

RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS

Tuesday, December 5, 1989

10:00 a.m. Planning Commission Referred Item: Food Services, Inc., Request to Expand Existing Contractual Rezone #R-79-017, Application #R-89-010.

MISCELLANEOUS ITEMS.

11:00 a.m. Presentation of Petition - Dangerous and Nuisance Dogs.

1:30 p.m. Discussion - Northern State Planning - Nick Cockrell of Washington State General Administration.

MISCELLANEOUS ITEMS.

The Skagit County Board of Commissioners met in regular session on Tuesday, December 5, 1989, with Commissioners Dave Rohrer, Ruth Wylie and W. W. Vaux present.

PLANNING COMMISSION REFERRED ITEM: FOOD SERVICES, INC., REQUEST TO EXPAND EXISTING CONTRACTUAL REZONE #R-79-017, APPLICATION #R-89-010.

Scott Kirkpatrick, Director - Department of Planning and Community Development, reminded the Board that any discussion must relate to the information contained in the record of the Planning Commission. He stated that, should there be a need to take public testimony, the Board should schedule their own public hearing.

Gary Christensen, Associate Planner, produced an aerial photo of the subject property 1/2 mile west of Mount Vernon and north of McClean Road. He stated that Food Services, Inc., leases the 8 acres on which their business is located. Mr. Christensen explained that a portion of the parcel, which originally supported a meat packing business, was zoned Commercial in 1966. The rest of the parcel was zoned Residential. In 1975, a request by Food Services, Inc., was considered and approved for a contract rezone to expand the Commercial property. Modifications to the contract rezone were made in 1979 to expand the freezer facility, and in 1981 to expand the office area.

Mr. Christensen noted that Application #R-89-010 was submitted by Mr. William Crawford, who wishes to expand his building for storage of vegetables and groceries, via an expansion of his existing contract rezone. Mr. Christensen provided 35 mm photos of the Food Services, Inc., facilities from various angles. Mr. Christensen stated that the Board may exercise any of the following options:

- 1) To uphold the decision of the Planning Commission.
- 2) To remand the matter back to the Planning Commission for further consideration.
- 3) To call for the Board's own public hearing to consider testimony on the matter.

Mr. Christensen stated that on November 13, 1989, the Planning Commission held a public hearing on the expansion of the existing Contract Rezone #R-79-017. Following review and testimony, the Planning Commission voted to recommend denial of the request, based on their deliberations and on the findings included in the recorded motion of the Commission. Mr. Christensen read Finding #14, which states that additional testimony or more specific project information beyond that presented at the public hearing would not justify approval of the request. Mr. Christensen explained that this additional finding was added because of the presumed insufficiency of the information provided on the application as regards project specifications.

Mr. Crawford, at the Board's request, assisted the Board in identifying his property on the aerial photograph. He further stated that he was not aware that he had to develop specific plans before applying for a rezone, so the Planning Commission did not have adequate data on which to base a decision.

Elizabeth Murray, a neighbor of Food Services, Inc., objected to the taking of public comment, as she was informed that none would be accepted today. She stated that, had she known there were to be testimony taken to corroborate information received at the public hearing of the Planning Commission, other neighbors would have attended today's meeting.

Commissioner Vaux explained that questions could be asked and answered which pertain to the information contained in the records of the Planning Commission.

Mr. Crawford was then allowed to briefly explain that if he is unable to expand his operation, he will be forced to leave the County. He stated that his company recorded \$16,000,000 in sales last year, spending \$1,000,000 in payroll and employing 50 persons, 38 of whom reside in Skagit County.

At this, Chairman Rohrer motioned to call for a public hearing to consider additional testimony on the request, and Commissioner Wylie seconded the motion.

Commissioner Vaux made a statement, noting that there may be an alternative to the plan of expanding on the north side of the existing structures, and that a compromise might be reached with the business's neighbors if a more detailed plan containing alternative solutions would be discussed directly with the neighbors. He recommended that the matter be referred back to the Planning Commission for further review of alternative plans for expansion.

