

January 6, 2011

The Ellettsville, Indiana Plan Commission met in regular session on Thursday, January 6, 2011 in the Fire Department Training and Conference Room located at 5080 West State Road 46. Dan Swafford called the meeting to order at 6:00 p.m. Ron Wayt led the Pledge of Allegiance.

Roll Call: Members present were: Dan Swafford, President; Ron Wayt, Vice President; Don Calvert; Clayton Sullivan; Phillip Smith and Sandra Hash, Secretary. Phillip Rogers was absent. Connie Griffin, Planning Director, was also present.

Election of Officers:

Dan Swafford nominated Phillip Smith for President. Clayton Sullivan seconded. Roll call vote: Dan Swafford – yes; Ron Wayt - yes; Don Calvert – yes; Clayton Sullivan – yes; Phillip Smith – yes and Sandra Hash – yes. Motion carried 6-0.

Phillip Smith nominated Clayton Sullivan for Vice President. Dan Swafford seconded. Roll call vote: Dan Swafford – yes; Ron Wayt - no; Don Calvert – yes; Clayton Sullivan – yes; Phillip Smith – yes and Sandra Hash – yes. Motion carried 5-1.

Dan Swafford nominated Sandra Hash for Secretary. Phillip Smith seconded. Roll call vote: Dan Swafford – yes; Ron Wayt - yes; Don Calvert – yes; Clayton Sullivan – yes; Phillip Smith – yes and Sandra Hash – yes. Motion carried 6-0.

Approval of the Minutes – December 2, 2010

Phillip Smith entertained a motion for approval of the December 2, 2010 minutes. Clayton Sullivan so moved. Dan Swafford seconded. Roll call vote: Dan Swafford – yes; Ron Wayt - yes; Don Calvert – abstained; Clayton Sullivan – yes; Phillip Smith – yes and Sandra Hash – yes. Motion carried 5-0.

Old Business

Ellettsville Plan Commission Rules of Procedure Annual Update – Recommendation Adoption by Resolution

Connie Griffin, Director of Planning – She researched Brownsburg, Indiana, and Monroe County rules of procedure. Upon her review she found the Ellettsville Plan Commission Rules of Procedure were deficient in a few areas. An appendix of Indiana Codes was added to the Rules of Procedure since they were read at the December 2, 2010, meeting. Dan Swafford recommended putting the Rules of Procedure on the web site. Phillip Smith made a motion to adopt the Rules of Procedure with possible changes in the future. Don Calvert seconded. Roll call vote: Dan Swafford – yes; Ron Wayt - yes; Don Calvert – yes; Clayton Sullivan – yes; Phillip Smith – yes and Sandra Hash – yes. Motion carried 6-0.

Asher Fleet Services/Chad's Recycle & Refuse, LLC, Zoned: C-3, Subject: Land Use Classification and Current Land Use – Chad Stephens, Manager/Owner

Chad Stephens, Owner and Manager of Chad's Recycle & Refuse, LLC – Since the last time he was before the Plan Commission, he has received an Indiana Department of Environmental Management (“IDEM”) report which he distributed to the Plan Commission. The report states he is in violation of a salvage license. The IDEM inspector has been in contact with Connie Griffin and she is aware of the report. He asked the Plan Commission how to proceed forward in rezoning to an Industrial Tier 2 so he can obtain a salvage license. Connie Griffin stated the IDEM inspection referred to the Indiana Code pertaining to salvage license. There were also a few other concerns addressed in the document. With general stormwater permit requirements, the Office of Water Quality was also going to be contacted. They will require a notice of intent at certain locations for the National Pollutant Discharge Elimination System reporting. The stormwater pollution prevention plans are often required in salvage yard areas. She has heard from the division of the Secretary of State's office responsible for salvaging licensing and compliance and they will be visiting Mr. Stephens next week. Dan Swafford stated things were mentioned to have been said when G.L. Chandler was President of the Plan Commission and asked if there was a copy of the minutes. Connie Griffin asked if he was referring to the 1973 minutes and he said that was correct. The 1973 minutes refer to the C-3 zoning. The minutes from December 17, 1979 through April 30, 1990, when G. L. Chandler was a member and President of the Plan Commission, were reviewed through the Clerk-Treasurer's office. There was not any mention of the salvage business in those documents.

