

RESOLUTION NO. 20-0616-04

**RESOLUTION TO AMEND THE TOWN OF APEX
LOCAL GOVERNMENT OPEB TRUST AGREEMENT**

WHEREAS, on May 21, 2019, the Town Council of the Town of Apex established a Local Government Other Post-Employment Benefits Trust (“Original OPEB Trust”) pursuant to N.C.G.S. § 159-30.1 for the purpose of paying post-employment benefits for which the Town of Apex is liable; and

WHEREAS, subsequent to the adoption of the Original OPEB Trust Agreement, the Employer Identification Number assigned by the Internal Revenue Service was issued in the name of “Town of Apex Local Government OPEB Trust”; and

WHEREAS, on November 19, 2019, the Town Council of the Town of Apex replaced the Original OPEB Trust pursuant to N.C.G.S. § 159-30.1 by adoption of a revised trust agreement accurately designating the name of the trust as “Town of Apex Local Government OPEB Trust” as reflected in the Internal Revenue Service Employer Identification Number assignment (the “OPEB Trust Agreement”); and

WHEREAS, the Town Council has determined that it is advisable and in the best interests of the Town of Apex to revise the town’s personnel policy to eliminate the retiree health insurance benefit for Employees hired on or after July 1, 2020; and

WHEREAS, the Town has determined that it is advisable and in the best interest of the Town of Apex to amend the OPEB Trust Agreement to reflect the changes in post-employment benefits available to Employees hired after July 1, 2020 by adoption of the attached Amendment to Agreement Establishing Other Post-Employment Benefits Trust.

NOW, THEREFORE, BE IT RESOLVED, that

The Town Council of the Town of Apex hereby amends the OPEB Trust Agreement by adoption of the trust agreement amendment attached hereto.

ADOPTED By the Town Council of the Town of Apex, this 16th day of June 2020.

Donna B. Hosch, MMC, NCCMC, Town Clerk