**TOWN OF YACOLT, WASHINGTON**

**TOWN COUNCIL MEETING MINUTES**

**DATE: November 17, 2014**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL ATTENDANCE**

**PRESENT:** Mayor Carothers

Councilmember(s): Rick Urias, Josh Karl. Dave Hancock, Vince Myers

**ABSENT:** Councilmember(s): Lewis Gerhardt

**STAFF:** Town Clerk: Cindy Marbut

Public Works Director: Pete Roberts

Town Attorney: David Ridenour

**APPROVE MINUTES OF PREVIOUS MEETING**

MOTION: Councilmember: Myers

SECOND: Councilmember: Hancock

VOTE: 4- 0

YES: Councilmember(s): Hancock, Urias, Karl, Myers

NO:

ABSENT: Gerhardt

\*Motion unanimously passed.

**LATE CHANGES TO THE AGENDA**

Clerk noted that Item D under new business was Ordinance/Resolution # 513 Levy 2015

**CITIZEN COMMUNICATION**

Kathy Lattig spoke to the council about NW Battle Buddies fundraiser event and how she had reached out to the local churches.

**OLD BUSINESS**

**A. Final Hearing 2015 Budget**

Mayor closed the council meeting and opened the public hearing, he asked the audience if anyone had any comments or wanted to speak, none being heard the mayor closed the public hearing and reopened the council meeting

\* Discussion Only

**B. Jack Marsh Conditional Use Permit – Building Permit**

Mr. Marsh was not present. Mayor stated that there were concerns about the building. Pete Roberts, Public Works, stated that the council needed to drive by and view the building that it resembled a tree house and it would not pass any code enforcement. Clerk, Cindy Marbut stated that the business had a valid business license however it did not have any workers compensation coverage the account was closed. She could not see where he was paying any taxes either. She stated Mr. Marsh had told the council in the previous meeting that he had one full time employee and sometimes part time employees depending on the work load. Council Myers stated that he should have workers compensation coverage to protect the employees. There was discussion on the building and Mayor asked town attorney, David Ridenour his thoughts, who stated that the town needed to follow the procedures set out in the zoning ordinance. Clerk stated that the conditional use permit fees had been paid but there was time limits set on the form in the

number of years the permit would be valid. She also expressed that when Mr. Marsh filled out the form he filled in the spaces for sizes of structures and was using his garage for storage, no parking plan or signage was filled out. Mr. Marsh did not provide the council his building permit application and other requested information. Pete stated that he was concerned about a commercial business in a residential zone and that there should be a public hearing in case the neighbors were concerned. Clerk was instructed to contact Mr. Marsh to attend the next council meeting.

\*Discussion Only

**C. Resolution # 511 Employee Contract Clerk Treasurer**

Mayor turned it over the town attorney, David Ridenour, who informed the council that contract reflected the compensation that was discussed in the budget meeting.

MOTION: Councilmember: Urias

SECOND: Councilmember: Hancock

VOTE: 4- 0

YES: Councilmember(s): Hancock, Urias, Karl, Myers

NO:

ABSENT: Gerhardt

\*Motion unanimously passed.

**D. Resolution # 512 Employee Contract Public Works Director**

The same information was applied to this contract.

MOTION: Councilmember: Urias

SECOND: Councilmember: Hancock

VOTE: 4- 0

YES: Councilmember(s): Hancock, Urias, Karl, Myers

NO:

ABSENT: Gerhardt

David Ridenour, town attorney, asked for clarification that the council understood that they were authorizing the Mayor by resolutions to sign both employee contracts. Council understood.

\*Motion unanimously passed.

**E. Selection of Hearing Examiner – Fence Litigation**

David Ridenour, town attorney spoke to the council about the next steps in the process with the Eckman’s Fence litigation. The date had been set for December 18th. He gave several names of hearing examiners with qualifications and the cost of each one. He recommended the town use Judge Bennett. The council agreed.

MOTION: Councilmember: Hancock

SECOND: Councilmember: Karl

VOTE: 4- 0

YES: Councilmember(s): Hancock, Urias, Karl, Myers

NO:

ABSENT: Gerhardt

\*Motion unanimously passed.

