

**ENACTING NEW SECTION 206.04 “CREDIT CARD POLICY” OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND AMENDING
SECTION 505 OF THE PERSONNEL POLICY MANUAL AND DECLARING AN
EMERGENCY**

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Exhibit A to Ordinance 2022-21

CHAPTER 206 Purchases and Sales

- [206.01](#) Purchasing.
[206.02](#) Sale of surplus property.
[206.03](#) Participation in Ohio Department of Transportation (ODOT) contracts.
206.04 Credit Card Policy

CROSS REFERENCES

Competitive bidding - see CHTR. § [52](#)
Utility franchise - see CHTR. §§ [59](#), [60](#)
Right to purchase utilities - see CHTR. § [62](#)
Continuance of Municipal contracts - see CHTR. § 98
Unlawful interest in contracts - see GEN. OFF. [608.10](#)
Municipal Credit Card Policies see ORC [717.31](#)

206.04 CREDIT CARD POLICY

(a) Definitions. As used in this section,

1. "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. "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.
2. "Agreement" means the Credit Card Agreement form for authorized users in use since October of 2020 and subject to administrative amendments.
- ~~2.3.~~ "Compliance Officer" means a person authorized by the Village Manager to perform the duties herein established to assure that all employees are educated as to their responsibilities regarding credit card use, including those of proper authorization and documentation.
- ~~3.4.~~ "Authorized user" means a person authorized to access an account.
- ~~4.5.~~ "Card" and "credit card" means "account" as used in this section.
- ~~5.6.~~ "Invoice" means a record showing delivery of tangible or intangible goods or performance of a service including the date of the purchase or rendering of the service; an itemization of the work done, material supplied, or labor furnished, and the sum due pursuant to any contract or order.

6-7. "Order" means a copy of a contract or a statement of the nature of a contemplated expenditure, a description of the property or goods to be purchased or service(s) to be performed.

7-8. "Purchase order" means a requisition made in compliance with OAC § 117-2-02(C)(2) and R.C. 5705.41 (D). Purchase orders are not effective unless the Finance Director's certificate is attached.

8-9. "Receipt" means a paper or digital record of payment for a transaction by credit card for purposes of this section.

9-10. "Rewards" means points or other card-related bonuses or incentives (for example, frequent flyer miles or discounts) received from vendors as the result of Village business, which shall be used for the future benefit of the Village only and treated like cash receipts and expenditures.

(b) Authorized Users of Village Credit Card. The Authorized Users are the Clerk of Council, the Village Manager, Chief of Police, Finance Director, Public Works Director, Department heads and certain procurement staff subject to the discretion of the Village Manager. Each Authorized User shall have access to the credit cards issued to the Village imprinted with the Village's name and the Authorized User's name, upon completion of an Agreement witnessed by the Village Manager, agreeing to comply with this Chapter and other applicable rules and regulations. Upon issuance, each card is to be utilized only by that authorized user.

(c) Authorized expenses. The Village credit card may be only used for expenses related to Village operations, travel and meeting expenses, equipment and maintenance, and fuel for Village vehicles. Use of Village-issued credit cards is strictly limited to transactions for proper public purposes.

(d) Management of Credit Card Accounts.

1. Bank Credit Cards. The "Bank Credit Cards" are general spending cards issued by Wesbanco in the name of the Village of Yellow Springs. Each purchase must be approved by the Village Manager and/or the relevant Department Head and a purchase order must be issued by the Finance Director before any purchase is made.
2. Store Credit Cards. The Village maintains several "Store Credit Cards" issued in the name of the Village of Yellow Springs which may or may not include the names of Authorized Users, including Sam's Club, Speedway and other vendors. These are also known as "fleet cards" when used for Village vehicle-related purchases.
3. Security. Each Authorized User is solely responsible for securing every Card, signing the physical card, and shall immediately report any loss, suspicious activity, or theft to the Finance Director, who shall be responsible for notifying the issuer, cancellation, and obtaining a replacement card.
4. Credit Card Checks. The Village does not authorize the use of checks associated with Cards.

