

**KITTITAS COUNTY**  
**Board of County Commissioners**

**AGENDA STAFF REPORT**

**AGENDA DATE:** April 15, 2014

**ACTION REQUESTED:** Deny Claim for Damages from Judith Heyer (#2014103190014)

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**BACKGROUND:** On February 19, 2014, Claimant Judith Heyer parked her 1998 Honda CRV on Yellowstone Road, a designated winter no-parking area. Claimant's claim indicates that shortly after snow plowing commenced in the area, Claimant attempted to move her vehicle but was unable to do so due to frozen locks. Claimant's claim indicates that after plowing, her vehicle was "packed in" by snow. Claimant's claim further indicates that Claimant's neighbor attempted to move Claimant's vehicle through use of a tractor which subsequently damaged the vehicle's clutch. Claimant submitted what appears to be a bill from an unknown repair provider for \$1,000.00 for replacement of the clutch.

**INTERACTION:** Claimant filed a claim for damages with the County, alleging \$1,000.00 in damages. The Prosecutors office requested additional information from the Dept. of Public Works, which was received. Public Works recommends denial of the claim, based on Kittitas County Code 10.07.020, designating the area in which Claimant parked her vehicle as a no-parking area with clearly marked no-parking signage. A review of the Claimant's claim and included narrative does not indicate that negligence on the part of the County caused damage to Claimant's vehicle. Rather, Claimant's claim indicates that any damage to Claimant's vehicle was caused by the act of pulling the vehicle with a tractor, which was not directed, supervised, or performed by the County.

**RECOMMENDATION:** Deny paying the claim as requested.

**ATTACHMENTS:** Claim of Judith Heyer, including claimant repair estimate.  
Written response to claim by Public Works

**LEAD STAFF:** Michael P. Nigrey, Deputy Prosecuting Attorney