



**OFFICIAL MINUTES OF THE OXFORD MAYOR AND COUNCIL MEETING
REGULAR SESSION
MONDAY, November 4, 2019 – 7:00 PM
CITY HALL**

PRESENT: Jerry D. Roseberry, Mayor; Council members: George Holt; Jim Windham; Mike Ready; Jeff Wearing. Sarah Davis was not present. Staff members present: City Manager Matt Pepper, City Clerk Marcia Brooks, Deputy City Clerk Stacey Mullen, Utility Superintendent Jody Reid, Police Chief Dave Harvey, City Attorney David Strickland.

OTHERS PRESENT: Laura Gafnea of Oxford College, Peggy Madden, Patsy Burke, Cheryl Ready, Theresa Eady, Judy Greer, Juanita Carson, Nicholas Cole, Sherry Jackson, Mike McQuaide, Lynn Bohanan, Erik Oliver, Gwendolyn Green, and Laura McCanless.

1. The meeting was called to order by the Hon. Jerry D. Roseberry, Mayor
2. Invocation was delivered by Chief Dave Harvey
3. Pledge of Allegiance
4. Motion was made to accept the Agenda for November 4, 2019 – Holt- Second - Wearing, Approved unanimous 5/0. Appendix A
5. Consent Agenda - Approved unanimous 5/0. Appendix B
6. **Mayors Report**
 - a) Mayor Roseberry announced that Newton County is under Level 1 Drought Conditions as designated by the Georgia Environmental Protection Division (EPD). Information is available on the city's website. With some exceptions, outdoor water use in Newton County is restricted to the hours of 4:00 p.m. to 10:00 a.m.
 - b) Mayor Roseberry announced that Newton County and all cities are in compliance with the Service Delivery Strategy of the Georgia Department of Community Affairs (DCA). All 22 items have been negotiated. However, one item regarding water issues will expire next June unless an agreement is reached before then. There are several items we will be negotiating within the next two to three years. One is the LOST distribution formula which all the cities will meet with Newton County to discuss. Newton County's Comprehensive Plan will trigger another Service Delivery Strategy review in 2023.

- c) On October 25, 2019, representatives from the Newton County Water & Service Authority met with city officials in all jurisdictions to discuss the financial report from the Newton County Water Fund. Many questions were posed, and another meeting will be held on November 8, 2019 to continue the discussion.
- d) The annual Employees' Appreciation Dinner will be held on December 12, 2019 at the Dean's Dining Hall at Oxford College.

7. Planning Commission Recommendations/Petitions

None

8. Citizen Concerns

- a) Nicholas Cole, 1104 Emory Street, suggested that the Council appoint someone to fill the vacated seat on the Council when the newly elected mayor takes office rather than making a decision tonight (Agenda item #13). Mayor Roseberry indicated that a citizen asked to be considered for the open position, and it is the Council's decision.
- b) Gwendolyn Green, Godfrey Street, posed several questions to the Council:
 - 1) Update on property on West Soule Street with slope where water stands. Ms. Green came to the Council several months ago about installing a retention pond. Councilman Holt indicated this area has been a marsh area for a long time and is a nuisance due to mosquito infestations.
 - 2) What are the plans for the Yarbrough House (107 W. Clark Street)? Mayor Roseberry indicated this is on tonight's agenda. Ms. Green suggested the City apply for a grant to put a community center on the empty lot behind it.
 - 3) Are there plans to install signs on Georgia Hwy. 81 near the playground? Mayor Roseberry indicated that the Georgia Department of Transportation (GDOT) would need to be contacted. There are plans to install a crosswalk on this highway in the future.

9. Appointment of Marcia Brooks to position of City Clerk

Mayor Roseberry welcomed Marcia Brooks as the new City Clerk of Oxford effective November 1, 2019. She comes to Oxford after working for the State of Georgia, and lives in Rutledge.

10. Resolution for Minor Amendment to the City's Short-Term Work Program Appendix C

Matt Pepper recommended that the Council approve an amendment to Oxford's Short-Term Work Program (STWP) of the Oxford Comprehensive Plan to add the project to upgrade the water main located along Clark Street, Hull Street, Oxford Road, and other streets. The city is required to keep this information updated as part of the Community Block Development Grant (CDBG) process. **Motion was made by Holt – Seconded – Windham to approve the resolution amending the City's Short-Term Work Program, approved unanimous 5/0.**

11. Second Reading to Provide Ordinance for Regulation of Small Cell Technology Appendix D

Matt Pepper discussed the need to have a city ordinance for regulation of small cell technology within the city right-of-way. The Georgia Municipal Association (GMA) and Electric Cities of Georgia (ECG) provided this model ordinance that they recommend all cities adopt as this technology becomes more prevalent. This is the second reading of the proposed ordinance. The first reading occurred during the October regular Council meeting. **Motion was made by Ready – Seconded – Holt to adopt the proposed ordinance for regulation of small cell technology, approved unanimous 5/0.**

12. **Second Reading to Adopt Restated Pension Plan Agreement** Appendix E
Matt Pepper explained that the Georgia Municipal Employees Benefit System (GMEBS) has restated the city's pension plan and received a favorable determination letter from the Internal Revenue Service (IRS). Consequently, the IRS requires that all GMEBS member employers adopt the restated plan documents. GMEBS requires that we codify the Adoption Agreement. This is the second reading of the restated pension plan agreement. **Motion was made by Holt – Seconded – Wearing to adopt the restated pension plan agreement, approved unanimous 5/0.**
13. **Discussion and Consideration of Filling the Open Seat on the City Council (Post 4)**
Mayor Roseberry stated that a citizen, Rev. Dr. Avis Williams, had contacted him asking to be considered for the open seat for Post 4 on the Oxford City Council. The City Council has the authority to appoint a person to a vacated seat, and the Council does not want to discourage participation in government activities. **Motion was made by Windham – Seconded – Holt to approve Rev. Dr. Avis Williams to fill the open seat for Post 4 on the Oxford City Council, approved unanimous 5/0.**
14. **107 W. Clark Street Renovation Project**
Jeff Wearing reported on the progress of Yarbrough House on behalf of the *ad hoc* Renovation Committee. In the October meeting it was agreed that this facility would house a welcome center/community/historical facility. They are in the final stages of design with the architect, and the next step will be to find a builder. The City Council will decide what will done with the back part of the property and has not finalized any plans at this time for that part.
15. **Whatcoat Street Committee Appointments**
The Council had a committee previously to discuss improvements to Whatcoat Street but their work was put on hold until Oxford College could complete their renovations on Pierce Street. These renovations were completed in August 2018. Mayor Roseberry appointed Council Members Sarah Davis, Jim Windham, and Mike Ready (Chairman) to an *ad hoc* committee to recommend improvements to Whatcoat Street. Mayor Roseberry would like an interim report from the committee at the Council's work session on November 18, 2019.
16. **Invoice Approval**
Motion by Holt to approve October invoices - second Windham, approved unanimous 5/0.
17. **Executive Session**

None.

18. Motion to adjourn Regular Session at 7:20 pm – Windham – Second Wearing
Approved unanimous 5/0.

Respectfully Submitted,



Marcia Brooks
City Clerk



PLEASE SIGN IN

MAYOR AND COUNCIL REGULAR SESSION

DATE: 11-4-19

NOTE: IF YOU WOULD LIKE TO BE ADDED TO OUR EMAIL LIST TO RECEIVE THE AGENDA PRIOR TO THE MEETINGS PLEASE INCLUDE YOUR EMAIL ADDRESS BELOW.

NAME ADDRESS EMAIL ADDRESS

NAME	ADDRESS	EMAIL ADDRESS
Sherry Jackson	506 Haggard	ssjackson63@aol.com
Nick Cole	1104 Emory	
✓ Anita Carson	1223 Wesley St	
Cheryl Ready		
✓ Judy Green		
✓ Peggy Madden		
Mike McQuade		
Lynn Bohanan		
✓ Theresa Eady	1216 Wesley St	Theresaready@gmail.com
Erik Oliver		
✓ Laura Goffner		
✓ Ellen Hill		
Lana McCullis		

**OXFORD MAYOR AND COUNCIL
REGULAR MEETING
MONDAY, NOVEMBER 4, 2019 – 7:00 P.M.
CITY HALL
A G E N D A**

1. Call to Order, Mayor Jerry D. Roseberry
2. Invocation
3. Pledge of Allegiance
4. Motion to accept the Agenda for the November 4, 2019 Mayor and Council Regular Meeting.
5. **CONSENT AGENDA**
 - a. * Minutes of the Regular Session October 7, 2019.
 - b. * Minutes of the Work Session October 21, 2019.
 - c. * Minutes of Planning Commission September 10, 2019.
 - d. * Minutes of Downtown Development Authority September 3, 2019.
6. Mayor's Report.
7. Planning Commission Recommendations/Petitions.
8. Citizen Concerns.
9. **Appointment of Marcia Brooks to position of City Clerk**
10. * **Minor Amendment to the City's Short-Term Work Program** – We will need to adopt a minor amendment to our Short-Term Work Program (STWP) to add the project to upgrade the water main located along Clark Street, Hull Street, Oxford Road, and other streets. We recommend that Council approve the resolution to amend the STWP to include the project. We have attached the resolution, the proposed amendment, and the amended Comprehensive Plan.
11. * **Second Reading to Provide Ordinance for Regulation of Small Cell Technology** – We will have the second reading of an ordinance to provide for the regulation of small cell technology implementation within the city right-of-way. We have attached the proposed ordinance.
12. * **Second Reading to Adopt Restated Pension Plan Agreement** – The Georgia Municipal Employees Benefit System (GMEBS) has restated the city's pension plan and received a favorable determination letter from the Internal Revenue Service (IRS). Consequently, the IRS requires that all GMEBS member employers adopt the restated plan documents. GMEBS requires that we codify the Adoption Agreement. We have attached the Adoption Agreement.

13. **Discussion and Consideration of Filling the Open Seat on the City Council** – Council will consider filling the vacancy for Post 4 on City Council.
14. **107 W. Clark Street Renovation Project** – The *ad hoc* Yarbrough House Renovation Committee will report on the progress of the 107 W. Clark Street renovation project.
15. **Whatcoat Street Committee Appointments** – Mayor will appoint a committee to recommend improvements to Whatcoat Street.
16. **Invoice Approval**

INVOICES OVER \$1,000.00

VENDOR	DESCRIPTION	AMOUNT
MONTHLY		
Blue Cross Blue Shield	Health Insurance Employees (11/1/2019 – 12/1/2019)	8,987.19
City of Covington	Quarterly Sewer Treatment Fees (6/30/19-9/30/19)	11, 070.00
City of Oxford Utilities	Monthly utility charges month of October 2019 (\$753.48 of total for Asbury Street Park)	2,736.61
Latham Home Sanitation	Commercial Waste Removal Services October	6,891.38
Newton County Board of Commissioners	Water purchase for month of September 2019	17,303.00
Newton Co. Water & Sewer Auth.	Monthly Sewer Charges for September 2019	4,922.22
Sophicity	Monthly IT Support for November 2019	1,858.60
Southern Power Administration	SEPA Energy Cost (September) Inv. B-19-3160	2,850.13
Utility Services Co.	Quarterly Water Tank Maintenance Inv#488797 Oct-Dec	3,122.62
PURCHASES/CONTRACT LABOR		
Carr, Rahn & Associates, Inc	Professional Services October Inv# 10791.00U1C2	1,299.33
Georgia Department of Revenue	Quarterly Statement of Benefits Charges June 30, 2019	4,200.00
Great Estates Landscaping	Clean up at 107 W. Clark Street (Yarbrough House)	2,300.00
C. David Strickland, P.C.	Professional Services for September 2019	1,192.96
McNair McLemore Middlebrooks	Preparation for FY 2019 Pre-Audit Assistance	3,202.00
Otis Elevator	Service Contract Charges (11/1/19-10/31/20)	2,604.67
Treadmaxx	Purchase of Tires for Police Department Inv# 929976	1,576.92
Lauran Willis	Financial/Clerical Assistance (9/26-10/9/19)	1,450.00
Sensus USA	12- 3/4” Water Meters Inv#ZA19016570	1,501.16
Sumner Meeker, LLC	Professional Services October 2019 Inv#11172	9,245.07

17. **Executive Session** – Litigation & Personnel.

18. **Adjourn**



**MINUTES OF THE OXFORD MAYOR AND COUNCIL MEETING
REGULAR SESSION
MONDAY, OCTOBER 7, 2019- 7:00 PM
CITY HALL**

PRESENT: Jerry D. Roseberry, Mayor; Council members: George Holt; Jeff Wearing; Sarah Davis; Mike Ready; Jim Windham. Staff members present: City Manager Matt Pepper, Deputy City Clerk Stacey Mullen, Utility Superintendent Jody Reid, Police Chief Dave Harvey, City Attorney David Strickland.

OTHERS PRESENT: Marcia Brooks, Sherry Jackson, Chris Madden, Nick Cole, Grady Spradley, Patsy Burke, Molly McGehee, David Eady, Juanita Carson, Melissa Hage, Cheryl Ready, Mike McQuaide, Laura Gafnea of Oxford College, Adrienne Waddey, and Charlie Phillips.

1. The meeting was called to order by the Hon. Jerry D. Roseberry, Mayor
2. Invocation was delivered by Chief Dave Harvey
3. Pledge of Allegiance
4. Motion was made to accept the Agenda for October 7, 2019 – Wearing- Seconded- Davis, approved unanimous 6/0.
5. Consent Agenda- Approved unanimous 6/0.
6. **Mayors Report**
Mayor Roseberry advised that the Police Department had made 12 arrests, issued 49 citations and 53 warnings for the month of September.
7. **Planning Commission Recommendations/Petitions**
N/A
8. **Citizen Concerns**
Sherry Jackson (506 Haygood Ave) expressed her concerns for the property located at 1002 Emory Street, which she claimed was stolen from her by the City of Oxford. She further noted that the property used to build Asbury Street Park was also stolen by the City of Oxford;

consequently, she planned to run as a write-in candidate in the upcoming General Municipal Election on November 5, 2019.

9. **Little Library Installation**

Motion was made by Windham- Seconded- Ready to accept Ms. McGehee's proposal to build a little library at Asbury Street Park, approved unanimous 6/0.

10. **Environmental Study Committee Report**

Councilmember Windham discussed the committee's recommendations on implementing environmental sustainability practices within the city. The matter will be further discussed at the upcoming October work session. A copy of the committee's report will be available at city hall for review.

11. **Moore Street Sidewalk Project**

A motion was made by Windham- Seconded- Ready to award the Moore Street sidewalk project to HCS Services, LLC for \$228,835.75, based on the city engineer's recommendation, approved unanimous 6/0.

