

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Tuesday, January 26, 1988

Flag Salute

- 9:00 a.m. Planning Commission Referred Item - Rezone Request #R-88-001 of Tim Woiwod.
- 10:00 a.m. Proclamation - Lincoln Theatre.

MISCELLANEOUS ITEMS

- 10:30 a.m. Discussion - Enforcement of Dangerous Dog Ordinance.

MISCELLANEOUS ITEMS

- 1:30 P.M. Executive Session - Litigation.

The Skagit County Board of Commissioners met in regular session on Tuesday, January 26, 1988, with Commissioners Vaux, Walberg and Rohrer present.

PLANNING COMMISSION REFERRED ITEM - REZONE REQUEST #R-88-001 OF TIM WOIWOD.

Steve Wood, Director of the Department of Planning and Community Development, explained this owner initiated rezone was to reclassify an approximate 8,500 square foot parcel from Commercial/Limited Industrial to Residential. The subject property is located adjacent to the Big Lake Grocery on Lakeview Boulevard, Mount Vernon. The applicant would like to place a residence on the property, however he has been unable to obtain financing because the property is zoned Commercial/Limited Industrial. Mr. Wood explained since the property is designated Residential on the South Central District Comprehensive Plan, rezoning of the property to Residential would bring it into compliance with the Comprehensive Plan.

Mr. Wood stated the Planning Commission voted 8 to 0 in favor of approving this request.

Commissioner Walberg motioned to accept the findings of the Planning Commission and approve Rezone Request #R-88-001 for Tim Woiwod to reclassify an approximate 8,500 square foot parcel from Commercial/Limited Industrial to Residential. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

PROCLAMATION - LINCOLN THEATRE.

Chairman Vaux read aloud the proclamation designating the week of February 14 through 20, 1988, as "Lincoln Theatre Center Week" in Skagit County.

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Discussion ensued regarding county-wide support the Lincoln Theatre Center has been receiving.

Larry Ashby informed the Board that Governor Gardner will also be signing a proclamation regarding Lincoln Theatre Center Week.

The Board approved for signature the proclamation designating the week of February 14 through 20, 1988, as "Lincoln Theatre Center Week."

MISCELLANEOUS ITEMS

1. The Board approved for signature Contract #88-3235-14 with the Northwest Regional Council, Area Agency on Aging for \$7,000 in funding for the 1988 Senior Health Screening Program.
2. The Board approved for signature a Dance Hall License for Robert Swanson and the Alger Tavern, 176A Old Highway 99 North, Bellingham, Washington 98226, for the period beginning January 1, 1988, and expiring December 31, 1988.
3. The Board witnessed the opening of a package from Rigo & Rigo Associates, Inc., of Berea, Ohio, which contained company brochures to be added to their proposal submitted for the Skagit County Recycling Plan.

DISCUSSION - ENFORCEMENT OF DANGEROUS DOG ORDINANCE.

The following were present for this discussion: Mike Rickert, Prosecuting Attorney; John Moffat, Chief Civil Deputy (Prosecuting Attorney); Eva Dansler, Deputy Prosecuting Attorney; Gary Frazier, Sheriff; Mary Kermen, Chief Civil Deputy (Sheriff); Sandy Nelson, Shelter Manager of the Humane Society of Skagit Valley (H.S.S.V.); John Brand, H.S.S.V. Animal Control Officer; Diane Baker, H.S.S.V. Vice President; and Dottie Moe, H.S.S.V. Treasurer.

John Brand initiated a discussion regarding the authority to impound potentially dangerous dogs. Mr. Brand explained when a dog is determined to be potentially dangerous, the owner is notified of this determination and then has five days to appeal the determination. In the meantime, the dog is not required to be enclosed or impounded. Mr. Brand asked what the County's liability would be for a dog which bites someone while the owner is within the five-day appeal period.

Mike Rickert noted the appeal hearing is a civil hearing.

John Moffat referred to a section of the Revised Code of Washington, which states an animal control officer has the authority to impound a potentially dangerous dog, if circumstances warrant the impoundment.

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Sandy Nelson noted most counties have a leash law, but Skagit County doesn't.

Mr. Rickert stated the intent of the law is to confine the dangerous dogs.

Chairman Vaux informed Mr. Brand of the Board's intent to obtain a legal opinion regarding the County's liability for potentially dangerous dogs.

Don Newman, member of the Burlington City Council, asked if written complaints are required.

Mr. Brand answered yes.

Mr. Rickert noted that complaints received by the County are turned over to the Humane Society.

Discussion followed regarding Mr. Brand's ability to write misdemeanor tickets without contacting the Sheriff's Office each time a ticket is needed.

Mr. Rickert pointed out that the Prosecuting Attorney's Office will not provide representation at each civil appeal hearing.

Diane Baker stated John Brand would represent the Humane Society, and the dog owner would represent his own interest. The judge would then decide.

Mr. Brand asked if witnesses would need to be present at the appeal hearings.

Mr. Rickert stated it would be best if witnesses were present.

Ms. Dansler reiterated there was no need for a prosecuting attorney at the administrative appeal hearings.

Mr. Newman asked if the County and cities would be responding to the same complaints.

Chairman Vaux answered the County will handle complaints taking place in the County, while the cities will handle complaints taken care of within the boundaries of the cities.

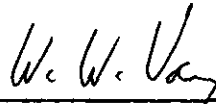
Mr. Rickert stated he will draft a letter to all cities within Skagit County, outlining the County's procedure regarding enforcement of this law.

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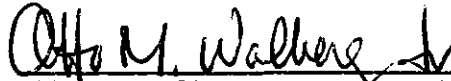
ADJOURNMENT

Commissioner Walberg motioned to adjourn the proceedings. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



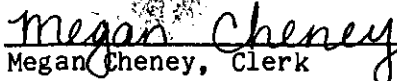
W. W. Vaux, Chairman



Otto M. Walberg, Jr., Commissioner



Dave Rohrer, Commissioner



Megan Cheney, Clerk
Skagit County Board of Commissioners