

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

Regular Meeting

Thursday, October 23, 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:

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

All Present

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

Introductions: Attending, in addition to our legal counsel, Simi Jain, was Bill Hasenjaeger.

Public Comment: No public comments.

Motion: To approve the Minutes of our September 25, 2014 Regular Meeting, made by John Brown and seconded by Sue Kaun. Approved with two clarifying wording changes, unanimously.

Report: Parks and Recreation Advisory Board Report by Bill Hasenjaeger. Bill asked if we'd prefer his reporting to focus on our District. We agreed to keep it limited. John Brown reported to them that our Baseline Report candidates were reported to the Parks and Rec Advisory Board. Commissioner Biciunas asked Bill to convey our wishes to include the Master Planning Process for Chuckanut Forest in the upcoming 2015-2016 City budget. Bill reported that the WA State Trails Association meeting was last weekend at the Lakeway Inn, 350 in attendance. Private agencies and private funds work state-wide on trails in public lands, because of budget shortfalls in public agencies. Commissioner McKenzie asked for information regarding Recreation Northwest's trail-building project.

Discussion: We are awaiting the mutual agreement of James King, Director of Parks and Recreation of our selection of Ann Eissinger to conduct our Baseline Study Report. Approved Minutes of the September meeting will be forwarded to him now that they've been approved. Discussion included that our process was thorough and went beyond the minimum required for our type of smaller district.

Discussion: Naylor Family gift of property to our District. We don't have answers yet on our liability insurance costs. Ms Jain reported that their legal staff research confirmed that it is likely a legal lot of record, though it would cost us \$106 to the City to make that determination. Does the zoning allow for a sign to be placed? Not sure. It is zoned Residential Multi, Planned Use, and any non-residential use would be permitted one sign. Would the donation be exempt from real estate tax? Yes. Would we have to pay property taxes? No, because we are a municipal corporation. Recording costs for the deed would be \$72 for the first page, one additional dollar for additional pages. Assessor's office charges \$10.00 for the filing and tax affidavit fee. Should we discuss this donation with the City's legal department? Is the property on a steep slope or in the swampy wetland nearby? Not having all the information we need and considering all of the ramifications of property ownership, we are not yet ready to accept this gift. Direction was given to counsel to approach John Naylor to get more background information. Commissioner McKenzie will contact Tim Wahl.

Motion: To amend our 2014 Budget to reflect mid-year changes, made by John Brown and seconded by Cathy McKenzie. Discussion of our expenses incurred to date in 2014. Motion withdrawn and deferred to our December 11th meeting.

Public Hearing is to be scheduled for our November 13th Regular Meeting, to take the public's comments on our Budget for 2015, prior to adoption, and the

Authorization of the Levy amount for 2015. Notice will be made to the press and our contacts, as well as being posted on our web page.

Discussion: For attendance at the State Auditor's Free Annual Report Preparation Workshop, Per Diem rates are \$15 for lunches, and mileage rates are \$.56 per mile. Commissioner McKenzie will donate her expenses. We voted last month to reimburse expenses.

Treasurer's Report: Our balance as of October 8, 2014 is \$44,559.75. It should jump higher after October 31 taxes are received.

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, nothing new to report.

Our next Regular Meeting will be November 13. In November and December, we will switch to the second Thursday of the month.

Consent Agenda: Motion to approve Legal Service Invoice #71024 to Zender Thurston PS (now Carmichael Clark PS) in the amount of \$828.50, for regular legal counsel services, and Invoice #71025 for \$10,190.00, for matters relating to the *Ferlin et.al.* legal case. Motion made by Vince Biciunas, seconded by John Brown, motion passed unanimously.

Motion: Made by Vince Biciunas and seconded by Cathy McKenzie 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 40 minutes. Adjourn time was 8:20 PM. We will re-convene at 9:00 PM.

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

No further business, except congratulations to Bob Carmichael and staff on new name for their law practice: Carmichael Clark PS.

Meeting Adjourned at 9:01 PM.