

MEDARYVILLE TOWN COUNCIL

ORDINANCE # 2019-09-01

AN ORDINANCE TO ESTABLISH THE USE AND CONTROL OF TOWN CREDIT CARDS

WHEREAS, the Indiana State Board of Accounts requires the Town governing body to authorize the use of a government credit card and to establish controls on the use of said credit cards; and

WHEREAS, to that effect, on or about October 21, 2009, the Town enacted Ordinance No. 2009-10-1 entitled "*An Ordinance to Establish the Use and Control of Town Credit Cards for the Town of Medaryville, Indiana;*" and

WHEREAS, since that time, the need exists to amend the aforementioned ordinance, and the Town reasonably believes it would be more efficient to simply repeal Ordinance No. 2009-10-1 and enact a new ordinance governing the use and control of credit cards for the Town; and

WHEREAS, under Indiana law, the primary function of the Town Clerk-Treasurer is to serve as the fiscal officer of the Town; and

WHEREAS, the Town Clerk-Treasurer's responsibilities include, but are not limited to, prescribing the manner in which creditors, officers, and employees shall be paid, and receive and care for all Town money and disbursements on the order of the Town Council; and

WHEREAS, the Town has previously applied for and received gas credit cards for their Town Clerk Treasurer, Town Maintenance Supervisor, and Town Marshall for the purchase of fuel; and

WHEREAS, in addition, it is the desire of the Town Council, in the interests of efficiency and expediency, to authorize the use of one (1) town credit card for all other purchases except for fuel, and give access to said credit card to the Town Clerk-Treasurer, and any qualifying Town official or employee, such as Town Maintenance Supervisor and the Town Marshall, as the Town Clerk-Treasurer and Town Council deem appropriate for the limited purposes designated herein.

NOW, THEREFORE, BE IT ORDAINED by the Town of Medaryville, Indiana as follows:

Section 1. Repeal Prior Ordinance. Ordinance No. 2009-10-1 entitled "*An Ordinance to Establish the Use and Control of Town Credit Cards for the Town of Medaryville, Indiana*" enacted on or about October 21, 2009 is hereby repealed.

Section 2. Authorization.

- A. **Gas Purchase Only.** The Town has a gas credit card, and said credit cards are in the possession of the Town Maintenance Supervisor and the Town Marshall to use only for the purchase of fuel, which includes gasoline and/or diesel. The Town Maintenance Supervisor and the Town Marshall shall keep a public record showing:
- 1.) The date of charge of any expense authorized by this Ordinance; and
 - 2.) The purpose of the such use.
- B. **Miscellaneous Purchases.** Except as provided herein, the Town Clerk-Treasurer is authorized to apply for, and subsequently use, one (1) Town credit card, and upon her discretion, give access to town officials and town employees to use said credit card for official Town business, which shall be limited to the specific travel, educational, and/or public expenses, as delineated in Section 3 of this Ordinance.

Upon request by a Town official or Town employee, the Town Clerk-Treasurer may issue

the one (1) Town credit card for use, and shall keep a public record showing the following:

- 1.) The name and position of the individual requesting use of said credit card;
- 2.) The date of charge of any expense authorized by this Ordinance;
- 3.) The date of return of the credit card; and
- 4.) The purpose of the such use.

Section 3. Authorized Uses of Credit Card (Miscellaneous Purchases).

- A.) Town officials and Town employees shall be granted the authority to use the Town credit cards for the following limited travel, educational, or public-related expenses:
 - 1.) Hotel or motel room expense;
 - 2.) Fees or costs associated with attending any classroom, convention, or seminar courses, which inures to the benefit of the Town and their officers or employees, in their capacity as agents of the Town;
 - 3.) Gasoline and/or diesel;
 - 4.) Town supplies, materials, small tools and minor equipment; and
 - 5.) Emergency vehicle-related expenses.
- B.) Purchases allowable under this Section are subject to a One Thousand Dollar (\$1,000.00) aggregate limit by all Town officers and Town employee per billing period.
- C.) Any expense not listed in this Section is allowable, if and only if, approved by the Medaryville Town Council before said charge is incurred.

Section 4. Accounts Payable and Safe-Keeping (Gas Purchase Only and Miscellaneous Purchases).

- A.) All accounts payable claims filed in connection with the authorized use of the credit cards shall be submitted to the Town Clerk-Treasurer immediately for processing and no later than seventy-two (72) hours of said use, and will be properly itemized by virtue of a detailed receipt and documented.
- B.) The Town Clerk-Treasurer shall be responsible to match all receipts and charges on the monthly credit card statement and to reconcile that use authorized against this Ordinance to ensure compliance with all provisions herein.
- C.) Any and all charges incurred shall be paid in full every billing cycle, and any unauthorized purchases or undocumented charges shall be the personal responsibility of the individual user and not the Town of Medaryville.
- D.) The Town Clerk-Treasurer shall have the authority to pay all reasonable annual fees, if any, associated with the credit card account.
- E.) With the exception of the gas credit cards, when not in use, the Town credit card shall be kept in a secure location in the office of the Town Clerk-Treasurer.

Section 5. Penalties (Gas Purchase Only and Miscellaneous Purchases).

- A.) Notwithstanding any potential criminal charges and subsequent prosecution for the unauthorized or undocumented use of a Town credit card, any Town employee or Town official who makes an unauthorized purchase or fails to document their charges, shall be personally responsible for any such charge, as well as any and all interest, carrying charges, and/or penalties associated with such charge(s).
- B.) In the event that a lawsuit is commenced to abate such violation or to collect on any unpaid assessment or charge due to the unauthorized or undocumented use of the Town credit card, the person subject to the claim in recoupment shall be liable for any fine

imposed, together with all costs of such action, including but not limited to costs of the suit, expenses, and reasonable attorney fees incurred by the Town in bringing such action.

Passed by the Town Council of Medaryville, Indiana, this 18th day of September,
2019 by a vote of 3 yes to 0 NO.

Robert Schultz
Robert Schultz, President
Medaryville Town Council

Suzanna Wilcoxon
Suzanna Wilcoxon, Member
Medaryville Town Council

Ray Saltsman
Ray Saltsman, Member
Medaryville Town Council

ATTEST:

Judy Harwood
Judy Harwood, Town Clerk/Treasurer
Medaryville, Indiana

