

**City Council Minutes  
December 6, 2022**

Orangeburg City Council held its regularly scheduled meeting on Tuesday, December 6, 2022, at 6:00 PM with Mayor Michael C. Butler presiding.

**PRESENT:**

**Michael C. Butler, Mayor**  
**Dr. Kalu Kalu, Mayor Pro Tem**  
**Bernard Haire**  
**Jerry Hannah**  
**L. Zimmerman Keitt**  
**Sandra P. Knotts**  
**Richard F. Stroman**

A motion was made by Councilmember Stroman, seconded by Councilmember Keitt to approve the November 15, 2022, City Council minutes. The motion was unanimously approved.

Mayor Butler recognized "Caring" as the December 2022 Orangeburg County Community of Character trait.

Mr. Henry Dyson, New Perspectives Media made an appearance before Council. He stated, "I am representing the Board of Directors and I am standing in for Mr. Harvey Elwood, 93.7 WOCS (Orangeburg Community Station). The Board meets periodically to discuss ways we can improve our services. We know the City has funds they periodically distribute. We would love to continue to work with you and hopefully represent the City of Orangeburg and the good, positive things that you are doing."

Mayor Butler stated, "Mr. Dyson, please send Council a budget, the amount requested and a summary of how it would serve the entire City of Orangeburg."

Mayor Butler presented a Proclamation to Mr. William Green for his volunteer contributions to the community.

City Administrator Sidney Evering addressed Council to announce Mrs. Theresa Williams, Human Resources Director as the City of Orangeburg Employee of the Year and introduced Mr. Anthony Bolling as the City of Orangeburg Chief Financial Officer.

DPS Chief Charles Austin addressed Council concerning tip411 Initiative. He stated, "I am happy to announce our new tip411 app. It will allow citizens to call in anonymous tips. One of the innovative parts of this app is that it will allow our officers to contact citizens and establish a one-to-one ongoing conversation. The Orangeburg Department of Public Safety (ODPS) tip411 app is free from the app store. This will be an asset as it relates to ongoing efforts to deter criminal activity in our City. For those persons that do not have smart phones, you can simply dial 847-411, begin the tip information with the keyword ODPS and then type in the tip."

Assistant City Administrator Singh addressed Council. He stated, "We have a couple of items that we will present one at a time. We have some property owners here who may want to make comments about their property. If an item passes to second reading, we will have public hearings. The first item is the First Reading of an Ordinance to approve annexation of properties located at 100 University Village Drive and 400 University Drive TMS # 0173-11-06-001.000 and TMS# 0173-08-16-004.000. There is no one here with the Foundation tonight."

Mayor Butler stated, "We need you to elaborate on this please and how it came about."

Assistant City Administrator Singh responded, "The South Carolina State Foundation is a foundation for student housing outside of the University which is located just outside of campus. It is a foundation formed with South Carolina State with a separate foundation board that requested to be annexed into the City. In the Planning Commission minutes in the back of your packet, the representative indicated that one of the biggest interests was for police protection. We always provide a Cost Benefit Analysis for every property we annex as it is a requirement. When

someone annexes into the City, water and sewer rates are reduced to half of what they were before. In this case, there is a significant savings to University Village for their water and sewer rates, and fire contract. That is something that we need to point out to Council. The benefit for the City is this provides a conduit point where we are crossing the bypass to be able to annex other areas. It is a connect for that, but Staff and the Planning Commission wanted to point out the Cost Benefit Analysis. Chief Austin, do we have a number or an idea of what the cost would be for additional officers?"

Chief Charles Austin responded, "We estimate that it would cost us approximately \$320,624 for four additional officers and \$402,800 for five additional officers depending on which of those numbers we choose."

Mayor Butler asked, "This is a private foundation. We will not get any taxes from annexing them?"

Assistant City Administrator Singh responded, "Correct. Currently the County does not receive taxes. I think we may want Council to consider allowing us to take additional time by tabling this so we can give Council more material with what Chief said at \$300,000 and then the cost benefit is about \$35,000."

