

# Agenda

Monday, March 25, 2024 9:12 AM

## **AGENDA**

### **MONTGOMERY COUNTY BOARD OF COMMISSIONERS MEETING MONDAY, APRIL 8, 2024 8 AM 1580 Constitution Row - Room E109 Crawfordsville, IN 47933**

**CALL TO ORDER** Board President John E. Frey

**PLEDGE ALLIGENCE and PRAYER**

#### **CONSENT AGENDA**

Approval of Claims: AP \$1,728,945.73 & 4/5 Payroll \$464,536.12

Minutes: March 25, 2024

Approve Hearing Date for Petition to Vacate Alley & Jackson Street in Parkersburg-  
Monday, May 13, 2024 @ 8am

#### **NEW BUSINESS**

Highway Department:

2023 Highway Operational Report

Authorization to Purchase Total Patcher

#### **ORDINANCES**

2nd Reading Ordinance 2024-10: Amending Policy Prohibiting Food and Drinks at  
the Courthouse

#### **RESOLUTION**

Resolution 2024-7 Authorizing the Use of Alternate Leasing Procedure

Resolution 2024-8 Approving Transfer Agreement with Trinity Horizons

#### **OTHER BUSINESS**

#### **ADJOURNMENT**

***\*Next meeting April 22, 2024 @ 8am\****

# Memo Agenda

Wednesday, April 3, 2024 2:02 PM

## **AGENDA MEMO**

**MONTGOMERY COUNTY BOARD OF COMMISSIONERS MEETING  
MONDAY, APRIL 8, 2024  
8 AM  
1580 Constitution Row - Room E109  
Crawfordsville, IN 47933**

**CALL TO ORDER** Board President John E. Frey

**PLEDGE ALLIGENCE and PRAYER**

### **CONSENT AGENDA**

Approval of Claims: AP \$1,728,945.73 & 4/5 Payroll \$464,536.12

Minutes: March 25, 2024

Approve Hearing Date for Petition to Vacate Alley & Jackson Street in Parkersburg-  
Monday, May 13, 2024 @ 8am - *Petition filed by Dwayne L. Scott, Jr. to vacate an  
unimproved alley and Jackson Street in Parkersburg, Indiana. The adjoining  
landowners will be notified via certified mail and the Notice of Hearing will be  
published 1x time in the Journal Review & The Paper.*

### **NEW BUSINESS**

#### **2023 Highway Operational Report -**

*Annual Operations Report- IC 8-17-4.1 and Public Law 173, Acts of 2003 require all  
counties and certain municipalities (those with population of 20,000 or more) to  
prepare an operational report for the prior calendar year of the department within  
the county or municipality that has road and street responsibilities. Municipalities  
with a population of less than 20,000 are exempt from the legal requirement to  
complete the report. The report is submitted through Purdue LTAP. This reports  
makes the county eligible for state and federal grants. The deadline to be uploaded  
is June 1<sup>st</sup> , if not done by this time you could lose funding.*

#### **Authorization to Purchase Total Patcher**

*Highway Department seeking approval to purchase a new total patcher to replace  
the current patcher. The current patcher is a 2006 that the County purchased used  
from City of Frankfort. It has several thousand hours on it and it is at the end of its  
life cycle. Equipment marketing is the only total patcher manufacture. The total  
cost of the machine is \$92,900. This amount has been budgeted to replace the  
current machine.*

### **ORDINANCES**

## **2nd Reading Ordinance 2024-10: Amending Policy Prohibiting Food and Drinks at the Courthouse**

*Ordinance creates new section in the County Code to prohibit visitors to the Montgomery County Courthouse from bringing food or beverages in to the Courthouse. Currently, food and beverages are not allowed in the Courtrooms in the Montgomery County Courthouse per the County Judges. Visitors often leave food and beverages outside the Courtrooms which results in beverages being spilled on to the floor of the hallways. The spillage may cause a slipping hazard and damage to the floor.*

## **RESOLUTION**

### **Resolution 2024-7 Authorizing the Use of Alternate Leasing Procedure**

*The County owns 4.77 acres at the corner of Nucor Road and US 136 that was previously used for hay. The County intends to lease the property for the harvesting of the crop. The Resolution finds that the traditional procedure for leasing real estate under Indiana Code 36-1-11-10 is not feasible based on the need to get the real estate under lease in a short period of time in order to allow crops to be planted and harvested and authorizes an alternative procedure which requires the County to solicit a request for proposals, which must include:*

*The factors or criteria that will be used in evaluating the proposals, including a statement that:*

*(i) the property may not be leased to a person who is ineligible under [section 16](#) (person who owes delinquent taxes etc.); and*

*(ii) a proposal submitted by a trust (as defined in [IC 30-4-1-1\(a\)](#)) must identify each beneficiary of the trust and each settlor empowered to revoke or modify the trust. A statement concerning the relative importance of price and the other evaluation factors.*

*A statement concerning whether the proposal must be accompanied by a certified check or other evidence of financial responsibility.*

*A statement concerning whether discussions may be conducted with the offerors for the purpose of clarification to assure full understanding of, and responsiveness to, the solicitation requirements.*

### **Resolution 2024-8 Approving Transfer Agreement with Trinity Horizons**

*The Commissioners previously approved a Memorandum of Understanding with Trinity Horizons (Trinity) for the transfer of property at 1101 North Whitlock Avenue. The Resolution approves the transfer agreement as detailed in Exhibit A.*

## **OTHER BUSINESS**

## **ADJOURNMENT**

# Minutes: March 25, 2024

Monday, March 25, 2024 9:13 AM

**MINUTES**  
**MONTGOMERY COUNTY COMMISSIONER MEETING**  
**MONDAY, MARCH 25, 2024**

The Montgomery County Commissioners met in regular session on Monday, March 25, 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: President Commissioner John E. Frey; Vice President Commissioner Jim Fulwider and Commissioner Dan Guard.

