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Memo Date: May 29, 2007
Hearing Date: June 5, 2007



TO: Board of County Commissioners

DEPARTMENT: Public Works Dept./Land Management Division

PRESENTED BY: BILL VANVACTOR, COUNTY ADMINISTRATOR
KENT HOWE, PLANNING DIRECTOR

AGENDA ITEM TITLE: Hearings on twenty two Ballot Measure 37 Claims. See the attached reports for the individual title of each Ballot Measure 37 claim to be heard.

PUBLIC HEARINGS/ MEASURE 37 CLAIMS

All claims set for hearing and consideration by the Board are listed in Table 1 and will be reviewed together in a single, day-long proceeding. The hearings will allow anyone the opportunity to speak to any claim during public testimony and/or submit written testimony. Anyone who submits testimony will be sent notice of subsequent land use applications that rely on the Ballot Measure 37 claim. The Board may elect to adopt all or a subset of the provided draft orders in one motion. Any of the claims with issues can be removed and discussed by the Board in separate actions.

Hearing Process

The order of testimony for each claim listed in Table 1 will be as follows:

1. Applicant.
2. Others.
3. Rebuttal by applicant.
4. Questions from the Board, if necessary.

After closing or continuing the hearings on all the listed claims, the Board may:

1. Identify claims for further discussion.
2. Act on those not requiring more discussion (by number from Table 1).

Possible Motions following the Hearings

1. Motion for Board to adopt the proposed orders for the claims that appear valid.
2. Motion for Board on individual orders or claims pulled for discussion.
3. Motion that remaining claims have inadequate information to determine their validity and direct the County Administrator to issue letters of denial.

ANALYSIS AND RECOMMENDATIONS

There are 22 claims scheduled for a hearing. There are 6 claims recommended for denial. Bixler, Kester, Kronke, and Miller do not appear to be valid claims and Brooks and Defoe⁴ have not submitted adequate evidence to be determined valid. Refer to the staff reports for those claims for further details. If the Board concurs with the recommendations, the County Administrator will issue a letter to that effect for each claim. The remaining claims appear valid as described in the attached reports and the County Administrator recommends the Board adopt the proposed orders for those claims.

ATTACHMENTS

- A. Table 1: Summary of Claims and Recommendations
- B. Table 2: Hearing Notes
- C. Reports and Orders where provided
- D. Supplemental Information

Attachment "A"

**Table 1: Summary of Claims and Recommendations
June 5, 2007**

	Name	PA#	Tax parcels	Acres	Submitted	180 days	Status	Issues/Notes	Recommendation
1.	Bixler* (5/8)	05-6425	16-03-30, tax lot 802	50	28-Sep-05	27-Mar-06	Not Valid	No Reduction	Deny
2.	Brooks* (5/15)	06-7245	20-03-03 #600 and 700	13	30-Nov-06	29-May-07	Incomplete	Valuation	Deny
3.	Collis* (5/15)	06-5001	18-03-30 #1505	5	3-Jan-06	2-Jul-06	Valid		Adopt Order
4.	Defoe2* (5/8)	06-7126	16-04-07 #100; 16-04-08-20 #300	61	29-Nov-06	28-May-07	Valid		Adopt Order
5.	Defoe3* (5/15)	06-7127	16-04-34 #500	30	29-Nov-06	28-May-07	Valid		Adopt Order
6.	Defoe4* (5/15)	06-7128	15-04-18 #2001	30	29-Nov-06	28-May-07	Incomplete	Valuation / No Reduction	Deny
7.	Eymann* (5/8)	05-6785	16-02-24 #1209; 16-02-23 #1301	227	14-Dec-05	12-Jun-06	Valid		Adopt Order
8.	Hansen2* (5/15)	06-7261	17-02#1800; 17-02-03 #602; 17-02-04 #1100; 17-02-09 #100, 400, 500; 17-02-10 #100, 500, 600, 700; 17-02-16 #100	1,331	1-Dec-06	30-May-07	Valid		Adopt Order
9.	Harper1* (5/15)	06-7309	16-04-23 #301, 1600, 1401, 901; 16-04-26 #100, 200, 900	218	1-Dec-06	30-May-07	Valid		Adopt Order
10.	Harper2* (5/15)	06-7310	16-04-23 #900 and 1400	62	1-Dec-06	30-May-07	Valid		Adopt Order
11.	Inman* (5/8)	06-7346	17-05-08 #100, 300, 400	221	4-Dec-06	2-Jun-07	Valid		Adopt Order
12.	Kester* (5/8)	06-7224	20-04-05 #300, 301, 302; 20-05-01 #200; 20-04-06 #200; 20-05-12 #200	1,248	1-Dec-06	30-May-07	Not Valid	Valuation / No Reduction	Deny
13.	Kronke* (5/15)	06-7295	18-05-34 #600, 601, 602, 603	315	1-Dec-06	30-May-07	Not Valid	No Reduction	Deny
14.	Lamb1* (5/8)	06-7106	18-06-01 #2100	60	28-Nov-06	27-May-07	Valid		Adopt Order
15.	Miller* (5/1)	06-7202	17-02-19 #1100, 1200	20	1-Dec-06	30-May-07	Not Valid	No Reduction	Deny

