

MINUTES — Regular Meeting
CHUCKANUT COMMUNITY FOREST PARK DISTRICT
Wednesday, December 09, 2020 at 6 PM
 Online Meeting Through Zoom
 Mailing Address: PO Box 4283, Bellingham, WA 98227

Official email addresses for Commissioners, where public may send comments (subject to public disclosure):

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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.

Call to order: Frank James. Welcome Commissioners and Citizens. Per Chapter 42.30 RCW (Open Public Meetings Act), CCFPD board meetings are open to the public. This meeting is being video and voice recorded. Due to the Covid-19 outbreak and the Governor's "Stay At Home" Order, this meeting of the Chuckanut Community Forest Park District will be conducted online on Zoom.

Roll Call: Frank James, John Hymas, John Brown, and Hue Beattie. John McLaughlin is excused.

Motion: Moved to approve agenda by J. Hymas. Seconded by Hue Beattie. Approved 4/0.

Introductions: Bob Carmichael, legal counsel and Robyn Albro, secretary. Alex Jeffers is here to talk about the possibility of the Park District turning over our conservation easement to the Whatcom Land Trust for their management. They are one of the groups we are considering.

Public Comment: Please limit remarks to 3 minutes.

1. Michael Chiavario: I have been hearing some scuttlebutt about the issue of the amount of the levy millage that you commissioners approved last week. There is apparently some disagreement among some folks in town about that and I just wanted to speak in support of the vote that you Commissioners took last week. I think it was a responsible vote. I think it is important to fund the mission of the Community Forest Park District and if over the next year if more money is raised than is needed just to pay off the loan, that money can easily go toward the mission of helping whatever organization takes on the overseeing of the conservation easement to do that work and its entirely consistent from the very first year of the existence of the commission and the mission of the commission to do that. If community members decide to litigate against this millage rate, they are only going to cause the commission to have to choose whether or not to spend more monies on attorneys to fight this. I think that money could be spent by people that want to litigate against this on much more valuable community uses such as affordable housing or conservation or something other than litigating against the size of the levy over the next year. I wanted to thank all of you volunteer Commissioners. Some of you have been here the entire length of the commission's existence and I think you are doing a fine job. Thanks.

Frank James: Thank you very much Michael. We did vote at our last meeting. We looked at the options of a \$.14 per \$1,000 of assessed evaluation and \$.28 per \$1,000 and the vote was in favor of having the \$.28 per \$1,000 and that has been certified by the County Council as well.

2. Kristina Coyne-McHugh: I am going to express my curiosity about how much of that is for the average household. As one of the founding members of our group before it became the Park District, Responsible Development, I am of course in utter support of continuing with the mission and seeing it through, even if it comes at an additional cost at the end, it seems really minimal in the grand scheme of things to see it through to the best place possible. Bellingham is only growing; it is still growing, and it's always been the message. It's growing and we need to support this to be what it is. It is highly used. It's obviously had the support every single time so

why would we stop now. I heard this was happening and I wanted to show up and encourage support to see it through.

