

**ORDINANCE 05-2019**

**AN ORDINANCE ESTABLISHING A CREDIT CARD POLICY FOR THE VILLAGE OF BRADNER AND THE EMPLOYEES AND OFFICERS THEREOF AND DECLARING AN EMERGENCY**

**WHEREAS**, the Village has heretofore contracted with one or more companies to issue credit cards and/or online purchasing accounts in the name of the Village and may enter into additional such agreements in the future with one or more other companies; and

**WHEREAS**, the Village has issued credit cards to some employees and/or officers for the sole purpose of purchasing approved items or services for the benefit of the Village; and

**WHEREAS**, the Village has one or more of such credit cards that are not issued to any employee or officer, but are “Village cards” which are given to Village employees or officers on an as-needed basis and must be promptly returned following their intended use; and

**WHEREAS**, the State of Ohio issued Bulletin 2018-003 in accordance with House Bill 312 establishing written policy requirements for the implementation of a written credit card policy by February, 2019; and

**WHEREAS**, the Village currently lacks a policy which complies with the requirements set-forth in HB 312; and

**WHEREAS**, the Council of the Village seeks to enact a credit card policy in order to comply with the requirements of HB 312 and to promote careful stewardship of the public funds.

**NOW, THEREFORE**, be it ordained by the Council of the Village of Bradner as follows:

Section 1. The following Village Credit Card Policy is hereby adopted:

**I. PURPOSE OF POLICY**

The purpose of this policy is to establish guidelines for the Village of Bradner to provide for the issuance of charge cards to officers and employees for the purposes of covering expenses incident to authorized travel and a cost-effective streamlined process for purchasing items for the operation of the Village of Bradner for business purposes.

**II. APPOINTMENT OF A COMPLIANCE OFFICER**

There shall be a Compliance Officer appointed by the Mayor who shall maintain physical control of Village credit cards:

- A. The Village Fiscal Officer cannot fill this position.
- B. Employees who are authorized to use a Village Credit Card are not eligible.

- C. The Compliance Officer shall be an employee who shall be available during regular business hours in order to issue and monitor card usage.
- D. The Compliance Officer is not eligible to use the Village credit card, subject to the limitations set-forth hereinbelow.

### III. DEBIT CARDS PROHIBITED

No political subdivision may hold or utilize a debit card account, except for law enforcement purposes. Use of a debit card is a violation of ORC §2913.21.

### IV. OFFICERS OR POSITIONS AUTHORIZED TO USE VILLAGE CREDIT CARD

- A. Village Department Heads including Police Chief, Fire Chief, Fiscal Officer, and Mayor's Court Clerk
- B. Mayor
- C. Street Commissioner
- D. Utility Superintendent
- E. Vehicle Maintenance Technician
- F. Other employees (including the Compliance Officer under special circumstances with additional approval by the mayor, per occurrence) may be Issued a credit card for "travel purposes only" if they are attending training or a conference on behalf of the Village. They must acknowledge receipt of the Credit Card policy prior to issuance of card.

### V. TYPES OF CREDIT CARDS PERMITTED

- A. Mastercard – The Village shall utilize Huntington Bank for this service
- B. Gas Cards – Marathon through Wex Bank, Superfleet, Ports Petroleum
- C. Online Purchasing Accounts (i.e. Amazon Business, etc.)

### VI. NUMBER OF VILLAGE CREDIT CARDS PERMITTED

- A. Issued Cards
  - 1. Police Dept.
    - (a) Police Chief
  - 2. Fire Dept.
    - (a) Fire Chief
  - 3. Mayor
  - 4. Village Fiscal Officer
  - 5. Utility Superintendent
  - 6. Street Commissioner
- B. Non-Issued (Sign Out) Cards (3)
  - 1. In possession of Compliance Officer
  - 2. The Compliance Officer may have up to 3 separate cards to issue/monitor