	Name	PA#	Tax parcels	Acres	Submitted	180 days	Status	Issues/Notes	Recommendation
16.	Moulton* (5/15)	06-7250	18-02-36 #302	14	1-Dec-06	30-May-07	Valid		Adopt Order
17.	Patterson* (5/1)	06-7340	16-25-26 #500, 501	102	4-Dec-06	2-Jun-07	Valid		Adopt Order
18.	Schrenk* (5/8)	06-7226	19-02-06 #100, 201; 18-02-31 #303	311	1-Dec-06	30-May-07	Valid		Adopt Order
19.	Troutman2* (5/8)	06-7242	17-02-04 #703	27	1-Dec-06	30-May-07	Valid		Adopt Order
20.	Wilson* (5/1)	06-7216	20-04-11 #100	16	1-Dec-06	30-May-07	Valid		Adopt Order
21.	Woodrich* (5/8)	06-7345	17-06-14 #1000	68	4-Dec-06	2-Jun-07	Valid		Adopt Order
22.	Zip o Logs* (5/1)	06-7191	19-04-05 #200; 19-04-06 #100	315	30-Nov-06	29-May-07	Valid		Adopt Order

ATTACHMENT "B"
Table 2: Hearing Notes
June 5, 2007

	Name	PA#	Recommendation	NOTES
1.	Bixler* (5/8)	05-6425	Deny	
2.	Brooks* (5/15)	06-7245	Deny	
3.	Collis* (5/15)	06-5001	Adopt Order	
4.	Defoe2* (5/8)	06-7126	Adopt Order	
5.	Defoe3* (5/15)	06-7127	Adopt Order	
6.	Defoe4* (5/15)	06-7128	Deny	
7.	Eymann* (5/8)	05-6785	Adopt Order	
8.	Hansen2* (5/15)	06-7261	Adopt Order	
9.	Harper1* (5/15)	06-7309	Adopt Order	
10.	Harper2* (5/15)	06-7310	Adopt Order	
11.	Inman* (5/8)	06-7346	Adopt Order	
12.	Kester* (5/8)	06-7224	Deny	
13.	Kronke* (5/15)	06-7295	Deny	
14.	Lamb1* (5/8)	06-7106	Adopt Order	
15.	Miller* (5/1)	06-7202	Deny	

	Name	PA#	Recommendation	NOTES
16.	Moulton* (5/15)	06-7250	Adopt Order	
17.	Patterson * (5/1)	06-7340	Adopt Order	
18.	Schrenk* (5/8)	06-7226	Adopt Order	
19.	Troutman2* (5/8)	06-7242	Adopt Order	
20.	Wilson * (5/1)	06-7216	Adopt Order	
21.	Woodrich* (5/8)	06-7345	Adopt Order	
22.	Zip o Logs * (5/1)	06-7191	Adopt Order	