

**MONTGOMERY COUNTY COMMISSIONER
MEETING MINUTES
MONDAY, JUNE 22, 2020
Crawfordsville City Building
2nd Floor City Council Chambers
300 E. Pike Street
Crawfordsville, IN 47933**

The Montgomery County Commissioners met in session on Monday, June 8, 2020 at 8:00 am at the Crawfordsville City Building, 2nd Floor City Council Chambers, 300 E. Pike Street, Crawfordsville, IN 47933.

Board Members:

President – Commissioner Jim Fulwider; Vice President Commissioner John Frey; Member Commissioner Dan Guard; County Administrator Mark Casteel; Executive Assistant Lori Dossett; Auditor Jennifer Andel; Building Administrator Marc Bonwell; County Engineer James Peck.

I. CALL TO ORDER

Commissioner Board President Jim Fulwider called the meeting to order @ 8:00 am. Commissioner Fulwider led the Pledge of Allegiance and Commissioner Guard led the prayer.

II. APPROVAL OF MINUTES – June 8, 2020

Commissioner Frey moved to approve the minutes. Seconded by Commissioner Guard. 3-0 votes in favor. Motion carried.

**III. RE-ZONE 2020-1 – Ordinance 2020-25 Petitioner Nathan Slavens
Commissioner Fulwider opened the Public Hearing @ 8:02 am.**

Building Commissioner Marc Bonwell read the re-zone request into the record:
“Nathan Slavens filed a proposal to rezone from Agricultural to Residential a parcel of land in Brown Township containing approximately 23.36 acres on the west side of County Road 600 West north of County Road 700 South, with an address of 6673 South, 600 West. Slavens intends to develop a 13-lot subdivision on the subject parcel.”

Public Comments:

Kenneth Rice, 4473 S 600 W – stated safety concerns of an old dump, unsafe pond located at the back of the proposed property and the condition of the CR600 West.

William & (?), 5785 W 600 S – concern property value will increase and taxes will go up. Traffic will increase and the poor condition of CR600S to 600W to 700S to 600W road is “awful”. Heavy trucks with construction materials - worsen condition of the roads. Concern of construction of thirteen high-end houses will draw criminals. Country people

trust each other. Will affect ground water from Indian Creek into Sugar Creek and affect wildlife.

Darrell Arthur, 5983 S 600 – echoed concerns of Mr. Rice. Main concern condition of the roads.

Public Hearing Re-zone 2020-1 Closed @ 8:21 am

Commissioner Frey stated that the County Comp Plan shows need to grow population. Engineer Jim Peck stated the new drainage ordinance put in guidelines to address subdivision development concerns.

Commissioner Frey moved to accept the Plan Commission recommendation and approve Re-Zone 2020-1 and adopt Ordinance 2020-25. Seconded by Commissioner Dan Guard. 3-0 votes in favor. Motion carried. [{Ordinance 2020-25}](#)

Public Hearing Re-Zone 2020-2 Ordinance 2020-26 – Petition Ratcliff Inc. Commissioner Fulwider opened the public hearing @ 8:32 am

Building Commissioner Marc Bonwell read the following into the record: *“Ratcliff Inc. filed a proposal to rezone from Agricultural to Residential a parcel of land in Coal Creek Township containing approximately 14.47 acres on the north side of County Road 650 North, with an address of 1800 West Block of County Road 650 North”.*

Public Comments:

Jeff & Darkene Cass, 1922 W 650N – drainage concerns, 55mph speed limit, CR150N blind spot over the hill; change of aesthetics – houses are sparse, area is quiet, 13 driveways, 13 mailboxes, steep ditches, where will phone poles go, Property values, what kind of homes, put up quick, will look into everyone’s backyard, remind several neighbors all against, no one wants subdivision.

Fred Krebs, 1755 W 700N – drainage issues, safety issues, water table, septic system might be compromised, ridge east of development, 2 x’s per year sun blindness westbound pulling out of driveway.

