

ALL POLITICS IS LOCAL

Unequal application of hearing rules

Posted on September 11, 2015 by Kaitlin Gillespie

At last week's joint hearing of the Clark County council and Planning Commission to hear feedback on the Comprehensive Growth Management Plan update, Councilor David Madore set some basic ground rules.

First, speakers only have three minutes. Second, if you've spoken once, there would be no need to speak at the second hearing, held last night. The instructions, given by Madore, were to give someone else a chance.

Everything went very well last week. The hearing was, perhaps, the best and most boring county meeting I've ever attended. It was lovely. People were following the rules. Madore was politely asking people to stop once their time was up.

I didn't attend last night's meeting, but watched some of it live and more this morning. To my surprise, and in clear violation of the rules Madore set, Carol Levanen stood to speak. Just like she did last week.

Levanen is the executive secretary of Clark County Citizens United, a land-use advocacy group that has been fighting for Alternative 4 of the plan update. Alternative 4, as you will recall, was written by Madore himself in response to comments like those made by Levanen.

When she stood up, it caused a bit of drama.

Here's the exchange:

Deputy prosecuting attorney Chris Cook: I'm wondering if people are testifying both at the last hearing and this hearing.

Madore: Is there a legal reason they cannot testify last week and this week?

Cook: No, there is certainly nothing in the law. I don't recall whether you announced last week that people would only be testifying only once but I think you did.

Acting County Manager Mark McCauley: He did. He did.

Madore: O.K. It is not a hard and fast rule and if the citizens have taken the time to come down here more than once I will not somehow disallow that. Carol?

Levanen: This is different testimony. I think you were saying that so the people didn't have to say it twice.

County councilor Jeanne Stewart: And the other point here is though there may have been other people that were here last week who would have wanted to come back again and testify but didn't because the council said if you testify last week we didn't expect that you would testify again next week. If we said that, I don't know now how to resolve this but it isn't fair to the other people who might have wanted to come and get their last word in tonight too, or at least the last word in this forum.

Levanen: This is not an individual testimony. This is for Clark County Citizens United. There's a number of people involved in this organization.

Cook: I believe that was also your statement last time that you were testifying on behalf of CCCU.

Madore: This is not a repeat. This is not an election. It's simply ensuring that we have as much diversity and input as would help us do a better jobs.

Levanen: I don't think legally you can prevent me from giving testimony tonight.

Madore: Go ahead.

Later, in the same meeting, Susan Rasmussen, president of Clark County Citizens United, also spoke again. She too spoke last week. There was no discussion when she got up.

There is zero chance that these two women have not been heard. They have been at council meeting after council meeting for as long as I can remember. They have attended every comprehensive plan related workshop, at least all the ones I've attended. They have submitted countless emails as well as written testimony. You can't help but admire their persistence.

But the fact is Madore set rules. He's responsible for upholding those rules. He's responsible for applying those rules fairly. And Thursday, he failed to do so.



Kaitlin Gillespie

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Comments

3 Comments

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Fran Hammond · Vancouver, Washington

A new council chair just cannot come soon enough! And let's hope that it is NOT another Madore lackey! Vote, people, and vote wisely. This has got to STOP.

Reply · 9 · Sep 11, 2015 7:25pm



Jeff Guard · Clark College

That's an insult to snakes! Go for lower.

Reply · 5 · Sep 11, 2015 6:53pm



John Laird · Works at Retired Journalist

Oops. Sorry.

Reply · 3 · Sep 11, 2015 6:57pm



John Laird · Works at Retired Journalist

Like many of his Biblical heroes, Councilor David Madore has no difficulty twisting the rules in whichever way benefits him the most. Two words to remember as you ponder Madore's work as a public official: Snake. Oil.

Reply · 8 · Sep 11, 2015 6:49pm



Jacob Anthony-Michael Smith · Park Services at Universal Orlando Resort

Quite funny, I seem to recall when Leavitt proposed to cut the mic in city council meetings, you, Lou and the paper cheered on Leavitt for cutting the mic and changing testimony policies. You even wrote an op-ed which I will utilize to further this discussion. The thing is John, once you write something, I can actually go back and read it. I'm still waiting for you to hold Senator Chris Dodd accountable for assuring he wouldn't become a lobbyist when he left office or when he flopped on net neutrality or internet censorship or the president extending the Patriot act twice even though he said he would repeal it when he was first elected amongst other issues or Tim Leavitt doing a 360 on tolls (that was in your editorial fury to govern when you slammed three Republicans for changing stances on issues)

...rity to govern when you slammed three Republicans for changing stances on issues).
Here's bits of an editorial you wrote in 2011: The profusion of eye-rolling at local meetings is not totally the fault of the rollers. Such a reaction is hard to stifle when everyone knows what the next speaker will say before he or she begins. Here's a question for the outspoken dozen: What are the chances you'll ever change your mind about a new bridge or light rail? I'm guessing zero. Good for you! Firm beliefs are admirable. But if your ideologies are so immutable, where is the evidence that other people will be flexible in their beliefs? After all these years of planning and listening to the public about the bridge, are the elected officials suddenly going to bail out of their long journey? First, when free speech is not exercised responsibly (by citizens or by politicians, who also are capable of misusing the public forum), fewer people choose to participate in public meetings. Who could blame them? If you're worried about getting gavelled down, or having to wait on speakers who make the same point for the 17th time and can't condense their point into three minutes, why bother showing up?

