

# AGENDA

Monday, January 27, 2025 2:17 PM

## AGENDA

**MONTGOMERY COUNTY BOARD OF COMMISSIONERS MEETING  
MONDAY, FEBRUARY 10, 2025  
8 AM  
1580 Constitution Row - Room E109  
Crawfordsville, IN 47933**

**CALL TO ORDER Board President Dan Guard**

**PLEDGE ALLIGENCE and PRAYER**

**CONSENT AGENDA**

Approval of Claims: AP \$

Payroll \$

Minutes: January 27, 2025

Acknowledge Receipt of Sugar Creek Advisory Board 2024 Annual Report

**PUBLIC HEARING: Re-Establish Cum Bridge Tax Rate for 2025**

From Current Rate of \$0.055 per \$100 of assessed valuation, and the maximum property tax rate for the Fund per Indiana Code 8-16-3 is \$.10 per \$100 of assessed valuation. Notices of the public hearing were published on January 29, 2025 and February 5, 2025. The Commissioners have a purpose for the funds, specifically the construction, repair and maintenance and inspection of bridges, and desire to reestablish the tax rate of the Cumulative Bridge Fund at the proposed rate of \$0.075 per \$100 assessed valuation.

**2nd Reading Ordinance 2025-2 Re-Establishing the Cumulative Bridge Fund**

**NEW BUSINESS**

Permission to Close Roads for Ironman GNCC Race on October 23 to October 26, 2025

Open Highway Department Annual Bid for: Pea Gravel, Sand and #8's  
Emergency Management Advisory Council Recommendation for Director

**ORDINANCES**

2nd Reading Ordinance 2025-3 Establishing FFY 2025 Indiana Department of Homeland Hazardous Materials Emergency Preparedness Grant Fund - \$16,300

2nd Reading Ordinance 2025-4 Establishing the FFY 2024 Emergency Management Performance Grant Fund - \$44,827.63

Introduction Ordinance 2025-5 Establishing the Montgomery County Right of Way

Permit Fee Fund

**RESOLUTION**

Resolution 2025-6 2025 EMA Director Contract

Resolution 2025-7 2025 Building Administrator/Zoning Director Contract

Resolution 2025-8 2025 Highway Director Contract

Resolution 2025-9 2025 Mapping Director Contract

**AWARD MONTGOMERY COUNTY EMPLOYEE OF THE YEAR**

**OTHER BUSINESS**

**ADJOURNMENT**

***\*\*Next meeting Monday, February 24, 2025\*\****

# Agenda Memo

Tuesday, February 4, 2025 9:08 AM

## **AGENDA MEMO**

**MONTGOMERY COUNTY BOARD OF COMMISSIONERS MEETING  
MONDAY, FEBRUARY 10, 2025  
8 AM  
1580 Constitution Row - Room E109  
Crawfordsville, IN 47933**

**CALL TO ORDER** Board President Dan Guard

**PLEDGE ALLIGENCE and PRAYER**

### **CONSENT AGENDA**

Approval of Claims: AP \$

Payroll \$

Minutes: January 27, 2025

Acknowledge Receipt of Sugar Creek Advisory Board 2024 Annual Report-

*The Sugar Creek Advisory Board is required to submit an annual report to the BOC.*

### **PUBLIC HEARING: Re-Establish Cum Bridge Tax Rate for 2025**

*From Current Rate of \$0.055 per \$100 of assessed valuation, and the maximum property tax rate for the Fund per Indiana Code 8-16-3 is \$.10 per \$100 of assessed valuation. Notices of the public hearing were published on January 29, 2025 and February 5, 2025. The Commissioners have a purpose for the funds, specifically the construction, repair and maintenance and inspection of bridges, and desire to reestablish the tax rate of the Cumulative Bridge Fund at the proposed rate of \$0.075 per \$100 assessed valuation.*

### **2nd Reading Ordinance 2025-2 Re-Establishing the Cumulative Bridge Fund**

### **NEW BUSINESS**

#### **Permission to Close Roads for Ironman GNCC Race on October 23 to October 26, 2025**

*The following roads are requested to be closed beginning @ 8am on Thursday, 10/23 until Sunday, 10/26 @ 7pm. Closed at CR200S and SR47. Closed at CR200S and CR200W going South and East. An additional road closed sign just east of 1508 W 200S to keep traffic parked in the North lot from turn west onto CR200S. Closed on CR200W just north of 2735 S 200 W.*

#### **Open Highway Department Annual Bid for: Pea Gravel, Sand and #8's Gravel**

*On January 6, 2025 Commissioners approved an Addendum to the Annual Notice*

*to Bidders for sealed bids for the year 2025 for: pea gravel, sand and #8s gravel. Bids were due by Friday, February 7th @ 2pm and to be opened at today's meeting.*