12. **Local Maintenance Improvement Grant (FY1019)**

Matt Pepper recommended that Council approve the Intergovernmental agreement with Newton County to complete the FY2019 LMIG project for street repair and resurfacing of Asbury Street. Per the IGA, the city will provide the asphalt, and Newton County will provide the labor and equipment. **Motion was made by Holt- Seconded- Ready to approve the IGA, approved unanimous 6/0.**

13. **Memorandum of Agreement**

Matt Pepper discussed the Memorandum of Agreement (MOA) between the city and North East Georgia Regional Commission (NEGRC) for their assistance in applying for and administering a Community Development Block Grant (CDBG). The grant would help fund the projects involving the replacement of the water mains located on Clark Street, Oxford Road, Hull Street, Perry Circle, Keel Street, Beakhead Court and Cat Paw Court. Due to the dire need of the project and the length of time for the grant approval (Fall of 2020), Councilmember Windham questioned why the city wouldn't move forward with the project without the grant. Mayor Roseberry advised that a large project such as this could cost as much as a million dollars and that the CDBG grant (if approved) would assist with funding at a percentage of up to 70%. **A motion was made by Ready- seconded- Wearing to approve the MOA, approved unanimous 6/0.**

14. **Landscape Maintenance Contract for Asbury Street Park**

Matt Pepper advised Council that three bids were received from contractors to provide landscape maintenance work for the developed area of Asbury Street Park. He recommended that Council award the bid to Great Estates Landscaping for an annual total of \$6,300, which includes costs for additional services. Due to contract line-item concerns by Councilmember Holt and pesticide concerns by Councilmember Windham, **a motion was made by Windham-**

Seconded-Holt to table this item to the upcoming October work session, approved unanimous 6/0.

15. **First Reading to Provide Ordinance for Regulation of Small Cell Technology**

Matt Pepper explained that the city has been encouraged by Georgia Municipal Association (GMA) and Electric Cities of Georgia (ECG) to adopt an ordinance for the regulation of small cell technology implementation within the city right-of-way. Matt Pepper noted that the proposed ordinance is broken down in articles such as aesthetics and the permitting process. He further noted the ordinance would detail that the Planning Commission would provide a preliminary review of the application process, with Council giving the final approval for deployment within the right-of-way. Mayor Roseberry included if there is no ordinance, the Federal Law takes precedence and the city will have no say. This is the first reading of this proposed ordinance.

16. **First Reading to Adopt Restated Pension Plan Agreement**

Matt Pepper advised that the city is required to restate the city's pension plan with the IRS in order to continue to receive the favorable documentation that is currently in place. The city is also required to codify this as part of the city's ordinance and provide the IRS with a copy as proof of adoption. This is the first reading.

17. **General Addendum to Pension Plan Agreement**

Matt Pepper advised that the city is not required to codify the General Addendum to the Pension Plan Agreement, which GMEBS asks that member employers adopt. **Motion was made by Holt- Seconded- Windham to approve the General Addendum to the Pension Agreement, approved unanimous 6/0.**

18. **Water Fountains and Pet Sanitation Stations**

Councilmember Windham presented recommendations to the Council to approve the installation of water fountains and pet sanitation stations within the city. Two locations for the pet sanitation stations will be installed on the trail at Clark and Soule Street. On the trail, at Watson and Moore Street, both a pet sanitation station and a water fountain will be installed, as well as at George Street Park and in front of Old Church. Councilmember Windham advised that the cost to install the total number of fountains and pet sanitation stations would be \$21,600. **A motion was made by Windham- Seconded- by Holt to install the recommended placements of the water fountains and pet sanitation stations within the city, approved unanimous 6/0.**

19. **107 W. Clark Street Renovation Project**

Councilmember Wearing advised that the architects should have drawings finalized and the preparation of any bid documents within two weeks. This matter will be placed on the October work session for further discussion.

20. **Invoice Approval**

Motion was made by Wearing- Seconded- Windham to approve the October invoices, approved unanimous 6/0.

Regular session adjourned at 7:33 PM

Executive Session

Motion to go into Executive Session at 7:37 PM- Ready- Seconded- Holt, approved unanimous 6/0.

City Attorney David Strickland updated Council on ongoing litigation.

Council discussed personnel matters regarding current vacancy for the position of City Clerk.

Motion to adjourn Executive Session at 8:17 PM- Ready- Seconded- Wearing, approved unanimous 6/0.

Motion to adjourn Regular Session at 8:20 PM- Windham- Seconded- Holt, approved unanimous 6/0.

Respectfully submitted;

Stacey Mullen, CMC
Deputy City Clerk



**MINUTES OF THE OXFORD MAYOR AND COUNCIL MEETING
WORK SESSION
MONDAY, OCTOBER 21, 2019- 6:00 PM
CITY HALL**

PRESENT: Jerry D. Roseberry, Mayor; Council members: Jeff Wearing, Sarah Davis, George Holt, Mike Ready and Jim Windham; Staff members present: City Manager Matt Pepper, Deputy City Clerk Stacey Mullen, Utility Superintendent Jody Reid, Police Chief Dave Harvey and City Attorney David Strickland.

OTHERS PRESENT: Linda Allen, Judy Greer, Peggy Madden, Art & Laurie Vinson, Nick Cole, Melissa Hage, David Eady, Mike McQuaide and Lynn Bohanan.

The meeting was called to order by Mayor Jerry D. Roseberry.

1. Mayors Announcements

Mayor Roseberry began the meeting by informing Council that he would be updating them on items of importance as his tenure draws to a close. Mayor Roseberry gave a brief description of some of those items that he requested Council continue to be involved in. These matters include but are not limited to: the Service Delivery Strategy, Northeast Georgia Regional Commission, Newton County Tomorrow and benefits of outreach. *Attachment A*

2. Landscape Maintenance Contract for Asbury Street Park

Matt Pepper discussed the details of the landscaping contract for Asbury Street Park. Matt Pepper, along with a few Council members, met with the representatives of Great Estates to discuss some concerns regarding contract costs and sustainability. Great Estates was informed of the city's new focus on the implementation of sustainability practices, and they were asked to provide the city with non-toxic alternatives for pesticides, herbicides, etc. *Attachment B*

3. Residential Parking Discussion

Matt Pepper advised Council that the draft was pending for an amendment to the city ordinance to address concerns with residences that have a high volume of vehicles parked at a single residential lot. Chief Harvey previously presented a proposed ordinance to Council that allowed for a waiver, with approval from Mayor and Council. Since the idea of a waiver raised concerns, Matt Pepper requested the guidance of the Mayor and Council with the completion of the draft amendment. Mayor Roseberry suggested the city develop a clear and concise ordinance, detailing the rules without the option of granting a waiver, as waivers may cause challenges. Councilmember Holt proposed if a waiver was granted, that it included a chart, detailing specific conditions for approval. The matter will be further discussed at a future work session.

4. Amendment to Section 34-26- Vehicle Gross Weight

Councilmember Wearing addressed his concern for the amendment to the ordinance prohibiting through vehicles with weight in excess of 10,000 pounds. His concern is that some pickup trucks (e.g. Ford F-350/450) exceeds the 10,000-pound proposed weight limit, which would prohibit such drivers from traveling through city limits. Councilmember Wearing suggested that the weight limit be reconsidered, as the current proposed weight may be considered unfair to both residents and those passing through city limits. Mayor Roseberry requested Chief Harvey look further into the matter.

5. Environmental Study Committee Report

Councilmember Windham reviewed the committee's recommendations on implementing environmental sustainability practices within the city. Councilmember Holt suggested prioritizing the list to ensure Council would agree and that all items were completed satisfactorily. Mayor Roseberry suggested that Councilmembers Windham and Holt prioritize the list of practices and present it to the Council for approval. This matter will be further discussed at a future work session.

6. Shared Active Transportation Devices Discussion

Mayor Roseberry advised that Matt Pepper has researched ordinances on the use of shared active transportation devices (e-scooters) within the city limits. Mayor Roseberry suggested the city have an ordinance in place to regulate the use of the said devices for safety purposes. The matter will be discussed further at a future work session.

7. Planning Commission

Matt Pepper explained that the Planning Commission discussed the proposed quorum requirements and submitted some changes on *items 9 and 10*. He further noted the Planning Commission agreed to keeping quorum requirements as-is. In addition, the Planning Commission had no concerns w/ requiring each member to attend at least 2/3 of the meetings, with failure to do so resulting in recommendation for removal by Mayor and Council. *Attachment C*

8. 107 W. Clark Street Renovation Project

Councilmember Wearing shared that the *ad hoc* Yarbrough House Renovation Committee recommended the Yarbrough House be used as a community center, with a welcome center and historical area included within the structure. This matter will be further discussed later.

Work Session was adjourned at 6:35 pm

Special Called Meeting was called to order at 6:40 pm by the Honorable Jerry D. Roseberry

Motion to enter Executive Session at 6:40pm Wearing- Second- Ready, approved unanimous 6/0.

David Strickland updated Council on the ongoing litigation.

Motion to adjourn Executive Session at 6:45 pm Windham- Second- Ready, approved unanimous 6/0.

Motion to adjourn the Special Called Meeting at 6:45 pm Windham- Second- Wearing, approved unanimous 6/0.

Respectfully submitted;

Stacey Mullen, CMC
Deputy City Clerk

OXFORD PLANNING COMMISSION

Minutes – September 10, 2019

MEMBERS: Jonathan Eady, Chair; Zach May, Secretary; Kibbie Hatfield, Mike McQuaide, Avis Williams, and Juanita Carson.

STAFF: Matthew Pepper, city manager and zoning administrator.

GUESTS: Joyce Vodar; Danielle Miller, Randy Simon, and Daniel Parson, Oxford College.

OPENING: At 7:01 PM, Mr. Eady called the meeting to order and welcomed the guests.

MEMBERSHIP: Mr. Eady welcomed Kibbie Hatfield as the newest member of the Planning Commission.

MINUTES: Upon motion of Ms. Williams, seconded by Ms. Carson, the minutes for the meeting of August 13, 2019 were adopted. The vote was 6-0.

ELECTION: The following members were nominated for offices within the Commission.

Upon motion of Mr. McQuaide, seconded by Ms. Williams, Mr. May was nominated for Vice-Chair. The vote was 6-0.

Upon motion of Mr. May, seconded by Ms. Hatfield, Ms. Carson was nominated for Secretary. The vote was 6-0.

OXFORD COLLEGE DEVELOPMENT PERMIT APPLICATIONS (3): The Commission reviewed the three development permit applications presented by Oxford College.

Regarding the application for the office trailer, the Commission shared that Section 40-537 of the city's code states that a structure that can be categorized as a mobile or manufactured home is not permissible in any zoning district. The Commission further explained that they have approved similar office trailers in the past with the understanding that the trailers were necessary to support specific construction projects on campus. However, it was unclear from the development permit application that the proposed office trailer is directly connected to any specific construction project and therefore seems to be permanent. Oxford College explained that they currently need to provide office space for their staff working out of the maintenance building. They explained that it is cost prohibitive to repair the existing building. The college has plans to renovate the house located at 102 Pierce Street and use it for office space. The college expects to complete the project within the next two years. The two groups agreed that the two existing office trailers and the proposed trailer will be removed within two years as the renovation project is completed. The Commission amended the development permit application to include language that states that the proposed office trailer is temporary and will be removed within two years and that the existing office trailers will also be removed within the same two-year period.

Upon motion of Ms. Carson, seconded by Ms. Hatfield, the Planning Commission approved the development permit application to replace an existing office trailer. The vote was 5-0 with Mr. Eady abstaining.

During a brief discussion, the Commission found no issues with the development permit application to remove the wood-framed outdoor storage unit located at 102 George Street.

Upon motion of Mr. May, seconded by Mr. McQuaide, the Planning Commission approved the development permit application to remove the wood-framed outdoor storage unit. The vote was 5-0 with Mr. Eady abstaining.

Regarding the application for the hoop houses, the Commission stated that the hoop houses are permissible in the zoning designation (Rural Residential) assigned to the Organic Farm. During the discussion, the Commission reviewed the following code sections: 40-524, 40-812, 40-814. Section 50-524 provides the requirements for accessory structures, while Sections 40-812 and 40-814 explain the aesthetics requirements for structures. The Commission agreed that the proposed hoop houses met the requirements listed in those code sections. In addition, the Commission confirmed that the proposed hoop houses will not be located in close proximity to any existing houses. Further, the Commission confirmed that the proposed hoop houses meet the side and rear setbacks and will be located behind the existing dwelling. The college stated that all four hoop houses may not be installed at one time, but they will be before the development permit is no longer valid.

Upon motion of Mr. May, seconded by Ms. Williams, the Planning Commission approved the development permit application to add four hoop houses to the southeast side of the Organic Farm. The vote was 5-0 with Mr. Eady abstaining.

DISCUSSION ON ADMINISTRATIVE VARIANCE ORDINANCE: The Commission discussed preparing an amendment to the city's zoning code to delegate authority to the Zoning Administrator to review and approve development permit applications where the proposed scope of work is objective does not require an in-depth review of aesthetics, property lines, etc. In addition, the Commission discussed preparing an amendment to allow the Commission to review and adjudicate on minor variance issues without involving the City Council through the public hearing process.

REQUIREMENTS FOR THE PLANNING COMMISSION: Mr. Pepper shared with the Commission that the Mayor and City Council are implementing an attendance policy for the Commission wherein each member is required to attend at least 2/3 of the meetings in a calendar year. In addition, the Mayor and Council will vote to amend the city's ethics code to include all appointed and elected officials.

OTHER BUSINESS: The Commission did not discuss any items pertaining to other business.

ADJOURNMENT: Mr. Eady adjourned the meeting at 8:11 PM.

Approved by:

Juanita Carson, Secretary

DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF OXFORD

Minutes – September 3, 2019

MEMBERS: Mr. Brian Barnard, Chair; Ms. Martha Molyneux, Vice-Chair; Mr. Jonathan Eady, Mr. Mike Ready, Ms. Danielle Miller, Mr. Ray Wilson, and Mr. Art Vinson.

STAFF: Matthew Pepper, city manager and DDA secretary/treasurer.

GUESTS: Kevin Clark, Paul Knight, and Ryan Yurcaba, Historical Concepts.

OPENING: At 5:38 PM, Mr. Barnard called the meeting to order and welcomed the guests.

APPROVAL OF MINUTES: Upon motion of Mr. Ready, seconded by Ms. Molyneux, the minutes for the meeting on August 27, 2019 were approved as amended. The vote was 7 – 0.

CONCEPT REVIEW AND DISCUSSION WITH HISTORICAL CONCEPTS:

Motion by Mr. Eady, seconded by Mr. Vinson, to enter the Executive Session at 5:41 PM . The vote was 7 – 0.

The DDA discussed the potential acquisition and disposition of real estate.

Motion by Mr. Ready, seconded by Ms. Molyneux, to leave the Executive Session and return to the regular meeting at 7:45 PM. The vote was 7 – 0.

