

# TOWN OF HUDSON REGULAR MEETING

November 20, 2018

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In Attendance:

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**Members Present:** Mayor Janet Winkler, Commissioners Larry Chapman, Jonathan Greer, Rick Shew, and Ann Smith

**Members Absent:** Barry Mitchell and Bill Warren

**Others Present:** Town Manager, Rebecca Bentley, Chief of Police, Richard Blevins, Finance Officer, Michelle Coffey, Town Planner, Teresa Kinney, Recreation Director, Chuck Raby, Town Clerk, Tammy Swanson, Town Attorney, Carroll Tuttle, and members of the Hudson Police Department

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Call to Order:

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Mayor Janet Winkler called the November meeting to order and welcomed the members of the audience to the meeting. Commissioner Larry Chapman then led the audience in the Pledge of Allegiance and opening prayer.

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Discuss/Adjust Agenda:

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Janet presented the November agenda, and requested the following changes:

Add 8(a) - Report from Recreation Committee

Add to Item 10 – Additional Budget Amendment

**Motion: (Jonathan Greer/Rick Shew) to adopt the agenda as amended. Unanimously approved**

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Approval of Minutes:

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**Motion: (Ann Smith/Jonathan Greer) to approve the minutes, as presented, for the October 16, 2018 Regular Meeting. Unanimously approved.**

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Certificate of Appreciation:

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Janet reviewed the events of the evening of October 20<sup>th</sup>. A storage building behind Building B (former Horizon's Building) became engulfed in flames due to an apparent electrical issue. At the same time, dinner theater was in progress in the auditorium of Building A with 100+ people in attendance. Because of the quick work of the Hudson Police Department, the Hudson Fire Department and the Caldwell County Fire Marshall's office, there were no injuries, no adjacent property damage, and all of the participants were safe. And this was all accomplished within 30 minutes by all of these agencies.

Janet stated to show our appreciation, we wanted to recognize these entities and present them with the following Certificate of Appreciation.

## Certificate of Appreciation

**WHEREAS,** on Saturday, October 20, 2018, smoke with possible fire was reported being seen on the property of The HUB-Building B; and,

**WHEREAS,** upon arrival at the scene, first responders found a working fire in progress in a small structure located behind Building B; and,

**WHEREAS,** with Dinner Theater in progress at The HUB-Building A, Hudson Police Officers led in the call to have Building A evacuated, and to have vehicles moved that were blocking emergency vehicles and personnel; and,

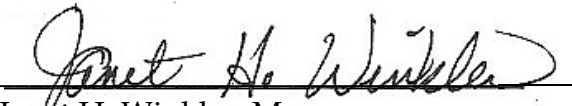
**WHEREAS,** because of the quick responses of the Hudson Police Department, the Hudson Fire Department, and the Caldwell County Fire Marshall's Office, the fire was contained to a single structure, with no people being harmed and no vehicles damaged; and,

**WHEREAS,** all three of these agencies remained on the scene until the fire was fully extinguished and was no threat to any person or surrounding properties.

**NOW, THEREFORE,** I, Mayor Janet H. Winkler, speaking on behalf of the Board of Commissioners, the residents of Hudson, as well as all the people attending Dinner Theater on October 20<sup>th</sup>, would like to express our gratitude to the members of the Hudson Police Department, Hudson Fire Department, and Caldwell County Fire Marshall's Office, for the invaluable services they provided in response to the fire, with continued admiration for their incredible selflessness and commitment to public safety that is provided on a daily basis for our Town and community.

Adopted this the 20<sup>th</sup> day of November, 2018

ATTEST:

  
Janet H. Winkler, Mayor

  
Tamra T. Swanson, Town Clerk

The audience and Board thanked these agencies.

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Police Dept. Swearing-In & Letter of Appreciation:

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Chief Blevins addressed the Board and reported that the Police is now fully staffed. Chief Blevins commented that the Police Dept. had not been fully staffed since April 2018. He stated that Sgt. Medlock and Sgt. Manning both worked a lot of hours to cover when the Department was short staffed, and he thanked these officers for their dedication.

Chief Blevins introduced Officer Taylor Welborn and stated that he was coming to the Town from Caldwell County.

Lisa King, Police Dept. Secretary, administered the Oath to Officer Welborn.