### **Emergency Management Advisory Council Recommendation for Director**

*The Emergency Management Advisory Council met in regular session on January 28th and voted to recommend to the Commissioners the continued appointment of EMA Director Jessica Burget.*

## **ORDINANCES**

### **2nd Reading Ordinance 2025-3 Establishing FFY 2025 Indiana Department of Homeland Hazardous Materials Emergency Preparedness Grant Fund - \$16,300**

*Emergency Management & Homeland Security has received a sub-award grant from the Indiana Department of Homeland Security for a project titled "Hazmat Tech Course & TTX". The grant period is from October 1, 2024 to September 30, 2025.*

### **2nd Reading Ordinance 2025-4 Establishing the FFY 2024 Emergency Management Performance Grant Fund - \$44,827.63**

*Emergency Management & Homeland Security has received a grant for purposes of EMPG Salary Reimbursement 2024. The period of performance is October 1, 2024 to September 30, 2025.*

### **Introduction Ordinance 2025-5 Establishing the Montgomery County Right of Way Permit Fee Fund**

*The Montgomery County Highway Department has requested that the Commissioners create a new fund, the Montgomery County Right-of-Way Permit Fee Fund, into which fees from right-of-way permits will be deposited and from which the fees will be used to offset the costs for preparation, issuance of right-of-way permits and inspections.*

## **RESOLUTION**

Resolution 2025-6 2025 EMA Director Contract

Resolution 2025-7 2025 Building & Zoning Administrator Contract

Resolution 2025-8 2025 Highway Director Contract

Resolution 2025-9 2025 Mapping Director Contract

## **AWARD MONTGOMERY COUNTY EMPLOYEE OF THE YEAR**

*This award is presented to an employee for their outstanding dedication, exceptional performance and invaluable contributions to Montgomery County. It is with great pride that the Commissioners recognize this County Employee of the Year for 2025.*

## **OTHER BUSINESS**

## **ADJOURNMENT**

***\*\*Next meeting Monday, February 24, 2025\*\****

# AP Claims:

Monday, February 3, 2025 1:19 PM

# 2/7 Payroll Claims

Monday, February 3, 2025 1:20 PM

# Minutes: January 27, 2025

Monday, January 27, 2025 2:33 PM



**MINUTES**  
**MONTGOMERY COUNTY COMMISSIONER MEETING**  
**MONDAY, JANUARY 27, 2025**

The Montgomery County Commissioners met in regular session on Monday, January 27, 2025 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 Vice President Commissioner Jim Fulwider; Commissioner Dan Guard, Member and Commissioner Jake Bohlander

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; Health Administrator Adrienne Northcutt; Recorder Nancy Cox; EMA Director Jessica Burget; Assistant County Attorney Tyler Nichols; and Commissioners Executive Assistant Lori Dossett.

**PLEDGE & PRAYER**

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

**CONSENT AGENDA**

Approval of Claims: AP \$4,193,292.24

Payroll \$791,119.55

Minutes: January 8, 2025

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

**PUBLIC HEARING: Consideration of Proposed Ordinance 2025-1 Adoption of Text Amendments to the Zoning Ordinance Adding Article 21, Carbon Sequestration**

Building Administrator Marc Bonwell The Plan Commission met regarding case ZA2024-2 on December 18, 2024 and continued the hearing from the previous month. The hearing was conducted and the result was a Favorable Recommendation to the Commissioners with edits to 21.05 and 21.14 from the previous version (Redline) are in Blue ink. The vote was 8-0.

21.05 The edits to 21.05 application requirements allow the petitioner to begin the rezone if the application has been filed with the State of Indiana. It also struck language from the previous version regarding duplication of EPA requirement and County requirements.

21.14 The edit to 21.14 Noise centered around limiting drilling to 7am-7pm. After discussion a sentence was added to uninterrupted drilling for 60 days per well during initial construction of the wells.

**BOARD PRESIDENT DAN GUARD OPENED THE PUBLIC HEARING @ 8:03 AM**

Susan Fakharzadeh representing Vault 44.01 stated that she appreciated the input that they had on the ordinance during the Plan Commission process. They have been working on this project for several years and have obtained 94% voluntary participation.

Preston Evans also representing Vault 44.01 stated since 2022 he has been involved in the project.