3. Dana Lyons: Hi everyone. I was a co-founder of Responsible Development along with Frank James and Kristina Coyne and worked with a volunteer team of over 100 people to help save Chuckanut Ridge. Bellingham has a long history of voting to pay for and create parks. Every greenways initiative passed by large margins. We love our parks, and we are willing to pay for them. I believe if a vote of the citizens of the Park District were held today, they would overwhelmingly say, do whatever it takes to protect that land in perpetuity. Most city governments are overly influenced by big developers and Bellingham is no exception. Without a conservation easement and legal protection, the park is only as good as the next City Council election. I understand the desire to reduce taxes. I am currently unemployed because of the pandemic and I could use a tax break. But I don't want a tax break at the expense of protecting Chuckanut Woods. Bellingham is growing and it is about to grow beyond our wildest imagination. Because of forest fires, parts of Oregon and California are no longer habitable and guess what friends, California is moving here. Any land that is not legally protected now will be lost forever to the increasing economic pressure to develop. This is about having a refuge for us to hike and bike and enjoy some peace. This is about a home for the deer and coyote, the owl and all the critters that live in the Chuckanut Woods. This is about our City's future, our kid's future. We owe ourselves to protect the Chuckanut Ridge Park to the fullest extent and provide the resources necessary to do that until a conservation easement in perpetuity is fully in place and protected and other needed projects to protect the park are completed. Thank you for listening and thank you to the Park's Commissioners for considering this.
4. Bill Geyer: I am a resident and property owner here in the Park's District like I believe everyone here is. I am not commenting on the legal action the district can take because that is resolved, and the current conservation covenant is recorded in perpetuity. However, I am addressing the Commissioners specifically on the individual and moral and ethical obligation to the voters, a promise to create a district to pay off the City loan. Each Commissioner signed the petition to originate the District and you formally affirmed where it says whereas a general tax on all property located in said Park District not to exceed \$.28 per \$1,000 of assessed evaluation each year and not to exceed ten years would be sufficient to pay off the interfund loan assuming at a minimum of 90% of the levy is used to pay the City of Bellingham, 3.2 million, plus applicable interest, assuming that no more than 10% is used by the Commissioners for admin purposes or stewardship of the forest. That was in the petition and among the reasons I opposed the initiative at that time was to prevent government action beyond paying off the loan. But all five of you supported the initiative before the voters to pay off the loan. You stood for election on that promise, some made very strong statements to that effect. The voter pamphlet affirmed that promise. The voters trusted that promise and narrowly approved the district formulation. Fortunately, you have approved past levies and you have made loan payments so that now, today, we are fortunate there is only one payment that remains to the City and you have saved an additional \$230,000 cash that will be in your coffers at the end of 2020 per County Treasurer Steve Oliver's estimates that you have. So, my request tonight is three things. I emailed to you on December 6th, 2020 a revised proposed levy resolution in the amount of \$500,000. I would request you take action on that because the County Assessor testified to the County Council that she would still take revisions, as long as it is less than what she previously certified. #2. Please take actions to amend the budget showing your revenue of \$500,000 of the levy plus the \$230,000 cash balance and authorize those expenditures appropriately to pay off the loan. And then finally, when you get to this in the old business discussion, if you have a need for additional questions and answers of those of us commenting on this piece and I think you will. I would certainly appreciate an open discussion with that to allow the appropriate transparent time so that this obligation that you have made to the voters, and that the voters have authorized you to make our payments, that it is clear, and all that information is presently there, and the Commissioners transparently enact on it. I thank you for your time tonight Commissioner James.