Mayor Butler stated, "The benefit for the City is this will give us annexing room, but we must also look at the financial cost. I suggest if it is okay with Council that we table this and investigate it more."

A motion was made by Councilmember Stroman, seconded by Mayor Pro Tem Kalu to table the First Reading of an Ordinance to approve the annexation of properties located at 100 University Village Drive and 400 University Village Drive, TMS# 0173-11-06-001.000 and TMS# 0173-08-16-004.000. The motion was approved 6-1. Councilmember Haire opposed.

Councilmember Haire asked, "If this passes, will it bring our City resident numbers up?"

Assistant City Administrator Singh responded, "Yes."

Councilmember Haire asked, "We get federal funding based on our population in the City?"

Assistant City Administrator Singh responded, "It does help at census time which is in about eight years. Council and Mr. Evering's directive is looking at expanding the City. This will be something that will come up every time we discuss annexation. We will provide you cost benefits and you are exactly right in that annexation is not automatic and it is not one way. It is a benefit to the people asking to be annexed as well as for the taxpayers."

Mayor Butler stated, "I think we need to investigate it. We have been trying to get across the bypass, the annex needs to be investigated more."

Assistant City Administrator Singh addressed Council concerning an Ordinance to approve Zoning District Map change from A-1 Residential Single-Unit to A-2 Residential Multi-Unit for property located at 1700 Hillsboro Road. He stated, "I provided a document at each of your desks from the gentleman that owns the property. He is present tonight so I will yield to him for five minutes."

Mr. Guri Sandhu, 1148 Barfield Street, Charleston, stated, "I would like to put four upscale apartment buildings there with four units in each building totaling 16 units. All City utilities are there, gas, water, and sewer. You have before you a traffic study in terms of the amount of traffic, runoff, all the questions that probably pertain to when you develop 1.3 acres. I think this would be a viable project. I am willing to answer any questions you may have in terms of amenities, aesthetics, and how the properties will look on the outside and blending in with the existing properties. There is talk of possibly brick, possibly hardy plank. Rentals are probably looking at \$975 to \$1400 or \$1500. We are planning something a little higher end in that area."

Mayor Pro Tem Kalu asked, "There is a subdivision on the right side of Chestnut where a lot of houses are being built. If you build 16 units across Chestnut Street, there is going to be an increase in traffic. I do not know when you did your last study. You notice there is a lot of traffic around

that area, and we have a lot of senior citizens living within that subdivision. Do you think building 16 units will have a very negative impact on the safety of the citizens living around that area?"

Mr. Sandhu responded, "1700 Hillsboro Road is at the last part of Hillsboro Road all the way to the end right after you pass Little Street on the left. Just to use your example, The Orchard which is located another 400 feet up as you are going back toward Broughton Street on the left, I think they have six houses in there. If they were to build that subdivision out, there would be an increase there as well. I think the majority of the traffic that you are speaking of is the intersection of Chestnut Street and Columbia Road. This parcel is at the end of Hillsboro Road. They would come out of this development, make a left and at the stop sign, they go straight or make a right. There would be no right-side traffic because it dead ends there. That is 16 units, you figure two-bedroom apartments, so double that for 32. People will have guests, but in terms of traffic flow in and out of there continuously, I do not think it would be anything like what it would take place down at Hillsboro Road and Broughton Street or particularly in the morning time when people are getting kids to school, and kids are getting out of school. I think that traffic pattern may not be as constant as some of the other areas that surround there."

Councilmember Haire asked, "Mr. Singh, if I am not mistaken, you had oppositions from the neighbors?"

Assistant City Administrator Singh responded, "Reflected in the minutes, there were approximately 25-26 people present at the Planning Commission meeting that came from the entire area of Hillsboro Road and spoke of similar concerns about traffic and density that was all in opposition for the planned development. The actual land area that Mr. Sandhu is looking at can take up to 17 units total in terms of size of the land, but to Mr. Haire's point, there were quite a few community members that had concerns."

Councilmember Stroman asked, "What was the Planning Commission's decision?"

