

RESOLUTION R-2008-70

A RESOLUTION BY THE COUNCIL OF THE VILLAGE OF WINDHAM ESTABLISHING A POLICY FOR ROUTINE AND NON-ROUTINE TRANSACTIONS

WHEREAS, the Village Fiscal Officer and Village Administrator wish Council to establish a policy for routine and non-routine transactions; and

WHEREAS, this matter is an emergency measure necessary to preserve the public health, safety and general welfare of the residents of the Village of Windham;

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Windham three-fourths or more of the members elected thereto concurring that:

Section 1: That the Council of the Village of Windham hereby establishes the following policy concerning routine and non-routine transactions superseding and nullifying Resolution R-2008-34:

Policy on Routine and Non-Routine Transactions

The Department Head has the authority to purchase goods and enter into consulting contracts which do not exceed \$3,000 as we consider these to be routine daily decisions which need to be made to continue the day to day operations. All purchases above \$3,000 must be approved by the Council President or a Member of the Council Finance Committee and then brought before Council for their express approval as we consider all purchases of goods and consulting contracts above \$3,000 to be Non-Routine transactions needing express approval by Council. In addition, any change order to any contract or consulting or service contract must always be brought before Council with an explanation why there is a change in the terms of the contract already approved.

Council considers the following to be exceptions relating to non-routine transactions:

- Utilities as these are by their very nature routine;
- Payroll transactions as they are approved in the annual payroll ordinance approving all positions and their pay rates. This includes all withholding, including Court ordered withholding. Also, the Village Solicitor is a contracted employee and falls into this category for his regular payroll. However, anything beyond our Solicitor's regular payroll is a non-routine transaction if over \$3,000.
- Debt obligations: Council approves all debt obligations and when doing so Council approves the debt payment schedule, including the interest rate into the future. Also, we approve a Resolution at the beginning of each year to transfer monthly money from the responsible funds to our debt service funds so we can meet our obligations semi-annually and annually. We do recognize some amortization schedules do change over time and that sometimes additional money needs to be transferred to the debt service funds to cover the additional cost. In those cases, the Fiscal Officer must notify Council of the additional amount and the reason for the additional amount so Council can pass a Resolution transferring the additional amount to meet the obligation.
- Insurance (property, liability, etc.): Insurance is approved in a Resolution by Council as they determine the needs for the Village once per year and in the process agree to the terms of the contract with the insurance agent.
- Service Contracts – Consultant Contracts: Attorney fees and Engineer fees, etc.: We do approve all service and consultant contracts in a Resolution when we enter a contract for services provided to our Village. Additional services or change orders not covered in the initial contract or not anticipated must always be brought before Council for our approval. If an emergency, see the process below.

- Fuels, Chemicals and Salt purchases: Annually Council requires the various vendors for salt to provide their cost basis to determine the contractor they will deal with during the coming year. As long as the quantities and cost basis does not change from what Council already approved in Resolution there is no need to have Council approve this again.

In the case of emergencies, the Department Head, in consultation with the Mayor, may enter into agreement with a vendor to eliminate the emergency. However, at the earliest possible time the Village Administrator and Mayor must provide Council with the nature of the emergency and all related expenses related to such emergency for express permission through Resolution.

The overall objective of this policy is to gain more control over certain expenditures, especially those over \$3,000. We require the Village Fiscal Officer to create a listing so that Members of Council who are approving expenditures on an ongoing basis can sign off on that individual expenditure on that listing. When another Member comes to review they should be able to readily see which expenditures have not been approved.

This policy is not being put into place to restrict the operations in any manner. This policy is in place to aid the ongoing operations and move forward any expenditure as soon as practicable. In addition, when expenditures are approved by a Member of Finance or the Council President under this policy it is considered ready to process. At this point, and except for the exceptions noted above, the only remaining objective of this policy is to provide a listing of all expenditures over \$3,000 to Council for approval in a Resolution. At no time should the Fiscal Officer hold up any expenditure already approved by a Member of Council as that Member would not be approving if they had not intended to let the full Council know the expenditure is for a valid purpose.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council, and of any of its committees that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

Section 3: This Resolution is hereby declared to be an emergency measure and becomes effective upon its passage by Council and approval by the Mayor, to further insure the health, safety and morals of the Village of Windham.

Passed in Council this 23rd day of September, 2008.

Vote of Council: Ayes: Mr. Garrett, Mrs. Meszaros, Mr. Slusher, Mr. Snyder
 Nays: Mrs. Rininger Abstain: Mrs. Barrett

ATTEST:

APPROVED:

 Village Fiscal Officer

 Mayor Robert Donham II

I do hereby certify the above Resolution was posted at the five (5) public notice locations in the Village of Windham, Ohio on the _____ day of _____, 2008.

 Village Fiscal Officer