Also present: County Attorney Dan Taylor; Auditor Mindy Byers; Building Administrator Marc Bonwell; Health Administrator Adrienne Northcutt; CCC Director Sherri Henry; Assistant EMA Director Luke Adams; Treasurer Heather Laffoon; Recorder Jennifer Pursell; VA Officer Joe Ellis Mapping Director Mike Davis; Assessor Sherri Bentley; Highway Director Jake Lough; Assistant County Attorney Tyler Nichols; and Commissioners Executive Assistant Lori Dossett.

**PLEDGE & PRAYER**

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

**CONSENT AGENDA**

**Approval of Claims:**

Accounts Payable - \$ 2,733,630.25

3/22 Payroll - \$ 473,021.85

**Minutes: March 11, 2024**

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

**CERTIFICATE OF APPRECIATION - JENNIFER PURSELL - 30 Years of Service**

Jennifer started working in the Montgomery County Clerk's Office on June 15, 1994 as a Deputy Clerk and continued working in the Clerk's office and eventually serving two terms as Clerk of the Circuit Court. After her term as Clerk ended Jennifer was then elected to the office of Montgomery County Recorder where she has served one complete term and she is leaving the office just nine months before the end of her second term. Her service to the County has been unwavering and she will be greatly missed by all.

## **NEW BUSINESS**

### **Deckard Work Order Agreement - \$800**

Work order agreement will involve staking the parcel boundaries of a property owned by the County at the corner of Nucor Road and US 136 E. The County will be seeking bids to farm the property in 2024. Deckard Surveying has stated that the work can be accomplished without having to perform a boundary survey. The estimated cost is \$800 and will be completed by April 12. *Commissioner Guard moved to approve the Deckard Work Order Agreement. Seconded by Commissioner Fulwider. 3-0 votes in favor, motion carried.*

### **Peters Franklin LTD Engagement Agreement - Lease Rental Property Tax Bonds - \$42,500**

The engagement letter is with Peters Franklin Municipal Finance Advisors and Consultants. The County has engaged Peters Franklin for previous bonds issued by the County. They will be providing municipal advisory services in relation to the issuance of the proposed Lease Rental Property Tax Bonds for the Courthouse Project. The cost for their services is \$42,500. *Commissioner Guard moved to approve the Peters Franklin LTD Engagement Agreement. Seconded by Commissioner Fulwider. Motion carried 3-0 votes in favor.*

### **THRIVE West Central Agreement Grant Application Services - NTE \$5,000**

The County intends to pursue discretionary funding through a grant application to the Office of Community and Rural Affairs Blight Clearance Program to aid in the demolition of a designated blight property. The Memorandum of Understanding with Thrive West Central provides that Thrive West Central will provide technical assistance and grant application preparation for the project. Thrive West Central will invoice the County based on the actual time expended with a cap of \$5,000. The agreement will expire at the end of 2024. If the County is awarded the grant and selects Thrive West Central to provide grant administrative services, then the fee will be waived. *Commissioner Frey moved to approve the THRIVE West Central Agreement for Grant Application Services. Seconded by Commissioner Fulwider. Motion carried 3-0 votes in favor.*

### **Schneider Geospatial Professional Services Agreement - 1x fee - \$17,784; \$23,700 Annual**

Building Administrator Marc Bonwell stated, "the Building, Health and Highway departments issue permit for various projects including building, right of way and septic permits. Currently the departments use in house databases such as Access and Excel for permitting organization and issuance. The data collected for these projects is kept over the years for access to past projects with information such as site plans locating infrastructure

on project sites. Other permitting functions such as floodplain we are required to house the information in perpetuity for access.

This new software is an online portal that can be accessed from the admin side and the public. It allows clients to file permitting information with the County online and also allows the client to track inspections and make payments for service.

We looked at several software companies that provide this type of service. Schneider Geospatial offers a product that fits our need for a one stop shop permitting called Geo Permits. After careful consideration and consistent conversation regarding need, we have decided that Geo Permits is the most comprehensive product for the money.

In March the Council approved a \$33,900.00 additional appropriation to the IT Software line for this purpose. Before you is the PSA contract for services with Schneider Geospatial for the Geo permits software acquisition for Montgomery County." *Commissioner Fulwider moved to approve the Schneider Geospatial Agreement. Seconded by Commissioner Fulwider. Motion carried 3-0 votes in favor.*

## **ORDINANCES**

### **First Reading Ordinance 2024-10: Ordinance Prohibiting Food and Beverages in the Courthouse**

Ordinance creates new section in the County Code to prohibit visitors to the Montgomery County Courthouse from bringing food or beverages in to the Courthouse. Currently, food and beverages are not allowed in the Courtrooms in the Montgomery County Courthouse per the County Judges. Visitors often leave food and beverages outside the Courtrooms which results in beverages being spilled on to the floor of the hallways. The spillage may cause a slipping hazard and damage to the floor.