Mr. Kirkpatrick pointed out that the Planning Commission had discussed at length and in detail any engineering solutions which might be considered for the expansion, and had reached the conclusion that, regardless of the proposal submitted, the request is not in harmony with the goals and objectives of the Comprehensive Plan. Mr. Kirkpatrick felt that if returned to the Planning Commission, it would cause concern and confusion amongst the members of the Commission. He felt that submission of a different site plan would not alter their decision.

Chairman Rohrer asked Mr. Kirkpatrick if Mr. Crawford could still negotiate with his neighbors if a public hearing is called.

Mr. Kirkpatrick answered in the affirmative, and noted that Mr. Crawford has always shown a willingness to do so.

Chairman Rohrer then indicated that his motion would stand, and Commissioner Wylie reaffirmed her second. The motion passed unanimously, and the hearing was scheduled for Wednesday, January 10, 1989, at 10:00 a.m.

MISCELLANEOUS ITEMS.

A. The Board approved for signature the following Petitions for Property Tax Refunds:

- 1) Larry K. McNary, 756 Padilla Heights Road, Anacortes, WA 98221, in the amount of \$449.02, due to a senior citizen exemption. (013289)
- 2) Inez C. Farmer, 1802B Highway 9, Mount Vernon, WA 98273, in the amount of \$359.29, due to a senior citizen exemption. (013589)
- 3) Alice Koffel, 1548 Dunbar Road, Mount Vernon, WA 98273, in the amount of \$1,364.57, due to a senior citizen exemption. (013689)
- 4) Gerald B. Dutton, 1008 E. Fairhaven, Burlington, WA 98233, in the amount of \$105.89, due to a senior citizen exemption. (012889)

B. A letter received from Gary R. Smith, Manager of the Anacortes Chamber of Commerce, was reviewed. Mr. Smith notes that the Anacortes Chamber operates a Visitor Information Center at its Commercial Avenue, Anacortes, offices which is one of only four State Department of Tourism designated Region IV Visitor Information Centers, serving a five county area of northwest Washington. In view of the Visitor Information Center's support in promoting tourism throughout the Skagit County, Mr. Smith requests a funding donation from the Board.

Commissioner Wylie motioned to donate \$3,000 from the hotel/motel tax fund to the Anacortes Chamber of Commerce for their Region IV Visitor Information Center.

PRESENTATION OF PETITION - DANGEROUS AND NUISANCE DOGS.

Chairman Rohrer explained that the presentation of the petition by residents of the Cape Horn area has been delayed by the flooding emergency being experienced in that area; however, a discussion of dangerous dog activity would be allowed at this time for those who were in attendance.

Verna Anderson, a Clear Lake resident, noted that problems with dogs are an ongoing issue in her neighborhood. She stated that at Clear Lake Elementary School, school principal Richard Ruhl has had to corral dogs, return dogs to their homes, and staple notes to the collar of at-large dogs. Stray dogs have been frequently observed fighting on school grounds, and have been known to steal food from the cafeteria. Near her home, she stated, she has noted dogs running in packs, and understands that farm animals have been killed by the packs.

Mr. Ruhl described an incident which occurred recently when the safety of school children was endangered by a dog fight between two german shepherds.

Sandy Nelson, Skagit County Humane Society Manager, explained the policy of the Humane Society to take potentially dangerous dogs into custody, requiring habitual offenders to specially license and care for those deemed "dangerous".

Mike Woodmansee, Budget/Finance Director, explained the County ordinances dealing with dangerous dogs.

Harry Lang, Animal Control Officer, stated he felt any dog running at large on school grounds should be impounded, and Ms. Nelson confirmed that the Humane Society will always respond to complaints from schools. She stated that they have not received any complaints from the Clear Lake School.