**NEW BUSINESS:**

**A. Team Yacolt Competition**

Clerk Treasurer, Cincy Marbut spoke to the council about the NW Battle Buddies reaching out to the town for a fundraiser, Clothes for a Cause; the object was to collect 80,000 lbs. of textiles, like clothing, sheets, suitcases, shoes etc. basically anything that could be given to good will for conversion to $16,000 to provide

a service dog to a Veteran. She had flyers with information and requested it be placed on the website, she also was in the process of contacting the local businesses and schools to get their involvement. She stated it

is for a worthy cause drop offs could be at town hall. Mayor and Council agreed it was a good idea Council Myers stated he would notify the VFW, she provided them additional information and was instructed to place on the website and reader boards.

\*Informational Only

**B. Ordinance 522 Close Fund # 300**

Clerk stated that the next 2 ordinances were administrative and that the town was no longer using the funds they had been set up for projects that are now completed. Council Myers asked both ordinances 522 and 523 could be passed in one motion, clerk stated yes. Motion was made to approve Ordinances 522 & 523.

MOTION: Councilmember: Myers

SECOND: Councilmember: Hancock

VOTE: 4- 0

YES: Councilmember(s): Hancock, Urias, Karl, Myers

NO:

ABSENT: Gerhardt

\*Motion unanimously passed.

**C. Ordinance 523 Close Fund #310**

Approved by council in the above motion.

**D**. **Levy Certification Budget 2015 Ordinance/Resolution 513**

Clerk Treasurer, Cindy Marbut expressed to the council that the figures for the Levy as discussed in the budget meeting were less than anticipated due to the EMS using their banked value, which changed valuation calculations and reduced the amount the Town was able to levy because of it. The figures increased the highest lawful level valuation, however the town would still be less $ 9,000 due to EMS using banked valuation also.

MOTION: Councilmember: Myers

SECOND: Councilmember: Hancock

VOTE: 4- 0

YES: Councilmember(s): Hancock, Urias, Karl, Myers

NO:

ABSENT: Gerhardt

\*Motion unanimously passed.

**Mayor Comments:**

Mayor reminded citizens that the Tree Lighting would be on December 7th and that donations of cookies would be appreciated and invited everyone to come and help celebrate. He stated the town public works were working to get the town winterized. He asked that residents do their part in winterizing also; help out public works by not putting debris in the culverts and on the streets.

**Town Attorney:**

David gave an update on the creation of a bill for legislation regarding the accountability of the State Auditor. He spoke of the organizations that were involved and there is full support from Liz Pike and other officials. AWC was watching the legislation but had not committed to the cause. He stated that the State Auditor got wind of the proposed legislation and approached WASBO, Troy Kelley state auditor stated this legislation was not needed that it was proposed by agencies who had bad audits, it was just sour grapes.

**Public Works:**

Pete stated he the parks have been winterized and apologized if anyone wanted water at the parks it had been shut off for the winter. He had the Larch crew who worked on the stormwater issues from the recent wind storm, he also indicated that at the Tree Lighting there would be a live nativity scene. He noted that the new hire Bill was doing a great job.

**Clerk Treasurer:**

Cindy stated that she had been contacted by a Milo who wanted to organize a “metal fundraiser” to help out Mark Caghie at the Martial Arts center since he was trying to get funding for a non-profit community center and had asked about a location to hold the metal collection, she mentioned the potential areas and council agreed the ball fiend would be the best place. Cindy thanked the council for working with her on the budget and while tough decisions are made she felt they all worked together well and she appreciated it.

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**WARRANTS**

\*Current Expenses: $9,871.06

\*City Streets: $1,480.47

\*Cemetery $ 8.81

\*Storm Water $1,239.45

Pay Bills presented in the amount of $12,599.79

MOTION: Karl

SECOND: Hancock

VOTE: 4-0

YES: Councilmember(s): Urias, Karl, Hancock, Myers

NO:

ABSENT: Gerhardt

Motion unanimously passed.

**ADJOURN** **8:06 pm**

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Cindy Marbut Jeff Carothers

Town Clerk Mayor

Minutes approved on December 1, 2014