

RESOLUTION G2020-31

**RESOLUTION AUTHORIZING THE TOWNSHIP TO PURCHASE AND USE
“EMPLOYEE DISHONESTY AND FAITHFUL PERFORMANCE OF DUTY
POLICY” THROUGH THE OHIO PLAN**

WHEREAS, Symmes Township, Hamilton County is a member of the Ohio Plan, 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 that use of an “employee dishonesty and faithful performance of duty” 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 township 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.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Symmes Township, Hamilton County, Ohio:

Section 1. The Symmes Township Trustees hereby authorizes the township to purchase and use “employee dishonesty and faithful performance of duty policy” through the Ohio Plan 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 Symmes Township Trustees hereby adopt the following “employee dishonesty and faithful performance of duty 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 individuals’ 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, shall obtain approval of the intent to use the township's Ohio Plan coverage agreement and affirm that the township's coverage complies with the ORC 3.061. Said approval shall be obtained by the Symmes Township, Hamilton County.

Section 3. The Symmes Township, Hamilton County's, "employee dishonesty and faithful performance of duty policy" through the Ohio Plan coverage document complies with ORC 3.061.

Section 4. Upon majority vote does hereby dispense with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of this Resolution upon its first reading.

Section 5. It is hereby certified that all formal actions of the Board of Trustees of Symmes Township, Hamilton County, Ohio relating to the adoption of this Resolution were taken in an open meeting of the Board and that all deliberations of the Board were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6. This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

ADOPTED APRIL 7, 2020 – RESOLUTION G2020-31

Vote Record: Mr. Beck ____ Ms. Leis ____ Mr. Bryant ____

BOARD OF TRUSTEES:

Jodie L. Leis, President

Kenneth N. Bryant, Vice President

Philip J. Beck, Trustee

ATTEST:

Joseph Grossi, Fiscal Officer

APPROVED AS TO FORM:

Kevin McDonough, Law Director