OTHER BUSINESS: The DDA agreed to meet on Tuesday, September 24th pending the receipt of any draft site plan documents from Historical Concepts.

ADJOURNMENT: Ms. Barnard adjourned the meeting at 7:49 PM.

Approved by:

Matthew Pepper, Secretary/Treasurer

CITY OF OXFORD

RESOLUTION

TO ADOPT A PLAN AMENDMENT FOR THE CITY OF OXFORD COMPREHENSIVE PLAN

WHEREAS, the 1989 Georgia Planning Act requires that all local governments submit a comprehensive plan; and

WHEREAS, O.C.G.A. 50-8-1 et seq. gives the Department of Community Affairs authority to establish standards and procedures for appropriate and timely comprehensive planning by all local governments in Georgia; and

WHEREAS, the City of Oxford Mayor and City Council has identified an additional update required for the City's Comprehensive Plan, prior to the community's next required five-year plan update; and

WHEREAS, a copy of the Plan Amendment updates are attached to this resolution; and

WHEREAS, all portions of this Plan Amendment for the City of Oxford were completed by the City; and

WHEREAS, this document, the Short-Term Work Program for the City of Oxford, was reviewed by the Georgia Department of Community Affairs and was found in compliance with the Local Planning Requirements.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF OXOFRD,

that the Short-Term Work Program for the City be amended to include a project pertaining to water and sewer infrastructure and economic development.

Signed and sealed this 4th day of November, 2019.



Mayor



City Clerk

PROPOSED AMENDMENT TO THE CITY OF OXFORD SHORT TERM WORK PROGRAM 2018-2022

ADOPTED: _____

Proposed the City Oxford Minor Amendment to be added to the Short-Term Work Program 2018-2022 on page 27.

31	Upgrade water main along Clark St, Hull St, Oxford Rd., Keel St, Beakhead Ct., Cat's Paw Ct., and Perry Cir.	2019-2022	Mayor & Council, Manager, Departmental staff	\$1,000,000	City, CDBG
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Chapter 6

Community Work Program

The Short-Term Work Program (2018-2022), updated every five years, provides a list of specific activities that the community plans to address as immediate priorities. A Report of Plan Accomplishments, which provides status commentary on the previous work plan (2013-2017), follows.

Short-Term Work Program, 2018-2022

(*entries with an asterisk represent carryover items from the previous STWP)

#	Activity	Timeframe	Responsible Party	Cost Estimate	Funding Source
1	*Update records of historic cemetery for use with city walking tour	2020	Departmental staff	Minimal	City
2	*Develop comprehensive alternative energy plan	2020	Mayor & Council, Manager, Departmental staff	Unknown	City
3	*Pursue Georgia Camera Ready certification	2018	Manager	None	NA
4	*Develop comprehensive branding, marketing, and promotional plan including promoting construction of high-quality residential and commercial development, especially to attract younger families and increase diversity (age and race)	2019	Mayor & Council, Manager, DDA	\$30,000	City, DDA
5	*Complete bike/ped bridge over I-20; extend sidewalk to Town Center	2019	City, Covington, GDOT, ARC	\$750,000	City, Covington, GDOT, ARC
6	*Update GIS datasets, including public infrastructure, parcels, and buildings	2020	Manager	\$10,000	City
7	*Develop plan for use of GIS	2018	Manager	\$2,500	City
8	*Redesign streets to begin implementing Town Center	2018	Mayor & Council, Manager	Unknown	City
9	*Design and install streetscape improvements to George/Whatcoat streets	2019	Mayor & Council, Manager, Departmental staff	Unknown	City
10	*Develop master plan for Town Center	2019	Mayor & Council, Manager, Departmental staff	\$25,000-\$75,000	City
11	*Adopt sustainability plan to include transportation, biodiversity, resource conservation, invasive species, etc.	2018	Mayor & Council, Manager	\$15,000-\$30,000	City
12	*Devise recreation plan	2019	Mayor & Council, Manager	\$10,000	City

#	Activity	Timeframe	Responsible Party	Cost Estimate	Funding Source
13	*Decide whether to create a local historic district and, if appropriate, implement a strategy	2018-2020	Mayor & Council, Manager	Minimal	City
14	*Implement public transportation service	2020	City, Newton County, GDOT, Newton County Tomorrow	Varies by option	City, Newton County, GDOT, Newton County Tomorrow
15	*Develop a citywide Complete Streets and Trails Plan that includes a focus on connectivity to Covington	2018	Mayor & Council, Manager, Departmental staff	\$2,000	City
16	*Develop annexation plan	2018	Mayor & Council, Manager	Minimal	City
17	Establish Welcome/Historic/Arts Center/coffee shop at Yarborough House	2020	Mayor & Council, Manager, Departmental staff, DDA	\$50,000-\$100,000	City
18	Acquire Palmer-Stone Elementary School for use as community/civic center and small business development resource	2021	Mayor & Council, Manager, Departmental staff	Minimal purchase cost	City
19	Establish skate park and bicycle pump track (possibly behind PSES)	2022	Mayor & Council, Manager, Departmental staff	\$200,000	City, DDA
20	Establish deer population control program	2018	Mayor & Council, Manager, Departmental staff	Minimal	City
21	Develop and implement plan to install district markers and wayfinding signage throughout the city	2020	Mayor & Council, Manager, Departmental staff	\$20,000	City
22	Create playscape at George Street Park	2019	Mayor & Council, Manager, Departmental staff	\$25,000	City
23	Implement high-priority phase projects for Town Center	2019-2022	Mayor & Council, Manager, Departmental staff	Minimal	City
24	Develop DDA strategic plan and evaluate appropriateness of Main Street Program	2019	Mayor & Council, Manager, DDA	Minimal	City, DDA
25	Assign staff to be responsible for offering events and other programming, including as part of a partnership with Newton County and its other municipalities and nonprofit organizations	2018	Mayor & Council	None	NA
26	Complete a housing plan to expand options, including small-scale units and/or cooperative housing, accommodations for seniors, and higher-end homes	2019	Mayor & Council, Manager, Departmental staff	\$5,000	City

#	Activity	Timeframe	Responsible Party	Cost Estimate	Funding Source
27	Devise and implement strategy to assume local control of SR81	2020	Mayor & Council, Manager, Departmental staff, GDOT	Unknown	City
28	Develop parking study to improve availability and distribution citywide	2020-2021	Mayor & Council, Manager, Departmental staff	Minimal	City
29	Audit and adjust the zoning ordinance as necessary to ensure successful implementation of this comprehensive plan, especially to protect resources, recruit appropriate businesses, and encourage development of desired housing opportunities	2019-2021	Mayor & Council, Manager, Departmental staff	\$2,000-\$5,000	City
30	Identify additional/alternative revenue sources	2018	Mayor & Council, Manager, Departmental staff	None	City
31	Upgrade water main along Clark St., Hull St., Oxford Rd., Keel St., Beakhead Ct., Cat's Paw Ct., and Perry Cir.	2019-2022	Mayor & Council, Manager, Departmental staff	\$1,000,000	City, CDBG

**AN ORDINANCE TO CREATE ARTICLE VII OF CHAPTER 36 "UTILITIES" OF THE
OFFICIAL CODE OF THE CITY OF OXFORD, GEORGIA
TO BE KNOWN AS THE "WIRELESS FACILITIES AND ANTENNAS ORDINANCE",
IN ORDER TO ADMINISTER AND REGULATE THE
PUBLIC RIGHT-OF-WAY IN THE PUBLIC INTEREST, AND TO PROVIDE FOR THE
THE PLACEMENT OF SMALL WIRELESS FACILITIES IN THE PUBLIC RIGHTS OF WAY OF
THE CITY OF OXFORD**

WHEREAS, O.C.G.A. § 32-4-92 (a) (10) authorizes the City of Oxford, Georgia to establish reasonable regulations for the installation, construction, maintenance, renewal, removal, and relocation of pipes, mains, conduits, cables, wires, poles, towers, traffic and other signals, and other equipment, facilities, or appliances in, on, along, over, or under the public roads of the City of Oxford;

WHEREAS, 47 U.S.C. § 253(c) provides that the City of Oxford has authority to manage its public rights of way. Finally, the Georgia Streamlining Wireless Facilities and Antennas Act., O.C.G.A. Title 36, Chapter 66C (the "SWFAA"), addresses the placement of small wireless facilities in the public rights of way of the City of Oxford;

WHEREAS, the City of Oxford finds it is in the best interest of the City of Oxford and its residents and businesses to establish requirements and specify reasonable conditions regarding placement of small wireless facilities, poles in the public rights of way. These requirements, specifications and conditions are adopted in order to protect the public health, safety and welfare of the residents and businesses of the City of Oxford and to reasonably manage and protect the public rights of way and its uses in the City of Oxford;

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Mayor and Council of the City of Oxford, Georgia as follows:

SECTION 1

The Code of Ordinances of the City of Oxford is hereby amended by adding a new Article VII of Chapter 36, "Utilities", Divisions 1-9, entitled "Wireless Facilities and Antennas", as follows:

**DIVISION I
PURPOSE AND COMPLIANCE**

Section 36-301.1 O.C.G.A. § 32-4-92 (a) (10) authorizes the City of Oxford, Georgia to establish reasonable regulations for the installation, construction, maintenance, renewal, removal, and relocation of pipes, mains, conduits, cables, wires, poles, towers, traffic and other signals, and other equipment, facilities, or appliances in, on, along, over, or under the public roads of the City of Oxford. Further, 47 U.S.C. § 253(c) provides that the City of Oxford has authority to manage its public rights of way. Finally, the Georgia Streamlining Wireless Facilities and Antennas Act., O.C.G.A. Title 36, Chapter 66C (the "SWFAA"), addresses the placement of small wireless facilities in the public rights of way of the City of Oxford.

Section 36-301.2 The City of Oxford finds it is in the best interest of the City of Oxford and its residents and businesses to establish requirements and specify reasonable conditions regarding placement of small wireless facilities, poles in the public rights of way. These requirements,

- (h) "Communications Service Provider" means a provider of communications services.
- (i) "Communications Services" means cable service as defined in 47 U.S.C. § 522(6); telecommunications service as defined in 47 U.S.C. § 153(53); information service as defined in 47 U.S.C. Section 153(24), as each such term existed on January 1, 2019; or wireless services.
- (j) "Consolidated Application" means an application for the collocation of multiple small wireless facilities on existing poles or support structures or for the installation, modification, or replacement of multiple poles and the collocation of associated small wireless facilities.
- (k) "Decorative Pole" means an authority pole that is specially designed and placed for aesthetic purposes.
- (l) "Electric Supplier" means any electric light and power company subject to regulation by the Georgia Public Service Commission, any electric membership corporation furnishing retail service in this state, and any municipality which furnishes such service within this state. The City of Oxford is an Electric Supplier and this Ordinance is inapplicable in all respects to city electric system facilities. See Articles I and II of Chapter 36 and Chapter 40 for terms applicable to such facilities.
- (m) "Eligible Facilities Request" means an eligible facilities request as set forth in 47 C.F.R. §1.40001(b)(3), as it existed on January 1, 2019.
- (n) "FCC" means the Federal Communications Commission of the United States.
- (o) "Fee" means a one-time, nonrecurring charge based on time and expense.
- (p) "Historic District" means: (i) any district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the secretary of the interior of the United States in accordance with Section VI.D.8-9-201.a.i- v of the Nationwide Programmatic Agreement codified by 47 C.F.R. Part 1; (ii) any area designated as a historic district under Article 2 of Chapter 10 of Title 44, the Georgia Historic Preservation Act; or (iii) any area designated as a historic district or property by law prior to April 26, 2019.
- (q) "Law" means and includes any and all federal, state, or local laws, statutes, common laws, codes, rules, regulations, orders, or ordinances.
- (r) "Micro Wireless Facility" means a small wireless facility not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height that has an exterior antenna, if any, no longer than 11 inches.
- (s) "Permit" means a written authorization, in electronic or hard copy format, required to be issued by the City of Oxford to initiate, continue, or complete the collocation of a small wireless facility or the installation, modification, or replacement of a pole or decorative pole upon which a small wireless facility is collocated.
- (t) "Person" means an individual, corporation, limited liability company, partnership, association, trust, or other entity or organization, including an authority.

- (cc) "Support Structure" means a building, billboard, water tank, or any other structure to which a small wireless facility is or may be attached. Such term shall not include a decorative pole, electric transmission structure, or pole.
- (dd) "Wireless Infrastructure Provider" means any person, including a person authorized to provide telecommunications services in this state, that builds, installs, or operates small wireless facilities, poles, decorative poles, or support structures on which small wireless facilities are or are intended to be used for collocation but that is not a wireless services provider.
- (ee) "Wireless Provider" means a wireless infrastructure provider or a wireless services provider.
- (ff) "Wireless Services" means any services provided to the public using licensed or unlicensed spectrum, including the use of Wi-Fi, whether at a fixed location or mobile.
- (gg) "Wireless Services Provider" means a person that provides wireless services.
- (hh) "Wireline Backhaul Facility" means an aboveground or underground wireline facility used to transport communications data from a telecommunications demarcation box associated with small wireless facility to a network.

Section 36-302.2 In the event that any federal or state law containing definitions used in this Ordinance is amended, the definition in the referenced section, as amended, shall control.

DIVISION III PERMITS

Section 36-303.1 A permit is required to collocate a small wireless facility in the public right of way or to install, modify, or replace a pole or a decorative pole in the public right of way. A permit is not required to perform the activities described in O.C.G.A. § 36-66C-6(e) or (f).

Section 36-303.2 Any person seeking to collocate a small wireless facility in the public right of way or to install, modify, or replace a pole or a decorative pole in the public right of way shall submit an application to the Planning Commission for a permit. Applications are available from the Zoning Administrator. Any material change to information contained in an application shall be submitted in writing to the Zoning Administrator within 30 days after the events necessitating the change.

Section 36-303.3 Each application for a permit shall include the maximum application fees permitted under O.C.G.A. § 36-66C-5(a)(1), (a)(2) and (a)(3). Such maximum application fees shall automatically increase on January 1 of each year beginning January 1, 2021, as provided under O.C.G.A. § 36-66C-5(b).

Section 36-303.4 The Planning Commission shall conduct a preliminary technical review of all applications for permits according to the timelines and using the procedures identified in O.C.G.A. §§ 36-66C-7 and 36-66C-186-203. After a review of the application, the Planning Commission shall submit a recommendation on the application to City Council. The recommendation of the Planning Commission shall have an advisory effect only and shall not be binding on the City Council.

Streamlining Wireless Facilities and Antennas Act. Upon revocation, the City of Oxford may proceed according to Section 8-6-203.10.

