

APPROVED MINUTES
CHUCKANUT COMMUNITY FOREST PARK DISTRICT
PO Box 4283, Bellingham, WA 98227
Regular Meeting
Thursday, February 26, 2015
Held at: Fairhaven Branch, Bellingham Public Library
1117 12th St, Bellingham, WA
In the Fireplace Room
7:00 to 9:00 PM

Official email addresses for the Commissioners, where the public may send comments (subject to public disclosure):

John Hymas hymas@fidalgo.net
Vince Biciunas vbici.ccfpd@gmail.com
Cathy McKenzie cmckenz.ccfpd@gmail.com
Sue Kaun skaun.ccfpd@gmail.com
John Brown jbrown.ccfpd@gmail.com

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 The meeting was called to order by President John Hymas at 7:00 pm.

Roll Call:

Susan Kaun
John Hymas, President
John Brown--Excused
Vince Biciunas
Cathy McKenzie

Quorum Present

Motion: To approve the agenda for today's meeting. Sue Kaun moved and Vince Biciunas seconded to approve the agenda. Vote was 4/0 to approve, one excused.

Introductions: Attending, was our legal counsel, Simi Jain and neighbor Hue Beattie.

Public Comment: Hue Beattie came to listen and say hello.

Motion: To approve the Minutes of our December 11, 2014 Regular Meeting, made by Sue Kaun, seconded by John Hymas. Approved 4/0, one excused, with no changes.

Report: Parks and Recreation Advisory Board, John Hymas attended their last meeting and besides news from around the city, there was discussion of creating a horse trail from 12th Street to Church Drive. Commissioner Biciunas and others concurred that there might be concern about piecemeal decisions made before we have a Master Plan for the Chuckanut Community Forest. John Hymas will follow up with Parks staff on that subject.

Motion: To amend our Policy and Procedure Manual, Part 3 (Board Structure), to add language: "The Board may employ a non-board member to assist with the Clerk's duties." Motion made by

Vince Biciunas, seconded by Sue Kaun. Discussion included Commissioner McKenzie's objection to this use of public funds. Motion passed with a vote of 3 to 1, 1 excused.

Discussion: Naylor property gift. John Hymas was unable to contact Mr. Naylor directly and receive some confirmation of this pending transaction. No action taken.

Discussion: Report was made by Sue Kaun to confirm that the Baseline Study Report work has begun, the contract has been signed by all parties. Ann Eissinger is reviewing existing information and will begin field work in early March. She has asked if anyone familiar with the property can assist her in finding the corner markers. Bill Hasenjaeger will be asked to assist.

Discussion: Publicly known information on the status of our legal defense in *Ferlin et. al.* was discussed. We have 30 days to respond to the Ferlin's appeal. We will place information on our website with links to the original court documents so that the public can find the information easily.

Treasurer's Report: As of the February 4, 2015 Treasurer's Report, ending unencumbered cash balance is \$123,249.47, including the \$36,326.00 received from the Ferlins et al for legal Anti-Slapp penalty and fees, which need to be held pending their appeal.

Petty Cash: balance today is \$2,051.14. Checks since last meeting written to Heritage Bank for Safety Deposit Box rental, \$50.00, and to insurer RLI for Bonding, \$875.00.

Next regular meeting will be Thursday March 26, 2015, at Fairhaven Public Library, Fireplace Room, at 7:00 PM.

Consent Agenda:

Motion to approve Legal Service Invoice #72059 to Carmichael Clark PS in the amount of \$1,125.25, for regular legal counsel services, and Invoice #72060 for \$5,050.75, for matters relating to the *Ferlin et.al.* legal case. Motion made by Vince Biciunas, seconded by Sue Kaun. Motion approved 4/0 with one excused.

Motion: Made by Vince Biciunas and seconded by Sue Kaun to convene an Executive Session to discuss with legal counsel the lawsuit, *Ferlin et. al. v. Chuckanut Community Forest Park District et. al.* Discussion. Vote was 4/0 with one excused, to convene an Executive Session. Session will last around 40 minutes. Adjourn time was 7:50 PM. Motion passed 4/0 with one excused.

Re-convened to regular session at 9:00 PM. Direction given to counsel regarding the lawsuit and appeal response.

Special Meeting called by President John Hymas for Tuesday, March 3, 2015, at 1:30 to 2:30 PM, for the purpose of convening to executive session and to give direction to counsel on legal questions in *Ferlin et al.* Commissioner Biciunas will confirm room reservation and send out notices.

No Further Business.

Meeting Adjourned at 9:05 PM.

Minutes submitted by Commissioner Biciunas