

ISLAND COUNTY COMMISSIONERS - SPECIAL SESSION

APRIL 29, 1997 - COUNTY CONFERENCE

The Board of Island County Commissioners met in Special Session on April 29, 1997, beginning at 7:00 p.m. in the Commissioners Hearing Room, Courthouse Annex, Coupeville, WA. Commissioners present at this time were Mike Shelton, Chairman; Wm. L. McDowell and Tom Shaughnessy, Members. Other elected officials and county department heads present at this meeting included Margaret Rosenkranz, Auditor; Mike Hawley, Sheriff; Tom Baenen, Assessor; Maxine Sauter, Treasurer; and Vince Moore, P&CD Director. The meeting was coordinated with the assistance of Joan Houchen, with Fran Einternz as moderator; Rob Harbour, as Sgt. of Arms, and staffed by Jan Ford, Admin. Asst. to the Board. Approximately 40 persons were in attendance.

As with the first three "County Conferences" , this special session was designed as an open forum for those who cannot attend regular meetings of the Board in Coupeville during the day and to promote open dialogue between the Board and members of their constituency. Each Commissioner presented a short "State of the County" address, very similar to that given in the previous three conferences, covering the topics noted below:

Mike Shelton, Commissioner, District #1

GMA: The Growth Management Act (GMA) is a State mandated law imposed on counties and cities, without benefit of funding to aid in accomplishing such a major feat. Although the county is late in adoption of the a comprehensive plan and zoning ordinance in accordance with the mandated deadlines, the final product, including the newly established GIS mapping system, will be state of the art. Many of the surrounding counties are jealous of what Island County has achieved for the money spent, while other areas have invested millions to accomplish much less. Many hours of hard work were devoted to the project, with special recognition to Tom Baenen, Assessor; Cathy Caryl, Central Services Administrator and Al Peyser, Graphic Artist/Contractor.

FINANCES: Thanks in large part to a fiscally conservative Board, the county's finances are sound with a reserve of approximately one tenth of the county's overall budget. This becomes particularly important in the event of unexpected/unbudgeted emergencies, such as the recent ruling to retry the Hutchinson murder case. Without adequate reserve such emergencies have the potential to devastate a seemingly sound current or future budget.

PUBLIC HEALTH:

Island County has one of the better Public Health systems in the State. In order to better serve the general public, Island County has been able to secure Community Development Block Grants to fund the creation of a low income health clinic in Oak Harbor and one on South Whidbey Island, with the hopes of establishing one on Camano Island some time next year.

Mental Health services are provided through the North Sound Regional Support Network (RSN) which is a 5-county consortium serving Island, Whatcom, Snohomish, Skagit and San Juan. The existing system is in a state of flux due to a change to a "managed care" system which will hopefully end up better serving client needs and interaction.

Commissioner Mac McDowell, District #2

Items accomplished of which he is particularly proud include: New integrated communication dispatch center (I-COM); hiring of a county hydrogeologist; cooperative working arrangement and cost share agreement reached with the Town of Coupeville for the Courthouse Expansion Project; the new GIS Mapping System which is computer generated and will link all parcels in Island County to a data base; enhanced public access to county proceedings by implementing internet access to Board of County Commissioners Agendas, Meeting Minutes, Hearing Examiner Decisions; the entire Island County Code, as well as the working copy of the comprehensive plan which to date has been "hit" or accessed 3000 times with 600 copies made. Purchase plans for the Greenbank Farm are moving forward.

Tom Shaughnessy, Commissioner, District #3.

On the subject of GMA, the State has not examined the individual impacts to cities and counties in terms of economics, water supply, etc. By mandating how property will be assessed, the state legislature may cause the county to virtually tax residents right off their property. This issue must be addressed with the State. Mr. Shaughnessy reiterated the highlights made by Commissioners Shelton and McDowell on the positive aspects of the hiring of the Hydrogeologist and benefits to be realized and a fiscally sound budget and reserve for which the need has been demonstrated by the recent Hutchinson retrial ruling.

In view of recent winter storms and the numbers of people impacted by runoff, the issue of forming a County-wide stormwater utility is again being discussed, and public input is being considered on the subject. He feels it extremely important to recognize and deal with the issue of potential "double taxing" of individuals who paid to take care of storm/surface water issues during development before establishing any new utility districts.

Sheriff Department has seen a steady increase in the number of deputies during his tenure, as well as contributing \$160,000 recently for computer system upgrade. The new ICOM Dispatch Center and E911 is

so advanced that a person does will not even have to talk if they reach E911 as all information on address, family members and medical histories will all be on computer and displayed.

The County hopes to lend itself as an asset and complement to the Town of Coupeville with the cooperative Courthouse Expansion project.

