

**Area Plan Commission**  
**June 3, 2019 at 6:00 p.m.**  
**Minutes**

The Area Plan Commission held their regular meeting on **June 3, 2019 at 6:00 p.m.** in the Conference Room of the Government Center in Vernon, Indiana.

Those present: Brian Hatfield, Brenda Habenicht, Eli Brown, Travis Shepherd, Paul Belding, Tyler Stock, John Post, Attorney Brad Kage, Building Inspector Matt Bauguess and Executive Director Marie Shepherd.

The **first item** of business was the reading, correction, and approval of the minutes from the May 6, 2019 meeting. After review of the minutes, John Post made the motion to approve the minutes as prepared. Brian Hatfield seconded the motion. This passed unanimously with 7 members voting in favor.

The **second item** of business was the rezone request of George Koger and Debra Pavey, being represented by Harold Altepeter. They would like to rezone approximately 20 acres from Light Industrial to Agricultural. They would like to build a new home and steel building on the property.

Commonly known as: 4805 N County Rd 75 W, North Vernon, IN 47265

Map Number: 40-09-15-200-004.003-010

Legal Description: PT NWQ NWQ 15 7 8 3 acres; PT NWQ NWQ 15 7 8 17 acres

**Recommendation of the Essential Service Committee:**

After discussing the rezone request, Andy Ertel made the motion to approve the rezone. Chad Ebinger seconded the motion. This passed unanimously with 7 members voting in favor. The Area Plan Commission will hear the request at their June 3, 2019 meeting.

After a discussion between the board and Harold Altepeter, Eli Brown made the motion to approve the request. Brenda Habenicht seconded the motion. This passed unanimously with 7 members voting in favor.

The **third item** of business was a survey of Earl and Kathleen Hensley's property at 10415 S County Rd 800 W, Paris Crossing. The property owner is having a one-acre tract surveyed off of the 61.664-acre tract. The new one-acre tract will be accessed by a 50 ft easement through Helen Quinn's property.

After a discussion between the board and Brad Bender, Brian Hatfield made the motion to approve the request. Paul Belding seconded the motion. This passed unanimously with 7 members voting in favor.

The **fourth item** of business was the survey of Wesley and Darlene Bradshaw's property and Julie Miller and Danny Briley's property on County Rd 725 North. The survey has split a 0.089-acre tract off of the Bradshaw's property. A 0.061-acre tract is being split off of the Miller and Briley property. The new tracts do not meet the size requirements under the Jennings County Unified Zoning Ordinance.

After a discussion between the board and Brad Bender, Brenda Habenicht made the motion to approve the request upon the deeds will need the following covenant added. "The small tract is not buildable, and is only to be transferred to the owner of an adjoining tract. In future transfers this small tract is meant to stay attached to said adjoining tract. No later separation of this small tract from said adjoining tract shall occur without the express consent of Jennings County Area Plan". Eli Brown seconded the motion. This passed unanimously with 7 members voting in favor.

The **fifth item** of business was Eric Meeks of Meeks & Company Professional Surveying. Mr. Meeks is preparing a survey of Leon and Arlene Marion's property at 3885 E County Rd 450 S, North Vernon. In the proposed survey, there will be a one-acre tract created that will be accessed by a 50 ft easement.

After a discussion on the proposed easement with Eric Meeks, Eli Brown made the motion to approve the survey. Brenda Habenicht seconded the motion. This passed with 6 members voting in favor and 1 member (Tyler Stock) abstaining.

The **sixth item** of business was the "Show Cause" hearing on Rhonda Beam's property located at 800 E County Rd 55 S, North Vernon. The property owner has been notified that the property is in very poor condition and unsafe for habitation. The home caught fire several years ago, and there has been little improvement made to the home. (The item was tabled at the May 6, 2019 meeting.)

During the discussion, the property owner advised the board she had a conflict with the inspector inspecting her property. After further discussion between the board and the property owner, Tyler Stock made the motion to turn the file over for legal action. Brian Hatfield seconded the motion. This passed with 6 members voting in favor and 1 member voted to deny. Ms. Beam came back later in the meeting and agreed to have inspector Matt Bauguess come to the property to do an inspection. If she does comply, the case will be dismissed.

The **seventh item** of business was the "Show Cause" hearing on Olsa Parker's property located at 3736 Langston Way, North Vernon. The property owner and the occupants have been notified that all trash, litter and debris must be removed from the property. The property remains in violation of the Jennings County Unified Zoning Ordinance.

After reviewing the pictures, Brian Hatfield made the motion to review in 30 days. Eli Brown seconded the motion. This passed unanimously with 7 members voting in favor.

The **eighth item** of business was the “Show Cause” hearing on Lillian M Heath’s property located at 1914 Country Manor West, North Vernon. The property is being sold on contract to William and Judy Spears. The property owners have been made aware that all trash, litter and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. They have failed to bring the property into compliance.

