

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
APRIL 2, 2007 SPECIAL SESSION**

The Board of Island County Commissioners met in Special Session on Monday, April 2, 2007 beginning at 7:00 p.m. to conduct a Public Meeting on the proposed Freeland Incorporation. The meeting was held, as noticed and advertised, at the Trinity Lutheran Church Gym, 525 & Woodard Road, Freeland, WA. County Commissioners Mike Shelton, Chairman, Wm. L. McDowell, Member, and John Dean, Member, attended. The Public Meeting was intended to provide a forum where persons favoring and opposing the proposed incorporation can state their views.

Attendance: Approximately 100 (public, press, County staff) *[Attendance Sheet GMA #9250]*

Hand-outs:

- **Agenda Packet** including: **Agenda; Notice of Proposed Incorporation; Map of proposed incorporation boundary; flow chart - incorporation process by MRSC** *[GMA #9251]*
- **Brochure - Freeland Chamber of Commerce March-April 2007 Vol. 7 Issue 2** *[GMA #9252]*
- **Brochure - Vision 2025 Committee and Friends of Freeland FAQ Sheet** *[GMA #9253]*

Chairman Shelton gave the welcome, opening comments and a brief explanation of the process as it relates to proposed incorporation.

- Initiators filed Notice of Proposed Incorporation with the Board of County Commissioners on March 9, 2007, and the public meeting is being held as required, before a boundary review board or county commissioners if there is no boundary review board.
- History – three-year process with regard to Sub-area Planning for Freeland, a process to designate Freeland as a NMUGA. Sub-Area Planning Committee completed its work and recommended that Freeland be established as a NMUGA; that process hopefully to be completed October this year
- State law provides that an area cannot be incorporated in a county if it is not first designated as a NMUGA; that process needs to precede incorporation. Those two things can run parallel up to a point.
- Designation as a NMUGA is a growth management piece of legislation; once adopted there is a 60-day appeal period, which will likely preclude a vote on the Freeland incorporation issue on this November ballot.
- State law also provides that included in the incorporation can only be the boundary established in the NMUGA; note the proposed incorporation boundary is considerably larger than the NMUGA boundary proposed.

There will be other opportunities to have questions answered. Questions from members of the public will be recorded, with responses provided by the Board or Committee at a later date. He reminded everyone that sewers and incorporation are not necessarily married together; those are two separate issues.

Mike Dolan, Chairman, Freeland Vision 2025 Committee, pursuant to information Chairman Shelton provided, confirmed that the Committee would further research the RCWs with respect to addressing appropriate boundaries in conjunction with a NMUGA. He mentioned to the audience that he is only a

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volunteer and the information presented is the best information available today. There are several upcoming meetings and he invited and encouraged everyone attend:

**April 3, 2007 7:00 p.m. Gregoire Hall, Trinity Lutheran Church
April 10, 2007 7:00 p.m. Fireside room, Trinity Lutheran Church
sponsored by the League of Women Voters**

Public Input

Gavin Campbell, Cameron Road, was concerned about the rural character of Freeland and water quality, and thought sewer service a great idea. Mostly, there are five acre plots around him and he would prefer not seeing those turned into 20-30 homes. The Freeland Chamber brochure with the picture of Maple Ridge on the cover he thought was a good example of excess, and if such development continues, feared that the area would eventually become like downtown Kirkland.

John McFarland, Double Bluff Road, working with the Committee although his property is not included in the proposed boundary, saw Freeland as a unique community and while not incorporated many call it their home town. It is important to retain the rural character but at the same time realize growth is coming and who better to define the vision of the community than the people who live there. He noted that generally with incorporation taxes go down or stay about the same.

Tricia Webb, Freeland, having looked at preliminary budget figures, was interested in the cost aspect, seeing a utility tax and business tax as added taxes she now does not pay.

Bill Cochran, Soundview Drive, whose property is not included within the proposed boundaries, nor does he own property in Freeland, was concerned about Holmes Harbor pollution. Continuing to build in that basin adds water flow into the Harbor only making the matter worse, unless there is a sewer system. He did not see this as a Freeland issue, rather that everyone on the South end contributes to the problem and should help pay for it.

Rod Mourant, property owner outside the proposed boundary but within an area he thought would likely be annexed in the near future, was concerned about taxation. The FAQ Sheet provides information to show it is financially feasible to have a city and mentions taxes. He wondered whether sales tax and property tax replaced existing taxes or were new taxes.

