**Torch Lake Township**

**Benefits/Group Insurance Plan Ordinance,**

**Approved by the township board on July 17, 2018 Effective Date May 31, 2018**

 **Amended No. 2018-07, Effective Date July 26, 2018,**

 **Amended No. 2019-04 Effective Date November 29, 2019**

An ordinance to create and establish the following:

1. A Torch Lake Township Group Insurance Plan that may cover, health, hospitalization, medical and surgical service and expense, accident insurance, short and long-term disability insurance, health savings plans, and a cell phone stipend for certain classes of Township officials and employees and their dependents, as determined by the township board.
2. To authorize the Township Supervisor and the Township Clerk to contract in the name of the Township for such plan,
3. To define those classes of officials and employees who shall be covered by such Group Insurance Plan,
4. To set forth the process and conditions for the determination of respective percentages which the Township officials and employees shall contribute to the premium or charges arising under such Group Insurance Plan,
5. To provide for the payroll deduction of contributions, if any, from officers' and employees' compensation,
6. To establish the time at which existing and future employees shall become eligible for a plan,
7. To provide a method for non-coverage of an official or employee of the plan,
8. To ratify and confirm the validity of any plan in existence on the effective date of this ordinance, and
9. To repeal all ordinances or parts of ordinances in conflict herewith.

THE TOWNSHIP OF TORCH LAKE, ANTRIM COUNTY, MICHIGAN, ORDAINS:

**Section I**
This ordinance shall be "known and cited as the “Torch Lake Township Group Insurance Plan Ordinance."

**Section II**
Pursuant to Section 110b of Public Act 77 of 1989, as amended, (MCL 41.110b), the Township hereby creates and establishes a Group Insurance Plan that covers health, hospitalization, medical and surgical services and expenses, accident insurance, long and short term disability income insurance, health savings account insurance for specific employee groups and officials enumerated in Section III below; and, for such purposes, also hereby authorizes the Township Supervisor and the Township Clerk to contract, in the name of the Township Board, with any company authorized to transact such business within the State of Michigan for such group insurance policies. Specific benefits to employee groups will be decided on an annual basis by the township board.

**Section III**
The Group Insurance Plan created, or parts thereof established and contracted for under this ordinance shall cover the following classes of employees:

1. **Health Insurance Coverage** for all persons who average 40 hours (full time) or more per week and their spouses and dependent children except for the following:
2. The employee’s spouse who has access to a health insurance program from another source, such as an employer, retirement program, government benefit, disability benefit, or other such situation may be added to the employee’s health insurance program of their spouse, but they must pay the full amount of the annual premium.
3. Dependent children (see Appendix A) of full-time employees are to be covered under the health insurance program of the spouse who has coverage as described in A above. If they cannot be covered under the spouse’s program because of the nature of the program and its requirements, or if the spouse does not have access to a health insurance program, they will be eligible to be covered under the township employee’s health insurance program up to age of 26. The spouse may be asked to obtain a signed form or certification from their employer that provides information necessary to make an eligibility determination about coverage through the township for themselves and dependent children.
4. If the full-time employee is divorced or legally separated from the mother or father of his or her dependent children, the health insurance coverage by the township for any dependent children will honor and include family coverage of such children as has been directed by the court.
5. **Medicare Advantage Plan** for persons over the age of 65 and who are on Medicare Part A and B.
6. **Health Insurance Stipend** of $100 monthly shall be paid to full -time employees who are eligible for health care insurance, but decline to take it.
7. **Cell Phone Quarterly Stipend** for elected officials and department heads\*
8. **Health Savings Accounts** for elected Board officials, Zoning Administrator, and Fire Chief
9. **Short and Long- term Disability** for fire department and EMS personal
10. **Accidental Death and Dismemberment** Insurance for all hourly and salaried employees and officials.

\*Township Board, Fire Chief, Full Time Crossed Trained Personnel, Zoning Administrator, Maintenance Director

**Section IV**.
The Township shall annually contribute 85 percent of the portion of the premium or charges arising for those employees and their families eligible for health care insurance within the class of persons enumerated in Section III hereof. Such Township contributions shall be secured as appropriated from the General Fund, the EMS Fund and the Fire Fund of the Township from which the position is budgeted. Each person within such class shall be responsible for the remainder of the premium or charges, if any, not paid for by the Township, and the Township Clerk is hereby authorized to deduct the same from such person's pay, salary or compensation to apply to such person's responsibility.

Any person, required in this ordinance to make contributions to the coverage, who desires not to be so covered shall give written notice to the Township Clerk that he/she desires not to be insured or covered. If the notice to not participate is received before the person has become insured or covered under the contract, he/she shall not be covered under the contract. If the notice to not participate is received after the individual has become insured or covered, his/her coverage under the contract shall cease as provided for in the contract.

New employees will become eligible for the Plan based on the insurance contracts standard procedure for new employee participants.

Any false information supplied by the employee related to that which is required for insurance coverage as described in Section III, will be considered a violation of this ordinance and may be deemed a violation of any employment/work agreement between the employee and the township and may result in disciplinary action up to and including dismissal.

**Section V**
The Township hereby ratifies and confirms the validity of any individual health, hospitalization, medical and surgical service and expense, accident insurance, and long and short- term disability income insurance coverage, health savings plans, or any one or more of such forms of insurance in existence on the effective date of this ordinance.

**Section VI**
All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section VII - Validity**

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or application.

**Section X - Effective Date**

This Ordinance shall become effective the day after being published in a newspaper of general circulation within the township.

Ordinance No. 2019-\_\_was adopted on the19th day of November 19, 2019, by the Torch Lake Township Board as follows:

Motion by: \_\_\_\_ \_\_\_ Seconded by: \_\_\_\_ \_\_\_\_\_\_\_

Roll Call: Martel:\_\_ Windiate:\_\_\_\_Schultz:\_\_\_\_Cook\_\_\_\_\_ Petersen\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Kathy Windiate, Clerk

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Alan A. Martel, Supervisor

I certify that this is a true copy or of Ordinance No. #2019-\_\_ that was adopted at a meeting of the Torch Lake Township Board on \_\_\_\_\_\_\_\_\_\_, 2019 and it or a summary was published in the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_ \_\_, 2019.

Dated:

Appendix A

(Benefits/Group Insurance Plan Ordinance)

Dependent Children

Dependent Children as defined by the Affordable Care Act (ACA) are as follows:

1. Sons and daughters,
2. Step sons and step daughters (see section III, 1. C of this ordinance
3. Legally adopted children,
4. Lawfully placed children with an employee for adoption,
5. Eligible foster children, placed with an employee by an authorized placement agency or by judgement degree or other order of any court of competent jurisdiction.