After a discussion with the property owner, John Post made the motion to give him a week to haul the couch away. The director or inspector will go out in a week to inspect. If not satisfied at that time, legal action will be field. Brenda Habenicht seconded the motion. This passed unanimously with 7 members voting in favor.

The **ninth item** of business was the “Show Cause” hearing on Bobby & Carol Hodge’s property located at 527 Aspen Court, North Vernon. The property owners have been notified that all trash, litter and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. They have failed to comply.

After reviewing the pictures, Eli Brown made the motion to turn the file over for legal action. John Post seconded the motion. This passed unanimously with 7 members voting in favor.

The **tenth item** of business was the “Show Cause” hearing on Wayne Howell’s property located at 5325 E US Hwy 50, Butlerville. The property owner and the occupant have been made aware that all trash, litter and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. The property remains in violation of the Jennings County Unified Zoning Ordinance. (An order of eviction was set forth by the Jennings County Health Dept. on February 14, 2019. The property has been tagged as a meth property.)

After reviewing the pictures, John Post made the motion to turn the file over for legal action. Brenda Habenicht seconded the motion. This passed unanimously with 7 members voting in favor.

The **eleventh item** of business was the “Show Cause” hearing on Earl & Joyce Hudelson’s property located at 3482 Townsend Place, North Vernon. The property owners and the occupants have been made aware that a recreational vehicle shall not be occupied for dwelling purposes under the Section VI. Residential Zoning, Section D, Item 6 in the Jennings County Unified Zoning Ordinance. The property owner and the occupant have failed to comply.

After a discussion between the board members and the tenant in the camper, John Post made the motion to table until there’s no longer any progress being made on her trying to find a permanent place to live. Brian Hatfield seconded the motion. This passed unanimously with 7 members voting in favor.

The **twelfth item** of business was the “Show Cause” hearing on John Kelly’s property located at 30 W College Street, North Vernon. The property is being sold on contract to Robert and Barbara Winslow. The property owner and contract buyers have been made aware that all trash, litter and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. They have failed to comply.



After a discussion with Robert Winslow, Brian Hatfield made the motion to review in 30 days. Brenda Habenicht seconded the motion. This passed unanimously with 7 members voting in favor.

The **thirteenth item** of business was the “Show Cause” hearing on William & Maudie Medaris’ property located at 3359 Blynshire Circle, North Vernon. The property owners and the occupants have been made aware that all trash, litter and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. They have failed to comply.

After reviewing the pictures, John Post made the motion to give the property owner 30 days and if not cleaned up turn the file over for legal action. Eli Brown seconded the motion. This passed unanimously with 7 members voting in favor.

The **fourteenth item** of business was the “Show Cause” hearing on Peggy Sue Murray’s property located at 3692 Kensington Sq. North Vernon. The property is being sold on contract to William D. Barnes. The property owner and the occupant have been made aware that all trash, litter and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. They have failed to comply.

After reviewing the pictures, Brenda Habenicht made the motion to turn the file over for legal action. Brian Hatfield seconded the motion. This passed unanimously with 7 members voting in favor.

The **fifteenth item** of business was the “Show Cause” hearing on Stevie Henderson Saylor Sr.’s property located at 1614 Foxmoor Drive, North Vernon. The property owner has been made aware that all trash, litter and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. The property remains in violation of the Jennings County Unified Zoning Ordinance.

After reviewing the pictures, John Post made the motion to turn the file over for legal action. Tyler Stock seconded the motion. This passed unanimously with 7 members voting in favor.

The **sixteenth item** of business was the “Show Cause” hearing on the property located at 1036 Country Manor E, North Vernon; which belongs to SCL Properties, Inc. The property owner has been made aware that all trash, litter and debris must be removed from the property. The owner has failed to comply.

After reviewing the pictures, Tyler Stock made the motion to turn the file over for legal action. Brenda Habenicht seconded the motion. This passed unanimously with 7 members voting in favor.

The **seventeenth item** of business was the “Show Cause” hearing on the property located at 1749 Heathglen Circle, North Vernon; which belongs to Denise Spears. The property owner has been made aware that all trash, litter and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. The property remains in violation.

After reviewing the pictures, John Post made the motion to give the property owner 30 days and if not cleaned up turn the file over for legal action. Brenda Habenicht seconded the motion. This passed unanimously with 7 members voting in favor.

The **eighteenth item** of business was the “Show Cause” hearing on Davis Bunting FLP’s property located at 3487 Rensleer Place, North Vernon. The property owner and the occupants have been made aware that all trash, litter and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. They have failed to comply.

After reviewing the pictures and discussion with Brad Kage, John Post made the motion to give them as long as the director feels its necessary and progress is being made, and if not cleaned up turn the file over for legal action. The property must be inspected before it can be rented to another tenant. Tyler Stock seconded the motion. This passed unanimously with 7 members voting in favor.

The **nineteenth item** of business was the “Show Cause” hearing on Richard & Kathryn Cameron’s property located at 2639 Coventry Gardens, North Vernon. The property owners have been notified that all trash, litter and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. The owners have failed to comply.