## **RESOLUTIONS**

### **Resolution 2024-6 Approving Transfer Agreement with MCCF Bridge, Inc.**

Attorney Taylor described Resolution 2024-6 approves agreement with MCCF Bridge, Inc. to transfer the vacant building owned by the County at 110 West South Boulevard in Crawfordsville to MCCF Bridge. The County is donating the property to MCCF Bridge. MCCF Bridge intends to construct an early learning center at this property to serve children in Montgomery County and they intend to break ground on this project in April 2024. Agreement also authorizes the President to sign the warranty deed to transfer to MCCF Bridge.

*Commissioner Guard moved to approve Resolution 2024-6 Approving Transfer Agreement with MCCF Bridge, Inc. Seconded by Commissioner Fulwider. Motion passed 3-0 votes in favor.*

**ADJOURNMENT**

There being no further business before the Board, meeting adjourned. Meeting adjourned @ 8:12 am.

Minutes prepared by Commissioners Executive Assistant Lori Dossett.  
The next regular meeting will be held on Monday, April 8, 2024 @ 8:00 am @  
Montgomery County Government Center-Room E-109.

**MONTGOMERY COUNTY BOARD OF  
COMMISSIONERS:**

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**John E. Frey, President****Attest:**

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**Mindy Byers, Auditor**



# Claims AP & Payroll

Monday, March 25, 2024 9:15 AM

# Approve Hearing Date for Petition to Vacate Alley & Jackson Street in Parkersburg

Wednesday, April 3, 2024 3:16 PM



## NOTICE OF PUBLIC HEARING

Notice is hereby given that on March 20, 2024, Dwayne L. Scott, Jr. filed with the Montgomery County Board of Commissioners a Petition to Vacate Jackson Street and an unimproved alley located between 11420 S US Highway 231 and 11464 S US Highway 231 in Parkersburg, Indiana. A copy of this petition is available for public inspection at the office of the Montgomery County Commissioners, 1580 Constitution Row – Suite E, Crawfordsville, Indiana from 8:00 AM to 4:30 PM Monday through Friday and at [www.montgomerycounty.in.gov](http://www.montgomerycounty.in.gov)

On Monday, **May 13, 2024 @ 8:00 AM**, the Montgomery County Board of Commissioners will conduct a hearing in Room E-109, Montgomery County Government Center, 1580 Constitution Row, Crawfordsville, Indiana in order to receive public comment on the vacation and to determine the public utility of vacating the street and unimproved alley as requested. The public is invited to this hearing and may comment and file objections to the request.

Montgomery County Commissioners

Please publish 1x on the following date:  
April 10, 2024

Please send invoice to:  
Montgomery County Commissioners  
1580 Constitution Row – Suite E  
Crawfordsville, IN 47933  
[commissioners@montgomerycounty.in.gov](mailto:commissioners@montgomerycounty.in.gov)

# 2023 Highway Operational Report

Thursday, April 4, 2024 4:12 PM

# Printout

Thursday, April 4, 2024 4:16 PM

Montgomery COUNTY, INDIANA

OF  
(For City or Town Reports) (Name of Unit)  
(City and Town Form 225 Only)

ANNUAL OPERATIONAL REPORT  
FOR LOCAL ROADS AND STREETS AND BRIDGES

(IC 8-17-4.1)

FOR THE YEAR ENDED  
DECEMBER 31, 20\_23

**ANNUAL OPERATIONAL REPORT  
FOR LOCAL ROADS AND STREETS AND BRIDGES**

Part of State Form 54400 (X-2018)

**Section 1 Financial Statement**

<b>Section 1 - Financial Statement</b>	<b>Motor Vehicle Highway</b>	<b>Motor Vehicle Highway Restricted</b>	<b>Local Road &amp; Street</b>	<b>Cumulative Bridge</b>	<b>Total Common Funds</b>	<b>CCMG</b>
Cash - January 1	\$1,868,884.91	\$1,303,138.91	\$597,024.46	\$2,727,234.38	\$6,496,282.66	
Receipts						
Operating Receipts						
Taxes	\$955,954.83	\$0.00	\$0.00	\$1,347,768.43	\$2,303,723.26	\$0.00
Intergovernmental	\$2,130,647.52	\$2,130,647.60	\$680,604.67	\$98,463.01	\$5,040,362.80	\$0.00
Charges for Services	\$4,883.67	\$3,146.30	\$0.00	\$164,116.44	\$172,146.41	
Other Operating Receipts	\$41,582.00	\$0.00	\$0.00	\$0.00	\$41,582.00	\$0.00
Total Operating Receipts	\$3,133,068.02	\$2,133,793.90	\$680,604.67	\$1,610,347.88	\$7,557,814.47	\$0.00
Other Financing Sources						
Bond Proceeds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Note/Loan Proceeds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Interfund Loan Proceeds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Investments Matured or Sold	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Transfers In	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Receipts	\$3,133,068.02	\$2,133,793.90	\$680,604.67	\$1,610,347.88	\$7,557,814.47	\$0.00
Disbursements						
Operating Disbursements						
General Administration & Unallocated	\$1,646,754.17	\$586,042.61	\$0.00	\$220,852.88	\$2,453,649.66	\$0.00
Construction, Reconstruction & Preservation	\$522,179.24	\$2,092,021.47	\$864,205.09	\$1,336,538.55	\$4,814,944.35	\$910,618.53
Maintenance & Repair	\$69,393.56	\$55,742.87	\$0.00	\$0.00	\$125,136.43	\$0.00
Total Operating Disbursements	\$2,238,326.97	\$2,733,806.95	\$864,205.09	\$1,557,391.43	\$7,393,730.44	\$910,618.53
Other Financing Sources						
Debt Service - Principal	\$0.00	\$0.00	\$0.00	\$219,269.10	\$219,269.10	\$0.00
Debt Service - Interest	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Interfund Loan Payments	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Interfund Loans Made	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Investments Purchased	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Transfers Out	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

