



**Town of Yacolt
Council Meeting Agenda
Monday, July 20, 2020
7:00 PM
Town Hall**

Call to Order

Flag Salute

Roll Call

Late Changes to the Agenda

Approve Minutes of Previous Meeting(s)

- [1.](#) Approve 7-6-2020 Council Meeting Minutes

Town Clerk's Report

Public Works Department Report

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.](#) CDBG Hoag Street Update

New Business

- [3.](#) Potential Listening Sessions on Systemic Racism

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

Adjourn

**Town of Yacolt
Council Meeting Minutes
Monday, July 06, 2020
7:00 PM
Town Hall**

Call to Order

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

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 David Ridenour

ABSENT

Public Works Director Esteb

Late Changes to the Agenda

1. Add New Business Item #7 A Proclamation Acknowledging and Denouncing Systemic and Institutional Racism

Approve Minutes of Previous Meeting(s)

2. 6-15-2020 Draft 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

3. CORONA Virus Update

Governor's Orders, Town Meetings, and Land Use Public Hearings

Mayor Listek updated the council on the Governor's new order for statewide mask mandate and that the open public meetings proclamation barring public meetings was extended until 7-7-2020. It is expected to get extended again.

Mayor Listek would like to start holding Land Use Public Meetings and asked for input from council about holding those hearings. Council Member Boget feels there is no issue holding those hearings virtually as she feels those are routine and necessary. Attorney Ridenour stated that the council would need to amend the Emergency Declarations by stating they are willing to move forward holding Public Hearings virtually. Council Member Boget suggested adding an additional Public Hearing to make sure every opportunity is given for residents to have their opinions heard. Attorney Ridenour stated that if no action was taken at tonight's meeting to amend the Emergency Declarations that no public hearings could be held virtually. Council Member Dawson agrees with moving forward with virtual Public Hearing Meetings.

Council Member Boget made a motion to allow Mayor Listek to make the recommended changes. Seconded by Council Member Viray.

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

4. Building Department Review

Attorney Ridenour stated some council members expressed interest in getting a report on where the building department stands, how we sit financially and what are the pros and cons of continuing with a building department. Over the last couple of months, we have come up with an outline of topics to cover and want to see if this is what the council is looking for. Holding a meeting in the virtual realm would be very difficult and not as effective as a face to face meeting with handouts. If the council is ok with it, maybe we could have an in-person meeting with all of the Governor's orders being followed as an executive session workshop to discuss these matters and share presentation handouts. He proposed July 24th to potentially hold this workshop. Concerns about holding a meeting at town hall and having some participants not wear masks was brought up. Mayor Listek stated we could spread everyone out to get 6 feet of distance and open windows for better airflow. Attorney Ridenour stated we could hold the meeting both telephonically and in person for those that are uncomfortable having in person meetings. Executive Session Workshop for discussing building department review was scheduled for July 27th at 7:00 pm.

New Business

5. Rotate Finance Committee

Motion made by Council Member Noble to nominate Council Member Boget for the Finance Committee, Seconded by Council Member Viray.

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

6. Rotate Mayor Pro Tem

Motion made by Council Member Dawson to nominate Council Member Noble for Mayor Pro Tem, Seconded by Council Member Boget.