After reviewing the pictures, Brian Hatfield made the motion to turn the file over for legal action. Brenda Habenicht seconded the motion. This passed unanimously with 7 members voting in favor.

The **twentieth item** of business was the “Show Cause” hearing on Rosalina Juarez Campechano’s property located at 753 Tudor Place, North Vernon. The property owner has been notified that all trash, litter and debris must be removed from the property. The owner has failed to comply.

After reviewing the pictures, Brian Hatfield made the motion to turn the file over for legal action. Eli Brown seconded the motion. This passed unanimously with 7 members voting in favor.

The **twenty-first item** of business was the “Show Cause” hearing on Country Acreage, Inc’s property located at 2383 Primshire Lane, North Vernon. The property owner has been notified that all trash, litter and debris must be removed from the property. The owner has failed to comply. Location is vacant. This was dismissed.

The **twenty-second item** of business was the “Show Cause” hearing on Michael Montgomery’s property on Buckeye Street in North Vernon. Morgan Performance at 1400 Buckeye Street and American Money Solutions at 1440 Buckeye Street are not in compliance with the Jennings County Unified Zoning Ordinance.

After a lengthy discussion with the property owner, Morgan Performance and Vern House, John Post made the motion they must apply for a Special Use by June 5, 2019, if not, the business will be shut down until they are in compliance. Paul Belding seconded the motion. This passed unanimously with 7 members voting in favor.

The **twenty-third item** of business was the “Show Cause” hearing on Larry R Fugate’s property located at 3970 Squire Lakes Dr, North Vernon. The property owner has been notified that all trash, litter and debris must be removed from the vacant lot. The owner has failed to comply.

After reviewing the pictures, Tyler Stock made the motion to turn the file over for legal action. John Post seconded the motion. This passed unanimously with 7 members voting in favor.

The **twenty-fourth item** of business was opening of bids for the following properties:

There were no bids for Cobaugh Property LLC located at 5460 & 5490 E High School Rd, Butlerville, IN 47223.

Brad Kage opened the bids to remove the burned-out mobile home and its remnants and the junk, debris, salvage and unnecessary clutter from the premises at 1505 Almond Avenue, CSL, North Vernon, owned by David & Bernetta Thomas. The bids were as follows: Sanders for \$1,100.00; Mahoy Construction for \$1,200.00 and PMC Construction for \$1,495.00. John Post made the motion to award the cleanup to Sanders. Eli Brown seconded the motion. This passed unanimously with 7 members voting in favor.

Brad Kage opened the bids to remove the abandoned and dilapidated mobile home, its remnants and all junk, debris, salvage and unnecessary clutter from the premises at 1536 Elderberry Way, CSL, North Vernon, owned by John Hemenway. The bids were as follows: Mahoy Construction for \$1,800.00 and PMC Construction for \$1,495.00. John Post made the motion to award the cleanup to PMC Construction. Brenda Habenicht seconded the motion. This passed unanimously with 7 members voting in favor.

Brad Kage opened the bids to remove the offending items (junk, debris, salvage, junk vehicles and unnecessary clutter from the premises at 2080 Buckingham Drive, CSL, North Vernon, owned by Christine Barr. The bids were as follows: Mahoy Construction for \$2,100.00 and PMC Construction for \$1,695.00. John Post made the motion to award the cleanup to PMC. Brenda Habenicht seconded the motion. This passed unanimously with 7 members voting in favor.

### **Old Business:**

Tyler Stock updated the board regarding the Ordinance Review Committee. The committee has been meeting for a couple of months. There have been several guests which include Mike Miller with CSL, police chief, Rick McGill and Rick Martin. The committee is inviting people that are involved with the APC to have a discussion regarding ordinances/policies. The committee will have recommendations by the end of July to present to the board.

There was discussion regarding the Schuck house. Greg Sekula has not contacted Brad Kage at this point. Brad will try to reach out to Greg before the next meeting and send him a letter to invite him to the next meeting as well.

Tyler Stock was asking about the garage that was left on the property located at 275 E. Brown Street where we were at on the garage. Attorney Brad Kage advised the board that the order ask to tear it down and the court declined. We would have to file for a brand-new action on the garage.

**New Business:**

Brian Hatfield had questions regarding the Greathouse building which is located at 504 E O & M Avenue that the building is falling down. Director Shepherd advised the board that the street is blocked off and she has been in contact with the owner, Jerry Greene. She also stated the state inspector will be in town this week.

**Adjournment:**

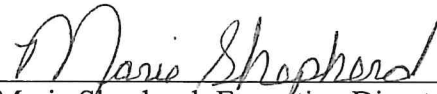
With no further business to discuss, Brenda Habenicht made the motion to adjourn. John Post seconded the motion. This passed unanimously with 7 members voting in favor.

Respectfully submitted,

Respectfully submitted,



Travis Shepherd, Vice-President  
Jennings County Area Plan Commission



Marie Shepherd, Executive Director  
Jennings County Area Plan Commission