**Section 1 Financial Statement**

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ANNUAL OPERATIONAL REPORT FOR LOCAL ROADS AND STREETS AND BRDIGES Part of State Form 54400 (X-2018) Section 1 Financial Statement						
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Disbursements	\$2,238,326.97	\$2,733,806.95	\$864,205.09	\$1,776,660.53	\$7,612,999.54	\$910,618.53
Excess						
Over (Under) Total Disbursements	\$894,741.05	-\$600,013.05	-\$183,600.42	-\$166,312.65	-\$55,185.07	
Cash - December 31	\$2,763,625.96	\$703,125.86	\$413,424.04	\$2,560,921.73	\$6,441,097.59	
Investments - December 31						
Cash and Investments - December 31	\$2,763,625.96	\$703,125.86	\$413,424.04	\$2,560,921.73	\$6,441,097.59	

ANNUAL OPERATIONAL REPORT  
FOR LOCAL ROADS AND STREETS AND BRDIGES  
Part of State Form 54400 (X-2018)  
Section 1 Financial Statement

Total All Funds		Bond/Lease
	.	
\$2,303,723.26		
\$5,040,362.80		
\$172,146.41		
\$41,582.00		\$0.00
\$7,557,814.47	\$0.00	
\$0.00		
\$0.00		
\$0.00		
\$0.00		\$0.00
\$0.00		
\$0.00		
\$7,557,814.47		
	\$0.00	
\$2,453,649.66		
\$5,725,562.88		\$0.00
\$125,136.43	\$0.00	
\$8,304,348.97		
\$219,269.10		
\$0.00		
\$0.00		\$0.00
\$0.00		
\$0.00	\$0.00	
\$0.00		

Section 1 Financial Statement

\$0.00		
\$8,523,618.07		
	\$0.00	\$0.00
	\$0.00	\$0.00

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**ANNUAL OPERATIONAL REPORT  
FOR LOCAL ROADS AND STREETS AND BRIDGES**

Part of State Form 54400 (X-2018)

**Section 2 Receipts**

<b>Section 2 - Detail of Receipts</b>	<b>Motor Vehicle Highway</b>	<b>Motor Vehicle Highway Restricted</b>	<b>Local Road &amp; Street</b>	<b>Cumulative Bridge</b>	<b>Other Funds</b>	<b>Total All Funds</b>	<b>Community Crossings</b>	<b>Bond/Lease</b>
<b>Receipts</b>								
<b>Taxes</b>								
General Property Taxes				\$1,347,768.43	\$0.00	\$1,347,768.43		
LIT - Certified Shares					\$0.00	\$0.00		
LIT - Economic Development Income Tax					\$0.00	\$0.00		
Wheel and Sur Tax	\$955,954.83				\$0.00	\$955,954.83		
Other Taxes					\$0.00	\$0.00		
<b>Total Taxes</b>	<b>\$955,954.83</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1,347,768.43</b>	<b>\$0.00</b>	<b>\$2,303,723.26</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Intergovernmental</b>								
Motor Vehicle Highway Distribution	\$2,130,647.52	\$2,130,647.60			\$0.00	\$4,261,295.12		
Local Road and Street Distribution			\$680,604.67		\$0.00	\$680,604.67		
Financial Institution Tax Distribution				\$11,566.72	\$0.00	\$11,566.72		
Vehicle/Aircraft Excise Tax Distribution				\$82,986.36	\$0.00	\$82,986.36		
State Grants					\$910,618.53	\$910,618.53	\$910,618.53	
Federal Grants					\$0.00	\$0.00		
Other CVET				\$3,909.93	\$0.00	\$3,909.93		
<b>Total Intergovernmental</b>	<b>\$2,130,647.52</b>	<b>\$2,130,647.60</b>	<b>\$680,604.67</b>	<b>\$98,463.01</b>	<b>\$910,618.53</b>	<b>\$5,950,981.33</b>	<b>\$910,618.53</b>	<b>\$0.00</b>
<b>Charges for Services</b>								
Federal State and Local Reimbursement for Services	\$4,883.67				\$0.00	\$4,883.67		
Other Federal & State GD		\$3,146.30		\$164,116.44	\$0.00	\$167,262.74		
<b>Total Charges for Services</b>	<b>\$4,883.67</b>	<b>\$3,146.30</b>	<b>\$0.00</b>	<b>\$164,116.44</b>	<b>\$0.00</b>	<b>\$172,146.41</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Other Operating Receipts</b>								
Interest					\$0.00	\$0.00		
Refund Recycling	\$9,799.00				\$0.00	\$9,799.00		
Contributions/Donations					\$0.00	\$0.00		
Transfers from Toll Facilities					\$0.00	\$0.00		
Miscel Dust Lay	\$31,783.00				\$0.00	\$31,783.00		
<b>Total Other Operating Receipts</b>	<b>\$41,582.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$41,582.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Other Financing Sources</b>								
Bond Proceeds					\$0.00	\$0.00		
Note/Loan Proceeds					\$0.00	\$0.00		
Interfund Loan Proceeds					\$0.00	\$0.00		
Investments Matured or Sold					\$0.00	\$0.00		
Transfer In					\$0.00	\$0.00		
Other					\$0.00	\$0.00		
<b>Total Other Financing Sources</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Total Receipts</b>	<b>\$3,133,068.02</b>	<b>\$2,133,793.90</b>	<b>\$680,604.67</b>	<b>\$1,610,347.88</b>	<b>\$910,618.53</b>	<b>\$8,468,433.00</b>	<b>\$910,618.53</b>	<b>\$0.00</b>

