

RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS

Wednesday, May 11, 1988

Flag Salute

10:00 a.m. Discussion - City of Mount Vernon Flood Control.

MISCELLANEOUS ITEMS

11:00 a.m. Continued Public Hearing - Consideration of Proposed Amendments to Sections 7.06.010 through 7.06.040 of the Skagit County Code Relating to Dangerous Dogs.

11:30 a.m. Continued Public Hearing - Consideration of Proposed Amendment to Section 6.64.070 of the Skagit County Code Relating to Boundaries of the Mount Vernon School District.

MISCELLANEOUS ITEMS

The Skagit County Board of Commissioners met in regular session on Wednesday, May 11, 1988, with Commissioners Vaux and Walberg present. Commissioner Rohrer's absence was excused.

DISCUSSION - CITY OF MOUNT VERNON FLOOD CONTROL.

Mayor Ray Reep, of the City of Mount Vernon, and John Wiseman, Mount Vernon City Engineer, were present for this discussion.

John Wiseman stated this discussion was scheduled to determine if there is any local interest in possibly proceeding with a flood control improvement project through the Corps of Engineers.

Don Nelson, County Flood Engineer, explained that in approximately 1978, Skagit County voters soundly defeated a proposed flood control improvement project for the lower Skagit County areas. The lower levee improvement project was proposed to improve the levees in the rural area to the 50-year flood protection level; improve the Burlington area to the 100-year flood protection level; and improve the Mount Vernon area to the standard project protection level (approximately 500-year level). The project would also have extended the levee to Sedro-Woolley. Mr. Nelson noted the voters defeated the project with a vote of approximately 75 percent to 25 percent. At that time, the project was estimated to cost \$55 million, with the County's portion being approximately \$10 million, including the contribution of some in-kind services and rights-of-way.

Mr. Nelson noted that the proposed project offered no protection for the Samish River basin, nor did it offer any protection for any of Skagit County above Sedro-Woolley. The project would have adversely affected the Nookachamps area. Mr. Nelson felt it would be difficult to obtain funding

from Congress for this project, without major representation on the County's side. Under current regulations, the local government entity would be responsible for at least 25 percent of the project cost. Since the project was estimated to cost \$87 million currently, the County's share would be at least \$22 million.

Mr. Nelson stated the City of Mount Vernon could possibly proceed with a portion of the project to improve the Mount Vernon area to the 100-year protection level. However, improvement to the revetment would be a very expensive project.

Mayor Reep and Mr. Wiseman explained that currently the State and the Federal Emergency Management Act standards would require any city buildings be elevated two feet.

Mr. Nelson pointed out that the County has proven they can effectively flood fight in Mount Vernon, however, the Federal Emergency Management Act doesn't recognize flood fighting as any protection.

Mr. Wiseman felt the dikes were being improved everywhere else.

Mr. Nelson felt it was important to note the integrity of dikes, rather than the height. He recommended the County keep the authorization open on this project. He also explained that Skagit County is basically constructing the levee project over a period of 50 years or so, by the maintenance of dikes, etc. Currently, approximately \$600,000 to \$700,000 per year is spent on dike and drainage improvements in Skagit County.

The Commissioners felt the original project was not financially feasible, however, they encouraged the City of Mount Vernon to pursue a smaller project, should they desire to do so.

Mayor Reep and Mr. Wiseman thanked the Board for taking the time to discuss this matter.

#### MISCELLANEOUS ITEMS

Vouchers audited and certified by the auditing officer as required by R.C.W. 42.24.080, and those expense reimbursement claims certified as required by R.C.W. 42.24.090, have been recorded on a listing which has been made available to the Board.

As of this date, May 11, 1988, the Board, by a majority vote, did approve for payment those vouchers included in the above-mentioned list and further described as follows:

1. Vouchers #50656 through #50767 (Warrants #50656 through #50767) in the total amount of \$649,174.63. (#R-16-88)

2. Vouchers #803994 through #804466 (Warrants #33190 through #33577) in the total amount of \$295,097.88. (#C-18-88)

CONTINUED PUBLIC HEARING - CONSIDERATION OF PROPOSED AMENDMENTS TO SECTIONS 7.06.010 THROUGH 7.06.040 OF THE SKAGIT COUNTY CODE RELATING TO DANGEROUS DOGS.

Chairman Vaux waived the reading of the Notice of Public Hearing, as published in the Skagit Argus on April 26, 1988.

