

ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING
SPECIAL SESSION - APRIL 8, 1997 "COUNTY CONFERENCE"

The Board of Island County Commissioners met in Special Session on April 8, 1997, at 7:00 p.m., at the Bayview Senior Center, Langley, for the first of a series of four County Conferences to provide an opportunity to receive public comments on any areas of concern from the people within the community. Mike Shelton, Chairman, Wm. L. McDowell, Member, were present. Tom Shaughnessy, Member, was unable to attend this meeting, but will attend the successive three meetings. Also in attendance were Margaret Rosenkranz, Auditor/Clerk of the Board, and Donna Benson, Office Assistant, BOCC. Approximately 100 people attended. Sue Frause, who served as moderator of the meeting, gave credit to the nine-member non-partisan committee of South Whidbey citizens who organized this first meeting.

Each Commissioner gave a brief "State of the County" presentation.

Commissioner Mike Shelton, District #1

Growth Management Act (GMA) - progress of the proposed Comp Plan required under GMA passed by the Washington State Legislature in 1990 and 1991. Under the Act, the County's comprehensive plan is the key land use policy document. Many citizens have expressed concerns about the new Comp Plan and possible downzoning of their property. Each county must project its next 20 year growth and establish UGA's (urban growth areas) to accommodate most of that growth. Through the year 2016, Island County needs to plan for an additional 30,000 people. The process so far has rested with the Planning Commission and to date, the Board has not held public hearings, but he expected that to occur probably toward the start of summer.

The County is in good financial shape. Assessed values are high; the levy rate low, compensated in part by high assessed values. As interest rates go up, the county's interest rates go up accordingly. Appropriate people have been hired who are important to the future of Island County, especially extra Sheriff's Deputies and through the new Hydrogeologist, Doug Kelly, we will learn exactly what water resources and quantities exist in Island County.

In the area of Public Health, the county will be constructing a low to moderate income health clinic in the Whidbey General Hospital facility next to Lumberman's, and a variety of services will be provided at that location. This will become a valuable community asset and serve a well-documented need on South Whidbey.

Commissioner Mac McDowell, District #2

County government is in good shape. The switch over to ICOM resulted in one central emergency dispatch center for coordinated response throughout the entire county.

With the fairly new and expanded Public Works Department, along with help from concerned citizens and volunteers, the county is able to do more things than just roads. The Public Works Department has capabilities it has not had in the past, for instance, to help residents address flooding events.

County mini-GIS system (Geographical Information System) has been implemented consisting of a graphical display database of all the parcels in the county, and has become a model for other counties in the State to follow. These maps will eventually be able to be accessed via the Internet. The Island County Code, County Commissioner minutes, Hearing Examiner Decisions and the proposed Comprehensive Plan are now available to the public via the Internet.

Water continues to be one of the most important issues to address in the county. With the hiring of a County Hydrogeologist, within just a matter of months, not years, the County will have an excellent database of information related to water resources.

As we get closer to completion of a new Comp Plan, more and more people are interested and concerned. Island County is not alone in being late in adopting a new Comp Plan. Of 39 counties in the State and 29 counties planning under GMA, 14 have submitted plans, and only 4 are completed.

Questions: accepted verbally from audience members and in writing, summarized with Commissioner responses as follows.

Livability on the Island if one is not wealthy and larger lots taken out of circulation?

Commissioner McDowell. If there is a shorter supply of land, the price will go up. He did not know how government could make the cost of land less. The county only keeps a small portion of an individual's property tax - about 15%. Waterfront property is getting more expensive. If a parcel was previously divided before GMA, he believes it should stay that way. One house per five acres on waterfront does not make sense.

Commissioner Shelton. Under GMA, it is doubtful that 3-1/2 dwelling units per acre classification will be allowed. If a parcel was not divided prior to GMA, one's ability to sub-divide after the new Comp Plan is adopted, is going to be curtailed. One of the tenants of GMA is to encourage people to live where

infrastructure already exists, by fostering growth where there are already services in place such as roads, water and sewer lines, schools and power. He believes it will cost more to buy parcels of property based on supply and demand. Although GMA requires the County address affordable housing, he does not see that as a reality in the rural parts of Island County.

Surface water runoff.

Commissioner Shelton. As more houses are built, additional water problems will be encountered. The county assisted in establishing a surface water utility in the Marshall Road area, which becomes very expensive for the private owner. He believed the County should deal with this on a county-wide basis.

Commissioner McDowell. Disagreed on a county wide surface water utility tax and did not support area drainage basins where known problems exist. And as was the case with the Marshall Road drainage area, the county can assist in a local drainage basin.

More law enforcement deputies and holding area for juveniles?

Commissioner Shelton. A new law placed into effect by a vote of the people a few years ago that would allow an additional 1/10th of 1% of sales tax to be set aside for detention facilities; to date, that issue has not been placed on the ballot in Island County. A juvenile detention facility has been long debated in Island County. The County uses facilities available in Whatcom, Clallam and Skagit Counties and have even gone as far south as Lewis County. When a juvenile is arrested, the transportation issue is a difficult one. However, a detention facility is very expensive to operate. Currently, in the conceptual plans for a new Law & Justice Building at the Coupeville Courthouse Complex, there is envisioned two holding "rooms" in the juvenile services area, which would also serve as interview rooms.

