

Town of Yacolt

Council Meeting Agenda

Monday, February 10, 2025
7:00 PM
Town Hall

Call to Order

Flag Salute

Roll Call

Late Changes to the Agenda

Approve Minutes of Previous Meeting(s)

1. DRAFT Minutes from 1/13/25 Council Meeting

Citizen Communication

Anyone requesting to speak to the Council regarding items not on the agenda may come forward at this time. Comments are limited to 3 minutes. Thank you.

Unfinished Business

2. Town Security Cameras
3. Update on Citizen Request to Re-Name Park
4. Update on C-Tran Board Representative
5. Update on Rec Park Parking Lot Fence
6. Update on Engaging Additional Attorney
7. Update on Meetings with Lobbyist and Legislative Delegation

New Business

8. Alternate Representative for EMS Board
9. Address Assignments and Policy

Town Clerk's Report

Public Works Department Report

Attorney's Comments

Citizen Communication

Anyone requesting to speak to the Council regarding items not on the agenda may come forward at this time. Comments are limited to 3 minutes. Thank you.

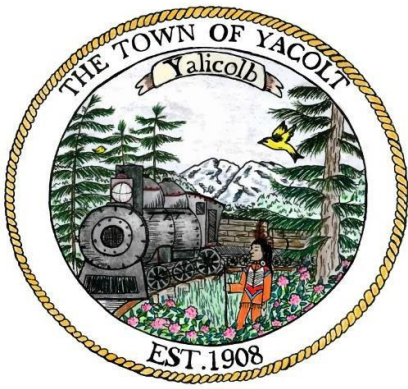
Council's Comments

Mayor's Comments

Approve to Pay Bills on Behalf of the Town

Executive Session

Adjourn



Town of Yacolt

Town Council Meeting Minutes

Monday January 13, 2025

7:00 PM

Town Hall

Call to Order

7:00 PM

Flag Salute

Roll Call

Council Members Present: Jeff Carothers, Kandi Peto, Craig Carroll, Brandon Russell, Marina Viray

Also present: Mayor Ian Shealy, Attorney David Ridenour, Public Works Director Terry Gardner, and Clerk Stephanie Fields

Late Changes to the Agenda

Executive Session to be moved to the beginning of the meeting, before item 1. Add item 7: Rotate Mayor Pro-Tempore and Finance Committee Member

Mayor Shealy closed the public meeting to initiate an Executive Session at 7:01pm for 20 minutes until 7:21pm. At 7:21pm. At 7:21, the Mayor extended the Executive session another 15 minutes until 7:36pm. Mayor Shealey reopened the public meeting at 7:36pm.

Citizen Communication

John Nanney of American Legion Post 168 (Amboy) spoke about their Windhaven Ride for Veterans to take place August 16th to benefit Windhaven Veterans Equestrian Program, and said they need volunteers.

Carmen DeLeon from Vancouver spoke regarding County and City governments and policies, urging people to be aware of growth, planning, and government expenditures.

Dan Niemi said he is interested in purchasing the old Tallman's, to run a business there.

Unfinished Business

Update on C-Tran Board Representative

Sean Boyle of LaCenter will be the primary Board member representing north county on the C-Tran Board. The City of Ridgefield will advise later this week as to who will be alternate from there.

Councilmember Russell from the Town of Yacolt has expressed interest in attending some meetings, but is unable to commit to attending all of them.

Update on Improving the Building Department

The Mayor presented recent activities, meetings & more information to come. Attorney Ridenour gave a summary of their meeting with LaCenter Mayor regarding working together on the permit process. Also, he and Town Staff have been meeting to work on streamlining our current process.

Update on Meetings with the Town's Lobbyist

Mayor Shealy gave a summary of Dec. 16th, 2024 meeting with lobbyist Hanna Jones. He has another meeting with her on Friday Jan, 17th, then meetings with our legislative delegation on Monday Jan.20. Focus: Public Works facility funding with no strings, other grants for Town goals like repairing the exterior of Town Hall and possible community center.

Update on Procuring Additional Legal Services

Mayor Shealy & Attorney Ridenour are waiting for engagement letter from Bill Ehling, who said he is willing to step in to help with code enforcement and more. Short discussion w/ council regarding other options and Request for Proposals.

Update on Security Cameras

Security cameras and systems have been selected; staff is working with vendor to set up charge account for payment.

Rotate Mayor Pro Tempore and Finance Committee Member

Mayor Pro Tem is currently Jeff Carothers; eligible Council members: Viray, Peto and Russell. Council member Viray nominated Council member Peto to serve for six months.

Motion: Viray **2nd:** Carothers
Aye: Carothers, Peto, Carroll, Russell, Viray **Nay:** 0
Motion Carried

Finance committee member to be rotated off is Marina Viray, eligible council members are Carothers and Russell. Council member Peto nominated Council member Russell to serve for six months.

