b) Deferred Compensation Plan for Walker County Employees (the “Plan”) through an Adoption Agreement;

WHEREAS, the County intends that this plan shall replace the 457(b) plan sponsored by the County through a document provided by Lincoln Financial Group (the “Predecessor Plan”), and that amounts held by its current or former employees in the Predecessor Plan shall be transferred to this Plan;

WHEREAS, the County desires to delegate to the DC Board the power to amend the Plan on behalf of the County in the future, for the limited purpose of adopting non-discretionary Internal Revenue Service required amendments that must be adopted on a timely basis in order to maintain the deferred compensation status of the Plan; and

WHEREAS, the Walker County Water and Sewerage Authority (the “Authority”) has previously participated in the Predecessor Plan, and it is the desire of the County and the Authority that the amounts held by or on behalf of current or former Authority employees in the Predecessor Plan shall be transferred to a new 457(b) plan to be adopted by the Authority.

NOW THEREFORE, at a meeting held on the 24th day of September 2019, the Sole Commissioner of Walker County hereby resolves as follows:

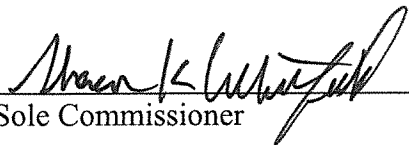
RESOLVED that the Sole Commissioner of Walker County hereby approves the adoption of the ACCG Defined Contribution Plan Program Master Trust and the ACCG 457(b) Deferred Compensation Plan for Walker County Employees, through the Adoption Agreement which shall be effective October 1, 2019.

FURTHER RESOLVED that the Sole Commissioner hereby delegates to the ACCG DC Board, the power to amend the Plan on behalf of the County in the future, for the limited purpose of adopting non-discretionary Internal Revenue Service required amendments that must be adopted on a timely basis in order to maintain the deferred compensation status of the Plan.

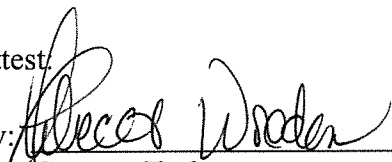
FURTHER RESOLVED that the Sole Commissioner is hereby authorized, empowered, and directed to take all further actions and to execute all documents necessary to implement these resolutions, as well as the transfer of amounts held under the Predecessor Plan to this Plan and, in the case of amounts held by or on behalf of current or former employees of the Authority, to a 457(b) plan established by the Authority.

FURTHER RESOLVED that any resolution in conflict with this resolution is hereby repealed.

WALKER COUNTY, GEORGIA

By: 
Sole Commissioner

Date: 09-24-2019

Attest
By: 
County Clerk

**ASSOCIATION COUNTY COMMISSIONERS OF GEORGIA
457(b) DEFERRED COMPENSATION PLAN
FOR
WALKER COUNTY EMPLOYEES**

ARTICLE I: PURPOSE

The undersigned Walker County, Georgia by executing this Adoption Agreement, elects to become a participating Employer in the Association County Commissioners of Georgia Defined Contribution Plan Program (the "Plan"), the Association County Commissioners of Georgia Defined Contribution Plan Program Master Trust (the "Trust"), and adopts the accompanying Plan and Trust documents in full as if the Employer were a signatory to those agreements. The Employer makes the following elections granted under the provisions of the Plan.

TYPE OF PLAN ADOPTION

- New Plan
- Amendment and Restatement of Previously Adopted Plan

ARTICLE II: DEFINITIONS

Any capitalized terms used in this Adoption Agreement but not defined herein shall be given the meaning set forth in the Plan and Trust.

2.06 COMPENSATION

- Amounts as defined in Code Section 3401(a) for purposes of income tax withholding at the source (as reported to the Employee on IRS Form W-2 for such year)
- Other (specify):

2.09 EFFECTIVE DATE

- New 457(b) Deferred Compensation Plan with an Effective Date of **October 1, 2019** (the "Original Effective Date" of the Plan, which is an amendment and restatement of the Walker County Georgia 457(b) Governmental Deferred Compensation Plan that was previously maintained with Lincoln Financial Group).
- Amendment and restatement of a previously established 457(b) Deferred Compensation Plan with a previous Effective Date of January 1, 2007 (the "Original Effective Date"). Except as specifically provided in the Plan, the Effective Date of this amendment and restatement is October 1st, 2019..

2.10 ELIGIBLE EMPLOYEE

<u>Employees, other than Elected Officials</u>	Include	Exclude
All Employees	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Full-time Employees only	<input type="checkbox"/>	<input type="checkbox"/>

Working for the Employer at least _____ () Hours of Service per week for Compensation

Other Definition:

Other Employees

Definition of Other Employee:

Elected or Appointed Officials of the Employer

County Commissioners

Coroner

Sheriff

Tax Commissioner

Clerk of Superior Court

Magistrate Judge

Probate Court Judge

State Court Judge

Superior Court Judge

Juvenile Court Judge

Solicitor or Solicitor General

District Attorney

Employees of Tax Commissioners

Extension Agents

Other (specify):

Excluded Employees

No other excluded employees

Excluded employees (specify):

2.14 EMPLOYER

The term "Employer" means **Walker County, Georgia.**

2.16 ENTRY DATE

- The first day of the first pay period beginning after the January 1st that the Participant first executes an Enrollment Form or is contractually enrolled by the Employer
- The first day of the first pay period of the month after the Participant first executes an Enrollment Form or is contractually enrolled by the Employer
- The first day of the first pay period of the calendar quarter after the Participant first executes an Enrollment Form or is contractually enrolled by the Employer

Other (specify):

2.23 PLAN

The name of the Plan as adopted by the Employer is the “ACCG 457(b) Deferred Compensation Plan for Walker County Employees.”

