



**STONEY POINT FIRE DEPARTMENT INC.**  
**Stations 13 & 19**

2190 Lake Upchurch Road, Parkton, North Carolina 28371  
 Telephone: (910) 424-0694 Fax: (910) 425-2795  
 E-Mail [spfd1301@nc.rr.com](mailto:spfd1301@nc.rr.com)



March 19, 2013

SUBJECT: Minutes of the Monthly Board of Directors Meeting March 2013

The monthly meeting of the Stoney Point Fire Department Inc., Board of Directors was called to order by Chairman Brown and was let in prayer by Vice Chairman Townsend at 7:30 PM. The monthly meeting was conducted at Station 13.

**A: Roll Call:**

**Members Present:**

Daniel C. Brown	Chairman
Larry Townsend	Vice Chairman
Alan Grupy	Treasurer
Jerry R. Hall	Member
J. Gary Turlington	Member
Freddy L. Johnson Sr.	Fire Chief
Freddy L. Johnson Jr.	Deputy Chief

**Members Absent:**

Joel Siles	Member
Angus Pate	Secretary
Matthew Williams	Asst. Chief

**B: ANNUAL / SPECIAL / PUBLIC HEARING MEETING:**

Not Applicable

**C: READING AND APPROVAL OF THE MINUTES OF THE LAST MEETING:**

- In the absence of Secretary Pate, Chairman Brown presented the minutes from the February 19 2013 Board of Directors meeting for review and approval. Chairman Brown called for the approval of the February 19, 2013 minutes. **MOTION** A motion was made by Vice Chairman Larry Townsend to approve the February 19, 2013 Board of Directors meeting minutes as submitted. The motion was **SECONDED** by Director Gary Turlington and **APPROVED** by all members present.

**D: REPORT OF THE FIRE CHIEF:**

- General Information:** N/A
- Guests:** None

**3. Personnel:**

1. We continue to be in excellent personnel posture both volunteers and paid staffing with an active waiting list.
2. We started our 2<sup>nd</sup> Pre-Basic course on Saturday March 2, 2013 with about 7 approved applicants with additional applicants in the review and background check process.

**4. Vehicles:**

1. The Chief provided an update on our new Brush Unit 1941. He also informed the board about some of the other free vehicles and equipment availability programs to local fire departments through the North Carolina Forestry Service.
2. We are continuing to service our fleets as services are becoming due on our various apparatuses and support vehicles. Our fuel costs due to rising and high diesel prices are running higher than anticipated this year. If this continues we will take measures to hold down costs by reducing vehicle usage on certain calls and training.
3. FY **2012-2013** Vehicle & Equipment Expenditures. (List from Quicken)

1311-(1984 Pierce Dash)	\$ 1,376.46
1331-(2004 Pierce Dash)	\$ 8,281.69
1332-(2004 Pierce Dash)	\$ 8,750.33
1333-(1989 Pierce Dash)	\$ 6,903.37
1361-(1999 Pierce Arrow)	\$ 789.75
1362-(2008 Ford F-350)	\$ 183.66
1371-(2002 Chevrolet 1500 HD)	\$ 2,788.91
1376-(1997 EVI International)	\$ 1,950.01
1391-(2007 Ford Crown Victoria)	\$ 3,417.88
1931-(1994 Spartan Gladiator)	\$ 1,361.36
1932-(1986 Pierce Dash)	\$ 4,418.28
1941-(1989 AMC General 5 Ton)	\$ 6,226.11
1341-(1987 Chevrolet ¾ Ton)	\$ 971.45
Boat 13	\$ 116.34
Related Vehicle Expenditures	\$ 9,546.33

<b>Total Vehicle Maintenance -</b>	<b>\$57,081.93</b>
Maintenance Communications	\$ 716.26
Maintenance Equipment	\$15,455.88

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**Total Maintenance** **\$73,254.07**

Gasoline & Fuel Expenses: \$30,394.71

**Combined Total** **\$103,648.78<sup>2</sup>**



<sup>2</sup> SPFD Board Minutes – March 19, 2013

**4. Grounds and Buildings:**

1. The Chief brought the Directors up to date on the old Station 19. He stated that he met with Attorney Yarborough and a letter was send back to the Brown's Attorney that we needed until May 15, 2013 to vacate the building. The Chief stated that we currently have two (2) trucks and equipment stored at the station. We need to discuss a plan for storage of the equipment and trucks. The Chief recommended that we price a metal building approximately 40 X 60 in order to have sufficient room to park our two trucks and equipment as well as all of our lawn and garden equipment that's stored in the main apparatus bay at 19.