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

7. A Proclamation Acknowledging and Denouncing Systemic and Institutional Racism

Council Member Boget presented Proclamation and explained her reasoning for putting this proclamation on the agenda. She stated that with the current climate right now there is a lot of pain and hurt out there and she thought it would be a good idea for the council to stand up just like we did for I-1639 and say that we don't find these things acceptable and we will not accept them from ourselves and we will not accept them from our employees. Council Member Noble stated at this time he kind of agreed with Council Member Boget and would like to take her proclamation line by line and discuss them. Council Member Boget asked Council Member Noble to let her know what he agreed or disagreed with as they go through each line item. Council Member Noble stated he by no means was a racist and he knew she wasn't accusing anyone in the room or anyone on the council as racist. He also stated whereas hate violence has become a daily occurrence and asked what side of the fence that hate violence is coming from. Council Member Boget stated she did not differentiate and for it to be differentiated would negate everything. She also stated hate violence is a daily occurrence across the nation and did not say it was a daily occurrence in the Town of Yacolt. Council Member Noble stated that he believes hate crimes at this time in our society are over driven by different groups whether it be Antifa, Black Lives Matter, or news media. He doesn't like looking at this proclamation and feels she is stirring up a hornet's nests that doesn't need to be stirred up. Council member Noble asked about line number 2 and asked how we could resolve that issue. Council Member Boget stated that line wasn't about resolving it. It was about people standing by and allowing acts of violence and hatred to occur and not saying anything in opposition to it. Council Member Noble stated that he believes at this time that should be held at a higher authority than a council in Yacolt. It should be more like higher up government, congress, senators, Inslee up north that's not doing a darn thing. That's in the hand of their pole barn. He then asked Council Member Boget if she had anything to add to that. Council

Member Boget stated that she thought the exact same argument could have been when the council made a proclamation against I-1639. She is not hearing anything that would make it different. Council Member Noble then read line item #3 and asked Council Member Boget if she was saying that the United States citizens aren't doing anything to resolve the hate crimes. He believes we have a president that has spent millions of dollars for the minorities and the inner cities. He believes they've done something to let certain persons out of prison that had lifetime sentences. He feels upper government has a handle on this and asked Council Member Boget what advantage the council has passing this proclamation. Council Member Boget stated it was the same advantage as the proclamation against I-1639. It is quite literally us saying that as small as we are, it doesn't matter. We still stand behind the fact that all men are created equal we will not support bigotry due to race, sex, gender, country of origin, religion, disability, or any other nature by our council or by our employees. She asked Council Member Noble what part of that statement he doesn't agree with. Council Member Noble asked who on the council including himself, the mayor and the townspeople doesn't back that situation and who on the council does she see feeding that fire. Council Member Boget stated she didn't see anyone feeding the fire. She sees it as reaffirming and putting it out there stating yes, this is what we believe instead of staying silent. If this is what all of us believe then this is what we should be saying. Council Member Dawson stated this is not what all of us believe. This is nothing like I-1639 and it needs to quit being brought up. She said Council Member Noble has a good idea going line by line but there are a lot of callers and that we should see what they have to say. Council Member Noble continued to read line by line and asked Council Member Boget for clarification. Council Member Noble stated the reason he was going line by line was in case someone didn't have the proclamation in front of them. Council Member Moseley stated that she feels we can all agree there is a lot of strife going on in the country when it comes to race right now and simply taking a stand and saying that we as a council are against racism and against violence as a whole is what the point is here. It's not to say that one or two of our council members need this thrown in their face, it's to say we, Yacolt, feel this way. We as a group opposed I-1639 and we as a group should stand up against and oppose systemic racism as a group. Arguments can be made about the lines in the proclamation we don't agree with but let's find out what lines we do agree with and go from there. I don't believe this matter should be left up to higher government to deal with. Just like the recent proclamation to Governor Inslee stating we want him to move to phase 3 immediately. How is that proclamation any different putting our opinion forward on what we think higher government should do and be involved in than this. It is not about higher government it's about government period. We may be small, but we are still government. Council Member Dawson stated that she did not think we needed a proclamation to state that. We as individual people can state that. We agree, we pledge allegiance to a flag, we have an oath, we have freedoms, this is why we live in America. We do not need a proclamation stating that we agree or don't agree with what is going on. It's justice for all at the end of the day. We all agreed as a council to pass certain proclamations, but I don't agree with this one. Council Member Boget asked what lines Council Member Dawson didn't agree with. Council Member Dawson stated she didn't agree with all of it and stated there were a lot of callers on the line and that we should open it up to them to get their opinions on the subject.

Mayor Listek invited comments from attendees.