Don Calvert stated on the January 6, 2011, Plan Commission issues for discussion he noticed ten minuses but there were three pluses. One the three pluses it said “*Petition Plan Commission for a Planned Unit Development with an Industrial use/Salvage business.*” In the minutes of October 7, 2010, page 8, it states “*Mr. Rogers further commented everyone on this Board agrees they want to do what they can for Mr. Stephens but thinks the ball is in his court.*” Mr. Calvert asked if this is not what Mr. Stephens is doing now. Connie Griffin responded that was correct. This was basically an information gathering meeting. In the October 7, 2010 minutes, there were different permits mentioned by Mr. Stephens and this was his opportunity to bring them before the Plan Commission to discuss grandfathering. Don Calvert asked if Mr. Stephens was going to walk out of the meeting shut down. Connie Griffin responded Mr. Stephens will not walk out of the meeting shut down but will walk out with his options. Don Calvert asked if Mr. Stephens had met the Town of Ellettsville's requirements. Connie Griffin stated the Planning Department had not received any documentation supporting Mr. Stephens' contentions that he was a grandfathered use. Don Calvert asked for clarification if whether or not Chad Stephens was following procedure to keep his business at its current location. Connie Griffin stated if they're discussing his options, Mr. Stephens has two. Mr. Stephens can cease and desist immediately. The Secretary of State's office will issue a cease and desist without there being a salvage license. Pursuant to the Town Code, Mr. Stephens has the option to petition for a Planned Unit Development (“PUD”) with an industrial zoning and a salvage usage. Sandra Hash asked if it was fair in saying that the Plan Commission wants him to get his required permits and get everything going before they even consider a zoning change. Connie Griffin responded Mr. Stephens cannot get a salvage license because the business is not zoned correctly. His property is zoned C-3 and it requires a special exception through the Board of Zoning Appeals. The Board of Zoning Appeals has strict requirements about being located in the floodplain with that particular usage and next to a residential

zoning classification. Dan Swafford asked where Mr. Stephens would need to start with the rezoning process. Connie Griffin stated he would need to come to her office to go over the process. There are pre-conference meetings and application requirements. The rezone application process should start within the next week. Ron Wayt asked if the only portion of Mr. Stephen's business before the Plan Commission is the salvage portion. Ms. Griffin responded this was correct. The C-3 uses currently within Mr. Stephens' business are not in question. Ron Wayt asked if Mr. Stephens goes through the rezoning process, then the Plan Commission would have to go against every code the Town has in order to approve him for industrial use. Ms. Griffin responded that was correct. It is Mr. Stephens' right to attempt to go through this process with this Board and the Town Council and it's at their discretion whether or not they approve it. Sandra Hash asked if Mr. Stephens request for rezoning is against the Town Code then they cannot lawfully say yes and can then send a negative recommendation to the Town Council. Connie Griffin responded that was correct. Mr. Stephens would go to Town Council for a PUD request and the Plan Commission would give them their recommendation. Ron Wayt asked if the Town Council can override the recommendation. Ms. Griffin stated they are the determining factor. Phillip Smith stated basically the Plan Commission is at a standstill. Ms. Griffin responded this is correct until Mr. Stephens starts the PUD process.

Phillip Smith told Mr. Stephens he needs to meet with Connie Griffin some time next week, perhaps Wednesday, January 12, 2011. Sandra Hash asked if this would give Mr. Stephens ample time to do his servicing for public meetings. Ms. Griffin stated to give Mr. Stephens until the March Plan Commission meeting to complete the PUD application process as a courtesy. A PUD has to follow the Town's comprehensive plan and zoning requirements.

Dan Swafford asked Mr. Stephens if he had any of the information referenced in the October 7, 2010 minutes. Mr. Stephens responded he did not because Roger New could not find any of his permits. Mr. Stephens said there may be copies of the permits at Town Hall. Sandra Hash responded there was not any mention of the permits in the Plan Commission minutes. As for permits, the Town wouldn't require a permit, per se. The permits would come from other places because the Town only decides on zoning issues which are recorded in the minutes and ordinance. Connie Griffin said if it's a required State permit, a copy should be in a State office. Mr. Stephens said the Department of Natural Resources ("DNR") had been to his location but he had not received any report from them. He did not have the name of the inspector and has not received a response to his request for a report.

Phillip Smith told Mr. Stephens it was up to him to meet with Connie Griffin. This issue will be placed on the agenda for the March meeting. Mr. Stephens stated he had neighbors present for the public comment portion of the meeting.

