

CCFPD_Approved_Amended_Minutes_20130627

RECORD OF PROCEEDING OF
CHUCKANUT COMMUNITY FOREST PARK DISTRICT
APPROVED MEETING MINUTES
Regular Meeting & Public Hearing
Thursday, June 27, 2013

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

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:

John Hymas, President
John Brown
Vince Biciunas, Clerk
Cathy McKenzie
Susan Kaun

All Present

Motion was made to approve the agenda for today's meeting by Sue Kaun, seconded by Vince Biciunas. Discussion: none.
Voted to approve tonight's agenda, unanimously.

Public Comments, on any subject other than the Public Hearing:
None.

John Hymas opened the Public Hearing.

Amendment to Approved Minutes:

The Public Hearing will hear and consider citizens' comments on

- 1) establishing the Mission of the CCFPD, and
- 2) potential terms for an interlocal agreement with the City of Bellingham regarding the loan repayment for the property known as Hundred Acre Wood or Chuckanut Community Forest or formerly, Fairhaven Highlands

Each speaker is asked to limit comments to three minutes, and only on the subject of the Vision for CCFPD and the terms for the interlocal agreement to be negotiated with the City.

Public Hearing Comments:

Clerk Vince Biciunas reported that 39 comments had been received by 6:10 PM via email. All 39 commentators recommended preserving the entire parcel as public open space. The names are, in the order received, with synopsis:

Larry Horowitz, with extensive vision and mission statement suggestions

Laura Rink, people have made it clear, and all Greenways purchases should be Public Open Space

Dake Traphagen, people have voted three times, watershed area, keep intact

Jackie Yearance, we voted to tax ourselves to protect the whole property

Stasys Rastonis, community has sent a clear message to keep open space

Kit Hughes, please do the right thing, GMA requires biodiversity be preserved

Bernie & Jody Walz, for future generations and all residents of Whatcom County

Brooks Anderson, do not be intimidated by threatening attorneys, misleading us

Robert Gibb, MD, resale of Greenways purchases would be breach of faith

Carolyn Pion, preserve this important micro-environment, Greenways for parks

Jon Shaughnessy, keep city attractive to improve our tax base, nay-sayer's case lacks merit and is a waste of taxpayer's monies

Bill Hinley, once destroyed, woods can never be replaced, they pay for themselves in decreased medical costs and increased happiness and well-being

MaryLou Stern, preservation is voters' mandate, promotes stress reduction

Steve Wilson, decades of citizen efforts to preserve the woods should be honored

Joanne Peterson, ecosystem needs protection, for all citizens and visitors

Libby Hazen, keeping entire area open space is in the public interest

John Erickson, protection should already be a done deal

Ying & Sue Wu, we voted to protect the entire forest, three separate times

Martin & Sheryl Selch, whole park as open space benefits the whole town

Ann Ziccardi, voted to be taxed to preserve the entire forest from development

Mary Mullen, ecologically important forest must remain an intact whole, forever

Suzanne Goodell, emphasis on community, logical extension of Interurban trail

Bob Dillman, essential to our democracy as well as preservation of resources

Tracy Spring, fulfill the mandate of the voters, for future generations, per GMA

Buck McAdoo, rare old growth close to everyone, more valuable in the future

Lidia Tillman-McAdoo, should be preserved for visitors from beyond our city
John McLaughlin, with extensive “Best Available Science” and recommendations per ecological value, educational value, societal value, to secure protection of the entirety of the forest in perpetuity. Implement measures to achieve conservation, restoration and management. Maintain or enhance ecological, educational, aesthetic and recreational values.

Mary Anne Rangel-Guerrero, in support of protection

Christopher Grannis, 20 years of supporting votes, GMA requires biodiversity, Greenways ideals, Parks Master Plan needs, neighborhood support, future generations enjoyment of environmentally sensitive area.

Gail Smedley, open space and public parkland support

Monica Cassidy, voter support, GMA open space requirements, Parks Master Plan acres per capita requirements

Larry Freeman, why should government be a servant of special and monied interests?