Commissioner McDowell: The tax Commissioner Shelton mentioned would raise only about \$300,000 annually. Operating expenses (outside of initial cost of a facility) based on figures from other counties with juvenile detention facilities, cost in excess of \$1 million. In the case of juveniles, government has to provide additional services such as schooling and accounts for added costs. He believes there needs to be a better transportation system for juveniles in order to get them in a more timely fashion to detention facilities.

Purchase of "development rights" from farmers/foresters - downzoning lands for preserving Open Space?

Commissioner Shelton. There are any number of people in Island County who have resisted the development of their property either for farming or forestry. Under the existing taxing structure, we do not

have the ability or funds to buy development rights. It is unfair for those who have not developed their property and have kept large pieces in tact -- and now through GMA, that may be locked in perpetuity - that is unacceptable.

Commissioner McDowell. Government does not have the money to buy development rights and he did not support government buying up development rights. It is extremely unfair for the farmer or forester who has preserved the land. The County cannot say it will buy one person's and not buy another person's development rights; it cannot be done on a piecemeal basis.

Cost for 1 Deputy to write traffic ticket?

According to Sheriff Hawley proceeds from a ticket are allocated: 50% to the court; remainder to the State. Commissioner Shelton pointed out that the County does not have the authority to change that. Through the State Motor Vehicle Excise Tax (MVET), the county receives funding back for Deputies, but there are restrictions placed on the way Road Funds can be used; the amount of money used for Deputies is for traffic control.

Concerns about downzoning; cost and time involved for Boundary Line Adjustments; restrictions on grading permits.

As more people choose to live in Island County, Commissioner Shelton found there seems to be more restrictions and regulations. The end result of this, through new planning under requirements of GMA, is downzoning of lands, but the County must comply with State Law.

Grant to study wastewater in Clinton and required Environmental Review not done - who responsible?

Commissioner Shelton. Two grants were involved: one for Clinton, one for Juniper Beach, Camano Island; both areas were experiencing failing septic systems. The Health Department provided staff, and together with a committee made up of local citizens, studied the issue and he believed the appropriate reviews were done.

Construction of boathouse to serve Island-wide youth/ adult rowing - Freeland Park on Holmes Harbor?

Commissioner Shelton felt it was an appropriate recreational use and sounds like a good idea; how it would be funded would need to be figured out.

Commissioner McDowell agreed it was a great idea.

BLA (3-1/2 acre parcel) done last December - thought Moratorium in effect?

Commissioner McDowell stated that boundary line adjustments may create a new layout or configuration, but does not create any more lots. In April 1996, the Western Washington Growth Management Hearings Board invalidated the Island County Residential zone, meaning that Residentially zoned property could not be subdivided at higher densities, or at levels higher than before. A BLA does not create higher densities because no new lots are created.

Commissioner Shelton did not recall the specific BLA size or zoning designation of the parcels prior to that, but Planning staff is very cognitive of existing residential zoning and was sure they took action on the basis of existing Code.

Why doesn't the County have an "Ombudsman" ? Why does the County have so many employees? Parking difficulties at the Courthouse?

Commissioner Shelton believed an "Ombudsman" position would be appropriate at the County. As for the number of employees in the county, there are some counties smaller than Island County with significantly higher worker hours than Island County. Using this comparison to other local, same size or smaller counties, it is not true Island County is over-staffed. The County has been brought into the 21st Century, and with newer, computerized equipment, allows county employees to work more efficiently.

Commissioner McDowell's opinion was the "Ombudsman" rested with the three County Commissioners. The number of employees per capita is the lowest in the state. With respect to parking, the County has worked closely with the Town of Coupeville in developing a parking plan soon to be in effect, balancing the needs and interests of the Town, the County and the visiting public. The County has also entered into joint use parking agreements with the Catholic and Methodist Churches in Coupeville, which will provide additional parking and employees will be parking in those outlying areas.

Importance of arts for the people of Island County?

Commissioner Shelton. It is critically important to the people of Island County and knew the people of South Whidbey were especially proud of the new facility in Langley. In other

counties, a significant amount of dollars go to the arts. There are other things he deemed critically important too that are not funded.

Commissioner McDowell. Very important to a great number of people but was not sure it was *critically* important. The question is: what is the County's role in supporting the arts? He did not believe it was the role of county government.

Expected date for report from Hydrogeologist?

Commissioner Shelton. The County entered into a grant contract with USGS for a ground water recharge project to define the flow and recharge characteristics of Island County. It is critical to know how much water is absorbed into the ground and ends up in the aquifers. Expect the report to come in incremental phases, developed over the coming years.

Commissioner McDowell. Over the past years, the County has gathered a substantial amount of data and the Hydrogeologist is combining that data into a comprehensive, useful source of information. The Hydrogeologist should have the ground water database developed throughout the whole county within a year, sooner than later.

