

Town of Yacolt
Council Meeting Agenda
Monday, May 04, 2020
7:00 PM
By Telephone only

dial in using your phone.
United States: [+1 \(646\) 749-3117](tel:+16467493117)
Access Code: 539-996-141

Call to Order

Flag Salute

Roll Call

Late Changes to the Agenda

1. CenturyLink Proposal - add to New Business item #5

Minutes of Previous Meeting(s)

- [2.](#) Approve 4-20-2020 Council Meeting Minutes

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

- [3.](#) Corona Virus Items
 - A. 4-23-2020 Emergency Proclamation Amendment
 - B. Draft Resolution
 - C. Discuss Town Events
 - D. Update on Status of Town Employees
 - E. Discuss Building Permit Applications

New Business

4. 6 Year Transportation Plan - discussion only
5. CenturyLink Proposal to move pedestal for CDBG project

Public Works Department Report

Town Clerk's Report

Council's Comments

Mayor's Comments

Attorney's Comments

Approve to Pay Bills on Behalf of the Town

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.

Adjourn

**Town of Yacolt
Council Meeting Minutes
Monday, April 20, 2020
7:00 PM
Town Hall**

Call to Order

Mayor Listek called meeting to order at 7:00 pm.

Flag Salute

Roll Call

PRESENT

Mayor Katie Listek
Council Member Amy Boget
Council Member Michelle Dawson
Council Member Malita Moseley
Council Member Herb Noble
Council Member Marina Viray
Clerk Dawn Salisbury
Attorney Ridenour

Absent- Public Works Director Esteb

Late Changes to the Agenda

None

Minutes of Previous Meeting(s)

1. Approve 4-6-2020 Council Meeting Minutes

Motion made by Council Member Noble, Seconded by Council Member Dawson.
Voting Yea: Council Member Boget, Council Member Dawson, Council Member Moseley,
Council Member Noble, Council Member Viray

Citizen Communication

None

Unfinished Business

2. COVID-19 Paid Sick Leave - Information

Clerk Salisbury explained this publication was given to all employees explaining COVID-19 sick leave benefits.

New Business

3. HUD 3 Year Agreement Renewal

Housekeeping item. Agreement will automatically renew unless council sends letter to withdraw. Council does not wish to withdraw. Yacolt signature page was missing from packet. It is attached as Exhibit A.

4. Cowlitz County Resolution about COVID to Governor Inslee-discussion only

Council Member Dawson spoke to citizen Todd Witthauer who asked to add Cowlitz County's proposed resolution concerning COVID-19 addressed to Governor Inslee to this meeting's agenda. He is interested to see if the Town of Yacolt would also do a similar resolution about COVID-19 to Governor Inslee. Council Member Dawson thinks it's a good idea. Mayor Listek stated that she believed the state was setting all this in place to handle the influx of COVID cases and feels the state should be easing up on restrictions by now. Council member Boget stated that she agrees residential construction and hunting and fishing should be allowed again. She is concerned with protections for homeowners and renters to still be protected. Council Member Moseley agrees with opening hunting and fishing. She disagrees with opening churches due to the confined areas they are in. Clerk Salisbury read situation report that states reopening the state will occur over a 6 to 8-week period. Council Member Noble believes churches can use common sense to have church services and still protect their parishioners. Council Member Viray agrees that hunting and fishing should be opened back up. She agrees that churches are a concern for her. Mayor Listek stated that small groups should be allowed to gather for church. She also believes all parks should be opened. Being closed prevents citizens from being able to take care of their wellbeing by utilizing our vast outdoor spaces. Council Member Dawson stated it is up to every individual to protect themselves and people should wear a mask if your concerned and if you're at high risk stay home. Council Member Boget voiced concern with an ice cream truck that came through town which encouraged people to leave their homes and congregate. Council Member Moseley stated the ice cream truck was taking every precaution to abide by social distancing practices and all residents she saw were doing the same. Council Member Viray saw the same social distancing practices in her neighborhood with the ice cream truck. Council Member Noble stated the CORONA virus is very serious, but the governor has taken it too far. Mayor Listek asked if council wants to go ahead with drafting a resolution. She asked for Attorney Ridenour's input and he stated that it was a policy decision and that the town might want to partner with other towns or counties in guiding the governor in relaxing restrictions while protecting individuals and not hamstringing the economy. Council Member Boget recommended each council member send an email to the mayor with their views and suggestions on each of the resolution statements. Council Member Moseley stated she feels more research needs to be done but is concerned about spending a whole lot of money on attorney fees when the Cowlitz Resolution is so new. She would like to see what other cities and towns are going to do. Attorney Ridenour voiced his concern with emails going to the mayor about this subject violating the Open Public Meetings Act. He stated one way communication with copies of emails added to the next meeting should be ok. Clerk Salisbury