Commissioner Wylie noted that she has received calls complaining of packs of dogs running at large. Ms. Nelson explained the efforts of the Humane Society to control this difficult problem.

Tom Staakeland of Burlington asked Ms. Nelson to clarify that the Humane Society would respond to complaints of dogs exhibiting menacing behavior.

Finally, Ms. Nelson explained to the Board that, if other forms of enforcement are unsuccessful, the RCW's allow the Board of County Commissioners to adopt ordinances establishing dog control zones, where license fees would pay for enforcement of leash laws.

DISCUSSION - NORTHERN STATE PLANNING - NICK COCKRELL OF WASHINGTON STATE GENERAL ADMINISTRATION.

Nick Cockrell introduced himself, stating that he is a member of the Capital Management section of the Department of General Administration, whose function it is to manage G.A. projects such as renovations, new construction and facility studies.

He stated that he has been in charge of completing a study of the Northern State Campus grounds to be submitted to the legislature in January. Following a formal bidding process, the study project was awarded to Tsang Associates. Additionally, a local coordinating contract was entered into with Skagit Council of Governments, whose executive director is Bob Ruby. Mr. Cockrell stated that a preliminary report has been received from Tsang Associates, with a final report due in two weeks.

Mr. Cockrell reviewed the components of the study.

Hazardous Material Projects.

PCB's have been discovered in a number of transformers throughout the campus. Asbestos was also used in the construction of many Northern State buildings, and it is planned to have removal work completed in all dorms, class rooms, kitchens and in some tunnels in current use by 1990.

Campus Infrastructure.

Mr. Cockrell stated that a request has been made for additional appropriations

of approximately \$300,000 to address the problem of inadequate electrical systems, and will include conversion of kitchens to natural gas. This project is expected to begin late next year.

Mr. Cockrell stated that the water purveyor for the campus is P.U.D. He stated that fire flow recommendations are for 3,000 gallons of water flow per minute, while the campus clocks only 1,500 gallons per minute. Mr. Cockrell stated that considerations for increasing fire flow include dredging the pond and utilizing it, or resurrecting an old reservoir on the grounds.

Sewer systems, Mr. Cockrell stated, are plagued with ground water infiltration.

Natural gas is the primary heat source at the campus, with oil back up.

#### Current Building Projects.

Mr. Cockrell stated that a 16-bed juvenile rehabilitation facility is being planned in a joint effort between the Department of Juvenile Rehabilitation and D.S.H.S. He stated the facility will be located in building 43, at the south end of the old staff apartments, and will be accomplished with \$40,000 in funding from D.S.H.S. The job is planned to be contracted out in later January, and finished in late April or early May.

Mr. Cockrell explained that the juvenile rehabilitation facility will house juveniles who are court committed for sentences of six months or less. Inmates are required to enroll in the Job Corps vocational training program presently operating at the site, and are allowed to continue the program after release. Mr. Cockrell stated that, if successful, the program may be expanded.

Commissioner Vaux interrupted, stating his hope that Sedro Woolley and Skagit County law enforcement will be asked to be involved at the time the program's success is evaluated. Commissioner Vaux continued, stating his wish that the Job Corps program not be jeopardized by the intermingling of a juvenile offender population with a student population. Further, Commissioner Vaux stated, the County's permitting process with doubtless not be completed in time for a January start date.

Mr. Cockrell noted that the inmates will be bused from their living quarters to classrooms located on the Job Corps campus, and that the living quarters will be segregated from the rest of the campus by an eight foot fence.

Sheriff Frazier noted that the Department of Juvenile Rehabilitation has made statements regarding their intention to apply for local permits from the center.

Scott Kirkpatrick, Director - Department of Planning and Community Development, noted that a special use permit would likely be required, not just a building permit.

Mr. Cockrell made statements that the facility will be an R Occupancy, and that inmates would have been convicted of such crimes as larceny, robbery, and possession of controlled substances.

