

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

MILES SAND AND GRAVEL)	
)	
Appellant,)	PL18-0200
)	
v.)	REPORT ON PREHEARING
)	CONFERENCE/DENIAL OF
SKAGIT COUNTY,)	MOTION TO INTERVENE/
)	CONTINUANCE OF APPEAL
Respondent.)	
)	

On April 16, 2018, Miles Sand and Gravel (Appellant) filed an appeal of an administrative decision by Skagit County, dated April 5, 2018. The decision denied Appellant’s application for a Special Use Permit to develop a gravel mining operation north of Grip Road. The basis for denial was that the applicant “failed to provide the necessary additional information to process the application with 120 days of the request.”

A Prehearing Conference on the appeal was convened on May 9, 2018, at Skagit County’s offices at 1800 Continental Place in Mount Vernon, Washington. The Appellant was represented by William Lynn, Attorney at Law. The County was represented by Julie Nicoll, Deputy Prosecuting Attorney. Jonathan Sitkin, Attorney at Law, represented a group of citizens seeking to intervene in the appeal.

Initially, the Examiner entertained argument on the intervention request (motion). During the course thereof it became known that the Appellant and the County are actively engaged in settlement discussions which are expected to resolve the appeal within a 90 day time period.

On behalf of those seeking intervention, it was argued that the citizens lack confidence in the County’s enforcement of its own Code provisions and that its willingness to entertain settlement reinforces this conviction.

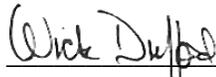
The Examiner denied the motion, opining that any settlement resulting in reversal of the permit decision would be appealable. This means that those requesting intervention would then have an opportunity to appeal the decision on its merits.

The Examiner enters the following order:

ORDER

The Motion to Intervene is denied, without prejudice to being renewed should settlement fail to be achieved within a reasonable time. The appeal is continued for 90 days from the date of this Order – to August 14, 2018. Prior to or on that date, the County shall advise the Hearing Examiner of the status of settlement discussions. An appropriate further Order will be entered by the Examiner on receipt of the County's report.

SO ORDERED, this 17th day of May, 2018.



Wick Dufford, Hearing Examiner