

Lindsey Ozbolt

From: Doc Hansen
Sent: Friday, June 05, 2015 10:37 AM
To: Lindsey Ozbolt
Subject: FW: Request for Postponement of Hearing
Attachments: CU-14-00006 WDFW Hwy 10 Request for Postponement.pdf

Robert "Doc" Hansen

Interim Director and Planning Official

From: Doc Hansen
Sent: Friday, June 05, 2015 10:37 AM
To: 'Andrew Kottkamp' (andy@wenatcheelaw.com)
Cc: 'williamsonb@msn.com'
Subject: FW: Request for Postponement of Hearing

Robert "Doc" Hansen

Interim Director and Planning Official

From: Doc Hansen
Sent: Friday, June 05, 2015 10:09 AM
To: 'Andrew Kottkamp' (andy@wenatcheelaw.com)
Cc: Neil Caulkins; Lindsey Ozbolt; 'Chris.Gourley@dfw.wa.gov'
Subject: Request for Postponement of Hearing

Mr. Kottkamp

Please find my response for Mr. Williamson's request for postponement of CU-14-00006 and SD 14—00003 public hearing. Thank you.

Robert "Doc" Hansen

Interim Director/Planning Official

Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926

doc.hansen@co.kittitas.wa.us

Phone: 509-962-7046

Fax: 509-962-7682

#52

Lindsey Ozbolt

From: Doc Hansen
Sent: Friday, June 05, 2015 10:27 AM
To: 'Andrew Kottkamp' (andy@wenatcheelaw.com)
Cc: Lindsey Ozbolt; Neil Caulkins; 'brian@rodaboughlaw.com'; Chris.Gourley@dfw.wa.gov
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Doc Hansen

From: Andrew Kottkamp <andy@wenatcheelaw.com>
Sent: Friday, June 05, 2015 10:18 AM
To: Doc Hansen
Subject: RE: Request for Postponement of Hearing

Doc

I don't see that Mr. Williamson or Mr. Amsbury were copied on the email you sent to me with your response. Could you resend this to include them?

Andy

Andrew Kottkamp

Kottkamp & Yedinak P.L.L.C.
435 Orondo Ave.
P.O. Box 1667
Wenatchee, WA 98801
(509) 667-8667
www.wenatcheelaw.com

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This email has been checked for viruses by Avast antivirus software.

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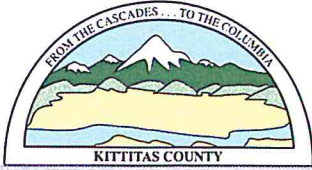
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KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

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"Building Partnerships – Building Communities"

June 5, 2015

Mr. Andrew Kottkamp, Kittitas County Hearing Examiner
Kottkamp & Yedinak P.L.L.C.
435 Orondo Ave.
P.O. Box 1667
Wenatchee, WA 98801

RE: Request for Proposal to Postpone Hearing on CU-14-00006 SD-14-00003

Dear Mr. Kottkamp;

This letter is provided in response to the request received via email on June 4, 2015 by Mr. Bill Williamson to postpone the hearing in the matter of CU-14-00006 and SD-14-00003, WDFW Boat Launch, now scheduled for June 11, 2015.

In the request letter, in the "Factual Background" and "Argument" for continuance, Mr. Williamson is failing to mention that he was noticed via email of the hearing on May 26, 2015, the day the notice was written. This is in record. While he did not receive the written copy until June 1, 2015, he was noticed in a proper and timely manner as required by law.

Furthermore, Mr. Williamson has been involved in this case as shown within the record from his comments provided on April 7, 2015, and within record it is noted that he received via email from Ms. Ozbolt that his and his client's comments had been received. These comments are within the record.

Mr. Williamson's argument is correct that "any party may request a continuance of hearing based on 'reasonable grounds.'" Given the fact that Mr. Williamson did, in fact receive notice of the hearing on May 26, 2015, and given the fact that Mr. Williamson did participate in the development of this hearing more than one month prior to notification, I find no "reasonable grounds" upon which this hearing should be postponed. Adequate notice was provided enabling Mr. Williamson and his client to prepare for the hearing to provide citizens with sufficient procedural safeguards. Proceeding with the hearing does not deny the "citizen," GT Ranch, a meaningful opportunity to be heard since they have had ample time to prepare for the hearing. The inability of counsel to attend a hearing is not "reasonable grounds" to postpone the hearing unless all parties agree to the continuance. If GT Ranch intended to present testimony from several witnesses, they had adequate time to have their experts prepare their case, since comment opposing the project was received six weeks prior to the public notice of the hearing.

Based upon the notice and comment activity, we conclude that there was no "surprise, diligence, redundancy, and (lack of) maintenance of orderly procedure" as indicated by Mr. Williamson. The application was deemed complete on January 30, 2015, and Notice of Application was filed on March 10, 2015. GT Ranch has not moved expeditiously in the matter as indicated by Mr. Williamson, and we

Mr. Andrew Kottcamp, Hearing Examiner

June 5, 2015

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therefore, recommend that the hearing not be postponed. We are not opposed to the record remaining open following the hearing for additional comments provided to the Examiner for his consideration in recommendation to the Board of County Commissioners.

Sincerely,



Robert "Doc" Hansen

Interim Director/Planning Official

cc. Neil Caulkins, Deputy Prosecuting Attorney, via email
Lindsey Ozbolt, Planner II, via email
Chris Gourley, WDFW, via email