New Business

4125 W. S.R. 46, Richland Square, Zoning: Planned Unit Development, Tax Parcel ID Number: 009-101610-01, Petitioner request a Plat Amendment, Lot 1, Detention Pond Revision and Drainage Easement Adjustment – Petitioner Don Cowden with Bledsoe Riggert Guerrettaz as the Representing Agent – Bernard Guerrettaz

Bernie Guerrettaz of Bledsoe Riggert Guerrettaz – They have a two part petition. The first part of the petition is an amendment of the lot line for Lot No. 1 in Smith Pike Crossing. They want to remove the area where there is an existing detention pond from the platted lot and include the area into a lot to the south. The second part of the petition is to actually change the size of the detention pond by modifying the actual foot print to make it smaller. When this is completed the rate of runoff that's leaving the pond will be such that it will decrease and will promote stormwater quality leaving the pond. Bledsoe Riggert Guerrettaz did not do the original platting for Mr. Cowden. The problem with the pond wasn't a design problem but rather the routing of the water, the way it gets into the pond or the way it leaves. The State put the detention pond on the other side of the access drive between the highway and the private drive that leads into the credit union and Arby's. Calculations for reducing the pond size were submitted to the Town Engineer. The Town Engineer confirmed the calculations were accurate and correct. Dan Swafford asked if the State made Mr. Cowden put in the detention pond. Mr. Guerrettaz responded he didn't know if the State made them put it in. It was originally part of the County. The State has a detention pond on the other side of the access drive. Mr. Swafford asked whether or not the State would want IDEM or DNR to check the retention pond for their approval. Mr. Guerrettaz responded the State's approval is not needed because they are not increasing the runoff going into their property. The runoff is actually decreasing the rate of runoff going into their property. Therefore, it doesn't have a negative impact on their pond. At this time, the outlet control structure is just a big pipe at the bottom of the pond. When you have a detention pond you have an outlet control structure that is smaller. This will be a storm box that will have an outlet control structure in the top and openings in the sides. Those restrictions make it smaller so as the water comes in it can't leave as fast as it comes in. What happens is the rate of the water leaving the pond is less than what it is coming into the pond today. Mr. Swafford asked if this will have standing water from here on out. Mr. Guerrettaz said no because it is not a retention pond, it is a detention pond. A retention pond means it has a standing pool. With a detention pond, the water goes in and it stores for a period of time and it trickles out to nothing. Then, a day or so later it is dry again. There is another component to this pond it will supply a stormwater quality component that was never a part of the original design of the detention pond. Phillip Smith asked if the top pond drains into the bottom pond. Mr. Guerrettaz responded that is correct. There is a culvert that goes underneath the existing roadway. Dan Swafford asked if anything else drains into the State pond. Mr. Guerrettaz responded yes. Dan Swafford asked if the whole plaza is draining into Mr. Cowden's pond and then his pond is draining into the State pond. Mr. Guerrettaz responded a large part of the plaza is going into Mr. Cowden's pond on the south and some of it bypasses this pond and goes on to the State pond. Phillip Smith asked how much they are decreasing the pond. Mr. Guerrettaz stated they are reducing it to 2/10 of an acre. The outlet control structure will stay at the same elevation. They are adding a storm box that will restrict the water that goes into it. Dan Swafford asked how long it will take for it to empty during a hard rain. Mr. Guerrettaz estimated it to take 24 hours which is standard for a detention pond rate of discharge. Phillip Smith asked if the top of the casting is below the top of the roadway. Dan Swafford asked if a fence will be built around the detention pond. Mr. Guerrettaz said they will not build a fence around it. However, there will be safety fence along the retaining wall. The Town Engineer gave them a letter approving the reduction of the detention pond. Mr. Swafford asked if

there is water in the pond can it freeze. Mr. Guerrettaz said the water will not freeze because of the rate at which it drops. He has never seen a detention pond freeze.

Connie Griffin asked Tom Orman if they're getting rid of something like a piece of land that needs to be filled in so it can expand and be ready for another commercial building. Mr. Orman said that is correct because he does have someone interested in the lot at this time. There has never been any water standing in the detention pond. Ms. Griffin asked if there is a fence boundary between the back of the property and the residential property or is it a tree buffer. Mr. Orman stated there's a big hole for water retention. Ms. Griffin stated a couple summers ago when she looked at the property a few of the pine trees had died in the buffer zone. She asked Mr. Orman if they would replace the pine trees to make it a nice vegetative buffer. Mr. Orman agreed to replace the pine trees.

