

MINUTES

POSEY COUNTY AREA PLAN COMMISSION REGULAR MEETING

THE HOVEY HOUSE
330 WALNUT STREET
MT. VERNON, IN 47620

JANUARY 8, 2026

6:00 P.M.

MEMBERS PRESENT: Mr. Joe Marvel - President, Dr. Keith Spurgeon, Mr. Greg Newman - Vice President, Mr. Randy Owens, Mr. Mark Seib, Mrs. Stefani Miller, Mr. Trent Van Haaften - Attorney, Mr. Jerry Cotner, Executive Director, Mrs. Taylor Elmendorf - Administrative Assistant, Mrs. Savannah Axley - Clerical Assistant

MEMBERS ABSENT: Mr. Dave Pearce, Mr. John Gerton, Mr. Randy Rankin

Attorney Trent VanHaaften administered a new Oath of Office to Dr. Keith Spurgeon and Mrs. Stefani Miller.

APPROVAL OF MINUTES FROM LAST REGULAR MEETING: Greg Newman made a motion in the affirmative to approve the minutes of the last regular meeting as emailed, the motion was seconded by Stefani Miller. **Roll Call Vote (6-0). Yes. Motion Carried.**

ELECTION OF OFFICERS 2026

Mark Seib made a motion in the affirmative to nominate Joe Marvel for President and Greg Newman for Vice-President, seconded by Stefani Miller. **Vote (6-0) Yes. Motion Carried.**

COMMITTEE APPOINTMENTS 2026:

Motion was made in the affirmative by Keith Spurgeon and seconded by Stefani Miller to accept the proposed list of Committee Appointments for 2026. **Roll Call Vote (6-0) Yes. Motion Carried.** (See attached sheet of the Committee Appointments for 2026)

ATTORNEY 2026

A motion was made in the affirmative by Mark Seib and seconded by Greg Newman to retain Van Haaften & Farrar as primary attorney for 2026. **Roll Call Vote (6-0). Yes. Motion Carried.**

FEES 2026

A motion was made by Mark Seib to keep all fees the same as 2025 at this time. Seconded by Keith Spurgeon. **Roll Call Vote (6-0) Yes. Motion Carried.**

RULES OF PROCEDURE 2026

A motion was made in the affirmative by Keith Spurgeon and seconded by Mark Seib to accept The Rules of Procedure for 2026 as presented with the changes as discussed. **Roll Call Vote (6-0). Yes. Motion Carried.**

DESIGNATED NEWSPAPER

Stefani Miller made a motion to designate the Posey County News as the media source for 2026. Greg Newman seconded the motion. **Roll Call Vote (6-0). Yes. Motion Carried.**

BZA APPOINTMENT

Stefani Miller made a motion to reappoint Keith Spurgeon for 4 years as Area Plan Commission Representatives on the Board of Zoning Appeals. Seconded by Mark Seib. **Roll Call Vote (6-0) Yes. Motion Carried.**

SITE DEVELOPMENT PLANS:

APPLICANT: Barry Tanner, Tanner Engineering, LLC
OWNER: CountryMark Refining and Logistics, LLC
PREMISES: 401 Southwind Plaza, Mt. Vernon, Indiana containing 6.3 acres more or less, 6701 Lower New Harmony Rd., Mt. Vernon, Indiana containing 54 acres more or less, and 991 O'Donnell Rd., Mt. Vernon, Indiana containing 7.7 acres more or less all lying in Black Township, Posey County, Indiana. (Complete legal description is on file at the Posey County Area Plan Commission Office).

APPLICANT/OWNER OF THE ABOVE-DESCRIBED PROPERTY HAS REQUESTED:

Approval of Site Development Plans (storm shelters) in a CS (Commercial Shopping) and M-2 (Manufacturing Medium/Heavy) Zoning District under The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County.

Mr. Marvel confirmed with Mr. Cotner that the applicant met all the requirements for notification per the statute.

Mr. Marvel confirmed no board member had any conflicts of interest.

Ada Cuadro – 6701 Lower New Harmony, Mt. Vernon, IN, here to speak on behalf of the application.

No comments from the public.

Mr. Marvel confirmed with Mr. Cotner there were no emails, phone calls, or letters.

Mr. Marvel opened the floor to the committee for discussion or action.

No members had any additional comments on Finding of Facts.

