

RECORD OF RESOLUTIONS

BEAR GRAPHICS 800-325-8094 FORM NO. 30045

Resolution No. 2020-R-05 Passed April 7th, 2020

VILLAGE COUNCIL OF GREENWICH, OHIO RESOLUTION NO.: 2020-R-05

A RESOLUTION ESTABLISHING AND ADOPTING A FLEXIBLE SPENDING ACCOUNT (FSA) POLICY

WHEREAS, Flexible Spending Accounts (FSAs), governed by Internal Revenue Code (IRC) Section 125, allow pre-tax payroll deductions for certain eligible expenses; and

WHEREAS, the Village adopted and implemented a Section 125 Cafeteria Plan Pre-tax Insurance contributions by eligible employees in Section 252.01(c) of the Greenwich Codified Municipal Code in 2011; and

WHEREAS, the Village Administrator and Village Fiscal Officer propose and recommend the adoption of the FSA Policy herein.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF GREENWICH, STATE OF OHIO: (RC 731.18)

SECTION 1. That the Village hereby establishes and adopts a Flexible Spending Plan (FSA) Policy as follows:

FLEXIBLE SPENDING ACCOUNT (FSA) POLICY ***Section 125 of the Internal Revenue Code*** ***Section 252.01(c) of the Greenwich Codified Municipal Code***

The Village provides access to Flexible Spending Accounts (FSA) for eligible employees.

Eligibility: *Regular full-time employees eligible for Health Care Insurance.*

Effective date: *Coverage will be effective the first of the month following the month of enrollment (e.g., enroll in the health care spending account in June, services must occur after July 1 for reimbursement.*

Summary of benefits: *Flexible Spending Accounts (FSA) provide tax-free reimbursement to employees for health care and dependent care expenses that are not reimbursed by any other insurance or reimbursement program. IRS regulations require any money over the amount allowed to rollover that is not used for eligible expenses in a plan (calendar) year, be forfeited.*

Health Flexible Spending Account (Health FSA)

A Health Flexible Spending Account provides employees the opportunity to pay for medically related expenses, on a pre-tax basis, that are not reimbursed by an insurance plan. The amount you contribute and the amount you are reimbursed from your Health FSA are income tax-free. The annual maximum reimbursement for Health FSA is set by the IRS. The Employee agrees that if the Employee fails repayment for any reason, employee is terminated, resigns or otherwise ceases to be employed by the Village for any reason whatsoever, Employee shall reimburse the Village for the remaining balance in connection with the Health Flexible Spending Account (Health FSA).

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Reimbursements can be made only for services that are incurred during the plan (calendar) year and during the grace period of up three weeks of the following the expended eligible expense. For a complete list of Health FSA eligible/ineligible expenses refer to IRS Publication 502 titled, "Medical and Dental Expenses," or can be obtained from the Plan Administrator.

To file a claim for reimbursement from your account, complete and submit a Health FSA Reimbursement Claim Form along with an insurance explanation of benefits (EOB) or an itemized bill for services not covered by the insurance plan.

Dependent Care Flexible Spending Account (Dependent Care FSA)

A Dependent Care Flexible Spending Account provides employees the opportunity to pay for dependent care expenses for a child, disabled spouse or dependent parent, on a pre-tax basis. The amount you contribute and the amount you are reimbursed from your Dependent Care FSA are income tax-free. The annual maximum reimbursement for Health FSA is set by the IRS. The Employee agrees that if the Employee fails repayment for any reason, employee is terminated, resigns or otherwise ceases to be employed by the Village for any reason whatsoever, Employee shall reimburse the Village for the remaining balance in connection with the Dependent Care Flexible Spending Account (Dependent Care FSA)

Reimbursements can be made only for services that are incurred during the plan (calendar) year and during the grace period of up three weeks of the following the expended eligible expense. For a complete list of Health FSA eligible/ineligible expenses refer to IRS Publication 503 titled, "Child and Dependent Care Expenses," or can be obtained from the Plan Administrator.

A qualifying dependent is defined by the IRS; Contact the Plan Administrator for details regarding a qualifying dependent.

To file a claim for reimbursement from your account, complete and submit a Dependent Care FSA Reimbursement Claim Form along with a receipt from your day-care provider.

Please note that if a reimbursement request exceeds the account balance, reimbursement will only be up to the balance available in the account.

Changes in FSA Elections: *IRS regulations require any money over the amount allowed to rollover that is not used for eligible expenses in a plan (calendar) year, be forfeited.*

Participation must continue unchanged until the end of the plan (calendar) year unless you have a qualifying life event (marriage, divorce, death, birth/adoption or change in employment). Contact the Plan's Administrator for further details regarding status change and applicable federal laws.

SECTION 2. PUBLIC MEETING. That it is found and determined that all formal action of this public body concerning or relating to the passage of this Resolution/Ordinance were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

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WHEREFORE, this Ordinance/Resolution shall take effect at the earliest period allowed by law.

PASSED AND ADOPTED on this 7th day of April, 2020.

AUTHENTICATION and ATTESTATION

(RC 731.20)

We hereby attest and affirm that the foregoing Ordinance/Resolution received the necessary affirmative roll call votes required for passage by R.C. 731.17.

Wesley Salter
MAYOR

Judy
FISCAL OFFICER

Vote on the passage was taken by yeas and nays and entered upon the journal as follows R.C. 731.17(A)(3):

YEAS: 5 NAYS: — ABSTAIN: —

First Reading: 3/3/2020
Second Reading: 3/17/2020 (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))
Third Reading: 4/7/2020 (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))

APPROVED AS TO FORM:

Steve Palmer
VILLAGE SOLICITOR, Steve Palmer, Esq.

CERTIFICATE OF PUBLICATION

RC 731.24

I hereby certify that a succinct summary of the above legislation was/will be published *once a week for two consecutive weeks* as required by RC 731.21 and 731.22(A) in the following newspaper(s) of general circulation: *Shopper's Helper North, 211 Myrtle Ave., P.O. Box 368, Willard, OH 44890, 419.935.0184.*

Judy
CLERK OF COUNCIL