**5. Fire Conditions:**

1. The Chief updated the members of the board about our current call volume. During the month of February we answered 135 calls. Although the majority of our calls are 1<sup>st</sup> Responder EMS calls our fire related calls are holding steady by comparison.

 <b>SPFD INCIDENT RESPONSE DATA</b> 				
<b>MONTH</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
<b>JANUARY</b>	<b>108</b>	<b>143</b>	<b>116</b>	<b>135</b>
<b>FEBRUARY</b>	<b>87</b>	<b>166</b>	<b>115</b>	<b>135</b>
<b>MARCH</b>	<b>132</b>	<b>134</b>	<b>110</b>	
<b>APRIL</b>	<b>123</b>	<b>127</b>	<b>111</b>	
<b>MAY</b>	<b>111</b>	<b>116</b>	<b>103</b>	
<b>JUNE</b>	<b>150</b>	<b>136</b>	<b>138</b>	
<b>JULY</b>	<b>146</b>	<b>122</b>	<b>135</b>	
<b>AUGUST</b>	<b>121</b>	<b>120</b>	<b>140</b>	
<b>SEPTEMBER</b>	<b>140</b>	<b>135</b>	<b>115</b>	
<b>OCTOBER</b>	<b>145</b>	<b>134</b>	<b>136</b>	
<b>NOVEMBER</b>	<b>134</b>	<b>100</b>	<b>153</b>	
<b>DECEMBER</b>	<b>138</b>	<b>117</b>	<b>134</b>	
<b>TOTALS</b>	<b>1535</b>	<b>1557</b>	<b>1532</b>	<b>270</b>

**6. Training Report:**

1. We have on our Training Schedule Heavy Rescue Training this up-coming weekend Friday, Saturday and Sunday. We will be off site working at Gillis's Farm for our training evolution. This training is open to all our Rescue Technicians as well as all our neighboring departments.<sup>3</sup>

<sup>3</sup> SPFD Board Minutes – March 19, 2013



- The Chief informed the members that we were contacted to burn a building being razed in order to make space for construction. He stated that we have tentatively scheduled a live burn training exercise for April 20, 2013 at the Black-Branch Country Club on Village Drive. The owner is razing the club house for other construction. The building built in 2002 is in excellent condition and will provide a wealth of live burn opportunities for our firefighters. This will be an all-day event. We are leaving a crew at both stations to handle any calls during the day.

**E: REPORT OF THE TREASURER:**

- Treasurer Grupy presented the treasurers and financial report for review and approval.

Current Fund Balances:	As of today is	\$	<b>601,317.49<sup>st</sup> Citizens</b>
		\$	<b>112,220.00 BOA</b>
	<b>Combined Total</b>	\$	<b>713,537.49 Total</b>
	CD	\$	154,145.31 = 13% of Budget.
	Total Cash Flow Available	\$	<b>867,682.20 Total Available Funds</b>

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<b>Approved County FY 12/13 Budget</b>	\$	<b>869,980.00</b>
County Budget Funding Received YTD	\$	790,384.00
		Minus Gates Four Fire Tax Collection = 51,630.00
<b>County Budget Funding Pending YTD</b>	\$	<b>27,966.00</b>
<b>Approved Fayetteville FY 11/12 Budget</b>	\$	<b>331,539.88</b>
Fayetteville City Funding Received YTD	\$	165,769.94
		Gates Four Annexation Taxes owed \$ 12,763.00
<b>Fayetteville City Funding Pending YTD</b>	\$	<b>178,532.94</b>
<b>Fayetteville City Special Funding-Gates Four Annexation</b>	\$	<b>+ 38,867.00</b>
<b>Combined City &amp; County Approved Budget</b>	\$	<b>1,201,519.88</b>
Combined City & County Budget Received YTD	\$	995,020.44
<b>Combined City &amp; County Budget Pending</b>	\$	<b>206,499.44</b>
Other Income Hope Mills -		12,000.00
Other Income CCFCA -		0.00
Tax Refund (Sales & Fuel Tax) -		8,196.74
Other Income Miscellaneous-		5,059.78
Cost of Goods Sold - <sup>4</sup>		0.00
Safer Grant Income FY 09-12 -		63,904.12
<b>Total Board Funds received 12/13 to date all Sources</b>	\$	<b>1,084,181.08</b>

