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Dauphin County, Pennsylvania
ORDINANCE NO. 7 - 2008

AN ORDINANCE AUTHORIZING DAUPHIN COUNTY, PENNSYLVANIA, TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT FOR THE PURPOSE OF JOINING THE PENNSYLVANIA COUNTY HEALTH INSURANCE PURCHASING COOPERATIVE (PCHIPC) AND TO PARTICIPATE AS A MEMBER OF THE PCHIPC.

PREAMBLE

A. A number of County political subdivisions within Pennsylvania, have established the Pennsylvania County Health Insurance Purchasing Cooperative (the "PCHIPC") for the purpose of collectively purchasing employee benefits insurance.

B. The PCHIPC was established pursuant to an intergovernmental cooperation agreement entitled the Pennsylvania County Health Insurance Purchasing Cooperative, Intergovernmental Cooperation Agreement ("the Agreement").

C. Pursuant to the Pennsylvania Intergovernmental Cooperation Act, 53 Pa.C.S.A. Section 481 et seq., Pennsylvania municipality entities may enter into an intergovernmental cooperation agreement for the purposes of jointly purchasing goods and/or services, upon the passage of an ordinance by its governing body.

D. Dauphin County ("County") is desirous of joining the PCHIPC and taking advantage of the benefits of said organization

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the County Commissioners of Dauphin County, Pennsylvania as follows:

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

2. Dauphin County hereby approves entering into the 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 Ordinance was enacted), with the intent and effect that this County shall be bound by the Agreement

3. The Chairman or Vice-Chairman of the County Board of Commissioners, acting alone or together with the Secretary, are hereby authorized and directed on behalf of the County, (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 PCHIPC of such amounts as are due by the Political Subdivision pursuant to the Agreement.

4. All actions of any officer, agent or other representative of this County heretofore taken in the pursuit of participation in the PCHIPC, are hereby ratified and approved in all respects.

5. The County Board of Commissioners are hereby authorized to take such other action as may be necessary or appropriate to carry out the purposes of this Ordinance and of the Agreement.

6. 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 County shall participate in the PCHIPC for an initial term of one (1) year. All renewal terms, shall be as further set forth therein; with a 90 day termination notice.

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

(d) The manner and extent of financing the Agreement are that (i) no borrowing will be required by the County, (ii) funds to implement the County's obligations under the Agreement 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 PCHIPC shall be as set forth in the Agreement;

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

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

(g) The PCHIPC 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.

7. The provisions of this Ordinance 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 Ordinance. It is hereby declared to be the intent of the County that such Ordinance would have been enacted if such illegal,

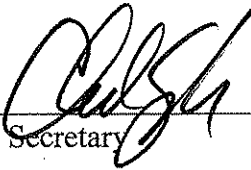
invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

8. Nothing contained in this Ordinance 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 Ordinance.

10. This Ordinance shall become effective immediately upon enactment hereof.

DULY ORDAINED AND ENACTED this 31st day of December, 2008, by the Board of Commissioners of Dauphin, County, Pennsylvania.

Attest:


Secretary

By:


Chairman

(SEAL)