stated that a letter went to the Governor from Clark County builders and construction unions laying out a plan that shows construction work can be done safely. Attorney Ridenour stated that the emails would violate the Open Public Meetings Act and the discussion should take place in a meeting. Mayor Listek asked each Council Member for their thoughts on what they would like to see in a resolution. Council Member Boget – open residential construction and recreational lands for hunting and fishing. Council Member Dawson agreed on all but the releasing of inmates. Council Member Moseley has no issue with the release of inmates if they are close to their release date. Attorney Ridenour stated that there are 8 items on the Cowlitz resolution and not sure if the Yacolt Town Council wants all of them on theirs. Council Member Noble agrees that prisoners should not be released and agrees with most of the Cowlitz resolution. Council Member Viray agrees with opening residential construction and the recreational lands for hunting and fishing. She thinks churches should be allowed in smaller groups or services outside. She is not comfortable with the release of inmates. Mayor Listek will look at what other towns and cities are doing and work on a draft resolution for possible presentation at next meeting.

Public Works Department Report

Mayor Listek gave Public Works report. Public works is in busy season. They are mowing, doing drainage work and will be street sweeping when it rains.

Town Clerk's Report

Cemetery address has been obtained and the Town's website has been updated with that information. Created a new Fence Permit to make it easier for citizens to fill out. Records room work for the grant is continuing. Assistant Clerk has been working in the records room daily. Working on Building Department improvements and business licenses are on track for Business License Services to take over in June.

Council's Comments

Council Member Boget inquired about the town events coming up this summer and what we were going to do about them. Mayor Listek would like to visit this subject at a May meeting. She is hoping we will have more information about COVID-19 implications by then. She also requested that the council members think about other ways we may celebrate the 4th of July under current conditions. Council Member Dawson agrees with not deciding about cancelling summer events until May. She stated the town needs a morale boost and the town council and town staff are doing a great job during this time. Council Member Moseley thanked clerk and asst clerk for their efforts and mentioned there was a lot of long grass in town and hoped the public works department is getting to that to keep our town looking good. Mayor Listek said they are focusing on the drainage and get with her if there are specific areas that need attention. Council Member Noble enquired about last meetings discussion concerning staffing at town hall and public works. Mayor Listek has not made a decision at this time. She is looking at additional funding opportunities and asked council to look also to help through this time. Council Member Noble has volunteered to help Public Works with the mowing. Council Member Viray thanked public works for street sweeping and working on the drainage. She asked if anyone else has come forward to volunteer and asked if we could get the word

out. She brought up the graffiti riddled boat that was dumped off at the railroad parking lot. Clerk Salisbury stated that a couple of calls came in and the sheriff's office was notified.

Mayor's Comments

Mayor Listek thanked the council during this time and thanked the town employees for all their efforts. She also thanked Attorney Ridenour for his help.

Attorney's Comments

Attorney Ridenour was encouraged by the improvement of this meeting vs the last one. Reminded us that our emergency proclamation was coming to an end on the 23rd and that we would have to extend the proclamation to cover the next meeting and our land use applications. Mayor Listek stated we would need another proclamation to extend the current proclamation. Attorney Ridenour stated we could do another proclamation extending existing stipulations until further notice.

Council Member Boget made a motion to approve extending current active proclamation until further notice in compliance with existing state mandates. Seconded by Council Member Moseley.

Voting Yea: Council Member Boget, Council Member Dawson, Council Member Moseley, Council Member Noble, Council Member Viray

Approve to Pay Bills on Behalf of the Town

Motion made by Council Member Dawson, Seconded by Council Member Boget.

Voting Yea: Council Member Boget, Council Member Dawson, Council Member Moseley, Council Member Noble, Council Member Viray

001 General Fund	20,009.05	
101 Streets	10,961.71	
103 Cemetery	143.25	
105 REET/Real Estate Excise Tax	599.80	
403 Storm Water	<u>1,909.98</u>	Check # 17144 - 17154
	33,623.79	Claims: 26,540.06
		Payroll: 7,083.73

Executive Session

None

Adjourn

Mayor Listek adjourned meeting at 7:59 pm

Call in citizen Todd Witthauer asked to speak as Mayor Listek was adjourning the meeting. His comments are being added as part of the official minutes.