Stefani Miller motioned to approve the Finding of Facts seconded by Randy Owens. **Roll Call Vote (6-0), Yes. Motion**

A motion was made by Greg Newman to approve the Site Development Plan, motion seconded by Mark Seib. **Roll Call Vote (6-0), Yes. Motion Carried.**

SITE DEVELOPMENT PLANS:

APPLICANT: Lauren Melchior, Salas O'Brien
OWNER: Babcock & Wilcox Nuclear Operations Group
PREMISES: Part of the West half of Section 18, Township 7 South, Range 13 West, Posey County Indiana. More commonly known as 1400 Old Hwy 69, Mt.

Vernon, Indiana containing 99.7 acres more or less lying in Black Township, Posey County, Indiana. (Complete legal description is on file at the Posey County Area Plan Commission Office).

APPLICANT/OWNER OF THE ABOVE-DESCRIBED PROPERTY HAS REQUESTED:

Approval of Site Development Plans (6 bay expansion) in a M-2 (Manufacturing Medium/Heavy) Zoning District under The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County.

Mr. Marvel confirmed with Mr. Cotner that the applicant met all the requirements for notification per the statute.

Mr. Marvel confirmed no board member had any conflicts of interest.

Brian Presnell – 1400 Old Hwy 69, Mt. Vernon, IN, here to speak on behalf of the application.

No comments from the public.

Mr. Marvel confirmed with Mr. Cotner there were no emails, phone calls, or letters.

Mr. Marvel opened the floor to the committee for discussion or action.

No members had any additional comments on Finding of Facts.

Keith Spurgeon motioned to approve the Finding of Facts seconded by Greg Newman. **Roll Call Vote (6-0), Yes. Motion**

A motion was made by Mark Seib to approve the Site Development Plan, motion seconded by Stefani Miller. **Roll Call Vote (6-0), Yes. Motion Carried.**

COMPLAINTS - TABLED:

348 W. 9th St., MV (Primary Investments, LLC)

Mr. Jerry Cotner gave an update on the complaint at 348 W. 9th St., Mt. Vernon, IN.

Greg Newman made motion to table the complaint at 348 W. 9th St., Mt. Vernon, IN until next regular meeting motion seconded by Stefani Miller. **Roll Call Vote (6-0) Yes. Motion Carried.**

DIRECTOR'S REPORT

Mr. Jerry Cotner handed all board members a report showing all permits issued.

Mr. Jerry Cotner gave board members information about new complaint that will be heard at the next regular meeting regarding Mr. Payton Whoberry's rezoning stipulation.

Mr. Trent Van Haaften stated that Mr. Whoberry would need to make a request to the Area Plan Commission to revise stipulations. The APC would then make a recommendation to the Commissioners for the final decision.

APPROVAL OF PAYROLL AND BILLS

Mark Seib made a motion to approve payroll and bills, seconded by Stefani Miller. **Motion Carried.**

REPORT OF COLLECTIONS

A motion was made in the affirmative by Mark Seib and seconded by Keith Spurgeon to approve collections. **Motion Carried.**

CITIZEN CONCERNS

None.

OTHER BUSINESS

Update on Road Use Bond and Decommissioning Bond of Posey Solar

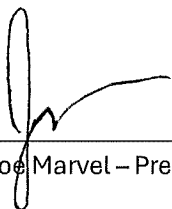
Mr. Trent Van Haaften explained the process to release Arevon's road bond. The Area Plan Commission office and Auditor's office have a copy of the bond CenterPoint has obtained.

Keith Spurgeon made a motion to release Arevon's road bond, the motion was seconded by Mark Seib. Stefani Miller abstained from the vote. **Roll Call Vote (5-0) Yes. Motion Carried.**

Mr. Joe Marvel discusses TIER 1 solar setbacks in UDO.