- Treasurer Al Grupy presented the **February 2013** transaction report and Vice Chairman Larry Townsend presented the oversight memorandum for the same time period. A review of the documentation by the members of the board resulted in Chairman Brown calling for a motion to approve both reports. **MOTION** A motion was made by Director Jerry Hall to approve both the treasurer's report along with the oversight reports presented by Vice Chairman Townsend. The motion was **SECONDED** by Chairman Brown and **APPROVED** by all

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members present. (See Enclosure # 1) (Note – With only 5 members of the board present Chairman Brown seconded the motion due to the fact that Treasurer Grupy and Vice Chairman Townsend presented the before mentioned reports)

2. Auxiliary Treasurer Kathy Picon provided the current Auxiliary treasurer's fund balance as of March 12, 2013 as \$ 159,734.83.
3. ICE & CAN, Child Safety Seat & Pension Fund: - No Report
4. Chairman Brown reminded the members of the finance & budget committee about their 2013-2014 budget committee meeting and reports their recommendation during our April 16, 2013 Board of Director's meeting and budget public hearing at Station 19. Chairman Brown asked Treasurer Grupy to notify all the finance committee members and set up the committee meeting prior to our April 2013 meeting.

#### **F: REPORT OF COMMITTEES:**

- |   |           |
|---|-----------|
| 1. Policy Committee -                           | No Report |
| 2. Building & Grounds Committee -               | No Report |
| 3. Small Tools & Gear Committee -               | No Report |
| 4. Equipment & Vehicle Replacement Committee -  | No Report |
| 5. Budget Committee - (Meets Annually in April) | No Report |

#### **G: OLD BUSINESS:**

1. The Chief informed the Board Members that he has not heard anything back from the Town of Hope Mills on the on-going contract issue. He advised that Fire Chief Hodges called the City of Fayetteville Fire Department to get a copy of our current contract with the city. The Chief also explained a situation that occurred on February 22, 2013 when he had a crew respond to a confirmed full arrest at the Harris Teeter parking lot. Due to our close proximity of .4 tenths of a mile from the shopping center we arrived within 2:40 performed CPR and utilized our DEFIB to shock the patient. HM arrived 6:45 and Chief Hodges informed me that per his City Manager Mr. Ellis that until we have a contract not to jump another call and that he would call us if they needed our assistance. I informed him that we saved this woman's life he stated that he knew that and would call us if needed. I have since instructed my crews not to jump any further calls. This is a bad situation that the Chief doesn't feel comfortable with. He stated its bad situation for our citizens that find themselves suddenly in a medical emergency. He stated had specifically asked the Chief during the last month's meeting that we do a gentlemen's agreement and not let someone die. Vice Chairman Townsend stated that we should get that in writing and instructed Chief Johnson to send an e-mail to the Town Manger.
2. The Chief talked about the transfer from ING to the new NCSFA Retirement Contribution. We have sent all the information in to the new plan providers. He stated that there is a \$ 6,



136.15 surrender charges with ING. Vice Chairman Townsend stated that we can divert this loss through the Pension Fund. He stated that he took the liberty to stop in Raleigh at the North Carolina State Firemen's Association office and talked with Deputy Executive Director Edward Brinson who informed him of the same. This is not a board action but rather an action for the Relief Board and the North Carolina Firemen's Association. Chief Johnson advised that he has talked with Mr. Landon Watts from ING concerning our plan termination and moving our funds from our current 403(b) tax deferred annuity plan over to the new North Carolina State Firemen's Association Defined Contribution Retirement Plan. Mr. Watts send us a Plan Termination Checklist (See Enclosure # 2) and in order to complete the transaction we must either adopt a resolution or take similar action to authorize the plan termination, noting cessation of contribution, identifying the date of the plan termination, and fully vesting contribution as of the date of plan termination. The Chief stated that a motion and full vote by the BOD to terminate our plan is a similar action. After a general discussion Chairman Brown called for a motion. - Director Jerry Hall made a **MOTION** that we terminate our 403(b) tax deferred annuity plan with ING effective December 31, 2012 and make all contribution and vesting required by the plan through 31 December 2012, and henceforth move our retirement plan to the North Carolina State Firemen's Association Defined Contribution Retirement Plan effective 1 January 2013. The motion was **SECONDED** by Director Gary Turlington and **APPROVED** by all members present. Chief Johnson thanked the members for their action and informed them that he will send a copy of the motion to Mr. Watts and instruct him to release all funds minus any surrender fees to Heritage Pension Services the company managing the before mentioned state plan.