Motion: Peto **2nd:** Carroll
Aye: Carothers, Peto, Carroll, Russell, Viray **Nay:** 0
Motion Carried

New Business: None

Town Clerk's Report

- Working on closing out 2024 by next week; working with software this week to clear out. Total variance on ending balances for 2024 and opening 2025 are less than 3%.
- W-2s and 1099s to be completed next week, after the year is closed out.

Public Works Department Report

- Most new banners are installed; more to put up but need to get boom truck repaired.
- Filled a 40-yard dumpster with debris from storms; still have about that much left to clean up.
- CC Railroad meeting: mining overlay is still in courts, working on railway improvements, funded by county. Temple spoke about Portland Vancouver Junction Railroad perhaps using lines for

passenger trains, other ideas discussed.

- Began working on fencing at Rec Park, waiting on more parts to continue next week.

Attorney's Comments

- For the NCLL Fireworks stand, we need an Interlocal Agreement with the Fire Marshal.
- Encouraged anyone to discuss his legal fees at no charge; generally, does not bill for council meetings and often works at no charge.
- Legal Tidbit: Public Records Act laws always evolve. Recent developments are changes to closing letter to include more information, including when statute of limitations begins and ends.

Citizen's Communication

D. Uskoski has expressed interest with County for annexation of his property off NE end of Town; curious about plans for a sewer system. (None at this time.)

Ann Van Antwerp asked if the landslide along the railway got repaired by the railroad. (Public Works Director Gardner confirmed that it was done in November.)

Council's Comments

- Jeff Carothers mentioned it was great to have new faces in attendance; encouraged community members to communicate with the council.
- Marina Viray reported that the UCPB grant grading will be next month. \$1.8M to be awarded.
- Craig Carroll shared that the EMS meeting is next Wednesday January 22nd.

Mayor's Comments

Mayor Shealy hopes to have made headway on cameras and lobbying efforts before February meeting.

Approve to Pay Bills on Behalf of the Town

Motion: Peto

2nd: Viray

Aye: Carothers, Peto, Carroll, Russell, Viray **Nay:** 0

Motion Carried

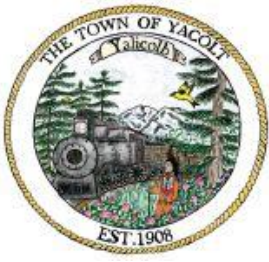
Adjourn

8:26 pm

Mayor Ian Shealy

Clerk Stephanie Fields

Approved by Council vote on _____



Town of Yacolt Agenda Request

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Mayor Shealy

Group Name: Staff

Address: 202 W Cushman St
Yacolt, WA 98675

Phone: (360) 686-3922

Email Address: mayor@townofyacolt.com

Alt. Phone:

ITEM INFORMATION:

Item Title: Update on Security Cameras

Proposed Meeting Date: February 10, 2025

Action Requested of Council: After hearing the Mayor's report, ask any questions you may have

Proposed Motion: None; update only

Summary/ Background: The Town has been working toward procuring and installing a security camera system for well over a year. With the help of LaCenter's Mayor, we found a great deal on the cameras themselves. Mayor Shealy will give a status report on that.

The Reflector published an article about our plans to install the cameras, and we have gotten some feedback from at least one citizen who lives near Town. That feedback is here:

From: Mark Rose <mark.t.rose@gmail.com>

Sent: Thursday, January 23, 2025 6:03 PM

To: Mayor <Mayor@townofyacolt.com>; council1 <council1@townofyacolt.com>; council2 <council2@townofyacolt.com>; Council 3 <council3@townofyacolt.com>; marina viray <marina.viray@townofyacolt.com>; townofyacolt <townofyacolt@townofyacolt.com>

Subject: Concerns Regarding the Use of Surveillance Cameras in Yacolt, WA

Dear Mayor Ian Shealy and Members of the Yacolt Town Council,

I am writing to express my concerns regarding the implementation of 26 surveillance cameras throughout our small community of Yacolt, WA. While I understand the importance of public safety, I believe the extensive use of surveillance cameras in a town of our size raises serious civil rights and privacy concerns that warrant careful consideration and action.

Potential Civil Rights and Privacy Violations

There are several possible violations and issues associated with the use of surveillance cameras that could infringe upon the rights of Yacolt residents:

1. **Privacy Infringement:** The heavy deployment of cameras throughout the town may intrude upon individuals' reasonable expectations of privacy. Even in public spaces, pervasive monitoring can lead to a chilling effect on personal freedoms, such as freedom of movement and association.
2. **Potential Discrimination:** Surveillance practices could unintentionally target or disproportionately monitor certain areas or groups, leading to claims of bias or unequal treatment.
3. **Overreach of Authority:** Without proper oversight, the cameras could be used for purposes beyond their stated intent, such as monitoring individuals for non-criminal activities, which would echo concerns raised in Orwell's *1984* about the dangers of excessive surveillance.

