

Ordinance # 23 - ~~04~~ - "0"
County of Shelby Credit Card Policy

FINDINGS OF FACT:

The County of Shelby hereby adopts the following findings of fact to support its adoption of this ordinance:

1. The County of Shelby finds that today's modern economy requires limited use of credit cards by Countywide Office Holders or Department heads or their designated representative for use of credit cards for the purchase of items within the budget of the respective offices.
2. Credit cards are a source of financial abuse and proper oversight of the use of the County of Shelby's credit mandates a procedure to facilitate the efficient and proper use of Shelby County's credit. See *People v Howard*, 888 N.E. 2d 85 (Ill. 2008) 228 Ill. 2d 428, 320 Ill. Dec. 868 (Holding misuse of government credit card a felony under the 1970 Illinois Constitution.)
3. This ordinance only applies to credit cards issued to the county or any office of the county. This Ordinance specifically excludes from its restrictions any regulation on the use of a credit card issued solely in the name of a person seeking reimbursement from the County of Shelby in connection with a purchase made with the individuals own credit card.
4. It is in the best interests of the County of Shelby to require a dual control system associated with the use of a Credit Card issued pursuant to the County of Shelby's own credit when such control can be implemented without interfering with the functions of government.
5. Auditing of Credit Card purchases is necessary, and this policy establishes practices that facilitate proper audit of purchases made with the County of Shelby's credit cards.
6. Empowering Countywide office holders with the ability to make direct purchases is in the best interest of the County of Shelby, provided the restrictions placed herein are followed.
7. It is in the best interests of Shelby County to require reasonable limits which must be imposed on the use of Credit Cards.

DEFINITIONS:

As used herein in this Ordinance, the following definitions shall apply:

"Countywide Office Holder" is defined herein is an individual who by either election or appointment holds an office within the County including but not limited to the Animal Control Director, Clerk, Circuit Clerk, Coroner, Collector, EMA Director, Health Director, Highway Engineer, Supervisor of Assessments, Treasurer, Sheriff, State's Attorney, and Zoning Director.

"County Credit Card" is defined herein as any document, card or devise associated with an account that relates to the extension of Credit by the County of Shelby, or is any form of payment related to any account of the County of Shelby or any of its offices or departments including but not limited to Animal Control Director, Clerk, Circuit Clerk, Coroner, Collector, EMA Director, Health Director, Highway Engineer, Supervisor of Assessments, Treasurer, Sheriff, State's Attorney, and Zoning Director.

Included in this definition would be the Wright Express (WEX) cards issued in the name of the County of Shelby or other similar type cards. WEX cards will be specifically addressed.

Excluded from this definition is any internal control account assigned a number by the Treasurer for either budgetary purposes or reimbursement of expenses.

STATEMENT OF PUBLIC POLICY:

The Shelby County Board, having considered the advantages and disadvantages of a Countywide Office Holder Credit Card Program, has developed this Ordinance, which has been designed to allow for direct purchases, which are in the best interests of the operations of the County and supports protecting the health safety and welfare of the people of the County of Shelby. The use of any County Credit Card should be to eliminate the need for direct reimbursements when deemed necessary by the respective Countywide Office Holder. Any credit card issued to the County of Shelby should not be used if there is an alternate form of payment available (i.e., an invoice can be obtained from a third-party vendor with payment approved at a county board meeting). All credit card purchases must comply with the rules and regulations adopted by the County of Shelby, as well as with all applicable State and Federal statutes.

All County Credit Cards, except for the WEX cards issued for the Shelby County Sheriff's Department, issued prior to the passing of this Ordinance will be turned into the County Treasurer or County Clerk and the Countywide Office Holder will assist with the closing of those account with the proper reconciliation of the final statement(s) for those accounts.

Upon the passing of this Ordinance the Shelby County Sheriff will work with the County Treasurer and the County Clerk providing authorization for both to have access to all WEX card accounts. Furthermore, the Shelby County Sheriff will provide information to the County Treasurer and the County Clerk regarding the method of identifying the individually assigned WEX cards to the cardholder and how each transaction identifies the specific vehicle to which the purchase applies.

I. REQUESTS FOR COUNTY CREDIT CARD

1. Countywide Office Holders may request a County Credit Card for themselves or an employee within their department/office through the County Treasurer's Office by completing the Shelby County Credit Card Request Form.
2. The County Treasurer shall facilitate the issuance of a County Credit Card through a third-party vendor of his/her choice. NO County Credit Cards will be allowed to have a cash advance option.
3. Upon issuance of any County Credit Cards, the County Treasurer will provide access authorization to the County Clerk.
4. All requests to obtain a County Credit Card must be approved by the respective Countywide Office Holder, but the number of cards issued may depend upon the spending limits determined by the County Board in conjunction with the Countywide Office Holder.