Assistant City Administrator Singh responded, "The Planning Commission made a recommendation to Council to deny the request for rezoning."

Mayor Butler stated, "I think if it pleases the Council, we need to table this and look into it more before we vote."

Councilmember Stroman stated, "I think we should support the Planning Commission on this decision. How big a piece of property is it?"

Assistant City Administrator Singh responded, "1.3 acres."

A motion was made by Councilmember Stroman, seconded by Councilmember Haire to deny an Ordinance to approve a Zoning District Map change from A-1 Residential Single-Unit to A-2 Residential Multi-Unit for property located at 1700 Hillsboro Road. The motion was approved 6-1. Councilmember Keitt opposed.

Assistant City Administrator Singh addressed Council concerning First Reading of an Ordinance to approve a Zoning District Map change from A-1 Residential to Office-Institutional for properties located at 1090 St Matthews Road, TMS# 0173-05-05-001.000, 1070 St. Matthews Road, TMS# 0173-05-05-015.000, and 1080 St. Matthews Road, TMS# 0173-05-05-016.000. He stated, "I will yield to the representative from this group making the request for five minutes."

Mr. Randy Shuler stated, "My wife Glenda owns one of the properties located at 1080 St. Matthews Road. We have been before the Planning Commission before for zoning request changes. We have decided to request zoning change to O-I Office Institutional which the Planning Commission approved a few weeks ago. I am here tonight to ask for your support to approve this."

Assistant City Administrator Singh stated, "These properties have been presented to Council before. They are located across from GrandSouth Bank on St. Matthews Road. Previously the property owners had requested commercial. From a standpoint of application request, if an individual requests commercial again, they must wait a year based on our Ordinance. If they request a different zoning, they can request earlier. We have talked about these three properties from a planning standpoint with our planner, John Ford, who completed the City Comprehensive

Plan. Currently, there are O-I uses in that area with the CPM Bank and other office spaces. O-I is more consistent for what is there. The position is that at some point probably there would be a change there and basically conform with what is in place as an O-I zoning setting but also ensuring there is buffering."

Councilmember Haire stated, "You said, it is consistent with what is there. Currently there is residential there. The residential area more than outnumbers the O-I zoning in that area. We have had this group to come before Council for a different type of rezoning request. If we start with one or two here, it will "kill" that neighborhood eventually. I am opposed to "killing" a residential area, so I am against it."

A motion was made by Councilmember Keitt, seconded by Mayor Pro Tem Kalu to approve the First Reading of an Ordinance to approve a Zoning district Map change from A-1 Residential to O-I Office-Institutional for properties located at 1090 St. Matthews Road, 1070 St. Matthews Road and 1080 St. Matthews Road, also known as TMS# 0173-05005-001.000, TMS# 0173-05-05-015.000, and TMS# 0173-05-05-016.000. The motion was approved 4-3. Councilmembers Hannah, Knotts and Haire opposed.

Councilmember Stroman asked, "When Council turned it down last time for commercial, the City spent \$20,000 - \$25,000 for a study to present a recommendation. What was the recommendation?"

Assistant City Administrator Singh stated, "The recommendation was at some point that it would most likely become O-I over the years. It has been the tradition of Council to protect residential property in the City. This is what Councilmember Haire was referring to. Again, there is acknowledgement that St. Matthews Road is a busy road. You have some houses that are on a busy road. Again, that is a Planning Commission and Council decision. From the Land Use and Staff, we are acknowledging that at some point it is probably inevitable. Depending on the decision of Council will be when it will happen. This is what planning and comprehensive planning is about which is to be thoughtful and have deep consideration before making decisions because those decisions affect multiple people in multiple ways."

Councilmember Keitt stated, "The Planning Commission has approved this several times."

Councilmember Hannah stated, "Just a few moments ago, Council denied a zoning map change that I guess would be residential for apartments, for the simple reason of traffic. But then, we are allowing this to come in and traffic was not mentioned."

