

RESOLUTION NO. 23 OF 2010

AN RESOLUTION AUTHORIZING, MOUNT JOY TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA, TO JOIN WITH OTHER AUTHORITYS AS A MEMBER OF THE PENNSYLVANIA MUNICIPAL HEALTH INSURANCE COOPERATIVE (PMHIC), TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR THE PURPOSE OF JOINING THE PMHIC AND TO PARTICIPATE AS A MEMBER OF THE PMHIC.

PREAMBLE

Whereas, a number of Authority's within central Pennsylvania, have investigated whether it would be mutually beneficial to cooperate with each other in obtaining employee benefit insurance, and

Whereas, a plan has been presented to establish the Pennsylvania Municipal Health Insurance Cooperative (the "PMHIC") for the purpose of collectively purchasing employee benefits insurance, and

Whereas, the PMHIC will be established pursuant to an intergovernmental cooperation agreement entitled the Pennsylvania Municipal Health Insurance Cooperative Agreement ("the Agreement").

NOW, THEREFORE, BE IT RESOLVED by Mount Joy Township, Adams County, Pennsylvania as follows:

The caption and Preamble of this Resolution set forth above are incorporated herein by reference.

The Authority hereby approves entering into the Intergovernmental Cooperation Agreement, a copy of which is attached hereto and incorporated herein by reference (and which shall be filed with the minutes of the meeting at which this Resolution was enacted), with the intent and effect that this Authority shall be bound by the Agreement

The Chairman or Vice-Chairman of the Authority, acting alone or together with the Secretary or Assistant Secretary, are hereby authorized and directed on behalf of the Authority, (i) to execute and deliver the Agreement, and (ii) to execute and deliver such additional instruments, and to take such further actions, as may be necessary or appropriate to carry forth the Agreement and the transactions to be effected under the Agreement, including payment to the PMHIC of such amounts as are due by the Authority pursuant to the Agreement.

All actions of any officer, agent or other representative of this Authority heretofore taken in the pursuit of the establishment of the PMHIC and/or the Authority's participation therein, are hereby ratified and approved in all respects.

The Governing Body of the Authority is hereby authorized to take such other action as may be necessary or appropriate to carry out the purposes of this Resolution and of the Agreement.

As required by the Pennsylvania Intergovernmental Cooperation Act, the following matters are specifically found and determined:

(a) The conditions of the Agreement are set forth in the Agreement.

(b) This Authority shall participate in the PMHIC for an initial term of three (3) years after agreeing to purchase one or more employee benefits through PMHIC. All renewal terms, shall be as further set forth in the Agreement.

(c) The purpose and objectives of the Agreement are as set forth in the Preamble of this Resolution and in the Agreement.

(d) The manner and extent of financing the Agreement are that (i) no borrowing will be required by the Authority, (ii) funds to implement the Authority's obligations under the Agreement same shall come from normal and usual budgeted amounts for such matters, and (iii) other provisions governing the manner and extent of the financing of the PMHIC shall be as set forth in the Agreement;

(e) The PMHIC shall be managed by its Board of Directors pursuant to the terms of the Agreement.

(f) All property, real or personal, of the PMHIC, shall be acquired, managed, licensed or disposed of by the PMHIC in accordance with the terms of the Agreement.

(g) The PMHIC created by the Agreement shall be empowered to enter into contracts for policies of group insurance and employee benefits pursuant to the terms of the Agreement.

The provisions of this Resolution are severable and if any section, sentence, clause or part or provision hereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect the remaining sections, clauses, parts or provisions of this Resolution. It is hereby declared to be the intent of the Authority that such Resolution would have been enacted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

Nothing contained in this Resolution shall be construed to affect any suit or proceeding in any court, or any rights acquired or liability incurred, or any cause of action existing prior to the enactment of this Resolution.

This Resolution shall become effective immediately upon enactment hereof.

ADOPTED by the Board of Supervisors at a lawfully held public meeting of the Board held on the 16th day of September, 2010.

**MOUNT JOY TOWNSHIP
ADAMS COUNTY, PENNSYLVANIA
MOUNT JOY TOWNSHIP BOARD OF SUPERVISORS**

ATTEST:

Susan C. Harbin, Secretary/Treasurer

John E. Gormont, Chairman

David R. Updyke, Vice-Chairman

Robert N. Rhodes, Supervisor

SEAL

Gilbert M. Clark, Supervisor

Michael E. Gearhart, Supervisor