

RESOLUTION NO. _____
**A RESOLUTION OF THE SKAGIT COUNTY BOARD OF HEALTH
TO EXTEND FLUORIDE IMPLEMENTATION TIMELINE**

WHEREAS, on May 15, 2007, the Skagit County Board of Health ("Board") passed Resolution No.R20070284, ordering Skagit County PUD No. 1 ("PUD") to provide for optimally fluoridated water in a portion of the PUD water supply within 12 months; and

WHEREAS, the 12 month period will elapse on May 15, 2008, and Skagit County PUD No.1 has yet to comply with Resolution No. R20070284; and

WHEREAS, Resolution No.R20070284 provides that PUD's failure to comply "shall be subject to a penalty of \$250.00 per day."

WHEREAS, PUD raised questions about the legality of Resolution No.R20070284 in apparent good faith, and the Skagit County Prosecuting Attorney therefore sought and received the opinion of the Washington State Attorney General in an effort to address PUD's legal questions; and

WHEREAS, in Attorney General Opinion 2008 No.5, dated March 27, 2008, the Washington State Attorney General opined that the Board acted properly and legally in ordering PUD to fluoridate a portion of its water system; and

WHEREAS, the foregoing events expended many of the 12 months afforded to PUD by Resolution No.R20070284 in which to implement fluoridation; and

WHEREAS, PUD is making a good faith effort to comply with Resolution No.R20070284.

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY ORDERED

1. The 12 month timeline for the implementation of fluoridation set forth in Resolution No. R20070284 shall be extended for a period of 8 months, until January 15, 2009, without the imposition of penalties or fines.
2. This order, extension of time and forbearance from enforcement is conditioned on PUD's continued good faith efforts to comply with Resolution No. R20070284, and this time extension may be revoked by the Board at any time PUD fails to demonstrate good faith efforts toward compliance.

IN TESTIMONY WHEREOF, WE HEREUNTO SET OUR HANDS AND AFFIX
THE OFFICIAL SEAL OF OUR OFFICE this 13th day of May, 2008.

[seal]

BOARD OF HEALTH
SKAGIT COUNTY, WASHINGTON

Don Munks

DON MUNKS, Chair

Kenneth A. Dahlstedt

KENNETH A. DAHLSTEDT, Commissioner

Sharon D. Dillon

SHARON D. DILLON, Commissioner



ATTEST:

Joanne Giesbrecht
Joanne Giesbrecht, Clerk of the Board
Skagit County Board of Health

APPROVED AS TO FORM:

William Honea
William Honea, Prosecuting Attorney

SKAGIT COUNTY
Resolution # R20080238