Brent Sullivan- This systemic racism thing is completely unnecessary and is a made-up phrase by the pc progressive left. It's to insinuate that our whole system of our country and our system and way of life is automatically somehow racist. We all know what racism is and know if we are racist and this whole thing is ridiculous.

Joshua Caldwell - Agrees with 1st caller. This is legitimately ridiculous. Friends come out here and keep coming back because we are not racist. Tired of everyone telling them we're racist. Especially our own council members.

Jonathon – Looking through proclamation line by line. Title is innocuous enough, when you get into the details it is promoting a false narrative. Systemic racism is something that doesn't exist once you start looking into it. If you believe it does you have the burden of proof. You can't just assert these things. One of the lines selectively highlights people of color and ignores white victims of interracial crimes. He agrees with first 2 callers that this is false narrative being promoted by self-described Marxists. Questioned Council Member Boget on her affiliation with the Facebook communist group. Stated that the group is kind of a joke but would like her to explain her affiliation especially if you're going to be promoting this false openly Marxist narrative. Before this is passed it needs to be gone through line by line. Data has to be looked at to find the truth. Vast majority of victims of interracial crimes are white victims. Founders of this movement are open Marxists.

Council Member Noble asked Council Member Boget to explain her affiliation with the communists Facebook page. Council Member Boget explained it was made by a group of people that were being called communists because they challenged the narrative that everything is fine and there is no racism, in particular no sexism, none of that. It is a tongue and cheek group calling themselves communists. She thanked Jonathon for his comments and stated that African Americans are 2 times as likely to be unemployed, black students are 3 times more likely to be suspended than white students for the same infractions, blacks make up for 13% of the population but 40% of our prison population, blacks are shown 18% fewer homes when they go to buy a house and less when they go look at rentals, black drivers are 30% more likely to be pulled over, and studies have found that 67% of doctors have a bias against African American patients. These things exist whether we like it or not, whether we believe in it or not. These numbers do not lie, and they are not an opinion. If we are going to change things and we are going to live in a world that this is not ok, then we have to actually do something about it.

Jonathon- Council Member Boget said that she believes communism is good on paper but that she wouldn't identify herself as a communist. I don't believe she is a communist but the group she is a part of does defend communism. As for me being an admitted white supremacist, that is ridiculous, I am not a white supremacist. Anybody that disagrees with the false Marxists narrative is labeled as such. Where I stand is realism. I believe racism exists. I believe every race is unique and has a right to its own self-determination. I am not a racist or a white supremacist and I resent those labels. A lot of us including other African Americans reject the false narrative. This is controversial. Very few of these statements are justified. A discussion needs to take place concerning the statistics before this is passed. In terms of African Americans being 13% of

the population that is true. However, as a group demographically speaking over 52% of the homicides are committed by only 13% of the population. White victims are by far the most targeted interracial crime violence. This is from an FBI study conducted in 2018 table #4. He resents the labels being put on people.

Michael Anfang – I am the moderator of said communist group on Facebook and it is a tongue and cheek sort of matter. I find it interesting and somewhat saddening that Council Member Boget wrote a fairly high-level, generic statement against racism and people’s response is to jump in and say I’m not racist. I think it’s great that they’re not racist and I struggle to understand why they’re not able to accept the verbiage as she is not accusing or calling anyone a racist just making a statement against it.

Brent Sullivan – Verbiage nonsense. This stuff is not necessary in this town. It does not belong here. This is the little toe hold where it starts. We’re not calling anybody racist we are just condemning systemic racism. That is a made-up word that gets pushed by the pc and progressive crowd. This is how they get their foot in the door. We are not stupid lets be better and above this.

Jeremy Dawson – My concern is that black live matters is a political group not an activist group. They are declared Marxists and every city that currently supports BLM are being burnt to the ground by groups that follow BLM around like Antifa. We need our community to keep its head down. Even bringing that up for discussion puts our community at risk and is incredibly irresponsible. I would no more declare support for BLM than I would expect the town of Yacolt to declare support for the Republican or Democratic parties or the communist party. Looking at it, this is what breeds racism is things like this. I don’t think this should be in our town. I will bring my black friends to the council and they will tell you the same thing. This stuff is tearing our country apart and it needs to stop.