Legislative and Legal Framework

Several ordinances and laws at the local, state, and federal levels place restrictions on the use of surveillance technology:

1. **Federal Protections:** The Fourth Amendment to the U.S. Constitution protects citizens from unreasonable searches and seizures. Persistent, warrantless surveillance could violate these protections.
2. **State Laws:** Under RCW 9.73.030, Washington's Privacy Act prohibits recording private conversations without the consent of all parties. This highlights the importance of ensuring the cameras do not capture audio unless explicitly authorized.
3. **Local Oversight:** Transparency and public involvement are critical to ensuring that the town's surveillance practices align with the community's values and rights. Public notification and review of surveillance policies are essential.

Specific Concerns

- **Overuse in a Small Town:** Yacolt's population is relatively small, and deploying 26 cameras in such a compact area raises questions about proportionality. The ratio of cameras to residents does not align with the scale of our town, and such extensive monitoring may not be justified.
- **Risk of a Surveillance State:** Excessive surveillance could transform Yacolt into a community where residents feel constantly watched, undermining the trust and sense of safety that small towns like ours should foster.
- **Access and Oversight:** It is critical to establish clear policies outlining who has access to the video footage, under what circumstances, and for what purposes. Without strict procedures, there is a risk of misuse, including unauthorized access or surveillance for purposes unrelated to public safety.
- **Warrants for Specific Uses:** In cases where surveillance data is needed for investigations, it is essential that warrants are obtained to protect residents' constitutional rights and to ensure lawful use of the footage.

Potential Legal Liability

Failure to carefully regulate and oversee the use of surveillance cameras could result in significant legal and financial consequences for the town of Yacolt. Civil rights violations tied to unlawful or excessive surveillance have led to costly lawsuits in other jurisdictions, as demonstrated by the following cases:

1. **United States v. Vargas (2014):** Federal law enforcement installed hidden video cameras on private property without a warrant, violating the Fourth Amendment. The court suppressed the video evidence and any derivative evidence, highlighting the importance of obtaining proper legal authorization for surveillance.
2. **State of Washington v. Athan (2007):** Although this case upheld the use of evidence obtained through unconventional means, it underscored the risks of perceived overreach and the necessity of clear, lawful procedures to avoid challenges to the admissibility of evidence.

3. **State of Washington v. Christensen (2019):** Surveillance footage used in a conviction was challenged under privacy laws. Although the court upheld the conviction, this case demonstrated the fine line between lawful and unlawful surveillance and the risks of pushing constitutional boundaries.
4. **City of Seattle Surveillance Backlash (2013–2015):** The Seattle Police Department faced public outcry for implementing surveillance technologies without adequate disclosure, forcing them to disable a wireless surveillance network. The lack of transparency eroded public trust and emphasized the importance of clear communication and community involvement in surveillance practices.

These cases illustrate the legal and financial risks municipalities face when surveillance practices violate or are perceived to violate civil rights. Yacolt could become liable for millions in lawsuits, attorney fees, and settlements if it fails to follow strict processes and procedures governing the use of surveillance cameras. Transparency, community oversight, and compliance with local, state, and federal laws are crucial to prevent similar outcomes.

Recommendations

1. **Transparency:** Publish detailed policies about the use of surveillance cameras, including their purpose, placement, and the type of data collected.
2. **Community Oversight:** Establish a committee of residents to oversee the implementation and usage of surveillance technology.
3. **Access Controls:** Implement strict access protocols to ensure only authorized personnel can view or retrieve video footage.
4. **Regular Audits:** Conduct regular audits to evaluate the effectiveness and compliance of the surveillance system with privacy laws.
5. **Proportional Use:** Reassess the number of cameras deployed to ensure their use is proportionate to the town's size and needs.

While the safety of our community is a priority, it is equally important to protect the privacy and civil rights of Yacolt residents. I urge the council to reconsider the extent of the surveillance measures, ensure strict adherence to applicable laws, and implement robust oversight mechanisms to prevent misuse.

Thank you for your attention to this matter. I would appreciate the opportunity to discuss these concerns further in a public forum, meeting, phone call, or email.

Sincerely,

Mark Rose
30505 NE Olson Road
Yacolt, WA 98675
971-227-5591

Staff Contact(s): Mayor Shealy
mayor@townofyacolt.com
(360) 686-3922



Town of Yacolt Request for Council Action

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Joy Tindall

Group Name: Yacolt Resident

Address: 204 E Twin Falls St.
Yacolt, WA 98675

Phone: (360) 558-1539

Email Address: jayelena30@gmail.com

Alt. Phone:

ITEM INFORMATION:

Item Title: Re-Name a Park After Tom McDowell

Proposed Meeting Date: February 10, 2025

Action Requested of Council: Decide if you want to change the name of any of our parks to re-name after Tom McDowell; If so, which park, and what sort of signs/ memorial markers should be placed?