**BOARD PRESIDENT DAN GUARD CLOSED THE PUBLIC HEARING @ 8:05 AM**

**Ordinance 2025-1 Adoption Text Amendments to the Zoning Ordinance Adding Article 21, Carbon Sequestration**

*Commissioner Fulwider moved to approve Ordinance 2025-1. Seconded by Commissioner Bohlander. Motion carried 3-0 votes in favor.*

**NEW BUSINESS**

**DES Work Order Agreement – Landfill - \$27,521.34 Fee Split with City 50/50**

DES will Re-survey the landfill to create an updated map showing recent work completed as well as volumes of soil piles brought onsite by the Highway Department and James Hose Legal Drain dredging. Provide a contoured design of areas where the Highway Department and Legal Drain soil piles will be used to fill in low areas. Ensure positive drainage off the fill areas. Prepare bid documents for the construction work, accept bids, review bids, and provide the City and County executive with a recommendation for award. Submit a CSGP to IDEM for the work being performed. *Commissioner Bohlander moved to approve the DES Work Order Agreement. Seconded by Commissioner Fulwider. Motion carried 3-0 votes in favor.*

**Tom's Marine Request to Close Portions of County Roads for Upcoming Races at Ironman Raceway**

Board President Dan Guard stated the request to close portions of County Road 200 South and County Road 200 West is for the two spring races, one summer

race and two races in the fall. *Commissioner Fulwider moved to approve the road closings. Seconded by Commissioner Bohlander.* Sheriff Needham asked that the Commissioners approve the road closings for all of the races except the Ironman Race at this time. The road closings would start at SR47 South. *Commissioner Fulwider moved to amend his motion and exclude the Ironman Race at the end of October. Seconded by Commissioner Bohlander. Motion carried 3-0 votes in favor.*

#### **CVC (Visitor & Convention Commission) Board Appointment**

The current vacancy is two-year term for a member of the County Council. *Commissioner Bohlander moved to appoint Councilman Mike Warren to the CVC Board. Seconded by Commissioner Fulwider. Motion carried 3-0 votes in favor.*

#### **2025-01 Community Crossings Matching Grant Fund - Financial Commitment Letter -**

Highway Director Jake Lough stated the highway department is seeking a matching grant for a cape seal project. The project is for the following roads: Ladoga road from 150 S to Ladoga town limits, (locally known as Cassidy road) 550 N from 231 to 275 E, 275 E from 550 N to 500 N, 500 N from 275 E to Darlington town limits, and 650 N from Old 55 to 100 W. The total project cost is estimated to be \$2,274,337.50. If awarded and bids are that INDOT portion on the estimate is \$1,500,000 and County portion would be \$774,337.50. The County in the past has applied for one project each year with the exception of 2024. The second awarded project award did not have an appropriation which meant the match for the second project from last year had to be paid out of the 2025 appropriation match. There are sufficient funds in the Highway MVH Highway fund to request an additional appropriation to fund the County's match for the 2025 grant.

*Commissioner Fulwider moved to approve the 2025-01 Community Crossings Matching Grant Fund Financial Commitment Letter as presented. Seconded by Commissioner Bohlander. Motion carried 3-0 votes in favor.*

#### **ORDINANCES**

##### **Introduction Ordinance 2025-2 Re-Establishing the Cumulative Bridge Fund -**

The Board of Commissioners has expressed a desire to re-establish and maintain a Cumulative Bridge Fund (Cum Bridge Fund). The tax rate for 2025 for the Cumulative Bridge Fund is \$0.055 per \$100 of assessed valuation, and the maximum property rate for the Fund per Indiana Code is \$0.10 per \$100 of assessed valuation. A Notice of Public Hearing will be published on January 29, 2025 and February 5, 2025 in the Journal Review and The Paper of Montgomery

County. The Commissioners will conduct a public hearing on Monday, February 10, 2025 @ 8:00 am.

**Introduction Ordinance 2025-3 Establishing FFY 2025 Indiana Department of Homeland Hazardous Materials Emergency Preparedness Grant Fund - \$16,300**

Emergency Management & Homeland Security has received a sub-award grant from the Indiana Department of Homeland Security for a project titled "Hazmat Tech Course & TTX". The grant period is from October 1, 2024 to September 30, 2025.

**Introduction Ordinance 2025-4 Establishing the FFY 2024 Emergency Management Performance Grant Fund - \$44,827.63**

Emergency Management & Homeland Security has received a grant for purposes of EMPG Salary Reimbursement 2024. The period of performance is October 1, 2024 to September 30, 2025.