Section 2 Receipts

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**ANNUAL OPERATIONAL REPORT  
FOR LOCAL ROADS AND STREETS AND BRIDGES**

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Part of State Form 54400 (X-2018)

**Section 3 Disbursements**

<b>Section 3 - Detail of Disbursements</b>	<b>Motor Vehicle Highway</b>	<b>Motor Vehicle Highway Restricted</b>	<b>Local Road &amp; Street</b>	<b>Cumulative Bridge</b>
Disbursements				
General Administration & Unallocated				
Personal Services	\$1,523,348.01	\$586,042.61		
Supplies	\$2,801.04			\$220,852.88
Other Services and Charges	\$120,605.12			
Capital Outlay				
Total General Administration & Unallocated	\$1,646,754.17	\$586,042.61	\$0.00	\$220,852.88
Construction, Reconstruction & Preservation				
Repairs & Maintenance	\$235,526.02	\$32,050.43	\$183,572.63	\$28,400.00
Equipment	\$104,111.33			\$91,269.70
Other Services and Charges-Oper Sup	\$182,541.89	\$1,462,330.52	\$680,632.46	\$81,137.65
Capital Outlay		\$597,640.52		\$1,135,731.20
Total Construction, Reconstruction & Preservation	\$522,179.24	\$2,092,021.47	\$864,205.09	\$1,336,538.55
Maintenance and Repair				
Winter Operations				
Personal Services				
Supplies				
Other Services and Charges				
Capital Outlay				
Total Winter Operations	\$0.00	\$0.00	\$0.00	\$0.00
Other Maintenance and Repair				
Personal Services	\$2,825.57			
Supplies	\$4,765.35			
Professional Services	\$61,802.64	\$55,742.87		
Capital Outlay				
Total Other Maintenance and Repair	\$69,393.56	\$55,742.87	\$0.00	\$0.00
Total Maintenance and Repair	\$69,393.56	\$55,742.87	\$0.00	\$0.00
Other Financing Uses				
Debt Service - Principal				\$219,269.10
Debt Service - Interest				
Interfund Loan Payments				
Interfund Loans Made				
Investments Purchased				
Transfer Out				
Other				
Total Other Financing Uses	\$0.00	\$0.00	\$0.00	\$219,269.10
Total Disbursements	\$2,238,326.97	\$2,733,806.95	\$864,205.09	\$1,776,660.53

**Section 3 Disbursements**



**ANNUAL OPERATIONAL REPORT  
FOR LOCAL ROADS AND STREETS AND BRIDGES**

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Part of State Form 54400 (X-2018)

**Section 3 Disbursements**

<b>Section 3 - Detail of Disbursements</b>	<b>Total Other Funds</b>	<b>Total All Funds</b>	<b>Community Crossings</b>	<b>Bond/Lease</b>
Disbursements				
General Administration & Unallocated				
Personal Services	\$0.00	\$2,109,390.62		
Supplies	\$0.00	\$223,653.92		
Other Services and Charges	\$0.00	\$120,605.12		
Capital Outlay	\$0.00	\$0.00		
Total General Administration & Unallocated	\$0.00	\$2,453,649.66	\$0.00	\$0.00
Construction, Reconstruction & Preservation				
Repairs & Maintenance	\$0.00	\$479,549.08		
Equipment	\$0.00	\$195,381.03		
Other Services and Charges-Oper Sup	\$0.00	\$2,406,642.52		
Capital Outlay	\$910,618.53	\$2,643,990.25	\$910,618.53	
Total Construction, Reconstruction & Preservation	\$910,618.53	\$5,725,562.88	\$910,618.53	\$0.00
Maintenance and Repair				
Winter Operations				
Personal Services	\$0.00	\$0.00		
Supplies	\$0.00	\$0.00		
Other Services and Charges	\$0.00	\$0.00		
Capital Outlay	\$0.00	\$0.00		
Total Winter Operations	\$0.00	\$0.00	\$0.00	\$0.00
Other Maintenance and Repair				
Personal Services	\$0.00	\$2,825.57		
Supplies	\$0.00	\$4,765.35		
Professional Services	\$0.00	\$117,545.51		
Capital Outlay	\$0.00	\$0.00		
Total Other Maintenance and Repair	\$0.00	\$125,136.43	\$0.00	\$0.00
Total Maintenance and Repair	\$0.00	\$125,136.43		
Other Financing Uses				
Debt Service - Principal	\$0.00	\$219,269.10		
Debt Service - Interest	\$0.00	\$0.00		
Interfund Loan Payments	\$0.00	\$0.00		
Interfund Loans Made	\$0.00	\$0.00		
Investments Purchased	\$0.00	\$0.00		
Transfer Out	\$0.00	\$0.00		
Other	\$0.00	\$0.00		
Total Other Financing Uses	\$0.00	\$219,269.10	\$0.00	\$0.00
Total Disbursements	\$910,618.53	\$8,523,618.07	\$910,618.53	\$0.00