**-Letter of Appreciation** – Chief Blevins stated that since he has become Chief, he has encouraged his officers to become partners with the community – to get to know the community. He discussed how filling the position of the Hudson Middle School Resource Officer was an important link to the community, and he discussed the fine job that is being done in this position by Officer Steven Ellis. Chief Blevins read a letter of appreciation for Officer Ellis. Officer Ellis has been involved with much more than his daily responsibilities at the school – he has even been involved with helping the school football team. Chief Blevins stated that through this position, Officer Ellis has been a perfect example of what we are trying to accomplish as a Department. He thanked Officer Ellis for his work and dedication to the Dept. and the community.

**-Resource Officer Vehicle** - Chief Blevins also reported that Action Sign Company donated graphics and time to “dressing up” the resource officer vehicle. Chief Blevins thanked Chris Crotts of Action Sign for this very much appreciated gift.

**-Annual Police Car Show** – Sgt. Medlock’s vehicle was taken to the show, and we finished in second place this year.

Janet stated that in the near future, we will be showing off our new addition to the building in the Police Department.

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Public Hearing:

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**Motion: (Larry Chapman/Rick Shew) to open the floor for public hearing. Unanimously approved**

Teresa Kinney stated that she has received a request to rezone the property at 732 Main Street from Highway Business (HB) to Light Industrial (LI) to allow a tree service to locate on the property. Teresa stated that Mr. Mark Stitt of Stitt Tree Maintenance is the business requesting the rezoning.

Teresa stated that the Planning Board held a public hearing at their meeting on November 8<sup>th</sup>, and voted 5 to 2 to recommend approval of the rezoning.

Teresa presented the following information pertaining to the rezoning request.

PLANNING STAFF REPORT

**REZONING CASE #RZ-2018-02**

## EXPLANATION OF THE REQUEST

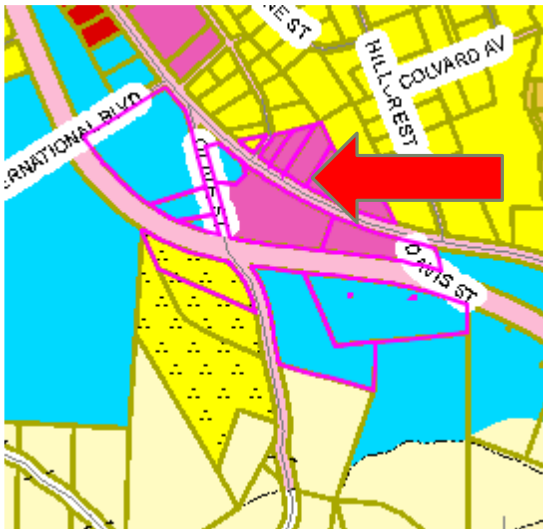
This is a request to rezone approximately 3.21 acres at 732 Main St. (Smith's Service Center) from Highway Business District (HBD) to Light Industrial District (LID). This is a request for change of use to allow a tree service to have outdoor raw materials storage, recycling, and processing (sawing, mulching of limbs for firewood).

## OWNER/APPLICANT

**OWNER:** Martha Smith

**APPLICANT:** Mark Stitt, Stitt Tree Maintenance, [www.stittstree.com/?\\_rdr](http://www.stittstree.com/?_rdr)

## PROPERTY INFORMATION



**LOCATION:** 732 Main St; more specifically NCPIN 2766298654

**DIRECTIONS:** South on US 321A also known as Main Street, Hudson past Kentucky Fried Chicken, Carwash , and BEOCARE... property is on right past intersection past Olive Street intersection.

**SURROUNDING LAND USE:** Property borders Main St. also known as US 321-A, to the southwest borders Caldwell County R/R and Olive Street. A majority of the surrounding uses are Heavy Industry, Office uses and residential to the Northwest and east.

**SIZE:** The acreage to be rezoned is approximately 3.21 acres.

**EXISTING LAND USE:** The majority of the parcel is vacant, fenced with tree buffers, berms, and fencing. A partial section of the property lies within an electrical power and railroad easement/right of way. The remainder of the property is a former auto service center.

**ZONING HISTORY:** In August 2014, a conditional use permit was issued was for the purpose of auto sales.

The property was once part of a larger track, which was recently subdivided for the purpose of sale.

**ZONING DISTRICT-PROPOSED:** Section 80.12 L-I (Light Industrial District). This district provides a place for the location of industrial and other uses, which would be inimical or incompatible with general business area. It is intended to permit in this district any use which is not inherently obnoxious to urban area because of noise, odor, smoke, light, vibration, dust or the use or storage of dangerous chemicals and/or materials (see attached for permitted uses).