5. Revocation of Privileges. All cards are the property of the Village and privileges as an Authorized User may be revoked at any time.
 6. Retention of account information. Under no circumstances shall a vendor be permitted to retain card information after a transaction, and Authorized Users shall not retain account information apart from the physical card such as cached data on a browser or mobile app, or a paper copy of a card number.
 7. Renewals. Upon receipt of a renewal Card (generally within 30 days of expiration of the existing Card), the Authorized User shall submit the old card to the Finance Director for destruction.
 8. Rewards and Points. At no time will any employee of the Village receive personal rewards or points for any purchase made using Village Cards.
 9. Unauthorized charges and fees. Authorized users are personally liable for unauthorized charges and any associated fees.
- (e) Purchase Authorization and Submission of Receipts. When a purchase is anticipated, a purchase order must be prepared by the Finance Director before any purchase can be made. The Departmental Head or the Village Manager must authorize the purchase. Once the purchase has been made, the authorized user making the purchase must submit the receipt or online order confirmation to the Finance Director for attachment to the purchase order. If a cash register receipt does not contain an itemized description of the item(s) purchased, the Authorized User shall write it on the receipt or a separate record prior to submission. All receipts should be submitted to the Finance Director within five business days of purchase to be considered timely, absent extenuating circumstances.
- (f) Credit Card Credit Limits. Each Card will be assigned a unique number and will be billed separately by the issuer. Each Card shall have a predetermined spending limit (no card shall have a limit in excess of \$10,000) and Authorized Users are responsible for maintaining spending under that limit.
- (g) Tax Exempt Status. The Village 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 Certificate if necessary. The Finance Director will provide the tax exempt certificate upon request.
- (h) Misuse of Credit Card Accounts. 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 purchase not authorized in advance ,or, in an emergent situation, within 24 hours of purchase.
 2. Any purchases of alcohol or tobacco, or entertainment.
 3. Purchases that are for personal use and not Village business.
 4. Cash advances or traveler's checks.

5. Allowing any individual other than the Authorized User to use the card.
 6. Failure to return a Card upon termination of Village employment.
 7. Use of the credit card to make any purchase that violates Ohio Ethics Law and Chapter 212 of the Village Codified Ordinances prohibiting 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 any business associate has a direct financial or other interest).
 8. 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 Finance Director within five (5) days of receipt by the Authorized User.
 9. The Authorized User is liable in person and upon any official bond he/she has given to the Village to reimburse any and all amounts for which the Authorized User does not provide itemized receipts.
 10. Use of a credit card account for expenses beyond those authorized by Council constitutes misuse of a credit card. An officer or employee of the Village or a public servant as defined under R.C. 2921.01 who knowingly misuses a credit card held by the Village violates R.C. 2913.21 and may be subject to criminal prosecution.
- (i) Review. On a monthly basis, the Finance Director shall present to Council the credit card statement and shall have Council approve each payment cycle for the credit cards. The Finance Director shall annually present a report with the Council detailing all rewards received based on the use of the Village's credit card accounts pursuant to R.C. 717.31(H).

Exhibit B to Ordinance 2022-21

505 Credit Card Usage Policy

Effective Date: 01/20/2022–5/17/22

Not all employees are authorized credit card users, therefore the language below is not comprehensive and is general in nature. For the full policy, refer to Section 206.04 of the Codified Ordinances. Use of Village-issued credit cards is limited to transactions for proper public purposes. Any personal use is strictly forbidden.

~~Receipts are to be submitted within 48 hours, stamped with the proper expense account number and bear the supervisor's signature authorizing the transaction.~~

Village credit cards are issued only after employee signs acknowledging receipt of card and any other form issued by the Finance Director. ~~The employee whose card bears his /her name is~~ **Employees are** responsible for ensuring that only eligible purchases are made by his / her department, that Sales Tax is not charged and that original receipts are submitted to the Finance Director in a timely manner.

The Compliance Officer is responsible for ongoing education to credit card holders in matters of compliance, and is the first point of contact for credit card users who have inadvertently mis-used a credit card.

Points or "rewards" received from vendors as the result of Village business shall be used for the future benefit of the Village only and treated like cash receipts and expenditures.