

**A RESOLUTION ADOPTING THE USE OF AN EMPLOYEE DISHONESTY AND FAITHFUL PERFORMANCE OF DUTY POLICY INSTEAD OF INDIVIDUAL SURETY BONDS, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Reminderville in Summit County is a member of the Public Entities Pool (“PEP”), a political subdivision risk pool established pursuant to Ohio Revised Code (“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 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 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 Reminderville in Summit County.

**WHEREAS** the City of Reminderville in Summit County’s “employee dishonesty and faithful performance of duty policy” through the PEP coverage document complies with ORC 3.061; and, therefore,

**NOW, BE IT RESOLVED** by the Council of the City of Reminderville, County of Summit, State of Ohio:

**SECTION 1.** The Council of the City of Reminderville 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 2.** The Council finds and determines that all formal action by this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

**SECTION 3.** That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, comfort, convenience, and general welfare of the inhabitants of the City of Reminderville, to wit: to ensure immediate coverage, and if this Resolution receives the necessary number of votes, it shall take effect and be in force after its passage; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed:

\_\_\_\_\_  
Sam Alonso, Mayor

Attestation:

\_\_\_\_\_  
Stacey Task  
Clerk of Council

I, Stacey Task, Clerk of Council of the City of Reminderville, Summit County, Ohio do hereby certify that the foregoing **RESOLUTION 37-2023** was duly and regularly passed by the Council of the City of Reminderville at a regular meeting of Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Stacey Task  
Clerk of Council