



County will likely hire outside attorneys

Pair would tackle land-use issues, status of two deputy prosecutors dealing with them

By **Katie Gillespie** (</author/katiegillespie>), Columbian County Government Reporter

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Clark County appears poised to hire two outside attorneys in the wake of Councilor David Madore's recent accusations that the county's in-house legal staff lied to the board.



Prosecutor Tony Golik, a Democrat, said Friday that the county will likely hire Peter Jarvis, a Portland-based attorney with firm Holland and Knight who specializes in ethics issues, to determine whether Deputy Prosecutors Chris Cook and Chns Horne can continue to represent the board and Community Planning in its 20-year Comprehensive Growth Management Plan update.

"This is an issue that's going to require some significant research," Golik said.

In recent weeks, Madore, a Republican, has accused the prosecutor's office, along with Community Planning, of lying about the impact of the now-defunct Alternative 4, which Madore wrote at the urging of some rural property owners.

Planning staff, as well as deputy prosecutors, have denied that they presented false information to the council. However, after Madore continued to press the allegations, Horne and Cook consulted the Washington State Bar Association. They were advised to recuse themselves from any issue dealing with the growth plan to avoid a potential conflict of interest. They will continue to perform other aspects of their jobs.

Golik said Jarvis will be tasked with investigating what potential conflicts exist, if any.

"It's an area where we certainly want to move conscientiously," he said.

Golik estimated Jarvis' investigation will likely take about two weeks, though where the investigation goes from there — perhaps before a Clark County Superior Court judge for a final decision — is uncertain.

"It's not something that we have to do frequently," Golik said. "This is an uncommon situation. Usually we're able to make those determinations."

The county will also likely hire Andrew Lane, a land-use attorney with Seattle-based Cairncross and Hempelmann, to advise in the Clark County Comprehensive Growth Management Plan update and other land-use issues.

"He's an attorney who is familiar with our comp plan," Golik said.

The Clark County council directed Acting County Manager Mark McCauley in an executive session Wednesday to find room in the budget to hire additional attorneys in the wake of Madore's accusations, county officials said.

McCauley, who as of Friday afternoon said he hadn't signed the contracts and didn't know the full cost, estimated each attorney could cost upward of \$350 an hour.

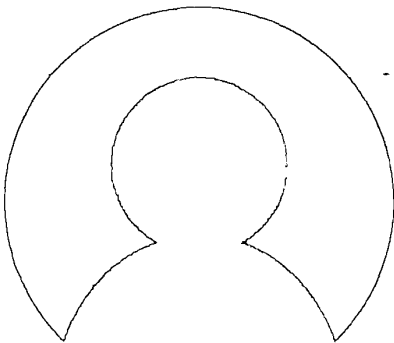
The contracts come days before the Clark County council is set to consider a proposed rural industrial land bank proposal, which would convert the Lagler Dairy and Ackerland properties south of Battle Ground from agriculture to light industrial zoning.

Dennis Lagler, a longtime Clark County dairy farmer, applied to rezone his approximately 600-acre properties on either side of state Highway 503 just south of Battle Ground. Lagler will continue to own the properties, but his attorney, Steve Horenstein, told The Columbian last year that Lagler plans to move his dairy to Eastern Washington.

Deputy Planning Director Gordy Euler said that as far as he's been able to determine, this will be the first rural industrial land bank of its kind in the state.

Though not a component of the comprehensive plan, the proposal is still a land-use issue, and the council may wish to call on an attorney to ask questions and offer advice — increasing the need for an attorney ready to assist on Tuesday.

"We're assuming we're on as scheduled," Euler said.



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