Bill Calder – Cash rents farms in area. Esra McClamroch drain – can’t get south of 650. 13 houses on 14 acres cause for concern, farm equipment down the road. 13 mailboxes to deal with, lots of school traffic. 13 more gardens to deal with, going to be a tough situation to farm. Serious drainage problem, noxious weeds, doesn’t look like upscale homes.

Cheryl Gregg, 6505 N 150W – they live on the hill, basement has water in drain. Jim Patton sold the land one house and one shed. Love the country- blindspot next to her house. Heavy traffic most of the year.

Greg Morrison – Morrison Realty – *“Ratcliff said he had a buyer for one house & one shed. Jim Patton did not give any restrictions to sell. Told one house & one pole barn.”*

Nancy Krebs – 1755 700 N – loves the country, 13 houses will look at back of property.

David Byrd – 2092 W 650 N – lives west two-tenths west talk about back-up, water has to go somewhere. He is a biker and concern over the hill. Danger immense.

Melonie VanHook – Yard to the west has water, 13 hours in 3-mile stretch doesn't go with landscape, adding houses and mailboxes, inexperienced drivers. Lived there 22 years quiet & peacefulness.

Heather Gaylor – 7575 N – Big concern drainage. A subdivision messed up harmony of the country. Subdivision one way in, one way out. Don't think it's the place for it.

County Administrator Mark Casteel advised he received two emails with comments on proposed subdivision on CR650N. *“Jesse D. Howard – I am writing you today as a 23 year old recent college graduate who has recently moved back to Montgomery County to start my career and family. I love this community and the people in it with all my heart and want to ensure that our county is moving in the right direction. Today you have the choice before you that I believe effects the status of our great community. Living in Montgomery County has an unique charm and appeal to it with which is the style of county living that we all have grown up to love and appreciate. For some it has made us who we are. People moving to Montgomery County aren't looking for 1 acre lots and neighbors 30 feet apart. They want space to grow their families and enjoy all the things we loved growing up in a rural setting. A place where our kids have room for 4H animals, gardens and other projects. Some might say that this will increase property value, enrich the community, or be progressive but I would argue it is doing the opposite of all these things and taking the community you have all worked so hard to build in the wrong direction and away from our roots.*

The economic prospects of the area are dry as well. Housing additions and housing strips like this are made to attract business and generate land development. There is no potential for these business developments in the area and there shouldn't be as the land and property that is there now is exactly what Montgomery is and should stand for. Small town, rural, community based living.”

“Sheila Howard – I am writing concerning the Parcel ID 54-03-36-200-011. I, Sheila Remley-Howard own the property along with J. Frank Bell and Chad Remley across from the proposed building site and we strongly object to the building of these houses. First there is and has always been an issue with flooding and we do not wish to have more water flowing through our ditch! I do not want to have to pay for a new ditch down the road because of the increased drainage. The second issue is the safety issue, this road is used for many people traveling to North Montgomery High School and there is already a speeding problem (the Elmdale expressway) and then you add these house with people

pulling in and out and school buses having to stop it's not a good thing! The small hill is already a blind spot so unless the county is planning on re-doing the road this will be a very dangerous situation! And it is also going to be hazard for the farmers to get in and out of our fields dealing with congested traffic! The property value will plummet when 13 house are crammed together in such an odd area for a housing development! Please I ask and I pray you will reconsider this! We the people ask for your help! Sincerely, Sheila Howard and family!! “

Unknown – Understand bring more housing, page 64 diagram CR500N is furthest north of where comp plan puts housing.

Public Hearing Closed @ 9:00 am

County Engineer Jim Peck stated the road is a major connector. No requirements to address drainage until construction plans are submitted.

Commissioner Frey stated he appreciated the concern with drainage. Is it still the right way to handle? Re-constructed regulated today. There is a need and a want for housing. Have ability to look at row of houses, not the way to look for subdivision.

Commissioner Fulwider stated a majority of housing comfort of a few miles, concern not subdivision with 13 houses one one road. Look at subdivision and take safety seriously. He drove the road to and from school, they are good roads which are faster. Has concerns it doesn't meet comp plan. Pass with standards, shared drive, can require builder to have shared drives. Commissioners can impose reasonable conditions – number of approved lots, only so many driveways, minimum square footage, no depth in footprint. More land, not a small strip, constraint all frontage and no depth. Not what is pictured as a subdivision.