**OTHER JURISDICTIONAL INFORMATION:** N/A

**OTHER SITE CHARACTERISTICS:** N/A

**TRAFFIC:** The closest traffic count was 300 feet south on US321-A, Cedar Valley and Hudson Cajah Mt Road had a traffic count of 4900 vehicles per day. The next traffic count is found 300 feet north of intersection of Mission Road, US321-A, and on Cajah Mountain Road the daily traffic count is 5400.

**SCHOOLS:** This is a commercial rezoning and should have no implications on local schools.

**EMERGENCY SERVICES:**

**UTILITIES:** This site is currently served by public water and sewer service.

### **REQUIRED REVIEWS BY OTHER AGENCIES**

**LOCAL:** The applicant must provide information that the property can meet all zoning requirements such as parking, landscaping, and buffering will be reviewed at such time.

- Erosion & sedimentation (if necessary) control standards will also be reviewed for compliance.
- Any new additions of building or impervious surfaces will constitute review by the Towns Stormwater Manager.

**STATE:** Other than building code, and Fire Marshall approval there should be no formal state agency review at this time.

**FEDERAL:** None at this time.

**STAFF COMMENTS:** The ***Town of Hudson Land Development Plan-2008 (LDP-2008)*** calls for the future land use to remain commercial. Adjacent properties include non-conforming residential that is currently zoned Highway Business and Heavy Industrial. Immediate adjacent property at the V-intersection of Olive Street and US321A is zoned Heavy Industrial.

***LDP-2008 Future Land Use Map*** shows the property to remain commercial (Highway Business). The proposed use of tree service is mostly a commercial use, service industry and can be operated in the Highway Business District. This particular use is planning to store raw materials outdoor, process (wood splitter/saw) which leads to a certain level of noise (see attached), and raw materials storage therefore prompting the change in zoning district. The Boards may consider the layout of the property as having elements that may allow for the outdoor storage, shielded by the railroad right of way, existing planted trees, and land berms. There exists commercial, industry zoning, and residential surrounding property, which could contain noise and unsightly views.

**It is important to keep in mind that the boards must consider not just approving this use but all the related permitted uses that fall under the Light Industrial District (see attached).**

**The LDP-2008 Transportation Strategies** “call for identify gateways into the Town of Hudson where higher standards for appearance, landscaping, signage, utilities and pedestrian facilities will be required.” US321A/Main Street is one such gateway.

The Town is in process of implementing strategies found in the **LDP-2008 Strategies**.

- Strategy--to implement a more aggressive approach to code enforcement of existing nuisance properties. Nuisances could mean noise, unsightly views, overgrowth lots, outdoor storage that can attract vermin, and other nuisances.
- Strategy- improving “gateways” to improve methods of alternative means of mobility in the Town and surrounding community. Soon the town will begin the process of developing a long range Bicycle and Pedestrian Plan that will view these “gateways” and make recommendations for land development improvements.
- Strategy- ways to enhance beautification of “gateways” leading into the Central Business District. This property is part of one such “gateway” US321-A/Main St.
- Strategy- discourage new businesses and industry that could have potential negative impact on the quality of life for its citizens.

The **LDP-2008** is now 10 years old and needs updating to reflect changing growth patterns in Hudson.

**PUBLIC PARTICIPATION:** At the November 8 Planning Board meeting there were two property owners present. Each property owner voiced their concerns of how their property and quality of life will be impacted if there were unsightly views from the storage of the materials, and noise from the saws, and wood-chippers.

**BOARD MEETINGS:** Public hearing with the Planning Board was held on November 8, 2018, at 6:00 pm. After deliberation, the Planning Board recommended **APPROVAL** of the rezoning and Commissioners are scheduled on November 20, 2018 meeting. Advertising took place in the Lenoir News Topic, sign posted, and adjacent property owners were notified.

**ACTION NEEDED:** Please review the full report.

**TO APPROVE:** Motion to recommend in favor of the zoning map amendment with the understanding that the proposed rezoning is not consistent with the **Future Land Use Map LPD-2008**. However, the proposed rezoning is consistent with the **LDP-2008 Economic Development Strategies** for promotion of new businesses and industry. **It is important to keep in mind that the boards must consider, not only this use but also all the related permitted uses that fall under the Light Industrial District (see attached).** Screening should be controlled to prevent unsightly storage, and buffer noises. The **LDP-2008** is now 10 years old and needs updating to reflect any changing growth patterns in Hudson.