3. The Chief informed the membership that as the President of the Chief's Association he has received a courtesy copy of the new proposed Cumberland County Fire Contract from the County Attorney's Office. The contract had many contentious sections that require negotiations and or changes. The county attorney wants to get the new contract out by the start of the new Fiscal. Chief stated that he met with the County Attorney, County Manager, Emergency Services Director and Deputy County Manager Mrs. Cannon. The meeting was very productive with everyone coming to a common point culminating in a minimum service contract that everyone can meet and accomplish. Once the new revised version is forthcoming he will share it with the board. He stated that he will also have Attorney Yarborough review the contract as well.

## **H. NEW BUSINESS:**

1. Chief Johnson Sr. thanked Director Gary Turlington for his donation of pine-straw for our departments flower beds.
2. The Chief informed the members that our annual strategic meeting will be held at Station 19, on Saturday April 13, 2013 starting with breakfast at 8:30 am. He requested that several of the board members participate in this event. <sup>6</sup>
3. The Chief informed that on Friday April 12 and Saturday April 13 we are also sponsoring a "Team Wallace" cancer walk. This 24 hour event is looking for individuals to donate to the

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<sup>6</sup> SPFD Board Minutes – March 19, 2013



cancer cause and walk as part of a team during a 24 hour period. The walk will be held at the Jack Britt High School Track by the football field.

4. The Chief stated that the auxiliary is sponsoring the Summit Production Photo Fund Raiser. This will be our 30<sup>th</sup> year with Summit Production. The funds from this are normally used for various fire department functions as well as for needed equipment.

**I: CLOSED SESSION - WHEN APPLICABLE:**

N/A<sup>7</sup>

**J: ADJOURNMENT:**

There being no further business, a **MOTION** was made by Director Jerry Hall to adjourn. The motion was **SECONDED** by Director J. Gary Turlington and **APPROVED** by all members present. The meeting adjourned at 2015 hours. **The next meeting is scheduled for April 16, 2013 at Station # 19 @ 7:30 PM.**

Respectfully Submitted:

*Freddy L. Johnson Sr.*

*for* ANGUS R. PATE  
Secretary

**Cc.**

- 1 – Each Board Member
- 1 - Board File / Minutes Book
- 1 - Accountant File Copy

**3 Enclosures:**

1. February 2013 Financial Oversight Memorandum
2. ING Plan Termination Checklist
3. SPFD Board of Directors Attendance Roster February 2013

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**Daniel C. Brown**  
President  
**Larry Townsend**  
Vice President  
**Alan R. Grupy**  
Treasurer  
**Angus Pate**  
Secretary  
**Jerry Hall**  
Member  
**Joel A. Siles**  
Member  
**James G. Turlington**  
Member  
**Freddy L. Johnson Sr.**  
Fire Chief

**Station 13**  
**Mailing & Billing Address**  
7221 Stoney Point Road  
Fayetteville, North Carolina 28306



Memorandum For: Haigh, Byrd & Lambert, LLP, Certified Public Accountants

Reference: Additional Internal Financial Control & Segregation of Duties

## February 2013

### Calendar Year 2013

In order to establish and maintain enhanced internal controls, including monitoring of ongoing financial and accounting principles of the Stoney Point Fire Department; in addition to the current duties performed by the Clerk of the Board and the Appointed Treasurer, and to comply with the recommendation as outlined in a letter from Haigh, Byrd & Lambert, LLP, Certified Public Accountants, addressed to the Stoney Point Board of Directors addressing segregation of duties, and whereas the Stoney Point Board of Directors appointed Mr. Larry D. Townsend to conduct and perform said duties.

\*\*\*\*\*

I Director Larry D. Townsend have reviewed I have reviewed and documented the reconciliation for all financial transactions for the month indicated above.

I have found no discrepancies.

I have discrepancies as indicated below.

