

TOWN OF MONROE,
STATE OF INDIANA

ORDINANCE: 2019 - 6

SHORT TITLE: AN ORDINANCE APPOINTING TOWN CLERK-TREASURER
LIMITED PURCHASING AGENT AND CREATION OF POLICY FOR
LIMITED PURCHASING AGENT AUTHORITY

WHEREAS, Indiana Code § 36-1-3, et seq. confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government;

WHEREAS, the Town of Monroe is a municipality within the State of Indiana, and, Ind. Code § 36-5-2-2 provides that the Town Board for the Town of Monroe (hereinafter referred to as the "Town Board") is the legislative body for the Town of Monroe;

WHEREAS, Ind. Code § 36-5-2-9 provides that a legislative body may adopt ordinances and resolutions for the performance of the functions of the town;

WHEREAS, the Town of Monroe has recurrent expenses that are relatively fixed and that sometimes accrue and are payable prior to the date when the Town Board convenes at its monthly meetings;

WHEREAS, the Town Clerk-Treasurer is responsible for payment of the recurrent expenses when they are due and payable;

WHEREAS, the Town Clerk-Treasurer has recently, and from time to time, experienced instances when the recurrent expenses were due and the Town Board would not convene until after those expenses were due and payable, which caused the Town to incur a penalty for late payment;

WHEREAS, the Town of Monroe desires to appoint the Town Clerk-Treasurer as a limited purchasing agent of the Town of Monroe in order to avoid incurring unnecessary penalties for late payment of the Town of Monroe's recurrent and relatively fixed expenses;

WHEREAS, the Town of Monroe desires to establish a set of policies to limit the authority of the Town Clerk-Treasurer as purchasing agent for the Town of Monroe;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF MONROE, INDIANA, AS FOLLOWS:

Section 1. Purpose. The purpose of this Ordinance is to promote prompt and efficient payment of recurrent and relatively fixed costs, and to avoid paying penalties for late payments on these expenses. Further, the Town of Board desires to ensure control procedures in order to prevent abuse of the authority to conferred in this Ordinance. The Town Board authorizes the Town Clerk-Treasurer limited purchasing authority to make these regular and recurrent payments on behalf of the Town of Monroe without first presenting said payments to the Town Board for approval.

Section 2. Definitions. The definitions set forth in this Ordinance are applicable to this Ordinance and are not of universal meaning within the context of other Ordinances, unless specific reference to said term and definition is referenced therein.

- A. “*Budgeted Expense*” means the annual amount allocated, appropriated and dedicated to the respective line item in the Town of Monroe’s annual fiscal budget for operating expenses.
- B. “*Limited Purchasing Agent*” shall mean the Town Clerk-Treasurer whose authority to expend the Town of Monroe’s public funds is limited and restricted to the Purchasing Policies established herein.
- C. “*Operating Expenses*” shall mean monthly, quarterly, or other regularly incurred expenses that are relatively fixed expenses and that required for the Town of Monroe and its departments to maintain their operations and are due prior to the date of the next scheduled Town Board meeting.
- D. “*Purchasing Policies*” shall mean the procedures, policies and limitations set forth in this Ordinance with respect to the Limited Purchasing Agent’s authority to expend public funds to maintain the Municipal Assets.


Section 3. Purchasing Policies. The Town Clerk-Treasurer shall be subject to the following Purchasing Policies with respect to his authority as a Limited Purchasing Agent:

- A. *Authority.* The Town Board hereby appoints the Clerk-Treasurer, as a Limited Purchasing Agent, and expressly authorizes the Town Clerk-Treasurer, as a Limited Purchasing Agent, to make payment of only Operating Expenses that are necessary for maintaining the operations of the Town and its departments.
- B. *Purchasing Limits.* The Town Clerk-Treasurer, as the Limited Purchasing Agent, is expressly limited to making payment for Operating Expenses that individually do not exceed Five Thousand and 00/100 Dollars (\$5,000.00).
- C. *Documentation.* The Town Clerk-Treasurer shall be required to maintain and present to the Town of Board, at the next scheduled Town Board meeting following any payment of Operating Expenses, physical copies of all receipts the Town Clerk-Treasurer has made as the Limited Purchasing Agent on behalf of the Town for all Operating Expenses not presented prior to payment being made to the Town Board.
- D. *Undocumented Operating Purchases.* Undocumented Operating Expenses are expressly prohibited. Any undocumented Operating Expenses shall result in review by the Town Board as to the amount, necessity and reasonableness of the Operating Expense. The Town may reduce or eliminate the Budgeted Expense if it is concerned with fiscal control or potential abuse due to undocumented Operating Expenses paid by the Town Clerk-Treasurer as the Limited Purchasing Agent. The Town of Monroe may call an executive session to address personnel action against the Town Clerk-Treasurer if the Town Board finds that the abuse amounts to theft, conversion, malfeasance or a general pattern of misconduct by the Town Clerk-Treasurer.

Section 4. Further Amendments. The Town Board for the Town of Monroe shall have the right to amend, modify or revoke this Ordinance or to place added restrictions upon the Town Clerk-Treasurer to ensure proper accountability of public funds.

Section 5. Effective Date. This Ordinance shall be effective upon the date of its adoption by the Town Board for the Town of Monroe, Adams County, State of Indiana.

DULY ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF MONROE, ADAMS COUNTY, INDIANA, ON THIS 12 day of December, 2019.



Debra S. Giessler

Mike Geels


Jeffrey L. Johnson

TOWN COUNCIL OF THE TOWN
OF MONROE, ADAMS COUNTY, IN

ATTEST:


Rachel Tague, Clerk-Treasurer
Town of Monroe, Adams County, IN