**RESOLUTIONS**

**Resolution 2025-4 Declaration of Surplus Equipment - Revolver Rodney Jenkins**

Sheriff Ryan Needham stated that Sergeant Rodney Jenkins is retiring from the Montgomery County Sheriff's Department after 26 1/2 years of service. Sheriff Needham is requesting to award Sgt. Jenkins' service revolver to him upon his retirement on February 16, 2025. *Commissioner Fulwider moved to approve Resolution 2025-4 declaring Sgt. Jenkins' service revolver as surplus in order for Sheriff Needham to present it to him when he retires. Seconded by Commissioner Bohlander. Motion carried 3-0 votes in favor.*

**ADJOURNMENT**

There being no further business before the Board, meeting adjourned @ 8:15 am.

Minutes prepared by Commissioners Executive Assistant Lori Dossett.  
The next regular meeting will be held on Monday, February 10, 2025 @ 8:00 am @ Montgomery County Government Center-Room E-109.

**MONTGOMERY COUNTY BOARD OF  
COMMISSIONERS:**

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**Dan Guard, President**

**Attest:**

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**Mindy Byers, Auditor**

# Acknowledge Receipt of Sugar Creek Advisory Board 2024 Annual Report

Monday, February 3, 2025 12:29 PM

# Sugar Creek Advisory Board 2024 Annual Report

## Summary

- I. Permits: 0
- II. Changes in land use along riparian zone: 0
- III. Incidents: 1
- IV. Violations: 1
- V. Contacts: Multiple
- VI. Inquiries: Multiple inquires about timbering along the creek. Building administrator visits sites to determine whether work proposed is within the 75-foot protected zone. None found in 2024.

Sugar Creek Advisory Board  
Annual Report  
2024  
(Approved: January 22, 2025)

In 2024 the Sugar Creek Advisory Board consisted of the following members and officers:

- Kenny Cain, secretary, Term will expire 12/31/25.
- Allan Clauser, reappointed in February 2022 to a third term which expires 12/31/24.
- David Hadley, chairman, reappointed: Term will expire 12/31/26.
- Greg Lough, vice chairman. Reappointed: Term will expire 12/31/26.
- Raoul Moore, Term expires 12/31/2024.
- Jim Swift. Term will expire 12/31/26)

Serving as advisory nonvoting members were:

- Marc Bonwell, Montgomery County Building Administrator
- Paul Greene, Department of Natural Resources Conservation Officer

Tyler Nichols served as attorney for the Advisory Board.

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The Sugar Creek Advisory board met three times in 2024 (January 25, June 25, and December 4) and canceled a spring meeting because of schedule conflicts. David Hadley served as president/chairman; Greg Lough, vice president; and Kenny Cain, secretary.

The Advisory Board supports the Montgomery County Soil and Water Conservation District's effort to qualify for a 319 implementation grant for the watershed improvement plan developed for Upper Sugar Creek under a previous 319 grant. The board agreed to submit a letter of support for a revision and resubmission of the application filed originally in 2023. (A Copy of the letter is attached.)

In January the Advisory Board discussed the LEAP state industrial development project that could result in ground water pumping and transfer of hundreds of millions of gallons from Tippecanoe County to Boone County. The Board drafted and sent to the county commissioners

a letter expressing its concern that this and other regional or state development projects be watched for their potential impact on the county. (A copy of the letter is attached.)\_

The Board continues to monitor an incident report and violation found regarding improvements made without a permit within 75 feet of the ordinary high-water mark at 3283 E 350 N. Two structures are in violation. There is also evidence of a septic system within the restricted zone. The Building Administrator and the Health Department are coordinating on issuing violation notices. (Copies of the violation letters are attached.)

Respectfully Submitted,

David Hadley, chair  
Kenneth Cain  
Allan Clauser  
Greg Lough  
Raoul Moore  
Jim Swift



Montgomery County  
Sugar Creek Advisory Board  
July 17, 2024

Kristen Latske  
Montgomery County SWCD  
2036 E Lebanon Road  
Crawfordsville Indiana 47933

Dear Ms. Latske:

The Montgomery County Sugar Creek Advisory Board wishes to extend our support for and commitment to the proposed Sugar Creek water quality assessments, community engagement, and conservation project implementation grant application being submitted by the Montgomery County Soil and Water Conservation District.

The Sugar Creek Advisory Board advises the Montgomery County Commissioners "as to the means of protecting and preserving the stream in a scenic and natural state." (Sugar Creek Ordinance, Chapter 153 of Montgomery County Ordinances) The Advisory Board meets four times each year and reports annually to the County Commissioners on numbers of permits for development or changes within the creek corridor, violations of the ordinance, changes in land use along the riparian corridor, and any other matter the Board deems significant. Under the ordinance, the county building administrator, who serves ex-officio on the board, communicates every third year to property owners along Sugar Creek of the limits and restrictions on development, land use change, and timbering within the creek corridor. The Board, in monitoring the condition of the Sugar Creek corridor, has completed and reported to the commissioners visual surveys of the creek's condition.

