

BY

Katie Mills - Robert Wilson

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE VILLAGE OF Buckeye Lake LICKING COUNTY, OHIO, TO EXECUTE ON BEHALF OF THE SAID VILLAGE A CERTAIN AGREEMENT FOR THE FORMATION OF THE LICKING COUNTY VILLAGES ASSOCIATION.

WHEREAS, the Council is aware of the problems caused to the efficient and effective operation of its village government by the rapidly-increasing expenses associated with obtaining and maintaining municipal government liability insurance; and

WHEREAS, the Council believes that this Village experiences problems and concerns in common with the other villages of Licking County, Ohio; and

WHEREAS, the Council believes it would be beneficial to the residents of the Village to enter into an association with other villages of Licking County, Ohio, in order to investigate the availability of affordable liability insurance coverage and to provide a forum for the discussion, presentation and resolution of common problems of county villages;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF Buckeye Lake A MAJORITY OF THE MEMBERS ELECTED THERETO CONCURRING:

SECTION ONE:

The Mayor be and is hereby authorized and directed to execute on behalf of the Village of Buckeye Lake Licking County, Ohio, a certain agreement entitled "AGREEMENT FOR THE FORMATION OF THE LICKING COUNTY VILLAGE ASSOCIATION", a true copy of which is attached hereto as Exhibit "A" and which is incorporated herein by reference as if fully rewritten.

SECTION TWO:

That the Clerk be and is hereby directed to forward to Mr. Gary Smith, P.O. Box 858, Alexandria, Ohio 43001, a copy of the subject Agreement executed by the Mayor.

SECTION THREE:

That this measure shall be and remain in full force and effect from and after the earliest time allowed by law.

PASSED

Oct 6, 1986

MAYOR

Village of Buckeye Lake, Ohio.Charles E. Slater

ATTEST:

Estherette Harmon
CLERK/TREASURER
Village of Buckeye Lake, Ohio.

APPROVED AS TO FORM:

Curtis J. Higgins
LAW DIRECTOR
Village of Buckeye Lake, Ohio.

I, the undersigned, Clerk/Treasurer of the Village of Buckeye Lake,
Ohio, hereby certifies that this _____
was posted pursuant to Section 751.25 of the Ohio Revised Code and was
posted in at least six (6) designated public places from the _____ day
of _____, 19____ until the _____ day of _____, 19____.

CLERK/TREASURER OF THE VILLAGE
OF BUCKEYE LAKE, OHIO

ORDINANCE OR RESOLUTION NUMBER: 86-22

INTRODUCED BY: _____

MOTION TO SUSPEND RULES Motts SECOND Wilson

AYES

NAYES

Mr. Boyd
Mrs. Holmes
Mrs. Motts
Mr. Schwartzwalder
Mr. Wilson
Mr. Wolverton

✓

✓

✓
✓

TOTAL:

5

MOTION TO ADOPT Motts SECOND Boyd

AYES

NAYES

Mr. Boyd
Mrs. Holmes
Mrs. Motts
Mr. Schwartzwalder
Mr. Wilson
Mr. Wolverton

✓
✓
✓

✓
✓
✓

TOTAL:

5

DATE POSTING BEGAN _____
EFFECTIVE DATE _____

CERTIFICATION

I hereby certify the above to be an accurate account of the action of Council on the above matter.

AGREEMENT FOR THE FORMATION OF
THE LICKING COUNTY VILLAGES ASSOCIATION

WHEREAS, the undersigned municipalities are villages incorporated and existing under the laws of the State of Ohio and are located within Licking County, Ohio; and

WHEREAS, the respective Councils of the undersigned municipalities recognize and are aware of the common goals and common interests which are shared by the various villages of Licking County, Ohio; and

WHEREAS, the respective Councils of the undersigned municipalities recognize and are aware of the crises to the public welfare of their residents created by the rapid increases experienced in the premiums charged them for liability coverage; and

WHEREAS, the respective councils of the undersigned municipalities have each determined it to be of the benefit and interest of each such municipality to enter into an association together with certain other similar municipalities of Licking County, Ohio, for the purposes of investigating and obtaining more affordable liability insurance coverage by means of an insurance pool and of promoting the common interests and welfare of member municipalities; and

WHEREAS, the respective councils of the undersigned municipalities have each, by an affirmative vote of the majority of the members of each legislative body, authorized and directed the executive officer of each such municipality to enter into this agreement;

NOW, THEREFORE, the undersigned parties AGREE, COVENANT AND PROMISE, with the intent to be legally bound this 6th day of October, 1986 as follows:

SECTION ONE:

There is hereby formed a certain organization known as The Licking County Association of Villages (hereinafter "Association").

SECTION TWO:

The purposes of The Licking County Association of Villages are as follows:

(a) To investigate and, if practicable, to obtain liability insurance coverage for all of the members of the Association as an insurance pool in order that all members of the Association may be able to obtain affordable and adequate liability insurance coverage for the municipal operations, officers, and employees of each member;

(b) To promote the common goals and interests of all members of the Association in the various aspects of the operation, financing and problem-solving efforts of municipal governments by the collection and distribution of useful information and ideas, communicating of common concerns to various National, State and County officials and by periodic meetings of the representatives of the Association; and

(c) To function and operate as a not-for-profit organization under the laws of the State of Ohio and the statutes of the United States of America.

