

1 BEFORE THE LAND USE BOARD OF APPEALS
2 OF THE STATE OF OREGON

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4 MCPHILLIPS FARMS INC., HELEN PRITCHETT,
5 TRUSTEE OF THE EDWARD L. PRITCHETT FAMILY TRUST,
6 CARL L. BERGSTROM and LINDA J. BERGSTROM,
7 *Petitioners,*

8
9 vs.

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11 YAMHILL COUNTY,
12 *Respondent,*

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14 and

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16 RIVERBEND LANDFILL COMPANY,
17 *Intervenor-Respondent.*

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19 LUBA No. 2011-119

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21 FINAL OPINION
22 AND ORDER

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24 Appeal from Yamhill County.

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26 William K. Kabeiseman, Portland, represented petitioners.

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28 Timothy S. Sadlo, Assistant County Counsel, McMinnville, represented
29 respondent.

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31 Tommy A. Brooks, Portland, represented intervenor-respondent.

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33 RUDD, Board Member; ZAMUDIO, Board Chair; RYAN, Board
34 Member, participated in the decision.

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36 DISMISSED 01/22/2020

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38 You are entitled to judicial review of this Order. Judicial review is

1 governed by the provisions of ORS 197.850.

Opinion by Rudd.

This appeal was suspended on February 14, 2012 at the request of the parties. On October 30, 2019, LUBA issued an order directing that no later than December 2, 2019, the parties advise LUBA whether the appeal should be dismissed or reactivated, and informing the parties that if LUBA did not receive a response to the order, it would issue an order continuing the suspension for an additional 30 days. At the conclusion of that 30-day extension, the appeal would be dismissed without further notice, unless one or more parties requested that the appeal be reactivated. LUBA did not receive a response to the October 30, 2019 order.

On December 3, 2019, LUBA issued an order advising the parties that, in accordance with the October 30, 2019 order, the appeal would be dismissed without further notice on January 3, 2020, unless before that date, one or more parties requested that the appeal be reactivated. LUBA did not receive any responses to the December 3, 2019 order, and no party has requested that the appeal be reactivated.

This appeal is dismissed.