Proposed Motion: TBD

Summary/Background: This subject was first addressed at the Town's December 9th Council meeting. At that time, the consensus of the Council was that it would be more appropriate for the EMS/Fire Dep't. to name something after Mr. McDowell, as he was instrumental in bringing *those* agencies to Yacolt. Councilmember Carroll said he would make that suggestion at the next EMS meeting he would be attending, and if we table the issue until our February meeting, he would give a report on what transpired there. (Note: the Town has already named McDowell Court in the Railroad Ave. Subdivision after Tom McDowell, in commemoration of his dedication to the Town and its citizens.)

Staff Contact(s): Clerk Stephanie Fields
clerk@townofyacolt.com

Mayor Ian Shealy
mayor@townofyacolt.com
(360) 686-3922



Town of Yacolt Agenda Request

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Clerk Fields

Group Name: Staff

Address: 202 W Cushman St
Yacolt, WA 98675

Phone: (360) 686-3922

Email Address: clerk@townofyacolt.com

Alt. Phone:

ITEM INFORMATION:

Item Title: Update on C-Tran Board Representative Appointee

Proposed Meeting Date: February 10, 2025

Action Requested of Council: None; Update only

Proposed Motion: None

Summary/ Background: North Clark County is represented on C-Tran's Board by representatives from the Councils of the Cities of Ridgefield and LaCenter and the Town of Yacolt on a rotating basis. For 2025, the Primary Representative was to come from Yacolt. Yacolt's Councilmember Brandon Russell expressed interest in attending some of C-Tran's meetings, however he is unable to attend all of their meetings. So LaCenter appointed Sean Boyle as Primary Representative, and Ridgefield appointed Rian Davis as Alternate. Councilmember Russell will be welcome to attend any meetings he is able to.

Staff Contact(s): Clerk Fields

clerk@townofyacolt.com

(360) 686-3922



Town of Yacolt Request for Council Action

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Mayor Shealy

Group Name: Staff

Address: 202 W. Cushman
Yacolt, WA 98675

Phone: (360) 686-3922

Email Address: mayor@townofyacolt.com

Alt. Phone:

ITEM INFORMATION:

Item Title: Fence at Rec Park

Proposed Meeting Date: February 10, 2025

Action Requested of Council: After hearing the report on the fence project across the front of the Rec Park parking lot, decide if the Town should move forward with one of the attached bids for 6-foot black chain-link fence.

Proposed Motion: "I move that the Town order the 6-foot black chain-link fence from _____ per their bid."

Summary/Background: After hearing many complaints over the years regarding people tearing around in the parking lot at the Rec Park with their motorcycles, cars, and trucks, the Town Council decided to fence off the back part of the lot, leaving just a few parking spaces available at the front of the lot. Then, only when the park is to be reserved for events will the back lot be unlocked. In the future, the gates may be put on a timed system so that they will automatically open and close daily.

Black fence panels were purchased to use for this project. However, when the Public Works crew went to install the panels, they found that the slope of the ground prevents the fence panels from working there. Chain-link fence would work best, and black 6-foot chain-link fence would match what's already in place around the park. Attached are "apples-to-apples" bids the Town received from 3 different companies for black 6-foot chain-link fence to be installed across the front of the parking lot. The 3 bids are attached.

Staff Contact(s): Clerk Stephanie Fields
clerk@townofyacolt.com

Mayor Ian Shealy
mayor@townofyacolt.com
(360) 686-3922

ABLE FENCE COMPANY, INC.

COPY

18510 NE 10th Avenue
Ridgefield, WA 98642
WA License #ABLEFFC943CN

"IF WE'RE NOT ABLE, IT CAN'T BE DONE!"
Licensed • Bonded • Insured
ablefenceco@comcast.net

Office - 360.256.5896
Fax - 360.574.5302
Oregon CCB #168623

PROPOSAL

TO: Town of Yacolt
202 W. Cushman Street
Yacolt, WA 98675
ATTN: Terry
DATE: 1/15/2025
RE: Yacolt Recreational Park

Chain Link Fence

Able Fence will furnish all materials and labor to install approx. 140 l/f of 6' tall black coated chain link fence to go across the front of the parking lot in locations as per site visit.

Fence Specifications:

- End Posts: 2 3/8" O.D. Galvanized Schedule 40 – Powder Coated Black
- Line Posts: 1 7/8" O.D. Galvanized Schedule 40 – Powder Coated Black
- Top Rails: 1 5/8" O.D. Galvanized Schedule 40 – Powder Coated Black
- Fabric: 9 Gauge Galvanized 2" Mesh – Vinyl Coated Black
- Bottom tension Wire: 7 Gauge Galvanized Spring Coil – Vinyl Coated Black
- All posts to be set in a concrete footing

Complete as stated for the lump sum price of \$4,600.00

Sales Tax @ 8.5% (Loc. Code 0607) = \$391.00

Total = \$4,991.00

Clark County prevailing wage rates to be paid to employees

EXCLUSIONS: CONCRETE MOW STRIPS, STAKING, GRADING, CLEARING, ENGINEERING, GROUNDING, SURVEYING, AND PERMITS. ALL EXCAVATED MATERIALS TO BE SPREAD ON SITE UNLESS OTHERWISE NEGOTIATED.

