



# Defending your rural private property rights

Please allow me to share a very important message with my rural neighbors. If there ever was a time for you to defend your private property rights before they are lost, this is that time. Your rural landowner rights are about to be determined by the Clark County Council. That decision will allow or restrict your freedom to reasonably divide your property for the next 20 years.

The chronic problems that have plagued rural families for the last 22 years are the result of a 1994 plan that imposed a gross mismatch between the rural parcels that already existed and an incompatible zoning map that made the vast majority of rural parcels nonconforming:

Rural zone	Non-conforming
R Zoned Parcels	6 out of 10
AG Zoned Parcels	8 out of 10
FR Zoned Parcels	9 out of 10

Every 8 years, the State Growth Management Act (GMA) requires our county to adopt a Comprehensive Growth Plan that provides enough useful land for our community to accommodate the foreseeable growth for the next 20 years. That is the time to fix chronic problems and to ensure that property owners have the necessary freedom and flexibility that will allow the free market to provide for that appropriate growth.

Rural properties have more restrictions than urban properties to protect resource lands and to limit low density sprawl. A clear list of GMA requirements must be met including affordable, economic development, and rural character.

We are near the end of our 2016 Comp Plan process that has taken us two years to complete. For the past year, we focused on listening to the rural citizens to create and refine a



DAVID MADORE

1994 the massive downzoning that stripped nearly all rural citizens of their freedom to reasonably divide their property. For the first time in decades, our rural community has a well-balanced, realistic, and healthy plan for a prosperous future. The conservative plan fulfills all GMA requirements and restores more flexible options, a wider variety of parcels, and more manageable lot size choices.

But we've run into a hitch. Two new members have been elected to the Clark County Council who need to hear from you to help them understand your perspective and concerns. Our county planning staff has been urging them to vote against Alternative 4 for fear of legal challenges. Their advice is to forfeit rural citizen private property rights because they will likely be lost in court anyway.

As one of your elected representatives who diligently worked on your 20-year Comp Plan for several years now, I know firsthand that Alternative 4 fully complies with the Growth Management Act (GMA) and will absolutely withstand any court challenge if we defend it. The law is on our side.

Every Comp Plan always has and always will be challenged in the courts. The only question is which side your county will take in court. Your county government will either fight for your private property rights or fight against your private property rights. I believe that as long as our plans comply with the law, that your elected representatives should defend the interests and rights of the citizens.

rural plan that has been passionately supported by the vast majority of rural citizens.

That Alternative 4 plan corrects much of the

Clark County fought against rural citizens in previous Comp Plan court case. The rural citizens won on nearly every count. But the county still did not make the corrections specified by the judge. Hopefully this time, your county will be on your side and win with you.

Internal politics and tug-war competitions between county staff and citizen representatives should not be a factor. We should work together as a united team for the citizens. But shenanigans happen and the competition has been fierce. County council members, especially when first elected, naturally presume that the information provided by well-meaning staff will not be agenda driven. Trust the staff. They are the experts."

Like other councilors and commissioners before me, it's taken years for me to figure things out. I've had the advantage of being a database computer programmer guy. That background has allowed me to use the same GIS ArcMap tools as staff, directly examine the parcel level database records, and check the software algorithms that create the numbers reported to the council as facts. Trust, but verify.

That fact checking process has been an eye opening experience that revealed that the numbers reported by planning staff were, in fact, agenda driven. GIS staff has been a fabulous help and a reliable source of uncompromised truth. That truth revealed planning assumptions used by the planning staff that significantly changed the tallies reported to the councilors to achieve a political agenda.

The number-changing rules (planning assumptions) were identified and more realistic planning assumptions were adopted by the councilors. An outside consultant (Thorpe) was contracted to compare which ones were more realistic, the planning staff assumptions in column A, or the councilor-adopted assumptions in column B.

But clever maneuvering by

planning staff prohibited any communication between the councilors and the consultant. Planning staff had exclusive access to the data provided to the consultant and exclusive communication to guide the work. "I'm not allowed to talk to you" was the reply I heard when I called the consultant to ensure they had what they needed to complete their work.

The result was that the planning staff's column A assumptions were excluded from the analysis. Instead, the planning staff's assumptions in column A were automatically rubber stamped as valid and true even though no basis was provided to support them, and no scrutiny was allowed.

