MINUTES
POSEY COUNTY
AREA PLAN COMMISSION
REGULAR MEETING

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

AUGUST 13, 2026
6:00 P.M.

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

MEMBERS ABSENT: Mr. John Gerton

APPROVAL OF MINUTES FROM LAST REGULAR MEETING: Randy Rankin made a motion in the affirmative to approve the minutes of the last regular meeting as emailed; the motion was seconded by Mark Seib. **Roll Call Vote (7-0). Yes. Motion Carried.**

Keith Spurgeon made a motion in the affirmative to approve the minutes of the Special meeting on July 27, 2026, as emailed; the motion was seconded by Stefani Miller. **Roll Call Vote (7-0). Yes. Motion Carried.**

TABLED FROM JULY - DEVELOPMENT PLAN APPLICATION SECS TIER 3:

DOCKET NO:	2026-02-SECS-3-APC
APPLICANT:	David Besing, Rockfrog Energy
OWNER:	John & Kara Edie
PREMISES:	Part of Section 35, Township 6 South, Range 14 West, lying in Black Township, Posey County Indiana. More commonly known as 1600 Farm Bureau Rd., Mt. Vernon, Indiana. Containing 3.00 acres more or less (Complete legal description is on file at the Posey County Area Plan Commission Office).
NATURE OF CASE:	Development Plan Application SECS Tier 3 under The Posey County Unified Development Ordinance.

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

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

David Besing - 8039 Burch Park, Evansville 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.

Motion was made by Mark Seib to approve the Development Plan Application 2026-02-SECS-3-APC. Stefani Miller seconded the motion. **Roll Call Vote (7-0) Yes. Motion Carried.**

REZONING:

DOCKET NO:	26-03-RE-APC
APPLICANT:	Greg Kissel, Kissel Land Surveying
OWNER:	Habitat for Humanity of Evansville, Inc
PREMISES:	Part of the Southeast Quarter of Section 11, Township 4 South, Range 12 West lying in Smith Township, Posey County, Indiana. More commonly known as Church St., Cynthiana, IN. Parcel ID 65-22-11-400-020.300-015 and 65-22-11-400-016.600 015, containing 1.24 acres more or less. (Complete legal description is on file at the Posey County Area Plan Commission Office).
NATURE OF CASE:	Petition to rezone 0.95 acres more or less from an I-1 (Light Industrial) Zoning District to a R-1 (Low Density Residential) Zoning District under The Posey County Unified Development Ordinance.

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

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

Greg Kissel- 1263 E. 900 S, Fort Branch, IN here to speak on behalf of the application.

Public Comment:

Chad Colbert- 8920 Chad Rd., Poseyville, IN, voiced concern about drainage and septic.

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.

Greg Newman made a motion in the affirmative to recommend approval of rezoning 0.95 acres more or less for from an I-1 (Light Industrial) Zoning District to a R-1 (Low Density Residential) Zoning District. The motion was seconded by Dave Pearce. **Roll Call Vote (7-0). Yes. Motion Carried.**

Stefani Miller made a motion to adopt the Finding of Facts, seconded by Keith Spurgeon. **Roll Call Vote (7-0). Motion Passed.**

This is a recommendation to the Town of Cynthiana; their next meeting is September 1, 2026, at 6:30, anyone can come and voice their concern. The applicant needs to be present at this meeting.

COMPLAINTS - TABLED:
348 W. 9th St., MV (Primary Investments, LLC) and 179 S. Church St., Poseyville (Eagleson)

Mr. Trent VanHaaften gave an update stating that both have hearing dates set for August 24, 2026.

Mr. Jerry Cotner gave update on conditions of both properties.

No action required from the board at this time.

OTHER BUSINESS
Farmington Ridge Bond

Randy Rankin approved the amended letter of credit for Farmington Ridge, seconded by Greg Newman. **Roll Call Vote (7-0). Motion Passed.**

ORDINANCE UPDATE
Board reviewed the amendment for small contractor facility.

Mr. Jerry Cotner commented on Data Center amend.

Mr. Joe Marvel announced a Public Hearing on September 24, 2026, at 5:30pm at 4H community center and a meeting on October 1, 2026, at 5:30pm at Hovey House.

DIRECTOR'S REPORT
Mr. Jerry Cotner gave his director's report.

