

Village of Mantua, Ohio
ORDINANCE 2018-52
(amended)

**AN ORDINANCE ENACTING SECTION 4.9 OF THE VILLAGE OF MANTUA
EMPLOYEE HANDBOOK IN ORDER TO ESTABLISH A CREDIT CARD POLICY
COMPLIANT WITH NEWLY ENACTED PROVISIONS OF THE OHIO REVISED
CODE.**

WHEREAS, the Ohio State Legislature has recently enacted House Bill 312, regulating the use of credit cards and debit cards by political subdivisions; and

WHEREAS, House Bill 312 further requires the legislative authority of a political subdivision that holds a credit card account on its effective date to adopt a written policy, which must comply with the various requirements of the new law, for the use of credit card accounts not later than three months after its effective date; and

WHEREAS, this Council wishes to amend the Village's regulations pertaining to use of the Village Credit Cards as contained in Ordinance 2010-24, the Village of Mantua Employee Handbook, in order to comply with current law.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Mantua, Ohio, a majority or more of the members elected thereto concurring, that:

SECTION 1. Existing Section 4.6.E of Ordinance 2010-24 is hereby repealed.

SECTION 2. Section 4.9 of Ordinance 2010-24 is hereby enacted as set forth in "Exhibit A", attached hereto and incorporated herein by reference.

SECTION 3. All other provisions of Ordinance 2010-24, the Village of Mantua Employee Handbook, shall remain in full force and effect.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

SECTION 5. This Ordinance shall become effective after its passage by Council, at the earliest period allowed by law.

PASSED in Council this 18th day of December, 2018.

ATTEST:

Linda Clark, Mayor

Jenny August, Clerk-Treasurer

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APPROVED AS TO FORM:

Michele Stuck, Solicitor

I hereby certify that a copy of the foregoing Ordinance was duly published by public posting at the five pre-designated posting places within the Village on this the ____ day of _____, 201__.

Jenny August, Clerk-Treasurer

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“EXHIBIT A”

Section 4.9 CREDIT CARD POLICY

A. Authorized Users of Village Credit Card. The Clerk-Treasurer, Mayor, Chief of Police, Village Administrator and Street Supervisor shall each be issued a Village Credit card imprinted with their name and Village of Mantua.

B. Authorized expenses. The Village credit card may only be used for expenses related to Village operations, travel and meeting expenses, uniforms, equipment and maintenance.

C. Management of Credit Card Accounts.

1. Bank Credit Cards. The “Bank Credit Cards” are general spending cards issued by Middlefield Bank (“Bank”) in the name of the Authorized User (Section A, above) and the Village. Each time an Authorized User is hired by the Village, the Bank is notified in writing by the appropriate Committee (Service, Safety or Finance). The Bank’s credit card application form shall be signed by the Clerk-Treasurer, Mayor and the Authorized User, who shall also provide the Bank with a copy of his/her Driver’s License and any other documentation the Bank may reasonably require, prior to the Bank ordering the card.

Upon separation from employment with the Village, an Authorized User shall return his/her Bank Credit Card to the Clerk-Treasurer, who shall be responsible for its cancellation and destruction.

The Authorized User retains control over, and is solely responsible for securing, the Bank Credit Card issued to them and shall immediately report a lost or stolen credit card to the Bank and the Clerk-Treasurer. The credit card shall only be re-issued upon satisfaction of Bank requirements.

2. Store Credit Cards. The Village maintains several “Store Credit Cards” issued in the name of the Village of Mantua: Staples (credit limit \$2,600), Sam’s Club (credit limit \$7,000), WalMart (Credit limit \$1000). The Village Clerk-Treasurer retains general possession of the Store Credit Cards, which are signed out to Authorized Users pursuant to the following system:

The Clerk-Treasurer will complete the sign out sheet which lists the name of the person signing out the credit card, the date and time they sign it out. The Authorized User will sign that this information is correct.

When the credit card is returned, the Clerk-Treasurer will note the date and time that they return it, and the Authorized User will sign again stating that the return information is correct. This policy establishes two step verification of the time and date that the card is checked out and returned.

