

MINUTES—Regular Meeting
CHUCKANUT COMMUNITY FOREST PARK DISTRICT
Wednesday, February 22, 2017
Fairhaven Branch, Bellingham Public Library
1117 12th St, Bellingham, WA
Fireplace Room 6:00 to 8:00 PM
Mailing Address: PO Box 4283, Bellingham, WA 98227

Our Mission: The mission of the Chuckanut Community Forest Park District is to ensure the entirety of the property is protected in perpetuity in public ownership, with respect for its ecological, recreational, and educational functions and to serve as a fiscal mechanism through which the district, via a tax levy, will repay the City of Bellingham for the Greenways Endowment Fund loan.

Call to order: At 6:00 PM President V. Biciunas called the meeting to order.

Roll Call: John Hymas, Susan Kaun, John Brown (Clerk), Vince Biciunas (President), John McLaughlin (arrived at 6:15).

Motion: J. Brown moved to approve today's meeting agenda. J. Hymas seconded. Vote was 4-0 to approve.

Introductions: Bob Carmichael, legal counsel, Michael Chiavario, City Parks liaison, and board secretary Diane Birsner.

Public Comment: M. Chiavario reported that on Friday Feb. 24, blackberry removal in the lower quarry will commence. School children will help Rae Edwards from City Parks, Charlotte Waller, and other volunteers, from 9:30-11:30 AM, and 12:05-2:05 PM. Also, Chiavario asked a beaver expert he knows to meet him at wetland JJ to see if a future beaver reintroduction is viable at that location. J. Hymas reported that he ran into Tami DuBow, the county's beaver expert, and suggested she would be another great contact.

Motion: S. Kaun moved to approve the Jan 25, 2017 draft meeting minutes. J. Hymas seconded. Vote was 4-0 to approve as corrected.

Motion: J. Brown moved to approve the Dec 14, 2016 draft meeting minutes. J. Hymas seconded. Vote was 5-0 to approve as amended.

Report: Park Advisory Board meeting (Feb. 08, 2017). M. Chiavario said there was no information pertaining to CCFPD to report from the meeting.

Report: B. Carmichael reported that the revised Baseline Report is currently on Leslie Bryson's desk. Per A. Marriner, Bryson has committed to complete her review before our Mar. 22 meeting.

Report: J. Hymas, on beaver reintroduction investigation. Hymas reported that he recently saw Tami DuBow, who has done beaver work for the Nooksack Salmon Enhancement Association. Hymas reported that Winthrop, WA has a beaver

sanctuary where they pair up beavers for relocation. Also, the sanctuary builds temporary dam structures for the paired beavers until they create their own. Chiavario added that since the water in wetland JJ is currently not high enough to sustain a beaver population, he suggests the city allow CCFPD to build a temporary dam to raise the water level for future beaver reintroduction. J. McLaughlin thought the permitting process for said dam would be harder to obtain than permitting for the beaver relocation. V. Biciunas concluded this is good information for the future, but she doesn't think there will be any action on a beaver reintroduction plan in 2017.

Report: J. Brown reported that no progress has been made on developing a conservation easement amendment with City. Brown added he will get together with McLaughlin to draft language around a meeting with L. Bryson.

Motion: S. Kaun moved to direct J. Brown and J. McLaughlin to with L. Bryson meet as soon as possible. Per the board's discussion at the Dec. 14, 2016 meeting, points to discuss with Bryson will include the following: In response to the city's request to use the park right now, CCFPD wants to see the children involved in the planning and implementing process; CCFPD wants the city to develop the conservation easement (CE) amendment and an interim plan for the kids to use the park now; CCFPD wants its two appointed commissioners and attorney to review the amendment and plan; and CCFPD wants a guarantee of a Master Plan date. J. Hymas seconded the motion. Vote was 5-0 to approve.

Discussion: M. Chiavario commented that at a recent meeting between L. Bryson and Nicole Oliver, the Mountain Bike Coalition and Recreation Northwest and himself, recreation plans for the lower quarry were discussed in detail. Chiavario reiterated that it was made clear to the organizations who want to utilize the lower quarry that nothing can happen until the city amends the CE and an interim recreation plan is put in place. McLaughlin added that part of the CE plan has to include restoration of the damage to the park that has already occurred, and involving the "damagers" in the restoration process.

Report: D. Birsner, legal defense costs are as follows:

2015: \$41,108.50

2016: \$40,915.15

2017: \$186.00

Total costs to date: \$82,209.65.

Monthly expenses and cash flow sheets: Submitted by John Brown and Diane Birsner.

Treasurer's Report Dec. 2016: As of Dec. 31, 2016, Whatcom Co. Treasurer's Monthly Report, beginning unencumbered cash balance \$189,122.49, ending unencumbered cash balance was \$166,287.36.

Treasurer's Report Jan. 2017: As of Jan. 31, 2017, Whatcom Co. Treasurer's Monthly Report, beginning unencumbered cash balance was \$166,287.36, ending unencumbered cash balance was \$164,906.60.

Petty Cash: Heritage Bank account balance as of 01/31/2017: \$2,857.04.

Next meeting: **Wed.** Mar. 22, 2017, Fairhaven Library, Fireplace Rm., 6:00 PM.

Motion: S. Kaun moved to approve the District Payroll Input Form, wages for Diane Birsner, 16.50 hours in January 2017, total gross of \$412.50. J. Hymas seconded. Vote was 5-0 to approve.

Consent Agenda: S. Kaun moved to approve the following payments. J. McLaughlin seconded. Vote was 5-0 to approve.

Payment on the January 15, 2017 Invoice #78707 from Carmichael Clark PS for \$595.00 for general counsel services.

Payment on the January 15, 2017 Invoice #78708 from Carmichael Clark PS for \$1210.00 for legal defense.

Motion: The board determined adjourning to Executive Session was not required.

Discussion: Regarding the lawsuit, B. Carmichael stated that the Court of Appeals sent out a letter that a reply brief from *Ferlin et al.* is due on Mar. 17, 2017. After that date, the case will be ready for consideration by the Court. They will start looking at the brief, and the clerks will schedule oral arguments and notify us of that date. V. Biciunas added that CCFPD's response brief was filed on Feb. 15. The board directed D. Birsner to include the Court of Appeals' State of WA Division 1, *Ferlin et al.* case number, [75561-7](#), on our website.

Old or New Business.

D. Birsner received updated information from commissioners for the commissioners list required for the annual State Audit.

V. Biciunas reminded everyone to complete their F-1 forms.

J. McLaughlin queried the board about utilizing CCFPD for his spring WWU coursework. V. Biciunas affirmed the importance of students using the park for research purposes, even though the data collected by Peter McBride's class last year wasn't incorporated into Eissinger's Baseline Report. McLaughlin tabled the discussion for now.

Adjourn. Time: 6:45 PM.