

1 ORDINANCE NO. 2011-481

2
3 SPONSOR Mr. Pry

4
5 DATE November 21, 2011 COMMITTEE Finance

6
7 **An Ordinance amending Section 177.23 of the Codified Ordinances of the County of**
8 **Summit, entitled "Purchases not exceeding \$1,000," to add additional items to the**
9 **exemption from pre-certification of the availability of funds by the County Fiscal Officer,**
10 **for the Executive's Department of Finance and Budget, and declaring an emergency.**
11

12 WHEREAS, Section 5705.41(D)(2) of the Ohio Revised Code authorizes the exemption
13 of purchases not exceeding \$1,000 from pre-certification, authorizes a county to set the period
14 for filing notice of such purchases with the county auditor, permits the notice to be electronic or
15 written and requires the notice to state the specific appropriation item from which the
16 expenditure is to be made; and
17

18 WHEREAS, County Council previously adopted Ordinance No. 2003-262, which
19 enacted Section 177.23 of the Codified Ordinances of the County of Summit, which, as
20 amended, is entitled "Purchases not exceeding \$1,000," and exempts certain types of purchases
21 not exceeding one thousand dollars (\$1,000.00) from pre-certification of the availability of funds
22 by the County Fiscal Officer; and
23

24 WHEREAS, it is necessary to amend Section 177.23 to add towing expenses, emergency
25 repairs of equipment or vehicles, office equipment, fees for interpreting services and fees for
26 Attorney Help Desk services at the County of Summit Juvenile Court as categories that are
27 exempt from pre-certification of the availability of funds by the County Fiscal Officer and
28 amending Section 177.23(a)(19) to allow the purchase of supplies other than through State-Term
29 pricing; and
30

31 WHEREAS, this Council has determined by reviewing all pertinent information that
32 amending Section 177.23 for the aforementioned reason is necessary and in the best interest of
33 the County of Summit;
34

35 NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State
36 of Ohio, that:
37

38 SECTION 1

39
40 Section 177.23 of the Codified Ordinances of the County of Summit, entitled "Purchases
41 not exceeding \$1,000," is hereby amended as follows:
42

43 **"177.23 PURCHASES NOT EXCEEDING \$1,000.**

44 (a) The following types of purchases, provided they do not exceed one thousand
45 dollars (\$1,000), shall be exempt from the requirement that the availability of funds be pre-
46 certified by the County Fiscal Officer:

- 47 (1) Subscriptions, publications and bulletins;
48 (2) Conference and seminar registration fees for approved travel;
49

3
4 SECTION 1 (cont'd.)

- 5
6 (3) Airline tickets for approved travel;
7 (4) Training expenses and approved training;
8 (5) Reimbursement of personal cash expenditures;
9 (6) Licenses, permits and fees;
10 (7) Memberships;
11 (8) Mileage reimbursements;
12 (9) Shipping, freight and postage;
13 (10) Utility refunds;
14 (11) Uniform allowance purchases;
15 (12) Trial expenses;
16 (13) Hotel expenses;
17 (14) Meal expenses;
18 (15) Juvenile restitution payments;
19 (16) Hospitality items;
20 (17) Veteran's burial expenses;
21 (18) Advertising;
22 (19) Office supplies and equipment, supplies for maintenance and cleaning,
23 computer supplies and photocopier supplies ~~purchased under Section 177.07(a)(6);~~
24 (20) Mediation fees;
25 (21) Emergency repairs of equipment or vehicles;
26 (22) Fees for interpreting services;
27 (23) Fees for services rendered to the Juvenile Court by an attorney for the
28 Attorney Help Desk program.

29 (b) Any person authorized to make a purchase under subsection (a) of this section
30 shall, within seven (7) business days of the receipt of an invoice, prepare and file with the
31 County Executive an electronic or written signature list for approval and submission to the
32 County Fiscal Officer, containing an expenditure voucher with an original itemized vendor's
33 invoice specifying the purpose, amount of the expenditure, the date of the purchase, the specific
34 appropriation item from which the expenditure is to be made, and such additional information as
35 the Fiscal Officer may require.

36 (c) In order for the exemptions in this section to remain in force, on an annual basis,
37 County Council must adopt a resolution approving for the ensuing fiscal year the exemption of
38 the types of purchases stated in paragraph (a) from pre-certification of the availability of funds
39 by the Fiscal Officer. The annual resolution shall not add additional types of purchases or delete
40 types of purchases stated in paragraph (a), which shall require the amendment of this section by
41 ordinance. At least fifteen (15) days prior to the adoption of the annual resolution, notice shall
42 be given to the Fiscal Officer, who shall have fifteen (15) days in which to review and comment
43 on the proposed resolution. If Council fails to adopt such a resolution, the exemptions stated in
44 paragraph (a) above shall cease on December 31st of the last year for which they were approved.

45 (d) The Fiscal Officer is authorized to establish policies and procedures to implement
46 this section.

47 (e) A violation of the policies and procedures established by the Fiscal Officer to
48 implement this section shall be cause for the Fiscal Officer to restrict or eliminate a County
49 office's right to make purchases under paragraph (a) of this section."
50

1 ORDINANCE NO. 2011-481

2 PAGE THREE

3
4 SECTION 2

5
6 This Ordinance is hereby declared an emergency in the interest of the health, safety, and
7 welfare of the citizens of the County of Summit, and for the further reason that it is necessary in
8 order to immediately amend Section 177.23 to add towing expenses, emergency repairs of
9 equipment or vehicles, office equipment, fees for interpreting services and fees for attorneys for
10 the Attorney Help Desk program at the County of Summit Juvenile Court as categories that are
11 exempt from pre-certification of the availability of funds by the County Fiscal Officer and to
12 immediately amend Section 177.23(a)(19) to allow the purchase of supplies other than through
13 State-Term pricing.

14
15 SECTION 3


16
17 Provided this Ordinance receives the affirmative vote of eight members, it shall take
18 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
19 effect and be in force at the earliest time provided by law.

20
21 SECTION 4

22
23 It is found and determined that all formal actions of this Council concerning and relating
24 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all
25 deliberations of this Council and of any of its committees that resulted in such formal action,
26 were in meetings open to the public, in compliance with all legal requirements, including Section
27 121.22 of the Ohio Revised Code.

28
29
30 INTRODUCED November 7, 2011

31
32 ADOPTED November 21, 2011

33
34
35
36 
CLERK OF COUNCIL

37
38
39
40
41
42
43
44 
PRESIDENT OF COUNCIL

APPROVED November 22, 2011

40
41
42
43
44 
EXECUTIVE

ENACTED EFFECTIVE November 22, 2011

Voice Vote:10-0: YES:Crawford, Feeman, Kostandaras, Kurt
Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro. Absent: Comunale