**TO DENY:** Motion to recommend denial of the zoning map amendment with the understanding that **the Denial is Consistent** with the adopted **LDP-2008 Future Land Use Map** and strategies for gateways into the Town of Hudson creating beautification projects for proposed and existing projects utilizing enhanced code enforcement, for promotion of residential, business and industry that has a positive impact on the community **Said Denial** is reasonable and in the public interest and furthers the goals of the **LDP-2008**.... therefore, the property remains Highway Business.

Mr. Mark Stitt addressed the Board to discuss his project. He stated that he is interested in this property because he needs a bigger land area for his business. He explained that he can no longer just dump his wood, so he purchased a processor to take care of the wood. He stated that he currently has a tree service and he wants to recycle the wood. Later on he hopes to be able to create mulch. He described the lot at 732 Main Street, and the trees that surrounding the property. He stated that a portion of the fence is down, and he hopes to repair it. He stated that he would like to put a mural on one of the buildings to “dress up” the property.

Janet asked where he is currently located.

Mr. Stitt stated that he is located at 316 12<sup>th</sup> St. near the Snack Bar in Hickory, and he has been there for 13 years. He discussed some of the houses that are surrounding his Hickory location.

Larry Chapman asked that Mr. Stitt explain the equipment he uses for his business.

Mr. Stitt stated that his equipment runs off of a 3 horse power – zero turn lawnmower motor. He explained that he and his crew would not be working at the Main Street location unless there is rain. They are typically out on jobs cutting trees. He said that he hopes to bring in work for people in the community.

Larry asked if the processing part would be like chipping up the wood.

Mr. Stitt explained that the result would be more like firewood. He said that he hopes to build an open shed to store the wood under.

Rick Shew asked if the wood is sold from this property.

Mr. Stitt explained that he would wholesale from this property, and people purchasing the wood would actually be delivering to other potential buyers. He added that the wood does not stay on the property for very long periods of time.

Rick asked if the photos in the agenda packets were taken at his current location in Hickory.

Mr. Stitt said that the pictures are of his current location. He mentioned that the big wood is collected there as a drop off point. He stated that the large logs are transferred on to local sawmills.

Mr. Jerry Lynn Crump, son of Jerry and Linda Crump, addressed the Board on behalf of his parents. Mr. Crump stated that his parents had lived on Olive Street, directly behind the property Mr. Stitt hopes to rezone, for approximately 40 years. He expressed concerns about dust, noise and property value if Mr. Stitt is allowed to locate his tree service business where he plans. He said that he understands buffering, and he said that they have heard this same type of thing before; however, they do not trust that the property will be adequately buffered. Mr. Crump recommended that the Board let this business pass on by and wait for something else to come along to locate on the property.

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Jerry Crump also addressed the Board, and he called attention to the fact that Davis Wood Products, also located close by, currently uses Olive Street to take their trucks out. He explained that this has become a bad problem for them. He discussed the problems that have been experienced in the past with buffers for the 732 Main Street property.

There were no other comments from the public.

**Close Public Hearing:**

**Motion: (Jonathan Greer/Rick Shew) to close the public hearing. Unanimously approved.**

Rick stated that he has some concerns about what is shown in the pictures of Mr. Stitt's current location in Hickory. He commented that the curb appeal concerns him.

Larry stated that he is not sure if he is ready to make a motion on this rezoning at this point. He asked if the vote could be tabled until the December 18<sup>th</sup> meeting for further review.

**Motion: (Larry Chapman/Ann Smith) to table the vote on the Rezoning Case #RZ-2018-02 by Mark Stitt (HB to LI 732 Main Street) until the December 18, 2018 meeting. Unanimously approved.**

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**Audit Report:**

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Brandi Fesperman of Martin Starnes & Associates, presented the FY 2017-2018 audit report to the Board. Brandi stated that the audit received an unmodified opinion, which is the best that can be given. She reviewed the results of the report, and she commented that the year ended in the black. Brandi thanked the Board and staff for the good working relationship, and commended the Town on a job well done.

Janet publicly thanked the staff for their close work with Martin Starnes, plus the work that is done all year long to be good stewards of the Town's money.

**Motion: (Larry Chapman/Rick Shew) to accept the FY 2017-2018 audit report as presented. Unanimously approved.**

Rebecca commented that this is the 25<sup>th</sup> year straight that we have been awarded a Certificate of Excellence in Financial Reporting.