5. Gene Shannon: Together with my wife I own Fairhaven Village Inn and South Bay Inn & Suites. I am encouraging you to pay off the loan and stop the process of accumulating money to expand on this from this levy. You know one of the things I didn't support, didn't like about this from the beginning is that the way the district was drawn, not that the cause wasn't worthwhile, but that the way the district was drawn was heavily burdened on the business community of Fairhaven and these small businesses that support the taxes that are paid here. It is kind of an onerous thing; this year is a good case in point. Right now, we are about 80% down on revenue this year on our hotel, that is a pretty big drop. Our overall tax bite, between our core business properties this year is \$95,602, of that, \$2,519 is for this levy. We have seven people that we are carrying on their payments because they can't make it go right now because they are either restricted by a mandate to close, like a yoga studio that hasn't had a day of revenue since March and are literally closed by health care mandate. So, people could use this money, including me. We are carrying a lot of freight here and it is time to pay it off. It just makes sense, it was my understanding that was the goal in the first place, to pay it off, you have the money, now's a good time and figure out a different solution for ongoing maintenance and development if you want to do that. Get a broader levy or something that can spread that out a little bit.
 6. John Erickson: I want to thank all of the commissioners for all of their valiant work over the years and I believe that you are doing the right thing, although there are some naysayers in our community. I think that time has come and gone with this whole Covid thing that we have going on, as the previous speaker just spoke about and I think the City's finances are going to be suffering for the next several years as a result of this. I don't think we can count on the City to hold any obligations that they may have had and the financial cost of sunseting the Park District and doing the planning and everything as well. Those are the doubts I have in my mind with the City's portion and I will just close by saying thank you all for doing everything and taking the brunt of the comments from the community. Thank you.
- Hue Beattie: I would just say that this is the projected surplus, it is not a surplus now and you never know what is going to happen. Talk to us next year if you are worried about surpluses.
7. Anonymous: I would like to say that I agree with our friend Kristina Coyne-McHugh and as long as whatever the Commissioners are doing is upholding our original goal of perpetuity and I agree with Dana Lyons and support his statement.
 8. Larry Horowitz: The key is, there is a budget in place and the budget in place requires \$478,000 that will pay off the entire loan in full, pay off all at the end of this year, and pay off all the budgeted costs for next year. To request a budget or a levy of \$679,000 results in a surplus of \$216,000. I have sent email after email after email to the Park Commissioners requesting justification for a surplus of \$216,000. Now some of you know me and some of you don't, but I don't see anybody on the screen that has put in more time, more thousands of hours than I have preserving Chuckanut Ridge. Also, I was one of the first people to investigate the metropolitan park district and I know for a fact that we would not have a metropolitan park district if we didn't have a loan to pay off. I also know for a fact that the metropolitan park district would not have been approved if the Park District suggested that they raise money more than to pay off the loan. So, we can pay off the loan and cover all our expenses for 2021 with \$478,000. I recommend a levy of \$500,000 which is about \$.20 per \$1000 and that will give you a surplus in excess of \$20,000. There is also a legal fee budget of \$20,000 which I will doubt you will use so I suspect you'll have maybe \$30,000 left over. Keep in mind the commission is not going to end in 2021. You can put out another levy for 2022 if after you pay off the loan and you feel you need more money, but I think it's erroneous, I think it's possibly illegal and I know it's a moral and ethical violation of the petition and the vote. When we voted this thing in place there was a promise you would only tax the people here to cover the loan. Yea, I was involved from the very beginning I know for a fact. As a matter of fact, your language even says there's a singular purpose, now I'm talking about a singular financial purpose of paying off the loan so please during this meeting justify to me that you need \$216,000 above and beyond paying off the loan and covering all your expenses, because I don't think you can justify it.

Frank James: Thank you very much for your comments and we will now go onto the other parts of our agenda.

Park Advisory Board Meeting: John Hymas: Nothing in their agenda had anything to do with us.

Old Business:

- **Discussion of CCFPD budget for the upcoming year and the current and future surplus.**

Frank James: During the entire time of the Park District, they have been setting aside a percentage of the money we collect to meet unexpected needs, about \$100,000 of that was utilized to defend the Park District, up to the Supreme Court, though it wasn't heard by the Supreme Court because the petition was denied in our favor. The main issue in that finding was are we just here to pay off the loan and the answer to that was no. We have been setting that money aside for other purposes. We will have an election, John Hymas' position will be up and that will be a fee of about \$8,000. We are also negotiating with the University and talking with the Whatcom Land Trust about whether they would accept this conservation easement in perpetuity and be willing to defend it legally. In discussions with Alex Jeffers and the Executive Director of the Land Trust I learned that the expected contribution by us to establish a fund that would be able to defend the conservation easement would typically run between \$20,000 to \$50,000 for this type of thing. It is like a risk pool that a bunch of Land Trusts nationally pay into and they will pay financial support for challenges to the conservations easements that are in place. We believe and have believed from the beginning, that our job is not just to pay off the loan and rather is to establish the conservation easement in perpetuity and we recognized that there would be additional costs. That is the major reason we have set this money aside, not this month, not as a surplus this year, but every year we set that money aside for those purposes. There are a number of other things that can and will cost money. There is also the overall issue that the City is on fairly hard financial times. Finally, before we go away there will be a master plan of the Community Forest Park District that is quite an expensive thing to do. We have tried to address that in non-fiscal terms by having a series that looked at trail plans with two extensive hearings and are trying to make that infrastructure available when they start the long-term master planning process to decrease the time and the cost of that process. Other activities we have engaged in are surveys (some of which are mycological and bird surveys) of the natural history of the Community Forest to establish a baseline study that was the original foundation on which these activities stand.

There are other reasons in addition to paying off the loan that we have collected money. We have set money aside every year since we started that is specifically intended to ensure that the conservation easement will be there in perpetuity. That is an additional expense beyond paying off the City loan.