Section 36-303.10 If a wireless provider occupies the public rights of way without obtaining a permit required by this DIVISION III or without complying with the SWFAA, then the City of Oxford, at the sole discretion of the City of Oxford, restore the right of way, to the extent practicable in the reasonable judgment of the City of Oxford, to its condition prior to the unpermitted collocation or installation and to charge the responsible wireless provider the reasonable, documented cost of the City of Oxford in doing so, plus a penalty not to exceed \$1,000.00.⁶ The City of Oxford may suspend the ability of the wireless provider to receive any new permits from the City of Oxford under this DIVISION III until the wireless provider has paid the amount assessed for such restoration costs and the penalty assessed, if any; provided, however, that the City of Oxford may not suspend such ability of any applicant that has deposited the amount in controversy in escrow pending an adjudication of the merits of the dispute by a court of competent jurisdiction.

Section 36-303.11 All accepted applications for permits shall be publicly available subject to the limitations identified in O.C.G.A. § 36-66C-6(c),

Section 36-303.12 An applicant may file a consolidated application related to multiple small wireless facilities, poles or decorative poles so long as such consolidated application meets the requirements of O.C.G.A. § 36-66C-18-6-203.

Section 36-303.13 Activities authorized under a permit shall be completed within the timelines provided in O.C.G.A. § 36-66C-7(k)(2).

Section 36-303.14 Issuance of a permit authorizes the applicant to: (i) undertake the collocation, installation, modification or replacement approved by the permit and (ii) operate and maintain the small wireless facilities and any associated pole covered by the permit for a period of 10 years.

Section 36-303.15 Permits shall be renewed following the expiration of the term identified in Section 36-303.14 upon the terms and conditions identified in O.C.G.A. § 36-66C-7(k)(2)(B).

Section 36-303.16 If an application for a permit seeks to collocate small wireless facilities on authority poles in the public rights of way, then the City of Oxford shall, within 60-days of receipt of the completed application: (i) provide a good faith estimate for any make-ready work necessary to enable the authority pole to support the proposed facility; or (ii) notify the wireless provider that the wireless provider will be required to perform the make-ready work. Any make-ready work performed by the City of Oxford shall be completed pursuant to and in accordance with the provisions of O.C.G.A. § 36-66C-7(n).

DIVISION V STANDARDS

Section 36-305.1 Small wireless facilities and new, modified, or replacement poles to be used for collocation of small wireless facilities may be placed in the public right of way as a permitted use: (i) upon a receipt of a permit under DIVISION III; (ii) subject to applicable codes; and (iii) so long as such small wireless facilities and new, modified, or replacement poles to be used for collocation of small wireless facilities comply with the appropriate provisions of O.C.G.A. § 36- 66C-7(h).

Each new, modified, or replacement pole installed in the right of way that is not in a historic district or in an area zoned primarily for residential use shall not exceed the greater of:

- (i) Fifty feet above ground level; or
- (ii) Ten feet greater in height above ground level than the tallest existing pole in the same public right of way in place as of January 1, 2019, and located within 500 feet of the new proposed pole;

Section 36-305.2 A decorative pole should only be located where an existing pole can be removed and replaced, or at a new location where the City of Oxford has identified that a streetlight is necessary.

Section 36-305.3 Unless it is determined that another design is less intrusive, or placement is required under applicable law, small wireless facilities shall be concealed as follows:

- (a) Antennas located at the top of poles and support structures shall be incorporated into the pole or support structure, or placed within shrouds of a size such that the antenna appears to be part of the pole or support structure;
- (b) Antennas placed elsewhere on a pole or support structure shall be integrated into the pole or support structure, or be designed and placed to minimize visual impacts.
- (c) Radio units or equipment cabinets holding radio units and mounted on a pole shall be placed as high as possible, located to avoid interfering with, or creating any hazard to, any other use of the public rights of way, and located on one side of the pole. Unless the radio units or equipment cabinets can be concealed by appropriate traffic signage, radio units or equipment cabinets mounted below the communications space on poles shall be designed so that the largest dimension is vertical, and the width is such that the radio units or equipment cabinets are minimally visible from the opposite side of the pole on which they are placed.
- (d) Wiring and cabling shall be neat and concealed within or flush to the pole or support structure, ensuring concealment of these components to the greatest extent possible.

Section 36-305.4 Notwithstanding any provision of this Ordinance to the contrary, an applicant may collocate a small wireless facility within a historic district, and may place or replace a pole within a historic district, only upon satisfaction of the following: (i) issuance of a permit under DIVISION III and (ii) compliance with applicable codes.

First reading, this 7th day of October, 2019.

Second reading and adoption, this 4th day of November, 2019.

CITY OF OXFORD

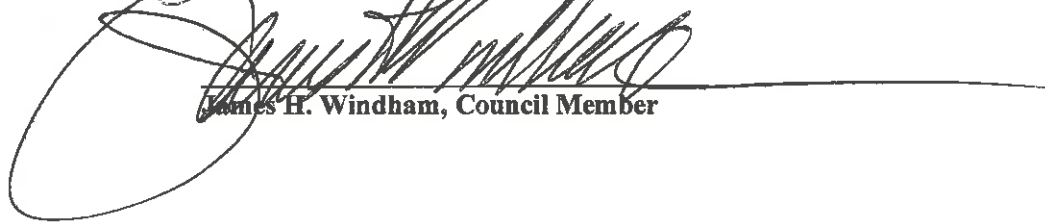

Jerry D. Roseberry, Mayor


Sarah T. Davis, Council Member


George R. Holt, Council Member


Michael Ready, Council Member


Jeff Wearing, Council Member

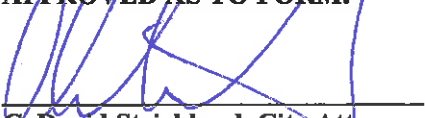

James H. Windham, Council Member

ATTEST:


Nov. 4, 2019 City Clerk

{The Seal of the City of Oxford, Georgia}

APPROVED AS TO FORM:


C. David Strickland, City Attorney

GEORGIA MUNICIPAL EMPLOYEES
BENEFIT SYSTEM

DEFINED BENEFIT RETIREMENT PLAN

AN ORDINANCE
and
ADOPTION AGREEMENT
for
City of Oxford

Form Volume Submitter Adoption Agreement
Amended and Restated as of January 1, 2013
(With Amendments Taking Effect on or Before January 1, 2017)

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I. AN ORDINANCE

An Ordinance to amend and restate the Retirement Plan for the Employees of the City of Oxford, Georgia in accordance with and subject to the terms and conditions set forth in the attached Adoption Agreement, any Addendum to the Adoption Agreement, the Georgia Municipal Employees Benefit System (GMEBS) Master Plan Document, and the GMEBS Trust Agreement. When accepted by the authorized officers of the City and GMEBS, the foregoing shall constitute a Contract between the City and GMEBS, all as authorized and provided by O.C.G.A. § 47-5-1 et seq.

BE IT ORDAINED by the Mayor and Council of the City of Oxford, Georgia, and it is hereby ordained by the authority thereof:

Section 1. The Retirement Plan for the Employees of the City of Oxford, Georgia is hereby amended and restated as set forth in and subject to the terms and conditions stated in the following Adoption Agreement, any Addendum to the Adoption Agreement, the Georgia Municipal Employees Benefit System (GMEBS) Master Plan Document, and the GMEBS Trust Agreement.

Ordinance continued on page 36

II. GMEBS DEFINED BENEFIT RETIREMENT PLAN
ADOPTION AGREEMENT

1. ADMINISTRATOR

Georgia Municipal Employees Benefit System
201 Pryor Street, SW
Atlanta, Georgia 30303
Telephone: 404-688-0472
Facsimile: 404-577-6663

2. ADOPTING EMPLOYER

Name: **City of Oxford, Georgia**

3. GOVERNING AUTHORITY

Name: **Mayor and Council**
Address: **110 West Clark St., Oxford, GA 30054-2274**
Phone: **(770) 786-7004**
Facsimile: **(770) 786-2211**

4. PLAN REPRESENTATIVE

[To represent Governing Authority in all communications with GMEBS and Employees]
(See Section 2.49 of Master Plan)

Name: **City Clerk**
Address: **110 West Clark St., Oxford, GA 30054-2274**
Phone: **(770) 786-7004**
Facsimile: **(770) 786-2211**

5. PENSION COMMITTEE

[Please designate members by position. If not, members of Pension Committee shall be determined in accordance with Article XIV of Master Plan]

Position:
Position:
Position:
Position:
Position:

Pension Committee Secretary: **City Clerk**
Address: **110 West Clark St., Oxford, GA 30054-2274**
Phone: **(770) 786-7004**
Facsimile: **(770) 786-2211**

6. TYPE OF ADOPTION

This Adoption Agreement is for the following purpose (**check one**):

- This is a new defined benefit plan adopted by the Adopting Employer for its Employees. This plan does not replace or restate an existing defined benefit plan.
- This is an amendment and restatement of the Adopting Employer's preexisting non-GMEBS defined benefit plan.
- This is an amendment and restatement of the Adoption Agreement previously adopted by the Employer, as follows (**check one or more as applicable**):
 - To update the Plan to comply with PPA, HEART, WRERA, and other applicable federal laws and guidance.
 - To make the following amendments to the Adoption Agreement (**must specify below revisions made in this Adoption Agreement; all provisions must be completed in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

7. EFFECTIVE DATE

NOTE: This Adoption Agreement and any Addendum, with the accompanying Master Plan Document, is designed to comply with Internal Revenue Code Section 401(a), as applicable to a governmental qualified defined benefit plan, and is part of the GMEBS Defined Benefit Retirement Plan. Plan provisions designed to comply with certain provisions of the Pension Protection Act of 2006 ("PPA"); the Heroes Earnings Assistance and Relief Tax Act of 2008 ("HEART"); and the Worker, Retiree, and Employer Recovery Act of 2008 ("WRERA"); and Plan provisions designed to comply with certain provisions of additional changes in federal law

and guidance from the Internal Revenue Service under Internal Revenue Service Notice 2012-76 (the 2012 Cumulative List) are effective as of the applicable effective dates set forth in the Adoption Agreement and Master Plan Document. By adopting this Adoption Agreement, with its accompanying Master Plan Document, the Adopting Employer is adopting a plan document intended to comply with Internal Revenue Code Section 401(a), as updated by PPA, HEART, WRERA, and the 2012 Cumulative List with the applicable effective dates.

- (1) **Complete this item (1) only if this is a new defined benefit plan which does not replace or restate an existing defined benefit plan.**

The effective date of this Plan is _____.

(insert effective date of this Adoption Agreement not earlier than January 1, 2013).

- (2) **Complete this item (2) only if this Plan is being adopted to replace a non-GMEBS defined benefit plan.**

Except as otherwise specifically provided in the Master Document or in this Adoption Agreement, the effective date of this restatement shall be the _____ **(insert effective date of this Adoption Agreement not earlier than January 1, 2013).** This Plan is intended to replace and serve as an amendment and restatement of the Employer's preexisting plan, which became effective on _____ **(insert original effective date of preexisting plan).**

- (3) **Complete this item (3) only if this is an amendment and complete restatement of the Adopting Employer's existing GMEBS defined benefit plan.**

Except as otherwise specifically provided in the Master Document or in this Adoption Agreement, the effective date of this restatement shall be **date of its approval by the Governing Authority** **(insert effective date of this Adoption Agreement not earlier than January 1, 2013).**

This Plan is adopted as an amendment and restatement of the Employer's preexisting GMEBS Adoption Agreement, which became effective on **January 1, 2012** **(insert effective date of most recent Adoption Agreement preceding this Adoption Agreement).**

The Employer's first Adoption Agreement became effective **January 1, 2003** **(insert effective date of Employer's first GMEBS Adoption Agreement).** The Employer's GMEBS Plan was originally effective **January 1, 1984** **(insert effective date of Employer's original GMEBS Plan).** (If the Employer's Plan was originally a non-GMEBS Plan, then the Employer's non-GMEBS Plan was originally effective _____ **(if applicable, insert effective date of Employer's original non-GMEBS Plan).**)

8. PLAN YEAR

Plan Year means (check one):

- Calendar Year
- Employer Fiscal Year commencing _____.
- Other (must specify month and day commencing): _____.

9. CLASSES OF ELIGIBLE EMPLOYEES

Only Employees of the Adopting Employer who meet the Master Plan's definition of "Employee" may be covered under the Adoption Agreement. Eligible Employees shall not include non-governmental employees, independent contractors, leased employees, nonresident aliens, or any other ineligible individuals, and this Section 9 must not be completed in a manner that violates the "exclusive benefit rule" of Internal Revenue Code Section 401(a)(2).

A. Eligible Regular Employees

Regular Employees include Employees, other than elected or appointed members of the Governing Authority or Municipal Legal Officers, who are regularly employed in the services of the Adopting Employer. Subject to the other conditions of the Master Plan and the Adoption Agreement, the following Regular Employees are eligible to participate in the Plan (check one):

- ALL - All Regular Employees, provided they satisfy the minimum hour and other requirements specified under "Eligibility Conditions" below.
- ALL REGULAR EMPLOYEES EXCEPT for the following employees (must specify; specific positions are permissible; specific individuals may not be named):
Notwithstanding any other provision in the Master Plan or Adoption Agreement to the contrary, the following Regular Employees are not eligible to participate in this Plan: 1) Regular Employees initially employed or reemployed by the City of Oxford on or after January 1, 2012 (see Sections 2 and 14 of the General Addendum to this Adoption Agreement); and 2) Eligible Regular Employees who were not Vested in this Plan as of December 31, 2011, in accordance with and subject to the provisions of Section 2 of the General Addendum to this Adoption Agreement.

B. Elected or Appointed Members of the Governing Authority

An Adopting Employer may elect to permit participation in the Plan by elected or appointed members of the Governing Authority and/or Municipal Legal Officers, provided they otherwise meet the Master Plan's definition of "Employee" and provided they satisfy any other requirements specified by the Adopting Employer. Municipal Legal Officers to be covered must be specifically identified by position. Subject to the above conditions, the Employer hereby elects the following treatment for elected and appointed officials:

(1) Elected or Appointed Members of the Governing Authority (check one):

- ARE NOT eligible to participate in the Plan.

ARE eligible to participate in the Plan.

Please specify any limitations on eligibility to participate here (e.g., service on or after certain date, or special waiting period provision): _____.

(2) **Municipal Legal Officers (check one):**

ARE NOT eligible to participate in the Plan.

ARE eligible to participate in the Plan. The term "Municipal Legal Officer" shall include only the following positions (must specify - specific positions are permissible; specific individuals may not be named): _____.

Please specify any limitations on eligibility to participate here (e.g., service on or after certain date) (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

10. ELIGIBILITY CONDITIONS

A. **Hours Per Week (Regular Employees)**

The Adopting Employer may specify a minimum number of work hours per week which are required to be scheduled by Regular Employees in order for them to become and remain "Eligible Regular Employees" under the Plan. **It is the responsibility of the Adopting Employer to determine whether these requirements are and continue to be satisfied.** The Employer hereby elects the following minimum hour requirement for Regular Employees:

- No minimum
- 20 hours/week (regularly scheduled)
- 30 hours/week (regularly scheduled)
- Other: _____ (must not exceed 40 hours/week regularly scheduled)

Exceptions: If a different minimum hour requirement applies to a particular class or classes of Regular Employees, please specify below the classes to whom the different requirement applies and indicate the minimum hour requirement applicable to them.