Second, when public meetings are allowed to become oratorical free-for-alls, fewer people run for public office. And who could blame them as well? Instead of serving the community, they wind up listening only to a select few. And then, all we have left are the same politicians and the same outspoken dozen. Is that the best we can do, as stewards of a full democracy?


But in the same article you wrote: Otherwise, a public meeting might never end. But this presents a difficult balancing act for elected officials. They want to maximize public participation, but they also know that the meetings should be run efficiently, to best serve the taxpayers.

Reply ·  2 · Sep 11, 2015 7:03pm



John Laird · Works at Retired Journalist

Jacob Anthony-Michael Smith Stay on topic, Jacob. Madore clearly extended preferential treatment to public commenters he favored. Why is it so difficult for you to just admit that?

Reply ·  9 · Sep 11, 2015 7:12pm



Jacob Anthony-Michael Smith · Park Services at Universal Orlando Resort

John Laird as did Mayor Tim Leavitt when he allowed Jim Moeller to speak more than the allotted time and curtailed testimony because of the parade of speakers as you eloquently wrote it. https://www.youtube.com/watch?v=_QKDt5gYnOo
<https://www.youtube.com/watch?t=2&v=pJrrG69MYNM>

Reply · Sep 11, 2015 7:20pm



Jacob Anthony-Michael Smith · Park Services at Universal Orlando Resort


John, you can dislike the city and county leadership. It doesn't have to be mutually exclusive. http://www.oregonlive.com/.../vancouver_city_council...

Reply · Sep 11, 2015 7:22pm



John Laird · Works at Retired Journalist

Jacob Anthony-Michael Smith You're wandering off on red herrings again, Jacob. Just admit it: Madore extended preferential treatment to public commenters he favored. C'mon. Admit it. I know you can do it.

Reply ·  9 · Sep 11, 2015 7:23pm



Jacob Anthony-Michael Smith · Park Services at Universal Orlando Resort



Jacob Anthony-Michael Smith · Park Services at Universal Orlando Resort

John Laird I did. As did Tim Leavitt when he allowed Jim Moeller to speak more than the allotted time. 4:43 of uninterrupted time to be exact. You even defended Leavitt when he proposed curtailing citizen testimony because they didnt side with your view on the issue. I supplied two youtube videos and a link, all it takes is not even a minute to check the videos out. You could had even looked around on opposing views sites (gasp) and found some information: <https://lewwaters.files.wordpress.com/.../vanc-citizen...>
<https://lewwaters.files.wordpress.com/.../vanc-citizen...>
<https://lewwaters.files.wordpress.com/.../vanc-citizen...>

Reply · 2 · Sep 11, 2015 7:31pm



Terry Whipps Conner · Owner at Owner of Fishers Landing Hypnotherapy

Oh brother, did Mr Jacob actually use A Lew Waters rant as an example of his correctness? That's just perfect!

Reply · 1 · Sep 11, 2015 9:41pm



Jacob Anthony-Michael Smith · Park Services at Universal Orlando Resort

Terry Whipps Conner If you bother to look at the pictures, its a screen shot of the google cache of the citizens communications policy shortly after the Jeanne Harris meltdown. This is before Jim Moeller was allowed to speak 4 minutes and 43 seconds uninterrupted (the limit was 3 minutes), then the city took the citizens communications protocol down and changed it. Then Leavitt proposes to cut the mic. Funny how Leavitt and co can do things (600,000 for a waterfront project contract,giving Elie Kassab a tax abatement so his project could "pencil out",letting roads crumble,changing testimony policy,no one even batted an eye when a fire station had to close and a federal grant kept it open,etc) and no one bats an eye but the minute David Madore does something even , all hell breaks loose.

Reply · 1 · Sep 11, 2015 11:26pm



John M. Kowalski · Camas, Washington

Jacob Anthony-Michael Smith Tim Leavitt could be a serial killer and it'd still not be germane to David Madore's skullduggery and nefariousness. That's the subject. Try to stay on topic.

Reply · 3 · Sep 12, 2015 9:55am



Jacob Anthony-Michael Smith · Park Services at Universal Orlando Resort

John M. Kowalski The point I'm trying to make is when Tim Leavitt changed testimony policy in his favor, John Laird,liberal democrats and the Columbian cheered him on even when he proposed to cutting the mic at council meetings and allowed Moeller to speak more than the allotted time.John Laird even called people who consistently testified at council meetings Not a peep about Leavitt changing policy. David Madore applies an unfair standard as well (like Tim Leavitt) and all hell breaks loose. I also didn't see the Columbian post pictures,first and last names and how many times a person has testified in

carol levanen dark county citizens united comprehensive growth management plan

jeanne stewart david madore planning planning commission susan rassmusen