Todd Witthauer thanked the council for addressing his email about the Cowlitz County proposed resolution. He feels this movement is more of a grass roots effort because small towns shouldn't be treated the same as big cities. He talked about the hardships people are having and the rights that are being trampled on. He believes citizens can come together and come up with creative ways to overcome this issue. He appreciates the council looking at this and hopes citizens will reach out to the council with their own creative ideas.

Mayor Listek asked if there were any other callers that would like make comments. There were none.

Katie Listek, Mayor

Dawn Salisbury, Clerk

DRAFT

CERTIFICATION:

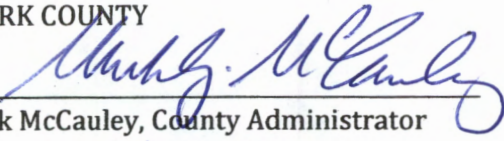
I hereby find that the terms and provisions of this Intergovernmental Agreement are fully authorized under State and local law, and that the Agreement provides full legal authority for the COUNTY to undertake or assist in undertaking essential community development and housing activities, specifically urban renewal and publicly assisted housing.

CLARK COUNTY



Chris Horne
Chief Civil Prosecuting Attorney

CLARK COUNTY



Mark McCauley, County Administrator

7/25/14

Date

CITY OF BATTLE GROUND

Mayor

Date

Approved as to form:

CITY OF CAMAS

Mayor

Date

Approved as to form:

CITY OF LaCENTER

Mayor

Date

Approved as to form:

CITY OF RIDGEFIELD

Mayor

Date

Approved as to form:

CITY OF WASHOUGAL

Mayor

Date

Approved as to form:

CITY OF WOODLAND

TOWN OF YACOLT

Mayor

Mayor

Jeff S. Carat

Date

Date

5-29-14

Approved as to form:

Approved as to form:



Item A.
Town of Yacolt
Request for Council Action

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

Name: Dawn Salisbury

Group Name:

Address:

Phone:

Email Address:

Alt. Phone:

ITEM INFORMATION:

Item Title: 4-23-2020 Mayor's Proclamation amending Declaration of Emergency Proclamation

Proposed Meeting Date: May 4th, 2020

Action Requested of Council: Approve 4-23-2020 Mayor's Proclamation amending Declaration of Emergency

Proposed Motion: I Make a motion to approve the 4-23-2020 Mayor's Proclamation amending Declaration of Emergency Proclamation

Summary/ Background: **Town Council must approve, disapprove or make changes to the 4-23-2020 Mayor's Proclamation amending Declaration of Emergency Proclamation**

Staff Contact(s): Dawn Salisbury



April 23, 2020

**PROCLAMATION OF THE MAYOR OF THE TOWN OF YACOLT
(AMENDING EMERGENCY PROCLAMATION DATED MARCH 27, 2020)**

Whereas, on March 27, 2020, the Mayor of the Town of Yacolt amended the Declaration of Emergency by providing additional information to the public regarding the temporary closure of Town Departments and facilities, and describing methods by which the public could contact the Town's officials and staff;

Whereas, Yacolt Municipal Code §2.45 authorizes the Mayor to adopt extraordinary and immediate measures to protect the public health, safety and welfare:

NOW THEREFORE, I, Katelyn J. Listek, Mayor of Yacolt, Washington, do hereby proclaim the following changes to March 27, 2020 Emergency Proclamation:

Section 1 - Public Council Meetings:

- a). Meeting Dates: All future Yacolt Town Council meetings shall take place on their regularly scheduled date and time. Public comment will be allowed during telephonic meetings.

Section 2 - Public Records Act:

- c). Expiration of Exceptions: The above changes for processing requests for public records shall be in effect until terminated, extended, or amended by further proclamation or cancelled by the Governor of the State of Washington.

Section 5 - Town Hall - Hiatus for Building and Land Use Application Processing: Effective until further notice, applications for building permits and land use permits will not be accepted, except for minor construction projects or in emergency situations. Further, the processing of all pending applications for building permits and land use permits is hereby stayed until further notice.


Section 6 - Effective Dates of Proclamations: This Proclamation shall take effect immediately. The contents of the Mayor's earlier Proclamation issued on March 27th, 2020, remain in effect except to the extent those Proclamations have been changed and superseded by the terms of this Proclamation.

Without being able to accurately project a date certain by which this situation will end, the provisions of this Proclamation will be in effect until terminated, extended or amended by further proclamation by the Mayor and/or by action of the Town Council. This extension was approved by motion and unanimous vote by the Town Council at the April 20, 2020 meeting. The proclamation shall be presented for review by the town council at its meeting scheduled for Monday, May 4, 2020.