Class(es) of Regular Employees to whom exception applies (must specify - specific positions are permissible; specific individuals may not be named): _____.

Minimum hour requirement applicable to excepted Regular Employees:

- No minimum
- 20 hours/week (regularly scheduled)
- 30 hours/week (regularly scheduled)
- Other: _____ (must not exceed 40 hours/week regularly scheduled)

B. **Months Per Year (Regular Employees)**

The Adopting Employer may specify a minimum number of work months per year which are required to be scheduled by Regular Employees in order for them to become and remain "Eligible Employees" under the Plan. **It is the responsibility of the Adopting Employer to determine whether these requirements are and continue to be satisfied.** The Employer hereby elects the following minimum requirement for Regular Employees:

- No minimum
- At least 5 months per year (regularly scheduled)

Exceptions: If different months per year requirements apply to a particular class or classes of Regular Employees, the Employer must specify below the classes to whom the different requirements apply and indicate below the requirements applicable to them.

Regular Employees to whom exception applies (must specify - specific positions are permissible; specific individuals may not be named): _____

The months to year requirement for excepted class(es) are:

- No minimum
- At least _____ months per year (regularly scheduled)

11. WAITING PERIOD

Except as otherwise provided in Section 4.02(b) of the Master Plan, Eligible Regular Employees shall not have a waiting period before participating in the Plan. Likewise, elected or appointed members of the Governing Authority and Municipal Legal Officers, if eligible to participate in the Plan, shall not have a waiting period before participating in the Plan.

12. ESTABLISHING PARTICIPATION IN THE PLAN

Participation in the Plan is considered mandatory for all Eligible Employees who satisfy the eligibility conditions specified in the Adoption Agreement, except as provided in Section 4.03(e) of the Master Plan. However, the Employer may specify below that participation is optional for certain classes of Eligible Employees, including Regular Employees, elected or appointed members of the Governing Authority, Municipal Legal Officers, City Managers, and/or Department Heads. If participation is optional for an Eligible Employee, then in order to become a Participant, he must make a written election to participate within 120 days after employment, election or appointment to office, or if later, the date he first becomes eligible to participate in the Plan. The election is irrevocable, and the failure to make the election within the 120 day time limit shall be deemed an irrevocable election not to participate in the Plan.

Classes for whom participation is optional (check one):

- None (Participation is mandatory for all Eligible Employees except as provided in Section 4.03(e) of the Master Plan).
- Participation is optional for the following Eligible Employees (must specify - specific positions are permissible; specific individuals may not be named; all positions or classes specified must be Eligible Employees): _____

13. CREDITED SERVICE

In addition to Current Credited Service the Adopting Employer may include as Credited Service the following types of service:

A. Credited Past Service with Adopting Employer

Credited Past Service means the number of years and complete months of Service with the Adopting Employer prior to the date an Eligible Employee becomes a Participant which are treated as credited service under the Plan.

(1) **Eligible Employees Employed on Original Effective Date of GMEBS Plan.**

With respect to Eligible Employees who are employed by the Adopting Employer on the original Effective Date of the Employer's GMEBS Plan, Service with the Adopting Employer prior to the date the Eligible Employee becomes a Participant (including any Service prior to the Effective Date of the Plan) shall be treated as follows (**check one**):

- All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service).
- All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service), except for Service rendered prior to _____ (insert date).
- All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service), except as follows (**must specify other limitation in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____
- No Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service).

(2) **Previously Employed, Returning to Service after Original Effective Date.**

If an Eligible Employee is not employed on the original Effective Date of the Employer's GMEBS Plan, but he returns to Service with the Adopting Employer sometime after the Effective Date, his Service prior to the date he becomes a Participant (including any Service prior the Effective Date) shall be treated as follows (**check one**):

- All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service), subject to any limitations imposed above with respect to Eligible Employees employed on the Effective Date.
- All Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service), provided that after his return to employment, the Eligible Employee performs Service equal to the period of the break in Service or one (1) year, whichever is less. Any limitations imposed above with respect to Eligible Employees employed on the Effective Date shall also apply.

- No Service prior to the date the Eligible Employee becomes a Participant shall be credited (as Credited Past Service).

Other limitation(s) on Recognition of Credited Past Service (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): ____.

(3) Eligible Employees Initially Employed After Effective Date. If an Eligible Employee's initial employment date is after the original Effective Date of the Employer's GMEBS Plan, his Credited Past Service shall include only the number of years and complete months of Service from his initial employment date to the date he becomes a Participant in the Plan.

(4) Newly Eligible Classes of Employees. If a previously ineligible class of Employees becomes eligible to participate in the Plan, the Employer must specify in an addendum to this Adoption Agreement whether and to what extent said Employees' prior service with the Employer shall be treated as Credited Past Service under the Plan.

B. Prior Military Service

Note: This Section does not concern military service required to be credited under USERRA – See Section 3.02 of the Master Plan for rules on the crediting of USERRA Military Service.

(1) Credit for Prior Military Service.

The Adopting Employer may elect to treat military service rendered prior to a Participant's initial employment date or reemployment date as Credited Service under the Plan. Unless otherwise specified by the Employer under "Other Conditions" below, the term "Military Service" shall be as defined in the Master Plan. Except as otherwise required by federal or state law or under "Other Conditions" below, Military Service shall not include service which is credited under any other local, state, or federal retirement or pension plan.

Military Service credited under this Section shall not include any service which is otherwise required to be credited under the Plan by federal or state law. Prior Military Service shall be treated as follows (check one):

- Prior Military Service is **not** creditable under the Plan (if checked, skip to Section 13.C. – Prior Governmental Service).
- Prior Military Service shall be counted as Credited Service for the following purposes (check one or more as applicable):
 - Computing amount of benefits payable.
 - Meeting minimum service requirements for vesting.
 - Meeting minimum service requirements for benefit eligibility.

(2) Maximum Credit for Prior Military Service.

Credit for Prior Military Service shall be limited to a maximum of _____ years (insert number).

(3) Rate of Accrual for Prior Military Service.

Credit for Prior Military Service shall accrue at the following rate (check one):

- One month of military service credit for every _____ month(s) (insert number) of Credited Service with the Adopting Employer.
- One year of military service credit for every _____ year(s) (insert number) of Credited Service with the Adopting Employer.
- All military service shall be creditable (subject to any caps imposed above) after the Participant has completed _____ years (insert number) of Credited Service with the Employer.
- Other requirement (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

(4) Payment for Prior Military Service Credit(check one):

- Participants shall not be required to pay for military service credit.
- Participants shall be required to pay for military service credit as follows:
 - The Participant must pay _____% of the actuarial cost of the service credit (as defined below).
 - The Participant must pay an amount equal to (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

Other Conditions for Award of Prior Military Service Credit (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

(5) Limitations on Service Credit Purchases. Unless otherwise specified in an Addendum to the Adoption Agreement, for purposes of this Section and Section 13.C. concerning prior governmental service credit, the term "actuarial cost of service credit" is defined as set forth in the Service Credit Purchase Addendum. In the case of a service credit purchase, the Participant shall be required to comply with any rules and regulations established by the GMEBS Board of Trustees concerning said purchases.

C. Prior Governmental Service

Note: A Participant's prior service with other GMEBS employers shall be credited for purposes of satisfying the minimum service requirements for Vesting and eligibility for Retirement and pre-retirement death benefits as provided under Section 9.05 of the Master

Plan, relating to portability service. This Section 13(C) does not need to be completed in order for Participants to receive this portability service credit pursuant to Section 9.05 of the Master Plan.

(1) Credit for Prior Governmental Service.

The Adopting Employer may elect to treat governmental service rendered prior to a Participant's initial employment date or reemployment date as creditable service under the Plan. Subject to any limitations imposed by law, the term "prior governmental service" shall be as defined by the Adopting Employer below. The Employer elects to treat prior governmental service as follows **(check one)**:

- Prior governmental service is **not** creditable under the Plan **(if checked, skip to Section 13.D. – Unused Sick/Vacation Leave)**.
- Prior governmental service shall be counted as Credited Service for the following purposes under the Plan **(check one or more as applicable)**:
 - Computing amount of benefits payable.
 - Meeting minimum service requirements for vesting.
 - Meeting minimum service requirements for benefit eligibility.

(2) Definition of Prior Governmental Service.

Prior governmental service shall be defined as follows: **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i))**: _____.

Unless otherwise specified above, prior governmental service shall include only full-time service (minimum hour requirement same as that applicable to Eligible Regular Employees).

(3) Maximum Credit for Prior Governmental Service.

Credit for prior governmental service shall be limited to a maximum of _____ years **(insert number)**.

(4) Rate of Accrual for Prior Governmental Service Credit.

Credit for prior governmental service shall accrue at the following rate **(check one)**:

- One month of prior governmental service credit for every _____ month(s) **(insert number)** of Credited Service with the Adopting Employer.
- One year of prior governmental service credit for every _____ year(s) **(insert number)** of Credited Service with the Adopting Employer.
- All prior governmental service shall be creditable (subject to any caps imposed above) after the Participant has completed _____ years **(insert number)** of Credited Service with the Adopting Employer.

- Other requirement (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): _____.

(5) Payment for Prior Governmental Service Credit.

- Participants shall **not** be required to pay for governmental service credit.
- Participants shall be required to pay for governmental service credit as follows:
 - The Participant must pay ____% of the actuarial cost of the service credit.
 - The Participant must pay an amount equal to (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

Other Conditions for Award of Prior Governmental Service Credit (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

D. Leave Conversion for Unused Paid Time Off (e.g., Sick, Vacation, or Personal Leave)

(1) Credit for Unused Paid Time Off.

Subject to the limitations in Section 3.01 of the Master Plan, an Adopting Employer may elect to treat accumulated days of unused paid time off for a terminated Participant, for which the Participant is not paid, as Credited Service. The only type of leave permitted to be credited under this provision is leave from a paid time off plan which qualifies as a bona fide sick and vacation leave plan (which may include sick, vacation or personal leave) and which the Participant may take as paid leave without regard to whether the leave is due to illness or incapacity. The Credited Service resulting from the conversion of unused paid time off must not be the only Credited Service applied toward the accrual of a normal retirement benefit under the Plan. The Pension Committee shall be responsible to certify to GMEBS the total amount of unused paid time off that is creditable hereunder.

Important Note: Leave cannot be converted to Credited Service in lieu of receiving a cash payment. If the Employer elects treating unused paid time off as Credited Service, the conversion to Credited Service will be automatic, and the Participant cannot request a cash payment for the unused paid time off.

The Employer elects the following treatment of unused paid time off:

- Unused paid time off shall **not** be treated as Credited Service (if checked, skip to Section 14 – Retirement Eligibility).

- The following types of unused paid time off for which the Participant is not paid shall be treated as Credited Service under the Plan (**check one or more as applicable**):
 - Unused sick leave
 - Unused vacation leave
 - Unused personal leave
 - Other paid time off (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

(2) Minimum Service Requirement.

In order to receive credit for unused paid time off, a Participant must meet the following requirement at termination (**check one**):

- The Participant must be 100% vested in a normal retirement benefit.
- The Participant must have at least _____ years (**insert number**) of Total Credited Service (not including leave otherwise creditable under this Section).
- Other (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

(3) Use of Unused Paid Time Off Credit. Unused paid time off for which the Participant is not paid shall count as Credited Service for the following purposes under the Plan (**check one or more as applicable**):

- Computing amount of benefits payable.
- Meeting minimum service requirements for vesting.
- Meeting minimum service requirements for benefit eligibility.

(4) Maximum Credit for Unused Paid Time Off.

Credit for unused paid time off for which the Participant is not paid shall be limited to a maximum of ____ months (**insert number**).

(5) Computation of Unused Paid Time Off.

Unless otherwise specified by the Adopting Employer under "Other Conditions" below, each twenty (20) days of creditable unused paid time off shall constitute one (1) complete month of Credited Service under the Plan. Partial months shall not be credited.

(6) Other Conditions (please specify, subject to limitations in Section 3.01 of Master Plan; must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): _____.

14. RETIREMENT ELIGIBILITY

A. Early Retirement Qualifications

Early retirement qualifications are (check one or more as applicable):

- Attainment of age 55 (insert number)
- Completion of 10 years (insert number) of Total Credited Service

Exceptions: If different early retirement eligibility requirements apply to a particular class or classes of Eligible Employees, the Employer must specify below the classes to whom the different requirements apply and indicate below the requirements applicable to them.

Eligible Employees to whom exception applies (must specify - specific positions are permissible; specific individuals may not be named): _____.

Early retirement qualifications for excepted class(es) are (check one or more as applicable):

- Attainment of age _____ (insert number)
- Completion of _____ years (insert number) of Total Credited Service

B. Normal Retirement Qualifications

Note: Please complete this Section and also list "Alternative" Normal Retirement Qualifications, if any, in Section 14.C.

(1) Regular Employees

Normal retirement qualifications for Regular Employees are (check one or more as applicable):

- Attainment of age 65 (insert number)
- Completion of 5 years (insert number) of Total Credited Service
- In-Service Distribution to Eligible Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (check one): all Participants only the following class(es) of Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

Exceptions: If different normal retirement qualifications apply to a particular class or classes of Regular Employees, the Employer must specify below the classes to whom the different requirements apply and indicate below the requirements applicable to them.

Class(es) of Regular Employees to whom exception applies (must specify - specific positions are permissible; specific individuals may not be named): _____.

Normal retirement qualifications for excepted class(es) are (check one or more as applicable):

- Attainment of age _____ (insert number)
- Completion of _____ years (insert number) of Total Credited Service
- In-Service Distribution to Eligible Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (check one): all Participants only the following class(es) of Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

(2) Elected or Appointed Members of Governing Authority

Complete this Section only if elected or appointed members of the Governing Authority or Municipal Legal Officers are permitted to participate in the Plan. Normal retirement qualifications for this class are (check one or more as applicable):

- Attainment of age _____ (insert number)
- Completion of _____ years (insert number) of Total Credited Service
- In-Service Distribution to Eligible Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (check one): all Participants only the following class(es) of Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

Exceptions: If different normal retirement qualifications apply to particular elected or appointed members of the Governing Authority or Municipal Legal Officers, the Employer must specify below to whom the different requirements apply and indicate below the requirements applicable to them.

Particular elected or appointed members of the Governing Authority or Municipal Legal Officers to whom exception applies (must specify - specific positions are permissible; specific individuals may not be named): _____.