Sheriff Frazier remarked that juveniles who have six month sentences or have six months remaining on a lengthier sentence are generally being incarcerated for major felonies. He expressed concern for the inevitable incorporation of these offenders into the community. Sheriff Frazier also noted that at previous meetings, the Department of Juvenile Rehabilitation has stated that there are no considerations to expand the facility from 16 beds.

JoAnn Angevine, Human Services Director, voiced her concern for mixing the fragile participants in the Portal and Pioneer programs at the Northern State campus with a deviant population such as would be involved in the juvenile rehabilitation project. She pointed out that if any juvenile must be bussed across campus, they must pose a threat to the rest of the population.

Mr. Cockrell indicated that he would take these concerns back to his Olympia office to discuss with others involved with the project.

Mr. Cockrell then reviewed the Job Corps Cultural Center project, a construction project initiated by Job Corps students, which would house a visitor center with a security function. The project will probably not begin for two years.

Regarding the plans for a mental health treatment facility, Mr. Cockrell noted that SB 5400 appropriated 2.5 million in funds for construction of a mental health inpatient treatment facility at the Northern State. Dificiencies in the buildings have been noted, raising the estimate for completion of a 30 bed complex by \$800,000 more. Mr. Cockrell suggested that, if the North Sound Regional Support Network would be interested, the possibility of moving the paint shop out of the basement of the hub building for use, or removing portal from the top floor of the Douglas building for use could be studied.

Other statements made by Mr. Cockrell were:

- The NORLUM Foundation is interested in renovating the superintendent's building. The cost for the renovation would probably be \$800,000 to \$1,000,000, and must begin within the next 5 years or deterioration of the building will render the project impossible.
- The Winfield building has become a danger, as have some of the sunrooms on other buildings.
- Buildings on the campus will not be preserved for their historical significance.

#### Master Planning Projects.

Mr. Cockrell stated that the DNR and G.A. have agreed on a dividing line for property ownership; however, the DNR is refusing to pay for a survey of the land. If other methods fail, the G.A. is willing to enter into a contract agreement for division of the land using aerial mapping and topography. He stated that the G.A. has set aside \$5,000 for land surveying. He stated that the G.A. will likely recommend that the farmland property owned by the DNR be given over for public use. This could possibly mean the use of the property

as a fairgrounds by Skagit County. Their second recommendation would be that the money from the sale of the property be given to a CEPRI Trust.

On the possibility of new tenants, Mr. Cockrell stated that suggestions for campus use have included Skagit Valley College dormitories, additional DSHS office space, incubation for crops, a veterinary school, among others. Mr. Cockrell also noted the possibility of a long term care facility for the elderly as well.

Mr. Cockrell noted that there is not much interest in using the vacant buildings because of the cost for renovation.

Finally, Mr. Cockrell stated that most probably the G.A. will ask the Office of Financial Management to allow a delay in the submission of their plan to allow a discussion with the North Sound Regional Support Network.

Ms. Angevine and Commissioner Wylie, members of the North Sound Regional Support Network, stated that the direction of the board is yet to be determined.

The Board then briefly discussed with Mr. Cockrell the upkeep and signage of an existing cemetery on the Northern State campus.

MISCELLANEOUS ITEMS.

There were no miscellaneous items for discussion at this time.

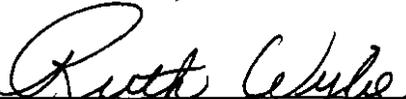
ADJOURNMENT

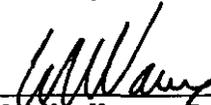
Commissioner Wylie motioned to adjourn the proceedings. Commissioner Vaux seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON



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Dave Rohrer, Chairman

  
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Ruth Wylie, Commissioner

  
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W. W. Vaux, Commissioner

ATTEST:

  
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Stephanie Wood, Clerk  
Skagit County Board of Commissioners