Dated this 23rd day of April 2020, at Yacolt, Washington.


Katelyn J. Lystek, Mayor

Attest:


Dawn Salisbury, Town Clerk.



Item B.
Town of Yacolt
Request for Council Action

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

Name: David Ridenour

Group Name:

Address:

Phone:

Email Address:

Alt. Phone:

ITEM INFORMATION:

Item Title: Item B. Draft Resolution to Ease Restrictions

Proposed Meeting Date: May 4th, 2020

Action Requested of Council: See following letter and draft resolution

Proposed Motion:

Summary/ Background:

Staff Contact(s): Dawn Salisbury

DAVID W. RIDENOUR

Attorney at Law

4001 Main Street, Suite 306
Vancouver, WA 98663

360.906.1556
Fax: 360.906.1558
Davidwr@copper.net

*Via e-mail only to the Town Clerk at clerk@townofyacolt.com
April 30, 2020*

The Honorable Mayor Katie Listek
Town of Yacolt
202 W. Cushman Street
Yacolt, WA 98675

Re Covid-19 Coronavirus Epidemic
Easing “Stay Home - Stay Safe” Restrictions
My file number: **382-01**

Dear Mayor Listek and Members of the Town Council:

At its April 20, 2020 Council meeting, the Town Council expressed interest in communicating with Governor Jay Inslee to ask that he relax restrictions imposed by his many “Stay Home - Stay Healthy” emergency Proclamations. In general, the Yacolt Council believes the Governor should strike a more appropriate balance between health concerns created by the Coronavirus epidemic and the Constitutional rights and economic needs of the people. The Council generally approved a form of Resolution that had been prepared for the Cowlitz County Board of Commissioners.

Following a lengthy discussion, a majority of the Council appeared to specifically favor the relaxation of rules prohibiting construction work, recreational activities such as hunting and fishing, and the assembly of people for religious and other purposes. One Council member expressed interest in relaxing restrictions that impact Second Amendment rights, to which no disagreement was expressed by other Council members. The Council also generally agreed that prisoners should not be released solely due to the risk of the Coronavirus spreading in prison populations.

Since the date of that Town Council meeting, the Governor has issued a number of amendments to his earlier Proclamations. On April 22, 2020, the Governor released a Policy Brief outlining his plan for economic recovery. On April 24, 2020, the Governor ordered that many construction activities may resume subject to compliance with safety principles including social distancing. On April 29, 2020, the Governor further relaxed rules relating to existing construction projects.

On April 27, 2020, the Governor relaxed rules that prohibited recreational activities such as: 1). recreational hunting, fishing, and boating; 2). outdoor exercise, including hiking, running, walking and biking; 3). Golfing; and 4). day-use activities at public parks and public lands. The new rules are to take effect on May 5, 2020. The Governor has not yet relaxed rules prohibiting all other public and private gatherings for social, spiritual and recreational purposes, regardless of the number of people involved. The rules prohibiting planned weddings and funeral events continue to exist.

Since the Council's last meeting, a number of local government agencies asked the Governor to relax many of his Proclamations limiting economic and social activity. Others have argued that the Proclamations exceed the Governor's authority, and that they should not be enforced. While I have not researched the issue in depth, it appears that those who publicly rejected the Governor's authority have now backtracked on that position. I am not aware of any judicial challenge to the Governor's Orders that has been successful.

On the other hand, those government agencies that have merely expressed their dissatisfaction with the Governor's Orders have avoided direct conflict while still making their voices heard. I see no major legal concern with the Council similarly expressing a desire for greater economic and social opportunities for the Town's citizens.

Based on the above, I prepared the attached Resolution as a starting point for the Council's consideration at its next regular meeting. The Resolution is based on the Cowlitz County Resolution that was reviewed by the Town Council at its last meeting. The proposed Resolution generally asks the Governor to continue relaxing the 'Stay Home - Stay Healthy' rules in recognition of the constitutional rights and economic needs of the people. The three recent Proclamations of the Governor relaxing the emergency restrictions are also attached, along with a copy of a letter to the Governor from the Clark County Council expressing similar sentiments.

Very truly yours,



David W. Ridenour
/dwr

enclosures



STATE OF WASHINGTON
OFFICE OF THE GOVERNOR

P.O. Box 40002 • Olympia, Washington 98504-0002 • (360) 902-4111 • www.governor.wa.gov

TO: Interested Stakeholders

FROM: Governor Jay Inslee

A handwritten signature in black ink, appearing to read "Jay Inslee".

