



Town of Yacolt

Yacolt Town Council Meeting Agenda

Monday, October 05, 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.](#) Draft Meeting Minutes- 9/21/2020

Unfinished Business

New Business

- [2.](#) Misconceptions about the Yacolt General Sewer Plan
- [3.](#) Schedule of Regular Meetings
- [4.](#) Consider Use of Municode and Cloud-Based Data Storage Services

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

Adjourn

**Town of Yacolt
Council Meeting Minutes
Monday, September 21st, 2020**

DRAFT OF MEETING MINUTES – FOR COUNCIL REVIEW

Regular Council Meeting of the Yacolt Town Council
Virtual attendance only via Go To Meetings video and telephone conferencing.

Council Member Amy Boget has been designated as the Clerk Pro-Tempore for the purpose of roll call and creation of the minutes.

Call to Order: Mayor Listek called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Roll Call:

Council:

Mayor Katelyn J. Listek:	Present
Position #1 - Amy Boget:	Present
Position #2 - Michelle Dawson:	Present
Position #3 - Malita Moseley:	Present – Arrived at 7:05 pm
Position #4 - Herbert Noble:	Present
Position #5 - Marina Viray:	Present

Staff:

Town Attorney:	David Ridenour
Public Works Director:	Tom Esteb

Late Change to the Agenda:

None

Approve Minutes of Previous Meeting(s):

1. Draft Council Meeting Minutes 9-8-2020

Motion by: Noble
Seconded by: Viray
Voting Yea: Noble, Viray, Boget, Dawson
Voting Nay: None
Absent: Moseley
Motion Passed

Unfinished Business:

None

New Business:**2. Big Hollow Fire Update**

- We are no longer in a level 1.
- Very grateful for the donations from the community and the work done by everyone in support of the Fire Fighters and victims.

Town Clerks Report:

Mayor Listek:

- Working on data for the upcoming Budget Workshop
- Getting access to more and more systems

Public Works Report:

Tom Esteb:

- Did a fall-time application for broad leaf weeds to stay ahead of them
- Working on invasive plants and weeds
- They recently painted the curbs. It is a slow process as it was done by hand.
- Chipper is ready to go for when the weather allows
- Preparing department budget wants and needs for the upcoming workshop
- Working on grants and funding opportunities

Attorney's Comments:

None

Citizen Communication:

Mary Rowe:

- Jorgensen Lot- Does not want building of houses to happen there
- Brought up sewer concerns
 - Council member Noble addressed her questions regarding his position
- Attorney Ridenour recommended discussing the potential need for sewer at the next meeting but reiterated its an unlikely eventuality in connection to building within our current growth boundaries and building practices.

Council Comments:

Council Member Dawson:

Thanked everyone for their donations to the fire fighters. Donations for the fire fighters and victims of the wild-fires were delivered to multiple places including Amboy and Sandy Oregon.

Mayors Comments:

- 5 applications for the Clerks position have been received
- Is hoping that interviews will begin next week
- If you volunteered, please advise on availability.
- Our deepest condolences to the families who have lost loved ones that recently purchased burial plots.

Approve to Pay Bills on Behalf of the Town:

The bills were not available due to connectivity issues the town experienced. Approval to pay the bills was granted unanimously provided that they meet with Finance Committee Approval.

Motion to pay the bills on condition of Finance Committee approval:

Motion by: Council Member Boget

Seconded by: Council Member Moseley

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

Voting Nay: none

Motion Passed

Adjourn:

Mayor Listek ADJORNED the meeting at 7:17 PM

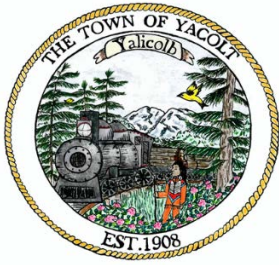
DRAFT

Amy Boget
Council Member, Position #1
Clerk *Pro Tempore* / Secretary for Meeting

DRAFT

Katelyn J. Listek
Mayor

These Minutes were approved by the Town Council at its regular meeting on _____.



Town of Yacolt Request for Council Action

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

Names: David W. Ridenour **Group Name:** Town Attorney

Address: 4001 Main Street, Suite 306 **Phone:** 360-906-1556 (Office)
Vancouver, WA 98663

Email Address: davidwr@copper.net **Alt. Phone:** 360-991-7659 (Cell)

ITEM INFORMATION:

Item Title: Misconceptions About the Yacolt General Sewer Plan.

Proposed Meeting Date: Monday, October 5, 2020.

