

ORDINANCE 05-14-26-06

AN ORDINANCE PERMITTING THE REPLACEMENT OF SURETY BONDS FOR ELECTED OFFICIALS, OFFICERS, EMPLOYEES OR APPOINTEES WITH A FAITHFUL PERFORMANCE POLICY AND DECLARING AN EMERGENCY.

Sponsored by: Mayor Dumolt

WHEREAS, the Village of Pleasantville, Fairfield County, is a member of the Public Entities Pool (PEP), a political subdivision risk pool established pursuant to Ohio Revised Code §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 Ohio Revised Code §3.061, the "political subdivisions," (including villages) must adopt a policy by resolution or ordinance 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 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 Village.

WHEREAS, the Village of Pleasantville's "employee dishonesty and faithful performance of duty policy" through the PEP coverage document complies with ORC 3.061:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF PLEASANTVILLE, FAIRFIELD COUNTY, STATE OF OHIO;

Section 1: The Council of the Village of Pleasantville by this ordinance approves the change from personal surety bonds to an employee dishonesty and faithful performance of duty policy.

Section 2: This ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public health, safety, and welfare in that Council desires to codify this change as soon as possible to ensure coverage for officials, officers, employees and appointees, and is required by state law, and shall go into effect upon signing by the mayor.

PASSED THIS 14 DAY OF May, 2026.

ATTEST: Penny Marquart
Fiscal Officer, Penny Marquart

SIGNED: Michelle R. Dumolt
Mayor, Michelle R. Dumolt

Council, Village of Pleasantville

Bob Pangborn
Bob Pangborn
Scott Snider
Scott Snider
Jenifer Cleland
Jenifer Cleland

Courtney VanDyke
Courtney VanDyke
Brent Spangler
Brent Spangler

Approved as to form only: Jon M. Browning
Jon M. Browning, Village Solicitor

FIRST READING 5-14-26
SECOND READING _____
REVISED SECOND READING _____
THIRD READING _____
VOTE FOR _____ AGAINST _____