DATE: April 24, 2020

SUBJECT: Implementation of Phase 1 Construction Restart – Proclamation 20-25

As an addendum to Proclamation 20-25, this memorandum serves as the criteria for a limited Phase 1 Construction Restart.

After working with representatives from the Construction Roundtable, we have developed the comprehensive [Phase 1 Construction Restart COVID-19 Job Site Requirements](#). These requirements apply to all construction activities in Washington as long as Gubernatorial Proclamation 20-25, or any extension thereof, is in effect or if adopted as rules by a federal, state or local regulatory agency.

This memorandum rescinds previous guidance related to construction from the essential business list and allows for all activities meeting a low-risk threshold of six foot distancing to operate.

In limited circumstances where six foot distancing requirements cannot be maintained on construction projects previously authorized under Proclamation 20-25, a hazard assessment and control plan must be implemented identifying appropriate PPE use in accordance with Department of Labor & Industries requirements (<https://www.lni.wa.gov/forms-publications/F414-164-000.pdf>). No newly authorized projects are permitted to break social distancing standards during phase 1.

No jobsite may operate until the contractor can meet and maintain all requirements, including providing materials, schedules and equipment required to comply. Currently operating projects must be in compliance by no later than Friday, May 1.

- **All items minus numbers 28 and 30 are subject to enforcement action under L&I's Division of Occupational Safety and Health (DOSH). Workplace safety and health complaints** may be submitted to the L&I Call Center: (1-800-423-7233) or via e-mail to adag235@lni.wa.gov.
- **General questions about how to comply with construction safety practices** can be submitted to the state's Business Response Center at <https://app.smartsheet.com/b/form/2562f1caf5814c46a6bf163762263aa5>.
- **All other violations related to Proclamation 20-25** can be submitted at <https://bit.ly/covid-compliance>.

JAY INSLEE
Governor



STATE OF WASHINGTON
OFFICE OF THE GOVERNOR

P.O. Box 40002 • Olympia, Washington 98504-0002 • (360) 902-4111 • www.governor.wa.gov

TO: Interested Stakeholders

FROM: Governor Jay Inslee

DATE: April 29, 2020

SUBJECT: Implementation of Phase 1 Construction Restart – Proclamation 20-25

As an addendum to Proclamation 20-25, this memorandum serves as the criteria for a limited Phase 1 Construction Restart.

After working with representatives from the Construction Roundtable, we have developed the comprehensive [Phase 1 Construction Restart COVID-19 Job Site Requirements](#) and [Frequently Asked Questions](#). These requirements apply to all previously and newly authorized construction activities in Washington as long as Gubernatorial Proclamation 20-25, or any extension thereof, is in effect or if adopted as rules by a federal, state or local regulatory agency.

Authorized construction now includes:

- Construction previously authorized under Proclamation 20-25 and Governor Inslee's March 25, 2020, memo on construction.
- Construction not previously authorized under Proclamation 20-25 and the March 25, 2020, memo that was in existence on March 23, 2020. For purposes of this memo, *in existence* means construction activity that is a) needed to fulfill an obligation under a contract effective prior to March 23, 2020, or b) authorized by a government-issued permit obtained prior to March 23, 2020

Although Proclamation 20-25 and the Governor's March 25, 2020, memo will still be used to determine whether a construction project was *previously authorized*, this memorandum sets aside all restrictions on construction activity in those documents. Specifically, this memorandum allows *authorized construction* that meets a low-risk threshold of six-foot distancing to operate.

In limited circumstances where six-foot distancing requirements cannot be maintained on a specific task on projects previously authorized under Proclamation 20-25, a hazard assessment and control plan must be implemented identifying appropriate PPE use in accordance with Department of Labor & Industries requirements (<https://www.lni.wa.gov/forms-publications/F414-164-000.pdf>). No newly authorized projects are permitted to break social distancing standards during phase 1.

No jobsite may operate until the contractor can meet and maintain all requirements, including providing materials, schedules and equipment required to comply. Currently operating projects must be in compliance by no later than Friday, May 1.