Mike Dolan advised that none of the money a newly incorporated city generates as a rule comes from new taxes, and would not be creating new taxes on top of what residents already pay; it is a transfer. Even though it is possible there may be a smaller boundary based on new information, initial analysis shows there would be adequate reserves for capital spending, general fund and money for the future.

Nancy Walker, a resident of Holmes Harbor Sewer District, requested that the District be taken out of the incorporation process. Concerns with incorporation include taxes going up by way of 6% tax on sewer bills for Holmes Harbor residents, and creating another layer of bureaucracy. Freeland is a commercial area. There is no real specificity what local control would look like.

Don Peterson, Chip Shot way in the Holmes Harbor area, commented about other areas of the country where taxes were high, but somewhat offset by being able to use those as a tax deduction on the federal

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tax return. Taxes imposed via incorporation do not seem to be deductible. He asked about how big Freeland had to be population wise before it could incorporate.

Chairman Shelton stated that the portion of Freeland within the NMUGA boundary would be the area that would be incorporated, which does include Holmes Harbor Golf & Country Club. State law provides there must be at least 1500 people to incorporate a city.

Charlie Spromberg, Menlo Beach area of Freeland, suggested the issue was one of quality of life for the community of Freeland, wanting to maintain or improve small town character with a locally elected city council.

Mary Solt, 30-year Freeland resident, recognized things change and South Whidbey continues to grow. Freeland, because it is the commercial hub bears the brunt of the need for commercial. She was happy to hear the Board would move forward on the Freeland sub area plan so the incorporation process could move forward. An example she cited that occurred in Freeland over the last couple of years due to a reluctance on the part of county departments to enforce existing regulations, was the large storage facility planned for a mile north on the highway, contending the property is not zoned for that use, encourages strip development and the proposal should be denied outright. She is more convinced than ever that Freeland needs to incorporate rather than entrust the town to county government.

Mitchell Streicher, Freeland, submitted written comments for the record [GMA #9254], which in summary stated that the Board of County Commissioners established the Freeland Sub Area Planning Committee a 5-year long process. The Report from that committee [page 39] provides a table summarizing buildable lands analysis for Freeland as a NMUGA, showing Freeland can support a population at the low end of 4182, high end 6684. Projected need for the Freeland NMUGA is a population of 4000 in 2020, updated now for a population of 4000 for 2025. Freeland incorporation should be restricted to the NMUGA boundary reflected in the Freeland Sub Area Planning Committee report; extending boundaries beyond that will bring more rural land unnecessarily into the city and eventually that land broken up into urban sized lots.

Arne Renstrom, Old Beach Road, spoke against inclusion of his property within the incorporation, having his own water supply, septic system and believed fire and police from the county more than adequate, and he would have nothing to gain from incorporation. There seems to be no consistency in proposed boundaries, i.e. Useless Bay is not included (1.2 miles away) while Old Beach is (2 miles away). The zig-zag boundary seems geared only for the purpose of property tax revenue.

Don La Montane, Spinaker Lane in the Holmes Harbor area, likes Freeland, asked that the Board and Committee make sure Freeland remains a community whether it is a NMUGA, incorporated or stays as is.

Steve Erickson, WEAN, Langley, drew attention to the boundary map and pointed to a narrow bottleneck, noting that to move up and down the Island County wildlife have to get through the bottleneck. Should Freeland become a city there will be an urban wall, a dynamic set in motion to urbanize that area, essentially isolating wildlife movement up and down the Island. The proposed boundaries are too expansive and need to take environmental limitations of living on an island into account.

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Deb Asplund, Freeland, a business owner who helped build the town along with other business owners, pointed out that every business person in Freeland who does not have a voting address in Freeland would never have a say with what happens with their business in Freeland. In that respect, she felt that her rights would be greatly diminished. A building designer by trade and dealing with a lot of permits, her vote is for the County in terms of permitting as opposed to a smaller jurisdictions. An article a few weeks' ago in the Sunday "Parade" mentioned a small city that just incorporated, about what people thought versus what actually happened. She cited Chelan as another situation where box stores can be forced on the city whereas with a county it is not so easy.