Phillip Smith entertained a motion to approve the petition to amend the final plat as outlined in said petition. Clayton Sullivan so moved. Ron Wayt seconded. Roll call vote: Dan Swafford – yes; Ron Wayt - yes; Don Calvert –yes; Clayton Sullivan – yes; Phillip Smith – yes and Sandra Hash – yes. Motion carried 6-0.

Planning Department Updates – Connie Griffin, Director of Planning

As of this date, she had a time frame to submit a Notice of Intent for seeking transportation enhancement grant funds for the Heritage Trail. The letter was sent to the MPO this date. Funds were requested for Phase II of the project which is the bridge. It is time to get back in line and seek additional funds. There is not quite enough money in the fund for the particular project. If Ellettsville was to be granted the funding, the Town would consume all of the transportation money for that year. This is part of the process, to get in line and let them know the Town is working on the trail.

Privilege of the Floor

John Knickerbocker, 5989 N. Matthews Drive – Chad Stephens is in his front yard, directly across his property. He has no problems with it. Everyone is about think green and it's what recycling is all about. Mr. Stephens keeps it neat and trim for twenty-five years. He is all for it.

Tom Orman, 4518 Outback Road – Is Mr. Stephens really changing his use? Look at the site five or seven years ago and look at it now. Mr. Stephens has been working on this since October 2010 and we're still here and now it's pushed back to March 2011. He feels sorry for Mr. Stephens. Sandra Hash stated the reason Mr. Stephens was given 60 days was to give him time to get his permits. Mr. Orman asked is the process so difficult. Don Calvert explained if the Plan Commission was to vote at this time, Mr. Stephens would be out of business. Mr. Orman asked if Mr. Stephens has really changed his use. The Plan Commission needs to look at what he's done with his property. Don Calvert said that's not what is in question. What is in question is the Town Code and State laws. Mr. Orman asked Mr. Stephens if he's not always had junk on his property. Mr. Stephens said yes, since 1983. Connie Griffin commented the Town is seeking proof of that. Mr. Orman thinks Mr. Stephens has made an improvement to Ellettsville by cleaning up his place. Mr. Orman asked again if Mr. Stephens had changed his use.

Jerry Edler, 5965 N. Matthews Drive – Today was the first day he had heard there was a problem with Mr. Stephens' property. He has lived on Matthews Drive for seven years and he has no problems with it. It sounds from reading the history if the Plan Commission was able to allow the waste facility a half a block up the road to operate and recycle then Mr. Stephens should be allowed to do so. As long as Mr. Stephens does the same thing the recycling facility did up the street. He needs to get it rezoned and work the DNR to make sure he is not contaminating the flood water. Mr. Stephens has been an excellent neighbor.

Pat New, 5960 N. Matthews Drive – She and Roger New owned the property purchased by Mr. Stephens and they owned the business. Mr. Stephens' mother and Roger started the business in 1983. After Mr. Stephens' mother passed away, Ms. New got involved in 1992. The back lot where the salvage yard is set up has always been full of stuff. It has looked bad in the past. They sold stuff out of it and cut up trucks. No one has never said anything about it all of these years. Now, it looks so much better. It has been a family business. Now, Mr. Stephens is employing twice as many people and it looks 100% better. Mr. Stephens' property adjoins her property. They do not have a problem with Mr. Stephens' business. Mr. Stephens has not done business any different than how it has always been.

Dan Farley, 6551 Union Valley Road - He is the operations manager for Mr. Stephens. He was the operations manager at JB's Salvage for seven years and he knows the compliance issues. Recycling is misunderstood when it comes to cars and trucks. This is the best recycling they have because the market is great at this time. IDEM regulates the salvage yards. If you're not in compliance IDEM is your worst nightmare. When he met with Connie Griffin the first time, she stated how nice and clean the scrap yard is. At the time he went to work for Mr. Stephens there was a huge amount of trucks, trailers and buses which were recycled. The only thing they're doing different is they're buying from the public regularly. Now the market is so good, the recycling never sets on the property. When IDEM came to the property they advised it was due to a complaint from Connie Griffin. When Ms. Griffin originally visited the property she explained they were zoned C-3 and they needed to be zoned industrial. He asked if Cook and Bybee are zoned industrial and is that the only part of Town zoned industrial. Connie Griffin responded they are out of the Town's jurisdiction as they are in the County. Mr. Farley asked if the location of Mr. Stephens property wouldn't be in the proper place for industrial zoning. Mr. Farley asked Connie Griffin if IDEM keeps them in compliance. Ms. Griffin stated IDEM is the compliancy agency since 1990 through the Environmental Protection Agency. Mr. Stephens issue is that he is zoned a C-3 and that is non-compliant with the Town of Ellettsville Code. The Comprehensive Plans since 1963 require that industrial areas be grouped together and away from commercial and residential properties. Mr. Stephens' business is in noncompliance with both of those issues. This Plan Commission has to abide by the Town Code. Yes, Mr. Stephens has a good business but it is in the wrong location. The business is also 100% within proximity of the floodplain of Jack's Defeat Creek. These are the issues the Plan Commission has to examine. IDEM did not find point source pollution but if that area were to flood there are things in that area that would possibly be a health hazard to the community and down stream from the Town. This was an opportunity for Mr. Stephens to produce documentation supporting that this was grandfathered use but there was nothing presented. The salvage use isn't the only issue. There are grading issues and other issues which should be discussed in a meeting with Mr. Stephens. Mr.

