

**Third Amendment to the
City of Gillette
Retiree Health Benefit Plan and Trust**

Established Effective July 1, 2003

And

Amended on March 15, 2004

And

Amended on February 17, 2009

And

Amended on February 17, 2015

On February 17, 2015 the City Council of the City of Gillette, Wyoming adopted the City of Gillette Retiree Health Benefit Plan and Trust ("Plan") effective as of July, 2003. The City Council desires to make certain modifications to the Plan based upon recommendations from the Trust Committee that acts as Administrator of the Trust.

Pursuant to the provisions of Sections 12.2(b) and 17.1 of the Plan, the following amendments to the Plan or hereby adopted and are to be incorporated into the Plan:

1. Section 3.3(e) of the City of Gillette Retiree Health Benefit Plan and Trust currently reads as follows:

Health Plan Coverage. No Premium Benefit or Out of Pocket Benefit will be paid unless the Retiree Participate and/or the Eligible Spouse is a currently insured or covered participate in a Health Plan. So long as the Retiree Participant and/or his Eligible Spouse remained covered under a Health Plan, if any, sponsored by the City, a portion or all of the premium (as requested by the Retiree Participant or Eligible Spouse) for this coverage, as determined actuarially (if the Health Plan is self-funded) or by an insurance carrier (if the Health Plan is an insured plan), will be paid monthly from the Account of the Retiree Participant until (i) there is a termination event as described in Sections 2.4 and 2.5, or (ii) there are no longer any funds available in the Retiree Participant's Account. Should the Retiree Participant or the Eligible Spouse obtain coverage under any Health Plan that is not the City's Health Plan (including Medicare or any successor to Medicare), their participation in the City's Health Plan shall cease, and they shall not be permitted to re-participate in the City's Health Plan at any time. In the event a Retiree Participant or an Eligible Spouse terminates coverage under a Health Plan, he shall advise the Administrator of any new Health Plan to which he subscribes.

2. Section 3.3(e) of the City of Gillette Retiree Health Benefit Plan and Trust shall be amended and revised to read as follows:

Health Plan Coverage. No Premium Benefit or Out of Pocket Benefit will be paid unless the Retiree Participate and/or the Eligible Spouse is a currently insured or covered participant in a Health Plan. So long as the Retiree Participant and/or his Eligible Spouse remained covered under a Health Plan, if any, sponsored by the City, a portion or all of the premium (as requested by the Retiree Participant or Eligible Spouse) for this coverage, as determined actuarially (if the Health Plan is self-funded) or by an insurance carrier (if the Health Plan is an insured plan), will be paid monthly from the Account of the Retiree Participant until (i) there is a termination event as described in Sections 2.4 and 2.5, or (ii) there are no longer any funds available in the Retiree Participant's Account.

(1) Should the Retiree Participant and/or the Eligible Spouse obtain coverage under Medicare or any successor to Medicare, their participation in the City's Health Plan shall cease, and they shall not be permitted to re-participate in the City's Health Plan at any time.

(2) Should the Retiree Participant and/or the Eligible Spouse obtain additional coverage under any health plan that is not the City's, they may choose to continue to participate in the City's plan with the new plan being designated as the primary coverage plan and the City's as the secondary coverage plan.

(3) Should the Retiree Participate and/or the Eligible Spouse discontinue coverage under the City's plan they shall not be permitted to re-participate in the City's Health Plan at any time.

In the event a Retiree Participant or an Eligible Spouse terminates coverage under a Health Plan, he shall advise the Administrator of any new Health Plan to which he subscribes.

It is the intention of the City Council and the Trust Committee that Retiree Participate or the Eligible Spouse obtain the most cost effective Health Plan that may be available to them, and this amendment should be interpreted to effectuate that intent.

Except for the foregoing amendments, all terms and conditions of the City's Health Plan are unchanged and shall remain in full force and effect.

The City and the Trustee have caused the City of Gillette Retiree Health Benefit Plan to be amended by this Third Amendment as of the February 17, 2015.

City of Gillette, Wyoming

Administrative Committee

City Administrator: _____

Finance Director: _____

Human Resource Director: _____

Jim Hloucal: _____

Pam Boger: _____

Date: _____

Discussed and approved by the Mayor and City Council on February 17, 2015.

Mayor: _____

Date: _____