2.37 YEAR OF SERVICE

Method of Measurement for Eligibility (if applicable)

Hours of Service Method:

A twelve (12) consecutive month period during which the Eligible Employee completes one thousand (1000) Hours of Service

Elapsed Time Method:

A period of twelve (12) consecutive months during which the Employee performs at least one (1) Hour of Service during the measuring period, following the Employee’s first day of employment by the Employer and prior to the Employee’s Severance from Employment Date

Other (specify):

Adjustments to Years of Service

Service Before the Original Effective Date of the Plan included

ARTICLE III: PARTICIPATION AND CONTRIBUTIONS

3.01 PARTICIPATION

Eligibility Date Determination

Date on which the Eligible Employee completes _____ () Year(s) of Service

The Eligible Employee’s Employment Commencement Date

The earlier of the date on which the Eligible Employee completes _____ () Years of Service or attains age _____ ()

Other date (specify):

3.02 EMPLOYEE CONTRIBUTIONS

Roth Contributions

Permitted

Not Permitted

3.03 AUTOMATIC ENROLLMENT

Required in the amount of _____ (____%) per year effective as of _____

Pre-tax Contributions

Roth Contributions

Applies to all Eligible Employees who are not participating in the Plan

- Applies to newly hired Eligible Employees
- Deferral percentage increases _____ percent (___%) per year up to _____ percent (___%) after _____ (___) years
- Not Permitted

3.04 EMPLOYER CONTRIBUTIONS

Employer Basic Contributions

- No Basic Contributions
- Basic Contributions equal to _____ percent (___%) of each Participant’s Compensation
- Basic Contributions in a flat dollar amount equal to _____ dollars (\$____) for each Participant
- Other formula (specify):

Basic Contributions shall be made:

- On a payroll basis
- On an annual basis
- Other (specify):

Employer Discretionary Contributions

- No Discretionary Contributions
- Discretionary Contributions as determined each year by the Employer using the following Allocation Formula:

- Pro-Rata Based on Compensation

Each Participant is credited with a portion of the Employer Contribution for the Plan Year equal to the ratio that the Participant’s Compensation for the Plan Year bears to all Participants’ Compensation for the Plan Year

- Fixed Dollar Formula

Each Participant shall be credited with an equal dollar amount.

- Other Formula (specify):

Discretionary Contributions shall be made:

- On a payroll basis
- On an annual basis
- Other (specify):

Employer Matching Contributions

- No Matching Contributions
- Matching Contributions equal to _____ percent (___%) of the first _____ percent (___%) up to _____ percent (___%) of Compensation.

Matching Contributions equal to _____ percent (____%) of the first _____ percent (____%) and _____ percent (____%) of the next _____ percent (____%) so contributed up to _____ percent (____%) of Compensation

Other formula:

Discretionary Matching Contributions as determined each year by the Employer

Matching Contributions shall be calculated based on whole percentages of Compensation deferred by the Participant

Matching Contributions shall be made:

On a payroll basis

On an annual basis

Other (specify):

*****If the Employer makes ANY Contributions under this Plan, the amounts must be 100% vested and must be aggregated with Participant Contributions for purposes the maximum dollar amount that may be contributed to the Plan in any one year.**

3.05 ROLLOVER CONTRIBUTIONS

No rollovers permitted

<input checked="" type="checkbox"/>	Eligible rollover contributions permitted to be made by:	Yes	No
	Eligible Employees, whether or not a Plan Participant	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Plan Participants Only	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ARTICLE IV: ALLOCATIONS TO PARTICIPANTS' ACCOUNTS

No optional provisions

ARTICLE V: BENEFITS

No optional provisions

ARTICLE VI: DEATH BENEFITS

No optional provisions

ARTICLE VII: TRUST FUND

7.03 PARTICIPANT DIRECTION OF INVESTMENTS

Accounts Invested by Participants

Participants direct investment of all Accounts

[--]	Participants direct investment of following Accounts only:	<u>Participa</u>	<u>nt</u>	<u>Employer</u>
	Pre-tax Contribution Account	[--]		[--]
	Roth Contribution Account	[--]		[--]
	Rollover Account	[--]		[--]
	Employer Contribution Account	[--]		[--]
	Employer Matching Contribution Account	[--]		[--]
	<u>Self-directed Brokerage</u>			
[X]	Self-directed Brokerage not permitted			
[--]	Self-directed Brokerage permitted for all Participants' Accounts			
[--]	Self-directed Brokerage permitted for following Accounts only:	<u>Yes</u>		<u>No</u>
	Pre-Tax Contribution Account	[--]		[--]
	Roth Contribution Account	[--]		[--]
	Rollover Account	[--]		[--]
	Employer Contribution Account	[--]		[--]
	Employer Matching Contribution Account	[--]		[--]

The Employer hereby agrees to the provisions of this Adoption Agreement, the Plan and the Trust, and the Employer by its duly authorized officers has executed this Adoption Agreement, and the Trustee has signified its acceptance as Trustee under the Plan and Trust.

WALKER COUNTY, GEORGIA

By: Mark K. Whitfield

Title: Sole Commissioner

Date: 09-24-2019

ACCEPTANCE (on behalf of the DC Board):

By: _____

Title: _____

Date: _____