Assistant City Administrator Singh addressed Council concerning First Reading of an Ordinance to consider an amendment to the City of Orangeburg Zoning Ordinance proposed to modify and expand the definition and requirements of Article 24-4.1a.6.: B-2, Central Business District. He stated, "I want to make sure we are clear on this item. It goes toward the goals and progress in our downtown corridor as well as Railroad Corner. This will allow loft or overhead apartments for the buildings in our Business District. It will also allow bars and restaurants in our Business District as well as Railroad Corner. We have looked at the Central Business District and overlay district and we may be looking at making a few changes to that at some point."

Councilmember Hannah asked, "What you stated doing is trendy, now, correct? Isn't this what the citizens are asking for?"

Assistant City Administrator Singh stated, "That is correct. This will allow brew pubs or restaurants with a brewery type setting. It is focusing on what we are looking at for our entire corridor. It is something that we needed to do not just for Railroad Corner, but for our downtown. It is also livability."

Councilmember Haire stated, "I have an unreadiness and maybe the attorney can answer this. The area that we are talking about is Russell and Boulevard Streets. Presently, there are a few churches in the area. I know there is a state law. How does that work with what is being proposed?"

Assistant City Administrator Singh stated, "It should work fine. Orangeburg was the start of a change to that law. The regulations were basically if the church was within 500 feet, you could not do anything. Our legislative delegation got that changed to allow something to be located

within proximity if the church agrees to it. So, we do not have that problem now as well as statewide.”

A motion was made by Councilmember Keitt, seconded by Mayor Pro Tem Kalu to approve the First Reading of an Ordinance to consider an amendment to the City of Orangeburg Zoning Ordinance proposed to modify and expand the definition and requirements of Article 24-4.1a.6: B-2, Central Business District. The motion was unanimously approved.

A motion was made by Councilmember Stroman, seconded by Councilmember Keitt to go into Executive Session Personnel Matter a. Performance Evaluation Discussion – Department of Public Utilities Manager -S.C. Code Sec. 30-4-70(a)(1) and b. Department of Public Safety – City Grievance Committee Findings S.C. Code Sec. 30-4-70(a)(1), Legal Matters a. Legal advice related to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim regarding the DPU Operations Center construction. S.C. Code Sec. 30-4-70(a)(2) and b. Discussion of negotiations incident to proposed contractual arrangements and/or the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim – Town of Norway. S.C. Code Sec. 30-4-70(a)(2) and Contractual Matter a. Negotiations of proposed contractual arrangements-Health Insurance – S.C. Code Sec. 30-4-70 (a)(2). The motion was unanimously approved.

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman to Return to Open Session. The motion was unanimously approved. Mayor Pro Tem Kalu was not present for the vote.

A motion was made by Councilmember Knotts, seconded by Councilmember Stroman to approve a Resolution to adopt Health Insurance Benefits for the Employees of the City of Orangeburg effective January 1, 2023, and repealing any conflicting Resolution or Ordinance. The motion was unanimously approved. Mayor Pro Tem Kalu was not present for the vote.

City Administrator Evering addressed Council concerning a Grievance Matter - City of Orangeburg Department of Public Safety. He stated, “Per the discussion in Executive Session, there was a Grievance Committee Hearing on November 10, 2022. Council has reviewed the records from the Committee Hearing. I want to acknowledge that you all were made aware of a typo in the record and that you have taken that into consideration. You have before you the recommendation from the committee as well as me for you to consider.”

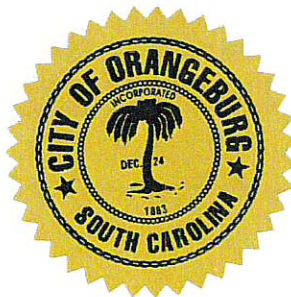
A motion was made by Councilmember Keitt, seconded by Councilmember Stroman that Council carefully reviewed the Grievance Committee decision and we as Council have received the recommendation and accept the recommendation as a final decision of the Council. The motion was unanimously approved. Mayor Pro Tem Kalu was not present for the vote.

A motion was made by Councilmember Hannah, seconded by Councilmember Keitt to adjourn. The motion was unanimously approved. Mayor Pro Tem Kalu was not present for the vote.