APPROVAL OF PAYROLL AND BILLS
Mark Seib made a motion to approve payroll and bills, seconded by Randy Rankin. **Motion Carried.**

REPORT OF COLLECTIONS
A motion was made in the affirmative by Stefani Miller and seconded by Dave Pearce to approve collections. **Motion Carried.**

CITIZEN CONCERNS

Damon Carl- 10361 Fair View Dr., Evansville, IN, commented about setbacks for Data Centers.

David Esche - 1920 N. Ford Rd., Mt. Vernon, IN, commented about setbacks for Data Centers and wants a moratorium to be considered.

Dennis Herrenbruck - 814 Herrenbruck Ln., Evansville, asked for clarification on amendment process.

Mr. Trent VanHaaften explained process.

Ken Colbert - 4512 N. 1st Ave., Evansville, spoke of litigation and encouraged board to review lawsuit. He also requested that the board research quantum system.

Denise Seibert Townsend - 601 S. St. Philips Rd., Evansville, asked board if they have reached out for outside help or consultants.

Mr. Joe Marvel stated they have not hired someone to write the data center ordinance and review other countries' ordinances.

Mr. Mark Seib stated that board has reached out to hydrologist.

Steve Elfrich - 10417 Downen Rd., Wadesville, IN, asked about property guarantee whether a data center would or would not ask for a tax abatement.

Mr. Trent VanHaaften explained that Area Plan and Board of Zoning are just over how land is being use.

Mary McGrew - 10400 Copperline, Evansville, IN, commented about setbacks for Data Centers and wanted to verify that all board members are reading the emails.

ADJOURNMENT

Stefani Miller made a motion to adjourn the meeting at 7:11p.m. The motion was seconded by Randy Rankin. **Motion Carried.**

Mr. Joe Marvel – President

Mr. Jerry Cotner – Executive Director

2026-02-SECS-3-APC

MOTION MADE BY: Mark Seib FOR APPROVAL

SECOND MADE BY: Stefani FOR APPROVAL

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Stefani Miller	(✓) Yes	( ) No	Dave Pearce	(✓) Yes	( ) No
Greg Newman	(✓) Yes	( ) No	John Gerton	( ) Yes	( ) No
	( ) Yes	( ) No	Mark Seib	(✓) Yes	( ) No
Randy Rankin	(✓) Yes	( ) No	Joe Marvel	(✓) Yes	( ) No
Keith Spurgeon	(✓) Yes	( ) No			

APPROVED: (✓) Yes ( ) No

If approved, are there any reasonable restrictions or provisions to be included in the plan in addition to those outlined above?

_____

_____

_____

MOTION MADE BY: _____ FOR DISAPPROVAL

SECOND MADE BY: _____ FOR DISAPPROVAL

Stefani Miller	( ) Yes	( ) No	Dave Pearce	( ) Yes	( ) No
Greg Newman	( ) Yes	( ) No	John Gerton	( ) Yes	( ) No
	( ) Yes	( ) No	Mark Seib	( ) Yes	( ) No
Randy Rankin	( ) Yes	( ) No	Joe Marvel	( ) Yes	( ) No
Keith Spurgeon	( ) Yes	( ) No			

DISAPPROVED: ( ) Yes ( ) No

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August 13, 2026

Staff Comments: 0.95 acres more or less is being petitioned to be rezoned from an I-1 (Light Industrial) Zoning District to a R-1 (Low Density Residential) Zoning District. The property is located at Church St., Cynthiana, IN 65-22-11-400-020.300-015 and 65-22-11-400-016.600-015. Property abutting this site is owned by the following:

1. Michael R. & Karen M. Oursler, 6900 Big Cynthiana Rd., Evansville, IN 47720
2. Richard L. & Chong C. Allen, PO Box 258, Cynthiana, IN 47612-0258
3. Paul J. Hopf, 10463 S. Whiting St., Cynthiana, IN 47612
4. M & S Properties and Contractors LLC, Cynthiana, IN 47612
5. Samuel W. Hawkings, 10463 Mill St., Cynthiana, IN 47612
6. JLP Realty, LLC, 2835 W. Boonville-New Harmony Rd., Evansville, IN 47720

Abutting properties are zoned C-2 (General Commercial), I-2 (Heavy Industrial), I-1 (Light Industrial), R-3 (High Density Residential) with residential, industrial and farm use. The owner is proposing to rezone the property to R-1 (Low Density Residential) and plans to build single family residential homes.

