

Wiser, Sonja



From: Orjako, Oliver
Sent: Tuesday, March 01, 2016 3:52 PM
To: Albrecht, Gary, Alvarez, Jose, Anderson, Colete, Euler, Gordon, Hermen, Matt, Kamp, Jacqueline, Lebowsky, Laurie, Lumbantobing, Sharon, Orjako, Oliver, Schroader, Kathy, Wiser, Sonja
Subject: FW: Councilor Madore's Public Accusations of Planning Staff
Importance: High

FYI

From: Steve Kuyatt [mailto:kuyatts@comcast.net]
Sent: Tuesday, March 01, 2016 8:58 AM
To: Boldt, Marc; Stewart, Jeanne; Olson, Julie (Councilor); Madore, David; Mielke, Tom
Cc: McCauley, Mark; Orjako, Oliver; Euler, Gordon; Horne, Chris; chuck.green1407@gmail.com
Subject: Councilor Madore's Public Accusations of Planning Staff
Importance: High

Councilors

I am writing you to state my support for the actions by Chuck Green regarding his request that you convene an Ethics Committee and conduct an investigation into whether Councilor Madore violated three provisions of the Code of Ethics, and if the committee finds that he did, provide a recommendation to the full Council for appropriate Censure, including removing Mr. Madore from any board or commission on which he represents Clark County. I would also like the county to move forward with efforts to adopt a Social Media policy that clearly defines the rules and expectations our elected leaders must adhere to in the use of social media in representing themselves on behalf of Clark County and its citizens. Further, I would like the council to enforce the guidelines of the Home Rule Charter as adopted by the citizens in 2014 and limit Mr. Madore's representation as a spokesperson for the county in any official capacity.

The actions of Councilor Madore are egregious, damaging, and an absolute embarrassment to our community. Please do what is right and proper for the good citizens of Clark County.

Respectfully,

Mr. Steve Kuyatt, Vancouver

----- Forwarded message -----

From: Chuck Green <chuck.green1407@gmail.com>
Date: Tue, Mar 1, 2016 at 7:28 AM
Subject: Councilor Madore's Public Accusations of Planning Staff
To: marc.boldt@clark.wa.gov, jeanne.stewart@clark.wa.gov, julie.olson2@clark.wa.gov, david.madore@clark.wa.gov, tom.mielke@clark.wa.gov
Cc: mark.mccauley@clark.wa.gov, oliver.orjako@clark.wa.gov, gordon.euler@clark.wa.gov, chris.horne@clark.wa.gov

Councilors

I read Councilor Madore's February 29, 2016 "newspaper" Facebook post about a supposed Rural Vacant and Buildable Lands model that has supposedly been hidden by Clark County planning staff for 22 years. In this post (attached as a screenshot), he makes a

number of unfounded accusations that are libelous in nature and are contributing to a hostile work environment for staff at the county, in this case Community Planning staff

These statements are a direct violation of the County Council's Rules of Practice, and the Code of Ethics as adopted in 2001 and adopted by attachment in the September 2015 re-adoption of the Rules of Practice

On behalf of a number of citizens and county staff, I am doing something I would have done had I been elected to the District 2 position I am requesting the Board convene an Ethics Committee and conduct an investigation into whether Councilor Madore violated three provisions of the Code of Ethics, and if it finds he did, provide a recommendation to the full Council for appropriate Censure, including removing Mr Madore from any board or commission on which he represents Clark County

Madore's Statements

Libelous and vindictive comments Councilor Madore makes on his post include (Bold emphasis added)

"The Planning staff and complicit Prosecuting Attorney have gone to great lengths to adamantly explain that the software tool (the RVBLM) that they covertly used to erroneously inflate the numbers that advocated against Alternative 4, does not exist RVBLM is short for the "Rural Vacant Buildable Lands Model" and it is a very powerful tool That tool has been grossly inflating the most important numbers before they were presented to the elected county representatives as facts It's been happening for 22 years "

"The behavior is so bizarre, that it's hard to believe because the denial of the truth so blatant The planning department has been employing the "nonexistent" tool and "imagined" Column A Planning Assumptions for decades to skew the facts that stripped rural property owners of their private property rights "

