

**MINUTES**  
**MONTGOMERY COUNTY COMMISSIONER MEETING**  
**MONDAY, FEBRUARY 24, 2025**

The Montgomery County Commissioners met in regular session on Monday, February 24, 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; Central Communications Director Sherri Hill; Health Administrator Adrienne Northcutt; Recorder Nancy Cox; Assistant County Attorney Tyler Nichols.

**PLEDGE & PRAYER**

Commissioner Guard led the pledge of allegiance and the prayer.

**CONSENT AGENDA**

Approval of Claims: AP \$3,782,708.79

2/21 Payroll \$523,523.52

Minutes: February 10, 2025

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

**PUBLIC HEARING:**

**RZ2025-1 - Request of James & Christina Deer and Rezoning Certain Parcels of Land at 3994 East State Road 32 from Commercial to Residential**

Petitioner James & Christina Deer petitioned for a Rezone of Certain Parcels of Land from Commercial to Residential. The parcel is located on SR 32 at the intersection of CR400 E and SR32. The parcel is .5 acres with an existing building that previously was used as a car sales lot. The petitioner wishes to remodel the existing building for change of occupancy to a single- family dwelling which requires the rezone to R-1. The adjacent properties are higher density residential with apartments and office building on South side of 32. The property is less than the required 1 acre for a single- family dwelling but the existing characteristics of the building are consistent with Single family dwelling and no additional square

footage to the building is planned. The property is served by the MCRSD for sanitary waste and with the change of occupancy the owner will be required to connect. The is served by a private well. The Plan Commission conducted a public hearing on January 8, 2025 and have forwarded a favorable recommendation for the rezone from Commercial to Residential.

**BOARD PRESIDENT DAN GUARD OPENED THE PUBLIC HEARING @ 8:02 AM  
Hearing no public comment, BOARD PRESIDENT DAN GUARD CLOSED THE  
PUBLIC HEARING @ 8:03AM**

**Ordinance 2025-7 Approving Request of James & Christina Deer and  
Rezoning Certain Parcels of Land at 3994 East State Road 32 from Commercial  
to Residential**

*Commissioner Bohlander moved to approve Ordinance 2025-7. Seconded by  
Commissioner Guard. Motion carried 3-0 votes in favor.*

**ZA2025-1 Text Amendment to Chapter 159 of Montgomery County Code**

The proposed amendment edits the "Table A Use Table" to add Carbon Sequestration to the Industrial Classification with a Special Exception. The amendment also adds Commercial Battery Energy Storage to the Use table in Agricultural Overlay and Industrial districts. The amendment deletes Farm Equipment Sales from the Agricultural use district and adds Farm Equipment Sales to the Commercial district. The Plan Commission held a Public Hearing on January 8, 2025 on the proposed text amendment and have forwarded a favorable recommendation of the amendment to the County Commissioners.

**BOARD PRESIDENT DAN GUARD OPENED THE PUBLIC HEARING @ 8:05 AM  
Hearing no public comment, BOARD PRESIDENT DAN GUARD CLOSED THE  
PUBLIC HEARING @ 8:05AM**

**Ordinance 2025-8 Adopting Text Amendments to the Zoning Ordinance**

*Commissioner Fulwider moved to approve Ordinance 2025-8. Seconded by  
Commissioner Bohlander. Motion carried 3-0 votes in favor.*

## **NEW BUSINESS**

**Surveyor Tom Cummins - Section Corner & Regulated Drain Certification  
Report - \$3,054**

Montgomery County Surveyor Tom Cummins requests the additional compensation outlined in I.C. 36-2-12-15 as stated:

In addition to the compensation fixed under subsection (b), if the surveyor describes and certifies the number of miles of active regulated drains in the county to the county executive, he is entitled, with the approval of the county executive, to: Two dollars (\$2) per mile for each mile described and certified, if he is not registered under IC 25-21.5 or IC 25-31

In addition to the compensation fixed under subsection (b) and (c), the surveyor is entitled to: Two dollars (\$2) for each corner reference required under section 11 of this chapter, if he is not registered under IC 25-21.5 or IC 25-31.

**Legal drain mileage described and certified: 354 miles**

**Section corners documented and certified: 1,173 corners**

**Total miles of drain and documented corners = 1,527 (X \$2.00) = \$3,054.00**

*Commissioner Fulwider moved to approve the Surveyor's Section Corner & Regulated Drain Certification Report. Seconded by Commissioner Bohlander. Motion carried 3-0 votes in favor.*

## **ORDINANCES**

### **2nd Reading 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.

*Commissioner Fulwider moved to approve Ordinance 2025-5 Establishing the Montgomery County Right of Way Permit Fee Fund. Seconded by Commissioner Bohlander. Motion carried 3-0 votes in favor.*

### **Introduction Ordinance 2025-6 Creating the 2025 OCRA Owner-Occupied Rehabilitation Program Fund - \$450,000**

Montgomery County has been approved by the Indiana Office of Community and Rural Affairs (OCRA), to receive a Community Development Block Grant (CDBG) Funds in the amount of \$450,000 to establish and implement a County-wide Owner-Occupied Rehabilitation Program. The fund is created in order to receive the funds from the Office of Community and Rural Affairs (OCRA) and to provide a mechanism for appropriation and accounting for the funds used.

### **Introduction Ordinance 2025-9 Amending Rules and Procedures**

The Montgomery County Code of Ordinances and Board of Commissioners Rules of Procedure govern how the Board of Commissioners conducts its meetings. The

ordinance amends Title III, Chapter 31, Article III, Section 1, Meetings and Article V, Section 1, Regular meetings.

**RESOLUTIONS**

**Resolution 2025-10 A Resolution Delegating the Upload of Local Government Contracts for Fire and Emergency Medical Services' Responsibility and Attestation Authority**

The Department of Local Government Finance has issued a Memorandum to the Montgomery County Commissioners to inform of the process for affirming the upload of all contracts that are: (1) related to the provision of fire services or emergency medical services; or (2) entered into with another unit or entity that provides fire services or emergency medical services. The upload of these contracts is required by Indiana Code 5-14-3.8-3.5 (d) through (f). The BOC delegate the responsibility and attestation authority to Commissioners Executive Assistant Lori Dossett.

*Commissioner Bohlander moved to approve the Resolution 2025-10. Seconded by Commissioner Fulwider. Motion carried 3-0 votes in favor.*

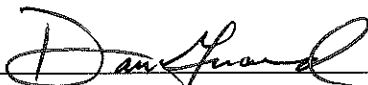
**ADJOURNMENT**

There being no further business before the Board, meeting adjourned @ 8:10 am.

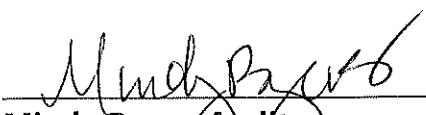
Minutes prepared by Commissioners Executive Assistant Lori Dossett.

The next regular meeting will be held on Monday, March 10, 2025 @ 8:00 am @ Montgomery County Government Center-Room E-109.

**MONTGOMERY COUNTY BOARD OF COMMISSIONERS:**

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

**Attest:**

  
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Mindy Byers, Auditor