Commissioner Guard agreed don't want to be a lot that has been subdivided. All good valid points. Proposal reminds of Rocky Ridge.

Commissioner Fulwider, consider this not a responsible development given road conditions and widths.

Commissioner Frey moved to deny Re-Zone 2020-2. Seconded by Commissioner Guard. 3-0 votes in favor. Motion carried.

**Petition to Vacate Sycamore Street and Maple Street and Re-designating Elm Street as County Road 510 South and Re-designating a Portion of County Road 400 East as County Road 360 East, all in the Unincorporated Town Known as Whitesville
Ordinance 2020-20**

Public Hearing Opened @ 9:21 am

Public Comment: Aaron Nichols – 5064 Maple Street – questioned why the change and would the road be repaired. Would the vacated property go to the adjacent properties?

Public Hearing Closed @ 9:25 am

Commissioner Guard moved to approve Ordinance 2020-20. Seconded by Commissioner Frey. Commissioner Fulwider stated it has caused an issue for emergency responders with the addresses listed as New Ross but are located in Whitesville. 3-0 votes in favor. Motion carried. [{Ordinance 2020-20}](#)

IV. NEW BUSINESS

A. County Courthouse Annex BOT (Build Operate Transfer) Agreement - Envoy

Attorney Taylor stated he has reviewed the terms of the agreement and recommended that the Commissioners approve the Agreement subject to his approval on terms. *Commissioner Guard moved to approve the BOT Agreement for the County Courthouse Annex project subject to Attorney Taylor's final review. 3-0 votes in favor. Motion carried.*

V. APPROVAL OF CLAIMS – June 8 to June 22, 2020

A. AP Docket \$22,610,243.55 & Payroll 6/19 - \$359,030.44

Commissioner Guard moved to approve the claims as presented. Seconded by Commissioner Frey. 3-0 votes in favor. Motion carried.

IV. NEW BUSINESS (Continued)

A. Resolution 2020-15 – A Resolution Withdrawing from West Central Solid Waste District

Attorney Taylor stated the proposed resolution will be the 1st of 2 to be presented to the Commissioners for approval to withdraw from West Central Solid Waste. Proper notices will be given to WCSW and IDEM and a financial study will be Requested within 45 days. *Commissioner Frey moved to approve Resolution 2020-15. Commissioner Guard seconded.* Commissioner Guard stated the formation of our own district with the city will save money for the County. Commissioner Frey stated this will be an opportunity to change direction of the district. Commissioner Fulwider added in the past 10 years, 8 out of 10 years it has been discussed always at budget time if a moved from the WCSW district could result in a savings. Councilman Don Mill's currently serving on Board of the WCSW stated he didn't believe that the numbers provided by Street Commissioner Scott Hesler were complete. Commissioner Guard stated that the service will not change and he expects Montgomery County's to remain exactly the same. The new City/County District will enable the decisions to stay local. Commissioner Frey added he sees an opportunity to increase our services. Attorney Taylor stated that Street Commissioner Hesler and Commissioner Guard did a static analysis to establish our own district and develop our own plan and then submit to the State for approval. *3-0 votes in favor. Motion carried. [{Resolution 2020-15}](#)*

B. Crawfordsville District Public Library Board Re-Appointment – Phil Littell

Commissioner Guard moved to re-appoint Phil Littell to the Crawfordsville District Public Library Board for a term July 1, 2020 to June 30, 2024. Seconded by Commissioner Frey. 3-0 votes in favor. Motion carried.

C. 2020 Covered Bridge Certification

Commissioner Guard moved to approve the 2020 Covered Bridge Certification declaring Montgomery County has (1) one covered bridge. Seconded by Commissioner Frey. 3-0 votes in favor. Motion carried.