Farley stated the only difference in the day to day operation now is they do it better and they have the public coming in every day. At this time, they are ready to hire their tenth employee. There are great improvements to come. If IDEM would have inspected earlier, there would have been issues. There is a misconception about recycling. Yes, it is in a floodplain. But all of the fluids are properly stored and IDEM gave them a clean bill of health. Millburns in Gosport is next to a creek and in a floodplain and IDEM will keep them in compliance. Mr. Minnie, the IDEM inspector told them the only thing needed was a salvage license. Connie Griffin requested documentation of the inspector telling them the only thing needed was a salvage license. When she talked to Mr. Minnie, he had a different explanation. Ms. Griffin asked if Mr. Minnie knew he is going against the Town's jurisdictional rules. Mr. Farley responded no. Mr. Minnie told him that Connie Griffin had called, had made the complaint and told him the issues. Ms. Griffin stated she and Mr. Minnie spoke about the one reason she called was to verify Mr. Stephens had a salvage license. Once the Town receives a complaint there are procedures to be followed. By Mr. Stephens not producing a salvage license, she had to verify through sources if that was correct information. Mr. Farley asked if the Secretary of State's visit was at the request of Ms. Griffin. Ms. Griffin responded she was told by the Secretary of State's office to file formal complaints with IDEM and the Compliance Division of the Secretary of State. With the Town knowing there is not salvage license, it could be held accountable. The Secretary of State is understaffed and do not randomly visit salvage yards. They are complaint driven and their job is to verify Mr. Stephens has a salvage license. Mr. Farley understands all they need is the salvage license and the zoning from the Plan Commission.

Jerry Edler – Asked if the Plan Commission would issue the salvage license. Phillip Smith answered no, but they would have to sign off on it. Ms. Griffin responded the former Director of Planning signed off on car dealerships as she has been doing. Mr. Edler asked who would issue the salvage license. Ms. Griffin answered the Secretary of State's office. Sandra Hash asked Mr. Stephens if he had started the application process. He said yes, he had an application but Connie Griffin wouldn't sign off on it. Mr. Edler asked if there was a reason the Plan Commission wouldn't sign off on the salvage application. Phillip Smith said yes, that's what they had been discussing. It's not zoned properly. Mr. Edler commented basically Mr. Stephens needs to have his property rezoned. Phillip Smith said yes, Mr. Stephens needs to meet with Connie Griffin about having his property rezoned. Mr. Edler asked if Mr. Stephens needs his property rezoned for a salvage yard before the Town will sign off on a permit for the salvage yard. Ron Wayt said it's not the permit, it's the application for the permit. Mr. Edler asked if Mr. Stephens gets his property rezoned for industrial then the Town will sign off on the application for a salvage yard. Ron Wayt said that's correct. Mr. Edler asked if there is something he has to work out with the DNR on the floodplain. Phillip Smith explained there are five different codes that have to be satisfied and Mr. Stephens needs to meet with Connie to start the process. Phillip Smith commented the floodplain is a big deal. If something would happen not only would Ellettsville's water be polluted but everyone down stream would as well. Phillip Smith noted he has seen at least three feet of water up the side of Mr. Stephens' building.