✓ Favorable recommendation by the APC
_____ Unfavorable recommendation by the APC
_____ No recommendation by the APC

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PROPOSED FINDINGS OF FACT
ON DOCKET NO: 26-03-RE-APC
PETITION TO REZONE: Greg Kissel, Kissel Land Surveying
OWNER: Habitat for Humanity of Evansville, Inc.

1. Current conditions and the character of the current structures and uses in each district.
The Commission finds that the proposal **WILL / WILL NOT** have an adverse impact on the current conditions in the area.

2. Responsible development and growth.
The Commission finds that the proposal **WOULD / WOULD NOT** be consistent with development and growth.

3. Comprehensive Plan.
The Commission finds that the proposal **WOULD / WOULD NOT** address the goals of the Comprehensive Plan.

4. The conservation of property values throughout the jurisdiction.
The Commission finds that the proposal **WILL / WILL NOT** have effect on property values in the jurisdiction.

5. The most desirable use for which the land in each district is adapted.
The Commission finds the proposal **DOES / DOES NOT** represent the most desirable use for which land is adapted.

Motion made to adopt the foregoing findings of fact by:

Stefani Miller

Motion seconded by:

Keith Spurgeon

Adopted by Posey County Area Plan Commission

President: _____

Date: 8/13/24

Directors Report

August 2026

Permits Issued - Improvement Location

Date From 7/1/2026 and Date To 7/31/2026

Issue Date	Permit #	Permit Address/ Subdivision	Report Code	Parcel ID/ Total SF	Contractor/ Organization	FeesTotal	Valuation
Imp Loc Commercial New Building							
07/08/2026	ILP-26-259	11350 E COPPERLINE RD, EVANSVILLE	Imp Loc Commercial New Building	651312200005029 0	Mark Pryor - Mark Pryor	25.00	
					Count		**1**
					Fees		**$25.00**
					Valuation		
Imp Loc Ground Sign							
07/07/2026	ILP-26-257	Dollar General	Imp Loc Ground Sign	652318100006000 0	Heather M - A&B Signs	25.00	$5,007
07/21/2026	ILP-26-270	600 MULBERRY ST, MT VERNON	Imp Loc Ground Sign	652708120024000 0	Sherri Hill - Signarama Evansville	25.00	$4,457
					Count		**3**
					Fees		**$75.00**
					Valuation		**$9,464.00**
Imp Loc New Mobile Home							
07/13/2026	ILP-26-266	4241 SYCAMORE ST, POSEYVILLE	Imp Loc New Mobile Home	0	John Hoehn - John Hoehn	25.00	
					Count		**4**
					Fees		**$100.00**
					Valuation		**$9,464.00**
Imp Loc Residential Abovegrnd Pool, Spas, Hot Tubs							
07/22/2026	ILP-26-273	108 CALE ST, POSEYVILLE	Imp Loc Residential Abovegrnd Pool, Spas, Hot Tubs	652319100036000 0	Derek Collins - Derek Collins	25.00	

Permits Issued - Improvement Location

Date From 7/1/2026 and Date To 7/31/2026

Issue Date	Permit #	Permit Address/ Subdivision	Report Code	Parcel ID/ Total SF	Contractor/ Organization	FeesTotal	Valuation
					Count	**5**	
					Fees	**$125.00**	
					Valuation		**$9,464.00**
Imp Loc Residential Accessory Structure							
07/01/2026	ILP-26-254	813 W 8TH ST, MT VERNON	Imp Loc Residential Accessory Structure	652708220013000 0	Tony Philipps - Tony Philipps	25.00	
07/06/2026	ILP-26-256	727 E 4TH ST, MT VERNON	Imp Loc Residential Accessory Structure	652709220054000 0	Kaleb Goldesberry - Kaleb Goldesberry	25.00	
07/08/2026	ILP-26-262	5244 Will Road	Imp Loc Residential Accessory Structure	650601700011006 0	Kirk Martin - Kirk Martin	25.00	$150,000
07/09/2026	ILP-26-263	919 LOWER NEW HARMONY RD, MT VEF	Imp Loc Residential Accessory Structure	652705344003000 0	ANDREW HAMILTON - ANDREW HAMILTON	25.00	$65,000
07/09/2026	ILP-26-264	10377 Emge Rd	Imp Loc Residential Accessory Structure	650535100002000 0	Jacob Scheu - Leosons Inc.	25.00	$85,000
07/10/2026	ILP-26-265	2000 TAM O_SHANTER DR, MT VERNON	Imp Loc Residential Accessory Structure	652706330082000 0	Kyle Ellis - Kyle Ellis	25.00	
07/20/2026	ILP-26-268	5800 SPRINGFIELD RD, WADESVILLE	Imp Loc Residential Accessory Structure	650713400007002 0	Brian Axton - Brian Axton	25.00	
07/20/2026	ILP-26-269	2900 HIDBRADER RD, NEW HARMONY	Imp Loc Residential Accessory Structure	650709100014000 0	Patrick Seibert - Patrick Seibert	25.00	$110,000
07/22/2026	ILP-26-272	6610 CABORN RD, MT VERNON	Imp Loc Residential Accessory Structure	651405300017000 0	Robert Bergner - Robert Bergner	25.00	
07/28/2026	ILP-26-274	8300 CABORN RD, MT VERNON	Imp Loc Residential Accessory Structure	651417200002002 0	Dan Vogel - Dan Vogel	25.00	$10,000
07/31/2026	ILP-26-279	2901 SPRINGFIELD RD, WADESVILLE	Imp Loc Residential Accessory Structure	650733400008000 0	James Julian - James Julian	25.00	$26,000
07/31/2026	ILP-26-280	6810 WADE PARK DR, WADESVILLE	Imp Loc Residential Accessory Structure	650607111014000 0	Casey Hillenbrand - Casey Hillenbrand	25.00	

