CENTRAL PUGET SOUND
GROWTH MANAGEMENT HEARINGS BOARD
STATE OF WASHINGTON

MACANGUS RANCHES, INC., a Washington Corporation, MICHAEL LEUNG AND DENNIS DALEY, and their respective marital communities,	)	**Case No. 99-3-0017**
Petitioners,	)	**ORDER ON MOTIONS**
v.	)	
SNOHOMISH COUNTY,	)	
Respondent.	)	

I. Procedural Background

On September 27, 1999, the Central Puget Sound Growth Management Hearings Board (the **Board**) received a Petition for Review **(PFR**) from MacAngus Ranches, Inc., Michael Leung and Dennis Daley and their respective marital communities (collectively, **MacAngus**). MacAngus alleges that the adoption by Snohomish County (the **County**) of Ordinance No. 99-031 and Ordinance No. 99-032 does not comply with the requirements of the Growth Management Act (**GMA** or the **Act**).

On September 30, 1999, the Board received a "Notice of Appearance" from the County.

On October 27, 1999, the Board received "Snohomish County's Index of Record."

On October 29, 1999, the Board conducted a prehearing conference at its Seattle office. Present for the Board was Joseph W. Tovar, presiding officer. Representing MacAngus were Tayloe Washburn and Steve Jones. Representing the County was Duana Kolouskova.

On November 4, 1999, the Board issued the Prehearing Order (the **PHO**) in this case setting forth the legal issues, a schedule for the submittal of motions and briefs and the date for the hearing on the merits. The PHO set the following deadlines: November 15, 1999 for all motions, November 22, 1999 for all responses to motions, and December 1, 1999 for all replies to responses to motions. The PHO established December 10, 1999 as the due date for the Board's Order on

Motions.

On November 15, 1999, the Board received "Snohomish County's Motion to Dismiss for Lack of Standing and Subject Matter Jurisdiction" (the **County's Dispositive Motion**). On this same date, the Board received "Petitioners' Motion to Supplement the Record" (**Petitioners' Motion to Supplement**).

On November 22, 1999, the Board received "Snohomish County's Response to Petitioners' Motion to Supplement the Record." On this same date, the Board received "Petitioners' Response to County's Dispositive Motions" together with the "Declaration of Richard E. Moultrie," the "Declaration of Doug MacDonald," the "Declaration of Charles A. Wittenberg."

On November 24, 1999, in response to a joint request from the parties, the Board issued an Order Amending Final Schedule (the **OAFS**). The OAFS amended the deadlines in the PHO for the submittal of briefing and the date for the hearing on the merits.

On December 2, 1999, the Board received "Snohomish County's Reply Regarding Motion to Dismiss," and "Petitioners' Reply Memorandum on their Motion to Supplement the Record."

II. rulings ON MOTIONS

A. County's Dispositive Motion

The Board will not rule at the present time on the County's Dispositive Motion. The parties may speak to the County's Dispositive Motion if they wish during the oral argument at the hearing on the merits. The Board will rule on the County's Dispositive Motion in the Final Decision and Order in this case.

B. Petitioners' Motion to Supplement

	Proposed Exhibit: Documents	Ruling
1.	June 30, 1993 letter from James A. Carley to Robert Hilgenberg	**Admitted**
2.	June 30, 1993 Memorandum from Greg Williams and Bob Hilgenberg to Snohomish County Council	**Admitted**
3.	Drainage Investigation Report by HIGA Engineering, Inc., dated September 24, 1999	**Denied**

So ORDERED this 15th day of December, 1999.

CENTRAL PUGET SOUND GROWTH MANAGEMENT HEARINGS BOARD

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Joseph W. Tovar, AICP
Presiding Officer