ADJOURNMENT

Stefani Miller made a motion to adjourn the meeting at 7:12p.m. The motion was seconded by Greg Newman. **Motion Carried.**



Mr. Joe Marvel – President



Mr. Jerry Cotner – Executive Director

COPY


FINDINGS OF FACT
CountryMark Refining and Logistics, LLC
Storm Shelters

I, Stephanie, make a motion in the findings of fact be made as follows

1. Development is compatible with surrounding land use. The current zoning of the parcels is M2 and CS, this is compatible with surrounding land use.
2. Water, septic, and other utilities are available – no changes to any of these.
3. The design and location of the entrance and streets are favorable to health, safety, convenience and are harmonious to the development and adjacent developments.
4. The plan meets the setback requirements with maintaining uniformity of current building setbacks in area.
5. The plan meets the building coverage requirements for the M-2 and CS District.
6. The plan meets building separation.
7. The plan meets vehicle and pedestrian circulation.
8. The plan meets parking requirements.
9. Landscaping. Not applicable.
10. Building Specs – 480 sq. ft., 733 sq. ft., 880 sq. ft.
11. Signage – Not Applicable.
12. Recreation space - Not Applicable.
13. The plan meets outdoor lighting requirements.
14. The development is in conformance with the Zoning Ordinance for the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County Zoning Ordinance and with the Posey County Comprehensive Plan.

Motion seconded by: Randy Owens

Adopted by Posey County Area Plan Commission



President, Posey County Area Plan Commission

1/8/26

Date

COP

FINDINGS OF FACT
BWXT
6 bay expansion

I, Keith, make a motion in the findings of fact be made as follows

1. Development is compatible with surrounding land use. The current zoning of the parcel is M2, this is compatible with surrounding land use.
2. Water, septic, and other utilities are available – no changes to any of these.
3. The design and location of the entrance and streets are favorable to health, safety, convenience and are harmonious to the development and adjacent developments.
4. The plan meets the setback requirements with maintaining uniformity of current building setbacks in area.
5. The plan meets the building coverage requirements for the M-2 District.
6. The plan meets building separation.
7. The plan meets vehicle and pedestrian circulation.
8. The plan meets parking requirements.
9. Landscaping. Not applicable.
10. Building Specs – 24, 788 sq. ft.
11. Signage – Not Applicable.
12. Recreation space - Not Applicable.
13. The plan meets outdoor lighting requirements.
14. The development is in conformance with the Zoning Ordinance for the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County Zoning Ordinance and with the Posey County Comprehensive Plan.

Motion seconded by: Greg

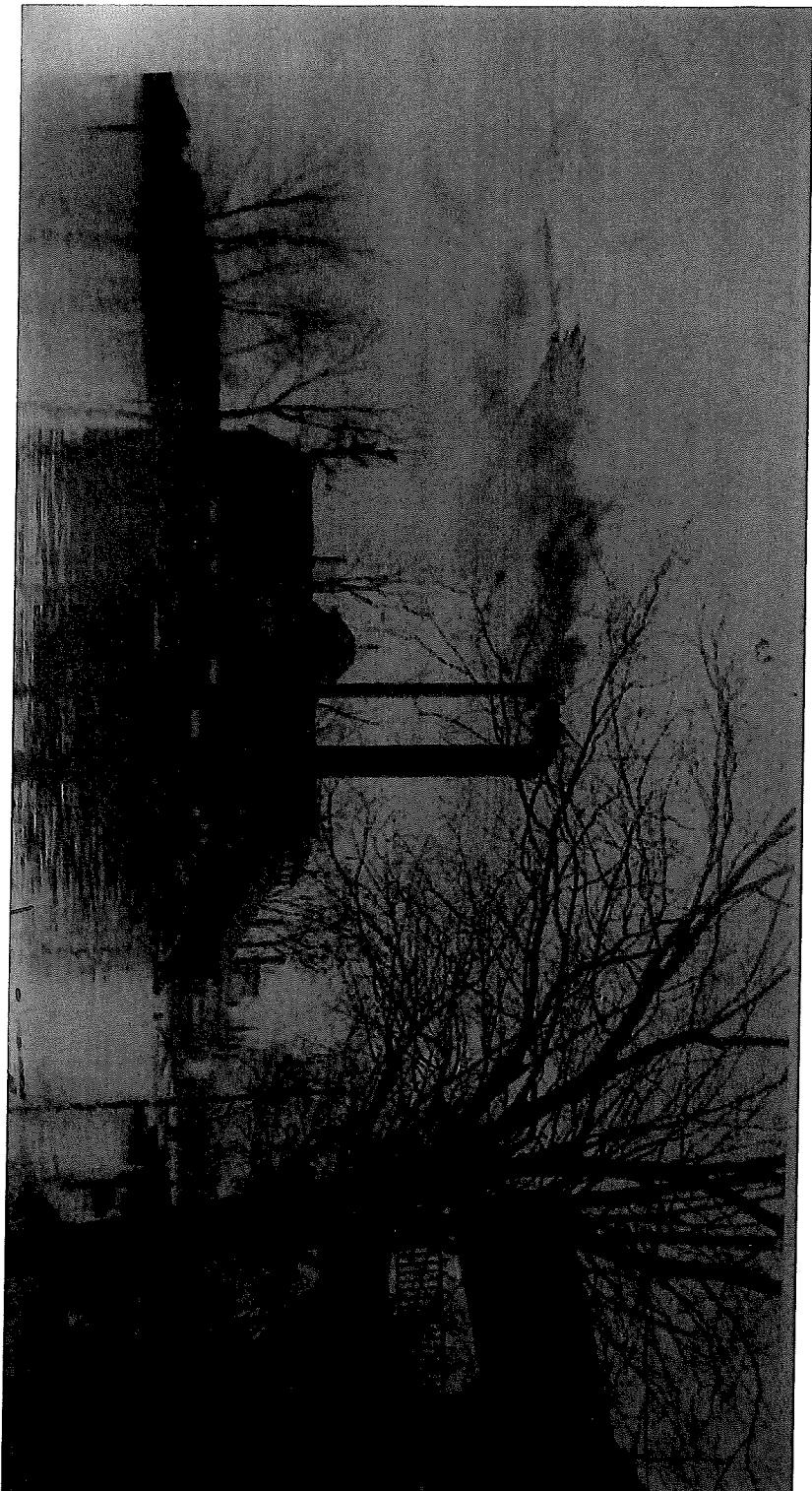
Adopted by Posey County Area Plan Commission