Respectfully submitted,

*Linda McDaniel*

Linda McDaniel  
City Clerk



VOID

VOID

VOID



**RESOLUTION**

**A RESOLUTION TO ADOPT HEALTH INSURANCE BENEFITS FOR THE EMPLOYEES OF THE CITY OF ORANGEBURG EFFECTIVE JANUARY 1, 2023 AND REPEALING ANY CONFLICTING RESOLUTION OR ORDINANCE**

**WHEREAS**, by Resolution of the Orangeburg City Council dated December 13, 2021 certain retirement and health insurance benefits of City employees were adopted; and

**WHEREAS**, the City by said Resolution retained and reserved the right to review, amend or change said benefits, with or without cause; and

**WHEREAS**, City Council has reviewed its present benefits and finds it is not presently necessary to amend or change the present health insurance benefits provided its employees and retirees, but reserves its rights to review, amend, discontinue, abolish or change said benefits in the future, with or without cause.

**NOW THEREFORE BE IT RESOLVED**, by City Council duly assembled this 6<sup>th</sup> day of December, 2022, that subject to the City's right in its discretion to amend, change, discontinue or abolish in whole or in part, the conditions, qualifications and requirements of all past, present and future employees of the City of Orangeburg, including retired and disabled employees of said City, (hereinafter referred to as "employees") as of January 1, 2023 to obtain health insurance benefits from the City are set forth and shown on Exhibit A attached hereto and made a part hereof by reference. The rates, benefits and conditions of eligibility as referenced therein shall be prospective and not retroactive. Said health insurance benefits shall be continuously reviewed and may be amended, changed, discontinued or abolished after each review.

**BE IT FURTHER RESOLVED**, that regardless of any prior review the health insurance benefits of employees shall be defined, revised, reviewed, established and adopted annually by resolution of the City of Orangeburg and its Department of Public Utilities.

**BE IT FURTHER RESOLVED**, that any amendment, change, discontinuation or abolishment shall be effective upon adoption by City Council and notice of same after adoption shall be provided to employees within forty-five (45) days after adoption.

The City of Orangeburg is committed to reviewing its personnel policies and procedures and its health insurance benefits as needed. Accordingly, the policies and benefits of employees are subject to review, amendment, change or abolishment at any time, at the discretion of City Council; thus benefits may be increased, decreased or abolished at any time, with or without cause.

Any term, condition or limitation contained in any existing ordinance or resolution in conflict with this Resolution is repealed in its entirety.

**RESOLVED BY** City Council duly assembled this 6<sup>th</sup> day of December, 2022.



*Michael C. Butler*  
MAYOR  
*Sam Hane*  
*Sandra F. Knotts*  
*Sam Hill*  
*Ly Zimmerman Keitt*  
*Richard J. Stum*

MEMBERS OF COUNCIL

ATTEST:

*Linda McDaniel*  
CITY CLERK

**THIS IS NOT A CONTRACT**

**HEALTH INSURANCE BENEFITS**

**CALENDAR YEAR 2023**

**Exhibit A**

**The within benefits may be increased, decreased or abolished at any time, with or without cause.**

**Definitions:**

"Dental and Term Life", collectively and individually, is defined as the insurance benefits provided by the City of Orangeburg and administered by BlueCross BlueShield (BCBS) of South Carolina and Companion Life. "Vision" coverage will be administered through Physicians Eye Care (PEP).

"Employees" are defined as all City of Orangeburg employees, including employees of the Department of Public Utilities.

"Dependent" is defined as an individual who is an employee's spouse. Is a lawful spouse or a former spouse who is required to be covered by a divorce decree. Dependent is also defined as an employee's child. Is a child under the age of 26 which includes a natural child, adopted child, foster child, stepchild, or child for whom an employee has custody or legal guardianship unless child has other federal or state insurance coverage. The term "child" also includes an incapacitated dependent, a child who is on a medically necessary leave of absence, a child of a divorced or divorcing employee who, under a qualified medical child support order, has a right to enroll under the employer's group health plan. The term "child" does not include the spouse of an eligible child. Under the Patient Protection and Affordable Care Act and the Health Coverage and the Education Reconciliation Act, a child does not include an individual who is eligible for other employer sponsored coverage if the group health plan is grandfathered plan beginning for plan years before January 1, 2015.