Action Requested of Council: None. (Discussion Only)

Proposed Motion: None. (Discussion Only)

Summary/ Background: Citizens of the Town periodically oppose the Council's approval of a new building or property division because they fear the action will inadvertently burden the Town and its citizens with tens of millions of dollars in costs for a public sewer. This happened most recently at the Council's September meetings. I agreed to explain why such fears are unfounded at this October 5 Council meeting.

Some members of the public are under the impression that any new "growth" in Town has been prohibited because the Town has no public sewer system. They fear that the Council's approval of a building or development permit will result in a sewer system being forced upon them. These concerns focus on the idea of "growth" without understanding how the word applies in the context of the Town's development Codes and Comprehensive Plan.

A more helpful way to explore the issue would be to ask “what kind of growth can be approved by the Town if there is no sewer system?” or “what kind of growth is prohibited unless a sewer system is available?”

The answers to these questions show there is no reason for anybody to be afraid of a sewer system springing into existence because of routine Council decisions.

Background

Over the last 30+ years, the State of Washington has required higher urban densities to reduce the costs of development and housing as well as the impacts of urban sprawl. New urban density targets are supported by rules promoting multi-family housing and single-family housing on small lots (sometimes 4,000 square feet or less). The desired densities depend on the existence of public sewer systems. Sewer systems are also favored for the environmental advantages they offer over septic systems.

The Town of Yacolt, however, relies on septic systems exclusively for the treatment of all sewage. The land area required for septic systems makes it impossible for the Town to adopt the housing densities required by recent growth management rules. Without a sewer, Yacolt is unable to satisfy growth management standards. As a result, Yacolt’s ability to expand its boundaries has been restricted.

Current Restrictions on ‘Growth’ and Town Council Authority

Under Clark County’s Comprehensive Growth Management Plan, Yacolt may not further expand its Urban Growth Boundaries unless and until a sewer system is available. Similarly, it is not possible for Yacolt to approve land partitions or the construction of new homes on lots of less than 10,000-12,500 square feet. (See, YMC 18.25.) For any project that involves an on-site sewage system, the Town’s authority is further subject to oversight and final approval by the Clark County Health Department. (See, *Id.*)

An exception to these rules will exist if a sewer system is made available to support the development of homes on much smaller lots. This exception has been a fixture of Yacolt’s Zoning Code for more than 20 years. (See, YMC 18.25 and Ordinance #371, 1997.)

Under Yacolt’s current Codes, the existence of a public sewer is a pre-condition to the expansion of Yacolt’s Urban Growth Boundaries. The existence of a public sewer is a pre-condition to the division of residential real property into small 4,000-6,000 sq. ft. building lots. These examples of ‘growth’ are outside the scope of the Council’s authority unless a public sewer is available to serve the property.

To be clear, the Yacolt Town Council does not review any application for construction or development that is outside its authority under the laws of the

Town or the State. The Council may not review any application for construction or development that requires the existence of a public sewer, (other than to summarily deny it).

Routine and Appropriate Council Actions

Property owners in Yacolt have the right to improve their land pursuant to current Codes. Such improvements do not constitute “growth” that implicates a sewer system in any way. These activities are simply allowed under the Town’s planning and building codes, all of which presume the existence of an approved septic system (if applicable).

These examples of routine and permissible ‘growth’ are limited by law to improvements and property divisions located within the existing Urban Growth Boundary. These improvements and property divisions must also satisfy the Town’s Zoning Codes, as well as Health Department standards for septic systems in Yacolt.

Over the years the Town has approved everything from subdivisions and short plats to additions and remodels, all without the subject of a sewer ever being relevant at all. In short, all construction and development proposals that are approved in Yacolt rely on approved septic systems – not a sewer system.

The Yacolt General Sewer Plan

Citizens can take comfort in the fact that it is virtually impossible for the Council to take any material step toward a sewer without satisfying multiple significant hurdles, each requiring full public notice, transparency, hearings, and financing. The Council has never suggested any inclination to take such steps.

The development of the Town’s Sewer Plan years ago resulted from a grant to explore sewer as an option for the Town. Since its completion, the Plan has not played a significant role in the Town’s planning for the future. The Plan has effectively been shelved, and will eventually expire by its own terms if no action is taken to revive it.

Conclusions

The practical realities surrounding the Town’s Sewer Plan can be summarized in the following two statements:

1. The Yacolt Town Council reviews and approves routine applications for land improvements and partitions that are within the Council’s authority pursuant to the Town’s Zoning Code, (YMC 18). None of the decisions that have been made over the years, and none of the decisions that will be made in the future, could possibly trigger the installation of a public sewer system. All

applications rely on the availability of approved septic systems before being considered.

