Minutes of a Special Meeting of the Common Council of the Town of Clarkdale Held on Tuesday, November 3, 2009.

A Special Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, November 3, 2009, at 1:00 PM at Clark Memorial Clubhouse, Men's Lounge, 19 N Ninth St, Clarkdale, Arizona.

CALL TO ORDER 1:06 PM

Town Council:
Mayor Doug Von Gausig
Vice Mayor Jerry Wiley
Councilmember Patricia Williams
Councilmember Curtiss Bohall - Absent
Councilmember Richard Dehnert

Town Staff:
Town Manager Gayle Mabery
Utility Director Wayne Debrosky
Police Chief Pat Haynie
Public Works Sr. Mechanic Jim Gay
Deputy Town Clerk Walt Good
Town Clerk/Finance Director Kathy Bainbridge
Community Development Director Sherry Bailey
Public Works Superintendent Dennis Inman
Utility Admin Assistant Ellen Yates

PUBLIC COMMENT – The Town Council invites the public to provide comments at this time. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Town Clerk during the meeting. Each speaker is asked to limit their comments to five minutes.

Janet Perry – Verde Valley Leadership – Presented State Representative Lucy Mason a Certificate of Appreciation for allowing Verde Valley Leadership class member Ellen Yates to shadow Representative Mason for a day.

Ellen Yates – Clarkdale – Thanked State Representative Mason for allowing her to shadow Representative Mason during her busy schedule.

BUDGET PRESENTATION – State Representative Lucy Mason will give an update on the status of the State's budget and other State legislative issues.

Presentation by Representative Lucy Mason on the State of Arizona Budget and what her desires and views are for the upcoming session. The State continues to spend at a rate higher than the anticipated revenues and will need to make spending revisions. The plan being discussed is for every department to prioritize their programs, put a cost for each program working with the available money and planning for a 15% cut, and then to advise the Governor and Legislature what programs should be funded and what programs will not be able to be funded.

Mayor Von Gausig thanked State Representative Lucy Mason for coming and making the budget presentation to Council.

EXECUTIVE SESSION - The Council may vote to discuss the following matters in executive session pursuant to A.R.S. § 38-431.03(A) (3) discussion or consultation for legal advice with the attorney of the public body; and (4) discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations. The Executive Session will be held immediately after the vote and will not be open to the public.

Without opposition, the Council recessed to Executive Session at 2:05 PM

A. **LEGAL ADVICE ON A BOUNDARY AGREEMENT WITH CITY OF COTTONWOOD-** Discussion and consultation with the Town Attorney for legal advice regarding the possibility of a Boundary Agreement with the City of Cottonwood.

ADJOURNMENT Without opposition, the Council adjourned the Executive Session at 3:00 PM. Without any further business, the Council adjourned the Special Session at 3:01 PM.

APPROVED:

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Doug Von Gausig, Mayor

ATTESTED:

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Kathy Bainbridge, Town Clerk

SUBMITTED:

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Walt Good, Deputy Town Clerk

Minutes of a Regular Meeting of the Common Council of the Town of Clarkdale Held on Tuesday, November 10, 2009.

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, November 10, 2009, at 6:00 PM at Clark Memorial Clubhouse, Men's Lounge, 19 North Ninth Street, Clarkdale, Arizona.

CALL TO ORDER 6:00 PM

Town Council:
Mayor Doug Von Gausig
Vice Mayor Jerry Wiley
Councilmember Patricia Williams
Councilmember Curtiss Bohall
Councilmember Richard Dehnert

Town Staff:
Town Manager Gayle Mabery
Utility Director Wayne Debrosky
Police Chief Pat Haynie
Robert Pecharich, Town Attorney
Town Clerk/Finance Director Kathy Bainbridge
Community Development Director Sherry Bailey
Public Works Director Steve Burroughs
Deputy Town Clerk Walt Good

PUBLIC COMMENT – The Town Council invites the public to provide comments at this time. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Town Clerk during the meeting. Each speaker is asked to limit their comments to five minutes.