**Section 3 Disbursements**





**ANNUAL OPERATIONAL REPORT  
FOR LOCAL ROADS AND STREETS AND BRIDGES**  
Part of State Form 54400 (X-2018)  
**Section 5 Mileage Changes**

**Section 5 - Mileage**

	<b>Actual Mileage (Dec 31)</b>	<b>Change from prior year</b>	<b>Reason(s)</b>
Concrete			
Asphalt	128		
Chip Seal	392		
Composite			
Brick			
Gravel	298		
Unimproved			
<b>Total Miles</b>	818	0	

**ANNUAL OPERATIONAL REPORT  
FOR LOCAL ROADS AND STREETS AND BRIDGES**

Part of State Form 54400 (X-2018)

**Section 4 Debt**

**Section 4 - Debt Information**

	HHSB DITCHER	HHSB BERMER	WESTSIDE TRACTOR GRADERS	ENTERPRISE	(Description of Debt)	Totals
<b>Bonds</b>						
Bonds - Outstanding Principal January 1						\$0.00
New Bonds Issued During Year						\$0.00
Principal Paid						\$0.00
Interest Paid						\$0.00
Total Principal & Interest Paid	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Bonds - Outstanding Principal December 31	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Notes/Loans</b>						
Notes/Loans - Outstanding Principal January 1						\$0.00
New Notes/Loans Issued During Year						\$0.00
Principal Paid						\$0.00
Interest Paid						\$0.00
Total Principal & Interest Paid	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Notes/Loans - Outstanding Principal December 31	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Capital Leases</b>						
Capital Leases - Outstanding Principal January 1	\$89,781.44	\$91,082.07	\$426,881.48	\$197,155.17		\$804,900.16
New Capital Leases Entered Into During Year				\$68,866.21		\$68,866.21
Principal Paid	\$44,125.33	\$44,811.10	\$130,439.17	\$54,116.80		\$273,492.40
Interest Paid	\$2,717.33	\$2,716.98	\$46,655.92	\$8,374.04		\$60,464.27
Total Principal & Interest Paid	\$46,842.66	\$47,528.08	\$177,095.09	\$62,490.84	\$0.00	\$333,956.67
Capital Leases - Outstanding Principal December 31	\$45,656.11	\$46,270.97	\$296,442.31	\$211,904.58	\$0.00	\$600,273.97

**Section 4 Debt**

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**ANNUAL OPERATIONAL REPORT  
FOR LOCAL ROADS AND STREETS AND BRIDGES  
SECTION 6 - CERTIFICATION**

Part of State Form 54400 (8-10)

**FOR COUNTIES**

Submitted by:

DATE:  20    
Jacob Lough, Highway Director

DATE:  20    
County Highway Supervisor

Approved:

DATE:  20    
Board of County Commissioners

**FOR CITIES AND TOWNS**

Submitted by:

DATE:  20    
City Engineer (if applicable)

DATE:  20    
Street Commissioner or Supervisor

Approved:

DATE:  20    
Mayor or President of Town Council

Section 6 Certification

# Authorization to Purchase Total Patcher

Thursday, April 4, 2024 4:12 PM

Total Patcher- seeking approval to purchase a new total patcher to replace the current patcher. The current patcher is a 2006 that the county bought used from city of Frankfort. It has several thousand hours on it and it is at the end of its life cycle. Equipment marketing is the only total patcher manufacture. The total cost of the machine in \$92,900. This amount has been budgeted to replace the current machine.

# 2nd Read Ord 2024-10 Amending Policy Prohibiting Food and Drinks at the Courthouse

Monday, March 25, 2024 9:15 AM

**Montgomery County Board of Commissioners**

**Ordinance 2024-10**

**An Ordinance Prohibiting Food and Beverages in the Courthouse**

**WHEREAS**, food and beverages are not allowed in the Courtrooms in the Montgomery County Courthouse according to the County Judges; and

**WHEREAS**, visitors are leaving food and beverages outside the Courtrooms and beverages are often spilled on to the floor of the hallways;

**NOW, THEREFORE, IT IS ORDAINED** by the Montgomery County Board of Commissioners that a new section, 36.40, is added to Chapter 36 of the County Code with the following language: "*Visitors to the Montgomery County Courthouse are not allowed to bring food or beverages in to the Courthouse.*"

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2024.