2. A public sewer system in Yacolt would require many years of public outreach, Council approvals, permitting work, funding and financing agreements, land acquisitions, competitive bidding, and of course the construction of facilities. To my knowledge, the Council has never indicated a desire to start any of these major and costly undertakings.

Additional Resources

The rules mentioned in this discussion have been in place for many years. They are described in the Town's Ordinances and the Municipal Code, all of which are freely available on the Town's website. (For example, See YMC 18.25 – Article II, identifying zoning regulations that only apply only when sewer is available.) These rules have existed since at least the adoption of Ordinance #371 in 1997. Many of Yacolt's Sewer Plan documents have also long been available on the Town's website, (under the "Business & Development" tab on the home page.)

In addition to the above resources, I am making all of my files about the sewer plan available on Dropbox for anybody to download at their convenience. Simply provide an e-mail address to me or the Clerk, and access to the Dropbox files will be given. (Since I was not directly involved with the Town's Sewer Plan or Comprehensive Planning, I cannot say that I have every record that relates to these subjects. But what I have on the Sewer Plan is being made available to the public without exception.)

Staff Contact(s): David Ridenour, Town Attorney.

Attachments: None



Town of Yacolt

Request for Council Action

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

Names: Herb Noble **Group Name:** Council

Address: 202 W Cushman St.
Yacolt, WA 98675 **Phone:** (360) 831-2189

Email Address: Herb.Noble@townofyacolt.com **Alt. Phone:** (360) 686-3922

ITEM INFORMATION:

Item Title: Schedule of Regular Meetings

Proposed Meeting Date: Monday, October 5th, 2020 @7pm

Action Requested of Council: Discuss amending section 2.05.010 to read as follows:
2.05.010 Place and Time of meetings. "Regular meetings of the town council shall be held on the second Monday of each month beginning at 7:00pm."

Proposed Motion: None. Discussion only.

Summary/Background: The town council currently meets on the 1st and 3rd Mondays of each month.

Staff Contact(s): Herb Noble, Councilmember

Attachments: RCW 35.27.270 , YMC 2.05.010

RCW 35.27.270

Town council—Oath—Meetings.

The town council shall meet in January succeeding the date of the general municipal election, shall take the oath of office, and shall hold regular meetings at least once each month at such times as may be fixed by ordinance. Special meetings may be called at any time by the mayor or by three councilmembers, by written notice as provided in RCW 42.30.080. No resolution or order for the payment of money shall be passed at any other than a regular meeting. No such resolution or order shall be valid unless passed by the votes of at least three councilmembers.

All meetings of the council shall be held at such places as may be designated by the town council. All final actions on resolutions and ordinances must take place within the corporate limits of the town. All meetings of the town council must be public.

Chapter 2.05

TOWN COUNCIL

Sections:

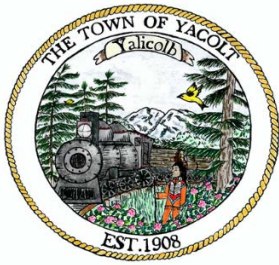
2.05.010 Place and time of meetings.

2.05.010 Place and time of meetings.

Regular meetings of the town council shall be held on the first and third Monday of each month beginning at 7:00 p.m. All meetings of the town council shall be held in the council chambers of Town Hall, located at 202 W. Cushman Street, Yacolt, Washington, or at such other place as may be designated by the town council.

If a regular meeting day falls on a legal holiday designated in RCW 1.16.050 (as amended), such regular meeting shall be held on the next business day at the same hour.

Special meetings of the town council may be called as provided by law. [Ord. 546 § 1, 2016.]



Town of Yacolt Request for Council Action

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

Names:	Katelyn J. Listek	Group Name:	Mayor
Address:	P.O. Box 160 Yacolt, WA 98675	Phone:	360-686-3922 (Town Hall)
Email Address:	mayorlistek@townofyacolt.com	Alt. Phone:	n/a

ITEM INFORMATION:

Item Title: Consider Use of Municode and Cloud-Based Data Storage Services.

Proposed Meeting Date: Monday, October 5, 2020.

Action Requested of Council: Discussion Only

Proposed Motion: Council's Discretion

Summary/ Background: The Town may be able to use one or more online database services to improve efficiency, security, and the Council's access to information. The Council's thoughts and preferences on the subject would be appreciated.

