

MINUTES

POSEY COUNTY AREA PLAN COMMISSION SPECIAL MEETING

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

JANUARY 29, 2026
5:30 P.M.

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

MEMBERS ABSENT: Mr. Randy Rankin

Mr. Joe Marvel reconvened the meeting that was tabled January 15, 2026.

UDO DISCUSSION AND ADOPTION

Mrs. Deborah Luzier, GRW, 9001 N. Wesleyan Rd., Suite 200, Indianapolis, IN 46268, present to assist with any questions and amendments throughout the meeting.

Mr. Joe Marvel entered Purdue-Indiana Renewable Energy Community Planning Survey and Ordinance Inventory Summary as Exhibit A and Purdue-County Zoning Ordinances for Commercial Solar Compared to Indiana's Solar Energy Ready Community Standards as Exhibit B which all board members present received a copy.

Mr. Joe Marvel cleared up some possible confusion on the term adjacent properties with solar setbacks.

Mr. Joe Marvel reopened the public comments.

Public Comment:

Tom Guggenheim- 1129 E. Church St., New Harmony, IN 47631- Spoke in favor of decreasing the solar setbacks with concerns it will stop any future projects and economic growth.

Elizabeth Bennett-342 Shoreline Parkway, NC, attempts to give presentation about Engie North America. Explains that her company has worked on solar projects in the state of Indiana and seen other county's ordinances.

Mr. Joe Marvel stated only comments about the ordinance.

David Hernandez-244 South 23rd Street, Terre Haute, IN 47803, spoke about how Engie North America manages projects with vegetation.

Joshua Bain-460 Airport Rd., Roanoke Rapids, NC 27870, spoke again on solar setbacks stating that setbacks should be reduced to 250' with adequate screening in new ordinance. Stated that increase setback would cause larger overall footprint required for solar farm projects.

Bill Bender- 17 W. Main St., Poseyville, IN 47633, spoke at length about how the proposed setbacks would take away his right as property owner. He feels these setbacks would ban solar projects.

Paul Wyman- 1533 W. Lincoln Rd., Kokomo, IN, spoke about decreasing the solar setbacks that are proposed in the UDO draft to encourage solar projects. Stated studies have shown no negative impact from solar projects. Encouraged taking more time on solar section of UDO.

Devy Mathews- 435 Upper Upton Rd., Mt. Vernon, IN 47620, spoke again requesting to change the ordinance to allow living in Recreational Vehicles full time on private properties with and without current homes to assist with affordable housing.

Ray McCormick- 6751 S. McCormick Rd., Vincennes, IN, spoke requesting to decrease solar setbacks to support economic growth.

Ryan Economy- 225 West Upper St., Chicago, IL, spoke about the proposed setback in the UDO would limit solar projects. Spoke of about a study from Purdue University on setbacks. (All board members received copy). Encouraged more discussion on setbacks for county revenue.

Mr. Joe Marvel entered handout into the record as Exhibit C.

Mr. Joe Marvel called for a short recess.

Dan Elg – 103 Western Hills Dr., Mt. Vernon, IN 47620, spoke again regarding electronic message boards and their setbacks from residentially zoned properties. Showed examples on laptop of rapidly changing signs. Mr. Elg is adamant about a 250-300 ft setback from residential properties for electronic message boards.

Kathy Yearwood – 8820 Darnell School Rd., Mt. Vernon, IN 47620, speaks again regarding the proposed solar setbacks, is in support of what is currently proposed.

Mr. Joe Marvel closes the public portion.

Mr. Joe Marvel opens board discussion regarding Amendment #1 to the UDO regarding allowing RVs in a MHP zoning district year-round. It is currently proposed that they be allowed at a MHP for 6 months. Mr. John Gerton also suggests it state that the RVs are to be tied down using the manufacturers recommendation regarding tying down.

Mr. Joe Marvel makes a motion to adopt Amendment #1 on page 96 of the UDO, Mrs. Stefani Miller seconds this motion. **Roll Call Vote (8-0). Yes, Motion Carried.**

Mr. Joe Marvel opens board discussion regarding Amendment #2 to the UDO regarding Electronic Message Boards and the setback from residential properties. It is currently proposed to have a 100-foot setback from residentially zoned properties. Mr. Dave Pearce is recommending a 300 ft setback from residentially used or zoned, displays not to change more frequently than 8 seconds and must dim to 250 nits at night and 8000 nits during the day. Electronic message boards may not be placed in an R-O or C-1 district.

Mr. Dave Pearce makes a motion to adopt Amendment #2 on page 68 and page 72 of the UDO, Mr. Randy Owens seconds this motion. **Roll Call Vote (8-0). Yes, Motion Carried.**

Mr. Joe Marvel opens board discussion regarding Amendment #3 to the UDO regarding Industrial Solar Construction Standards. There was discussion regarding hours of operation being 7:00am – Dusk or 7:00pm; whichever comes first, wash stations being installed at construction entrances, well testing being done pre, during, and post construction as offered. Changes to the drainage plan regarding the repair of all damaged drains/tile (private and public) and the timeline on which it should happen was also discussed in depth.

Mr. Joe Marvel made a motion to adopt Amendment #3 on page 109 and pages 113-114 of the UDO, Mr. Greg Newman seconds this motion. **Roll Call Vote (8-0). Yes, Motion Carried.**

Mr. Joe Marvel opens board discussion regarding Amendment #4 to the UDO regarding Industrial Solar Setbacks. There is a lot of discussion regarding this, from the board and audience members. The property value study is discussed as well as potential solar revenue. It is discussed that the setback for the project should include the fence and that the vegetation must be no less than 20 feet on either side of the required fence.

Mr. John Gerton makes a motion to adopt Amendment #4 on page 102 and page 106 of the UDO, Mrs. Stefani Miller seconds this motion. **Roll Call Vote (6-8). Yes, Motion Carried.**

There is further discussion regarding solar setbacks and possibly tabling the meeting for another week to review the property value study in detail.

Mr. Mark Seib makes a motion to table the meeting; Mr. Keith Spurgeon seconded this motion. **Roll Call Vote (3-5). No, Motion Fails.**

Mr. Dave Pearce makes a motion to amend the following zoning ordinances:

1. The Zoning Ordinance of the City of Mt. Vernon, the Town of Cynthiana, the Town of Poseyville, and Unincorporated Posey County (As Amended);
2. The Subdivision Control Ordinance of the City of Mt. Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County (As Amended);

and,


3. The Renewable Energy Generation Systems Solar and Wind Ordinance (As Amended), as each currently exists and replace each in their entirety with the Unified Development Ordinance (“UDO”) as presented in the public hearings occurring January 51, 2026, and January 29, 2026, and as amended by Amendment #1, Amendment #2, Amendment #3, Amendment #4 at the January 29, 2026, meeting. The motion was seconded by Mrs. Stefani Miller, **Roll Call Vote (5-3). Yes, Motion Carried.**

ADJOURNMENT

Mr. John Gerton makes a motion to adjourn the meeting at 10:22pm, Mrs. Stefani Miller seconds. **Motion Carried.**



Mr. Joe Marvel – President



Mr. Jerry Cotner – Executive Director

- All Exhibits are available at the Posey County Area Plan Commission office.