



KITTITAS COUNTY DEPARTMENT OF PUBLIC WORKS

Mark R. Cook, PE Director

January 5, 2017

Mr. Christopher Horner
Deputy Prosecuting Attorney
205 West Fifth, Room 213
Ellensburg, WA 98926-2890

RE: Claim No.: 201612290017

Dear Mr. Horner:

Public Works has reviewed the claim for damage (Exhibit 1) submitted by Clayton and Dorothy Snyder. We confirm that Public Works was traveling to perform county road operations at or near the referenced area (I90, 1.5 miles west of the Cle Elum Washington State DOT Weigh Station) on the date noted on the claim (12/28/16). The damages listed are consistent with our experience resulting from aggregate falling from a dump truck operating at, or about, 55 miles per hour. We confirm that Public Works was contacted as described in the claim. We find no reason to dispute the narrative of the claim as submitted.

We cannot verify, nor refute, the claim that our dump truck spilled aggregate onto the Snyder's vehicle. We do acknowledge that occasionally residual aggregate remains on portions of our trucks and rough roads or high wind conditions contribute to the material leaving the vehicle under speed conditions. It is our business practice for drivers to monitor their trucks during aggregate hauling, delivery and sanding operations removing excess aggregate prior to leaving the job site and maintenance yard. Complete elimination of excess aggregate at all times is difficult to achieve. Given the fact pattern presented and our presence in the area during the time noted, we believe the likelihood that we caused the noted damage is more likely than not. We also acknowledge that the damage is consistent with past claims that we have paid resulting from similar events. We recommend that the Board of County Commissioners favorably entertain the Snyder's claim for damages.

Respectfully,


Kathy Jurgens
Finance System Manager
Co-Interim Director

Attachments: Exhibit 1 Claim No. 201612290017

C: Lisa Young, Risk Manager