

RECORD OF PROCEEDING OF  
CHUCKANUT COMMUNITY FOREST PARK DISTRICT  
APPROVED MEETING MINUTES  
Regular Meeting  
Thursday, November 14, 2013

Fairhaven Branch, Bellingham Public Library  
1117 12<sup>th</sup> 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	<a href="mailto:hymas@fidalgo.net">hymas@fidalgo.net</a>
Vince Biciunas	<a href="mailto:vbici.ccfpd@gmail.com">vbici.ccfpd@gmail.com</a>
Cathy McKenzie	<a href="mailto:cmckenz.ccfpd@gmail.com">cmckenz.ccfpd@gmail.com</a>
Sue Kaun	<a href="mailto:skaun.ccfpd@gmail.com">skaun.ccfpd@gmail.com</a>
John Brown	<a href="mailto:jbrown.ccfpd@gmail.com">jbrown.ccfpd@gmail.com</a>

**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.

**Called To Order** The meeting was called to order by President John Hymas at 7 pm.

Commissioners and Citizens were welcomed and thanked for attending, and informed that per Chapter 42.30 RCW (Open Public Meetings Act), all CCFPD board meetings are open to the public.

**Roll Call:**

Susan Kaun  
John Hymas  
John Brown  
Vince Biciunas  
Cathy McKenzie

**All Present**

**Also in attendance: Legal Counsels,** Simi Jain, from 7 pm to 7:50 pm and Bob Carmichael, from 7:50pm to 9:48 pm.

**Motion** was made to approve the Agenda for today's meeting by Vince Biciunas and seconded by John Brown. Vince Biciunas asked that we discuss the Budget and Resolution before we have the Public Hearing on those subjects. Then discuss again and vote after the Public Hearing. Agenda approved with this addition, unanimously.

### **Public Comments**

**Bill Geyer:** Reminded us that he is still waiting for a response from us to his letter to us of May 23<sup>rd</sup>, 2013 asking for the steps we are taking to comply to the Growth Management Act. Also, Mr Geyer referred to a letter dated March 23<sup>rd</sup> from Doug Robertson to City Council regarding an Interlocal Agreement, awaiting our response.

No further comments.

**Motion** to adopt a new Budget for 2014 as provided in Draft today, made by John Brown, seconded by Vince Biciunas. Discussion of amending to add expense line item for our Insurance and Bonding costs of \$4k, and Interest of 2.25 to 3.25% on our Promissory Note, of \$3k, making sure we never go over budget in expenses, and understanding that we may amend the Budget in the future if needed. Endowment fund would be lowered to \$337,000. Vote deferred to after the Public Hearing.

**Motion** to adopt Resolution 01, establishing a Regular Property Tax Levy, as provided in Draft, made by Sue Kaun and seconded by John Hymas. Discussion. No changes are recommended. Vote deferred to after the Public Hearing.

**Public Hearing:** On the property tax revenues to be officially requested in December, 2013, to be collected for 2014. Our Resolution will be to collect \$0.28 per \$1,000.00 valuation, as we were elected to do. See the two page Draft Resolution.

**Robyn duPre:** Asks that we enact this tax and is happy to pay this tax on her two properties in the District. She is happy that we are doing exactly what we said we would do.

**Delaine Clizbe:** Is a tax payer in this District and thanks us for having a Public Hearing on this tax increase. She has two points: this tax is a small little thing added to many other small little things, having an adverse effect on the low income people in this District. Also, observes that we have not tried any other means to achieve our goal, and cites the Anacortes Community Forest as a model for fund-raising. It was also a positive model for the community, as opposed to ours splitting this community. Urges that we look at other options.

**Bill Geyer:** Also a resident and rental property owner in the District. The increased costs will affect individuals with low incomes and hopes we look at other revenue methods. He cites rising utility fees and bonds, passed to tenants. Tax should be a means of last resort, we should look at other revenue methods. There are other ways to generate revenue. South Hill and Edgemoor did not vote to create the Park District. In Draft Budget expenditure, that is an unknown number, explanation is not obvious or published. Line of credit should be in our Balance Sheet, not Income Sheet. Metrics for expenses should be more detailed. Outreach to constituency should be undertaken. Appreciates our diligence and wishes us good luck in our deliberations tonight.