[Signature]
President, Posey County Area Plan Commission

1/8/26
Date

Directors Report

January 2026



According to evolve for 2025 we issued 306 permits. These permits break down as follows:

Residential accessory	106
Commercial new buildings	6
Commercial Addition	8
New Mobile homes	10
New Homes	38
In ground pools	7
Fences	22
Misc.	109

The following pages list the permits issued in December 2025.

In a previous meeting Mr. Whoberry that lives on the corner of copperline and lavon drive, was granted a rezoning from B1 to B2. There were certain stipulations that were placed on him from the APC. I have some concerns with some of those stipulations and believe we should revisit it to clarify some of the restrictions. It is on the docket for February 2026. Some of the concerns I have are listed below.

1. We have asked Mr. Whoberry to block off the entrance from Lavon drive. Was that to eliminate business traffic only or can he use it for his personal use. He cannot block this entrance as 70% is not on his property. If he cannot use this road for personal use, then he no longer has access to his garage.
2. My second concern is that we have a similar business across the street with the same zoning yet no restrictions. It is my personal opinion that when we compare apples to apples the rules should be the same.

From our history research it appears Lavon drive was there before the subdivision. It looks like Mr. Whoberry building was there in the early 60's and the subdivision built in the 70's.

Permits Issued - Improvement Location

Date From 12/1/2025 and Date To 12/31/2025

Issue Date	Permit #	Permit Address/ Subdivision	Report Code	Parcel ID/ Total SF	Contractor/ Organization	Fees Total	Valuation
Imp Loc Commercial New Building							
12/04/2025	ILP-25-391	901 GIVENS RD, MT VERNON	Imp Loc Commercial New Building	651506100003002 0	Tyler Dawson - Custom Mechanical Construction, Inc.	25.00	\$100,000
						Count	1
						Fees	\$25.00
						Valuation	\$100,000.00
Imp Loc Ground Sign							
12/05/2025	ILP-25-392	1809 MAIN ST, MT VERNON	Imp Loc Ground Sign	652705212011100C 0	Cindy Lewis - Signarama - Evansville	25.00	\$10,700
12/05/2025	ILP-25-393	1000 W 4TH ST, MT VERNON	Imp Loc Ground Sign	65270832400260C 0	Cindy Lewis - Signarama - Evansville	25.00	
						Count	3
						Fees	\$75.00
						Valuation	\$110,700.00
Imp Loc Residential Accessory Structure							
12/02/2025	ILP-25-390	5200 HAINES RD, WADESVILLE	Imp Loc Residential Accessory Structure	65072430000700C 0	Tamyra Wolf - Tamyra Wolf	25.00	
12/12/2025	ILP-25-395	2300 E PENFOLD RD, NEW HARMONY	Imp Loc Residential Accessory Structure	650716200002001 0	Alex Almon - Alex Almon	25.00	\$80,000
12/16/2025	ILP-25-397	10100 JOHN WILL RD, WADESVILLE	Imp Loc Residential Accessory Structure	65060220000100C 0	Bill Reynolds - Reynolds Farming	25.00	
12/19/2025	ILP-25-402	6801 THORNBURG PL, WADESVILLE	Imp Loc Residential Accessory Structure	65060711002900C 0	Mitchell Veeck - Mitchell Veeck	25.00	
12/19/2025	ILP-25-403	9701 N OLIVIA DR, WADESVILLE	Imp Loc Residential Accessory Structure	65062710101400C 0	Dustin Worman - MelKay	25.00	\$86,000