We would like to provide the Montgomery County SWCD with the following support and commitment for the Sugar Creek Project: 1) We will develop informational/educational material describing the purposes, requirements, and limitations established by the Sugar Creek Ordinance. (Estimated value: \$1000) 2) We will distribute this material to landowners, realtors, and potential developers through traditional mail, brochures, or electronic media, including the Montgomery County's website and social media. (Estimated value: \$1500) 3) We will appoint one Advisory Board member to serve on the steering committee for the Watershed plan implementation project. (Estimated value: \$400)

Experiences during past grant-funded projects have demonstrated that the Montgomery County SWCD, and their project partners can coordinate effective programs and projects which educate, improve awareness, and place conservation on the ground to directly and indirectly improve the water quality of our region.

With appreciation and commitment to these projects,

David J. Hadley  
President Sugar Creek Advisory Board

February 5, 2024

Montgomery County Board of Commissioners  
1580 Constitution Row  
Crawfordsville, IN 47933

Dear Commissioners:

The Sugar Creek Advisory Board is officially charged to help implement the ordinance protecting Sugar Creek and its riparian corridor. Underlying this ordinance is a concern to conserve and protect this important and beautiful natural resource from damaging development. Not all such development lies within the corridor defined by the ordinance. So, the Advisory Board tries to keep informed about issues beyond our statutory jurisdiction that may at some point impact Sugar Creek.

At its meeting January 25, 2024 the Sugar Creek Advisory Board had occasion to discuss and try to inform ourselves about the recently reported controversy involving proposed ground water pumping and water transfer from Tippecanoe County to the state-arranged LEAP economic development project in Boone County. The project could eventually transfer 100 million gallons of water per day from aquifers near Lafayette to the industrial development north of Lebanon. Although the Tippecanoe County aquifers are beyond the Sugar Creek watershed and pumping from them should not affect Montgomery County, we have no information about what would happen to the wastewater after it has been used by the industries in Boone County. We do not know how much water of what quality would find its way into the Sugar Creek watershed, with what effects in Montgomery County. More generally and in the long term this issue raises questions for the County related to the effects of large-scale water withdrawals in our county, how and by whom, with what information, decisions about them are made,

These are some of the questions that came up in our conversation. The Sugar Creek Advisory Board cannot answer them, nor do we have standing even to ask them of the state or county officials in Tippecanoe and Boone counties. We write this letter to call this issue and these questions to your attention. You may have the opportunity to represent Montgomery County concerns on this particular water issue and the broader issues of water resources and their distribution in the State of Indiana. We encourage you to keep an official eye on this issue.

Sincerely,

The Sugar Creek Advisory Board

Kenneth Cain  
Allan Clauser  
David Hadley  
Greg Lough  
Raoul Moore  
Jim Swift

# Open Highway Department Annual Bid for: Pea Gravel, Sand and #8's

Tuesday, February 4, 2025 9:15 AM

## NOTICE TO BIDDERS

### Montgomery County Highway Department

#### 2025 Annual Bids

Notice is given that the Board of Commissioners of Montgomery County, Indiana will receive sealed Bids for the year 2025 for the following: pea gravel, sand, #8s gravel. These are to be delivered to the Commissioner's office at the Montgomery County Government Center, 1580 Constitution Row, Ste A Crawfordsville, Indiana 47933, no later than 2:00 p.m. (local time), Friday February 7, 2025 any bids received after 2:00 p.m. Friday February 7th, 2025 will be returned unopened to the bidder.

Interested bidders with questions should contact the Montgomery County Highway Department at (765) 362-2304 or via email, [highway@montgomerycounty.in.gov](mailto:highway@montgomerycounty.in.gov). All bids should be submitted on Indiana State Board of Accounts forms.

All bids **MUST** have a signed **Contractor's Nepotism-Policy Compliance Affidavit, Agreement Addendum Requiring e-Verify Compliance, Contractor's Affidavit HEA 1005 (2012) and Public Law 21 (2012) Compliance, Non-Collusion Affidavit.**

All bids will be opened at a regular meeting of the Montgomery County Commissioners that will take place Monday, February 10, 2025 at 8:00 a.m., in the Community Meeting Room of the Montgomery County Government Center, 1580 Constitution Row, Room 103, and Crawfordsville, Indiana 47933. The Highway Director will take all bids under advisement for review.