Charlona Sawyer, Dynes Point on Holmes Harbor, member of Vision 2025 Committee, was aware that members met several times with Holmes Harbor Sewer District representatives and explained they would not be "punished". Langley and Coupeville promote tourism and Freeland has become the business hub of South Whidbey. One of the reasons she joined the Freeland Chamber of Commerce was to be a part of the thriving business chamber. She did not understand the fear of Freeland being a thriving business community and commercial hub, as well as still attracting some tourism. She is for managed growth, which does not necessarily have a horrible look to it, managed in a positive manner. For additional information, she referred folks to the web site: www.vision2025committee.com.

Stan Sumida, Old Beach Road, expressed concern over what appeared to be the zig-zag nature of the proposed boundary, noting he lives as far out on this point as possible; there are homes every 60' or so all along the beach and it represents a very significant tax. However, most of these people will not be able to vote because many are weekenders.

Stan Walker, Harbor Hills Drive, contended that the Committee never had a representative at a Holmes Harbor Sewer District meeting, but he did remember talking to Mr. Dolan about the plan and asked that the Committee opt the District out of the boundary. Incorporation will not control development along 525; it will drive it to either end, and he thought it delusional to think that taxes would not go up. Incorporating Freeland will not save what happened on Classic Road.

Dean Enell who lives on Maxwellton Road but is in the process of moving to Goss Lake, serves as the Chairman of the Freeland boundary committee, observed that Freeland was growing rapidly. None of the Committee members have any development or economic interests and his interest started in response to growth. GMA states the need to identify what people like about the community and enact regulations to keep that. To be able to preserve rural quality in Freeland it is necessary to have a plan and foresee what it will look like in 20 years. With a vision and a responsible government that can pass regulations to make that vision become a reality it can happen. When Kenmore incorporated taxes went down; likewise since Liberty Lake incorporated taxes have gone down. He observed a very financially viable area here, noting about \$500,000 surplus in the first year of operation 2008 projected revenue. Another web site with further information is: www.freelandcity.com

Colin Truss, White Deer Lane, Freeland, observed the dramatic growth in the area. He volunteered to serve on the 2025 Committee [boundary] but did not yet know whether he is in favor of incorporation or not. There is a need to look at the proposed budget, and satisfy questions, compare the proposal to other communities. The Committee looked at 18 communities in the past that have incorporated in the State, with a majority very successful.

Marianne Edain, WEAN, Langley, stated that as early as the 1970's municipalities discovered that the

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cost of development never pays for itself in taxes. As development increases, costs of development increases. The notion of controlling what happens in the community is a good thing but GMA says inside an urban growth boundary, NMUGA or incorporated city, there is a minimum development density that must on average come to approximately 4 houses per acre. Outside of that urban growth boundary there is a maximum development density of 1 house per acre. Incorporation is not the way to accomplish rural character because incorporation requires a minimum development density.

Lou Malzone, Pleasant View Lane, Freeland, told the audience he had been on both sides of the incorporation fence. There are two concepts of urbanization: one is incorporation; the other is Freeland becoming a NMUGA. As a NMUGA 1,060 acres of Freeland will be urbanized and within that area will be a minimum density; around that NMUGA is a joint planning area the county will control. Whether citizens by way of incorporation take control or the County controls, he did not favor a large boundary but did favor citizens setting their own zoning standards. The Freeland Sub-Area Planning Committee placed a stipulation for a design review board for commercial development in Freeland, but the Board of County Commissioners has yet to reply.

Tom Bartlett, Bercott Road, talked about the changes in Holmes Harbor during the last 20 years, and Freeland going from a very small place to continuing growth. He is not for or against growth, but thought everyone in the room needed to be aware they are all "the growth"; it is a good place to live, and people come for business, supplies, goods and services. Those who live in the community and create the growth should take responsibility as a community to make sure growth happens the way it should.

Gerald Hill, who lives on Wahl Road outside the proposed area of incorporation, was not sure whether he favored incorporation or not, but thought it would not take much for Freeland to become "those other areas" unless folks work together as a community. He mentioned the fight led against the a gas station located on the corner of Fish Road and the Highway; the situation wherein the County okayed across from Landshapers a storage development, and did not necessarily see an end to that continuing along the highway without the community deciding what it wants.

There being no further business to come before the Board at this time, the meeting adjourned at 8:40 p.m. The next regular meeting of the Board will be April 9, 2007 beginning at 9:30 a.m.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Wm. L. McDowell, Member

ATTEST:

Elaine Marlow, Clerk of the Board

John Dean, Member