

MINUTES
MONTGOMERY COUNTY COMMISSIONER MEETING
MONDAY, DECEMBER 23, 2024

The Montgomery County Commissioners met in regular session on Monday, December 23, 2024 at 8:00 am at the Montgomery County Government Center, 1580 Constitution Row – Room E109, Crawfordsville, Indiana.

CALL TO ORDER

On call of the roll, the members of the Board were shown to be present as follows: Board President Commissioner John E. Frey; Board Vice President Commissioner Jim Fulwider; and Commissioner Dan Guard, Member.

Also present: County Attorney Dan Taylor; County Administrator Tom Klein; Auditor Mindy Byers; Building Administrator Marc Bonwell; Highway Director Jake Lough; Central Communications Director Sherri Hill; VA Officer Joe Ellis; Mapping Director Mike Davis; Assessor Sherri Bentley; Assistant County Attorney Tyler Nichols; Councilman Steve Loy; and Commissioners Executive Assistant Lori Dossett.

PLEDGE & PRAYER

Commissioner Frey led the pledge of allegiance and Commissioner Guard led the prayer.

CONSENT AGENDA

Approval of Claims: AP \$29,951,103.08 (including \$25,896,451.45)

Payroll - \$485,477.42

Minutes: December 9, 2024

Acknowledge Receipt of 2024 Annual Reports:

Risk Assessment -The Risk Management Committee is responsible for an annual review of the Risk Management Plan. As a result of the annual review, the Risk Management Plan may be amended to address deficiencies. The attached Report presents recommendations for amendments to the Plan.

Internal Controls - The Internal Controls Committee is responsible for an annual review of the Internal Controls Policy. The Committee may issue recommendations to address concerns that have been identified. The Report discusses the concerns and provides recommendations.

Title VI - Annual Title VI Reports are required to keep in compliance with Title VI rules and regulations.

ADA - Annual ADA Reports are required to keep in compliance with ADA rules and regulations.

Commissioner Fulwider moved to approve the Consent Agenda. Seconded by Commissioner Guard. Motion carried 3-0 votes in favor.

Public Hearing: Re-Zone Request Ronald & Kimberly Kiger 10250 East Block of SR32 from Residential to Commercial

Building Administrator Marc Bonwell stated, Ronald and Kimberly Kiger filed a proposal to rezone from Residential to Commercial certain parcels of land in the 10250 East Block of State Road 32 for a wedding venue and chapel. The Plan Commission added the following conditions for approval:

INDOT Approval required for entrance access prior to issuance of permits for construction.

Landscape buffer per 18.09 required on east property boundary.

Staff recommends hours of operation be set for venue (8am to 11pm).

Petitioner Kimberly Kiger, 9997 E SR32 stated that the proposed wedding venue will be on property located across the road from their residence. Currently there is a home at the front of the property where their daughter and her husband reside. The venue will be located behind the residence.

Commissioner Frey opened the Public Hearing @ 8:04 am. Hearing no public comment, Commissioner Frey closed the Public Hearing @ 8:05 am.

Ordinance 2024-36 Approving the Request of Ronald & Kimberly Kiger and Rezoning Certain Parcels of Land at 10250 East Block of State Road 32 from Residential to Commercial – *Commissioner Fulwider moved to approve Ordinance 2024-36 Approving the Request of Ronald & Kimberly Kiger and Rezoning Certain Parcels of Land at 10250 East Block of State Road 32 from Residential to Commercial. Seconded by Commissioner Guard. Motion carried 3-0 votes in favor.*

Public Hearing: Re-Zone Request of Dwight Alex Miller and Rezoning a Certain Parcel of Land North on Fall Creek Road from Agricultural to Residential Subdivision (R-2)

Building/Zoning Administrator Marc Bonwell stated, A 6-acre parcel owned by Dwight Alex Miller for the purpose of residential development. Specifically, the petitioner requests to rezone a certain parcel of real estate located north of Fall Creek Road from agricultural to residential subdivision (R-2) for single family residential development. That development of the six-acre site is limited to no

more than two lots, each containing one single family dwelling and that the site will be developed substantially similar to the concept plan presented to the Commission at the public hearing.

Petitioner Father Alexis Miller stated that the property located at 4626 Fall Creek Road would be used to build two homes. He stated he did not know what style the houses will built. Father Miller stated that the Orthodox Church built a church on part of the 40 acres and the remaining 34 acres will continued to be farmed by Joe Mills.

Commissioner Frey opened the Public Hearing at 8:10 am.

Vivian & Kevin Ficher stated to the Board that they, "*don't not want a house in front of them.*" The Fisher's stated their concern of adding two new wells on the acreage. Currently homes in the area have a range of wells being 50' to 200' deep. One home with a well pump has to wait for the water to pump up before it can be used. They asked what the value of the homes will be and if they are mobile homes. Building/Zoning Administrator Marc Bonwell stated mobile homes are not permitted in the zoned area. Commissioner Fulwider also questioned the values of the homes and what type of quality they will be. Father Alexis stated he was not aware of the quality of home but did know that the first potential home owners have met with Nate Slavens. He said the other proposed home will be built farther down the road. The man interested in building is a single man and he now lives in Indianapolis. Administrator Bonwell stated that if the rezone is approved it will go straight to the subdivisions which has separate districts for different types of homes.

