

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2024-20**

**REQUIRING SURETY BOND FOR CERTAIN EMPLOYEES AND OFFICIALS PER
SECTION 84 OF THE YELLOW SPRINGS VILLAGE CHARTER AND DECLARING
AN EMERGENCY**

WHEREAS, the Ohio General Assembly passed HB291 in 2019 which enacted Ohio Revised Code Section 3.061 allowing municipal entities to obtain a faithful performance policy issued through their crime insurance, rather than a surety bond; and,

WHEREAS, Section 3.061 allows such a policy to cover any entity or individual as determined by statute, charter or ordinance who are required to have a surety bond, and:

WHEREAS, the Ohio General Assembly passed HB444 in 2021 which amended Section 3.061 thereby allowing municipal entities to switch from utilizing a surety bond to faithful performance of duty coverage even when its officers are mid-term or during an employee's employment, or an official's term of office as opposed to prior law which required a policy to be in place before an officer takes office or before an employee begins employment; and,

WHEREAS, Council has recently directed the Village Manager to acquire a Faithful Performance of Duty endorsement (the "Endorsement") to the Village's Public Entities Pool of Ohio ("PEP") insurance policy; and,

WHEREAS, the Endorsement will extend coverage to all Village employees or officials who are required by law to give bond; and,

WHEREAS, Yellow Springs Village Charter Section 84 authorizes Council to require any employees or officials of the Village to obtain a surety bond; and,

WHEREAS, Council hereby finds it in the best interest of the Village to require certain employees and officials to give bond in the amount of \$100,000.00, thereby acquiring coverage under the Endorsement,

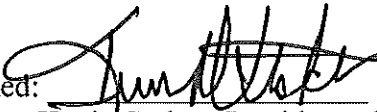
**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO
HEREBY ORDAINS THAT:**

Section 1. Per Section 84 of the Village Charter, Council hereby directs the following employees and officials to give bond in the amount of \$100,000.00 in order to continue being entitled to discharge the duties of their office:

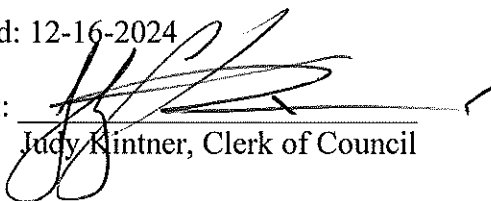
- Lynda Highlander
- Kevin Stokes
- Gavin DeVore Leonard
- Carmen Brown
- Brian Housh
- Trish Gustafson

Section 2. Council further authorizes these employees and officials, along with the Village Manager, Police Chief, Treasurer and Finance Director, to utilize the Endorsement instead of acquiring individual surety bonds.

Section 3. This ordinance is hereby declared to be an emergency measure immediately necessary to preserve the public interest and for the health, safety and welfare of the citizens of the Village, wherefore, this ordinance shall be in effect immediately upon its adoption by Council.

Signed: 
Kevin Stokes, President of Council

Passed: 12-16-2024

Attest: 
Judy Kintner, Clerk of Council

ROLL CALL:

Kevin Stokes_Y___ Gavin DeVore Leonard_Y___ Brian Housh_Y_
Carmen Brown_Y___ Trish Gustafson_ABSENT___