"I assure you that both stories that conflict with each other are completely false I know it and they know it I am convinced these blatant lies will be made plain when the citizens defend their rights in court "

The Facts

Clark County has never had a Rural Vacant and Buildable Lands Model A few minutes searching for documents yields that fact I can also verify this in that during the 1990s, I was the county's Transportation Manager and worked with then-Community Development staff on various studies for the 1994 Comprehensive Growth Management Plan

"In 1992, Clark County began the vacant land analysis to determine the potential capacity of urban areas to accommodate projected 2012 growth " Citation <http://www.legacy.clark.wa.gov/~/document/1992VLManalysis.pdf>

"In 1992, Clark County began the Vacant Lands analysis to determine the potential capacity of urban growth areas to accommodate projected growth for the next 20 years as part of the GMA planning process County staff met with interested parties from the development and environmental communities to collectively examine criteria to be used to compute the supply of land available for development within each urban growth boundary From the process, a methodology was developed using Clark County's GIS as the primary data source. This process was revisited in the spring of 2000 by a technical advisory committee appointed by the Board of County Commissioners that reviewed the definitions for each classification of land and the assumptions that would be applied to them "

The vacant and buildable lands model, developed by Clark County Assessment and GIS staff for plan monitoring, does not include rural areas (outside of UGAs) In order to assess development potential in the rural areas, a separate but parallel model process was developed

Citations

<http://www.legacy.clark.wa.gov/~/1994Vacantlandanalysis.pdf>

<http://www.legacy.clark.wa.gov/~/buildable-lands-report-00-0>

<http://www.legacy.clark.wa.gov/~/ClarkCountyPlanMonitoring19>

Code of Conduct Principles Violated

CODE OF ETHICAL CONDUCT FOR A CLARK COUNTY COUNCILORS

Principle 1 A county Councilor should be vigorously dedicated to the democratic ideals of honesty, openness and accountability in all

public matters involving the county government. A Councilor should exert a good faith effort to communicate the full truth about county matters and avoid misleading others or gaining personal advantage. Accountability requires a Councilor to accept responsibility for his or her public conduct as well as the actions of the county commission.

Principle 2. A county Councilor should promote decorum, respect for others and civility in all public relationships. The honor of holding public office necessitates that a Councilor behave with courtesy and respect for the dignity of others in all public relationships, including elected officials, employees, citizens, media, and representatives of other units of government. A Councilor should affirm the value of services provided by government and maintain a constructive attitude about governmental affairs.

And, given Mr. Madore's development of his own planning assumptions, personal attacks on others who call him on the errors in his assumptions, and continual vocal support of his own alternative from day one:

Principle 5. A county commissioner should perform the duties of public office with fairness and impartiality so as to enhance public confidence in county government.

Hostile Work Environment

The Federal Government defines hostile-work environment. "A hostile work environment is a form of harassment. It is demonstrated by such severe and pervasive conduct that permeates the work environment and interferes with an employee's ability to perform his or her job."

Continual comments such as Mr. Madore's on his Facebook page do not fall under 1st Amendment rights to free speech (I'll let the constitutional scholars argue the "Congress shall make no laws" introduction to the 1st Amendment to our Constitution). Libel, slander, derogatory statement, comments that incite violence are not protected under free speech. Mr. Madore's statements incite a hostile work environment for county staff not only at the Public Services Building, but also when staff is in front of the public at meetings and hearings.

Case in point: at the February 12 Alternative 4 Town Hall, Mr. Madore made statements to attendees both in conversations and even in front of the crowd that implied county planning staff had a hidden agenda and was working to eliminate property rights. He did nothing to dissuade comments made during that Town Hall about some planning staff conspiracy that had a number of people pretty charged up. In fact, I felt threatened by a number of attendees just attending this as a private citizen. I can't even imagine what target would have been placed on Community Planning staff had they shown up at this meeting.

There are a number of other incidents I or others can attest to.

Summary

To repeat, I am requesting the Board convene an Ethics Committee to investigate my concerns against Councilor Madore about violations of the Council's Ethics Code and report to the citizens of Clark County their findings.

Thank you in advance,

-Chuck Green
chuck_green1407@gmail.com

Dr. Martin Luther King, Jr.

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