"Health Insurance Benefits" are defined as medical, hospitalization and prescription drug benefits available to active full-time employees of the City and provided by the City of Orangeburg and administered by insurance providers under contract with the City.

"1500 HSA" plan is the 2022 Preferred Blue Plan HDHP administered by BlueCross BlueShield of South Carolina.

"500 PPO" plan is the 2022 Preferred Blue Plan administered by BlueCross BlueShield of South Carolina.

"TERP" is defined as the Teacher and Employee Incentive Program administered by the South Carolina Retirement System.

**Active Employees**

**Active Full Time Employees**

The City of Orangeburg (hereinafter referred to as "City") will provide medical, hospitalization, prescription drug, dental and vision insurance and (\$15,000) term life insurance to active full-time employees (as defined within the Personnel Handbook) with 100% of the premiums paid by the City. The insurance is offered through providers chosen by the City. New full time employees are eligible to be covered at the beginning of the month following 30 days of continuous employment. Terminated employees are only covered until their last day of employment. Councilmembers, City Administrator, Manager of the Department of Public Utilities, and the City Attorney are considered active full-time employees for purposes of qualifying for health insurance benefits.

**Dependents of Active Full Time Employees**

Dependents, as defined by the insurance providers, are eligible for dependent Health Insurance Benefits, with the City contributing up to the following dollar amounts towards the premium costs and the employee paying all additional costs and premiums, including any future increases:

\$ 276.93 per month for spouse coverage for the BCBS 500 PPO plan

\$ 241.00 per month for spouse coverage for the BCBS 1500 HSA plan

\$ 191.81 per month for children coverage for the BCBS 500 PPO plan

\$ 166.90 per month for children coverage for the BCBS 1500 HSA plan

\$ 383.02 per month for family coverage for the BCBS 500 PPO plan

\$ 333.26 per month for family coverage for the BCBS 1500 HSA plan

The above City contributions to the dependent portion of the premium are capped as of January 1, 2013.



Dependent Dental, Vision and Companion Term Life (\$5,000) Insurance may be obtained with the employee paying 100% of the premium cost. Dependents of new employees are eligible to be covered at the beginning of the month following 30 days of continuous employment of the employee. Dental and Vision for dependents of terminated employees are only covered until their last day of employment of the employee. Dependent premiums for Dental, Vision and Companion Term Life Insurance (\$5,000) are as follows:

Dental:

\$35.00 per month for spouse coverage for the Dental plan  
\$ 45.00 per month for children coverage for the Dental plan  
\$ 81.00 per month for family coverage for the Dental plan

Vision:

\$ 10.00 per month for spouse coverage for the Vision plan  
\$ 12.00 per month for children coverage for the Vision plan  
\$ 20.00 per month for family coverage for the Vision plan

Companion Term Life Insurance (\$5,000):

\$ 1.00 per month for any number of dependents covered under the Companion Term Life Insurance

Dependents of current active full-time employees are eligible to be added or dropped during the City's annual enrollment period or as defined by law. All dependent coverage will be subject to the then terms and conditions of the City's benefit package being offered to dependents and the terms and conditions of the insurance policy or policies of the then insurance provider.

Employees who select medical coverage under the BlueCross BlueShield 1500 HSA plan will forfeit all other benefits referred to herein, but will receive the following amounts deposited quarterly into their Health Saving Account (hereinafter referred to as "HSA" account):

\$150 per month for active full-time employee coverage only  
\$180 per month for active full-time employee and spouse coverage  
\$175 per month for active full-time employee and children coverage  
\$185 per month for active full-time employee and family coverage

Spouses of active full-time employees who are eligible for Health Insurance Benefits and/or Dental, Vision and Term Life with their employer(s), regardless of coverage limits or conditions, must select and obtain coverage under their employer's plan or plans before they can become eligible for coverage under any City plan which, if selected, will be secondary insurance.