**Michael Lilliquist:** City Council Member and taxpayer in the District, appreciates that we are keeping the mission and purpose of the District narrowly focused and not expanding from preventing development in the Chuckanut Forest and respecting the tax levy cap. His personal desire is that we reach an agreement with the City soon to limit costs. The Budget endowment is all that is remaining after costs.

**Motion** to adopt new budget, as amended in earlier discussion. Some further discussion on accounting details regarding the short term loan balance, the levy numbers are public record, as are the legal services expenses. Motion accepted unanimously.

**Motion** to adopt the Resolution 01. Motion passes unanimously.

**Public Hearing is Closed.**

**Levy Certification** to authorize the collection of \$422,820.12 in 2014, subject to new calculations to be sent us in December, 2013, signed by President John Hymas, for submission to Whatcom County Assessor and County Council Office before November 30<sup>th</sup> 2013 deadline.

**Motion** to approve minutes from October 24th Regular Meeting made by Cathy McKenzie and seconded by John Brown. Vince Biciunas added that Bob Carmichael's attendance needed to be added, as he arrived during the Executive Session. Minutes approved unanimously.

**Motion** to authorize the purchase of Director's and Officer's and General Liability Insurance, as well as Bonding, made by Vince Biciunas, seconded by Sue Kaun. Discussion. John Brown and John Hymas have some preliminary information, and are waiting for quotes from three insurance agencies. Legal counsel will review the coverage policies before our December 12<sup>th</sup> meeting. The motion is tabled until our next meeting, December 12<sup>th</sup>, made by John Brown, seconded by Cathy McKenzie. Passes unanimously.

**Clerk's Report:**

Clerk met with Andrew Asbjornsen, Audit Manager for the Washington State Auditor's Office on November 5<sup>th</sup>, to review our record-keeping and reporting requirements. Our main financial reports will come from the County Treasurer's Office but we will be responsible for filing our reports on the State Auditor's web site within 150 days of the end of each year.

Treasurer's Report: Our finances agree with Whatcom County Finance Department balance sheet. Our net amount is \$75,079.62. We've had no deposits this month. Our main expense is for legal counsel.

Our next regular meeting will be Thursday, December 12<sup>th</sup>, the second Thursday of the month, same time and location.

**Consent Agenda:**

Approve current legal services invoice #68274 to Zender Thurston, PS in the amount of \$13,839.00. Motion to approve made by Sue Kaun, seconded by John Brown, motion passed unanimously.

**Motion** was made by Sue Kaun and seconded by Cathy McKenzie to adjourn to Executive Session to discuss the negotiations to date with the City of Bellingham on the potential acquisition of property in the form of a conservation easement. Financial terms under discussion for the conservation easement are embedded in the Interlocal Agreement to be negotiated. Executive session expected to last about 60 minutes, and no action will likely be taken afterwards. Motion approved five to zero.

**Regular Meeting adjourned** at 8:04 PM

**Executive Session convened.**

**Regular session reconvened** at 9:04 PM. No citizens on the premises to report to. John Hymas reported that direction was given to legal counsel.

New Business items announced for discussion at Regular Session: Cathy McKenzie suggested we research the City's naming ordinance for parks and add that discussion to our December 12 agenda. Cathy will find out info on line.

Vince Biciunas would like to discuss Bill Geyer's letter(s) response.  
Vince Biciunas would like to report on a public comment received.

**Executive Session reconvened** at 9:08 PM. Expected to last 35 minutes, no action expected at the end.

**Regular Session reconvened** at 9:41 PM.

John Hymas reported that progress was made on direction to our counsel. No action was taken.

**New Business:**

Cathy McKenzie will report on the City's naming ordinance for parks at our December 12<sup>th</sup> meeting, for information only.

Vince Biciunas reported that we had received an email comment towards our Public Hearing from Gerry Wilbour, in support of our levy of 28 cents per thousand of valuation for 10 years. This should be included in the record.

We discussed with our legal counsel the points to be made, if any, in response to Bill Geyer's letters and request for response. Legal advice was that we are not obligated to respond, but that we might respond, in a courteous and general way, that we believe we are in compliance with the law. Vince Biciunas agreed to draft such a letter for review at our December 12<sup>th</sup> meeting.

No further business.

**Meeting Adjourned at 9:48 PM**