Robyn Prud'homme Bauer, Clarkdale Chamber of Commerce will be participating in Walkin' on Main in Cottonwood, this year's theme is "Be Successful, Be Green", also the Verde Valley Theatre will be hosting "Mending Project", both are on Saturday, November 14, 2009.

Drake Meinke, Clarkdale, informed Council that the first Clarkdale Centennial Meeting will take place on Thursday, November 19, at 5:30 PM at the Clarkdale Museum, 900 1st North St. Mr. Meinke also congratulated the Town staff and volunteers for a successful Halloween Event. There have been over a 1,000 visitors to the Clarkdale Heritage Museum and over a 1,000 items have been donated to the museum that have a Clarkdale tie. The piano in the Men's Lounge will be tuned and ready for use by the Santa Comes to Clarkdale Event.

Ellie Bauer, Clarkdale, would like to know what is happening on the sewer development fees. This would help new businesses that are considering Clarkdale and the residents in the older sections whose septic systems are failing and would like to hook up to the Town system. Mayor Von Gausig asked Ms. Bauer to contact Town Manager Mabery for the current information on what is happening on this project.

INFORMATIONAL REPORTS

MAYOR'S REPORT – A report from the Mayor on current events.

1. Mayor Von Gausig and Town Manager Mabery attended the APS Sustainability Project

in Sedona. APS explained what their sustainability goals were for the future.

2. Mayor Von Gausig, Town Manager Mabery and Councilmember Williams went on an arsenic facility tour of Clarkdale wells led by Utility Director Wayne Debrosky.
3. Mayor Von Gausig attended the Salt River Materials Group Fiftieth Anniversary at Clarkdale Jerome School.
4. Mayor Von Gausig met with Community Development Director Bailey, Councilmember Dehnert, and Town Manager Mabery on the boundary agreement with City of Cottonwood.
5. Mayor Von Gausig had lunch with the Sustainability Economic Institute Group. The group is individuals from Flagstaff and the Verde Valley, including individuals from Northern Arizona University, area industry people and the Mayor gave them a short presentation on the Clarkdale Sustainability Park.
6. Mayor Von Gausig greeted the Clarkdale Jerome School students as part of the Arizona Cities and Towns Week event.
7. Mayor Von Gausig attended the Democrats of the Verde Valley meeting to discuss open space preservation. Discussion also included solar in the Verde Valley, the Mayor talked about the Clarkdale Sustainability Park.
8. Mayor Von Gausig attended a Natural Resources Committee Meeting, the group is now hosted by the Town of Clarkdale and discussion was held on broadening and reforming the direction of this group.
9. Mayor Von Gausig gave a Clarkdale Sustainability Park presentation to the Verde Campus of Yavapai College personnel.
10. Mayor Von Gausig and Town Manager Mabery made a Clarkdale Sustainability Park presentation to the Yavapai Apache Nation. Vice Chair Norman Smith stated that the Nation was looking for a project to make a difference and this project may fit that need.
11. Mayor Von Gausig made a Clarkdale Sustainability Park presentation to Salt River Materials Group.
12. Mayor Von Gausig attended the Town of Clarkdale Halloween event.
13. Mayor Von Gausig had lunch with incoming Prescott Mayor Martin Kuykendall and discussed water issues.
14. Mayor Von Gausig made a Clarkdale Sustainability Park presentation to State Representative Lucy Mason and she would like a presentation made to her State Natural Resources Committee. That committee is working on sustainability and the Town is already ahead of their discussions.
15. Met with the Tech Working Group for the Bureau of Reclamation water study on the 2050 water needs. Phase One predicts the water needs and population of the area, that phase is almost complete. Phase Two will decide what has to be done to meet that water deficit requirement.
16. Mayor Von Gausig made a Clarkdale Sustainability Park presentation to Senator Steve Pierce.
17. Mayor Von Gausig and Town Manager Mabery met with Virginia Turner to make sure that Representative Kirkpatrick is aware of the Clarkdale Sustainability Park.
18. Mayor Von Gausig and Town Manager Mabery made a presentation to the Yavapai Apache Nation Council on the Town of Clarkdale preferences for the Prop 202 funds. Mr. John Christensen, Clarkdale-Jerome School District, stated each of the items that the Town of Clarkdale was requesting would benefit the school district and the students.
19. Mayor Von Gausig had lunch with Sedona Mayor Rob Adams on community boundary agreements.