The Highway Director will make his recommendation for the bids at the Montgomery County Commissioner's Meeting on Monday February 10, 2025. The Montgomery County Commissioners reserve the right to reject all bids if it determines it is in the County's best interest to do so and to waive any informality in bidding.

**\*\*\*ALL BIDS MUST BE SEALED AND DELIVERED TO\*\*\***

THE MONTGOMERY COUNTY GOVERNMENT CENTER  
ATTN: LORI DOSSETT  
1580 CONSTITUTION ROW STE E  
CRAWFORDSVILLE, IN 47933

**\*\*\*MUST HAVE ON THE OUTSIDE OF THE BID PACKET ITEMS BEING BID \*\*\***

**ALL DELIVERIES ARE REQUIRED TO USE 719 MEMORIAL DRIVE, CRAWFORDSVILLE IN 47933**

Authorized by the Montgomery County Commissioner's January 6, 2025.

# 2nd Reading Ordinance 2025-2 Re-Establishing the Cumulative Bridge Fund

Monday, January 27, 2025 2:21 PM

# **Montgomery County Board of Commissioners**

## **Ordinance 2025-2**

### **An Ordinance Re-Establishing the Cumulative Bridge Fund**

Whereas, the Montgomery County Board of Commissioners has expressed a desire to re-establish and maintain a Cumulative Bridge Fund (“Cum Bridge Fund”), as provided for in Indiana Code §8-16-3, and impose a tax levy on all real and personal property in Montgomery County, under Indiana Code §6-1.1-41, to provide money for the construction, repair, maintenance and inspection of bridges in Montgomery County; and

Whereas, the tax rate for 2025 for the Cumulative Bridge Fund is \$0.055 per \$100 of assessed valuation, and the maximum property tax rate for the Fund per Indiana Code §8-16-3 is \$0.10 per \$100 of assessed valuation; and

Whereas, the Commissioners provided to the affected taxpayers of Montgomery County notice of this proposed ordinance and of the public hearing, as required by Indiana Code §5-3-1, by publishing on January 29, 2025 and February 5, 2025 notice of the public hearing in the *Journal Review* and *The Paper of Montgomery County*, two newspapers of general circulation in Montgomery County, Indiana; and

Whereas, the Commissioners conducted a public hearing on the proposed ordinance on February 10, 2025 at which time no taxpayers testified

regarding the re-establishment of the Cumulative Bridge Fund and the proposed increase in the tax rate of such Fund; and

Whereas, the Commissioners introduced this ordinance on January 27, 2025; and

Whereas, the Indiana Department of Local Government Finance may, under Indiana law, adjust the County's maximum tax rate for the Cumulative Bridge Fund based on trending and reassessment of taxable property located in the County, and the proposed tax increase is subject to approval by the Department; and

Whereas, the Commissioners have a purpose for which the funds can be spent, specifically the construction, repair, maintenance and inspection of bridges, and desire to reestablish the tax rate of the Cumulative Bridge Fund at the proposed rate of \$0.075 per \$100 assessed valuation; and

Whereas, the Commissioners find that the Cumulative Bridge Fund should be re-established and that the tax rate for the Cumulative Bridge Fund should be \$0.075 per \$100 assessed valuation.

It is therefore ordained that the Montgomery County Board of Commissioners enact:

Section 1. Cumulative Bridge Fund Re-Establishment. The Montgomery County Board of Commissioners hereby re-establishes the Cumulative Bridge Fund pursuant to Indiana Code §6-1.1-41, to be used for the purposes allowed and set forth in Indiana Code §8-16-3, including the construction, repair, maintenance and inspection of bridges, and now establish the rate to be \$0.075 per \$100 assessed valuation on all taxable real property and personal property in Montgomery County, Indiana.

Section 2. Tax Rate. The County Board of Commissioners now levies a tax on all real and personal property in Montgomery County to provide funds to the Cumulative Bridge Fund. The property tax will not exceed \$0.075 on each \$100 of assessed valuation. This tax rate will be levied beginning with taxes for 2025, due and payable in 2026.

Section 3. DLGF Approval. The County Board of Commissioners directs the County Auditor to submit, to the Indiana Department of Local Government Finance, all proofs of publication of the notices to taxpayers and the Commissioner's public hearing held on February 10, 2025 and a certified copy of this ordinance, as provided by Indiana Code § 6-1.1-41-4, as the County's proposal for re-establishing the Cumulative Bridge Fund and imposing a tax levy by the County to be approved by the Department of Local Government Finance. This proposal must be submitted to the Indiana Department of Local Government Finance before May 31, 2025, in accordance with Indiana Code § 6-1.1-41-5. This ordinance is subject to the approval of the Indiana Department of Local Government Finance.