John Hymas: We were sued for \$100,000 by the Ferlin's and we might have paid off the loan by 2020 if not for that. Who knows if some of these people might not try to sue us again? That is another reason to have some extra cash. You really can't count on the economic situation that we have right now. If we end up with extra money, I would think that it would either go in the Park and Rec budget or the endowment fund where we borrowed it in the first place. I don't think that's a bad thing.

John Brown: In respect to Larry's notion to the \$216,000 surplus, loosely speaking, and his recommendation to keep the levy to \$500,000, allowing that these figures are somewhat on the money, after we pay off the loan and there is some payment to pay the Land Trust to take over the easement, if we have money left over do you know Bob Carmichael where that money goes? Is there any provision in the agreement between the Park District and the City that specifies where that extra money is to go?

Bob Carmichael: The terms of the Interlocal agreement and the State law governing the dissolution of the Park District would require all assets and liabilities of the Park District be turned over to the City at the time of dissolution. It does not automatically go to one purpose or another.

Frank James: I believe there has been a misunderstanding of how this money has accrued. This isn't just our levy that we set this year, this is money that we have intentionally been setting aside each year for unintended costs.

Larry you may make your comment, please keep it brief.

Larry Horowitz: The total surplus based upon your budget is \$216,000. The only justification you have come up with so far is \$20 to \$50,000 for the Whatcom Land Trust, which is not going to be paid to them in 2021, because you know the master plan is not going to be done until 2021 or 2023, so I suggest \$500,000. It gives you a huge surplus. To think about what somebody said about being sued, you can be sure that if you have a levy that is going to have a \$200,000 surplus, you are going to be a whole lot more likely to be sued, than if you have a \$20,000 surplus. The court did not say that you can spend an unlimited amount of money. The court only said that the sole purpose of paying off the loan was not a reason for you not to be a legitimate park district.

Frank James: Can I just read you the explanation from the ballot measure, you very selectively quote from that. "Voter approval will create a "Chuckanut Community Forest Park District" governed by the board of commissioners elected simultaneously. The District would have all the powers provided in Ch.35.61 RCW, including, but not limited to, maintaining, improving, and acquiring parks and recreational facilities; issuing bonds; and levying general taxes to the limit spelled out in RCW 35.61.100 . . ."

Larry Horowitz: The rebuttal of the statement against says the CCFPD is committed solely to repaying the loan.

Frank James: We have been collecting this money for known and real costs that will occur at the end of this activity. It is not a surplus on an annual budget. It is an intentionally created fund to pay for expenses beyond the cost of paying the loan. There are other expected costs, some are unlikely to occur this year.

Larry Horowitz: Yes, \$50,000.

Frank James: It is not just \$50,000. There are other expected costs. Some costs are unlikely to occur this year. We do it because we have had unexpected costs, such as legal costs, I am sure you can define those, I can't. Getting the in perpetuity agreement with the Land Trust may cost more than \$20 to 50,000.

Larry Horowitz: That is fine, you can issue another levy in 2022. I don't see any reason to have a surplus of \$216,000.

Frank James: We had a surplus of \$200,000 last year.

Larry Horowitz: You never had an opportunity to pay off the loan before now.

Frank James: I am not going to argue with you. We have been collecting that money with good purpose and intention in mind. You can look back through all our minutes and find those facts.

Frank James mentioned the \$.14 per \$1000 levy for 2021 that was considered and decided against. The money that has been set aside is not a surplus, it is an amount we set aside for unexpected and expected costs.

Larry Horowitz: You are not going to need \$200,000 at the end of next year. The loan will be paid off, you should just shut down.

Frank James: That isn't the case. Please stop arguing, I gave you the privilege to talk a lot more than anyone else in this meeting. I got the written information from you and Mr. Geyer and other individuals and we need to consider all that information and make decisions about it.

Larry Horowitz: I just want the board to consider this, if it cost you \$130,000 to win a lawsuit, imagine how much it is going to cost to lose one.

Frank James: Thank you for your opinion Larry. Commissioners, I would like to move on. This discussion we are having now is not a modification of our budget, it is reviewing it because it was raised by Mr. Geyer and Mr. Horowitz. It doesn't require any action at all, it is here for discussion.