5. The billing address for the County Credit Card shall be the same address as for the Countywide Office Holder or their employee requesting the County Credit Card.
6. County Credit Card credit limits shall be \$3,000 or lower. Credit limits may be temporarily adjusted for specific needs if requested by the Countywide Office Holder and approved by the County Treasurer and County Board Chairman.
7. The County Treasurer shall maintain a Countywide Credit Card for the use of any Countywide Office Holder that may have a need to make a credit card purchase when that Countywide Office Holder has chosen not to have a County Credit Card issued in their name. Use of this County Credit Card may be requested by completing the Shelby County Credit Card Checkout form.
8. Specific to WEX card needs for any Countywide Office Holder, other than the Shelby County Sheriff, if a need arises for WEX cards to be obtained for the department, discussions will be had between the Countywide Office Holder, the committee of the Shelby County Board that has oversight over that department and the County Treasurer. The purpose and outcome of those discussions are to solidify the need for the departmental WEX cards and the way in which the WEX cards will have individual user identifiers, to include vehicle mileage, the vehicle/unit number and the card user. The appropriate committee of the Shelby County Board shall approve to send to the full board for approval of any WEX cards to be issued to a department other than the Shelby County Sheriff's Department. The County Treasurer and the County Clerk shall have full authorization to all WEX card accounts.

II. CARDHOLDER RESPONSIBILITIES

1. Extensions of credit or debits to a county shall not be made a County Credit Card which are not covered by sufficient appropriation in the appropriate county budget line item.
2. Charges shall not be made to a County Credit Card without prior approval by the respective Countywide Office Holder.
3. The County Credit Card must be protected in the same or better manner as the individual holding the County Credit Card would for his or her own credit cards. In the event of a misplaced/stolen County Credit Card, the County Treasurer's office will be notified immediately AND the emergency phone number on the back of the County Credit Card or on the cardholder agreement will be called immediately to report it

III. MONTHLY STATEMENT RECONCILIATION

1. Each Countywide Office Holder will be responsible for reconciling all County Credit Card statements that are assigned to them and any employee of their department. The County Treasurer is responsible for the Monthly Statement

Reconciliation for the County Credit Card held for checking out for use from the County Treasurer department.

2. The Monthly Statement Reconciliation Report shall include the full itemized County Credit Card/WEX card statement showing every transaction that transpired on each card that month.
3. For every transaction listed on the monthly County Credit Card/WEX card statement there shall be an original itemized receipt for the purchase attached to the Monthly Statement Reconciliation report.
4. Each itemized receipt shall note the appropriate fund to which the purchase is to be deducted from. If there are multiple funds to be deducted from, each receipt should be noted as to the individual funds and the specific dollar amount to be deducted for each. All funds and dollar amounts shall total to the amounts noted on any one receipt shall total the dollar amount of the receipt.
5. Should there be any unidentified transactions appearing on a monthly County Credit Card statement the Countywide Office Holder will notify the credit card provider, the County Treasurer, and the County Clerk. It will be the responsibility of the Countywide Office Holder to work through to solution the unidentified transaction. Upon resolution the County Treasurer and the County Clerk shall be notified of said resolution.
6. The Countywide Office Holder shall:
 - i. Check to ensure all Monthly Reconciliation reports are complete as outlined above.
 - ii. Check to ensure all expenditures are in accordance with County of Shelby policies.
 - iii. Sign and date the Monthly Reconciliation report as approved, and
 - iv. Turn the Monthly Reconciliation report in to the County Clerk NO LATER THAN 4 pm the Friday prior to the Tuesday of the monthly meeting of the Shelby County Finance Committee. The annual schedule of meetings of the Shelby County Finance Committee is posted in December of each year. The County Treasurer, when creating new County Credit Card accounts or working with any department for new WEX card accounts will work with the vendor regarding statement dates and payment due dates to allow for the timely completion of the Monthly Statement Reconciliation.
7. The County of Shelby Finance Committee shall review the Monthly Statement Reconciliations and approve to send with claims for payment to the full board or, if necessary, hold for any concerns that need to be addressed.

IV. PUBLIC TRANSPARENCY

1. Given all County Credit Cards/WEX cards are paid with taxpayer dollars, all Monthly Statements and accompanying receipts are public records and therefore shall be made available to any County of Shelby Board Member or Elected/Appointed Countywide Office Holder upon request or any other person pursuant to the Freedom of Information Act (FOIA) upon request. No responses to these requests shall contain any redacted information regarding the purchases made. Information regarding the account number or any other identifying information regarding the account may be redacted.

