

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

Regular Meeting

Thursday, December 11, 2014

Held at: Fairhaven Branch, Bellingham Public Library  
1117 12<sup>th</sup> 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	<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 7:00 pm.

**Roll Call:**

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

**All Present**

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

**Introductions:** Attending, in addition to our legal counsel, Simi Jain, was Tim Wahl, citizen.

**Public Comment:** No public comments.

**Motion:** To approve the Minutes of our November 13, 2014 Regular Meeting, made by John Brown and seconded by Sue Kaun. Approved unanimously, with no changes.

**Motion:** Motion was made by Cathy McKenzie and seconded by Vince Biciunas, to accept the donation of the Naylor Family property at 24<sup>th</sup> Street (Parcel #370307005277) in principle, on condition of the survey report and reasonable quotes for liability insurance expense, and permitting for signage is assured by the City. Discussion included Tim Wahl's information received from his discussions with Jay Naylor, the person currently responsible for the property. John Hymas will make an effort to meet Mr. Naylor or at least communicate with him directly, as well as have Mr. Naylor confer with our legal team. Motion passed unanimously.

**Report:** Parks and Recreation Advisory Board had no recent meeting, and no report was given.

**Motion:** Motion was made to amend the Budget for 2015, changing the rate of the levy in the footnote to read "\$0.27" instead of "\$0.28" and adding a line item named "Carry Forward." Motion made by Sue Kaun and seconded by John Brown. Discussion was followed by unanimous approval.

**Motion:** Motion was made to amend the Budget for 2014 to reflect final month changes of actuals, by John Hymas and seconded by Sue Kaun. Discussion. Approved unanimously.

**Motion:** Motion was made by John Brown and seconded by Cathy McKenzie, to authorize our legal counsel to initiate a contract for our Baseline Study Report with Ann Eissinger of Common Futures LLC, for the amount of \$11,000.00 and giving President John Hymas the authority to sign such contract if available before our next meeting. Discussion. Motion passed unanimously.

**Discussion:** Publicly known information on the status of our legal defense in *Ferlin et. al.* was discussed. Ms. Jain informed us that Judge Garrett approved our motion for fees and legal costs as we filed and were awarded for the Anti-SLAPP portion of the lawsuit. The plaintiffs have appealed this ruling to the Washington State Supreme Court.

**Treasurer's Report:** Our balance as of December 3, 2014 is \$112,926.91. We collected \$24,777.25 in tax revenue in November, 2014.

Our Petty Cash balance today is \$2,802.14.

**Our next Regular Meeting** will be Thursday, January 22, 2015, in the Fireplace Room at Fairhaven Branch, Bellingham Public Library.

**Consent Agenda:**

Motion to approve Legal Service Invoice #71534 to Carmichael Clark PS in the amount of \$3,371.50, for regular legal counsel services, and Invoice #71535 for \$10,950.00, for matters relating to the *Ferlin et.al.* legal case. Motion made by Cathy McKenzie, seconded by Sue Kaun, motion passed unanimously.

**Motion:** Made by John Hymas and seconded by Vince Biciunas 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 10 minutes. Adjourn time was 8:50 PM. We will re-convene at 9:00 PM.

Back in Regular Session at 9:17 PM. Direction given towards the lawsuit and appeal, no action taken.

**Meeting Adjourned at 9:18 PM.**