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

Larry D. To

Mar 19, 13

Date



**SPFD Board Minutes 03/19/2013**

Encl. # 1 February 2013 Oversight Memo



# Plan Termination Checklist

An employer that decides to terminate its retirement plan must follow various regulatory requirements. Here is a checklist to assist an employer in terminating a 401(a) defined contribution, 403(b) tax deferred annuity or 457(b) deferred compensation plan. Remember that all benefits under the plan must have been distributed to plan participants (and, if applicable, beneficiaries) for a plan termination to have occurred. If a plan is merged into another retirement plan or the plan is frozen (i.e., no more contributions are permitted) and the amounts remain in the plan, then the plan is not considered to be terminated.

If the retirement plan is sponsored by a governmental employer, specific enabling legislation may be required for that employer to terminate the retirement plan.

Action Step	401(a)	403(b)	457(b)
Authority for plan termination	<ul style="list-style-type: none"> <li>➤ Plan document must allow for plan termination.</li> <li>➤ Employer must adopt board resolution (or take similar action) to authorize plan termination, noting cessation of contributions, identifying the date of plan termination, and fully vesting contributions as of the date of plan termination.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Plan document must allow for plan termination.</li> <li>➤ Employer must adopt board resolution (or take similar action) to authorize plan termination, noting cessation of contributions, identifying the date of plan termination, and fully vesting contributions as of the date of plan termination.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Plan document must allow for plan termination.</li> <li>➤ Employer must adopt board resolution (or take similar action) to authorize plan termination, noting cessation of contributions, identifying the date of plan termination, and fully vesting contributions as of the date of plan termination.</li> </ul>
Assess current plan document and adopt plan amendments, as necessary	<p>Amendments may include:</p> <ul style="list-style-type: none"> <li>➤ authorization to terminate plan;</li> <li>➤ plan termination date;</li> <li>➤ any statutory and regulatory rules to be incorporated into the plan document since last amended; and</li> <li>➤ any optional plan features relating to distributions from the plan, e.g., cash-out provisions that do not require participant or beneficiary consent.</li> </ul>	<p>Amendments may include:</p> <ul style="list-style-type: none"> <li>➤ authorization to terminate plan;</li> <li>➤ plan termination date;</li> <li>➤ any statutory and regulatory rules to be incorporated into the plan document since last amended; and</li> <li>➤ any optional plan features relating to distributions from the plan, e.g., cash-out provisions that do not require participant or beneficiary consent.</li> </ul>	<p>Amendments may include:</p> <ul style="list-style-type: none"> <li>➤ authorization to terminate plan;</li> <li>➤ plan termination date;</li> <li>➤ any statutory and regulatory rules to be incorporated into the plan document since last amended; and</li> <li>➤ any optional plan features relating to distributions from the plan, e.g., cash-out provisions that do not require participant or beneficiary consent.</li> </ul>



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**Encl. # 2 Plan Termination Checklist Page 1 of 5**

<b>Action Step</b>	<b>401(a)</b>	<b>403(b)</b>	<b>457(b)</b>
IRS filings (optional)	<ul style="list-style-type: none"> <li>➤ Determination letter on final 401(a) plan document.</li> <li>➤ If a plan sponsor files for a determination letter with the IRS, it must also provide a Notice to Interested Parties to participants and beneficiaries not less than ten days and not more than 24 days before the request is filed.</li> </ul>	N/A	N/A
IRS filings (required)	If plan is subject to ERISA: <ul style="list-style-type: none"> <li>➤ IRS Form 5500 (Annual Return/Report of Employee Benefit Plan) each plan year until all plan assets are distributed to plan participants and beneficiaries.</li> </ul>	If plan is subject to ERISA: <ul style="list-style-type: none"> <li>➤ IRS Form 5500 (Annual Return/Report of Employee Benefit Plan) each plan year until all plan assets are completely distributed to plan participants and beneficiaries.</li> </ul>	N/A
DOL notices	If plan is subject to ERISA and plan has employer nondiscretionary contributions: <ul style="list-style-type: none"> <li>➤ Notice must be given to affected participants of the cessation of future contributions generally at least 45 days before the effective date of the plan amendment. <u>Exception:</u> if plan with fewer than 100 participants, notice must be provided at least 15 days before the effective date of the plan amendment.</li> </ul>	N/A	N/A

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## SPFD Board Minutes 03/19/2013