D. Introduction Ordinance 2020-21 – Ordinance Creating the 2020 Drug Court Problem Solving Court Grant Fund - \$10,000

E. Introduction Ordinance 2020-22 – Ordinance Creating the 2020 Veterans Court Problem Solving Court Grant Fund - \$10,000

Commissioner Guard moved to suspend the rules to add second reading of Ordinance 2020-21 and Ordinance 2020-22 to the agenda. Commissioner Frey seconded. 3-0 votes in favor. Motion carried.

2nd Reading Ordinance 2020-21

Commissioner Guard moved to approve Ordinance 2020-21 as presented. Commissioner Frey seconded. 3-0 votes in favor. Motion carried. [{Ordinance 2020-21}](#)

2nd Reading Ordinance 2020-22

Commissioner Guard moved to approve Ordinance 2020-22 as presented. Commissioner Frey seconded. 3-0 votes in favor. Motion carried.

F. Introduction Ordinance 2020-23 – Ordinance Creating the 2020 Veterans Treatment Court Grant Fund - \$90,388

Commissioner Guard moved to suspend the rules to add second reading of Ordinance 2020-23 to the agenda. Commissioner Frey seconded. 3-0 votes in favor. Motion carried.

2nd Reading Ordinance 2020-23

Commissioner Guard moved to approve Ordinance 2020-23 as presented. Commissioner Frey seconded. 3-0 votes in favor. Motion carried.

G. Introduction Ordinance 2020-24 – Amending Purchasing Policies

Prohibited technology purchases – “prohibited person” refers to a person that has been designated as posing a national security threat to the integrity of communications networks or the communications supply chain.

H. (see above)

I. Stifel, Nicolaus & Company, Incorporated Agreements

1. Underwriter Engagement Relating to Potential Municipal Security Transaction for County Building Annex

2. Placement Agent Engagement Agreement

Commissioner Frey moved to approve both agreements with Stifel, Nicolaus & Company as presented. Commissioner Guard seconded 3-0 votes in favor. Motion carried.

[{Underwriter Engagement Agreement}](#)

[{Placement Agent Engagement Agreement}](#)

J. INDOT SR47 Letter of Understanding/Unofficial Local Detour – SR47

INDOT will be closing portions of SR47 beginning July 6th for a small structure replacements. The acceptable unofficial local detour for SR47 is on CR600S – US231 – CR200S (Purple Heart Parkway). Commissioner Guard moved to approve the letter of understanding with INDOT regarding the closures on SR47. Commissioner Frey seconded. 3-0 votes in favor. Motion carried.

K. USI Agreement – NTE \$10,000

County Engineer Jim Peck requested approval of an agreement with USI to assist Montgomery County in preparation for the upcoming 2020-2 Call for Projects for the CCMG Grant. *Commissioner Frey moved to approve the USI Agreement as presented. Commissioner Guard seconded. 3-0 votes in favor. Motion carried.*

VII. OTHER BUSINESS

Commissioner Frey stated the next Connect with the Commish Town Hall Listening Tour will be on Thursday, June 25th @ 6pm @ the Ladoga Town Park at the Main Shelter House and he is looking forward to good input. The first Town Hall Listening Tour stop last week was at the Waynetown Town Park and he received a lot of good input.

Health Administrator Amber Reed stated the Health Board recently lost two members: Maggie Myers and Jeff Florey. The Board will meet again in July and will be making appointment recommendations to the Commissioners. The Board received interest from two individuals whom have express interest in serving. Scott O'Neil and Summer Irvin. Commissioner Fulwider stated he wanted to commend all of the hard work put in by the Health Department and Ms. Reed during the ongoing COVID-19 Pandemic. He also thanked Attorney Dan Taylor and County Administrator Mark Casteel for their dedicated work during the pandemic.

VII. ADJOURNMENT:

There being no further business before the Board, meeting adjourned at 9:56 am.

Minutes prepared by Commissioners Executive Assistant Lori Dossett.

The next meeting will be held on *Monday, July 13, 2020 @ 8:00 am.*

MONTGOMERY COUNTY BOARD OF COMMISSIONERS:

James D. Fulwider, Board President

Attest:

Jennifer Andel, Auditor