V. AUTHORIZATION FOR COUNTY CREDIT CARD/WEX CARD

Every Countywide Office Holder, County of Shelby Employee and every volunteer of the County of Shelby shall execute the SHELBY COUNTY CREDIT CARD AGREEMENT AND-OR RECEIPT FORM acknowledging agreement to the following:

1. I have been advised that the use of a Shelby County Credit Card is solely for purchases with a public purpose. I have been further advised that if I use a County Credit Card for a personal expense, that such use constitutes a felony, and I could be charged with a crime for any misappropriation of funds resulting from its misuse. I also understand that I could be convicted of a crime even if I immediately repay the amounts associated with the card's misuse.
2. I will not use a County Credit Card for personal use, for cash advances, for unauthorized travel and any form of entertainment expense, or for purchase of alcoholic beverages or any substance or material or service which violates County Policy, State Law, or Federal law.
3. I agree to execute and abide by the SHELBY COUNTY CREDIT CARD SURRENDER FORM and provide it to the County Treasurer's department upon vacating my position, for any reason along with the County Credit Card/WEX card.
4. I agree to comply with the terms and conditions herein imposed by this ordinance and to the extent that I violate the ordinance, I shall reimburse Shelby County for any improper purchase.
5. I understand that the County is responsible for payment of all Credit Card charges and will use all means at its disposal to recover charges made by any individual in violation of County policies and that I fully understand the limits imposed by Ordinance # _____.

APPROVED AND ADOPTED at a meeting of the Shelby County Board, Shelby County, State of Illinois on this _____ day of _____, 20____.

2017

Shelby County Board Chairman

ATTEST:

Shelby County Clerk

Yea _____

Nay _____

SHELBY COUNTY CREDIT CARD REQUEST FORM

This form is to be used by a Countywide Office Holder to request issuance of a Shelby County credit card for use by their Department/Office. The request for a Shelby County credit card may be for the Countywide Office Holder themselves or for an employee within their department/office. The completed form shall be submitted to the County Treasurer for review and approval per the Shelby County Credit Card policy. The County Treasurer will make the request to the credit card issuer.

Name to appear on the card: _____

Monthly County Credit Card Limit requested (not to exceed \$3,000):

Mailing address for County Credit Card Statement:

Countywide Office Holder Signature & Date: _____

Department/Office Employee Signature & Date (if applicable) _____

County Treasurer Signature & Date: _____

Original to be maintained in the County Treasurer department with a copy to be retained by the appropriate Countywide Office Holder.

SHELBY COUNTY CREDIT CARD CHECKOUT FORM

Countywide Office Holder requesting County Credit Card checkout:

Date of Checkout: _____

Date to be returned: _____

Purpose/items to be purchased:

County Fund to which charges will be allocated:

Acknowledgement: I understand that the County Credit Card is to be returned by the date noted above and that it is my responsibility to provide the County Treasurer with a detailed itemized receipt along with the returned County Credit Card. Furthermore, I will specify the appropriate County Fund(s) to which the charges are to be allocated on each receipt.

Countywide Office Holder Signature and Date:

County Treasurer to Sign and Date upon the return of the County Credit Card:

Original to be maintained in the County Treasurer department with a copy to be retained by the appropriate Countywide Office Holder.

SHELBY COUNTY CREDIT CARD AGREEMENT AND/OR RECEIPT
FORM

Date: _____ Countywide Office Holder: _____

Credit card type. ☐ Visa ☐ Mastercard ☐ American Express ☐ Other: _____

Account/Card Number: _____ Expiration Date: _____

The Countywide Office Holder or the respective employee listed below, by signing and dating this form, agrees to the following regardless of whether or not I am receiving a County Credit Card/WEX card in my name:

- I have been provided a copy of the Shelby County Credit Card Ordinance/Policy.
- I have read and I understand the Shelby County Credit Card Ordinance/Policy.
- I have paid particular attention to V. AUTHORIZATION FOR COUNTY CREDIT CARD.
- I agree to comply with all terms and conditions set forth within the Shelby County Credit Card Ordinance/Policy and to the extent that I violate the ordinance, I shall reimburse the County of Shelby for any improper purchases.

Countywide Office Holder/Employee (print): _____

Date: _____

Countywide Office Holder/Employee Signature:

Original to be maintained in the County Treasurer department with a copy to be retained by the appropriate Countywide Office Holder.

SHELBY COUNTY CREDIT CARD TEMPORARY INCREASED LIMIT REQUEST
FORM

Increased Limit Needed: _____

Dates Increased Limit is Needed:

From: _____

To: _____

Purpose for Increased Limit Need:

Countywide Office Holder Signature and Date:

County Treasurer Signature and Date:

Shelby County Board Chairman Signature and Date:

Original to be maintained in the County Treasurer department with a copy to be retained by the appropriate Countywide Office Holder.

SHELBY COUNTY CREDIT CARD SURRENDER FORM

I hereby SURRENDER the County Credit Card issued to me by the County of Shelby. I declare that all charges on the County Credit Card are for official county business. I have provided original, detailed itemized receipts for any outstanding charges and recognize that I may personally be subject to payment of charges made by me where I failed to provide the appropriate receipts. I have read and understand the Shelby County Credit Card Policy and willfully comply with the procedures within said policy

Countywide Office Holder/Employee (print): _____

Date: _____

Countywide Office Holder/Employee Signature: _____

Account/Card Number: _____

Original to be maintained in the County Treasurer department with a copy to be retained by the appropriate Countywide Office Holder.