Normal retirement qualifications for excepted elected or appointed members of the Governing Authority or Municipal Legal Officers are (check one or more as applicable):

- Attainment of age _____ (insert number)
- Completion of _____ years (insert number) of Total Credited Service
- In-Service Distribution to Eligible Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (check one): all Participants only the following class(es) of Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

C. Alternative Normal Retirement Qualifications

The Employer may elect to permit Participants to retire with unreduced benefits after they satisfy service and/or age requirements other than the regular normal retirement qualifications specified above. The Employer hereby adopts the following alternative normal retirement qualifications:

Alternative Normal Retirement Qualifications (check one or more, as applicable):

- (1) Not applicable (the Adopting Employer does not offer alternative normal retirement benefits under the Plan).
- (2) **Alternative Minimum Age & Service Qualifications (if checked, please complete one or more items below, as applicable):**
 - Attainment of age _____ (insert number)
 - Completion of _____ years (insert number) of Total Credited Service
 - In-Service Distribution to Eligible Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if Participant meets minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (check one): all Participants only the following class(es) of Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

This alternative normal retirement benefit is available to:

- All Participants who qualify.
- Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

A Participant (**check one**): is required is not required to be in the service of the Employer at the time he satisfies the above qualifications in order to qualify for this alternative normal retirement benefit.

Other eligibility requirement (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____.

- (3) **Rule of _____ (insert number).** The Participant's combined Total Credited Service and age must equal or exceed this number. Please complete additional items below:

To qualify for this alternative normal retirement benefit, the Participant (**check one or more items below, as applicable**):

- Must have attained at least age _____ (**insert number**)
- Must not satisfy any minimum age requirement
- In-Service Distribution to Eligible Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if the Participant meets the minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement. This rule shall apply to (**check one**): all Participants only the following class(es) of Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

This alternative normal retirement benefit is available to:

- All Participants who qualify.
- Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): _____.

A Participant (**check one**): is required is not required to be in the service of the Employer at the time he satisfies the Rule in order to qualify for this alternative normal retirement benefit.

Other eligibility requirement (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

- (4) **Alternative Minimum Service.** A Participant is eligible for an alternative normal retirement benefit if he has at least _____ years (insert number) of Total Credited Service, regardless of the Participant's age.

- In-Service Distribution to Eligible Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if the Participant meets the minimum service requirement specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to (check one): all Participants only the following class(es) of Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

This alternative normal retirement benefit is available to:

- All Participants who qualify.
- Only the following Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

A Participant (check one): is required is not required to be in the service of the Employer at the time he satisfies the qualifications for this alternative normal retirement benefit.

Other eligibility requirement (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

- (5) **Other Alternative Normal Retirement Benefit.**

Must specify qualifications (in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

- In-Service Distribution to Eligible Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if the Participant meets minimum age and service requirements specified immediately above and is at least age 62 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan

provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to **(check one)**: all Participants only the following class(es) of Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.

This alternative normal retirement benefit is available to:

- All Participants who qualify.
- Only the following Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.

A Participant **(check one)**: is required is not required to be in the service of the Employer at the time he satisfies the qualifications for this alternative normal retirement benefit.

Other eligibility requirement **(must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i))**: _____.

- (6) **Other Alternative Normal Retirement Benefit for Public Safety Employees Only.**

Must specify qualifications (in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

- In-Service Distribution to Eligible Employees who are Public Safety Employees permitted (i.e., a qualifying Participant may commence receiving retirement benefits while in service without first incurring a Bona Fide Separation from Service), if the Participant meets minimum age and service requirements specified immediately above and is at least age 50 (unless a lower safe-harbor age is permitted under applicable federal law), subject to applicable Plan provisions concerning recalculation and offset applied at re-retirement to account for the value of benefits received prior to re-retirement. This rule shall apply to **(check one)**: all Participants only the following class(es) of Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.

This alternative normal retirement benefit is available to:

- All public safety employee Participants who qualify.
- Only the following public safety employee Participants **(must specify - specific positions are permissible; specific individuals may not be named)**: _____.

A public safety employee Participant (**check one**): is required is not required to be in the service of the Employer at the time he satisfies the qualifications for this alternative normal retirement benefit.

Other eligibility requirement (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

Note: "Public safety employees" are defined under the Internal Revenue Code for this purpose as employees of a State or political subdivision of a State who provide police protection, firefighting services, or emergency medical services for any area within the jurisdiction of such State or political subdivision.

D. Disability Benefit Qualifications

Subject to the other terms and conditions of the Master Plan and except as otherwise provided in an Addendum to this Adoption Agreement, disability retirement qualifications are based upon Social Security Administration award criteria or as otherwise provided under Section 2.23 of the Master Plan. The Disability Retirement benefit shall commence as of the Participant's Disability Retirement Date under Section 2.24 of the Master Plan.

To qualify for a disability benefit, a Participant must have the following minimum number of years of Total Credited Service (**check one**):

- Not applicable (the Adopting Employer does not offer disability retirement benefits under the Plan).
- No minimum.
- _____ years (**insert number**) of Total Credited Service.

Other eligibility requirement (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

15. RETIREMENT BENEFIT COMPUTATION

A. Maximum Total Credited Service

The number of years of Total Credited Service which may be used to calculate a benefit is (**check one or all that apply**):

- not limited.
- limited to _____ years for all Participants.
- limited to _____ years for the following classes of Eligible Regular Employees:
 - All Eligible Regular Employees.

- Only the following Eligible Regular Employees: _____.
- limited to _____ years as an elected or appointed member of the Governing Authority.
- limited to _____ years as a Municipal Legal Officer.
- Other (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

B. Monthly Normal Retirement Benefit Amount

(1) Regular Employee Formula

The monthly normal retirement benefit for Eligible Regular Employees shall be 1/12 of (**check and complete one or more as applicable**):

- (a) **Flat Percentage Formula. 1.75% (insert percentage) of Final Average Earnings multiplied by years of Total Credited Service as an Eligible Regular Employee.**

This formula applies to:

- All Participants who are Regular Employees.
- Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): **Participants who Terminate on or after July 1, 2002.**

- (b) **Alternative Flat Percentage Formula. 1.5% (insert percentage) of Final Average Earnings multiplied by years of Total Credited Service as an Eligible Regular Employee. This formula applies to the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): **Participants who Terminated on or after September 1, 2000 but prior to July 1, 2002.****

- (c) **Split Final Average Earnings Formula. 1.0 % (insert percentage) of Final Average Earnings up to the amount of Covered Compensation (see subsection (2) below for definition of Covered Compensation), plus 1.75% (insert percentage) of Final Average Earnings in excess of said Covered Compensation, multiplied by years of Total Credited Service as an Eligible Regular Employee.**

This formula applies to:

- All Participants who are Regular Employees.
- Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**): **Participants who Terminated prior to September 1, 2000.**

- (d) **Alternative Split Final Average Earnings Formula.** _____ % (insert percentage) of Final Average Earnings up to the amount of Covered Compensation (see subsection (2) below for definition of Covered Compensation), plus _____ % (insert percentage) of Final Average Earnings in excess of said Covered Compensation, multiplied by years of Total Credited Service as an Eligible Regular Employee.

This formula applies to:

- All Participants.
 Only the following Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

[Repeat above subsections as necessary for each applicable benefit formula and Participant class covered under the Plan.]

(2) Covered Compensation (complete only if Split Formula(s) is checked above):

Covered Compensation is defined as (check one or more as applicable):

- (a) **A.I.M.E. Covered Compensation** as defined in Section 2.18 of the Master Plan. This definition of Covered Compensation shall apply to (check one):
- All Participants who are Regular Employees.
 Only the following Participants (must specify - specific positions are permissible; specific individuals may not be named): Participants to whom the monthly normal benefit formula in Section 15(B)(1)(c) above applies.
- (b) **Dynamic Break Point Covered Compensation** as defined in Section 2.19 of the Master Plan. This definition of Covered Compensation shall apply to (check one):
- All Participants who are Regular Employees.
 Only the following Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.
- (c) **Table Break Point Covered Compensation** as defined in Section 2.20 of the Master Plan. This definition of Covered Compensation shall apply to (check one):
- All Participants who are Regular Employees.
 Only the following class(es) of Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

- (d) **Covered Compensation** shall mean a Participant's annual Earnings that do not exceed \$_____ (specify amount). This definition shall apply to (check one):
- All Participants who are Regular Employees.
 - Only the following Participants (must specify - specific positions are permissible; specific individuals may not be named):_____.

(3) Final Average Earnings

Unless otherwise specified in an Addendum to the Adoption Agreement, Final Average Earnings is defined as the monthly average of Earnings paid to a Participant by the Adopting Employer for the **60** (insert number not to exceed 60) consecutive months of Credited Service preceding the Participant's most recent Termination in which the Participant's Earnings were the highest, multiplied by 12. Note: GMEBS has prescribed forms for calculation of Final Average Earnings that must be used for this purpose.

This definition of Final Average Earnings applies to:

- All Participants who are Regular Employees.
- Only the following Participants (must specify - specific positions are permissible; specific individuals may not be named): _____.

[Repeat above subsection as necessary for each applicable definition and Participant class covered under the Plan.]

(4) Formula for Elected or Appointed Members of the Governing Authority

The monthly normal retirement benefit for members of this class shall be as follows (check one):

- Not applicable (elected or appointed members of the Governing Authority or Municipal Legal Officers are not permitted to participate in the Plan).
- \$_____ (insert dollar amount) per month for each year of Total Credited Service as an elected or appointed member of the Governing Authority or Municipal Legal Officer or major fraction thereof (6 months and 1 day).

This formula applies to:

- All elected or appointed members of the Governing Authority or Municipal Legal Officers eligible to participate.
- Only the following elected or appointed members of the Governing Authority or Municipal Legal Officers eligible to participate (must specify - specific positions are permissible; specific individuals may not be named): _____.

[Repeat above subsection as necessary for each applicable formula for classes of elected or appointed members covered under the Plan.]

C. Monthly Early Retirement Benefit Amount

Check and complete one or more as applicable:

- (1) **Standard Early Retirement Reduction Table.** The monthly Early Retirement benefit shall be computed in the same manner as the monthly Normal Retirement benefit, but the benefit shall be reduced on an Actuarially Equivalent basis in accordance with Section 12.01 of the Master Plan to account for early commencement of benefits. This provision shall apply to:
 - All Participants.
 - Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**):_____.

- (2) **Alternative Early Retirement Reduction Table.** The monthly Early Retirement benefit shall be computed in the same manner as the monthly Normal Retirement benefit, but the benefit shall be reduced to account for early commencement of benefits based on the following table. This table shall apply to:
 - All Participants.
 - Only the following Participants (**must specify - specific positions are permissible; specific individuals may not be named**):_____.

Alternative Early Retirement Reduction Table

<u>Number of Years Before</u> <u>[Age (Insert Normal</u> <u>Retirement Age)]</u> (check as applicable)	<u>Percentage of</u> <u>Normal Retirement Benefit*</u> (complete as applicable)
<input type="checkbox"/> 0	1.000
<input type="checkbox"/> 1	0.____
<input type="checkbox"/> 2	0.____
<input type="checkbox"/> 3	0.____
<input type="checkbox"/> 4	0.____
<input type="checkbox"/> 5	0.____
<input type="checkbox"/> 6	0.____
<input type="checkbox"/> 7	0.____
<input type="checkbox"/> 8	0.____
<input type="checkbox"/> 9	0.____
<input type="checkbox"/> 10	0.____
<input type="checkbox"/> 11	0.____
<input type="checkbox"/> 12	0.____
<input type="checkbox"/> 13	0.____
<input type="checkbox"/> 14	0.____
<input type="checkbox"/> 15	0.____

*Interpolate for whole months

D. Monthly Late Retirement Benefit Amount (check one):

- (1) The monthly Late Retirement benefit shall be computed in the same manner as the Normal Retirement Benefit, based upon the Participant's Accrued Benefit as of his Late Retirement Date.
- (2) The monthly Late Retirement benefit shall be the greater of: (1) the monthly retirement benefit accrued as of the Participant's Normal Retirement Date, actuarially increased in accordance with the actuarial table contained in Section 12.05 of the Master Plan; or (2) the monthly retirement benefit accrued as of the Participant's Late Retirement Date, without further actuarial adjustment under Section 12.06 of the Master Plan.

E. Monthly Disability Benefit Amount

The amount of the monthly Disability Benefit shall be computed in the same manner as the Normal Retirement benefit, based upon the Participant's Accrued Benefit as of his Disability Retirement Date.

Minimum Disability Benefit. The Adopting Employer may set a minimum Disability Benefit. The Employer elects the following minimum Disability benefit (**check one**):

- Not applicable (the Adopting Employer does not offer disability retirement benefits under the Plan).
- No minimum is established.
- No less than (**check one**): 20% 10% ____% (**if other than 20% or 10% insert percentage amount**) of the Participant's average monthly Earnings for the 12 calendar month period (excluding any period of unpaid leave of absence) immediately preceding his Termination of Employment as a result of a Disability. (Unless otherwise specified in an Addendum to the Adoption Agreement, no minimum will apply to elected or appointed members of the Governing Authority or Municipal Legal Officers.)
- No less than (**check one**): 66 2/3 % ____% (**if other than 66 2/3%, insert percentage amount**) of the Participant's average monthly Earnings for the 12 calendar month period (excluding any period of unpaid leave of absence) immediately preceding his Termination of Employment as a result of a Disability, less any monthly benefits paid from federal Social Security benefits as a result of disability as reported by the Employer. (Unless otherwise specified in an Addendum to the Adoption Agreement, no minimum will apply to elected or appointed members of the Governing Authority or Municipal Legal Officers.)

Note: The Adopting Employer is responsible for reporting to GMEBS any amounts to be used in an offset.