Action Step	401(a)	403(b)	457(b)
<p>Outstanding Loans</p>	<p>Upon plan termination, depending on the terms of the plan document and applicable loan agreements:</p> <ul style="list-style-type: none"> <li>➤ a participant may pay off the outstanding loan balance;</li> <li>➤ the loan could be defaulted; or</li> <li>➤ a participant could directly roll over his unpaid loan note from the plan to another retirement plan if the receiving plan will accept the loan note.</li> </ul>	<p>Upon plan termination, if the distribution is paid in the form of a "paid up annuity contract" (see "Distributions to participants and beneficiaries", below), loan repayments for outstanding loans may continue to be accepted by the vendor under the paid-up annuity contract, to the extent permitted under that contract, and any new loans permitted will be subject to the applicable terms and conditions of the paid up annuity contract.</p> <p>Upon plan termination, if the distribution is from a 403(b)(7) custodial account, depending on the terms of the custodial account and applicable loan agreements:</p> <ul style="list-style-type: none"> <li>➤ a participant may pay off the outstanding loan balance;</li> <li>➤ the loan could be defaulted;</li> <li>➤ or a participant could directly rollover his unpaid loan note from the plan to another retirement plan if the receiving plan will accept the loan note.</li> </ul>	<p>Upon plan termination, depending on the terms of the plan document and applicable loan agreements:</p> <ul style="list-style-type: none"> <li>➤ a participant may pay off the outstanding loan balance;</li> <li>➤ the loan could be defaulted; or</li> <li>➤ a participant could directly roll over his unpaid loan note from the plan to another retirement plan if the receiving plan will accept the loan note.</li> </ul>
<p>Final adjustments to participant accounts</p>	<p>All final and outstanding contributions due to the plan must be sent to the appropriate investment provider. This includes any amounts held in the forfeiture account that the plan requires to be reallocated to participants (regardless of whether they have completed 1,000 hours with the employer in the year that the plan is terminated).</p> <p>All contributions in the participant accounts become 100% vested upon plan termination.</p>	<p>All final and outstanding contributions due to the plan must be sent to the appropriate investment provider. This includes any amounts held in the forfeiture account that the plan requires to be reallocated to participants (regardless of whether they have completed 1,000 hours with the employer in the year that the plan is terminated).</p> <p>In general, all contributions in the participant accounts become 100% vested upon plan termination.</p>	<p>All final and outstanding contributions due to the plan must be sent to the appropriate investment provider. This includes any amounts held in the forfeiture account that the plan requires to be reallocated to participants (regardless of whether they have completed 1,000 hours with the employer in the year that the plan is terminated).</p> <p>In general, all contributions in the participant accounts become 100% vested upon plan termination.</p>

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Action Step	401(a)	403(b)	457(b)
Distributions to participants and beneficiaries	<ul style="list-style-type: none"> <li>➤ Plan termination requires that all amounts under the plan be distributed.</li> <li>➤ Participants and beneficiaries with benefits of \$200 or more must be provided with a Code Section 402(f) notice of distribution options and information about taxation.</li> <li>➤ Benefits of participants and beneficiaries of less than \$1,000, who make no election as to payment may be paid in a single sum without consent.</li> <li>➤ If the plan is subject to ERISA, distributions are generally required to be paid in the form of a Qualified Joint and Survivor Annuity ("QJSA"), unless the participant waives the QJSA in favor of another distribution option and the spouse consents.</li> <li>➤ Amounts must be either distributed to participants or beneficiaries in a form of benefit option available under the plan and investment provider's product or, to the extent permitted, rolled over to another eligible employer-sponsored retirement plan or IRA.</li> <li>➤ The IRS generally requires that all amounts are distributed from a terminated retirement plan within one year of the plan's termination.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Plan termination requires that all amounts under the plan be distributed.</li> <li>➤ Distributions to participants and beneficiaries under an annuity contract can be made by distribution of a "fully paid individual insurance annuity contract" (a "paid up annuity"), which can be an individual annuity contract or a certificate under a group annuity contract. Distributions may also be paid in a form of benefit option available under the plan and the annuity contract, or, to the extent permitted, rolled over to another eligible employer-sponsored retirement plan or IRA.</li> <li>➤ Amounts held in a custodial account must be either distributed to participants or beneficiaries in a form of benefit option available under the plan and investment provider's product or, to the extent permitted, rolled over to another eligible employer-sponsored retirement plan or IRA.</li> <li>➤ Participants and beneficiaries with benefits of \$200 or more must be provided with a Code Section 402(f) notice of distribution options and information about taxation.</li> <li>➤ Benefits of participants and beneficiaries of less than \$1,000, who make no election as to payment may be paid in a single sum without consent.</li> <li>➤ If the plan is subject to ERISA, distributions are generally required to be paid in the form of a Qualified Joint and Survivor Annuity ("QJSA"), unless the participant waives the QJSA in favor of another distribution option and the spouse consents.</li> <li>➤ The IRS generally requires that all amounts are distributed from a terminated retirement plan within one year of the plan's termination.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Plan termination requires that all amounts under the plan be distributed.</li> <li>➤ Participants and beneficiaries with benefits of \$200 or more must be provided with a Code Section 402(f) notice of distribution options and information about taxation.</li> <li>➤ Benefits of participants and beneficiaries of less than \$1,000, who make no election as to payment may be paid in a single sum without consent.</li> <li>➤ Amounts must be either distributed to participants or beneficiaries in a form of benefit option available under the plan and investment provider's product or, to the extent permitted, rolled over to another eligible employer-sponsored retirement plan or IRA.</li> <li>➤ The IRS generally requires that all amounts are distributed from a terminated retirement plan within one year of the plan's termination.</li> </ul>