- **All items minus numbers 28 and 30 are subject to enforcement action under L&I's Division of Occupational Safety and Health (DOSH). Workplace safety and health complaints** may be submitted to the L&I Call Center: (1-800-423-7233) or via e-mail to adag235@lni.wa.gov.
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CLARK COUNTY WASHINGTON

www.clark.wa.gov

CLARK COUNTY COUNCIL

Eileen J. Quiring, Chair
Temple Lentz, Julie Olson, John Blom, Gary Medvigy

1300 Franklin Street
PO Box 5000
Vancouver, WA 98666-5000
564.397.2232

April 7, 2020

Governor Jay Inslee
Office of the Governor
PO BOX 40002
Olympia, WA 98504-0002

Re: Proclamation 20-25

Dear Governor Inslee,

During this time of crisis, we all respect the difficult decisions you have to make for the common good of all Washingtonians. We are urging further refinement of your guidance for essential construction throughout the state, but will focus on Clark County. We are advocating that you deem all housing presently under construction and all commercial construction near completion to be deemed essential in much the same way Oregon and California have.

We respect and trust that all builders, unions, skilled and unskilled labor in all trades are using best practices and protocols of social distancing to minimize the risks from COVID-19 to our workforce and community. There has been no specific outbreak attributed to the building industry in the private or public sector, in part, because they remain focused on OSHA standards, health and safety at the work place more so than the public at large. We believe that our hard-working construction industry, using best health and safety practices, would rather be working than furloughed and on unemployment. Please allow them back to work.

We believe the breadth of the current order will create far more devastation to our economy in Clark County, because of our more severe housing shortage as one of the fastest growing areas in the state. This shortage contributes to high costs and increasing homelessness. Our county budget is aggravated here more than anywhere in the state due to sales tax leakage to Oregon, causing a structural deficit from the loss of approximately 25% of sales tax revenue. Approximately 35% of the County's sales tax has come from construction related activities. In 2019, our General Fund received \$43.0M in sales tax or \$15.0 million sales tax generated by construction activity alone. The near complete shut-down of our construction industry and loss of revenue in Clark County is dire.

An unusually large segment of Clark County's economy is based on the construction industry, equating to approximately 15,600 jobs. In Washington State the economic impact is about \$8.4B per year, or \$23M per day. Our best estimates in Clark County based on our population and construction jobs would amount to 10% of those state numbers. The annual statewide tax revenue, for state and local



governments, is around \$2.2B. Proportioned to Clark County, this is around \$4.2M per week in Clark County alone in tax revenue lost to the state and county for every week a broad building moratorium remains in place.

In addition, spoilage is now becoming a significant problem with the weather and increased theft occurring. Although, your present order allows for protecting construction, 'shear inspections' need to be done before a structure can be weathered-in and those can't be conducted all at once throughout the county with the current constraints. OSB board, for example can only be in the weather for no more than 60 days, before deterioration, and mold set in. Our local contractors will go where the work is and that is next door to Oregon. Once, construction resumes here, the work force will not be available for our job sites. We will be facing an ever increasing percentage of spoilage as a result.

The dire need for housing and the continuation of essential construction and trade jobs in our county cries out for refinement of the previous orders. We all understand that all decisions should be 'conditions based' and those change daily with many unknowns. But we are focusing on what is known. Families are waiting to move into their nearly completed homes. We respectfully request that essential business be further defined to include residential housing under construction and commercial construction that is near completion.

Respectfully,



Eileen Quiring, Chair



Julie Olson, District 2



John Blom, District 3



Gary Medvigy, District 4

Resolution #_____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YACOLT, WASHINGTON, REQUESTING THAT THE GOVERNOR OF THE STATE OF WASHINGTON REMOVE UNREASONABLE RESTRICTIONS IMPOSED BY THE GOVERNOR’S EMERGENCY “STAY HOME - STAY HEALTHY” PROCLAMATIONS.

Whereas, the citizens of the Town of Yacolt are endowed by their creator with certain unalienable rights, and among these are life, liberty, and the pursuit of happiness;

Whereas, the citizens of Yacolt are capable of making responsible decisions about their personal health and safety; and,

Whereas, the Town Council is in regular session this 4th day of May, 2020, and all members of the Town Council have had notice of the time, place, and purpose of said meeting:

NOW THEREFORE, be it Resolved by the Town Council of the Town of Yacolt, Washington, as follows:

Section 1: The Town Council of Yacolt, Washington requests that the Honorable Jay Inslee, Governor of the State of Washington, amend Proclamations that unreasonably restrict citizens’ rights to engage in the following activities:

- A. Any and all construction work and construction-related activities;
- B. Recreational activities of all kinds, including hunting, fishing, hiking, camping, and sports-related activities;
- C. Social and religious activities, including the right of people to assemble;
- D. Activities that support the rights of the people to bear arms under the 2nd Amendment to the U.S. Constitution, including the treatment of all commercial activity involving firearms and ammunition as essential under the Governor’s Proclamations;

Section 2: The Town Council of Yacolt, Washington requests that the Honorable Jay Inslee, Governor of the State of Washington, refrain from releasing inmates subject to control of the Department of Corrections solely for reasons relating to the Coronavirus epidemic.