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**Report from Recreation Committee:**

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Larry Chapman stated that the Recreation Committee met at 4 this afternoon, and the following recommendations were made by the Committee.

- (1) Hire additional full-time employee for the Recreation Department.

Larry explained that in order to keep the Recreation Center running efficiently, the Committee has recommended hiring an additional person. Larry explained that there is a lot of overtime in the Recreation Department especially since we took on the Optimist Park. Plus, the Department is looking at taking on additional programs.

Chuck commented that one reason an additional employee is needed is because Hudson Baseball has folded, and our Recreation Department is going to take over this program. He explained that he needs an individual to run this program plus help out with other programs throughout the year.



**Recommendation from Committee – approve hiring additional employee for Recreation Department. Unanimously approved.**

A budget revision for the new position will be presented at the December meeting.

Ann commented that the Recreation Center is always well maintained, and she appreciated how welcoming everyone was during the recent Arts Festival.

(2) Increase in Fees

Larry stated that the Recreation Committee has also recommended approving an increase in the rate schedule for the Recreation Department. Larry commented that these rates changes will bring us basically equal to the Granite Falls Recreation Dept.'s schedule of fees.

The increases were recommended as follows:

**Fee Changes for 2018 – 19**

**Athletic Programs**

Current Fees Night: 3 & under \$1  
4 – 15 \$3  
16-older \$4

- Softball, Baseball, Basketball, Outdoor Soccer, Indoor

Soccer: Current Fees: Res. \$35 Non-Res. \$45

**Change: Res. \$40 Non-Res. \$50**

- Wrestling: Current Fees: \$25

**Change: \$30**

Current Fees Sunday: \$2 everyone

**Change: 3 & Under: \$3 Day / Night**

**4- Older: \$5 Day / \$3 Night**

**Pool**

**Change: Sunday Fee: \$3**

Pool Rentals: Current Fees: \$100 for (2 hours)

**Change: \$150 for (2 hours)**

Church Fees: \$50 for (2 hours)

**Change: \$75 for (2 hours)**

- Admission Fees: Current Fees Day: 3 & under \$1

4 – 15 \$4

16-older \$5

**Recommendation from Committee – approve changes in Recreation Department's rate schedule as requested. Unanimously approved.**

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**Review of Property Maintenance Code:**

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Johnny Wear, Senior Planner & Natural Resource Administrator for the WPCOG, addressed the Board to briefly discuss the new Property Maintenance Code. Johnny explained that this code will be to cover the new position through the WPCOG, which the Town will be participating in for code enforcement. He stated that they hope to have this new code in place and an employee hired by this coming January. Johnny stated that he has not reviewed the Town's ordinance; however, he believes the new code is probably close

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to the Town's ordinance. He presented a summary of the changes for the Board to review. Johnny explained how the new code enforcement officer position will work. He stated that the officer would be driving around Town looking for code violations and taking notes on these violations. He will also be checking on property complaints received by the Town. He stated that the WPCOG has purchased a car already and developed software to accommodate the program.

Janet asked if the Town staff would be notified when actions are taken by the new officer.

Johnny stated that the software will have a map showing the violations and actions taken, and the map will be available to the Town staff.

Larry asked about the cost of the penalties in the code.

Johnny stated that these are pretty much standard costs, with the money typically going to the school system.

Jonathan stated that this is what Catawba County does, and they also charge \$50 which is paid to the school system.

Teresa stated that having a standard for all of the towns participating the program is going to be easier to work with for the planners and the code enforcement officer.

Janet stated that the Board would like to have a work session to see how this new code compares to the Town's current code. She said that we should be able to pull together a work session and have a decision at the January meeting.

Carroll discussed the orders that are needed in court when violation cases reach that level. He commented that he believes the new code is very close to the Town's current ordinance.

Rebecca asked who would be comparing this to our current ordinance.

Johnny stated that the WPCOG could look at this for the Town to compare the two codes.

Rebecca asked if Johnny or another representative from the WPCOG would be willing to come to the work session to discuss what is going to be changed and how it compares to what we have in our current code.

Johnny stated that he was sure something could be worked out for the WPCOG to be involved with the work session.

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### Budget Amendments:

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Rebecca presented two budget amendments.

- (1) Capital Project Campaign for HUB Station.

Rebecca explained that this amendment is composed of the recommendations of the HUB Steering Committee. The first event scheduled is the Mountain Ruckus concert at the HUB. She also explained that this project does not operate on a fiscal year – it runs until it is completed.