Laura Smith-Clawson, Greenways levy purchased the land and voters taxed themselves with the intent to preserve it in entirety, legally

David & Diane Sue, development cannot be undone later, preserve entire park

Josselyn Winslow, future generations will appreciate our vision, serve people of all ages, allow variety of recreational activities that will not harm overall environment.

Michael Chiavario, all citizens benefit from uniquely beautiful and ecologically important area, if left in its natural state.

Colleen Curtis, entire park will serve all residents of Bellingham.

Earl Cilley, open space is the best use, for City’s backdrop and beauty, and help our air and water quality. Practical numerous reasons as well, to keep it all park.

David Bricklin for Responsible Development, refuting Doug Robertson’s letter of March 25, 2013, where “he makes a number of sweeping assertions that have little basis in fact or law.” The Interlocal Agreement between City of Bellingham and the Park District can be drafted such that the City’s Comprehensive Plan can be amended to reflect that the property in question is public open space.

Additionally, the population infill allocations can be recalculated with current data. The assertions of financial shortfalls are not supported by the facts. The will of the people should be respected.

Public Hearing Speakers:

James King, Director, City of Bellingham Parks and Recreation Department, representing the City tonight, presented us with the memo dated June 21, 2013 that had initially been presented to City Council for approval and council direction. It is cc’d to Mayor Kelli Linville and our Attorney Robert Carmichael. He thanks us for our efforts. It lists seven points or conditions for initial discussion in pursuing an interlocal agreement between the City and the CCFPD. See Attached.

John Servais, submitted a map titled “John Servais Proposal” showing and suggesting saving wetlands and trails, while platting residential lots, along

Chuckanut Drive from Viewcrest south towards Briza Court, twenty or fifteen lots, to pay off a part of the inter-city loan. He claims this is not a sensitive area.

Sherry Jubilo, worried about something like this partial development idea. If developing part of it had been a viable idea, it would have been done long ago. It has to be protected, all of it.

Gerry Wilbour, stated it is important for this district to be community-based, for protection, conservation, and stewardship of Chuckanut Ridge. He hopes we can make sure we don't have to fight this fight again. He cites the initial donation of the land by the Larrabee family, in 1915, with covenants and guarantees for the future, pro community involvement and pro-democratic. The district has to 'buy' something, such as a conservation easement, transferrable to a permanent third party. Cites City of Issaquah, and Sehome Arboretum as examples. City of Bellingham needs a Park Master Plan.

John Servais, again, for Bill Geyer, recognizing the conflict with the City's Planning Commission meeting tonight, hearing comments on the re-zone docketing. Mr Geyer has submitted a letter with his suggested wording for the mission statement, District Goals and Performance.

John Servais, again, respects everyone's work, and since 1996, when he first wrote about the issue on nwcitizen dot com.

Delaine Clizbe, spoke to say she supports Mr Servais' proposal. Also, every neighborhood should have multi-family housing. Doesn't really care about our mission, but rather, cares about the method chosen to accomplish the mission. Complains of the redundancy of a separate level of governance, citing GMA compliance. Says, do not show your hand too soon. The Note won't be paid by 2017, so we shouldn't take the city's first offer, nor pay for city staff time. Look at other options, such as private fund-raising. Would gladly donate if we took the private fund-raising route. Cautions commissioners to take care of this, and then get out.

Maggie Hanson, cares deeply about the 100 acres, questions the naming of the park. Would like more information from the parks department. Did we sign on to just pay for the loan, or did we sign on for more than that, or will trails be built only after the loan is paid off? She has many questions, wondering what will be paid for or not.

John Hymas replied that there will be many meetings to answer questions.

Marjorie LaVallee, asks how will rezoning affect the taxes we are already paying.

Gerry Wilbur stated that the property is already owned by the City, so there are no taxes being paid by it now, and therefore it would not change the tax base.