TOWN MANAGER'S REPORT – A report from the Town Manager on current events.

1. Town Manager Mabery reminded Council that Town Offices will be closed on November 11, 2009 for Veteran's Day. The Town will also be closed November 26 and 27, for Thanksgiving.
2. November 19, 2009, the Town of Clarkdale will host the Verde Valley Intergovernmental Meeting in the Men's Lounge.
3. November 20, 2009, the Town Council has been invited to the opening of the new Yavapai County Superior Court facility dedication in Camp Verde.
4. December 5, 2009, Santa will be coming to Clarkdale to visit with all the good children.

CAT – A report regarding the Cottonwood Area Transit – no meeting, Councilmember Williams informed the Council that CAT has opened their new facility and that they have opened a new route that will provide daily service to and from Sedona.

COCOPAI – A report regarding the Coconino Yavapai Resource Conservation District – Attached are COCOPAI September 21, 2009 meeting minutes from Councilmember Williams.

VVLPI – A report regarding the Verde Valley Land Preservation Institute. – Attached are VVLPI Minutes from September 14, 2009 and October 12, 2009 from Councilmember Williams.

NACOG - A report regarding the Northern Arizona Council of Governments – Vice Mayor Wiley reported no meeting.

VVTPO – Report regarding the Verde Valley Transportation Planning Organization & other transportation affiliations – Councilmember Bohall reported no meeting until January. Councilmember Bohall did attend the CAT open house and the facility is impressive. CAT uses reclaimed water to wash the buses, there are solar panels on the shaded parking area that provide the electrical power required and the new bi-fuel bus being used in Flagstaff was on display. Councilmember Bohall joined Councilmember Dehnert on a bus route trip tour today, riders are now able to go from Clarkdale to Sedona and return for $6.00 round trip.

NAMWUA - A report regarding the Northern Arizona Municipal Water Users Association – Mayor Von Gausig attended a teleconference meeting and discussed a letter in support of Arizona Department of Water Recourses and the impact a 15% budget cut might have on Northern Arizona.

VRBP – A report regarding the Verde River Basin Partnership – Mayor Von Gausig attended the meeting and was reappointed to the advisory group.

WAC - A report regarding the Yavapai County Water Advisory Committee – Mayor Von Gausig worked on the letter in support of Arizona Department of Water Recourses and the impact a 15% budget cut might have on Northern Arizona. Also discussed was the Bureau of Reclamation water study and how far that study has progressed.

CONSENT AGENDA - The consent agenda portion of the agenda is a means of expediting routine matters that must be acted on by the Council. All items are approved with one motion. Any items may be removed for discussion at the request of any Council Member.

A. **Approval of Minutes of the Common Council** - Approval of the minutes of the Regular Meeting held 10/13/09 and the Special Meeting held 10/27/09.

B. **Claims** - List of specific expenditures made by the Town during the previous month. October Claims Report, PPE 10/10/09 & 10/24/09

C. **Board and Commission Minutes** – Acknowledgement of receipt of minutes and draft minutes of the previous month's Board and Commission Meetings.
Board of Adjustments minutes of the meeting 10/28/09 canceled.
Design Review Board minutes of the meeting held 10/14/09
Heritage Conservancy Board minutes of the meeting held 10/21/09
General Plan Update Committee minutes of the meeting held 10/19/09, Jt. Mtg. 10/22/09
Library Advisory Board minutes of the meeting 10/01/09 canceled.
Parks and Recreation Board minutes of the meeting held 10/14/09
Planning Commission minutes of the meeting held 10/22/09, Jt. Mtg. 10/22/09

D. **Proposed Amendments to the Town of Clarkdale Archive Policy** – Approval of amendments to the Town of Clarkdale Archive Policy.

