

RESOLUTION 2024-11

A RESOLUTION IN ACCORDANCE WITH ORC 3.061, 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 AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Hiram, in Portage County, Ohio is a member of the Public Entities Pool (PEP), a political subdivision risk pool established pursuant to Ohio Revised Code Section 2744.081; and

WHEREAS, in accordance with Ohio Revised Code Section 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; and

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. 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.
3. 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.
4. 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 Village’s coverage complies with ORC 3.061. Said approval shall be obtained by the Village of Hiram in Portage County.

WHEREAS, the Village of Hiram’s “employee dishonesty and faithful performance of duty policy” through the PEP coverage document complies with ORC 3.061.

NOW THEREFORE, BE IT RESOLVED, by the Council of the Village of Hiram, Portage County, Ohio, two thirds or more of the members thereto concurring that:

Section 1: The Council finds that it is in the best interest of the Village 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.

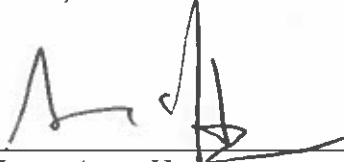
Section 2: The actions taken by the Mayor and Fiscal Officer to purchase “employee dishonesty and faithful performance of duty policy” through PEP are hereby ratified, confirmed and approved. The Council expressly ratifies the actions taken.

Section 3: The Mayor and the Fiscal Officer are hereby authorized to execute and submit the documents ~~attached hereto as Exhibit “A”~~, which documents are incorporated herein by reference, and to take such further steps as are necessary to purchase and use “employee dishonesty and faithful performance of duty policy” through PEP.

Section 4: This Resolution is declared an emergency measure becoming effective immediately upon its passage by the Mayor for the reason that the Village must act now to participate in the “employee dishonesty and faithful performance of duty” coverage, to cover loss by fraudulent or dishonest actions of employees and failure of employees to faithfully perform duties, as authorized by this Resolution.

Section 5: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that the deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Revised Code of the State of Ohio.

PASSED IN COUNCIL on first reading as an emergency: April 9, 2024.



Mayor Anne Haynam

ATTEST:


Fiscal Officer Susan J. Skrovan-DeYoung

Approved as to Legal Form:



Village Solicitor Jennifer Kangas Berendt

I, Susan DeYoung, Fiscal Officer of the Village of Hiram, Ohio, hereby certify that the foregoing Resolution or Ordinance No. 2024-11 has been duly posted in the required 5 places.

4/16/2024 Susan J. Skrovan-DeYoung
Date Fiscal Officer, Village of Hiram C