Tom Orman – If Ellettsville had a Comprehensive Plan in 1963, then how was it zoned in 1983? What happened was Mr. Stephens did some dirt work and caused a stir. Mr. Stephens said the dirt that had always been there came from two 30" mains in the sewer. He pushed the dirt around and put gravel on top of it. Mr. Orman asked what

the property was zoned in 1983. Mr. Stephens responded C-3. Mr. Orman asked if in 1983 the business was operating as Ellettsville Truck and Equipment. Mr. Stephens said that was correct. Mr. Orman asked how Mr. Stephens operated Ellettsville Truck and Equipment based on the Comprehensive Plan of 1963. Ron Wayt responded he was repairing and storing trucks there which is fine because it was zoned C-3. Mr. Wayt works for G.L. Chandler and they have talked about Mr. Stephens' business. There was no mention of a salvage yard and there has never been a permit for a salvage yard. Ellettsville has come into a period over the last few years where things are being enforced. Ellettsville is trying to make the community more attractive to bring in more business and residential neighborhoods. Mr. Wayt said Connie Griffin is not picking on Mr. Stephens. Mr. Orman said he understand she's protecting the Town. Ron Wayt commented he has received complaints from residents within the Town limits that they do not want a recycling business. In order for Mr. Stephens to have the salvage yard several Town codes would have to be discarded. It would cause a ripple effect across Ellettsville. Mr. Orman asked what the business planned for in the Comprehensive Plan of 1963 and what business was he running in 1983.

Phillip Smith – Commented Mr. Stephens needed to meet with Connie Griffin to start the rezoning process.

Sandra Hash – Mr. Stephens added the roll-off and recycling businesses. She drives by Mr. Stephens' business daily and it caught her eye when she saw the dirt tracks going into the property across the railroad. When the fill dirt started going in it was a red flag. The next thing was a line of huge dumpsters on the property. Then she saw a vehicle above the garage and cars stacked on top of each other which was another red flag. Therefore, something was happening and there was no permit. It wasn't a choice for the Town to get involved. It was a mandate under Rule 13 which was the stormwater control issues. Anytime you change the use of a property you have to become compliant with current code. This does away with what Mr. Stephens did in 1983. Once Mr. Stephens added the recycling and refuge and the roll-off, he needed to come into compliance with the Town's current code.

Michael Hill – Has heard everyone speak about the salvage yard that has been there for a good period of time, everything that has been done and is being done. But, he has never heard anyone speak about what is going to happen in the future if the salvage yard is granted, the codes are changed and the zoning is changed. If this happens the salvage yard could grow and do a lot more business then it is doing now. Some of the problems he sees if you dismantle cars are toxic waste and other hazardous materials such as, but not limited to, batteries. This is proposed beside Jack's Defeat Creek. Recycling is great but at this location there is a potential of open batteries getting into the ground and Jack's Defeat Creek. Batteries can catch fire if they are exposed to other chemicals and the smoke cloud can contain lead from the batteries. This business is located only one block from downtown Ellettsville. This needs to be considered when approving the salvage yard. He's all for this type of business but it is in a bad location. The streets would have to be re-done as a result of the additional traffic from the business. The Plan Commission needs to consider the amount of salvage operations in the future and what it will cost. Phillip Smith commented a lot of the things Mr. Hill mentioned are in the Town's Comprehensive Plan. Mr. Hill said the Monroe County Comprehensive Plan, if it is adopted, will turn it into a city park. If Mr. Stephens thinks he is having a

problem with the Town of Ellettsville wait until the Monroe County Comprehensive Plan is passed things will become really tough.

Frank Nierzwicki, Nierzwicki Governmental Consultants, LLC – With his experience in this area and the heated concerns on issues, he is very proud of the audience, experts in the audience and Connie Griffin. He is also proud of the Plan Commission for trying to work with the applicant and stay within the Town Code.

Mr. Nierzwicki asked the amount of money applied for in the enhancement grant for the trail and how much of a local match is required. Connie Griffin responded the transportation and grant funds available is \$289,000 and the project cost is \$293,000 for the bridge in Phase II. The cost would be split 80-20.

Chad Stephens – The batteries are sold every two days. Until they're sold they are stored inside. For 26 years trucks have been going up and down his road. He doesn't know how traffic will impact roads in the future. This will be a big business with a lot of jobs and money in the community.

Adjournment

Phillip Smith entertained a motion to adjourn. Dan Swafford made the motion to adjourn. Don Calvert seconded. Phillip Smith adjourned the meeting at 7:30 p.m. The next meeting will be February 3, 2011, at 6:00 p.m.

Phillip Smith, President

Ron Wayt, Vice President

Sandra Hash, Secretary

Don Calvert

Dan Swafford

Phillip Rogers

Clayton Sullivan