Commissioner Frey closed the Public Hearing at 8:25 am.

Ordinance 2024-37 Approving the Request of Dwight Alex Miller and Rezoning a Certain Parcel of Land north of Fall Creek Road from Agricultural to Residential Subdivision (R-2) – *Commissioner Guard moved to approve Ordinance 2024-37 Approving the Request of Dwight Alex Miller and Rezoning a Certain Parcel of Land north of Fall Creek Road from Agricultural to Residential Subdivision (R-2). Seconded by Commissioner Fulwider. Motion carried 3-0 votes in favor.*

Public Hearing: Text Amendments to Zoning Ordinance Adding Article 20 to the Zoning Code re: Commercial Battery Energy Storage

Building/Zoning Administrator Marc Bonwell stated, the text amendments to the Montgomery County Zoning Ordinance would add Article 20, Commercial Battery Energy Storage Systems, to the Zoning Ordinance, and the Commission voted unanimously on October 16, 2024 to send a favorable recommendation on the text amendment to the Commissioners.

Proposed text amendments provides for such commercial battery energy storage systems to be in Industrial Districts and be subject to certain regulation.

Text amendments will lead to the conservation of property values throughout the jurisdiction by providing for standards that promote growth but protect current uses that are of a different type in adjacent properties.

Commissioner Frey opened the Public Hearing at 8:23 am. Hearing no public comment, Commissioner Frey closed the Public Hearing at 8:24 am.

Ordinance 2024-38 Adopting Text Amendments to Zoning Ordinance

Commissioner Fulwider moved to approve Ordinance 2024-38 Adopting Text Amendments to Zoning Ordinance. Seconded by Commissioner Guard. Motion carried 3-0 votes in favor.

NEW BUSINESS

CCMG Authorization to Proceed - USI - \$25,000

USI Authorization to Proceed- Authority to have USI help with CCMG 2025-1 application in the amount of \$25,000. This includes mapping, project development, bid documentation, contract documents, and closeout The application is going to be another round of preservation in the form of cape seal. The roads will be chosen at a later date. *Commissioner Fulwider moved to approve the CCMG Authorization to Proceed with USI. Seconded by Commissioner Guard. Motion carried 3-0 votes in favor.*

Open Ditcher/Bermer Bid

Attorney Taylor opened two bids for the purchase of the Ditcher/Bermer Equipment

- Bid #1: Hurricane Ditcher Company, Inc. –
\$22,700 Ditcher - \$23,800 Bermer.
- Bid #2: Harlan Vaught –
\$5,100 for each piece of equipment -Total Bid: \$10,200

Commissioner Guard moved to take the bids under advisement. Seconded by Commissioner Fulwider. Motion carried 3-0 votes in favor.

Bridge 180 Engineering Contract - CivilCon

Highway Director Jake Lough stated, Bridge 80 (300 N between 100 W and 175 W) contract- expected length to complete this contract is roughly 345 days. This contract includes the following : site survey, geotechnical investigations, preliminary, hydraulic design, permitting, substructure design, construction plans and details, and bid documents for a total of \$120,000. This bridge was identified in our bridge inspections as a needed replacement.

Commissioner Guard moved to approve the Bridge 80 Contract with CivilCon. Seconded by Commissioner Fulwider. Commissioner Fulwider asked Director Lough to state where the bridge is located. Lough advised Bridge 80 is on CR300N. Motion carried 3-0 votes in favor.

Approve Amended American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds Plan

County Administrator Tom Klein stated the following plans for the ARP Funds:

1. Water Infrastructure: \$3,700,000 for the extension of water infrastructure to rural areas which are underserved in order to provide clean drinking water and other water services. This extension will be from existing water service infrastructure along Nucor Road, extending south on Nucor Road and west from Nucor Road along Comfort Drive;
2. Stormwater Infrastructure: \$595,570.41 for the engineering and extension of stormwater infrastructure for an underserved area in the unincorporated community of Mace.
3. Road Infrastructure: \$1,719,463.94 for the extension of Purple Heart Parkway. The extension will occur from US 231 to Ladoga Road.
4. Building Renovation: \$1,229,837 for the renovation of the Courthouse. The renovation will consist of repair to the exterior of the building, as well as improvements to the interior part of the building.
5. Building Upgrade: \$201,835.65 for ADA upgrades to sidewalks and other infrastructure at the Milligan Justice Center.

Commissioner Guard moved to approve the Amended American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds Plan. Seconded by Commissioner Fulwider. Motion carried 3-0 votes in favor.

