

A RESOLUTION AUTHORIZING THE FISCAL OFFICER TO APPLY FOR FAITHFUL PERFORMANCE COVERAGE PROVIDED UNDER THE PEP GOVERNMENTAL PROPERTY AGREEMENT TO REPLACE THE TRADITIONAL SURETY BOND FOR THOSE PUBLIC OFFICIALS REQUIRED TO BE BONDED UNDER OHIO LAW

WHEREAS, the Village of West Lafayette, Coshocton County, is a member of the Public Entities Pool (PEP), a political subdivision risk pool established pursuant to Ohio Revised Code hereinafter "ORC," 2744.081;

WHEREAS, House Bill 291 was signed into law on December 20, 2018 and became effective March 20, 2019; authorizes the use of an, "employee dishonesty and faithful performance of duty policy," instead of individual surety bonds, for trustees, employees, and appointees who are otherwise required by law to acquire a bond before entering upon the discharge of duties; and

WHEREAS, in accordance with ORC 3.061, the "political subdivisions", (meaning counties, townships, "municipal corporations," including villages and cities) must adopt a policy by resolution to allow the use of an "employee dishonesty and faithful performance of duty" coverage document, rather than a surety bond, to cover loss by fraudulent or dishonest actions of employees and failure of employees to faithfully perform duties; the following shall apply to the policy:

1. An officer, employee, or appointee shall be considered qualified to hold the office or employment, without acquiring a bond, on the date the oath of office is taken, certified, and filed as required by law.
2. An officer, employee, or appointee shall have the employee dishonesty and faithful performance of duty policy in effect before the individual's term of office or employment and the officer, employee or appointee shall not commence the discharge of duties until coverage is documented.
3. All officers, employees, or appointees who would otherwise be required to file a bond before commencing the discharge of duties shall be covered by and are subject to the employee dishonesty and faithful performance of duty policy instead of a surety bond requirement.
4. The coverage amount for an officer, employee, or appointee under an employee dishonesty and faithful performance of duty policy shall be equal to or greater than the maximum amount of the bond otherwise required by law.
5. Elected officials, prior to taking the oath of office and holding office, shall obtain approval of the intent to use the PEP coverage agreement and affirm that the public entities coverage complies with ORC 3.061. Said approval shall be obtained by the Village of West Lafayette, Coshocton County.

WHEREAS, the Village of West Lafayette, County of Coshocton's, "employee dishonesty and faithful performance of duty policy" through the PEP coverage document complies with ORC 3.061: and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of West Lafayette, County of Coshocton, State of Ohio, ~~that~~

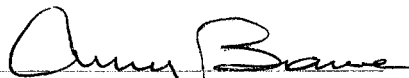
Section 1: That the Council of the Village of West Lafayette hereby authorizes the Fiscal Officer to purchase and use "employee dishonesty and faithful performance of duty policy" through PEP instead of individual surety bonds for officers, employees, and appointees who are otherwise required by law to acquire a bond before entering upon the discharge of duties.

Section 2: That this resolution shall be and is hereby declared to be an emergency measure for the reason that the current bond expires May 21, 2022, and for reason thereof this resolution shall be effective immediately upon passage, signing by the Mayor, and posting.

PASSED IN COUNCIL THIS 9 day of may, 2022.


Stephen R. Bordenkircher, Mayor

ATTEST:


Amy Bourne, Fiscal Officer