30,000 people moving into Island County - are we upgrading the Clinton and Freeland areas to UGA 's - neither has the infrastructure?

Commissioner Shelton. The designation for Freeland and Clinton is appropriate; historically, though unincorporated, these areas have been established as geographic centers of growth on South Whidbey. In terms of infrastructure, the Freeland and Clinton water systems are considered some of the finer systems on South Whidbey and capable of some type of expansion. Sewage disposal and surface water runoff are important issues to consider. If the County is to absorb numbers of people, keeping in mind GMA requirements, it seems logical for Clinton and Freeland to absorb some of that growth.

Commissioner McDowell. Believe people will migrate to any area based on jobs, affordability of housing, etc. As for the Freeland and Clinton areas absorbing some of that population, that is the concept of GMA. He

personally believes people should be able to come to Island County and live wherever they want to live; the County must meet requirements under GMA and comply with the law.

Views on contained developments such as Jack Sikma's.

Commissioner Shelton. Did not think Island County was ready for another town. The proposal seems equivalent to having (when fully built out) a town larger than any other on South Whidbey.

Commissioner McDowell agreed; he would not worry about it until it actually came before the Board of County Commissioners.

Trying to protect large parcels of land for the good of the community - that is good, but be strict with the developer. Can "Design Review" work in Island County?

Commissioner McDowell: There are areas that use the design review process, such as

LaConner and Coupeville. He did not think a Design Review such as in Leavenworth was appropriate for Island County, however. Regarding large tracts of property, he was sympathetic toward the landowner who often has no intent to develop the property at the current densities, and it will become harder to protect that piece of property. There are good qualities to GMA also. Everybody seems to support what rural means to most everybody, and he hoped to be able to continue to have a rural atmosphere.

Commissioner Shelton. With special designations that are being developed in the Comp Plan, there needs to be some type of local control aspect to that. He would like to see local groups formed around certain areas, like Ken's Korner, Freeland. Towns can develop their own specifics for their own areas. As for design review Island wide, it would be a very difficult thing. For commercial use, it needs to be developed by the people who live there and he believed there was room for design review in those areas that cluster commercial enterprises.

Timeframe for Glendale Road fix? Non-Sustainable Forestry (clearcutting and conversion to residential use) contributing to flooding and slides - enforce State law?

Commissioner Shelton. Citizens, working with the State Department of Fisheries, want to restore the creek along Glendale Road. The problem with restoration of a creek for salmon is that it is a time consuming

project which will delay road work. The County is currently is involved with the State and Federal Government for restoration dollars, which he predicted it would probably be around August, which was unsatisfactory. As for enforcing State Law, it is enforced. To encourage the preservation of trees or farming, those people must have the ability to farm and forest in an appropriate way.

Commissioner McDowell: Supported Commissioner Shelton's comments with regard to salmon restoration. Regarding forestry practices, he too believes the County enforces the State Law. Should the County take over DNR permitting would require putting in place legislation that states the entire county is likely to convert to non-forestry use. He did not

think that was the desire or intent of the citizens of Island County. The question of replanting those areas can be addressed.

Need Some Caution with how commercial development proceeds. Like to see more flexibility from McDowell and Shaughnessy regarding impact fees, design review, and protection of habitat.

Commissioner McDowell. Impact fees have to be spent in the impact area. Because of Island County's size, he did not think the County would be able to collect enough fees in those six years to make a difference. If not spent in that six-year period, fees must be returned to the person who paid the fee.

Commissioner Shelton. Impact fees are bad. Everyone pays taxes for services used. He did not think people should have to prepay when someone new moves here, and saw it as unfair treatment of future Island County residents. Hopefully, future residents will pay their fair share, but prepayment is grossly unfair. Under GMA, in many instances the County is required to have concurrency, specifically in relation to the Transportation Plan - and levels of service (LOS) must be estimated that are acceptable for county residents. However, the County does not have the ability to address the construction of bridges, etc., and he believes the State Legislature needs to address those issues and funding.

Resistance to GMA on the part of McDowell and Shaughnessy?

Commissioner McDowell. Do not want Highway 525 to look like Lynnwood, but one cannot stop growth; people will move to areas where they want to live and it is not appropriate to stop it. There is no guarantee that a piece of property will stay zoned the same. In Island County, 3-1/2 units per acre is a thing of the past. One house per five acres is not appropriate, especially for waterfront. He thought an appropriate density on the waterfront was 1 for 1. The way to control growth is through zoning, satisfactory to the people of the county.

Commissioner Shelton. Personal opinion does not count when dealing with State Law ; it is not a choice. There is a wide spectrum of opinions in the community and can vary from one extreme to another. Need to

find common ground that meets the tenets of the Growth Management Act.

The meeting concluded at 9:00 p.m.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Wm. L. McDowell, Member

Attest:

[absent-Tom Shaughnessy, Member]

Margaret Rosenkranz, County Auditor

& Ex-Officio Clerk of the Board