John Moffat, Chief Civil Deputy, explained the various amendments proposed to Sections 7.06.010 through 7.06.040 of the Skagit County Code, The proposed amendments are briefly described as follows:

1. Additionally defines "potentially dangerous dog."
2. Defines "proper restraint of potentially dangerous dog."
3. Reduces the license fee for a potentially dangerous dog to \$100.
4. Adds new subsection regarding restraint for a potentially dangerous dog.
5. Reduces the fee for the certificate of registration of a dangerous dog to \$200.
6. Adds new subsection regarding penalty for violation of proper restraint for a potentially dangerous dog.
7. Includes the addition of a penalty for failure to restrain a potentially dangerous dog.
8. Deletes portion of subsection relating to civil penalty for violation of dangerous dog restraint, because Section 7.06.040, Penalties, states the owner who violates the dangerous dog restraint shall be guilty of a gross misdemeanor.
9. Renumbers several subsections.

Mr. Moffat explained the above amendments were proposed to address concerns expressed by District Court Judge Eugene Anderson and the Humane Society of Skagit Valley.

Ron Hamar, Animal Control Officer of the Humane Society of Skagit Valley, stated the Humane Society was in agreement with the proposed amendments.

On a related matter, Mr. Moffat informed the Board that the Washington Association of Prosecuting Attorneys is looking into the State mandated

dangerous dog law as a possible source of litigation. He explained that so far two counties have responded that the law has resulted in no increased expense to the counties because those counties already had vicious dog programs in place. He noted there may be possible reimbursement for some costs from the State through Initiative 62. Mr. Moffat stated he will continue to review the matter.

Seeing no further comments, Commissioner Walberg motioned to close the public hearing. Chairman Vaux seconded the motion. The motion was carried and so ordered.

Commissioner Walberg motioned to adopt the proposed ordinance amending Sections 7.06.010 through 7.06.040 of the Skagit County Code relating to dangerous dogs. Chairman Vaux seconded the motion. The motion was carried and so ordered. (Ordinance #11576)

CONTINUED PUBLIC HEARING - CONSIDERATION OF PROPOSED AMENDMENT TO SECTION 6.64.070 OF THE SKAGIT COUNTY CODE RELATING TO BOUNDARIES OF THE MOUNT VERNON SCHOOL DISTRICT.

Chairman Vaux waived the reading of the Notice of Public Hearing, as published in the Skagit Argus on April 26, 1988.

Chairman Vaux explained this amendment was being considered to include in Chapter 6.64 of the Skagit County Code the present boundaries of Mount Vernon Consolidated School District #320, which were inadvertently omitted from the Code.

Paul Mahoney, Skagit County Assessor, was present, but had no comment.

Seeing no comments, Commissioner Walberg motioned to close the public hearing. Chairman Vaux seconded the motion. The motion was carried and so ordered.

Commissioner Walberg motioned to adopt the ordinance amending Section 6.64.070 of the Skagit County Code to include the current boundaries of Mount Vernon Consolidated School District #320. Chairman Vaux seconded the motion. The motion was carried and so ordered. (Ordinance #11577)

MISCELLANEOUS ITEMS

1. Commissioner Walberg motioned to adopt the resolution proclaiming the week of May 15, 1988, through May 21, 1988, as National Public Works Week in Skagit County. Chairman Vaux seconded the motion. The motion was carried and so ordered. (Resolution #11578)

2. Commissioner Walberg motioned to approve the following Petitions for Property Tax Refund, as recommended by the Skagit County Assessor and Treasurer:
- a. Larry Thompson, Box 679, La Conner, Washington 98257, in the amount of \$367.82, due to payment of the first half tax twice. (#004388)
  - b. M. E. Keller, 818 Cedar Grove Road, Concrete, Washington 98237, in the amount of \$379.86, due to senior citizen exemption. (#004088)
  - c. Ruth Harlow, 3807 M Avenue, Anacortes, WA 98221, in the amount of \$714.34, due to senior citizen exemption. (#004188)
  - d. Jack Johnson, 13523 93rd Avenue N.E., Kirkland, Washington 98034, in the amount of \$338.09, due to cancellation of the 1986 assessment per Department of Revenue. (#003988)
  - e. Paul D. Sandel, 3209 Eastwind Street, Mount Vernon, WA 98273, in the amount of \$434.05, due to payment of taxes on mobile home twice in 1987. (#004288)
  - f. Interwest Savings, P.O. Box 1649, Oak Harbor, Washington 98277, in the amount of \$192.72, due to payment on wrong account. (#003688)

Chairman Vaux seconded the motion. The motion was carried and so ordered.

ADJOURNMENT

Commissioner Walberg motioned to adjourn the proceedings. Chairman Vaux seconded the motion. The motion was carried and so ordered.



Megan Cheney  
Megan Cheney, Clerk of the  
Skagit County Board of Commissioners

BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON

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W. W. Vaux, Chairman

Otto M. Walberg, Jr.  
Otto M. Walberg, Jr., Commissioner

Dave Rohrer  
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