ACCEPTANCE OF PROPOSAL – THE ABOVE PRICES, SPECIFICATIONS AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY ACCEPTED. YOU ARE AUTHORIZED TO DO THE WORK AS SPECIFIED.

SIGNATURE _____

Due to the fluctuation of raw material costs, Able Fence Company, Inc. reserves the right to re-quote any material costs associated with this proposal after 15 days from the proposal date. Excavated materials to be spread on site unless otherwise negotiated. No work can start until a utility locate has been completed. If site conditions differ from either the proposal description or site visit, we will provide a cost estimate for any additional charges. Both parties must agree on charges before work will continue. Hard dig, rocky conditions or any site conditions not disclosed at time of proposal will be charged accordingly. Customer is responsible for all sprinkler system repairs. Customer may be required to place a deposit to cover any material costs prior to starting any work. The estimator will inform the customer of any deposit amounts required and payment arrangements for work completed.

Able Fence Company, Inc. agrees to sell services to the customer on the following conditions:

Any charge that falls within a month are due in full on or before the 15th day of the following month. Any charge that is not paid within those terms shall be deemed late and will be subject to a finance charge of 1.5% monthly (18% annually). Able Fence Company, Inc. must be notified in writing within 3 days of the invoice date if any portion of the invoice is disputed. The customer agrees that all undisputed charges will be paid to the terms of the sale. The customer agrees that any state sales tax will be the responsibility of the customer in the event that Able Fence Company, Inc. cannot or does not collect the appropriate taxes from the customer. All credit/debit card payments will be charged a 3.5% fee.

In the event that any sum due on the customers account becomes past due and a lien is filed or placed with a collection agency, the customer agrees to pay any and all associated costs including legal fees, filing fees and collection agency fees. In the event that litigation arises from the collection efforts, the prevailing party shall be entitled to recover any attorney fees and court costs at trial and on appeal.



HUSKY FENCE, Inc.
1604 NE 49th St
Vancouver, WA
98663

COPY

PROPOSAL SUBMITTED TO Town of Yacolt	JOB NAME Yacolt Recreational Park Fence	JOB #
ADDRESS 200 W Cushman St Yacolt WA 98675	JOB LOCATION	
PHONE # 360-553-0013	DATE 1/17/25	DATE OF PLANS
FAX #	ARCHITECT	

We hereby submit specifications and estimates for **140' x 1' Black Chain Link Fence**

-material-

- 1 3/8" Toprails Sch 40
- 1 7/8" Line Posts Sch 40
- 2 3/8" End Posts Sch 40
- 8 gauge chain link (9 gauge core)
- Fittings
- Concrete

(NO GATES)

We propose hereby to furnish material and labor - complete in accordance with the above specifications for the sum of

\$ 5,864.88 Tax included

Dollars

with payments to be made as follows:

Any alteration or deviation from above specifications, involving extra work will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements, contracts, bids, orders, receipts or replies issued or received

Respectfully submitted

Philip Esquivel

Note - this proposal may be withdrawn by us if not accepted within **30** days.

Acceptance of Proposal

The above printed specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature _____

Date of Acceptance _____

Signature _____

LANE FENCE CO.

P.O. BOX 682
 Battle Ground WA 98604-4687
 WA. LANEFFC941Q7

COPY

Estimate

Phone #	360-687-8646
Fax #	360-263-9000

Date	Estimate #
1/20/2025	4278

Name / Address
Sean Labarbera Yacolt recreational park 202 W Cushman st Yacolt Wa. 98675

P.O. No.	Due Date	Rep
	1/20/2025	JL

Item	Description	Qty	Rate	Total
chain link	Furnish all material and labor to install 140' of 6' black chain link fence in three sections with no gates. Fence specs: 2 3/8 schedule 40 terminal posts 1 7/8 schedule 40 line posts 1 5/8 schedule 40 top rail 8- gauge fence wire "9-gauge core" 6-gauge bottom tension wire Lane fence will haul away any excavated material.		3,560.80	3,560.80

Exclusions: Staking, grading, clearing, and permits. All excavated material to be spread on site.	Subtotal	\$3,560.80
C.C.B. Requires notice of intent to lien, For all residential customers if payment is not received upon completion.	Sales Tax (8.5%)	\$302.67
Lane Fence Co. assumes no responsibility for damaged utilities within 2 ft. of utility locate markings.	Total	\$3,863.47

Signature _____



Town of Yacolt Request for Council Action

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Mayor Shealy

Group Name: Staff

Address: 202 W. Cushman
Yacolt, WA 98675

Phone: (360) 686-3922

Email Address: mayor@townofyacolt.com

Alt. Phone:

ITEM INFORMATION:

Item Title: Engagement Letter from Bill Ehling

Proposed Meeting Date: February 10, 2025

Action Requested of Council: After reviewing and discussing Mr. Ehling's engagement letter, decide if you want to authorize Mayor Shealy to sign it as-is, negotiate lower rates or any other changes, or continue looking for another attorney.