John Armor- I feel this is going to drive a wedge between the citizens of this town because we have people of color in town and they are treated just the same as everybody else. This is going to cause more problems than its going to create good. It will literally drive a wedge between the citizens of this town.

Netta Bozarth - This is regarding emotion about basically condemning racism and condemning systemic racism. Am I getting the gist of that? Mayor Listek replied that it’s about denouncing systemic and institutional racism which would be very specific as to acknowledging that there would be systemic and institutional racism. Netta stated that she was wondering how that could be a bad thing. In our small community we only have a small amount of black people and people of color. I don’t know how that would drive a rift by us saying that is a stand we were going to take. Another caller asked why we do we need a statement. Netta replied, to denounce it. Mayor Listek stated that she believes part of the issue is its stating that it is a systemic or institutional problem and she doesn’t think that everyone believes that it is. She believes everyone thinks racism is bad and that is where this division most likely lies. Netta asked in the Town of Yacolt are there things we are seeing that we could do better. She did not see any motion attached to this. Mayor Listek stated it was a late addition to the agenda and it was for us to proclaim or discuss and it looked like we are just at discussion stage now. Another

caller interrupted with a statement and Council Member Boget explained that she added it to the agenda Friday morning failing to realize that Friday was a holiday for town staff. She stated this was not done to be sneaky or last minute.

Mayor Listek stated with that in mind maybe we could give this some further time for people to come back prepared or feel prepared as to why they would like to make changes or how we would like to present this in the future or if we want to take any potential stand on this in general.

Council Member Boget stated that anyone that has an issue with this needs to write up their own and give examples of why the difference needs to happen. I understand this seems connected to the Black Lives Matter movement which is, according to Mr. Dawson, a political group. So is Patriot Prayer, which he is a part of, which is connected to the Proud Boys, which is a white supremacist's group. Let's keep in mind that there are threads woven through this town that can be seen on both sides of this. This is our opportunity to stand up and say NO we don't agree with racism coming from our council members or our employees because that is who we can affect as a council those are the people, we can hold accountable. That is why it specifically calls out staff and council members.

Council Member Dawson stated Let's get this perfectly clear. Patriot Prayer are not white supremacists. Proud Boys are not white supremacists and they are not known as white supremacists. We have different people in our groups, and we have people of all colors in our groups, so you need to be careful before you say that because that is a very incorrect statement. Patriot Prayer goes around and fights for rights and goes around and prays for people. We do have, again, all different kind of races that go around and do this with us. So, please stop with the white supremacists' comments.

Council Member Noble stated that at this time he thinks we have had enough discussion on this nonsense proclamation. Is there any way we can just vote on this this evening? I don't need to review or add to this. This thing just needs to go bye bye. Can I put this up to the council for a vote to just get rid of this?

Council Member Boget made a motion to adopt the proclamation as written. Seconded my Council Member Moseley.

Voting Yea: Council Member Boget, Council Member Moseley

Voting Nay: Council Member Dawson, Council Member Noble, Council Member Viray
Motion did not pass

Town Clerk's Report

Clerk Salisbury sent contracts off to FEMA for approval with the hopes the town can get reimbursed for some of the COVID expenses. The town has received quite a few building department applications and will keep council informed as they progress. The Pre-Construction conference for the HOAG sidewalk

project is tomorrow July 7th at 2:00pm. Construction should be starting in the next couple of weeks. Clerk Salisbury is busy trying to keep up with all the daily tasks.

Public Works Department Report

Public Works Director Esteb was absent from tonight's meeting as they had the day off for the holiday instead of Friday.

Mayor Listek informed the council that Public Works helped set up for the Saturday Market. The town clean-up was held June 27th, sold 57 vouchers and did not lose money this year. The Mayor thanked public works, the clerk, and council members Noble and Viray for their help. She also thanked other volunteers that helped.