Municode

For one example, Yacolt already subscribes to Municode to manage Council meetings, meeting packets, the Town's website, and more. If desired, staff and Council members can have directly access to Municode to create agenda topics for Council meetings and to upload information for the meeting packets. There may be situations when the Council might prefer to have this ability. This would also save staff time that is currently spent collecting and preparing information for agenda topics.

Dropbox, and Other Cloud-Based Storage Services

I am currently assessing the Town's computer and backup systems. It appears that the Town has no system-wide server or database storage. This means that each staff member uses their own computer and accesses only that computer's own internal memory while doing the work of the Town.

There seems to be no efficient way to share access to files and applications among the staff and Council. The Town relies almost entirely on e-mail and sharing hard-copies of documents. In some cases, employees have tried to maintain a single Town database, (such as for business licenses), by allowing multiple employees to work on their own personal version of the database file. A change could be made on one employee's version of the database, while the other employee's file would not show the change. Such systems are inefficient and invite mistakes.

Other questions exist about how well and how often the Town's records are backed-up and protected from disaster or system intrusion.

The question is whether the Town might use proven technology to better organize, protect, use and share its computer information, while saving money in the process. A cloud-based solution may provide a platform that the Town could use to solve several of these problems at once.

With a cloud-based storage system, access to entire folders or sub-folders could be provided on an as-needed basis to staff, Council members, consultants, and even members of the public when appropriate. The administrator of the system can control whether those given access can edit or merely view and download information. Any lost data would be automatically recoverable for a period of time. All work done by the Town's staff (and any other connected computers) would be automatically updated on the cloud, making back-up almost instantaneous.

With the recent resignation of the Town Clerk, the Town's Mayor and Council members have volunteered to perform the Clerk's duties until a new Clerk can be hired. But without shared access to the Town's information and files, and with the current Coronavirus Emergency Orders in place, the Town has no safe or practical way for two or more people to use the Clerk's computer.

A cloud-based network system would resolve such problems, and make it possible for an employee or a Council member to access and work on Town files at the same time - even from home. With the Coronavirus Orders expected to continue, the Town might be able to recover its costs for some of these services from the CARES Act funds that are available through the end of the year.

Cloud-based storage systems also provide enhanced security for the Town's data. Computer and network protection can also be enhanced through system management services that maintain computers and networks remotely. Such services provide malware and virus protection, timely computer updates, and on-call crisis assistance.

Information about the costs and features of different Dropbox accounts is attached. (Similar services are also provided by GoogleDocs, Amazon Web Services, and other companies.)

Yacolt's Current Cloud-Based Data Storage

Yacolt currently has a free Dropbox account, but the Town has already used all of the limited storage that is provided with a free account. This has hampered the ability of the Town to manage and share information with its consultants for projects ranging from land use applications to responses to Public Records Act requests.

The Town's accounting software, BIAS, also appears to be a web-based service. The Town Clerk and Assistant Clerk's computers are both able to log in to BIAS via the internet. The Town's financial records may be stored on BIAS servers. Those records can be viewed by both computers through an internet connection. I am still confirming these details.

MRSC's Comments

MRSC seems to support efforts by government agencies to use such services, (including services that monitor, detect and solve problems in a network). As an example, they mention that the City of Snoqualmie issued an RFP for Managed Detection and Response platform and security assessments in May, 2019.

In another article from a few years ago, an MRSC author wrote the following:

One huge takeaway for me was that the cost of smart technology has dropped dramatically over the past few years. Much of this is driven by the rise of cloud computing, which has completely dissolved the need for organizations to develop massive in-house infrastructure systems to manage their data and programs. This has also made it easier for governments to purchase services a la carte, allowing them to customize their systems to meet their needs and resources. Perhaps it goes without saying, but security risks can also be drastically reduced (at least at some levels) when a small agency, with limited IT staff, can now easily drop all its information onto the server of a massive company with teams of cybersecurity experts.

Finally, MRSC shares what happened during a recent ransomware attack in Washington. The agency failed to maintain current firewall updates and other security protocols. The estimated costs of the attack were \$40,000 for hardware upgrades, \$80,000+ for legal and forensics costs, and \$1.1 million for “soft costs”, including the inability of employees to access digital work resources for 4 weeks.

While Yacolt is not as large as the agency in that example, I believe it is worthwhile for the Council to understand the limitations of Yacolt’s current computer systems, and to consider ways that we might improve both our system efficiency and security, while possibly reducing overall costs.

