

City Council Minutes
December 15, 2020

Orangeburg City Council held a Council Meeting on Facebook Live via Zoom on Tuesday, December 15, 2020 at 9:00 AM with Mayor Butler presiding. **2981**

PRESENT IN PERSON:

Mayor Michael Butler

Dr. Kalu Kalu

PRESENT BY TELEPHONE:

Bernard Haire

Jerry Hannah

L. Zimmerman Keitt

Sandra P. Knotts

Richard F. Stroman

Mayor Butler called the meeting to order with a roll call of Councilmembers.

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman to approve the December 1, 2020 meeting minutes. The motion was approved by roll call vote 6-0-1, Councilmember Hannah abstained.

Council recognized and congratulated the 2020 Employees of the Year. City of Orangeburg Employee of the Year, Mr. Joe Duley, was recognized as being dependable, helpful and an asset to the Service Department for 27 years. DPU Employee of the Year, Mr. Henry Moorner, was recognized as having a great attitude, never complaining and completing all tasks with purpose and pride.

A motion was made by Mayor Pro Tem Kalu, seconded by Councilmember Haire to approve the third reading of an Ordinance authorizing a ten (10) year lease of a lot located on the premises of the City of Orangeburg Airport measuring 150 feet on all sides for the construction of a shop building for the consideration of annual lease payments in the amount of \$3,000 with Husqvarna. The motion was unanimously approved by roll call vote.

A motion was made by Mayor Pro Tem Kalu seconded by Councilmember Haire to table the third reading of the Business License Ordinance to the first meeting in January. The motion was unanimously approved by roll call vote.

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman to approve the first reading of Ordinance prescribing the dates and times of the regular meetings of City Council to 6:00 PM in compliance with South Carolina Code Section 5-7-250. The motion was unanimously approved by roll call vote.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Kalu to approve the Resolution to adopt Health Insurance Benefits for the Employees of the City of Orangeburg effective January 1, 2021 and repealing any conflicting Resolution or Ordinance. The motion was unanimously approved by roll call vote.

Interim City Administrator Singh addressed Council concerning authorization of agreement with South Carolina Department of Health and Environmental Control (SCDHEC) and American Red Cross facility use agreement for City Gym/Community Center. He stated, "This is an item we have talked about for a number of years of wanting to get this in place for the community and City employees. This is for a medical shelter. They would run it and we would just provide the space. This would allow our employees and citizens of the City to get vaccines or immunizations."

Mayor Pro Tem Kalu asked, "Who would administer the vaccines?"

2982
Interim City Administrator Singh stated, "If it is for our employees, DHEC would provide the vaccines and our clinic would handle everything else. If it is for citizens of the City, DHEC will handle everything."

Mayor Butler stated, "I really appreciate this because this has been on my mind for a long time especially for a natural disaster or storm. We built this gym to help our citizens, so I appreciate us signing this agreement."

Councilmember Haire asked, "Will citizens in the City and outside the City be able to get the immunizations at the gym?"

Interim City Administrator Singh stated, "Both City and County as DHEC would use the gym basically as an immunization site for the County. It would be an advantage for citizens of Orangeburg as it is close."


A motion was made by Mayor Pro Tem Kalu, seconded by Councilmember Keitt to authorize the Interim City Administrator to sign the agreement with South Carolina Department of Health and Environmental Control (SCDHEC) and American Red Cross facility use agreement for City Gym/Community Center.

A motion was made by Mayor Pro Tem Kalu, seconded by Councilmember Knotts to enter Executive Session concerning Legal Matter A. Receipt of legal advice relating to potential claims and investigative proceedings regarding allegations of criminal misconduct S. C. Code Secs. 30-4-70 (a)(2) and (4) and Personnel Matter A. Discussion of employment and appointment of City Administrator S. C. Code Sec. 30-4-70 (a)(1).

A motion was made by Mayor Pro Tem Kalu, seconded by Councilmember Keitt to return to open session. The motion was unanimously approved by roll call vote.

No action was taken. A motion was made by to adjourn by Mayor Pro Tem Kalu, seconded by Councilmember Keitt to adjourn. The motion was unanimously approved by roll call vote.

Respectfully submitted,



Carrie Johnson
City Clerk

/lrm



RESOLUTION

A RESOLUTION TO ADOPT HEALTH INSURANCE BENEFITS FOR THE EMPLOYEES OF THE CITY OF ORANGEBURG EFFECTIVE JANUARY 1, 2021 AND REPEALING ANY CONFLICTING RESOLUTION OR ORDINANCE

WHEREAS, by Resolution of the Orangeburg City Council dated December 1, 2019 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 15th day of December, 2020, 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, 2021 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 15th day of December, 2020.



Michael C. Beth
MAYOR
L. Zimmerman Keit
Randy Newell
Sandra P. Furr
Jennifer
Bernard Haice
Richard J. Stone
MEMBERS OF COUNCIL

ATTEST:
Carnie W. [Signature]
CITY CLERK

THIS IS NOT A CONTRACT

**HEALTH INSURANCE BENEFITS
CALENDAR YEAR 2021
Exhibit A**

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

Definitions:

“Dental, Vision 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.

“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 2021 Preferred Blue Plan-HDHP administered by BlueCross BlueShield of South Carolina.

“500 PPO” plan is the 2021 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, 2017 and thereafter; plan participants over the age of 18 and 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 \$20 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.

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 TERI Retirement Program

Years of employment with the City while participating in the TERI 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 TERI 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-Employments 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) month 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.