John Brown: I am glad that Mr. Geyer and Mr. Horowitz have had as much to say as they have. I am sorry if they are disappointed. It seems to me that our positions are fairly well known, and I have nothing further to say. I don't know that further discussion in a general forum, which is what Mr. Geyer and Mr. Horowitz were calling for, is going to be to anyone's advantage. I think we all know where we are.

John Hymas: I think I had my say. I would like to get back to Bob, where in the City that money would go it. Is there is a way that the money could go back into the endowment fund?

Bob Carmichael: We could certainly negotiate with the City about having any surplus put into any particular fund that we desire, but there is no legal requirement presently. It is not addressed in the statue or the Interlocal agreement.

I would like to address that there is nothing in the court opinion on anything more than paying off the loan. I would respectfully disagree with that. This is from the Court of Appeals on page 7, "The Park District retains the right to enter the property, to observe and monitor compliance with the terms of the easement and to enjoin and abate any activity that violates the easement." The court also said elsewhere that the "Park District had the authority to acquire the conservation easement." There are costs associated with all those activities and we have been talking around what some of those are. Chairman James mentioned a number of them in terms of doing baseline reports, which they spent money on, and what will certainly be an expense when it has to pay for another organization to begin monitoring the conservation easement. All things associated with that conservation easement cost money. The court was not unaware of that, believe me. Do they actually say that the only purpose of the Park District was or wasn't to pay off the loan? No, that wasn't directly in front of the court, but the court rejected the plaintiff's case which was predicated primarily on the argument that the only purpose to the Park District was to pay off the loan. That argument was fully litigated and rejected by the court because it recognized that the Park District had a legitimate obligation to protect the property. One of the things I argued, and I think the court accepted by virtue of this sentence and others in the opinion was that the purpose of the Park District was not to pay off the loan, but the purpose was to protect the park in perpetuity. The payment of the loan was merely a means to that end, and it was certainly discussed by the voters that this is what would be necessary to protect the park in perpetuity. The main objective was not paying money, nobody would tax themselves just to pay money to the City from one district to another. The reason people voted for this was in my opinion, to protect the park in perpetuity. That statement is in the ballot title, protection of the park forever as a natural park, and certainly the means that everyone knew would be needed to do that would be through payment of the loan. The real reason that people were paying was to protect the park. All these associated things that you have been talking about have been directed towards that end of protecting the ecological function of the park in perpetuity. I think the board has been singularly focused on that more than anything else. That has been something the board has heard over and over again at public meetings that it has held both in developing the mission statement before the Park District entered into the Interlocal agreement. When it did the conservation easement, that's what people were concerned about.

One other thing I want to mention, I totally respect Mr. Horowitz and his position and the contributions he has made. When I said this could be argued either way, what I meant was the policy positions could be argued either way and I think they have been tonight. Mr. Horowitz, Mr. Geyer have argued the policies from their perspective. We have heard some counterpoints from the board and certainly that is a healthy discussion at the appropriate time. What I wasn't saying was that this is debatable from a legal perspective. In my opinion, were someone to sue the Park District over a budget surplus, they would lose that case. I didn't ask for sanctions in the first lawsuit because I rarely do that, and I am sure they would not have been granted. Unless somebody has no basis for the suit, you are never going to get the court to award sanctions. If someone were to sue the Park District over this surplus, including over the citation of a section

that I saw referenced in material supplied to the board of the RCW, I would say that section clearly does not apply, and I would request sanctions against anybody who was bringing such a lawsuit and ask that they pay the District's attorneys fees at the end of it. Now obviously I don't know how that is going to come out, I am just giving you my professional opinion based on 36 years of experience. I think such lawsuit would have absolutely no merit.

There is one other thing that I want to mention, this is getting into the subject of whether someone could argue this is sort of policy debate, but I want to mention a fact that I don't think has been mentioned. In the materials in the ballot title, it indicates that the tax would be set at \$.28 per \$1000 for ten years and the voters were paying for that. One reading of that is that people were setting up to pay a tax of \$.28 per \$1000 for 10 years. If it is paid off at the end of 2021, as may well happen here, that will be eight years, two years less than the 10 years represented to the voters.

