

RESOLUTION NO. 22-869

RESOLUTION AUTHORIZING THE VILLAGE TO UTILIZE “EMPLOYEE DISHONESTY AND FAITHFUL PERFORMANCE OF DUTY POLICY” INSTEAD OF INDIVIDUAL BONDS PURSUANT TO OHIO REVISED CODE SECTION 3.061

WHEREAS: HB 291 was signed into law on December 20, 2018 and became effective March 20, 2019 and authorizes the use of an “employee dishonesty and faithful performance of duty policy” 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; and

WHEREAS: in accordance with ORC 3.061, the Village 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 of 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 Village’s Ohio Plan Risk Management coverage agreement and affirm that the Village’s coverage complies with ORC 3.061. Said approval shall be obtained by the Village of Silverton, Hamilton County.

WHEREAS: the Village of Silverton’s, Hamilton County “employee dishonesty and faithful performance of duty policy” through the Ohio Plan Risk Management coverage document complies with ORC 3.061.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF SILVERTON THAT:

SECTION I. The Village of Silverton, Hamilton County hereby authorizes the Village to purchase and to use “employee dishonesty and faithful

performance of duty policy” through Ohio Risk Plan 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.

SECTION II. The Village Manager is authorized to execute on behalf of the Village of Silverton any and all documents necessary to secure such Policy subject to the approval of documents by the Village Solicitor.

SECTION III. This Resolution shall take effect and be in full force from and after the earliest period allowed by law.

PASSED this 8th day of December, 2022.



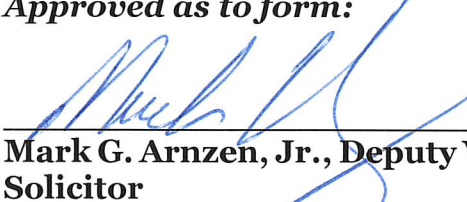
John A. Smith, Mayor

ATTEST:



Jack Cameron, Village Manager


Approved as to form:



Mark G. Arnzen, Jr., Deputy Village Solicitor

CERTIFICATION:

I, Meredith L. George, Clerk of Council of the Village of Silverton, County of Hamilton, State of Ohio; do hereby certify that there is no newspaper published in said municipality and that publication of the foregoing Ordinance No. 22-869 has been duly made by posting true copies in two (2) places that are accessible by the public in said municipality, as determined by Council as follows: 1) Silverton Town Hall lobby area and Council Chambers foyer; and 2) Silverton's official website. Said posting was for a period of fifteen days commencing Dec 12, 2022.



**Meredith L. George
Clerk of Council of Silverton, Ohio**