Public Works has installed Yacolt Town and Yacolt Town Seal banners over the last week or so. They have also installed log planters under both reader boards.

Public Works is thankful for the volunteers helping with the mowing.

Attorney's Comments

Attorney Ridenour stated we had already covered the mandatory mask issue and offered to send the requirements to anyone who would like to see them. Clerk Salisbury stated that the Secretary of Health's mask order was on the town website and Mayor Listek stated it was also posted on the door of town hall.

Citizen Communication

None

Council's Comments

Council Member Viray thanked all the vendors that participated in the Saturday Market and Public Works for their help and hanging the banners. She looks forward to the future Saturday Markets.

Council Member Boget suggested that the council start looking at the towns financial standing to get ready for budget season.

Council Member Noble stated he was shocked that there is a council member sitting with him that believes somewhat in communists' beliefs and asked Council Member Boget to think about resigning. Council Member Boget stated Council Member Noble upheld a council member that broke the law, called him a hypocrite and stated she was not a communist.

Mayor's Comments

Mayor Listek is happy with the success of the town clean-up. Looking forward to improving it for next year. She thanked her husband for helping out. 4th of July was a well put together event and she appreciated the community members that facilitated the freedom march since the town could not put

on the parade due to the Governor’s proclamations. The mayor values our freedom to decide to do what we so choose, and guidance should be from the government and should not be so dictated.

The sidewalk chalk contest was attended by 78 entries of all ages. Winners will be announced at the next meeting and there will be medals for the winners.

Approve to Pay Bills on Behalf of the Town

001 General Fund	30,886.97	
101 Streets	6,377.65	
103 Cemetery	275.49	
403 Storm Water	<u>3,681.87</u>	Check # 17206 - 17222
	41,221.98	Claims: \$23,075.91
		Payroll: \$18,146.07

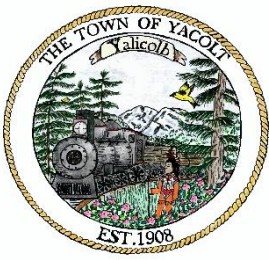
Motion made by Council Member Moseley, Seconded by Council Member Viray.
Voting Yea: Council Member Boget, Council Member Dawson, Council Member Moseley, Council Member Noble, Council Member Viray

Adjourn

Mayor Listek adjourned the meeting at 8:17 pm.

Katie Listek, Mayor

Dawn Salisbury, Clerk



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: CDBG Hoag St Change Order

Proposed Meeting Date: July 20th, 2020

Action Requested of Council: None

Proposed Motion: None

Summary/ Background: Update council on change order for CDBG project

Staff Contact(s): Dawn Salsibury



West Rail Construction Company
 P.O. Box 820626
 Vancouver, WA 98682
 Phone (360) 260-0668
 Fax (360) 260-0670

mikes@westrailconstruction.com
westrailconstruction.com

July 10, 2020

Hedval Sitework Specialties LLC
 34418 NE 101st Ave.
 La Center, Washington 98629

Subject: Request for Change Order no.1

West Rail to supply all supervision, labor, equipment, and materials as noted to perform the following.

- Pick up county supplied 66# relay rail and install
- Pick up county supplied compromise bars and install
- Supply 1 keg of new track spikes and install
- Install 11 each additional new 7x9x8'6" Hardwood ties
- Tamp track.
- Supply 3 each portable derail for an estimated one month to complete the project.