QUESTIONS: WRITTEN AND VERBAL FROM AUDIENCE

-

HOW HAS THE Location and Availability of Water BEEN FACTORED IN TO LAND USE PLANNING?

Mike Shelton. Currently in terms of any proposed development involving a single family well, we have standards set out by the State Department of Ecology for draw-down that require you to not only monitor your well but neighboring wells. One particularly difficult aspect about Island County's water supply is that there is not just one large aquifer but many separate, unconnected aquifers. Therefore there could be plentiful water in one location and another place could have reduced quantity and or quality.

Some areas of county have been identified as having salt water intrusion problems, and if a development were proposed for those areas it would likely not be approved. The studies and research of the hydrogeologist will provide a better understanding of the availability of this resource, recharge areas and where exactly the good aquifers are located.

Mac McDowell. We have seen prior incidents and have identified areas of saltwater intrusion, and those areas receive much closer scrutiny prior to any development. Likely the biggest advantage having our own staff hydrogeologist is to hopefully get a more balanced opinion of what the issues really are.

What are Planning Costs Estimates for Next Ten Years?

Mac McDowell. The staff hydrogeologist position is an ongoing budget issue. Unlike cities, the county does not own any waterlines, storage tanks, etc., therefore any capital facilities for water are pretty minimal. There is a capital facilities budget for the water system for the Camano Courthouse annex.

Tom Shaughnessy. One issue is some major water districts which have services areas. One of the problems he sees in Island County is not many regulations or control as far as single family wells. As those go in throughout the county, they have more overall affect on different areas. The wells in a good portion of the county are regulated by service areas and major water districts.

-

How familiar is the Current BOCC with the TDR Program and Why DO YOU THINK it'S Failing?

-

Mike Shelton. The Board is very familiar with the current TDR Program created in 1984. The reason for failure of the program is quite simply there are not sufficient receiving areas in the county to make it work. The program has been tried across the United States and for the most part, has failed in each instance. As with anything, there has to be a market for a product or it will not sell.

-

Mac McDowell. The discussion on whether or not and in what form, to keep the TDR program, is currently at the Planning Commission stage. You can have all the sending areas/ resource lands in the world but without any receiving areas there is no market. The idea is that supposedly the land can then be developed at higher density but then you're talking more sewers. The DOE has a history of not readily extending sewers.

Tom Shaughnessy. The Planning Commission is currently looking at designated Urban Growth Areas to be identified as receiving areas for TDRs. The value on properties for the TDRs has to be high enough to offset the value of the development of that property, while at the

same time keeping in mind that a large part of the GMA is dedicated to the pursuit of identifying areas to accommodate affordable housing. You would also be looking at a tax -shift, with one site paying for the other. To the best of their knowledge, there is only one successful TDR Program in existence in Maryland of that which was established by way of having a Federally funded infrastructure already in place.

-

Has the BOCC Had Any Thoughts on Possible FINANCIAL Incentives TO PROPERTY OWNERS for Historic Preservation/restoration WITHIN THE NATIONAL HISTORIC DISTRICT? Has any thought been given to making the Central Whidbey Historic Preservation Advisory Committee a Regulatory committee?

-

Mac McDowell. This can certainly be looked at, however realizing that the county must operate under the guidelines spelled out in State Law. If the TDR Program is ever perfected, that might be one possible funding mechanism or means of working an incentive plan possibly selling off development rights from a historical property for a large one. Concerning the suggestion of making the CWHYPAC a regulatory committee, he has not heard any request for this type of action from the committee, however, it has become apparent that certain regulations need to be changed, such as the ones governing demolition. In his opinion the Board would be most willing to review any proposal brought to them.

Mike Shelton. He would like to see the Federal Government purchase additional developments rights on any historic properties to preserve them for future generations, such as with the Ebey's Landing National Historic Preserve properties. In his opinion they have the necessary authority and rules in place already to

accomplish what is being suggested without the need of adding an additional regulatory body. He would certainly be willing to look at any incentive program brought forward. As concerns regulatory authority for the HAC, he believes the County and Board puts great stock in the input and recommendations of the current CWHPAC, and feels the county has already has sufficient ability and means to address the issues which require regulatory control.

UNDER THE PROPOSED NEW COMPREHENSIVE PLAN, HOW IS A SMALL BUSINESS OWNER EXPECTED TO MAKE A LIVING UNDER THE PROPOSED DOWN ZONING, TIME FRAMES AND ASSOCIATED TAXES?

-

Mike Shelton. This concern is very justified and a difficult one to deal with. Unfortunately, this is what the GMA says the county must implement. The Growth Management Act was enacted by the State Legislature, made up of people voted into office by the people to represent them, and the law was drafted and adopted as law. The County must comply with the mandates of the law and can only operate inside the parameters of that law. Small, locally owned, non-polluting businesses are the heart of Island County and it is not the desire of the Board to see them punished.