E. **Proclamation Declaring December 2009 As Made In Clarkdale – Arts Month** – Approval of a proclamation declaring December 2009 as Made in Clarkdale - Arts Month.

F. **Letter Of Support To Arizona Game And Fish In Support Of Mexican Gartersnake Study** – Approval of a letter of support to the Arizona Game and Fish Department on behalf of Erika Nowak's request for funding of a study of the Mexican Gartersnake range.

G. **Letter Of Support To Congresswoman Ann Kirkpatrick Regarding The Benefits Of the Land and Water Conservation Fund.** – Approval of a letter of support to Congresswoman Ann Kirkpatrick supporting the Land and Water Conservation Fund.

H. **Call Of Election** – Approval of a Call of Election for a March 9, 2010, Primary Election for two Councilmembers and a Proposition for the Home Rule Option and a General Election to be held on May 19, 2010.

Vice Mayor Wiley moved to accept the Consent Agenda as submitted by staff. Motion seconded by Councilmember Dehnert. Motion approved unanimously.

NEW BUSINESS

RESOLUTION DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED "AN ORDINANCE OF THE TOWN OF CLARKDALE, ARIZONA, RELATING TO THE PRIVILEGE LICENSE TAX; AMENDING THE TOWN TAX CODE BY ELIMINATING THE TAX CREDIT AGAINST THE UTILITY TAX FOR FRANCHISE FEES PAID TO THE TOWN; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; PROVIDING FOR SEVERABILITY; AND DESIGNATING AN EFFECTIVE DATE – Discussion and consideration of Resolution #1321, declaring as a public record

that certain document filed with the Town Clerk entitled "An Ordinance Of The Town Of Clarkdale, Arizona, Relating To The Privilege License Tax; Amending The Town Tax Code By Eliminating The Tax Credit Against The Utility Tax For Franchise Fees Paid To The Town; Providing Penalties For The Violation Thereof; Providing For Severability; And Designating An Effective Date ".

Finance Director Kathy Bainbridge informed Council that this item had been originally discussed at last year's Strategic Planning. The APS Franchise Agreement had the wording changed to allow for the payment of the sales tax to the Town and that agreement has been approved by the Clarkdale voters. If the Town Council approves the changes in our tax code, we would be able to collect about $25,000 from January 1, to June 30, 2010. The League of Arizona Cities and Towns has prepared an ordinance for Council's consideration allowing for sales tax collection on the APS bill.

Mayor Von Gausig asked if the future yearly amount would then be estimated at $50,000. Finance Director Bainbridge replied that would be the estimated budget amount from APS.

Councilmember Bohall moved to adopt Resolution #1321, declaring as a public record that certain document filed with the Town Clerk entitled "An Ordinance Of The Town Of Clarkdale, Arizona, Relating To The Privilege License Tax; Amending The Town Tax Code By Eliminating The Tax Credit Against The Utility Tax For Franchise Fees Paid To The Town; Providing Penalties For The Violation Thereof; Providing For Severability; And Designating An Effective Date". Vice Mayor Wiley seconded the motion. Motion was approved unanimously.

AN ORDINANCE OF THE TOWN OF CLARKDALE, ARIZONA, RELATING TO THE PRIVILEGE LICENSE TAX; AMENDING THE TOWN TAX CODE BY ELIMINATING THE TAX CREDIT AGAINST THE UTILITY TAX FOR FRANCHISE FEES PAID TO THE TOWN; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; PROVIDING FOR SEVERABILITY; AND DESIGNATING AN EFFECTIVE DATE - Discussion and consideration of Ordinance #324, amending the Town Tax Code by eliminating the tax credit against the utility tax for franchise fees paid to the Town.

Mayor Von Gausig asked if the information was the same for the ordinance and for the resolution. Finance Director Bainbridge replied it was.