In contrast, the Thorpe report scrutinized only the councilor assumptions (column B) without being allowed to be compared them to column A and without the documentation needed from staff to support them. The result of course was to deem most of the councilor assumptions invalid for lack of supporting documentation. So much for a fair and objective process that was to compare which assumptions were more realistic, column A or column B.

The tactic took councilors by surprise when the Thorpe Report was presented in our Jan. 13 work session. The new councilors were so convinced by the report, that they immediately halted any further work on Alternative 4 and scheduled a Feb. 16 hearing to vote to abandon the rural plan that so many rural citizens embraced for their future.

Councilor Tom Mielke and I fully support Alternative 4 and are prepared to defend your rights. But we are only 2 votes out of 5. We need one more vote to support our rural landowners. Councilors Jeanne Stewart, Marc Boldt, and Julie Olson need to hear from you by Feb. 16.

The vote is to take place at 10 a.m. on Feb. 16 at our hearing room at 1300 Franklin in downtown Vancouver. I urge you and your neighbors to be there

AT A GLANCE

## Alternative 4 Town Hall Meeting

**WHO:** Sponsored by Clark County Citizens United

**WHERE:** Hockinson High School (in the Commons), 16819 NE 159th St, Brush Prairie

**WHEN:** Fri., Feb. 12, 7-9 p.m.

and speak up at that hearing. But that may be too late as few elected officials change their mind at the last minute.

It would be better to communicate with your representative ahead of time.

Marc Boldt: marc.boldt@clark.wa.gov

Jeanne Stewart: Jeanne.stewart@clark.wa.gov

Julie Olson: Julie.olson2@clark.wa.gov

Tom Mielke: tom.mielke@clark.wa.gov

David Madore: david.madore@clark.wa.gov

The common phone number for all five councilors is (360) 397-2232.

It is critical that you and your neighbors attend the Town Hall Meeting sponsored by Clark County Citizens United (CCCU) to discuss your thoughts and concerns on Alternative 4 with your Clark County Councilors. You may speak up now or forever hold your peace. So far, Julie Olson said that she will be there. I will be there and hopefully all 5 of us will see you there.

David Madore  
Clark County Councilor

# WAC 162-32-06 is a danger to women and children

Your wife runs in the house and past you to the bathroom. When she comes out she is flustered. "What's wrong?" you ask. "I tried to use the restroom at the mall, and after I walked in the stall I heard men's voices. I opened the stall and there were three rough looking men staring at me. I had to maneuver around them to get out. I was afraid I was going to be raped and I'll never use a public restroom again!"

Your daughter comes home from school and swears that she will never go back. "Why, what's wrong?" you ask. "Mom, there were boys in the shower. It was so humiliating. They told the coach they felt like women and she couldn't stop them. But no one told us anything - they just came in the shower naked, and they were staring and grinning and laughing at us. I'll kill myself before I'll go back!"

The persons described in these hypothetical scenarios were not transgender - but the used this new rule for their purposes.

Can these things really



JOHN LIFFLANDER

a man who has previously been arrested for exposing himself. This man is so sick that he risked going to jail to do so. How much more will he continue this behavior now that there is no chance of arrest or jail time?

This is not being written against transgender people - I have written it to protect women and children from this misguided and destructive rule. Transgender

happen? Absolutely, under the new Washington Administrative Code (WAC 162-32-060), that passed on Dec. 26, 2015 nothing can be done to stop them. Consider

people have rights, but they don't supersede the right of others, and although I care about people with these issues, the solution is not to distress our female population over it. If we do not speak out, there will be no end to the mischief that escapes from the opening of this Pandora's box, nor the misery and sex crimes that will be the result of it.

However, there is also good news. HB 2589 would prevent people from entering such places if they have not had gender surgery. That would at least stop disruption from those who would pretend to be transgender. Nevertheless, some in Olympia are not allowing a discussion of HB 2599, which is a precursor to a vote. Please email Speaker Frank Chopp, at Frank.Chopp@leg.wa.gov and urge him to

overrule the chair of the Judiciary Committee so this bill can be considered.

Please also rally with me and others at the Clark County Courthouse at 2 p.m. on Sat., Jan. 30, to peacefully protest WAC 162-32-06. This is a bi-partisan issue - no matter what party you like, this will affect you

or someone in your family. The safety and security of your wives, mothers, daughters, sisters, and granddaughters is at stake.

John Lifflander  
John Lifflander is a published author, owner of Covenant Consultants and a resident of Ridgefield



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