Effective January 1, 2016, all employees and dependents over the age of 2 years which are covered by one of the City's Health Insurance Benefits Plans will be entitled to use the employee clinic (if operational). All covered members who elect to use the clinic must conduct an initial health risk assessment. There is no charge for members covered by the BCBS 500 PPO Plan. There is a required co-pay for members covered by the BCBS 1500 HSA Plan for non-preventative services as required by law.

Effective January 1, 2016 and thereafter, employees or any dependent of an employee covered by the City's Health Insurance Benefits who uses tobacco products shall be subject to a surcharge of \$50 per employee per month. An employee will be subject to this surcharge for the full calendar year if they or their dependent is a tobacco user during any part of the year. The employee is subject to repay the employer for this surcharge if they willfully disregard this rule or fail to properly notify employer.

Effective January 1, 2023 and thereafter, plan participants over the age of 18 and who are covered by the City's Health Insurance Benefits shall be required to participate in the City's wellness plan which requires the participant to undergo an annual Health Risk Assessment administered by a provider with whom the City contracts or the equivalent of same by participant's primary care provider, within the plan year. Plan participants over the age of 18 who fail to undergo a Health Risk Assessment shall be charged a \$50 per month surcharge in addition to the plan premium.

Effective January 1, 2017 and thereafter, active full-time employees covered by the City's Health Insurance Benefits shall be eligible for a City paid subsidy of \$5 per month for individual monthly dues and \$10 per month for family dues participation at the Orangeburg YMCA. Employees must agree to pay the YMCA dues through payroll deduction at the time of open enrollment and must maintain membership for the full calendar year.

Effective January 1, 2023 and thereafter, dental plan participants over the age of 18 and who are covered by the City's Health Insurance Benefits shall be required to participate in the City's wellness plan which requires the participant to undergo an annual dental assessment administered by a provider with whom

the City contracts or the equivalent of same by participant's primary care provider, within the plan year. Plan participants over the age of 18 who fail to undergo a Health Risk Assessment shall be charged a \$50 per month surcharge in addition to the plan premium.

#### Eligibility for Post-Employment Benefits

##### Present Active Full Time Employees last hired prior to June 1, 1993

These employees may be eligible for the continuation of Health Insurance Benefits and Dental and Vision insurance coverage if they meet one of the following:

- a. The employee has 15 years employment with the City and is over age 65.
- b. The employee has 20 years employment with the City and is over age 60.
- c. The employee has 25 years employment with the City.
- d. The employee has 25 years employment with the City Department of Public Safety.
- e. The employee has 28 years of service under the SC Retirement System; with at least 15 years of continuous employment with the City.
- f. The employee has 25 years of service under the SC Police Retirement System; with at least 15 years of continuous employment with the City.

##### Present Active Full Time Employees last hired on or after June 1, 1993 and before January 1, 2010

These employees may retire with the City and be eligible for continuation of Health Insurance Benefits and Dental and Vision if an employee meets the following condition:

- a. The employee works 25 years for the City.

##### State of South Carolina TERS Retirement Program

Years of employment with the City while participating in the TERS program are included in employee tenure calculation for Post-Employment Benefits eligibility.

##### Active Full Time Employees Retired under the SC Retirement System or SC Police Retirement System

Total years of City employment of an active full-time employee who has retired under either the SC Retirement System or the SC Police Retirement System are included in employee tenure calculation for Post-Employment Benefits eligibility.

#### Retirees with Post-Employment Benefits

##### Retiree Insurance

The following benefits are not available to retirees who during employment with the City, ever made an election to the 1500 HSA Plan. The City will pay the entire cost of a retired employee's Health Insurance Benefits being provided active full-time employees of the City once the retired employee reaches the age of 60 and until the employee reaches the age of 65. Prior to reaching the age of 60, the employee must pay the full premium and cost of his or her Health Insurance Benefits being provided as an active full-time employee of the City. Retirees of the City will be allowed to participate in Dental and Vision insurance of the City if permitted by the insurance provider and provided the retired employee pays the full premium and cost of coverage.

