



DATE: March 18, 2022

TO: Effingham County, a Participating Employer in the ACCG Defined Contribution Plan

RE: **Action Required by March 31, 2022**, to Restate Your ACCG Defined Contribution Plan

We are writing to inform you that your jurisdiction needs to restate your ACCG 401(a) Defined Contribution Plan ("DC Plan" or "Plan") by March 31, 2022. The restatement incorporates changes to the Plan that must be made to reflect changes in the law and to protect the Plan's tax-qualified status under the Internal Revenue Code. The restatement also incorporates any amendments to the Plan that have been approved by your jurisdiction and by ACCG since the last Plan restatement.

ACCG has obtained Internal Revenue Service (IRS) preapproval for the amended and restated ACCG 401(a) Defined Contribution Plan Document and the accompanying amended and restated Adoption Agreement. The effective date of the amended and restated DC Plan will be January 1, 2022. Below is a more detailed description of the steps you will need to take to complete the restatement process:

1. Keep the Amended and Restated ACCG 401(a) DC Plan Document and IRS Letter for Your Files

Copies of the amended and restated ACCG 401(a) Defined Contribution Plan Document ("Governmental 401(a) Defined Contribution Plan ACCG Basic Plan Document No. 1") and the IRS's advisory opinion on the document are included with this notice. Please keep a copy of both documents for your files. It is not necessary for you to execute the Plan Document.

2. Review Elections Included in Amended and Restated Adoption Agreement

A copy of the amended and restated DC Plan Adoption Agreement is included with this notice. The numbered sections of the new Adoption Agreement correspond with the numbered sections of the new Plan Document. The new Adoption Agreement has been completed to reflect your current Plan elections except as otherwise noted below with respect to certain default elections. Please review the new Adoption Agreement carefully to make sure that the checked boxes and other provisions accurately reflect the current terms of your Plan, including any amendments you may have previously made.

Some new elections have been added to the Adoption Agreement to reflect changes in the law or administrative requirements. Your new Adoption Agreement has been completed to reflect suggested default elections in connection with these items. Included with this notice is a list highlighting some of these default elections. **Please contact your ACCG Regional Client Manager *before the Adoption Agreement is adopted and executed* if you need ACCG to check a different box or otherwise make a change to any of the elections shown in the new Adoption Agreement. ACCG must be informed in writing of any changes you wish to make.** Each jurisdiction should review the amended and restated DC Plan with its legal counsel to ensure that the new Adoption Agreement has been properly completed before it is adopted and executed.

At the back of the new Adoption Agreement you will see an Additional Provisions Addendum and a Superseding Provisions Addendum. If your current DC Plan Adoption Agreement includes certain “other” box provisions that will not fit within the new Adoption Agreement, they appear in the Additional Provisions Addendum or in the Superseding Provisions Addendum. Please note the IRS determination letter received for the amended and restated DC Plan does not extend to provisions included in the Superseding Provisions Addendum. The Superseding Provisions Addendum includes more information on the IRS’s position on Superseding Provisions. If this affects your jurisdiction, please consult with your ACCG representative if you have questions.

3. Adopt Resolution to Approve Amended and Restated DC Plan, Execute Adoption Agreement

When you have reviewed the new Adoption Agreement and are satisfied that it has been properly completed, please have your jurisdiction’s governing authority adopt the new Adoption Agreement. We have included a draft resolution with this notice that you may use for this purpose in consultation with your legal counsel.

Once the resolution has been adopted, please have the authorized individual, i.e., the individual authorized by the resolution to sign the document, sign and date the Adoption Agreement on behalf of the jurisdiction in the signature block on the last page of the Adoption Agreement, just before the Prior Service Addendum. In most cases the signature block appears on page 18 of the Adoption Agreement.

4. Return Copy of Executed Resolution and Adoption Agreement to ACCG

After the resolution and Adoption Agreement have been executed on behalf of the jurisdiction, please scan and return a copy of both executed documents to your ACCG Regional Client Manager via email.

Thank you for your attention to the above. Please contact me at 404.401.0692 or via email at khodges@accg.org if you have any questions or need further information about the DC Plan restatement or ACCG Retirement Services.

Sincerely,



R. Kale Hodges
Retirement Services Director
ACCG Retirement Services