With no discussion the Mayor called for a motion.

Councilmember Bohall moved to adopt Ordinance #324, An Ordinance Of The Town Of Clarkdale, Arizona, Relating To The Privilege License Tax; Amending The Town Tax Code By Eliminating The Tax Credit Against The Utility Tax For Franchise Fees Paid To The Town; Providing Penalties For The Violation Thereof; Providing For Severability; And Designating An Effective Date, in Article 8-2 of the Town Code. Vice Mayor Wiley seconded the motion. Motion was approved unanimously.

EXECUTIVE SESSION - The Council may vote to discuss the following matters in executive session pursuant to A.R.S. § 38-431.03(A) (3) discussion or consultation for legal advice with the attorney of the public body; and (4) discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations. The Executive Session will be held immediately after the vote and will not be

open to the public.

Without opposition, the Council recessed to Executive Session at 6:45 PM.

I. INTERGOVERNMENTAL AGREEMENT RELATING TO THE MUNICIPAL BOUNDARIES BETWEEN THE CITY OF COTTONWOOD, ARIZONA, AND THE TOWN OF CLARKDALE, ARIZONA.

Council reconvened the Regular Council Meeting at 7:15 PM

CONSIDERATION OF A RESOLUTION – Consideration and possible approval of a Resolution of the Town of Clarkdale, Yavapai County, Arizona, authorizing the Town of Clarkdale to enter into an Intergovernmental Agreement relating to the Municipal Boundaries between the City of Cottonwood, Arizona, and the Town of Clarkdale, Arizona.

Councilmember Williams moved to approve Resolution #1322 authorizing the Town of Clarkdale to enter into an Intergovernmental Agreement relating to the Municipal Boundaries between the City of Cottonwood, Arizona, and the Town of Clarkdale, Arizona. Vice Mayor Wiley seconded the motion. Motion approved unanimously.

Mayor Von Gausig spoke for the record on the Intergovernmental Agreement relating to the Municipal Boundaries between the City of Cottonwood, Arizona, and the Town of Clarkdale, Arizona.

Assuming that this IGA (Intergovernmental Agreement) is also passed by the City of Cottonwood Council, this is an outstanding example of cooperation between communities in the Verde Valley that can lead to really wonderful things and a decrease of tensions between all the communities in the Verde Valley regarding their boundaries. I think it is very important for the record, for everyone to understand that the lines depicted in this agreement are not lines where other towns might annex or areas Clarkdale might annex or that have anything to do with land use, they are merely exclusionary zones where one community agrees not to annex inside the other community's area. That is a very simple way of going about this and doesn't say to the public that we will be looking to annex any of this particular land. I think that it is important to understand that similar IGAs can be effected with Jerome and Clarkdale; with Sedona and Cottonwood in particular; and with Cottonwood and Camp Verde for the betterment of the Verde Valley and when those agreements have been effected, I think you are going to see a decrease of tension and solidification of how the Towns can operate everywhere in the Verde Valley. I think you will see a real codification of the open space land use management plan that we have all agreed to with Yavapai County several years ago. Finally, I think that Richard Dehnert, Karen Pfeifer, Doug Bartosh and Gayle Mabery did a spectacular job of negotiating this kind of agreement between the two communities, which could otherwise have been a very nasty interaction. I appreciate the work they (Richard Dehnert and Gayle Mabery) put in on it and I know it was not easy and I know they put a huge amount of thought and heart into it. I can tell from the agreement that what we got was that the primary consideration was, number one, what is good for the Town of Clarkdale and number two, what is good for the entire Verde Valley. I appreciate the perspective they both brought to these negotiations. So, I think that it is incumbent upon us to make sure this agreement stays healthy and that we try to improve it with time. We have a couple of years to think about it and try to make it into that fifteen year agreement, if that can be done, or just to make the public in general understand what this

agreement is and why it is important. Then the public becomes dedicated to the perpetuation of the agreement and the propagation of it around the Verde Valley. I think that this is one of the finest things that the Clarkdale Town Council has ever done or will ever do. I am very proud of it and I am very proud of the work done on it, thank you.