Request for Release of Funds & Certification for Owner-Occupied Rehabilitation

The County has been awarded a \$450,000 grant from the Indiana Office of Community and Rural Affairs (OCRA) to establish and implement an Owner-Occupied Rehabilitation Program. The County has contracted with Thrive for administration and program implementation. OCRA requires entities to submit a Request for Release of Funds & Certification for Owner-Occupied Rehabilitation.

Commissioner Guard moved to approve the Request for Release of Funds. Seconded by Commissioner Fulwider. Motion carried 3-0 votes in favor.

ORDINANCES

2nd Reading Ordinance 2024-32 Ordinance Creating the 2025 Problem-Solving Family Recovery Court Grant Fund - \$106,710

This Ordinance establishes the 2025 Problem-Solving Family Recovery Court Grant Fund. Montgomery Superior Court 2 has been awarded a grant in the amount of \$106,710 from the Indiana Office of Court Services to cover key program expenses for the 2025 Problem-Solving Family Recovery Court for the 2025 calendar year.

Commissioner Fulwider moved to approve Ordinance 2024-32. Seconded by Commissioner Guard. Motion carried 3-0 votes in favor.

2nd Reading Ordinance 2024-34 Establishing Speed Limit on Purple Heart Parkway between US Highway 231 and Ladoga Road

The addition of a new roadway known as Purple Heart Parkway between U.S. Highway 231 and Ladoga Road has recently been completed; and the Board now finds that the speed limit for Purple Heart Parkway from U.S. Highway 231 to Ladoga Road should set at 30 miles per hour. *Commissioner Fulwider moved to approve Ordinance 2024-34. Seconded by Commissioner Guard. Motion carried 3-0 votes in favor.*

Introduction Ordinance 2024-35 Amending Employee Handbook

3. EMPLOYEE BENEFITS

3.02 INSURANCE

The County provides a comprehensive group insurance program that includes medical, dental, and other benefits. Employees seeking more information regarding these benefits may contact the Auditor.

Under the terms of the County's group medical plan, a full-time employee is eligible for coverage so long as the employee is either:

- (1) working full time;
- (2) is not working but has not exhausted all of the employee's PTO and sick leave; or
- (3) is not working, has exhausted the employee's unused PTO and sick time, but is on Family Medical Leave Act leave (FMLA).

When a full-time employee is no longer working full time, has exhausted the employee's PTO and sick leave, and is not on FMLA leave, the employee's eligibility for coverage ceases. When the employee is no longer eligible for this coverage, the County will provide to the employee notice of this fact (COBRA notice), and this notice will inform the employee of the employee's rights to continue the coverage at the employee's expense and of other rights of the employee.

In the event that two or more members of the same immediate family are employed by the County, all are eligible for coverage. If spouses are employed by

the County, the insured will be based on the spouse whose birthday comes first in the calendar year.

Commissioner Frey moved to suspend the rules and add second reading of Ordinance 2024-37. Seconded by Commissioner Guard. Motion carried 3-0 votes in favor.

2nd Reading Ordinance 2024-35 Amending Employee Handbook

Commissioner Guard moved to approve Ordinance 2024-35. Seconded by Commissioner Fulwider. Motion carried 3-0 votes in favor.

Introduction Ordinance 2024-39 Creating the 2024 Justice Partners Addiction Response Grant Fund - \$82,500

Ordinance establishes the 2024 Justice Partners Addiction Response Grant Fund. The fund is hereby created to receive, allocate, and manage the \$82,500 grant funds. (B) Use of Funds. Salary for Problem Solving Court Case Manager: \$33,000 Partial salary for existing position. Travel & Training: \$25,000 This amount shall be used for the Problem Solving Court Team Members/Probation Officers. Barrier Busters: \$3,000 Addiction Treatment Services: \$14,000 Community Outreach: \$7,500

OTHER BUSINESS

Schedule 1st meeting in January, 2025

Commissioner Fulwider moved to schedule the first meeting to be held on Monday, January 6, 2025 @ 8:00 am. Seconded by Commissioner Guard. Motion carried 3-0 votes in favor.

PUBLIC COMMENT

Councilman Steve Loy commented to the Board of Commissioners that since today is the last meeting of the year, it sets the tone for the continued working relationship with the Council. He continued to thank out-going Commissioner John Frey for leadership and stressing the need to work as a team.

Fellow Commissioners, Staff and Elected Officials all wished Commissioner Frey the best as today is his last Commissioner meeting. Commissioners Frey term will end on December 31, 2024.

ADJOURNMENT

There being no further business before the Board, meeting adjourned. Meeting adjourned @ 8:40 am.

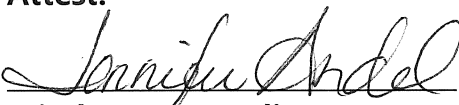
Minutes prepared by Commissioners Executive Assistant Lori Dossett.
The next regular meeting will be held on Monday, January 6, 2025 @ 8:00 am @
Montgomery County Government Center-Room E-109.

**MONTGOMERY COUNTY BOARD OF
COMMISSIONERS:**



Jim Fulwider, Vice President

Attest:



Mindy Byers, Auditor
Jennifer Andel, Chief Deputy