Section 4. Publication of Notice of Adoption. The Auditor shall publish notice of adoption of this ordinance within thirty (30) days of the adoption of this ordinance.

Section 5. Advertisement. The Auditor shall annually advertise this tax levy in the same manner as other tax levies are advertised.

Section 5. Repeal of Conflicting Ordinances. The provisions of all other County ordinances in conflict with the provisions hereof, if any, are of no further force or effect and are hereby repealed.

Section 6. Duration and Effective Date. The provisions of this Ordinance shall become effective immediately and remain in full force and effect until repealed by ordinance.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2025.



Montgomery County, Indiana  
Board of Commissioners

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Dan Guard, President

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James D. Fulwider, Vice President

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Jake Bohlander, Member

Attest:

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Mindy Byers, Auditor

# 2nd Reading Ordinance 2025-3 Establishing FFY 2025 Indiana Department of Homeland Hazardous Materials Emergency Preparedness Grant Fund

Monday, January 27, 2025 2:22 PM

# Montgomery County Board of Commissioners

## Ordinance 2025-3

### AN ORDINANCE ESTABLISHING THE INDIANA DEPARTMENT OF HOMELAND SECURITY FFY 2025 HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT FUND

**Whereas**, Emergency Management Agency Director Jessica Burget has advised the Board of Commissioners that her Agency has received a grant from the Indiana Department of Homeland Security for a Federal Fiscal Year 2025 Hazardous Materials Emergency Preparedness Grant in the amount of \$16,300; and

Whereas, there is a need to create a new fund, the FFY 2025 Indiana Department of Homeland Security Hazardous Materials Emergency Preparedness Grant Fund, into which these grant monies will be deposited and from which the grant monies will be used in a form and manner which is consistent with the grant award; and

Whereas, this fund will be a non-reverting fund, and any funds not expended must be refunded to the Indiana Department of Homeland Security; and

Whereas, the Board finds that this new fund should be created in order to comply with the grant awards and provide for a means to account for the use of the grant funds.

**Therefore, it is ordained** that a new section, Section 35.\_\_\_\_ of the Montgomery County Code, is hereby added to the County Code and that this new section shall read as follows:

**“§ 35.\_\_\_\_ FFY 2025 INDIANA DEPARTMENT OF HOMELAND SECURITY HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT FUND**

- (A) *Source of Funds.* The Montgomery County Board of Commissioners hereby establishes the FFY 2025 Indiana Homeland Security Hazardous Materials Emergency Preparedness Grant Fund. The fund shall consist of monies received from the Indiana Department of Homeland Security under certain grant awards to Montgomery County Emergency Management Agency.

(B) *Use of Funds.* Monies deposited into this fund may be used only for the Hazmat Tech Course & TTX Project in a form and manner consistent with the grant award.

(1) *Non-Reverting Fund.* This is a Non-Reverting Fund. Any money remaining in the fund at the end of the year does not revert to any other fund, but continues the fund. Furthermore, any grant funds which are not expended must be refunded to the Indiana Department of Homeland Security.”

**It is further ordained** that this ordinance shall be effective upon adoption.

**It is further ordained** that all other provisions of the Montgomery County Code of Ordinances which are not specifically amended by this ordinance shall remain in full force and effect.

Adopted this \_\_\_\_\_ day of February, 2025.

**MONTGOMERY COUNTY BOARD OF  
COMMISSIONERS:**

\_\_\_\_\_  
Dan Guard, President

\_\_\_\_\_  
Jim Fulwider, Vice President

\_\_\_\_\_  
Jake Bohlander, Member

Attest:

\_\_\_\_\_  
Mindy Byers, Auditor

# 2nd Reading Ordinance 2025-4 Establishing the FFY 2024 Emergency Management Performance Grant Fund

Monday, January 27, 2025 2:22 PM

# Montgomery County Board of Commissioners

## Ordinance 2025-4

### AN ORDINANCE ESTABLISHING THE FFY 2024 EMERGENCY MANGEMENT PERFORMANCE GRANT FUND

**Whereas**, Emergency Management Agency Director Jessica Burget has advised the Board of Commissioners that her Agency has received a grant from the Indiana Department of Homeland Security for a Federal Fiscal Year 2024 Emergency Management Performance Grant Fund in the amount of \$44,827.63; and

Whereas, there is a need to create a new fund, the FFY 2024 Emergency Management Performance Grant Fund, into which these grant monies will be deposited and from which the grant monies will be used in a form and manner which is consistent with the grant award; and

Whereas, this fund will be a non-reverting fund, and any funds not expended must be refunded to the Indiana Department of Homeland Security; and

Whereas, the Board finds that this new fund should be created in order to comply with the grant awards and provide for a means to account for the use of the grant funds.