**Montgomery County  
Board of Commissioners:**

\_\_\_\_\_  
John Frey, President

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

\_\_\_\_\_  
Dan Guard, Member

Attest: \_\_\_\_\_  
Mindy Byers, Auditor



# Resolution 2024-7 Authorizing the Use of Alternative Leasing Procedure

Wednesday, April 3, 2024 1:59 PM

# **MONTGOMERY COUNTY BOARD of COMMISSIONERS**

## **Resolution 2024 - 7**

### **Authorizing the Use of Alternate Leasing Procedure**

WHEREAS, the Montgomery County Board of Commissioners owns approximately 4.77 acres of real estate that was previously used for hay; and

WHEREAS, the Board desires to lease the real estate for the 2024 crop season; and

WHEREAS, the Board finds that the traditional procedure for leasing real estate under Indiana Code 36-1-11-10 is not feasible based on the need to get the real estate under lease in a short period of time in order to allow crops to be planted and harvested.

IT IS, THEREFORE, RESOLVED that the alternative leasing procedure under Indiana Code 36-1-11-12 is authorized to be used in order to dispose of the real estate by lease.

THIS RESOLUTION is hereby adopted this \_\_\_\_ day of April 2024.

**MONTGOMERY COUNTY BOARD OF  
COMMISSIONERS**

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John Frey, President

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James D. Fulwider, Vice President

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Dan Guard, Member

Attest:

---

Mindy Byers, Auditor

# Resolution 2024-8 Approving Transfer Agreement with Trinity Horizons

Thursday, April 4, 2024 4:03 PM

# MONTGOMERY COUNTY BOARD of COMMISSIONERS

## Resolution 2024 - 8

### Approving Transfer Agreement with Trinity Horizons

WHEREAS, the Montgomery County Board of Commissioners previously approved a Memorandum of Understanding with Trinity Horizons (Trinity) for the transfer of certain real estate at 1101 North Whitlock Avenue, Crawfordsville; and

WHEREAS, the Board has received and examined a Transfer Agreement (Exhibit A) for the transfer to Trinity, and the Board finds that said Agreement should be approved.

IT IS, THEREFORE, RESOLVED that the attached Transfer Agreement with Trinity is hereby approved and that the President is authorized to execute the agreement, the deed, and any other documents necessary to transfer the real estate as provided for in the agreement.

THIS RESOLUTION is hereby adopted this \_\_\_\_ day of April 2024.

MONTGOMERY COUNTY BOARD OF  
COMMISSIONERS

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John Frey, President

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James D. Fulwider, Vice President

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Dan Guard, Member

Attest:

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Mindy Byers, Auditor

## **TRANSFER AGREEMENT**

This Agreement, by and between the **Montgomery County Board of Commissioners** (Commissioners) and **Trinity Horizons, Inc.** (Trinity), an Indiana not-for-profit corporation, IS TO WITNESS THAT:

**Whereas**, Trinity currently leases from the Commissioners certain real estate and improvements located at 1101 North Whitlock Avenue in Crawfordsville, Indiana, which real estate is commonly known as the County Home Property (the Property), and operates a drug and alcohol rehabilitation and education program on the site; and

**Whereas**, Trinity has expressed an interest in expanding its program and facilities and desires to have the Property transferred to it by the County in order to facilitate this expansion; and

**Whereas**, the Commissioners value the positive impact Trinity's program has in Montgomery County and desire to facilitate Trinity's expansion by granting the requested transfer; and

**Whereas**, on November 22, 2021, the Commissioner and Trinity entered into a Memorandum of Understanding for the transfer in order to describe the general concepts and terms and the parties' anticipated agreement for the transfer by the Commissioners to Trinity of the Property; and

**Whereas**, the Commissioners and Trinity, now desire to enter into this agreement for the transfer of the Property from the Commissioners to Trinity.

**IT IS, THEREFORE, AGREED** by the Commissioners and Trinity that the Commissioner agree to transfer to Trinity, and Trinity agrees to accept this transfer, upon the following terms and conditions:

**1. Lease of County Home:** Trinity currently leases certain real estate from the Commissioners that is commonly known as 1101 North Whitlock Street, Crawfordsville, IN 47933, which was previously operated as and known as the “county home” (Property). The Property is generally described in Exhibit A, which is attached hereto and expressly incorporated herein, and consists of approximately 3.4± acres. Trinity currently operates a drug and alcohol rehabilitation and education program at the Property.

**2. Expansion of Existing Facilities:** Trinity desires to improve and expand its services, operations, and the facilities on the Property and may build new facilities on the Property. Trinity is reluctant to make significant improvements to the Property because it does not own the Property.

**3. Property to be Transferred:** The property to be transferred to Trinity is described in Exhibit B, which is attached hereto and expressly incorporated herein, and includes the Property and consists of approximately 11.77± total acres of real estate together with its improvements (Transferred Property).

**4. Transfer of Property:** The Commissioners hereby agree to transfer to Trinity the Transferred Property, under the authority of Indiana Code §36-1-11-5.6, for no consideration other than the covenants and obligations contained in this agreement. This transfer is conditioned upon Trinity’s granting to the Commissioner



a first option to purchase the Transferred Property as described in paragraph 5. The parties will, within thirty (30) days of the approval of this agreement, each select an appraiser who will determine the fair market value at the time of the transfer. The average of the two appraisals will be used to determine the value (Base Value).