Retirees over the age of 65 and/or their spouses over the age of 65 are eligible to receive any enhanced Medicare or Medicare supplemental plan being provided by the City. The City will pay up to \$100 per month towards an HRA for the retiree to be used for insurance coverage and/or for HRA approved medical expenses for the Retiree and /or spouse. The above City contributions are capped as of January 1, 2013. The City contribution of \$100 per month ends upon the death of the retired employee, however, the spouse may elect to remain on the enhanced Medicare or Medicare supplemental plan being provided by the City with the spouse responsible for paying the entire cost thereof.

The Retirees under the age of 65 are also eligible for the continuation of Health Insurance Benefits and Dental and Vision for dependents. The retiree will be responsible for the entire cost of the Health Insurance Benefits dependent coverage and the entire cost of the Dental and Vision retiree and dependent coverage. Once the retiree attains the age of 65 years, the retiree may continue Dental and Vision coverage for both the retiree and dependents, but must pay the entire cost of any such coverage.

A Retiree must elect coverage at the time of retirement. Failure to make an election for available retiree, spouse or dependent coverage upon retirement shall constitute a waiver and forfeiture of all retiree Health Insurance Benefits, including Dental and Vision insurance provided by the City.

Retirees (excluding TERS employees) returning to full time employment with the City will be required to pay fifty (50) percent of premiums for employee coverage of Health Insurance Benefits, dental and vision insurance regardless of age of employee or other terms previously expressed in this paragraph.

#### Spouses of Deceased Retirees

Spouses of deceased retirees, who are receiving Group PPO Health Insurance Benefits from the City at the death of a retiree, may continue the insurance coverage then in existence, and shall continue up to the age of 65 and shall pay the required premium while covered.

#### Retirees with No Post-Employment Benefits

##### Employees hired on or after January 1, 2010

These employees upon retirement or termination will not be provided and may not continue any benefits referred to herein, including without limitation, Health Insurance Benefits, and Dental, Vision and Term Life.

#### Election to HSA Plans

Current active full-time employees who elect to be covered under a City's HSA medical insurance coverage waive any future rights to be eligible for any benefits referred to herein, including without limitation, Health Insurance Benefits and Dental, Vision and Term Life upon termination of or retirement from employment. However, an employee may return to coverage under the standard 500 PPO plan, however all post-employment benefits remain forfeited and shall not be reinstated.

#### Spouse & Dependents, over 65, of Active Full-Time Employees, Who Would Qualify as a Dependent

Spouse and Dependents, over the age of 65, of active full-time employees are eligible for the standard dependent 500 PPO insurance plan or the Medicare Advantage Plus plan. Spouses and dependents shall be subject to the same restriction for spouse eligibility referred to above if coverage is available at their place of work.

#### Active Full-Time Employees on FMLA Leave or Long-Term Disability

The City will continue to pay the monthly health and dental insurance cost of an employee who is placed on long-term disability or Family Medical Leave for a period of three (3) months following the last month worked. Upon expiration of three (3) months, the employee has the option of continuing health and/or dental coverage (COBRA) at his own expense for a period of 18 months or up to 29 months (if totally disabled as defined by the Social Security Administration). COBRA coverage ceases once the employee becomes eligible for Medicare or Medicaid.

Dependent medical, dental, vision and life insurance shall remain in force on dependents for a period of up to three (3) months starting with the month following the last month worked by the employee. The City will continue to pay the same portion of the dependent coverage in effect while the employee was an active full-time employee of the City. The employee will continue to pay his portion of the premium for dependent coverage. Dependents will have the same option as an employee of continuing coverage under COBRA after this three-month period.

The employee or dependent must make arrangements for the payment of the employee's portion of the health insurance benefits premiums for the three-month period to be paid weekly, semi-monthly, or monthly.

If COBRA is elected after this three-month period, employee will make full premium payments the first of each month, payable to the City.