

STATE OF INDIANA  
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

RESOLUTION   //   -2012

**WHEREAS**, IC 36-1-2-5 & 36-2-2-2 both clearly define the Board of County Commissioners as the County Executive; and,

**WHEREAS**, IC 36-1-2-9 defines the Board of County Commissioners as the "Legislative Body" for the county; and,

**WHEREAS**, IC 36-1-3-2 grants all units of government all the powers they need for the effective operation of government; and

**WHEREAS**, IC 36-1-3-6 (b) (1) states that in the absence of specific constitutional or statutory proscribing a specific manner for exercising a power by a county, the county must adopt an ordinance prescribing a specific manner for exercising the power; and

**WHEREAS**, IC 36-2-2-1 and 36-2-2-2 state that the three member Board of Commissioners of a county elected under this chapter is the County Executive and that the Board of Commissioners of said county **SHALL** transact the business of the county, including entering into all contracts; and

**WHEREAS**, IC 36-2-6-2 states that a person who has a claim against a county shall file an invoice or a bill with the county auditor, and that the auditor **SHALL** present the invoice or bill to the executive, which **SHALL** examine the merits of the claim and that the executive may allow any part of the claim that it finds to be valid; and

**WHEREAS**, IC 5-22-4-5 states that the purchasing agency for a political subdivision is the person designated by law or by rule of the governmental; and

**WHEREAS**, IC 5-22-6-1 and IC 5-22-6-2 state that the purchasing agency of a governmental body may purchase services using any procedure the governmental body or purchasing agency of the governmental body considers appropriate and that a governmental body may adopt rules governing the purchase of services for the governmental body; and

***NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CLARK COUNTY INDIANA:***

**SECTION 1:** The Board of Commissioners is hereby reaffirmed as the sole designated purchasing agent of Clark County Government and will continue establish such rules as are deemed necessary.

**SECTION 2:** As a matter of policy and law, the Auditor of Clark County has no authority to negotiate with outside vendors, bankers nor enter into contracts for any police cars or any other products without the express written consent of the Clark County Commissioners, who are by law the only duly designated purchasing agent for Clark County Government.

**SECTION 3:** The Clark County Auditor is hereby directed to deliver to the Clark County Commissioner's Office by Thursday August 23, 2012, the records of all Sherriff gasoline purchases, for all vehicles, with signed charge receipts from all pump sites, from January 1, 2012 thru August 1, 2012.

**SECTION 4:** The Clark County Sherriff is directed to deliver to the Clark County Commissioner's Office copies of all gasoline charge bills from commissary fund records, from all pump sites, for all Sherriff vehicles from January 1, 2012 to August 1, 2012.

**SECTION 5:** The Clark County Sherriff is directed to deliver to the Clark County Commissioner's Office by August 23, 2012, copies of all vehicle purchases, of any kind, purchased from commissary funds from January 1, 2012 to August 1, 2012

**SECTION 6:** This Resolution shall be in full force and effect upon its passage as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Board.

### So Resolved this 16th day of August, 2012

Members voting "NO"

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M. Edward Meyer, Commissioner

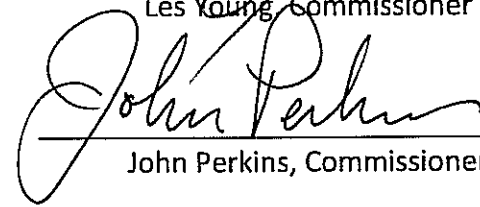
\_\_\_\_\_  
Les Young, Commissioner

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John Perkins, Commissioner

Members voting "YES"

  
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M. Edward Meyer, Commissioner

  
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Les Young, Commissioner

  
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John Perkins, Commissioner

Attested by:

  
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R. Monty Snelling