Permits Issued - Improvement Location

Date From 7/1/2026 and Date To 7/31/2026

Issue Date	Permit #	Permit Address/ Subdivision	Report Code	Parcel ID/ Total SF	Contractor/ Organization	FeesTotal	Valuation
						Count	**17**
						Fees	**$425.00**
						Valuation	**$455,464.00**
Imp Loc Residential Addition							
07/18/2026	ILP-26-267	117 E FLETCHALL ST, POSEYVILLE	Imp Loc Residential Addition	652317330015000 680	Dwayne McCullough - Dwayne McCullough	25.00	$300,000
						Count	**18**
						Fees	**$450.00**
						Valuation	**$755,464.00**
Imp Loc Residential Fence							
07/06/2026	ILP-26-255	316 W GRANT ST, MT VERNON	Imp Loc Residential Fence	652705343051000 0	Derek Voegel - Derek Voegel	25.00	$5,800
07/08/2026	ILP-26-260	1236 CARDINAL DR, MT VERNON	Imp Loc Residential Fence	652704241010000 0	Donna Russell - Donna Russell	25.00	
07/08/2026	ILP-26-261	1821 WESTWOOD DR, MT VERNON	Imp Loc Residential Fence	652706110009000 0	Shawn Scates - Shawn Scates	25.00	$2,000
07/30/2026	ILP-26-278	221 CALE ST, POSEYVILLE	Imp Loc Residential Fence	652318411008000 0	Zeus Marsh - Zeus Marsh	25.00	$3,500
						Count	**22**
						Fees	**$550.00**
						Valuation	**$766,764.00**
Imp Loc Residential New Home							
07/21/2026	ILP-26-271	6155 LANE RD, POSEYVILLE	Imp Loc Residential New Home	650533400010003 0	Robert Mosby - Robert Mosby	25.00	$250,000

Permits Issued - Improvement Location

Date From 7/1/2026 and Date To 7/31/2026

Issue Date	Permit #	Permit Address/ Subdivision	Report Code	Parcel ID/ Total SF	Contractor/ Organization	FeesTotal	Valuation
07/29/2026	ILP-26-276	8401 WIGGINS RD, POSEYVILLE	Imp Loc Residential New Home	650528200003001 826	Brian Stevens - Brian Stevens	25.00	
07/29/2026	ILP-26-277	4900 E. Blackford Rd., Mt. Vernon, IN 4762	Imp Loc Residential New Home	651223100026000 1940	Phil Kost - Phil Kost	25.00	

Count	**25**
Fees	**$625.00**
Valuation	**$1,016,764.00**

Imp Loc Wall Sign

07/07/2026	ILP-26-258	Dollar General/ Market	Imp Loc Wall Sign	652318100006000 0	Heather M - A&B Signs	25.00	$5,007
07/28/2026	ILP-26-275	Russell's Excavating	Imp Loc Wall Sign	651503400028003 0	Kayla Rodenberg - Alvey Signs	25.00	$6,983

Count	**27**
Fees	**$675.00**
Valuation	**$1,028,754.00**

Total Permits	**27**
Total Fees	**$675.00**
Total Valuation	**$1,028,754**