

Village of Bolivar, Ohio

Resolution Number: R-1-2023

TITLE: A RESOLUTION TO AUTHORIZE THE VILLAGE ADMINISTRATOR AND FISCAL OFFICER OF THE VILLAGE OF BOLIVAR TO EXECUTE AN JAIL SERVICES AGREEMENT WITH THE TUSCARAWAS COUNTY SHERIFF’S OFFICE; AND DECLARING THE SAME TO BE AN EMERGENCY

WHEREAS, the Village of Bolivar, Ohio (“Bolivar”) desires to contract with the Tuscarawas County Sheriff’s Office (the “Sheriff”) to allow the Sheriff to perform jail services (i.e., arrestee/inmate confinement); and

WHEREAS, the scope of services, compensation, and other terms of the agreement with the Sheriff are set forth in an Agreement, a copy of which is attached to this Resolution as Exhibit A; and

WHEREAS, R.C. 731.14 requires contracts by the legislative authority of a village to be executed in the name of the village and be signed, in part, by the mayor; and

WHEREAS, pursuant to R.C. 731.141, villages in the State of Ohio, such as Bolivar, that have established the position of village administrator are required to execute all contracts in the name of the village and be signed, in part, by the village administrator; and

WHEREAS, the Mayor of the Village of Bolivar has elected to abstain from any discussion or execution of the Agreement with the Sheriff; and

WHEREAS, pursuant to R.C. 731.141, the Legislative Authority for the Village of Bolivar authorizes the Village Administrator to execute the Agreement with the Sheriff in place of the Mayor of the Village of Bolivar; and

WHEREAS, the Legislative Authority for the Village of Bolivar desires to authorize the Village Administrator and Fiscal Officer to execute the Agreement for jail services on behalf of Bolivar and to make any monthly payments set forth therein.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF BOLIVAR, COUNTY OF TUSCARAWAS, STATE OF OHIO, A MAJORITY OF ITS MEMBERS ELECTED THERETO CONCURRING, THAT:

SECTION 1. Council authorizes Village Administrator Matt Judy and Fiscal Officer Barb Kline to execute and enter into an Agreement for jail services with the Sheriff to allow the Sheriff to perform arrestee/inmate confinement and related services on behalf of the Village of Bolivar.

SECTION 2. The scope of services, compensation, and other terms of the contract with the Sheriff are set forth in an Agreement, a copy of which is attached to this resolution as Exhibit A.

SECTION 3. Council authorizes the Fiscal Officer to make any monthly payments as required under the terms of the Agreement.

SECTION 4. That it is found and determined that all formal actions of this Council concerning and related to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any its committees that resulted in such formal action were in meeting open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 5. This Resolution is hereby declared to be an emergency measure in accordance with R.C. 731.30 for the immediate preservation of the public peace, health, safety, and general welfare for the reason that it is necessary to provide uninterrupted inmate/arrestee confinement services; and, this Resolution shall be in full force and effective immediately upon its passage.

PASSED IN COUNCIL this 5th day of January 2023.

Attest:

Tim Lang, Mayor

Barb Kline, Fiscal Officer

Approved as to Legal Form by:

Stephan P. Babik, Village Solicitor