Cathy McKenzie made a motion to close the Public Hearing, Sue Kaun seconded. No discussion. Voted five to zero to close the Public Hearing.

Public Comments Concluded.

Motion to draft and adopt Mission Statement made by Vince Biciunas, seconded by Sue Kaun, voted five to zero to discuss and draft a mission statement.

Discussion on what the mission statement should include; full preservation of the land in entirety and in perpetuity, and to repay the loan, taking language from the ballot measure. Discussion also of the Park Director's recommendation to City Council, understood as a starting point. Bob Carmichael defined the difference between a restrictive covenant versus a conservation easement. Some discussion also was had on the City's Parks Master Plan.

“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.”

Vince Biciunas made the **motion to accept the Mission Statement as drafted**. John Brown seconded. Vote was unanimous to accept the mission statement.

Discussion on the Interlocal Agreement with the City of Bellingham:

Sue Kaun started the discussion starting with John McLaughlin's suggested ideas, based on the ecological value of the property.

McLaughlin's letter of June 25, 2013 "Chuckanut Community Forest: Values of Complete Protection" at four pages and "Comments Regarding The Mission of the Chuckanut Community Forest Park District and Potential terms for an interlocal agreement with the City of Bellingham" at two pages, are attached to these minutes.

McLaughlin's Pages Five and Six, addressed to this Commission, were read into the record by the Clerk.

Comments were heard from all Commissioners as well as Bob Carmichael, Michael Lilliquist, Delaine Clizbe, Gerry Wilbour, and Hue Beatty.

Direction to our Counsel Bob Carmichael referencing Director King's June 21, 2013 letter, attached, as well as other comments, was given.

Counsel Bob Carmichael stated that he had enough information and sense of our intent to proceed with a first negotiation on the interlocal agreement with the City's Attorney.

Motion to approve minutes from May 23rd made by Sue Kaun and seconded by John Brown. Minutes were approved without any changes, unanimously.

Clerk's Report:

- 1) We can receive and accept funds towards the loan repayment at any time. Please mail checks made out to CCFPD, to PO Box 4283, Bellingham, WA 98227.
- 2) John Brown volunteers to handle PO Box pick ups while the Clerk is on vacation, expecting the billing statement from The Bellingham Herald for the Public Hearing Legal Notice publication.
- 3) Commissioners are asked to sign the expense voucher for payment of the Herald bill, in the amount of \$398.43 since it will need to be paid on time before our next scheduled meeting. Sue Kaun **moved** that we approve payment, John Brown seconded. Voted unanimously to approve payment.
- 4) Expenses of \$23.22 for clerical copies approved, Sue Kaun made the **motion**, Cathy McKenzie seconded, approved unanimously.
- 5) Clerk has reserved this room for an extra meeting in 2013 on the 2nd Thursday, November 14th, just in case we need to meet again after our previously scheduled October meeting.
- 6) Simi Jain of Zender Thurston met with our Treasurer since our last meeting to discuss our CCFPD cash flow. Steve Oliver would like a promissory note, to be dealt with at our next meeting.
- 7) No website set up yet, though it will be done.
- 8) No procedures set up yet, though they will be done.
- 9) Announcement received from Zender Thurston on new promotion for Ms. S. Jain and Mr B. Page, now Shareholders of the firm.

Routine payments can be placed on a consent agenda, in the future, listed in the minutes.

Motion was made by Sue Kaun, seconded by Vince Biciunas, to adopt as our CCFPD "Best Available Science" the document sent to us, "Chuckanut Community Forest: Values of Complete Protection" by John McLaughlin regarding the natural resources assessment of Chuckanut Ridge. Sue also provided his Curriculum Vitae (CV). Motion was passed 4 to 0. Cathy McKenzie did not vote. Discussion followed.

No Other Business

Meeting Adjourned at 9:00 PM.

Attachments:

Letter Dated June 21, 2013 from James King, Director, Parks and Recreation

Letter Dated June 25, 2013 from John McLaughlin, WWU, Huxley College