

RESOLUTION NO. 2022-8

A RESOLUTION AUTHORIZING THE CITY OF ST. CLAIRSVILLE, OHIO, 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

WHEREAS, The City of St. Clairsville, Ohio, in Belmont 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; and

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 terms 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 City of St. Clairsville, Ohio, in Belmont County.

WHEREAS, the City of St. Clairsville, Ohio, in Belmont County'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 CITY OF ST. CLAIRSVILLE, OHIO, that on this date February 22, 2022, the City of St. Clairsville, Ohio, in Belmont County, hereby authorizes the public entity 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 1: That this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the residents of the City St. Clairsville.

SECTION 2: That this Resolution shall take effect and be in force from and after the earliest period allowed by the Charter of the City of St. Clairsville, Ohio.

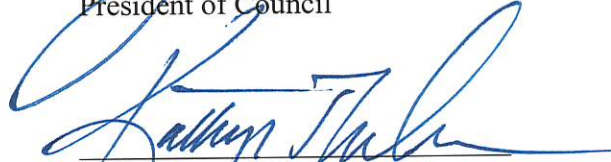
PASSED at a meeting of the Council of the City of St. Clairsville on this 22nd day of February, 2022, by the affirmative vote of 6 members of the council.

Passed: February 22, 2022




President of Council

Approved: February 22, 2022



Mayor



Clerk of Council