Section 3: This Resolution shall take effect immediately upon adoption. The Town Clerk is directed to promptly forward a copy of the final executed Resolution to the attention of the Governor.

///

///

RESOLVED by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 4th day of May, 2020.

TOWN OF YACOLT

Katie Listek, Mayor

Attest:

Dawn Salisbury, Town Clerk

Approved as to Form:

David W. Ridenour, Town Attorney

Ayes: _____

Nays: _____

Absent: _____

Abstain: _____

DRAFT

TOWN CLERK'S CERTIFICATION

I hereby certify that the foregoing Resolution is a true and correct copy of Resolution #_____ of the Town of Yacolt, Washington, entitled "A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YACOLT, WASHINGTON, REQUESTING THAT THE GOVERNOR OF THE STATE OF WASHINGTON REMOVE UNREASONABLE RESTRICTIONS IMPOSED BY THE GOVERNOR'S EMERGENCY "STAY HOME - STAY HEALTHY" PROCLAMATIONS" as approved according to law by the Town Council on the date therein mentioned.

The Resolution [___] has / [___] has not been published.

Attest:

Dawn Salisbury, Town Clerk

Published: _____

Effective Date: May 4, 2020

Resolution Number: _____

DRAFT



Item C.
Town of Yacolt
Request for Council Action

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

Name: Mayor Listek

Group Name:

Address:

Phone:

Email Address:

Alt. Phone:

ITEM INFORMATION:

Item Title: Discuss Town Events

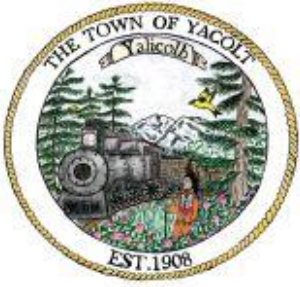
Proposed Meeting Date: May 4th, 2020

Action Requested of Council: Discuss upcoming Town Events

Proposed Motion:

Summary/ Background: Discuss and make decisions about upcoming town events.

Staff Contact(s): Dawn Salisbury



Item D.
Town of Yacolt
Request for Council Action

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

Name: Mayor Listek

Group Name:

Address:

Phone:

Email Address:

Alt. Phone:

ITEM INFORMATION:

Item Title: Update on the status of town employees

Proposed Meeting Date: May 4th, 2020

Action Requested of Council:

Proposed Motion:

Summary/ Background:

Staff Contact(s): Dawn Salisbury



Item E.
Town of Yacolt
Request for Council Action

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

Name: Dawn Salisbury

Group Name:

Address:

Phone:

Email Address:

Alt. Phone:

ITEM INFORMATION:

Item Title: Discuss Building Permit Applications

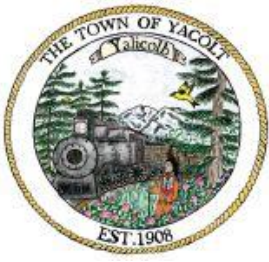
Proposed Meeting Date: May 4th, 2020

Action Requested of Council: Discuss accepting permit applications that do not require a public hearing

Proposed Motion:

Summary/ Background:

Staff Contact(s): Dawn Salisbury



Town of Yacolt

Request for Council Action

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

Name: Dawn Salisbury

Group Name:

Address:

Phone:

Email Address:

Alt. Phone:

ITEM INFORMATION:

Item Title: CenturyLink Proposal to move pedestal for CDBG project

Proposed Meeting Date: May 6, 2020

Action Requested of Council: Approve Mayor to sign CenturyLink proposal to move pedestal for CDBG project

Proposed Motion: I make a motion to approve the mayor to sign the CenturyLink proposal.

Summary/ Background: CenturyLink has a pedestal that needs to be relocated in order for new sidewalks to be installed for the CDBG project. We did a lot of research to determine who would be liable for paying for this move. To date we have not found any easement agreements with CenturyLink, so it looks like this will be at the town's expense. We will be working with Samantha Whitley with Clark County to look into the possibility of getting reimbursed as part of the grant cost. This cost was not included in the original scope of work so it may not be reimbursable. We will also continue to research easement agreements for possible reimbursement from CenturyLink.