Mac McDowell. The GMA set out minimum lot sizes for each county as if all counties are the same in population, amount of rural or commercial areas, etc. The one residence per five acre ruling is simply not good planning and only serves to hurt area residents and businesses. However, the state law, just like the speed limit, is something you must abide by whether you think it's right or not, and the Board has been tasked with drawing up a comp plan that will comply with that law, along with the interpretation of the State's three appointed Hearings Boards. The State Legislature has not seen clear to date to significantly change any part of the GMA to provide some relief to the county.

Tom Shaughnessy. When this was in referendum form before the voters in 1989, it failed by a margin of 3-1. In 1990, the legislature agreed to do it anyway. The Hearings Boards were not part and parcel of the original GMA legislation, but an afterthought. The state is asking the county to use the act as a one size fits all law, which is simply not possible.

IF A NATIONAL MARINE SANCTUARY DESIGNATION WORKS FOR THE SEASIDE COMMUNITIES OF CAPE CODE, KEY WEST, SANTA BARBARA, MAUI AND MONTEREY, WHY IS THIS BOARD OPPOSED TO ESTABLISHING ONE FOR ISLAND COUNTY?

-

Mac McDowell. All of the areas mentioned are designated on federal waters joining states. The current proposal is all within State waters and you cannot really compare them. Puget Sound waters are already governed by a vast amount of regulation. If our current regulations are not working well, we may need to revise or tighten those, but not ask the Federal Government for another layer of regulations.

Mike Shelton. The proposed Marine Sanctuary designation was first initiated by then Congressman Lowry, and was then further pushed for during his term as Governor. Puget Sound is already designated as an Estuary of National Significance which, along with the adopted Puget Sound Management Plan put together by the Puget Sound Water Quality Authority (now the Puget Sound Water Quality Action Team), provide what he believes to be sufficient rules and regulations to protect the sound and its uses for area residents. During a recent meeting between representatives of NOAA and DOE regarding the proposed Marine Sanctuary designation, the question was posed as to what the additional benefit to the Sound would be by adding this designation. No specific additional benefit could be identified.

HOW MUCH MONEY DOES THE COUNTY HAVE IN IT'S RESERVE FUND AND WHY CAN'T SOME OF THAT MONEY BE DIRECTED TO MENTAL HEALTH?

-

Mike Shelton. Approximately 10% of the current expense operating budget, or approximately 1.2 million. The issue of additional funding for mental health services comes down to the same old problem, with too many needs to be addressed with too few dollars. The reserve fund is vitally necessary to preserve the integrity of the County's financial well-being, as demonstrated by the recent ruling to retry a murder case that cost the county in the millions the first time around. The funding for this, and other similar unknown and unplanned emergency expenditures could throw any county into financial ruin.

The issue of the current lack of funding for mental health programs due to recent State funding cuts is a matter of great concern to the Board, however, there is nothing the county can do at this time to redirect funds from somewhere else.

-

HOW MANY WELLS ARE SUFFERING SALTWATER INTRUSION PROBLEMS? DO YOU CONSIDER QUALITY OF LIFE IN ISLAND COUNTY WHEN MAKING DECISIONS?

-

Mac McDowell. By comparison to the overall number, very few wells in Island County are seriously affected by salt water intrusion problems, and he would guess the number to be less than 20 and possibly as low as 8 or 9. He sees as a bigger problem those wells with a high count of suspended solids. The county's hydrogeologist will be doing research and testing in these areas in order to supply the county with more accurate and up to date information along these lines.

Tom Shaughnessy. The rate of withdrawal has a large bearing on the water quality in any given area.

Mike Shelton. Many wells have tolerable levels of salt safe for human consumption during fall and winter

months, however, they may experience increasing chlorides during summer months. Concerning the issue of quality of life in Island County, you cannot in good conscience and fairness sit as a legislative authority and tell other people that you are going to take away their right to do something with their piece of property, while you sit there happy because you have your lot and house.

WHAT IS THE PROSPECT FOR FUTURE MEETINGS LIKE THIS?

-

Mike Shelton. It would be his intent to have these four area meetings at least twice a year if possible, for as long as citizens are interested in attending.

County Government is getting more and more difficult and in direct proportion, so will the problems and their solutions. Open forum type discussions such as these are beneficial to all concerned to open lines of communications and avenues for problem solving.

The meeting adjourned at 9:00 p.m., to meet next in regular session on May 5, 1997.

BOARD OF COUNTY COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

ATTEST:

Mac McDowell, Member

Margaret Rosenkranz, Auditor

& Ex-Officio Clerk of the Board Tom Shaughnessy, Member