The Authorized User is solely responsible for securing the Store Credit Card during the time it is signed out to them, and shall immediately report a lost or stolen credit card to the Clerk-Treasurer who shall immediately report the loss to the card’s issuer. The Clerk-Treasurer shall be responsible for obtaining a replacement card.

3. Credit Card Checks. The Village does not maintain or authorize the use of checks associated with the Bank or Store Credit Cards.

D. Purchase Authorization and Submission of Receipts. When a purchase is anticipated, a purchase requisition is prepared by the Authorized User making the purchase or the departmental administrative assistant. The purchase requisition must be authorized and signed by the Department Head. The

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purchase requisition is submitted to the Clerk-Treasurer so that a purchase order can be prepared or it can be determined that a purchase order is in place with sufficient funds.

Once the purchase has been made, the Authorized User making the purchase must submit the receipt or an online order confirmation to the Clerk-Treasurer for attachment to the purchase requisition. If a cash register receipt does not contain an itemized description of the item(s) purchased, the Authorized User shall write it on the tape prior to submission.

E. Credit Card Credit Limits. Each Bank credit card will be assigned a unique account number and billed separately by the Bank. No duplicate credit cards will be issued to the same account except in the event of loss as set forth in Section 4.9.C.

The Bank credit cards issued to the Mayor and the Clerk-Treasurer are used for travel, conference, meeting, and other administrative expenses and each card has a \$2,000 credit limit.

The Bank credit cards issued to the Village Administrator, Chief of Police, and the Street Supervisor will each have a credit limit of \$3,000.

F. Tax Exempt Status. The Village of Mantua is exempt from Ohio sales taxes, and Authorized Users shall inform in-state suppliers of this exempt status and provide a copy of the Village's Tax Exempt Certification if necessary.

G. Misuse of Credit Card Account. The following acts or omissions constitute misuse of the Credit Card Account and may be subject to disciplinary action and/or criminal prosecution:

1. Any purchases not first authorized by the Department Head.
2. Any purchases of alcoholic beverages.
3. Purchases that are for personal use and not village business.
4. Cash Advances.
5. Use of the Credit Card to make any purchase that violates the Village Policy and State of Ohio Ethics Law prohibiting business transactions which are or may be perceived as a conflict of interest (i.e., purchases from a business in which the Authorized User, a family member or a business associate, has a financial or other interest).
6. Receipt of cash refunds or in-store credit for any returns or exchanges. Such amounts must be credited back to the credit card account. If a supplier issues a refund by check or other means, it must be submitted to the Clerk-Treasurer within five (5) days of receipt by the Authorized User.
7. The Authorized User is liable in person and upon any official bond he/she has given to the Village to reimburse the treasury any and all amounts for which the Authorized User does not provide itemized receipts in accordance with the policy described in division D. of this section.
8. The use of a credit card account for expenses beyond those authorized by Council constitutes misuse of a credit card account. An officer or employee of the Village or a public servant as defined under section 2921.01 of the Revised Code who knowingly misuses a credit card account held by the municipal corporation violates section 2913.21 of the Revised Code. Possession or use of a debit card account by a political subdivision except for law enforcement purposes is a violation of section 2913.21 of the Revised Code.

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H. Review. The Mayor shall appoint a Compliance Officer, who may not be the Clerk-Treasurer or an Authorized User. On at least a quarterly basis, the Compliance Officer and Council shall 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.

On an annual basis, the Clerk-Treasurer or her designee shall file a report with Council detailing all rewards received based on the use of the Village's credit card account.

I. As used in this section, "credit card account" means any bank-issued credit card account, store-issued credit card account, financial institution-issued credit card account, financial depository- issued credit card account, affinity credit card account, or any other card account allowing the holder to purchase goods or services on credit or to transact with the account, and any debit or gift card account related to the receipt of grant moneys. "Credit card account" does not include a procurement card account, gasoline or telephone credit card account, or any other card account where merchant category codes are in place as a system of control for use of the card account.