Town of Hudson				
Budget Amendment				
Date:	November 20, 2018			
Department:	Capital Project Campaign for HUB Station			
Dept Head Signature				
Purpose:	Create budget accounts for HUB Station Capital Project Campaign			
Revenue:				
Account Number	Account Title	Current Budget	Change to Budget	Amended Budget
49-350-3343	Private Campaign Contributions	0	\$ 718,000	\$ 795,000
49-360-6345	ARC Grant Proceeds	0	\$ 65,000	\$ 65,000
49-360-7701	Ticket Sales - CPC HUB Station	\$ -	\$ 12,000	\$ 12,000
				\$ -
	Total	\$ -	\$ 795,000	\$ 12,000
Expense:				
Account Number	Account Title	Current Budget	Change to Budget	Amended Budget
49-632-2120	Marketing - CPC HUB Station	\$ -	\$ 10,000	\$ 10,000
49-632-2450	Contracts Services - CPC HUB St	\$ -	\$ 20,000	\$ 20,000
49-632-2330	Supplies - CPC HUB Station	\$ -	\$ 10,000	\$ 10,000
49-632-3730	Capital Outlay - Bld/Gr - Bldg A	\$ -	\$ 493,000	\$ 493,000
49-632-3732	Capital Outlay - Bld/Gr - Bldg B	\$ -	\$ 87,000	\$ 87,000
49-632-3735	Capital Outlay - Bld/Gr - Area C	\$ -	\$ 75,000	\$ 75,000
49-650-5950	Transfer to General Fund		\$ 100,000	\$ 100,000
				\$ -
	Total	\$ -	\$ 795,000	\$ 795,000



*HUB Project Steering Committee*  
**FUND-RAISING PLANNING**  
*Very Drafty – October 2018*

*Projected New Needs during 2019 - 2021*

NEED	Projected Cost	SOURCE	By What Date
Kitchen Renovation MATCH	\$75,000	NAMING RIGHTS	MAY 2019
LED Lighting BOTH BUILDINGS	\$50,000	NAMING RIGHTS	MAY 2019
Security & WiFi BOTH BUILDINGS	\$50,000	NAMING RIGHTS	MAY 2019
Painting B-Building	\$12,000	NAMING RIGHTS	MAY 2019
PROMOTION: Sign, Banners, Logos	\$48,000	NAMING RIGHTS	JUNE 2019
MARKETING MATERIALS	\$10,000	NAMING RIGHTS or SPONSORSHIPS	June 2019
EVENTS	\$20,000	NAMING RIGHTS or SPONSORSHIPS	June 2019
STAGE EXPANSION Over the Kitchen	\$140,000	NAMING RIGHTS	October 2019
ELEVATOR for A-BUILDING	\$230,000	NAMING RIGHTS or FOUNDATION	December 2019
Two-Year Assistance Operational Costs	\$100,000	NAMING RIGHTS or FOUNDATION	By end 2019
<b>TOTAL:</b> <b>\$735,000</b>			

(2) Aetna Refund

Rebecca explained that our Aetna insurance policy provided that if our employee payouts were less than the premiums, they would do a 50/50 split of the surplus with us. Our premiums were less than our payouts, and we received a refund of \$14,505.81. The Budget Committee recommended that the refund be evenly divided between the employees of the Town as a one-time bonus since the refund was based on the amount of the employee insurance payouts.

**Motion: (Larry Chapman/Ann Smith) to approve the budget amendments/recommendations as presented. Unanimously approved.**

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Informal Discussion/Public Comment:

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**Upcoming Events:**

- November 26<sup>th</sup> – Kids Tree Decorating Day
- November 27<sup>th</sup> at 6:00 pm – HCDA Tree Lighting Ceremonies - Downtown
- December 1<sup>st</sup> – 9:00 am – 4:00 pm 4<sup>th</sup> Annual Christmas Show at The HUB
- December 1<sup>st</sup> at 2:00 pm – Hudson Christmas Parade
  
- November 22<sup>nd</sup> & 23<sup>rd</sup> – Town Hall Closed for Thanksgiving Holiday

**Library Staff Member Introduced:** Jennifer Riddle, a staff member of the Caldwell County Library-Hudson Branch, introduced herself to the Board and stated that she plans to be more involved with the Town's events.

The Board thanked her for her interest in the Town and offered support to the Library when needed.

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Adjournment:

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Motion: (Larry Chapman/Ann Smith) to adjourn the meeting. Unanimously approved.

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Tamra T. Swanson, Town Clerk