Permits Issued - Improvement Location

Date From 12/1/2025 and Date To 12/31/2025

Issue Date	Permit #	Permit Address/ Subdivision	Report Code	Parcel ID/ Total SF	Contractor/ Organization	Fees Total	Valuation
12/22/2025	ILP-25-404	11200 REICH LN, EVANSVILLE	Imp Loc Residential Accessory Structure	651301300032000	Richard Reich - Richard Reich	25.00	\$30,000
12/22/2025	ILP-25-405	5300 ST WENDEL-CYNTHIANA RD, POSE	Imp Loc Residential Accessory Structure	650601300009000	Donald Crowder - Donald Crowder	25.00	\$66,000

Count 10
Fees \$250.00
Valuation \$372,700.00

Imp Loc Residential Deck/Porch

12/08/2025	ILP-25-394	8200 TIMBERLAKE LN, MT VERNON	Imp Loc Residential Deck/Porch	651328331013000	Kenny Tenbarger - Kenny Tenbarger	25.00	
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Count 11
Fees \$275.00
Valuation \$372,700.00

Imp Loc Residential Fence

12/16/2025	ILP-25-396	2851 BLACKBURN RD, MT VERNON	Imp Loc Residential Fence	651214400014000	Joe Roeder - Joe Roeder	25.00	
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Count 12
Fees \$300.00
Valuation \$372,700.00

Imp Loc Residential Inground Pool, Spas, Hot Tubs

12/17/2025	ILP-25-399	1100 St. Phillips	Imp Loc Residential Inground Pool, Spas, Hot Tubs	651312200002000	Jake Kelley - Kelley Custom Pools	25.00	\$75,000
12/17/2025	ILP-25-400	7121 MEINSCHEIN RD, MT VERNON	Imp Loc Residential Inground Pool, Spas, Hot Tubs	651417300009000	Jake Kelley - Kelley Custom Pools	25.00	\$20,000

Permits Issued - Improvement Location

Date From 12/1/2025 and Date To 12/31/2025

Issue Date	Permit #	Permit Address/ Subdivision	Report Code	Parcel ID/ Total SF	Contractor/ Organization	Fees Total	Valuation
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Imp Loc Residential New Home

12/18/2025	ILP-25-401	6813 West Franklin Rd	Imp Loc Residential New Home	651402400052007 166	Chris Chapman - Chris Chapman	25.00	\$495,000
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Count	14
Fees	\$350.00
Valuation	\$467,700.00

Improvement Location Other

12/17/2025	ILP-25-398	3180 LUGS RD, WADEVILLE	Improvement Location Other	650614300008002 768	Amanda Simpson - Amerlight	25.00	
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Count	16
Fees	\$400.00
Valuation	\$962,700.00