VII. TYPES OF EXPENSES PERMITTED FOR VILLAGE CREDIT CARD USE

- A. Travel accommodations
- B. Gasoline/Fuel
- C. Office supplies
- D. One-time purchases with vendors for whom we do not have an "open" account
- E. Utilities including gas, electric, telephone, and internet
- F. Administrative benefits such as WorkersComp premiums and Health care premiums

VIII. PROCEDURES FOR USAGE OF NON-ISSUED CREDIT CARD

- A. The Compliance Officer shall maintain a log for checking in and out credit cards.
- B. Credit Cards shall be stored in a locked cabinet or drawer.
- C. The employee or officer using the card shall provide the receipt along with a purchase requisition upon returning the credit card to the Compliance Officer.

IX. PROCEDURE FOR CREDIT CARD ISSUANCE

- A. A Village Department Head may request that a new card be issued from an existing vendor or a new vendor.
- B. The Village Fiscal Officer shall determine issuance of any "new" cards.
- C. Compliance Officer shall report lost or stolen cards and keep track of card associated pin numbers.

X. MAXIMUM CREDIT LIMIT

- A. Mastercard - Each Mastercard shall have a limit of up to \$3,000.00
  - 1. Accounts Payable Coordinator shall have the authority to temporarily increase an individual's credit limit for an unusually high one-time expenditure.
- B. Gas Cards - Exxon/Mobil and Speedway - Each card shall have a limit of not more than \$2,500.00
- C. Virtual Credit Cards shall have an individual approved limit by the Village Fiscal Officer and the Mayor.

## XI. REBATES, POINTS, AND REWARDS

- A. Any rebates, points, and rewards issued by the Credit Card company shall be the property of the Village and shall be credited to the "General Administration" of the Village. No employee or officer of the Village shall be permitted to personally benefit from any of such rebates, points, or awards.
  
- B. The Village Fiscal Officer annually must file a report with the legislative authority detailing all rewards received based on the use of the political subdivision's credit card account.

## XII. CREDIT CARD USAGE REPORT

Department Heads will be distributed a credit card statement report from time to time showing all open purchases for their respective department. Purchase orders need to be in place for purchases made on the credit card.

## XIII. UNAUTHORIZED USE

- A. The use of a credit card account for expenses beyond those authorized by the legislative authority constitutes misuse of a credit card account. An officer or employee of the political subdivision or a public servant as defined under section §2921.01 of the Revised Code who knowingly misuses a credit card account held by the legislative authority violates section §2913.21 of the Revised Code, which is a misdemeanor of the first degree.
- B. Credit Cards may never be used to purchase items for personal use or for non-Village purposes, even if the cardholder intends to reimburse the Village.

## XIV. MISCELLANEOUS PROVISIONS

- A. All Village credit cards must include the Village of Bradner on their faces, in addition to any other name.
- B. The compliance officer and the legislative authority, at least quarterly, must review the number of cards and accounts issued, the number of active cards and accounts issued, the cards' and accounts' expiration dates, and the cards' and accounts' credit limits.
- C. The Village Fiscal Officer must annually file a report with the legislative authority detailing all rewards received based on the use of the municipal corporation's credit card account.

SECTION 2. That this Ordinance is declared to be emergency legislation, necessary for the immediate preservation of the public peace, health, and safety, which shall be effective upon passage, such emergency arising from the requirements of HB 312 and the deadlines therein imposed.

SECTION 3. That this Ordinance shall take effect and be in force at the earliest time permitted by law.

SECTION 4. Copies of this Ordinance were posted in not less than five of the most public places in the Village, as determined by Council, for a period of not less than fifteen days prior to the effective date hereof.

SECTION 5. All formal actions of Council relating to the adoption of this ordinance, and all deliberations of Council and any of its committees leading to such action were in meetings open to the public as required by law.

Passed 2/7/19

Virgil Skell  
Mayor

Attest:

[Signature]  
Village Fiscal Officer

Approved as to form:

[Signature]  
Village Solicitor