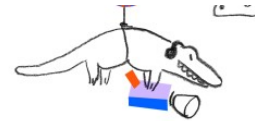
Staff
Contact(s): Katelyn J. Listek, Mayor.

Attachments: Dropbox List of Prices and Features

























DropBox Plans, Features and Services.

From <https://www.dropbox.com/plans?trigger= footer> on October 2, 2020:

Choose the right Dropbox for you



		For individuals		For teams	
		Plus	Professional	Standard	Advanced
		Buy now	Try for free or purchase now	Try for free or purchase now	Try for free or purchase now
Dropbox core features					
Storage	?	2 TB (2,000 GB)	3 TB (3,000 GB)	5 TB (5,000 GB)	As much space as needed
Best-in-class sync technology	?	✓	✓	✓	✓
Integrated desktop experience	?	✓	✓	✓	✓
Anytime, anywhere access	?	✓	✓	✓	✓
Computer backup	?	✓	✓	✗	✗
Easy and secure sharing	?	✓	✓	✓	✓
256-bit AES and SSL/TLS encryption	?	✓	✓	✓	✓
Content and accident protection					
File recovery and version history	?	30 days	180 days	180 days	180 days
Dropbox Rewind	?	30-day history	180-day history	180-day history	180-day history
Remote device wipe	?	✓	✓	✓	✓
Enable two-factor authentication (2FA)	?	✓	✓	✓	✓
Dropbox Passwords	?	✓	✓	✗	✗
Dropbox Vault	?	✓	✗	✗	✗
Document Watermarking	?	✗	✓	✓	✓
Shared link controls	?	✗	✓	✓	✓
Account transfer tool	?	✗	✗	✓	✓
Enables HIPAA compliance	?	✗	✗	✓	✓
Device approvals	?	✗	✗	✗	✓

Productivity and sharing tools					
Dropbox Spaces		✓	✓	✓	✓
Dropbox Paper		✓	✓	✓	✓
Dropbox Transfer		Send up to 2 GB per Transfer	Send up to 100 GB per Transfer, including customization options	Send up to 2 GB per Transfer	Send up to 100 GB per Transfer, including customization options
File locking		✗	✓	✓	✓
Integrated cloud content		✓	✓	✓	✓
Web previews and comments		✓	✓	✓	✓
Plus button		✓	✓	✓	✓
File requests		✓	✓	✓	✓
Smart Sync		✓	✓	✓	✓
Smart Sync Auto-Evict		✓	✓	✓	✓
Full text search		✓	✓	✓	✓
Viewer history		✗	✓	✗	✓
Team management					
Admin console		✗	✗	✓	✓
Multi-team admin login		✗	✗	✓	✓
Centralized billing		✗	✗	✓	✓
Company-managed groups		✗	✗	✓	✓
Unlimited API access to security platform partners		✗	✗	✓	✓
Unlimited API access to productivity platform partners		✗	✗	✓	✓
1 billion API calls/month for data transport partners		✗	✗	✓	✓
Tiered admin roles		✗	✗	✗	✓
Sign in as user		✗	✗	✗	✓
Audit logs with file event tracking		✗	✗	✗	✓
Single sign-on (SSO) integrations		✗	✗	✗	✓
Invite enforcement		✗	✗	✗	✗

Support				
Priority email support	✓	✓	✓	✓
Live chat support	✗	✓	✓	✓
Phone support during business hours	✗	✗	✓	✓
<input checked="" type="radio"/> Billed yearly <input type="radio"/> Billed monthly	\$9.99 / month Buy now	\$16.58 / month Try for free or purchase now	\$12.50 / user / month Try for free or purchase now	\$20 / user / month Try for free or purchase now

How Dropbox keeps your files secure

Dropbox is a home for all your most valuable files. To keep your files safe, Dropbox is designed with multiple layers of protection, distributed across a scalable, secure infrastructure. These layers of protection include:

1. Dropbox files at rest are encrypted using 256-bit Advanced Encryption Standard (AES)
2. Dropbox uses Secure Sockets Layer (SSL)/Transport Layer Security (TLS) to protect data in transit between Dropbox apps and our servers
3. SSL/TLS creates a secure tunnel protected by 128-bit or higher Advanced Encryption Standard (AES) encryption
4. Dropbox applications and infrastructure are regularly tested for security vulnerabilities, and hardened to enhance security and protect against attacks
5. Two-step verification is available for an extra layer of security at login
6. If you use two-step verification, you can choose to receive security codes by text message or from an authenticator app
7. Public files are only viewable by people who have a link to the file(s)