

RESOLUTION NO. 2022- 04

TOWN COUNCIL OF THE TOWN OF CENTERVILLE, INDIANA

**RESOLUTION TO EXERCISE INTERLOCAL POWER TOWARDS COOPERATION
BETWEEN CENTER TOWNSHIP, INDIANA and THE TOWN OF CENTERVILLE,
INDIANA, FOR THE APPROVAL AND EXECUTION OF A FIRE PROTECTION
AGREEMENT**

WHEREAS, the Town of Centerville, Wayne County, Indiana, is a duly created Municipal Corporation and Political Subdivision of the State of Indiana as said terms are defined at Indiana Code 36-1-2-10 and 13, and

WHEREAS, the Town of Centerville is governed by its Town Council (“Council”) as the legislative body of the Town, and

WHEREAS under IC 36-1-3, it is the express policy of the State of Indiana (the “State”) to grant units all the powers needed for the effective operation of government as to local affairs, and consistent with such policy, a unit may exercise any power it has to the extent that the power is not expressly denied by the Indiana Constitution or by statute, and is not expressly granted to another entity; and

WHEREAS, pursuant to IC 36-1-4, a town or a township may, among other measures pay debts, and enter into contracts; and

WHEREAS, the Town is empowered under IC 36-8-2-3 to establish, maintain, and operate a firefighting and fire prevention system and may provide facilities and equipment for that system; and

WHEREAS, the Township is empowered under IC 36-6-4-3(10) and IC 36-8-13 to establish, maintain, and operate a firefighting and fire prevention system and may provide facilities and equipment for that system for the benefit of residents in the unincorporated areas of the Township; and

WHEREAS, pursuant to IC 36-1-7-2, a power that may be exercised by a political subdivision and by one (1) or more other governmental entity may be exercised (i) by one (1) or more entities acting on behalf of others, or (ii) jointly by the entities, provided that the entities, by ordinance or resolution, enter into a written agreement which complies with IC 36-1-7-3; and

WHEREAS, Center Township, Wayne County, Indiana (the "Township") has previously contracted with the Town of Centerville, Indiana (the "Town") for the provision by the Town of fire protection services to residents of the Township, and the Township and the Town each desire to continue that joint relationship and endeavor;

NOW, THEREFORE, BE IT RESOLVED, pursuant to the provisions of Indiana Code 36-1-7-2, that the Council of the Town of Centerville by the undersigned Council Members hereby accepts and ratifies the terms of the Agreement identified as the attached Exhibit "A" and authorizes the President of the Council to sign and execute the terms of this Agreement.

This Resolution shall be effective immediately upon its adoption by the Town Council.

Upon motion duly made and seconded, this Resolution is hereby passed and adopted by the Town Council of the Town of Centerville, Wayne County, Indiana, at 7:00 p.m. on this 7th day of November, Twenty Twenty-Two.

THE TOWN COUNCIL OF CENTERVILLE, WAYNE COUNTY, INDIANA

AYE

NAY

<u><i>Daniel Wandersee</i></u>	Dan Wandersee, President	_____
<u><i>Gary Holbert</i></u>	Gary Holbert, Vice President	_____
<u><i>Josh Tudor</i></u>	Josh Tudor, Member	_____
_____	James Bullen, Member	_____
<u><i>Jack Bodiker</i></u>	Jack Bodiker, Member	_____

Constituting a majority of all the members of the Town Council

ATTESTED BY:

Richard Tincher
Richard Tincher, Clerk-Treasurer of
the Town of Centerville, Indiana

Instrument Prepared by: Edward O. Martin, Esq., Town Attorney

