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**State of Washington
GROWTH MANAGEMENT HEARINGS BOARD
FOR EASTERN WASHINGTON**

ROBERT PLAYFAIR,

Petitioner,

v.

CITY OF CHEWELAH,

Respondent.

Case No. 04-1-0009

ORDER ON COMPLIANCE

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I. PROCEDURAL HISTORY

On July 22, 2004, ROBERT PLAYFAIR, by and through his attorney, Steven Graham, filed a Petition for Review.

On August 17, 2004, the Board received from Petitioners' attorney, Steven Graham a Motion for Order Prohibiting Multiple Attorneys, and Memorandum in Support thereof, Order Prohibiting Multiple Attorneys (Proposed), and Petitioners Objections to Respondent's Index and Chronological statement, and Motion to Strike and Motion to Compel.

On August 19, 2004, the Board received Notice of Association of Council from Stanley Schwartz.

On August 19, 2004, the Board held a telephonic Prehearing conference. Present were Judy Wall, The Presiding Officer, and Board Member Dennis Dellwo. Board Member D.E. "Skip" Chilberg was unavailable. Present for Petitioners was Steven Graham. Present for Respondent was Patrick Monasmith and Associated council Stanley Schwartz.

On August 27, 2004, the Board issued its Prehearing Order.

On August 30, 2004, the Board received Petitioner's Amended Statement of Issues.

On September 9, 2004, the Board received Respondent City of Chewelah's Motion for Summary Judgment and Memorandum in Support of Motion for Summary Judgment.

1 On October 4, 2004, the Board held a telephonic Motion Hearing. Present were Judy
2 Wall, Presiding Officer, and Board Members John Roskelley and Dennis Dellwo. Present for
3 Petitioner was Steven Graham. Present for Respondent was Patrick Monasmith and
4 Associated council Stanley Schwartz.

5 On October 11, 2004, the Board issued its Order on Motions dismissing Issues Nos. 2
6 and 3 from the Petition for Review.

7 On November 19, 2004, The Board held the Hearing on the Merits in Chewelah.
8 Present were Judy Wall, Presiding Officer, and Board Members Dennis Dellwo and John
9 Roskelley. Present for Petitioner was Steven Graham. Present for Respondent was Stanley
10 Schwartz.

11 On December 27, 2004, the Board issued its Final Decision and Order.

12 On January 6, 2005, the Board received Respondent's Motion and Memorandum in
13 Support of Motion for Reconsideration.

14 On January 7, 2005, the Board received Respondent's Addendum to Motion for
15 Reconsideration.

16 On January 11, 2005, the Board sent a letter to the parties advising any response to
17 the Motion, Memorandum, and Addendum for Reconsideration be filed with the Board no
18 later than January 28, 2005.

19 On January 28, 2005, the Board received Petitioner's Memorandum in Response to
20 City's Motion for Reconsideration.

21 On March 24, 2005, the Board received Respondent's Statement of Action Taken to
22 Comply detailing the City of Chewelah's anticipated date to bring itself into compliance with
23 the Board's Final Decision and Order issued on December 27, 2004.

24 On May 11, 2005, the Board received Respondent's Statement of Action Taken to
25 Comply with Request to Modify Schedule for Compliance asking that the current briefing
26 schedule be extended.

On June 13, 2005, the Board received Respondent's Second Statement of Action
Taken to Comply.

1 On July 26, 205, the Board held a telephonic compliance hearing. Present were Judy
2 Wall, Presiding Officer, and Board Members Dennis Dellwo and John Roskelley. Present for
3 Petitioner was Steven Graham. Present for Respondent was Stanley Schwartz.

4 **II. ORDER**

5 The Petitioner acknowledged the Respondent, City of Chewelah, has fulfilled
6 the Public Participation Policy that GMA requires and will not challenge the matter
7 further. Based on the documents provided to the Board in Chewelah's Second
8 Statement of Action Taken to Comply, discussion and stipulation of the parties, the
9 Board hereby finds the City of Chewelah in compliance with the Final Decision and
Order issued on December 27, 2004.

10 **SO ORDERED** this 26th day of July 2005.

11 EASTERN WASHINGTON GROWTH MANAGEMENT
12 HEARINGS BOARD

13 _____
14 Judy Wall, Board Member

15 _____
16 John Roskelley, Board Member

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18 Dennis Dellwo, Board Member