John Hymas: Next year we can adjust our budget to eliminate the surplus then, if there is a surplus. Why do we have to do it now? Let's do it next year.

Frank James: I agree with you about that John. I think it would be unwise to approach a difficult year with a long-term planning document uncompleted and without having secured a long-term holder of the conservation easement without adequate funds. It would be a very dangerous thing to do and I don't think it would be inline with the basic mandate we have.

Bill Geyer: Could I make a brief statement to help your purpose? If you added a brief notation in your budget document and if you titled it along these lines, cash reserve, expenditures to be determined so you have a line-item place holder for this amount. It takes away a context of a surplus. I think it would help you as an agency in reporting to the taxpayers.

Frank James: Thanks Bill. That is a good suggestion and we will consider it. These decisions about reserving money each year were made before I joined the board. If the Commissioners have no further comments, I think we can move onto the next item.

- **Trail Design Public Meeting Review / Wayfinding and the Parks Draft Plan.**

John Brown moved to postpone until John McLaughlin is back in January. Seconded by John Hymas. Approved 4/0.

- **Conservation Easement.** Frank James mentioned that we had conversations with the Whatcom Land Trust several years ago about the conservation easement and it was doubtful at that time that they would take it on because they had these costs mounting up over time to defend easements. Since then, they have found a mechanism for conservation easements by participating in these risk pools. The Executive Director thought that this was a more complex arrangement because the Park District is a highly used parcel, somewhat controversial parcel. He thought there was a reasonable likelihood there could be challenges and that amount would be at the higher end or even higher than mentioned.

Alex Jeffers of Whatcom Land Trust: Thank you all for having me. Essentially, when we are looking at taking on new conservation easements there are a number of costs associated with the upfront conservation easements, costs with annual monitoring, and costs of protecting and defending the easements into the future. We have recently developed a new cost calculator that we are using to figure out what each of these costs are likely to be. Some costs are easy to anticipate, like first year costs, insurance pools we need to pay into, baseline reporting and things of that nature. Annual costs are fairly easy to anticipate as well. Costs that are a little less easy to anticipate are such as defending the conservation easement. Frank was right on where we would anticipate this one, we would like to have a bit of a buffer in our stewardship for the property, because it is highly used, and a lot of the uses are ones we would anticipate some issues with. For example, in the current conservation easement as it is worded, there is a restriction on widening or creating new trails that are outside the master plan. In Bellingham, our parks are well loved, well used, and often well altered. If we were to be defending this conservation easement and we were seeing new trails being built that we would have to start talking with the City, who is the owner, about addressing it. Things could start to add up in terms

of time that we are putting in. Typically, what we are looking to do now is set up a one-time upfront payment that people can pay into, potentially an endowment fund. Interest that would come back on that would be able to fund those costs that we see coming and put a little bit into our reserve that we see for the cost of the easement.

Frank: What is the process and timeline for this? An initial discussion with board members, longer timeline than weeks or months, you would have to assess the property. We are adjacent to another property that the Land Trust has an easement on.

Alex Jeffers: We do have an adjacent parcel, between the Interurban Trail and the 100 Acre Woods Parcel. We would look to review this first with our land conservation committee and our stewardship committee. They could make a recommendation to the board. When it comes to getting board approval, that would be at the end of things. We would introduce it to the board at one month and the next month ask for approval.

What we would like to see beforehand, to make sure that we had all the information and that we would be comfortable taking this on would be, with this master plan in process, we would want to know what we would be getting ourselves into, so we would want to know what the future of this park is actually going to look like. If you do the master planning process and it turns out there will be ten new buildings that want to be built to house educational things or viewing platforms, those are things that starts to increase our potential risk we would be taking on. I think we would want to see where that master plan is going, if not be able to review the master plan in full at the end. We would also want to have some conversations with the City who would be taking on ownership. One scenario we would like to avoid is maybe the City's resources for managing parks is spread thin and they are not able to put a lot of management into this park. We would want to make sure that isn't falling back on us as the easement holder. We would want to have conversations with the City to make sure what their role is in managing this property which I think could go smoothly. We have other properties with the City. We can start this conversation with our staff and our committees to make sure we are prepared for conversations that are coming. We would also potentially look at amending the easement based on the master plan. The easement as it is currently written is pretty aspirational in terms of what it allows, a touch center and a big viewing platform and stuff. Once we know more about the master plan it might be worthwhile to look at, as the easement is transferred, it should be amended to reflect the future plans of the property more accurately.