**5. First Option to Purchase:** In the event that Trinity permanently and completely ceases all operations at the Transferred Property or desires to sell the Transferred Property, the Commissioners will have the first option to purchase the Transferred Property, described as follows:

a. **Notice of Intend to Sell.** Trinity will provide to the Commissioners written notice of Trinity's intention to permanently and completely cease operations at or sell the Transferred Property.

b. **Exercise of Option.** The Commissioners will then have ninety (90) days from the date of the notice to exercise their option to purchase the Transferred Property. If the Commissioners wish to exercise their option, they shall provide written notice to Trinity prior to the end of the 90-day exercise period. If the Commissioners do not timely exercise of their option or later waive their option, Trinity will be free to use the Transferred Property or sell the Transferred Property as if the option did not exist and the option shall be null and void.

c. **Appraisals.** If the Commissioners exercise their option, each of the parties will order an appraisal of the Transferred Property, including the land and improvements, within twenty (20) days of the Commissioners' notice.

The Commissioners' appraisal and Trinity's appraisal shall be averaged to determine the value of the Transferred Property as of Trinity's notice (Adjusted Value).

d. **Closing and Price.** The closing of the sale from Trinity to the Commissioners will occur within ninety (90) days of completion of the appraisals of the Transferred Property. The Commissioners will pay to Trinity the purchase price in cash at the closing., and this purchase price for the Transferred Property will be equal to the difference between: (i) the Adjusted Value; and (ii) the Base Value, it being the intention of the parties to compensate Trinity for additions to the fair market value attributable to improvements made to the property by Trinity after the original transfer date.

e. **Survival of Covenants.** The covenants regarding the Commissioners' option will survive the transfer of the Property to Trinity and will be binding upon the parties and their successors for so long as Trinity owns the Property unless and until the Commissioners waive their right to exercise their option.

6. **Deed:** The deed of transfer is attached hereto as Exhibit C and will be delivered by the Commissioner to Trinity upon execution and approval of this agreement by both parties. The Commissioners will pay the expense of preparation of the deed and sales disclosure form (if any), and Trinity will pay the expense of the transfer and recording fees and the fee for the sales disclosure form.

7. **Survey:** Trinity has engaged a surveyor and paid or will pay for the survey of the Transferred Property.

8. **Title Insurance:** The Commissioners will provide to Trinity a commitment for title insurance which shows that the Commissioners have merchantable title in and to the Transferred Property. Trinity will pay the premium for this title insurance commitment and any title insurance policy issued to Trinity.

9. **Use Restrictions:** Trinity agrees to use the Transferred Property for its non-profit purpose and mission, specifically drug and alcohol rehabilitation and education, counseling, re-entry services, vocational training, and other related services, and in conformance with all applicable zoning and building regulations. The parties' understanding is that Trinity intends to construct facilities which will allow it to expand the services it currently provides on the site and that Trinity may provide housing for its clients who graduate from its one-year program who participate in Trinity's post-graduate program. Provided, however, Trinity will not operate a shelter or other housing for the homeless or for families other than its clients and the clients' immediate families. The parties agree that the covenants contained in this paragraph will survive the transfer of the Transferred Property.

10. **Approvals:** The Commissioners have approved this agreement in a public meeting, and the President of the Board of Commissioners is authorized to execute this agreement, the deed, and any and all other documents necessary to consummate the transfer.

**11. Condition of Premises:** Trinity hereby accepts the Transferred Property in its current condition.

**12. Environmental Matters:** The Transferred Property is located less than half (1/2) a mile from a closed landfill owned by Montgomery County, Indiana (Landfill). Although this landfill is closed, Montgomery County and the City of Crawfordsville have continuing obligations to maintain the closed landfill. Montgomery County actively engages the services of environmental engineers, civil engineers and other consultants to assist it in the monitoring of and maintenance of the landfill. Furthermore, Montgomery County and the City of Crawfordsville actively and regularly perform maintenance on the landfill in order to preserve the clay cap and other features of the landfill, manage stormwater drainage, and otherwise protect the surrounding properties and the community in general.

**13. Lease:** On June 1, 2004, the Commissioners entered into a Lease with Trinity for the Property and said Lease was extended until May 31, 2031. Upon the transfer of the Transferred Property to Trinity, the Lease will terminate.

**14. Farm Lease:** The Commissioners have entered into a Farm Lease for a portion of the Transferred Property. A Copy of this Farm Lease is attached hereto as Exhibit D. The Lease provides to the Commissioners the right to cancel the lease as to any portion of the leased property. The Commissioners will provide notice to the farm tenant, within seven (7) days of the transfer of the Transferred Property, of the cancellation of the lease as it pertains to the Transferred Property. Trinity will be free, in its discretion, to negotiate with the farm tenant for the continuation

of a lease interest with the farm tenant for the 2024 crop season and later years or to refrain from such negotiations.

**15. General:** This agreement is binding upon and will inure to the benefit of the parties' successors in interest. This agreement contains the parties' entire agreement, and no verbal agreements are enforceable. This agreement will be construed under the laws of the State of Indiana. In the event that either party breaches this agreement, the non-breaching party is entitled to collect from the breaching party any and all damages caused by the breach and all reasonable attorney's fees, court costs and expenses of litigation incurred in the prosecution of litigation to enforce this agreement.

IN WITNESS WHEREOF, the parties have executed this agreement on the date or dates shown below.

Montgomery County Board of Commissioners

Trinity Horizons, Inc.

By: \_\_\_\_\_  
John Frey, President

By: \_\_\_\_\_  
Brian Oertel, President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Attest: \_\_\_\_\_  
Mindy Byers, Auditor

By: \_\_\_\_\_  
Philip Gabriel, Executive Director

\_\_\_\_\_  
Date