F. Minimum/Maximum Benefit For Elected Officials

In addition to any other limitations imposed by federal or state law, the Employer may impose a cap on the monthly benefit amount that may be received by elected or appointed members of the Governing Authority. The Employer elects (**check one**):

- Not applicable (elected or appointed members of the Governing Authority do not participate in the Plan).
- No minimum or maximum applies.
- Monthly benefit for Service as an elected or appointed member of the Governing Authority may not exceed 100% of the Participant's final salary as an elected or appointed member of the Governing Authority.
- Other minimum or maximum (**must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)**): _____

16. SUSPENSION OF BENEFITS FOLLOWING BONA FIDE SEPARATION OF SERVICE; COLA

A. Re-Employment as Eligible Employee After Normal, Alternative Normal, or Early Retirement and Following Bona Fide Separation of Service (see Master Plan Section 6.06(c) Regarding Re-Employment as an Ineligible Employee and Master Plan Section 6.06(e) and (f) Regarding Re-Employment After Disability Retirement)

(1) Reemployment After Normal or Alternative Normal Retirement. In the event that a Retired Participant 1) is reemployed with the Employer as an Eligible Employee (as defined in the Plan) after his Normal or Alternative Normal Retirement Date and after a Bona Fide Separation from Service, or 2) is reemployed with the Employer in an Ineligible Employee class, and subsequently again becomes an Eligible Employee (as defined in the Plan) due to the addition of such class to the Plan after his Normal or Alternative Normal Retirement Date, the following rule shall apply (**check one**):

- (a) The Participant's benefit shall be suspended in accordance with Section 6.06(a)(1) of the Master Plan for as long as the Participant remains employed.
- (b) The Participant may continue to receive his retirement benefit in accordance with Section 6.06(b) of the Master Plan. This rule shall apply to (**check one**): all Retired Participants only the following classes of Retired Participants (**must specify (specific positions are permissible; specific individuals may not be named) - benefits of those Retired Participants not listed shall**

be suspended in accordance with Section 6.06(a) of the Master Plan if they return to work with the Employer): _____

(2) Reemployment After Early Retirement. In the event a Participant Retires with an Early Retirement benefit after a Bona Fide Separation from Service 1) is reemployed with the Employer as an Eligible Employee before his Normal Retirement Date; or 2) is reemployed with the Employer in an Ineligible Employee class, and subsequently again becomes an Eligible Employee (as defined in the Plan) before his Normal Retirement Date due to the addition of such class to the Plan, the following rule shall apply (**check one or more as applicable**):

- (a) The Participant's Early Retirement benefit shall be suspended in accordance with Section 6.06(a)(1) of the Master Plan for as long as the Participant remains employed.

This rule shall apply to (**check one**): all Retired Participants; only the following classes of Retired Participants (**must specify - specific positions are permissible; specific individuals may not be named**):

- (b) The Participant's Early Retirement benefit shall be suspended in accordance with Section 6.06(a)(1) of the Master Plan. However, the Participant may begin receiving benefits after he satisfies the qualifications for Normal Retirement or Alternative Normal Retirement, as applicable, and after satisfying the minimum age parameters of Section 6.06(a)(3) of the Master Plan, in accordance with Section 6.06(b)(2)(B)(i) of the Master Plan.

This rule shall apply to (**check one**): all Retired Participants; only the following classes of Retired Participants (**must specify - specific positions are permissible; specific individuals may not be named**):

- (c) The Participant's Early Retirement benefit shall continue in accordance with Section 6.06(b)(2)(B)(ii) of the Master Plan.

This rule shall apply to (**check one**): all Retired Participants; only the following classes of Retired Participants (**must specify - specific positions are permissible; specific individuals may not be named**):

B. Cost Of Living Adjustment

The Employer may elect to provide for an annual cost-of-living adjustment (COLA) in the amount of benefits being received by Retired Participants and Beneficiaries, which shall be calculated and paid in accordance with the terms of the Master Plan. The Employer hereby elects the following (**check one**):

- (1) No cost-of-living adjustment.

- (2) Variable Annual cost-of-living adjustment not to exceed _____% (insert percentage).
- (3) Fixed annual cost-of-living adjustment equal to _____% (insert percentage).

The above cost-of-living adjustment shall apply with respect to the following Participants (and their Beneficiaries) (check one):

- All Participants (and their Beneficiaries).
- Participants (and their Beneficiaries) who terminate employment on or after _____ (insert date).
- Other (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i); specific positions are permissible; specific individuals may not be named): _____.

The Adjustment Date for the above cost-of-living adjustment shall be (if not specified, the Adjustment Date shall be January 1): _____.

17. TERMINATION OF EMPLOYMENT BEFORE RETIREMENT; VESTING

A. Eligible Regular Employees

Subject to the terms and conditions of the Master Plan, a Participant who is an Eligible Regular Employee and whose employment is terminated for any reason other than death or retirement shall earn a vested right in his accrued retirement benefit in accordance with the following schedule (check one):

- No vesting schedule (immediate vesting).
- Cliff Vesting Schedule.** Benefits shall be 100% vested after the Participant has a minimum of 5 years (insert number not to exceed 10) of Total Credited Service. Benefits remain 0% vested until the Participant satisfies this minimum.
- Graduated Vesting Schedule.** Benefits shall become vested in accordance with the following schedule (insert percentages):

<u>COMPLETED YEARS OF TOTAL CREDITED SERVICE</u>	<u>VESTED PERCENTAGE</u>
1	%
2	%
3	%
4	%
5	%
6	%
7	%

8	%
9	%
10	%

Exceptions: If a vesting schedule other than that specified above applies to a special class(es) of Regular Employees, the Employer must specify the different vesting schedule below and the class(es) to whom the different vesting schedule applies.

Regular Employees to whom exception applies (must specify - specific positions are permissible; specific individuals may not be named): _____

Vesting Schedule for excepted class (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____

B. Elected or Appointed Members of the Governing Authority

Subject to the terms and conditions of the Master Plan, a Participant who is an elected or appointed member of the Governing Authority or a Municipal Legal Officer shall earn a vested right in his accrued retirement benefit for Credited Service in such capacity in accordance with the following schedule (check one):

- Not applicable (elected or appointed members of the Governing Authority are not permitted to participate in the Plan).
- No vesting schedule (immediate vesting).
- Other vesting schedule (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): _____)

18. PRE-RETIREMENT DEATH BENEFITS

A. In-Service Death Benefit

Subject to the terms and conditions of the Master Plan, the Employer hereby elects the following in-service death benefit, to be payable in the event that an eligible Participant's employment with the Employer is terminated by reason of the Participant's death prior to Retirement (check and complete one):

- (1) **Auto A Death Benefit.** A monthly benefit payable to the Participant's Pre-Retirement Beneficiary, equal to the decreased monthly retirement benefit that would have otherwise been payable to the Participant, had he elected a 100% joint and survivor benefit under Section 7.03 of the Master Plan. In order to be eligible for this benefit, a Participant must meet the following requirements (check one):
 - The Participant must be vested in a normal retirement benefit.

- The Participant must have _____ years (insert number) of Total Credited Service.
- The Participant must be eligible for Early or Normal Retirement.
- Other eligibility requirement (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

(2) **Actuarial Reserve Death Benefit.** A monthly benefit payable to the Participant's Pre-Retirement Beneficiary, actuarially equivalent to the reserve required for the Participant's anticipated Normal Retirement benefit, provided the Participant meets the following eligibility conditions (check one):

- The Participant shall be eligible upon satisfying the eligibility requirements of Section 8.02(c) of the Master Plan.
- The Participant must have 5 years (insert number) of Total Credited Service.
- Other eligibility requirement (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

Imputed Service. For purposes of computing the actuarial reserve death benefit, the Participant's Total Credited Service shall include (check one):

- Total Credited Service accrued prior to the date of the Participant's death.
- Total Credited Service accrued prior to the date of the Participant's death, plus (check one): one-half (½) _____ (insert other fraction) of the Service between such date of death and what would otherwise have been the Participant's Normal Retirement Date. (See Master Plan Section 8.02(b) regarding 10-year cap on additional Credited Service.)

Minimum In-Service Death Benefit for Vested Employees Equal to Terminated Vested Death Benefit. Unless otherwise specified under "Exceptions" below, if a Participant's employment is terminated by reason of the Participant's death prior to Retirement, and if as of the date of death the Participant is vested but he does not qualify for the in-service death benefit, then the Auto A Death Benefit will be payable, provided the Auto A Death Benefit is made available to terminated vested employees under the Adoption Agreement (see "Terminated Vested Death Benefit" below).

(3) **Exceptions:** If an in-service death benefit other than that specified above applies to one or more classes of Participants, the Employer must specify below the death benefit

payable, the class(es) to whom the different death benefit applies, and the eligibility conditions for said death benefit.

Alternative Death Benefit (must specify formula that satisfies the definite written program and definitely determinable requirements of Treasury Regulations Sections 1.401-1(a)(2) and 1.401-1(b)(1)(i) and does not violate limits applicable to governmental plans under Code Sections 401(a)(17) and 415): _____.

Participants to whom alternative death benefit applies (must specify - specific positions are permissible; specific individuals may not be named): _____.

Eligibility conditions for alternative death benefit (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i)): _____.

B. Terminated Vested Death Benefit

(1) **Complete this Section only if the Employer offers a terminated vested death benefit.** The Employer may elect to provide a terminated vested death benefit, to be payable in the event that a Participant who is vested dies after termination of employment but before Retirement benefits commence. Subject to the terms and conditions of the Master Plan, the Employer hereby elects the following terminated vested death benefit (check one):

- Auto A Death Benefit.** A monthly benefit payable to the Participant's Pre-Retirement Beneficiary, equal to the decreased monthly retirement benefit that would have otherwise been payable to the Participant had he elected a 100% joint and survivor benefit under Section 7.03 of the Master Plan.
- Accrued Retirement Benefit.** A monthly benefit payable to the Participant's Pre-Retirement Beneficiary which shall be actuarially equivalent to the Participant's Accrued Normal Retirement Benefit determined as of the date of death.

(2) **Exceptions:** If a terminated vested death benefit other than that specified above applies to one or more classes of Participants, the Employer must specify below the death benefit payable, the class(es) to whom the different death benefit applies, and the eligibility conditions for said death benefit.

Alternative Death Benefit (must specify formula that satisfies the definite written program and definitely determinable requirements of Treasury Regulations Sections 1.401-1(a)(2) and 1.401-1(b)(1)(i) and does not violate limits applicable to governmental plans under Code Sections 401(a)(17) and 415): _____.

Participants to whom alternative death benefit applies (must specify - specific positions are permissible; specific individuals may not be named): _____.

Eligibility conditions for alternative death benefit (must specify in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i): _____.

19. EMPLOYEE CONTRIBUTIONS

(1) Employee contributions (check one):

- Are not required.
- Are required in the amount of _____ % (insert percentage) of Earnings for all Participants.
- Are required in the amount of _____ % (insert percentage) of Earnings for Participants in the following classes (must specify - specific positions are permissible; specific individuals may not be named): _____.

[Repeat above subsection as necessary if more than one contribution rate applies.]

(2) Pre-Tax Treatment of Employee Contributions. If Employee Contributions are required in Subsection (1) above, an Adopting Employer may elect to "pick up" Employee Contributions to the Plan in accordance with IRC Section 414(h). In such case, Employee Contributions shall be made on a pre-tax rather than a post-tax basis, provided the requirements of IRC Section 414(h) are met. If the Employer elects to pick up Employee Contributions, it is the Employer's responsibility to ensure that Employee Contributions are paid and reported in accordance with IRC Section 414(h). The Adopting Employer must not report picked up contributions as wages subject to federal income tax withholding.

The Employer hereby elects (check one):

- To pick up Employee Contributions. By electing to pick up Employee Contributions, the Adopting Employer specifies that the contributions, although designated as Employee Contributions, are being paid by the Employer in lieu of Employee Contributions. The Adopting Employer confirms that the executor of this Adoption Agreement is duly authorized to take this action as required to pick up contributions. This pick-up of contributions applies prospectively, and it is evidenced by this contemporaneous written document. On and after the date of the pick-up of contributions, a Participant does not have a cash or deferred election right (within the meaning of Treasury Regulation Section 1.401(k)-1(a)(3)) with respect to the designated Employee Contributions, which includes not having the option of receiving the amounts directly instead of having them paid to the Plan.
- Not to pick up Employee Contributions.

(3) Interest on Employee Contributions. The Adopting Employer may elect to pay interest on any refund of Employee Contributions.

- Interest shall not be paid.

- Interest shall be paid on a refund of Employee Contributions at a rate established by GMEBS from time to time.
 - Other rate of interest (must specify rate in a manner that satisfies the definite written program requirement of Treasury Regulation 1.401-1(a)(2) and the definitely determinable requirement of Treasury Regulation 1.401-1(b)(1)(i):
-

20. MODIFICATION OF THE TERMS OF THE ADOPTION AGREEMENT

If an Adopting Employer desires to amend any of its elections contained in this Adoption Agreement (or any Addendum), the Governing Authority by official action must adopt an amendment of the Adoption Agreement (or any Addendum) or a new Adoption Agreement (or Addendum) must be adopted and forwarded to the Board for approval. The amendment of the new Adoption Agreement (or Addendum) is not effective until approved by the Board and other procedures required by the Plan have been implemented.

The Administrator will timely inform the Adopting Employer of any amendments made by the Board to the Plan.

21. TERMINATION OF THE ADOPTION AGREEMENT

This Adoption Agreement (and any Addendum) may be terminated only in accordance with the Plan. The Administrator will inform the Adopting Employer in the event the Board should decide to discontinue this volume submitter program.

22. EMPLOYER ADOPTION AND AUTHORIZATION FOR AMENDMENTS

Adoption. The Adopting Employer hereby adopts the terms of the Adoption Agreement and any Addendum, which is attached hereto and made a part of this ordinance. The Adoption Agreement (and, if applicable, the Addendum) sets forth the Employees to be covered by the Plan, the benefits to be provided by the Adopting Employer under the Plan, and any conditions imposed by the Adopting Employer with respect to, but not inconsistent with, the Plan. The Adopting Employer reserves the right to amend its elections under the Adoption Agreement and any Addendum, so long as the amendment is not inconsistent with the Plan or the Internal Revenue Code or other applicable law and is approved by the Board of Trustees of GMEBS. The Adopting Employer acknowledges that it may not be able to rely on the volume submitter advisory letter if it makes certain elections under the Adoption Agreement or the Addendum.

The Adopting Employer hereby agrees to abide by the Master Plan, Trust Agreement, and rules and regulations adopted by the Board of Trustees of GMEBS, as each may be amended from time to time, in all matters pertaining to the operation and administration of the Plan. It is intended that the Act creating the Board of Trustees of GMEBS, this Plan, and the rules and

regulations of the Board are to be construed in harmony with each other. In the event of a conflict between the provisions of any of the foregoing, they shall govern in the following order:

- (1) The Act creating the Board of Trustees of The Georgia Municipal Employees' Benefit System, O.C.G.A. Section 47-5-1 *et seq.* (a copy of which is included in the Appendix to the Master Defined Benefit Plan Document) and any other applicable provisions of O.C.G.A. Title 47;
- (2) The Master Defined Benefit Plan Document and Trust Agreement;
- (3) This Ordinance and Adoption Agreement (and any Addendum); and
- (4) The rules and regulations of the Board.

In the event that any section, subsection, sentence, clause or phrase of this Plan shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the previously existing provisions or the other section or sections, subsections, sentences, clauses or phrases of this Plan, which shall remain in full force and effect, as if the section, subsection, sentence, clause or phrase so declared or adjudicated invalid or unconstitutional were not originally a part hereof. The Governing Authority hereby declares that it would have passed the remaining parts of this Plan or retained the previously existing provisions if it had known that such part or parts hereof would be declared or adjudicated invalid or unconstitutional.

