

RECORD OF PROCEEDING OF
CHUCKANUT COMMUNITY FOREST PARK DISTRICT
APPROVED MEETING MINUTES

Regular Meeting

Thursday, September 25, 2014

Held at: Fairhaven Branch, Bellingham Public Library
1117 12th St, Bellingham, WA
In the Fireplace Room
7:00 to 9:00 PM

Our Mailing Address: PO Box 4283, Bellingham, WA 98227

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.

Called 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
Vince Biciunas, Clerk
Cathy McKenzie

All Present

Motion was made to approve the agenda for today's meeting. Susan Kaun moved and John Brown seconded to approve the agenda. Vote was unanimous, to approve.

Introductions: Attending, in addition to our legal counsel, Robert Carmichael, were Vikki Jackson, Analiese Burns, Ann Eissing, Christopher Grannis, and Bill Hasenjaeger.

Public Comment:

Christopher Grannis spoke regarding an appeal of Lind Brothers' wetland delineation and categorization near Hoag Pond. This appeal is based on his claim that an inaccurate wetland delineation was made by Northwest Ecological Services. He claims the NES study done for Fairhaven Highlands was also inaccurate, and therefore, he strongly recommends we hire Ann Eissinger for our Baseline Study.

Presentation made by Vikki Jackson of Northwest Ecological Services, and Pacific Survey and Engineering, for five minutes outlining her group's qualifications to complete a Baseline Study for Chuckanut Community Forest.

Presentation made by Ann Eissinger of Nahkeeta Northwest, and Common Futures, for five minutes outlining her group's qualifications to complete a Baseline Study for Chuckanut Community Forest.

Questions to both presenters from commissioners.

Vince Biciunas asked both to confirm that they could perform all fourteen tasks as specified in the RFQ. Both answered affirmatively, in conjunction with their computer mapping associates.

Cathy McKenzie asked if they would work with volunteers in the community in terms of educational opportunities. Ms Jackson and Analiese Burns gave an example of their outreach experiences with both adults and children. Ms Eissinger replied that the scope, timeline, and level of detail in the baseline document will help direct how much community involvement to use. Baseline is a legal document, and legal ramifications have to be correct, as they are to be used for later measurements, and need to be professional.

John Hymas commented that the Parks Master Plan will likely use baseline data.

John Hymas asked Ms Jackson about her past wetland delineations. She replied that wetlands delineations are a moving target, as state Department of Ecology and City of Bellingham adopt definitions that have changed, based on tree diameter sizes. She admitted learning of errors made, and corrected. Category 1 wetlands rating systems are changing again, regarding regulation and guidance, for adoption in January 2015. Changes occur over time, and wetland delineations and hydrology can change in five years time.

John Brown asked what will be the time frame and cost? Ms Eissinger replied that our scoping and detail requirements will determine. Ms Jackson agreed that how much detail we need will determine duration and cost. They are flexible and ready to start as soon as necessary. Both would reference past research, such as that done by Sarah Cook. Ms Eissinger said that six months or a year is a reasonable timeframe.

Ms Eissinger also added that the measures on which the monitoring will take place to enforce the conservation easement, need to be thought through and specified. Biological diversity, species richness should be looked at. We need specifics. We might want to discuss with Whatcom Land Trust people for guidance. Resources and data exist on some aspects, but there is no complete plant list exists today, for example. Legal requirements exist for recreational and educational usage, but not legal conservation lists exist on the Conservation Easement. Conservation component in the Master Plan could be considered.

Bob Carmichael asked Ms Jackson and Ms Eissinger about their experience on Conservation Easements. Both had limited or partial experience, though Eissinger's was more direct.

Bob Carmichael gave some background on conservation easement negotiations, and the intent of natural features and functions to be protected. In scoping process, how would you provide input to us to achieve the objectives? Ms Jackson replied that since we are in a changing climate and world, we might put ourselves in a corner if we get too much detailed. Ms Burns replied they would provide options for us to consider. Ms Eissinger replied that in regard to the conservation aspect, it might be valuable to engage stakeholders, local individuals who are knowledgeable, to decide what is definable and measureable.

