## **VILLAGE OF ELMORE**

## **RESOLUTION R-15-20**

A RESOLUTION AMENDING RESOLUTION 08-19 TOSECURE INSURANCE COVERAGE FOR EMPLOYEE DISHONESTY AND FAITHFUL PERFORMANCE OF DUTY PURSUANT TO SECTION 3.061 OF THE OHIO REVISED CODE. THIS IS FOR THE PERIOD OF JANUARY 1, 2021 THROUGH DECEMBER 31, 2021.

WHEREAS Resolution 08-19, passed December 23, 2019 provided for the coverage of employee dishonesty and faithful performance of duty pursuant to section 3.061 of the Ohio Revised Code;

WHEREAS, The Village of Elmore, Ottawa County is a member of the Ohio Plan Risk Management (OPRM) 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 city 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 township's Ohio Plan Risk Management coverage agreement and affirm that the township's coverage complies with ORC 3.061. Said approval shall be obtained by The Village of Elmore, Ottawa County.

WHEREAS, The Village of Elmore, Ottawa County's, "employee dishonesty and faithful performance of duty policy" through the Ohio Plan Risk Management coverage document complies with ORC 3.061: and

NOW, THEREFORE, BE IT RESOLVED, that on this date <u>Vec. 26,1010</u>, The Village of Elmore, Ottawa County hereby authorizes the city to purchase and use "employee dishonesty and faithful performance of duty policy" through Ohio Plan Risk Management 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.

Upon Motion Duly made and seconded, a vote on this Resolution was taken as follows:

Nays 3
TIE BROKE BY MAYOR

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To Pass:

PRESIDENT OF COUNCIL

APPROVED BY MAYOR

**FISCAL OFFICER** 

Prepared by Mark E. Mulligan, Solicitor for the Village of Elmore