Vice Mayor Wiley spoke on the agreement stating that he believes this will alleviate a lot of stress in the county.

Councilmember Dehnert acknowledged the cooperation of City of Cottonwood Vice Mayor Karen Pfeifer for her time and contribution in creating this agreement.

Councilmember Williams added her thanks to all that were involved.

FUTURE AGENDA ITEMS - Listing of items to be placed on a future council agenda

ADJOURNMENT 7:26 PM.

APPROVED:

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Doug Von Gausig, Mayor

ATTESTED:

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Kathy Bainbridge, Town Clerk

SUBMITTED:

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Walt Good, Deputy Town Clerk

Minutes of a Special Meeting of the Common Council of the Town of Clarkdale Held on Saturday, November 14, 2009.

A Special Meeting of the Common Council of the Town of Clarkdale was held on Saturday, November 14, 2009, at 9:00 AM at Clark Memorial Clubhouse, Men's Lounge, 19 N Ninth Street, Clarkdale, Arizona.

CALL TO ORDER
Mayor Von Gausig called the Clarkdale Town Council to order at 9:00 A.M.

Town Council:
Mayor Doug Von Gausig
Vice Mayor Jerry Wiley
Councilmember Patricia Williams
Councilmember Curtiss Bohall
Councilmember Richard Dehnert

Town Staff:
Town Manager Gayle Mabery
Utility Director Wayne Debrosky
Police Chief Pat Haynie
Assistant Town Manager Janet Perry
Town Clerk/Finance Director Kathy Bainbridge
Community Development Director Sherry Bailey
Public Works Director Steve Burroughs

Others in Attendance:
Al Filardo, Professor of Practice as the Chief of Staff at the Ira A. Fulton Schools of Engineering, providing organizational consultation throughout ASU and instructing for the Center for Professional Development at the Ira A. Fulton Schools of Engineering.

Jodie Filardo, Sedona Economic Planner

Dr. Deirdre Meldrum, Dean of the Fulton School of Engineering at Arizona State University

Clarkdale Sustainability Park Feasibility Study Work Group:
Janet Regner, Lew Dodendorf, Jorge Olguin, Dave Puzas

NEW BUSINESS

A WORKSESSION TO DISCUSS THE CLARKDALE SUSTAINABILITY PARK CONCEPT - A worksession between the Town Council, the Clarkdale Sustainability Park Feasibility Study Work Group, ASU sustainability experts, and Town Department Heads to participate in a Vision- Mission-Goal exercise on the Clarkdale Sustainability Park and to discuss the park's concept.

Al Filardo and Jodie Filardo mediated the meeting in order to help the group participation exercise of drafting a vision, mission, and goal for the Clarkdale Sustainability Park. Al Filardo explained that a vision statement describes the future, where you are headed or where you want to end up. The mission statement is the reason for the existence of the organization and what the organization is providing in pursuit of its vision.

Throughout the day the group participated in discussions that drafted the following:

VISION STATEMENT:
The Clarkdale Sustainability Park Provides an Evolutionary Solution for a Sustainable Community.

MISSION STATEMENT:
To Provide an Entrepreneurial Environment Rich in Innovative, Multi-Disciplinary Solutions and Education and Economic Opportunities, Resulting in a Vibrant and Viable Future.

GOALS:
1. Develop a Feasibility Study
2. Hire a Project Manager
3. Obtain long term funding
4. Obtain community buy in
5. Secure the site
6. Identify partners
7. Develop an organizational framework (Business Plan)
8. Develop a Strategic Plan
9. Create talking points

ADJOURNMENT 4:30 PM

APPROVED:

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Doug Von Gausig, Mayor

ATTESTED:

_____
Kathy Bainbridge, Town Clerk

SUBMITTED:

_____
Walt Good, Deputy Town Clerk