Total Permits	16
Total Fees	\$400.00
Total Valuation	\$962,700

Solar Setbacks 2

Red line = 100ft
Green line = 100ft

Legend



Solar Setbacks 1

Red line = 500ft
Green line = 1000ft

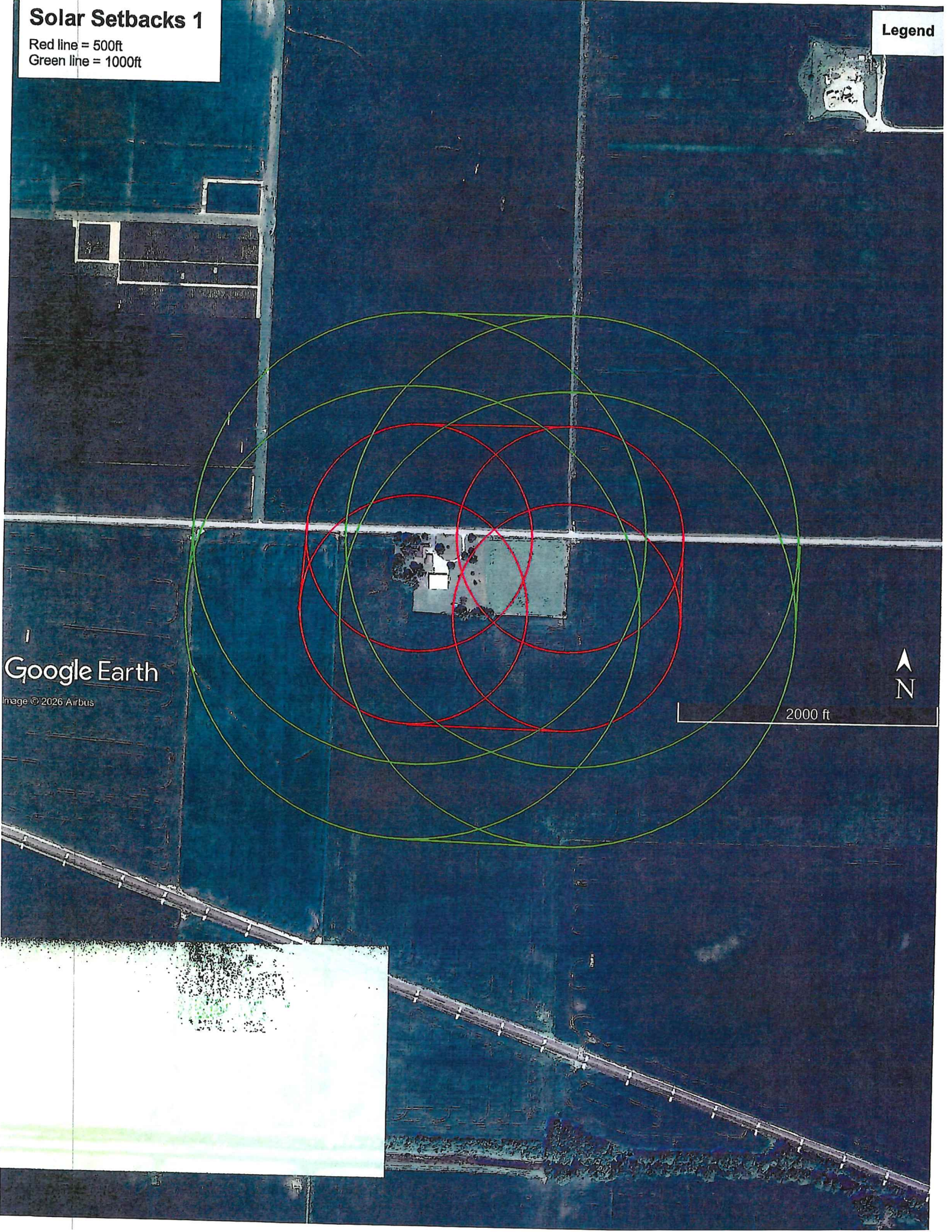
Legend

Google Earth

Image © 2026 Airbus



2000 ft



Posey County Area Plan Committee List

2026

Transportation and Development

John Gerton
Stefani Miller
Randy Owens

Administration and Personnel

Joe Marvel
Keith Spurgeon
Greg Newman
Mark Seib

Budget

Joe Marvel
Greg Newman
Dave Pearce
Mark Seib

Zoning

Dave Pearce
Randy Owens
John Gerton

Executive Committee

Joe Marvel
Greg Newman
Keith Spurgeon
Mark Seib

***Subdivision Committee**

Randy Rankin
John Gerton
Randy Owens
Stefani Miller

*The Subdivision Committee will also work with the County Surveyor, City Engineer, County Engineer, Soil Conservationist and the County Agricultural Agent.

Site Plan Committee

Randy Rankin
Dave Pearce
Keith Spurgeon
Stefani Miller

Recommended to the Board for the Board of Zoning Appeals

Joe Marvel
Keith Spurgeon