SECTION THREE:

(a) Each member of the Association shall appoint a representative to attend the meeting of the Association. Together, the representatives shall be known as the Association of Trustees (hereinafter "Board"). Such members shall be appointed by the Mayor of each member municipality, subject to the approval of the council of such municipality. Each representative shall serve for a term of two (2) years. Vacancies in the position of representative shall be filled in the like manner for the duration of the term of such member.

(b) The Association shall meet one (1) time per _____. All meetings of the Association shall be held at a location to be determined by the representatives. All meetings of the Association shall be subject to the Ohio Sunshine Law as embodied in Chapter 121 of the Ohio Revised Code and shall be open to the public except on such occasions as a majority of the representatives present vote affirmatively to enter into an executive session for the discussion of such matters as are proper under law. At the first meeting of each year, the representatives shall elect, by majority vote of those present, the following officers: President, Vice President, Secretary and Treasurer. The terms of each such officer shall be for one (1) year. A majority of the representatives shall constitute a quorum.

(b1) It shall be the duty of the Board to determine the courses of action to be taken by the Association, subject always to the purposes specified herein. The Board may authorize action to be taken by the Association by a majority vote of the members present. The Board may recommend for approval to the member municipalities of the Association certain actions or undertakings, provided, however, that no member municipality shall be bound to expend any funds as a result of action by the Association unless the terms of paragraph five of this Agreement are first fulfilled.

(b2) The Board may adopt such bylaws and rules as are consistent with the terms of this Agreement and Ohio law.

(c) The President shall be the chief executive officer of the Association. He shall preside at all meetings and may be authorized and directed to enter into agreements on behalf of the Association.

(d) The Vice-President shall preside at all meetings at which the President is absent or otherwise unable to attend. In the President's absence or unavailability, the Vice-President may be authorized to enter into agreements on behalf of the Association.

(e) The Secretary shall maintain a written record of the minutes of each meeting together with a register of all actions taken by the Association.

(f) The Treasurer shall maintain and safeguard all funds received by or otherwise in possession or control of the Association and shall report to the Association representatives at each meeting the status of such funds. The Treasurer shall maintain an account containing all such funds in a financial

institution within Licking County, Ohio, insured by an agency of the federal government. No funds of the Association shall be disbursed or otherwise expended without the prior consent and order of the Board.

SECTION FOUR:

Annual dues may be assessed of each member municipality as determined by the Board. Failure to pay such annual dues as specified by the Board may result in the suspension or removal of such defaulting member from the Association if so determined by a three-fourths (3/4ths) majority of the Board.

SECTION FIVE:

Participation by any member municipality in a liability insurance pool or in any agreement involving the expenditure of such member's municipal funds shall be subject to the availability of such funds as determined by the chief fiscal officer of such member and to the approval of such action by the legislative authority of such member.

SECTION SIX:

Each member municipality shall hold and save harmless from all liabilities, damages, actions, claims, or cause of actions all of the other members of the Association and the Association as a result of any event, undertaking, misfeasance, malfeasance, or nonfeasance involving such member and/or its employees or agents and not involving the Association or other members thereof.

SECTION SEVEN:

This Agreement may be revoked or cancelled by any member municipality upon sixty (60) days advance notice in writing to each member and the Association secretary.

SECTION EIGHT:

The Association may be dissolved upon a three-fourths (3/4ths) affirmative vote of the Board. In the event of such dissolution, the debts or liabilities, if any, of the Association shall be paid first. Thereafter, the remaining assets of the Association shall be divided equally among the municipalities which are members of the Association at the time of the dissolution.

SECTION NINE:

This Agreement comprises the entire and complete agreement of the parties. This Agreement shall not be modified unless in writing and with the agreement of all member municipalities.

IN WITNESS WHEREOF, the undersigned have set forth their hands this _____
day of _____, 19____.

THE VILLAGE OF UTICA, OHIO

BY: _____
MAYOR

THE VILLAGE KIRKERSVILLE, OHIO

BY _____
MAYOR

THE VILLAGE OF JOHNSTOWN, OHIO

BY _____
MAYOR

THE VILLAGE OF GRATIOT, OHIO

BY _____
MAYOR

THE VILLAGE OF CROTON, OHIO

BY _____
MAYOR

THE VILLAGE OF GRANVILLE, OHIO

BY _____
MAYOR

APPROVED AS TO FORM:

LAW DIRECTOR

THE VILLAGE OF ALEXANDRIA, OHIO

BY _____
MAYOR

THE VILLAGE OF BUCKEYE LAKE, OHIO

BY Charles E. Slater
MAYOR

THE VILLAGE OF ST. LOUISVILLE, OHIO

BY _____
MAYOR

THE VILLAGE OF HANOVER, OHIO

BY _____
MAYOR

THE VILLAGE OF PATASKALA, OHIO

BY _____
MAYOR

THE VILLAGE OF HEBRON, OHIO

BY _____
MAYOR