No.	Discription	Unit	U.Type	U.Cost	Total Cost
1	66# rail install	1	LS	\$2,500.00	\$2,500.00
2	Sevice joints	3	PR	\$ 80.00	\$ 240.00
3	Keg Spikes	1		\$ 92.00	\$ 92.00
4	Bolts new	20	EA	\$ 4.00	\$ 80.00
5	Install ties	11		\$ 177.00	\$1,947.00
6	Derails (3)	3	EA	\$ 750.00	\$2,250.00
					\$7,109.00
				0.077 Tax	\$ 547.39
				Change Order Request -----	\$7,656.39

Dean Becker

Bonded and Licensed



Change Order Request

Project Name: Hoag Street Sidewalk Improvements

Date: 7/11/2020

Contract No:

CO No. 1

Description: Additional Rail Modifications

Labor	Unit Rate	Hours	Unit	Total	
	\$ -	0		\$ -	
	\$ -	0		\$ -	
	\$ -	0		\$ -	
	\$ -	0		\$ -	
				Labor Sub Total	\$ -
					Markup \$ -
					Small Tools \$ -
				Total Labor Hours	0
				29%	
				0%	
Equipment	Unit Rate	Hours	Unit	Total	
	\$ -	0		\$ -	
	\$ -	0		\$ -	
	\$ -	0		\$ -	
	\$ -	0		\$ -	
				Equipment Sub Total	\$ -
					21%
				Mark-Up	\$ -
Material	Unit Rate	Quantity	Unit	Total	
	\$ -			\$ -	
	\$ -			\$ -	
	\$ -			\$ -	
	\$ -			\$ -	
				Material Sub Total	\$ -
					21%
				Mark-Up	\$ -
Sub Contractors	Unit Rate	Quantity	Unit	Total	
West Rail	\$ 7,656.39	1	LS	\$ 7,656.39	
	\$ -	0		\$ -	
	\$ -	0		\$ -	
	\$ -	0		\$ -	
				Sub Contractors Sub Total	\$ 7,656.39
					12%
				Mark-Up	\$ 918.77
Misc	Unit Rate	Quantity	Unit	Total	
	\$ -	0		\$ -	
	\$ -	0		\$ -	
	\$ -	0		\$ -	
	\$ -	0		\$ -	
				Misc. Total	\$ -
					21%
				Mark-Up	\$ -

Exclusions

This Change increases the time to complete the project by: 0 Day(s)
 We reserve the right to claim cost and/or schedule impacts at later date

0%

\$ -

0.00%

Total Cost	\$	7,656.39
Overhead	\$	-
Sub Total	\$	8,575.16
General Liability Insurance	\$	-
Bond	\$	-
Total Amount	\$	8,575.16

NOTE: THIS CHANGE ORDER REQUEST SHALL BE ACCEPTED AS APPROVED AND INCORPORATED INTO THE CONTRACT UNLESS WE RECEIVE A WRITTEN RESPONSE FROM YOU STATING OTHERWISE WITHIN 48 HOURS (WE WOULD PREFER THIS CHANGE ORDER REQUEST FORM TO BE SIGNED AND RETURNED).

Prepared by: _____

Accepted by: _____

Date: _____

Date: _____



Town of Yacolt

Request for Council Action

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

Name: Council member Boget

Group Name: Council members

Address: 202 W Cushman St

Phone:

Email Address:

Alt. Phone:

Amy.boget@townofyacolt.com

ITEM INFORMATION:

Item Title: Potential listening sessions on systemic racism

Proposed Meeting Date: 7-20-2020

Action Requested of Council: Discuss joining the Clark County Council's "listening sessions related to systemic racism in Clark County" with the question asked, "How has systemic racism impacted you in Clark County".

Also discuss the potential to hold our own listening session utilizing the same resources as the County for consistency.

YWCA, NAACP, SW WA LULAC, and Clark County Volunteers Lawyers

Proposed Motion:

- I make a motion to pursue joining the Clark County Council's listening session regarding Racism in Clark County and schedule our own if we are unable to attend due to scheduling.
- I make a motion to invite the presenters of the Clark County Council's listening session to do a separate listening session specific for the Town of Yacolt Council.

Summary/ Background:

During the July 8th Clark County Council meeting the Council unanimously voted to schedule a "Council listening session regarding Systemic Racism in Clark County with the question asked, 'How has systemic racism impacted you in Clark County.'"