Bob Carmichael: Am I right in understanding that the Land Trust would not want to accept the conservation easement until the Park master plan was adopted by the City?

Alex Jeffers: We may not need to wait until the master plan is fully adopted. We want to at least know what that discussion is beforehand. That is my opinion and not representing the full opinion of the staff.

Frank James: The City integrating working with us and with the Land Trust so that we have a common understanding.

Alex Jeffers: My anticipation is that most of what is in the conservation easement does not seem like what the City and the Park District would want to do. I would want to get a better sense of what they would want to do.

John Brown: Are we continuing to talk to the University?

Frank James: Yes, that has started. It hasn't really matured; they are busy people. There were also some reservations. The University doesn't pay as much attention to the properties they own easements on as they might. The closer to the University it is, the more likely they are to pay attention to it. They have had parcels that they have basically forgot about. What specifically could we do there that would bring the University students and faculty there for education or science basis? I think it is very much worth considering. I think it would only really work if there was an ongoing commitment to utilize the property for science and education, which is consistent

with what we want to have happen. My sense is that the Land Trust is sincere in their interest and realistic that they want to make sure it would actually work and work well.

Alex Jeffers: I am open to if people want to call me with further questions.

Frank James: And if you want to go for a walk in there, we are happy to take you for that walk.

Alex Jeffers: I will take you up on that.

New Business:

Monthly expenses and cash flow sheets.

Petty Cash: WECU Bank account balance as of 11/30/2020 was \$2,905.72.

Treasurer's Report: As of November 30, 2020, Whatcom Co. Treasurer's Monthly Report, beginning unencumbered cash balance (11/01) \$459,244.66, ending unencumbered cash balance (11/30) \$279,327.50. We received tax revenues of \$47,889.26 in November. \$2,133 in operating expenses, and \$225,673.44 was paid on our loan to the City of Bellingham.

Current debt outstanding as of 11/30/2020: \$694,542.83.

Motion: To approve District Payroll Input Form, wages for Robyn Albro, 31.50 hours in November 2020, total gross of \$787.50. Moved by John Brown, seconded by Hue Beattie.

Question from John Brown on why the Carmichael Clark bill was higher. Bob: There has been a lot of attention on the Park District Levy and defending it, even before November 15th and I expect that the next bill will be higher as well because of the additional time I put into things. Restoration priorities were on the bill too. I am not going to charge the Park District for all the time at the City Council meeting. I think it is important for people to understand when they start raising these arguments and making the Park District do things that it hasn't had to do in the past, that it becomes more expensive. The Park District is a shoestring operation. I don't have to tell you that. I wish there were more members of the public here to listen to this. If you had a General Manager that could do some of these things for you, you would be paying them a salary that would be a fair amount of money. You don't, so when you have out of the ordinary things that come up to be dealt with, there is really nobody else to do it, unfortunately. I don't enjoy having high bills with this Park District.

Approved 4/0.

Consent Agenda: Motion to approve following payments by John Hymas, seconded by Hue Beattie. Approved 4/0.

- Payment on the November 15, 2020, Invoice #93239 from Carmichael Clark PS for \$5,790.50 for regular professional services.
- Payment on the December 09, 2020, Quote from Philadelphia Insurance for Directors and Officers and General Liability Property Insurance for \$1,982.
- Payment on the December 01, 2020, Invoice from Robyn Albro for mileage \$14.72 for rest of October and November.
- Payment on the December 01, 2020, Invoice from Robyn Albro for Zoom Membership for November for \$16.29.

Minutes: Motion to approve the November 11th meeting minutes made by John Brown, seconded by Hue Beattie. Approved 4/0.

Reminder: R. Albro will send an email to three board members right after the meeting. Please respond confirming that you approve paying of bills as listed in the consent agenda/payroll.

Next meeting: Wednesday January 27, 2020.

Adjourn. Time: 7:25 pm.