Proposed Motion: TBD

Summary/Background: Town Attorney David Ridenour has expressed that he needs to cut back on his workload. In November, the Town published an RFP for legal services, but received no responses. Bill Ehling, who has represented the Town in the past, said he is able to help take the burden from Mr. Ridenour. He sent an engagement letter to Mayor Shealy in mid-January, and it is attached here.

Staff Contact(s): Clerk Stephanie Fields
clerk@townofyacolt.com

Mayor Ian Shealy
mayor@townofyacolt.com
(360) 686-3922

Law Office of William J. Eling
Post Office Box 698
Brush Prairie, Washington 98606

[360] 260-1189
elinglaw@aol.com

January 14, 2025

Ian Shealy, Mayor
Town of Yacolt
Post Office Box 160
Yacolt, Washington 98675

David Ridenour, Attorney
Town of Yacolt
Post Office Box 160
Yacolt, Washington 98675

RE: Engagement & Appointment of Deputy Town Attorney

VIA EMAIL ONLY

Dear Mayor Shealy and Attorney Ridenour:

I accept the appointment as deputy town attorney for the Town of Yacolt based on the terms and conditions expressed in this letter. I understand that this is a limited, temporary appointment for legal matters, matters which have stretched current legal resources. Please sign and return a copy of this letter as confirmation of the appointment and mutual acceptance of the contractual terms and conditions.

1. Referral of Legal Matters: Upon appointment, the Town, through the Mayor and the Town Attorney, is referring code enforcement matters to Eling. Through the duration of this agreement the Town may refer additional matters to Eling. Upon description of the additional matters, Eling may choose to undertake the matter at his own discretion and based on his workload.
2. Documents/Communication/Coordination: Eling agrees to copy the Town and the Town Attorney with emails, memoranda, pleadings, briefing, notices and other written communication unless such communication is infeasible in a particular circumstance. The work shall be coordinated with the Town Attorney. The Town shall establish an email account for Eling and provide timely access to the Town website and records.
3. Cooperation: The Town agrees to direct its employees and independent contractors to cooperate with Eling in the matters which he is assigned.
4. Fees and Costs: The Town agrees to pay Eling's services at the rate of \$350 per hour billable in tenths of hours. The Town agrees to reimburse Eling for third party costs advanced for court filing fees, deposition fees, service of process and other similar costs. Eling shall give notice to the Town Attorney of any one expense exceeding \$750. Fees and costs shall be paid on a monthly basis.
5. Effective Date & Termination: This Agreement shall become effective on January 22, 2025, and continue on a month to month basis subject to either party providing 30 days written notice of termination without cause. "Written notice"

includes email, certified mail and personal delivery to the Town Clerk, Mayor, Town Attorney or Eling. Upon termination, Eling shall provide the Town those Town files in his possession and the Town shall pay his final billing.

6. Independent Contractor Status: Eling's services are provided as an independent contractor. Eling is not entitled to any Town employment benefits such as health care. Nevertheless, if any claim or complaint with a professional association is filed against Eling by third-parties related to his duties as deputy town attorney, the Town agrees to indemnify and hold him harmless to the extent allowed under RCW 4.96 for any act or omission done in good faith within the scope of his official duties.
7. Confidentiality: Eling and his employees shall maintain the confidentiality of all information provided by the Town or acquired by Eling in performance of this Agreement to the extent required by the Rules of Professional Conduct or unless required to disclose by Court order.
8. Public Records Requests: The Town shall pay Eling at the rate set forth in Section 4 for time spent responding to his participation in public records requests. This obligation shall survive the expiration or termination of this Agreement.
9. Professional Liability Insurance: Eling shall maintain professional liability insurance with limits of not less than one million dollars.
10. Disputes: The parties agree to resolve any differences arising under this Agreement in a timely, professional manner including mediation. If litigation arises, venue shall be Clark County Superior Court.
11. License: Eling certifies that he is a duly licensed attorney pursuant to the laws of the State of Washington and in good standing with the Washington State Bar Association.
12. Approval: Signing this Agreement constitutes the warranty and certification of each party that he is authorized under Washington law and/or Town ordinance to execute this letter as a binding agreement and confirms Eling's appointment as a deputy Town attorney.

