

**ORDINANCE NO. 3-2019**

**AN ORDINANCE REAFFIRMING AND RATIFYING THE COUNTY OF WARREN'S PARTICIPATION IN THE PENNSYLVANIA COUNTIES RISK POOL AND THE EXECUTION OF THE INTERGOVERNMENTAL AGREEMENT PURSUANT TO THE PENNSYLVANIA INTERGOVERNMENTAL COOPERATION LAW, AS AMENDED**

WHEREAS, the Intergovernmental Cooperation Law, Act No. 177 of December 19, 1996, P.L. 1158, as amended, 53 Pa.C.S. § 2301 *et. seq.* (the "Law"), authorizes local governments, including counties, to jointly cooperate and enter into joint agreements with other counties in the performance of their governmental functions, powers or responsibilities; and

WHEREAS, certain counties established the Pennsylvania Counties Risk Pool ("PCoRP") pursuant to the Law for the purpose of, *inter alia*: (a) providing a joint risk management pool to assist members in preventing and reducing losses and injuries to county property and to persons or property which might result in claims being made against members of PCoRP, or their employees and officers; (b) creating an entity in perpetuity which will administer a joint risk management pool and using funds contributed by members to defend and indemnify, in accordance with the Bylaws and Intergovernmental Agreement of PCoRP, any member of PCoRP against stated liability

or loss, to the limit of the financial resources of PCoRP; and providing continuing stability and availability of needed coverages at reasonable costs, as is more fully set forth in the Bylaws and Intergovernmental Agreement; and

WHEREAS, the County of Warren (the "County") is a member of PCoRP, as the Board of Commissioners previously determined that it was in the best interests of the County to enter into an intergovernmental cooperation agreement and become a member of PCoRP; and

WHEREAS, through this Ordinance, the Board of Commissioners has determined to reaffirm that determination and to ratify all action previously taken by the County with respect to its membership and participation in PCoRP.

NOW, THEREFORE, the Board of Commissioners does hereby enact and ordain as follows:

Section 1. The Board of Commissioners hereby reaffirms and ratifies its membership in PCoRP. The Bylaws and Intergovernmental Agreement of PCoRP, which is attached hereto as Exhibit "A," is ratified, affirmed and approved substantially in the form attached hereto, the terms of which are incorporated herein by reference. The Board of Commissioners hereby authorizes and directs its officers to execute the Bylaws and Intergovernmental Agreement of the PCoRP. The Board of County Commissioners also ratifies the execution of any other agreement that was necessary for its

participation in PCoRP, and is authorized to execute any other agreement necessary for its continued participation in PCoRP.

Section 2. This Ordinance and the Bylaws and Intergovernmental Agreement approved and adopted constitute a binding agreement and shall be sufficient warrant and authority for the officials and agents as appointed by the County to participate and represent the County's interests in PCoRP.

Section 3. As a condition of participating in PCoRP, the County agreed to comply with all the terms and conditions in the Bylaws and Intergovernmental Agreement, and that agreement is reaffirmed and ratified.

Section 4. The duration of the Bylaws and Intergovernmental Agreement is indefinite, but is subject to the right of any member county to terminate its participation as set forth therein and subject to its provisions.

Section 5. The purpose and object of the Bylaws and Intergovernmental Agreement is as set forth therein.

Section 6. The organizational structure of PCoRP consists of a Board of Directors, all as is set forth in the Bylaws and Intergovernmental Agreement.

Section 7. The County reaffirms and ratifies its delegation to the Board of Directors of PCoRP the powers enumerated in the Bylaws and Intergovernmental Agreement.

Section 8. Any contributions required to be paid pursuant to the Bylaws and Intergovernmental Agreement shall be made with funds appropriated by the County for that purpose, and the County ratifies any such sums previously paid.

Section 9. On behalf of the County, PCoRP is empowered to enter into any contract necessary to effectuate its purposes, and any contract entered into by PCoRP to date is hereby ratified and affirmed.

Section 10. Any real or personal property to be owned, or owned, by PCoRP shall be acquired, managed, licensed or disposed of as determined by the Board of Directors of PCoRP.

Section 11. The Bylaws and Intergovernmental Agreement may be modified or amended, as set forth therein.

Section 12. This Ordinance is being enacted pursuant to the provisions of the Intergovernmental Cooperation Law, Act No. 177 of December 19, 1996, P.L. 1158, as amended, 53 Pa.C.S. § 2301, et seq.

Section 13. This Ordinance shall take effect immediately.

ENACTED AND ORDAINED this 23<sup>rd</sup> day of October, 2019.

COMMISSIONERS OF WARREN COUNTY

 10/23/19  
Benjamin Kafferlin, Chairman

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Cindy Morrison, Vice Chairman

 10/23/19  
Jeff Eggleston, Secretary

ATTEST:

  
Pamela J. Matve, Chief Clerk