**Therefore, it is ordained** that a new section, Section 35.\_\_\_\_ of the Montgomery County Code, is hereby added to the County Code and that this new section shall read as follows:

**“§ 35.\_\_\_\_ FFY 2024 EMERGENCY MANAGEMENT PERFORMANCE GRANT FUND**

- (A) *Source of Funds.* The Montgomery County Board of Commissioners hereby establishes the FFY 2024 Emergency Performance Grant Fund. The fund shall consist of monies received from the Indiana Department of Homeland Security under certain grant awards to Montgomery County Emergency Management Agency.
- (B) *Use of Funds.* Monies deposited into this fund may be used only for EMPG Salary Reimbursement in a form and manner consistent with the grant award.
- (1) *Non-Reverting Fund.* This is a Non-Reverting Fund. Any money remaining in the fund at the end of the year does not revert to any other fund, but continues the fund.

Furthermore, any grant funds which are not expended must be refunded to the Indiana Department of Homeland Security.”

**It is further ordained** that this ordinance shall be effective upon adoption.

**It is further ordained** that all other provisions of the Montgomery County Code of Ordinances which are not specifically amended by this ordinance shall remain in full force and effect.

Adopted this \_\_\_\_\_ day of February, 2025.

**MONTGOMERY COUNTY BOARD OF  
COMMISSIONERS:**

\_\_\_\_\_  
Dan Guard, President

\_\_\_\_\_  
Jim Fulwider, Vice President

\_\_\_\_\_  
Jake Bohlander, Member

Attest:

\_\_\_\_\_  
Mindy Byers, Auditor

# Introduction Ordinance 2025-5 Establishing the Montgomery County Right of Way Permit Fee Fund

Monday, February 3, 2025 12:32 PM



# Montgomery County Board of Commissioners

## Ordinance 2025-5

### AN ORDINANCE ESTABLISHING THE MONTGOMERY COUNTY RIGHT OF WAY PERMIT FEE FUND

**WHEREAS**, the Montgomery County Highway Department has requested that the Board of Commissioners establish a Montgomery County Right-of-Way Permit Fee Fund for fees collected by the County for right-of-way permits; and

**WHEREAS**, there is a need to create a new fund, the Montgomery County Right-of-Way Permit Fee Fund, into which fees from right-of-way permits will be deposited and from which the fees will be used for preparation, issuance of right-of-way permits and inspections; and

**WHEREAS**, this fund will be a non-reverting fund, and

**WHEREAS**, the Board finds that this new fund should be available to defray operating expenses of the Highway Department for the preparation, issuance, inspections or other expenses deemed necessary to administer right-of-way permits.

**THEREFORE, IT IS ORDAINED** that a new section, Section 35.\_\_\_\_ of the Montgomery County Code, is hereby added to the County Code and that this new section shall read as follows:

**“§ 35.\_\_\_\_ MONTGOMERY COUNTY RIGHT-OF-WAY PERMIT FEE FUND**

- (A) *Source of Funds.* The Montgomery County Board of Commissioners hereby establishes the Montgomery County Right-of-Way Permit Fee Fund. The fund shall consist of monies derived from these permit applications.
- (B) *Use of Funds.* Monies deposited into this fund may be used only for the preparation, issuance of right-of-way permits.
- (C) *Non-Reverting Fund.* This is a Non-Reverting Fund. Any money remaining in the fund at the end of the year does not revert to any other fund, but continues the fund.

**IT IS FURTHER ORDAINED** that this ordinance shall be effective upon adoption.

**IT IS FURTHER ORDAINED** that all other provisions of the Montgomery County Code of Ordinances which are not specifically amended by this ordinance shall remain in full force and effect.

Adopted this \_\_\_\_\_ day of February, 2025.

**MONTGOMERY COUNTY BOARD OF  
COMMISSIONERS:**

\_\_\_\_\_  
Dan Guard, President

\_\_\_\_\_  
Jim Fulwider, Vice President

\_\_\_\_\_  
Jake Bohlander, Member

Attest:

\_\_\_\_\_  
Mindy Byers, Auditor

# Resolution 2025-6 2025 EMA Director Contract

Monday, February 3, 2025 1:20 PM

# Resolution 2025-7 2025 Building Administrator/Zoning Director Contract

Monday, February 3, 2025 1:22 PM

# Resolution 2025-8 2025 Highway Director Contract

Monday, February 3, 2025 1:22 PM

# Resolution 2025-9 2025 Mapping Director Contract

Monday, February 3, 2025 1:23 PM