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Action Step	401(a)	457(b)
Missing participants and beneficiaries	<p>If there are plan participants or beneficiaries who are missing, the employer must take reasonable steps to locate those individuals. Department of Labor Field Advisory Bulletin 2004-2 outlines the methods for ERISA plans to do so, and may be helpful to nonERISA plans as well. Here is a link to the Field Advisory Bulletin:</p> <p><a href="http://www.dol.gov/ebsa/regs/fab_2004-2.html">http://www.dol.gov/ebsa/regs/fab_2004-2.html</a></p>	<p>If there are plan participants or beneficiaries who are missing, the employer must take reasonable steps to locate those individuals. Department of Labor Field Advisory Bulletin 2004-2 outlines the methods for ERISA plans to do so, and may be helpful to nonERISA plans as well. Here is a link to the Field Advisory Bulletin:</p> <p><a href="http://www.dol.gov/ebsa/regs/fab_2004-2.html">http://www.dol.gov/ebsa/regs/fab_2004-2.html</a></p>
Successor plan rule	<p>The IRS does not permit a terminating 401(k) plan to establish a new 401(k) successor plan within 12 months of the date that the 401(k) plan terminated, except under very limited circumstances.</p>	<p>N/A</p>

If you are an employer who wants to terminate your retirement plan, you should work with your legal counsel or tax advisor to ensure that the plan is terminated correctly. If your retirement plan is not properly terminated, the plan will be treated as a frozen plan and will continue to be subject to all IRS and DOL regulatory requirements, as applicable, until all the assets have been distributed from the plan.

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**2013**

**BOARD OF DIRECTORS  
ATTENDANCE ROSTER**

#	NAME	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
01	Daniel C. Brown - President(2016)	P	P	P				N/A	N/A				
02	Larry Townsend V-President (2014)	P	P	P				N/A	N/A				
03	Alan R. Grupy - Treasurer (2016)	E	P	P				N/A	N/A				
04	Angus Pate - Secretary (2016)	P	P	E				N/A	N/A				
05	Joel Siles - (2014)	P	E	E				N/A	N/A				
07	Jerry Hall - (2014)	P	P	P				N/A	N/A				
08	Gary Turlington(2014)	P	P	P				N/A	N/A				
09	Freddy Johnson Sr. - Chief	P	P	P				N/A	N/A				
10	Freddy Johnson Jr. - Deputy Chief	P	E	P				N/A	N/A				
11	Matthew W. Williams - Asst Chief	X	P	E				N/A	N/A				
12	Sean Johnson - Asst Chief	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
13	Kevin T. Murphy - Asst. Chief	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**P-Present - A-Absent - N/A - No Meeting Conducted A-E - Absent & not required to attend by invitation only. N/A No Meeting-P-T telephonic participation.**

**Enclosure # 3 Board Minutes March 19, 2013<sup>8</sup>**

<sup>8</sup> SPFD Board Minutes – March 19, 2013