Staff Contact(s): Dawn Salisbury

2/11/2020

Town of Yacolt
Attn: Dawn Salisbury
202 W Cushman St PO Box 160
Yacolt, WA 98675

Re: YACOLT, WA

BAN Number N675275

Dawn Salisbury,

Please review the attached Special Construction Proposal. If acceptable, return a signed copy and a form of payment for the total charges in the amount of \$3,168.73. Please note, your job will not be scheduled until we are in receipt of the above.

Send all documents and payments to:

CenturyLink
ATTN: Brittany Ulrichs
621 E Bluebird St.
Gardner, KS 66030

Documents to include:

- Signed Proposal
- Payment

After we have received the above from you, we will return one fully executed copy for your records. The fully executed Special Construction Proposal will constitute the agreement between you and Centurylink for the Work. **NO ADDITIONAL TERMS AND CONDITIONS WILL BE ACCEPTED.**

Checks should be made payable to CenturyLink. If you are providing a Purchase Order as a form of payment, please sign, date and return the Purchase Order for the amount of \$3,168.73. Please note that any terms and conditions set forth on a Purchase Order will not become part of the agreement for the Work, which is governed solely by the Special Construction Proposal. If you are interested in an electronic payment option, Electronic Funds Transfer (EFT) is available and instructions will be provided to you upon request. CenturyLink is unable to accept credit card payments for Special Construction projects.

Any questions regarding the scheduling of the work to be performed or decisions to cancel the work, please contact CenturyLink representative, Jordan Connell at +15648882012.

Asset Accounting Operations
Email: sconstr@CenturyLink.com
913-884-1463
913 791-7870 fax

Special Construction Proposal

Date: 2/11/2020

Billing Address:

Work Location:

Customer: Town of YacoltPED at intersection of Railroad and Hoag StAttention: Dawn SalisburyCounty CLARK202 W Cushman St PO Box 160YACOLT, WAYacolt, WA 98675

This Special Construction Proposal ("Proposal") is governed by the terms and conditions set forth herein as well as any applicable state or federal tariffs and/or rates and services schedules on file with the applicable regulatory authorities. Description and/or specifications of work, along with the bill amount, of work to be performed by an operating affiliate of CenturyLink, Inc. ("CenturyLink") under this Proposal ("Work") is as follows:

PED to be moved underground in new enclosure where sidewalk will be installed.

Advance Payment (required before work begins): \$3,168.73

Total Charges: Three Thousand One Hundred Sixty-Eight Dollars and 73/100

This Proposal may be withdrawn by CenturyLink if not accepted by the Customer within 30 days. **Upon execution by both parties, this Proposal and the terms and conditions of any applicable tariffs and/or rates and services schedules on file with the applicable regulatory authorities shall constitute a binding agreement upon the parties. In no event will the terms and conditions of a nother document, including but not limited to a purchase order, be construed to in any way govern the Work or otherwise bind the parties to this Proposal. The parties acknowledge and agree that the terms and conditions set forth in this Proposal and the applicable tariffs and/or applicable rates and services schedules shall be the only controlling terms and conditions binding the parties for the Work and that commencement of Work by CenturyLink is conditioned upon agreement in writing to these terms.**

For the Work performed hereunder, Customer will be responsible for the above charges only, unless (i) the above-stated amount is expressed as an estimate; (ii) otherwise stated above; or (iii) a change order is signed by both parties. All charges shall be paid prior to commencement of the Work ("Advance Payment") unless an alternative payment method is set forth above. All past due undisputed accounts will be assessed a late fee at 14% APR. Where applicable, and notwithstanding the foregoing, Customer shall also be responsible for foreign, federal, state and local taxes assessed in connection with the Work, including, without limitation, all use, sales, value added, surcharges, excise, franchises, commercial, gross receipts, license, privilege or other similar charges, whether charged to or against CenturyLink or Customer, but excluding any taxes based on CenturyLink's net income.

*Note If applicable, the Work proposed here is separate from any work that may be performed pursuant to any other order or agreement, including but not limited to a Pre-Service Request for cell site provisioning.

For **Governmental Customers only**, CenturyLink will submit an invoice of charges upon completion of the Work, payable within forty five (45) days of receipt. Past due undisputed amounts will be assessed a late fee of 14% APR or such lesser amount if required under applicable state and/or federal law.

CenturyLink

Authorized Signature: _____

Name Printed/Typed: _____

Title: _____

Date: _____

Customer

Authorized Signature: _____

Name Printed/Typed: _____

Title: _____

Date: _____