TOWN OF YACOLT

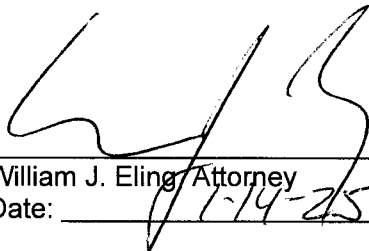
Ian Shealy, Mayor

Date: _____

Approved as to form only:

David Ridenour, Town Attorney

Date: _____



William J. Eling, Attorney
Date: 1-14-25



Town of Yacolt Request for Council Action

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Mayor Shealy

Group Name: Staff

Address: 202 W. Cushman
Yacolt, WA 98675

Phone: (360) 686-3922

Email Address: mayor@townofyacolt.com

Alt. Phone:

ITEM INFORMATION:

Item Title: Meetings with our Lobbyist and Legislative Delegation

Proposed Meeting Date: February 10, 2025

Action Requested of Council: Listen to the Mayor's report on what was discussed with our Legislative Delegation; ask questions and/or give input

Proposed Motion: None; update only

Summary/Background: The Town has hired lobbyist Hanna Jones to act as liaison between the Town and the Washington State Legislature. Mayor Shealy met with Hanna on January 24, and met with her, Peter Abbarno, John Braun, and Ed Orcutt on January 28th in Olympia. As a result of these discussions, Mayor Shealy has some good ideas to share with Council, and which may pave new avenues for the Town.

Staff Contact(s): Mayor Ian Shealy

mayor@townofyacolt.com

(360) 686-3922



Town of Yacolt Agenda Request

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Bryce Shirley

Group Name: Fire District 13/NCEMS

Address: 404 S Parcel Ave.
Yacolt, WA 98675

Phone: (360) 686-3271

Email Address: b.shirley@northcountryems.org

Alt. Phone:

ITEM INFORMATION:

Item Title: Alternate Representative for EMS Board

Proposed Meeting Date: February 10, 2025

Action Requested of Council: Appoint an alternate to serve on the EMS Board when Councilmember Carroll is unable to attend their meetings.

Proposed Motion: "I move that we appoint _____ as the Town's Alternate Representative on the North Country EMS Board."

Summary/ Background: Per the Interlocal Agreement in place between the Town and NCEMS, the Town Council is required to appoint one of its members to serve on the EMS Board. Councilmember Carroll has been filling that role; however he has not been able to attend every one of their meetings. The Board is in the process of changing its makeup, and it is imperative that they have a quorum for this planning period and afterward. In order to ensure this, the Fire/EMS Chief is asking the Town Council to appoint an Alternate, so that we will have a member in attendance at every EMS meeting going forward.

Staff Contact(s): Clerk Fields

clerk@townofyacolt.com

(360) 686-3922



Town of Yacolt Agenda Request

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Clerk Fields

Group Name: Staff

Address: 202 W Cushman St
Yacolt, WA 98675

Phone: (360) 686-3922

Email Address: clerk@townofyacolt.com

Alt. Phone:

ITEM INFORMATION:

Item Title: Assigning New Addresses

Proposed Meeting Date: February 10, 2025

Action Requested of Council: Consider the information presented by Clerk Fields (see attached maps and suggestions) and decide on whether:

- 1) The proposed new addresses should be used for the Keller Short Plat once it is completed, and
- 2) A policy incorporating the presented concepts (and more) should be developed for the Town for future adaptation and eventual adoption.

Proposed Motions (2):