This Adoption Agreement (and any Addendum) may only be used in conjunction with Georgia Municipal Employees Benefit System Master Defined Benefit Retirement Plan Document approved by the Internal Revenue Service under advisory letter J501718a dated March 30, 2018. The Adopting Employer understands that failure to properly complete this Adoption Agreement (or any Addendum), or to operate and maintain the Plan and Trust in accordance with the terms of the completed Adoption Agreement (and any Addendum), Master Plan Document and Trust, may result in disqualification of the Adopting Employer's Plan under the Internal Revenue Code. Inquiries regarding the adoption of the Plan, the meaning of Plan provisions, or the effect of the IRS advisory letter should be directed to the Administrator. The Administrator is Georgia Municipal Employees Benefit System, with its primary business offices located at: 201 Pryor Street, SW, Atlanta, Georgia, 30303. The business telephone number is: (404) 688-0472. The primary person to contact is: GMEBS Legal Counsel.

Authorization for Amendments. Effective on and after February 17, 2005, the Adopting Employer hereby authorizes the volume submitter practitioner who sponsors the Plan on behalf of GMEBS to prepare amendments to the Plan, for approval by the Board, on its behalf as provided under Revenue Procedure 2005-16, as superseded by Revenue Procedure 2015-36, Revenue Procedure 2011-49, and Announcement 2005-37. Effective January 1, 2013, Georgia Municipal Association, Inc., serves as the volume submitter practitioner for the Plan. Employer notice and signature requirements were met for the Adopting Employer before the effective date of February 17, 2005. The Adopting Employer understands that the implementing amendment reads as follows:

On and after February 17, 2005, the Board delegates to the Practitioner the authority to advise and prepare amendments to the Plan, for approval by the Board, on behalf of all Adopting Employers, including those Adopting Employers

who have adopted the Plan prior to the January 1, 2013, restatement of the Plan, for changes in the Code, the regulations thereunder, revenue rulings, other statements published by Internal Revenue Service, including model, sample, or other required good faith amendments (but only if their adoption will not cause such Plan to be individually designed), and for corrections of prior approved plans. These amendments shall be applied to all Adopting Employers. Employer notice and signature requirements have been met for all Adopting Employers before the effective date of February 17, 2005. In any event, any amendment prepared by the Practitioner and approved by the Board will be provided by the Administrator to Adopting Employers.

Notwithstanding the foregoing paragraph, no amendment to the Plan shall be prepared on behalf of any Adopting Employer as of either:

- the date the Internal Revenue Service requires the Adopting Employer to file Form 5300 as an individually designed plan as a result of an amendment by the Adopting Employer to incorporate a type of Plan not allowable in a volume submitter plan as described in Revenue Procedure 2015-36; or
- as of the date the Plan is otherwise considered an individually designed plan due to the nature and extent of the amendments.

If the Adopting Employer is required to obtain a determination letter for any reason in order to maintain reliance on the advisory letter, the Practitioner's authority to amend the Plan on behalf of the Adopting Employer is conditioned on the Plan receiving a favorable determination letter.

The Adopting Employer further understands that, if it does not give its authorization hereunder or, in the alternative, adopt another pre-approved plan, its Plan will become an individually designed plan and will not be able to rely on the volume submitter advisory letter.

AN ORDINANCE (continued from page 1)

Section 2. Except as otherwise specifically required by law or by the terms of the Master Plan or Adoption Agreement (or any Addendum), the rights and obligations under the Plan with respect to persons whose employment with the City was terminated or who vacated his office with the City for any reason whatsoever prior to the effective date of this Ordinance are fixed and shall be governed by such Plan, if any, as it existed and was in effect at the time of such termination.

Section 3. The effective date of this Ordinance shall be the date of its approval by the Governing Authority.

Section 4. All Ordinances and parts of ordinances in conflict herewith are expressly repealed.

Approved by the Mayor and Council of the City of Oxford, Georgia this 4th day of November, 2019.

Attest:

Marcia Brooker
City Clerk

CITY OF OXFORD, GEORGIA

James R. ...
Mayor

(SEAL)

Approved:

[Signature]
City Attorney

The terms of the foregoing Adoption Agreement are approved by the Board of Trustees of Georgia Municipal Employees Benefit System.

IN WITNESS WHEREOF, the Board of Trustees of Georgia Municipal Employees Benefit System has caused its Seal and the signatures of its duly authorized officers to be affixed this 18th day of November, 2019.

Board of Trustees
Georgia Municipal Employees
Benefit System

(SEAL)

[Signature]
Secretary

**GENERAL ADDENDUM TO THE
GEORGIA MUNICIPAL EMPLOYEES BENEFIT SYSTEM
DEFINED BENEFIT RETIREMENT PLAN
ADOPTION AGREEMENT**

This is an Addendum to the Adoption Agreement completed by the City of Oxford, as follows (complete one or more sections, as applicable):

***** Item (1) of General Addendum—Not Applicable*****

(2) Discontinuance of participation in the Plan by one or more Departments or classes of Employees (for amendment of Adoption Agreement only - see Section 9 of Adoption Agreement):

a) Discontinuance of Participation in the Plan by Non-Vested Employees – Except as otherwise provided in subsection 2(b) below, Eligible Regular Employees who were employed with the City of Oxford as of December 31, 2011, and who were not Vested under the DB Plan (this Plan) as of said date were terminated from participation in this Plan, effective January 1, 2012. Such Employees became Vested in their Accrued Benefit under the this Plan, determined as of December 31, 2011, upon termination of their participation in this Plan (January 1, 2012).

(b) Vested Employees Remained in DB Plan - Notwithstanding subsection 2(a) above, Eligible Regular Employees who were in Service as of December 31, 2011 and Vested under this Plan as of such date remained in this Plan, subject to the eligibility requirements of this Plan (but see subsection 2(d) and Section 14 below concerning effect of reemployment). In determining whether an Eligible Regular Employee was Vested under this Plan as of December 31, 2011, prior Credited Service with one or more GMEBS Retirement Fund member employers (GMEBS portability service) was considered.

(c) Non-Vested Employees; Distribution of Accrued Benefit; No Further Benefits Payable under DB Plan - Non-vested Eligible Regular Employees described in subsection 2(a) above became Vested in their Accrued Benefit under this Plan, determined as of December 31, 2011, upon termination of their participation in the Plan (January 1, 2012). GMEBS was to compute the present value of any such Employee's Accrued Benefit under this Plan as of December 31, 2011 in accordance with the applicable terms of the GMEBS Master Plan and distribute such amount from the City's Trust Fund to each

such Employee described herein as soon as administratively feasible after January 1, 2012. However, unless otherwise requested by such Employee, said distribution was delayed to permit a direct rollover of the distribution to the City's GMA 401(a) Defined Contribution Plan (DC Plan) which became effective January 1, 2012. Following the distribution of the Accrued Benefit as provided herein, such Employee and any beneficiary, heir, or assign of such Employee shall have no further right title or interest under this Plan whether based on past, present or future service with the Employer. Notwithstanding any other provision to the contrary, said Employees and their beneficiaries, heirs and assigns will not be entitled to receive any further benefits or payments of any kind (retirement benefits, pre-retirement death benefits, disability benefits or any other form of benefit) from this Plan, in its current form or as amended, whether said benefits are based on past, present, or future service with the City.

(d) Vested Employees Who Remained in DB Plan; Effect of Termination & Reemployment on or after January 1, 2012 – Notwithstanding any provision to the contrary, if an Eligible Regular Employee who was Vested in this Plan as of December 31, 2011 Terminates employment and becomes reemployed by the City on or after January 1, 2012, said Employee will not be eligible to participate in this Plan with respect to his Service and Earnings with the City on or after the date of said reemployment. In addition, the Employee's eligibility for Retirement and pre-retirement death benefits and the amount of any benefits payable under this Plan with respect to the Employee's Service with the City prior to said reemployment date will be determined in accordance with the applicable terms of this Plan in effect as of the Employee's most recent Termination date preceding said reemployment date, and the Employee's Credited Service and Final Average Earnings with the City as of said Termination date. Portability service will be taken into account as provided under subsection 2(f) below. Service and Earnings after said reemployment date will not be taken into account for any purpose under this Plan (e.g., for purposes of meeting benefit eligibility requirements, or computing amount of benefits payable under this Plan). See also Section 14 of this Addendum regarding Frozen Plan Provisions.

(e) Former Employees Reemployed on or After January 1, 2012 – Notwithstanding any provision to the contrary, if a former Employee of the City becomes reemployed by the City on or after January 1, 2012, the Employee will not be eligible to participate in this Plan with respect to his Service and Earnings with the City on or after the date of said reemployment.

The Employee's eligibility for Retirement and pre-retirement death benefits and the amount of any benefits payable under this Plan, if any, with respect to the Employee's Service with the City prior to said reemployment date will be determined in accordance with the applicable terms of this Plan in effect as of the date of the Employee's most recent Termination from the City preceding said reemployment date, and the Employee's Credited Service and Final Average Earnings with the City as of said Termination date. Portability service will be taken into account as provided under subsection 2(f) below. Service and Earnings with the City after said reemployment date will not be taken into account for any purpose under this Plan (e.g., for purposes of becoming Vested under this Plan, meeting benefit eligibility requirements, or computing amount of benefits payable under this Plan). See also Section 14 of this Addendum regarding Frozen Plan Provisions.

(f) GMEBS Portability Service – Credited Service under the defined benefit retirement plans of other GMEBS Retirement Fund member employers (portability service) will continue to be taken into account under this Plan in accordance with the GMEBS Master Plan (solely for purposes of determining vested status and eligibility for retirement benefits under this Plan) with respect to: (1) Eligible Regular Employees of the City who were Vested in this Plan as of December 31, 2011; and (2) former Employees of the City who previously participated in this Plan, provided they do not become reemployed by the City on or after January 1, 2012. If an Employee or former Employee described in this subsection 2(f)(1) or (2) becomes reemployed with the City on or after January 1, 2012, any portability service after said reemployment date will not be taken into account for any purpose under this Plan, notwithstanding any provision of the Master Plan to the contrary.

***** Items (3) through (14) of General Addendum—Not Applicable*****

(14) Frozen Plan Provisions (for amendment of Adoption Agreement only – see Section 9 of Adoption Agreement regarding Classes of Eligible Employees):

- (a) Plan Freeze - The Plan is "frozen" effective as of January 1, 2012 (specify date). The Plan shall be subject to all provisions of the Adoption Agreement and Master Plan, except as otherwise provided herein, and the Employer shall continue to maintain the Plan's qualified status. The Plan shall be frozen, as follows (check as applicable):

- (i) The Plan shall be frozen with respect to the following class(es) of Eligible Employees (one or more as applicable): all Participants; all Eligible Regular Employees; Members of the Governing Authority; Municipal Legal Officers; other (must specify): All Eligible Regular Employees initially employed or reemployed on or after January 1, 2012; and all Eligible Regular Employees employed on December 31, 2011, who were not Vested as of such date.
- (ii) Active Participants in the affected class(es) of Eligible Employees as of the freeze effective date shall be vested in their normal retirement benefits accrued as of the effective date of the freeze to the extent funded notwithstanding any provision of the Adoption Agreement to the contrary.
- (iii) Employees who are (check all that apply): employed by the Employer or in office as of _____ (specify date), first employed on or after January 1, 2012 (specify date), first take office on or after _____ (specify date), reemployed on or after January 1, 2012 (specify date), return to office (following a vacation of office) on or after _____ (specify date), shall not be eligible to participate in the Plan on or after initial employment or reemployment date, as applicable (specify date).
- (iv) With respect to Employees designated in paragraph (iii) above, earnings on or after date of initial employment or reemployment, as applicable (specify date) shall not be taken into account for purposes of the Plan.
- (v) The Employees designated in paragraph (iii) above shall not be credited with Service for the Employer on or after date of initial employment or reemployment, as applicable (specify date) for purposes of (check all that apply): computing the amount of benefits payable; meeting minimum service requirements

for participation and vesting; meeting minimum service requirements for benefit eligibility under the Plan.

- (vi) The following additional provisions shall apply as a result of the freeze (must specify): See General Addendum Section 2 concerning treatment of Eligible Regular Employees who were in Service as of December 31, 2011.

(b) Restoration Following Plan Freeze - The Plan has been "frozen" since _____ (specify freeze date). Effective _____ (specify date), the Plan shall be reactivated in accordance with and subject to the following provisions (check as applicable):

(i) The Plan shall cease to be frozen with respect to the following class(es) of Eligible Employees (one or more as applicable): all Participants; all Eligible Regular Employees; Members of the Governing Authority; Municipal Legal Officers; other (must specify): _____.

(ii) Employees (check all that apply): employed by the Employer and/or in office as of _____ (specify date), first employed on or after _____ (specify date), first took office on or after _____ (specify date), reemployed on or after _____ (specify date), returned to office (following a vacation of office) on or after _____ (specify date), shall be eligible to commence or re-commence participation in the Plan (as applicable) with respect to Service on or after _____ (specify date), provided they otherwise meet the eligibility requirements for participation under the Plan.

(iii) With respect to the Employees designated in paragraph (ii) above, Earnings on or after _____ (specify date) shall be taken into account for purposes of the Plan.

- (iv) The Employees designated in paragraph (ii) above shall receive credit for Service for the Employer on or after _____ (specify date) for purposes of (check all that apply): computing the amount of benefits payable; meeting minimum service requirements for participation and vesting; meeting minimum service requirements for benefit eligibility under the Plan, provided the Employee met the minimum hour requirement and other eligibility requirements for recognition of Credited Service under the Plan.
- (v) Former Employees who are reemployed and/or return to office as Eligible Employees after _____ (specify date) will receive credit for Service with the Employer on or after _____ (specify date) for purposes of (check all that apply): computing the amount of benefits payable; meeting minimum service requirements for participation and vesting; meeting minimum service requirements for benefit eligibility under the Plan, provided the Employee meets the minimum hour requirement and other eligibility requirements for recognition of Credited Service with respect to said period under the Plan, and provided the Employee satisfies any applicable Plan requirements with respect to his break in Service.
- (vi) The following additional provisions shall apply as a result of restoration following the freeze (must specify): _____.

***** Item (15) of General Addendum—Not Applicable*****

The terms of the foregoing Addendum to the Adoption Agreement are approved by the Mayor and Council of the City of Oxford, Georgia this 7th day of October, 2019.

Attest:

CITY OF OXFORD, GEORGIA

Sam V. Min
Deputy City Clerk

Greg A. Ramsey
Mayor

(SEAL)

Approved:

[Signature]
City Attorney

The terms of the foregoing Addendum are approved by the Board of Trustees of the Georgia Municipal Employees Benefit System.

IN WITNESS WHEREOF, the Board of Trustees of the Georgia Municipal Employees Benefit System has caused its Seal and the signatures of its duly authorized officers to be affixed this 18th day of November, 2019.

Board of Trustees
Georgia Municipal Employees
Benefit System

(SEAL)

Lang H. Hannon
Secretary