John Hymas brought up the trails mapping. Ms Burns replied that people's usage patterns would need to be looked at.

Sue Kaun commented both candidates are highly qualified to do this work. She praised Ms Eissinger's Heron Rookery Report.

John Brown also complimented the reports.

John Hymas asked if the \$10,000 set aside would be sufficient? Ms Burns replied that adding a public process part would add to the cost, aside from the biological work. Ms Eissinger replied that this amount is reasonable for using existing documentation to prepare the baseline study, augmenting with site-specific information in a limited amount of time. A baseline document defines current conditions at the time. A master planning process is the opportunity for community involvement and those can be complimentary.

Both candidates were thanked for coming to meet us in person and answer questions. They were reminded that the City of Bellingham will need to approve our selection, before we can create a contract to do the work.

Motion: Made by John Brown and seconded by Vince Biciunas, to select our preference of Ann Eissinger and Nahkeeta Northwest to prepare our Baseline Study Report, subject to agreement by a representative of the City of Bellingham. Discussion reflected that while both candidates are qualified to do the work, we

want to hire the one who has the most direct experience with conservation easements. Motion passed unanimously. Vince will draft a letter to be signed by President John Hymas and delivered to James King at the City's Parks Department.

Motion: To approve the Minutes of our August 28, 2014 Regular Meeting, made by John Brown and seconded by Sue Kaun. Approved with one typo correction, unanimously.

Motion: To approve the Minutes of our August 13th Special Meeting made by Sue Kaun and seconded by John Brown. Approved unanimously.

Report: Parks and Recreation Advisory Board Report by John Brown. Naming of our park is deferred. The Advisory Board drove over to review Locust Beach. John Brown was impressed by the dedication of the Board and Parks Director.

Discussion: Review of our 2015 Budget and our 2014 Amended Budget will need adjustment before December 2014. Clerk will discuss with Steve Oliver about budget details. Also, Authorization of Levy for 2015 will need to be accomplished in October or November, 2014.

Motion: Made to authorize our attorney to contact John Naylor to discuss possible property gift to our District, of a small piece of property near 24th Street and the Interurban Trail, and abutting our Chuckanut Community Forest, made by Vince Biciunas and seconded John Brown. Discussion of potential liability insurance costs to us, (John Brown will inquire about insurance) recording deed costs, title search, exact location, our asset rules, tax liability to us, and zoning, and if it's a legal lot of record, and if zoning would allow a sign. If we were to accept it, ownership would transfer to the City when we dissolve in nine years. Motion passed unanimously.

Motion: To reimburse expenses incurred for travel meals and transportation for Commissioner attendance at the State Auditor's Office's free Annual Report Preparation Workshop, moved by Cathy McKenzie, seconded by John Brown. Cathy McKenzie and Vince Biciunas would like to attend the November 5th date. Motion passed 4/0, one out of the room.

Treasurer's Report: Our balance as of September 4, 2014 is \$36,696.19. Our Petty Cash balance today is \$2,802.14. Whidbey Island Bank has merged with Heritage Bank as of October 4, 2014.

Report: Commissioner McKenzie reported that the web page is updated.

Our next Regular Meeting will be October 23. In November and December, we will switch to the second Thursday of the month.

Consent Agenda: Motion to approve Legal Service Invoice #70724 to Zender Thurston PS in the amount of \$945.50, for regular legal counsel services, and Invoice #70725 for \$1,366.50, for matters relating to the *Ferlin et.al.* legal case. Also, we have an invoice from Highwaters Media for \$282.50 covering our annual web hosting from 9/1/14 to 9/1/15, and updates for June, July, August and September. Motion made by Sue Kaun, seconded by Cathy McKenzie, motion passed unanimously.

Motion: Made by John Brown and seconded by Sue Kaun to convene an Executive Session to discuss with our legal counsel the lawsuit, *Ferlin et. al. v. Chuckanut Community Forest Park District et. al.* Discussion. Vote was unanimous to convene an Executive Session. Session will last around 20 minutes. Adjourn time was 8:40 PM. We will re-convene at 9:00 PM.

Back in Regular Session at 9:00 PM. No action taken.

No further business.

Meeting Adjourned at 9:01 PM.