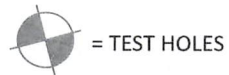
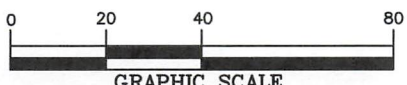
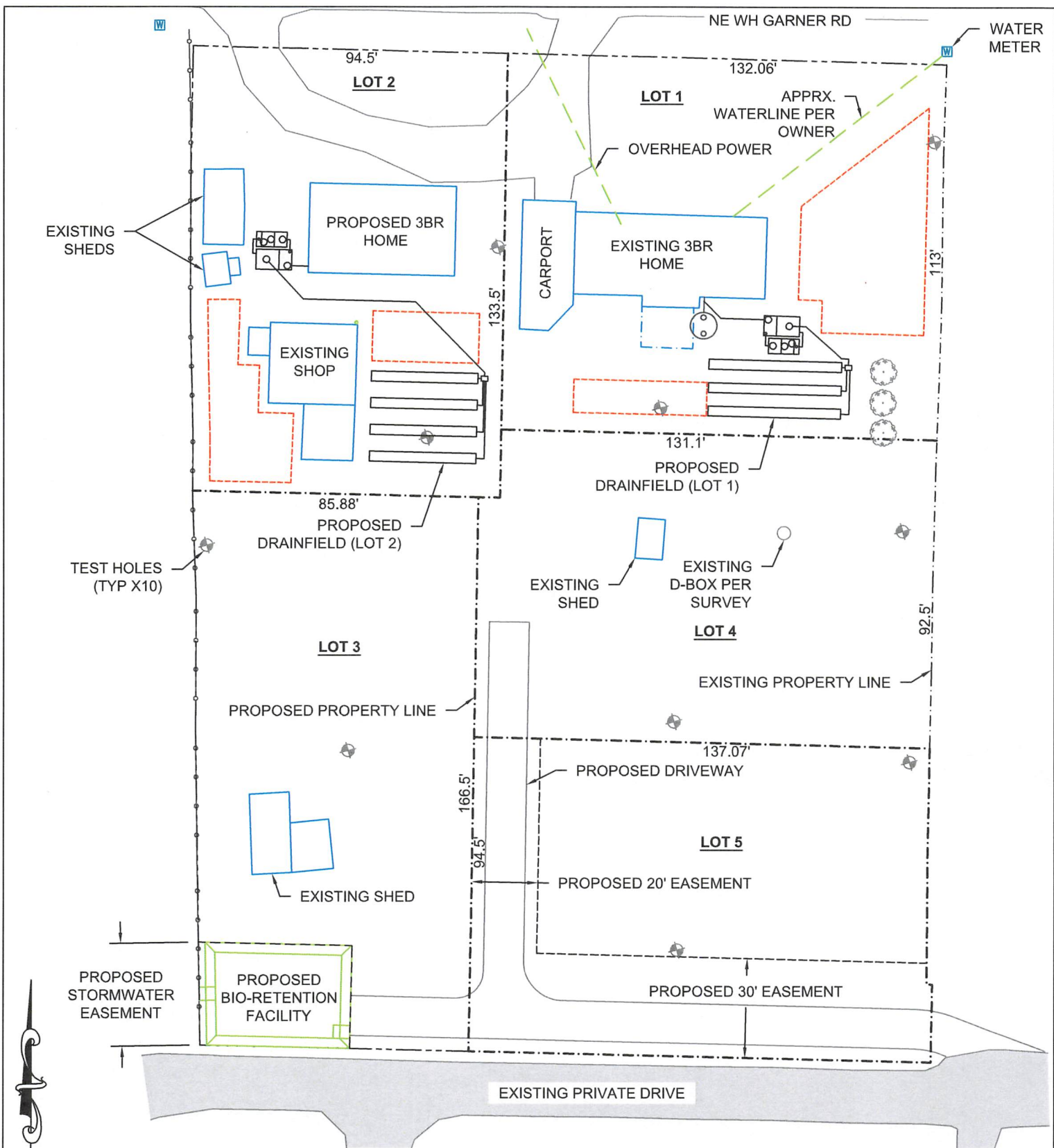
1. "I move that the Town assigns the proposed addresses to the new lots resulting from the Keller Short Plat as presented."
2. "I move that the Town develops a written policy for Address Assignment, incorporating standards which allow for future development."

Summary/ Background: In the past couple of years, the Town has had new homes built which required new addresses to be assigned. Prior to that time, the local Fire Chief had been assigning addresses in such situations, despite no written regulation or policy having been found delegating the authority to do so, nor guidelines on how addresses are to be determined. The Town should have a written policy for address assignments, designating who should assign the addresses, and containing guidelines for how new addresses are to be determined. As the Town grows and new development laws are enacted, this need is becoming more essential. The current situation with the Keller Short Plat is a prime example of the need for a written policy.

Staff Contact(s): Clerk Fields

clerk@townofyacolt.com

(360) 686-3922



SCALE IS APPROXIMATE - NOT SURVEY ACCURATE

25115 NE WH GARNER RD
APN# 229863000

EVER GREEN SEPTIC DESIGN INC.

PH: (360)687-9919 · EMAIL: INFO@EGSD.COM

SHEET:
TEST HOLE PLOT PLAN

DESIGNED FOR:
KELLER, SHIRLEY

DATE:
6/5/2024

PROJ:
24045



6-6-2024

© EVER GREEN SEPTIC DESIGN

Addressing Proposal Map for Keller Short Plat Area 1-23-25

406 W. Yacolt Rd.

Primary School

N Amboy Ave

W Yacolt Rd

② 615 W. Yacolt (617)	① 611 W. Yacolt (613)	(607, 609)	(603, 605)	(601)
③ 618 W. Cushman (620)	④ 614 W. Cushman (616)	606 W. Cushman (608)	(600)	(602, 604)
	⑤ 610 W. Cushman (612)			

511 W. Yacolt (513)	507 W. Yacolt (509)	(505)	Blackmore
510 W. Cushman (514)	508	500 (504, 506)	

Blackmore

407
W. Yacolt 405

408

Cushman St

Amboy Ave

621 W. Cushman

619 W. Cushman

617 W. Cushman

615 W. Jones

613 W. Jones

611 W. Jones

609 W. Jones

607 W. Jones

609 W. Cushman (611)	605 W. Cushman (607)	Johnson
		Johnson
610 W. Jones (612)	602 W. Jones (604, 606)	Johnson
		Johnson
	601 (603, 605)	

509 W. Cushman (511, 513)	505 (507)	501 (503)
(512)	506 (508, 510)	504

Jones St

Blackmore Ave

511	505	503	501
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Yacolt Town