

**MINUTES — Regular Meeting**  
**CHUCKANUT COMMUNITY FOREST PARK DISTRICT**  
**Wednesday, December 08, 2021, at 6 PM**  
 Online Meeting Through Zoom  
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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. **Due to the Covid-19 outbreak and the Governor's "Stay At Home" Order, this meeting of the Chuckanut Community Forest Park District has been conducted online on Zoom.**

A visual and audio recording of this meeting will be posted on the CCFPD website. If your camera is on during the meeting, your voice, likeness, and surroundings, will be publicly available and viewable on the CCFPD website. If you choose to speak with your camera off, or by calling on a telephone, only your voice will be recorded.

**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.

**Roll Call:** Frank James, John Hymas, John Brown, and Hue Beattie are present. John McLaughlin arrived later in the meeting.

**Motion** by John Brown to approve Agenda for today's meeting. Seconded by John Hymas. Approved 4/0.

**Chat Box:** Frank James asked everyone not to use the chat box. Robyn Albro turned it off. Frank James: Everything that goes on in the meeting should be public and to have private discussion that people that don't have access to the chat wouldn't be able to see, I don't think is appropriate. That's been the practice in other meetings that I've participated in. Is that something our legal counsel recommends? Bob Carmichael: I think it's probably the best course. I don't know if it's legally required. When you're meeting you can talk quietly to a neighbor without it being part of the record, but it's true I like the idea of not having a chat box here. Frank James. I think it's a wise one because it does provide, if anybody calls on the phone, for example, they will not have access to it.

**Introductions:** Bob Carmichael, legal counsel, and Robyn Albro, secretary. Other attendees: Sonja M., Dennis, Vince Biciunas.

**General Public Comments:** Sonja M: I'm mostly just observing tonight. I did see that there was some discussion about the tax levy, maybe last time, but I missed the meeting so I was just hoping if there's more discussion on that I could catch it. I'm in the taxing district, so just curious what that's going to mean for me.

Frank James: It's already passed and so I don't think there's any more discussion about it.

Sonja M.: Which level of taxation passed? Hue Beattie: The 5.6 cents per \$1000 of assessed value. Like if you had a house that was around \$300,000, it would go down. You'd save about \$70 bucks or so. Sonja M.: Then the total to be raised is how much? John Brown: Within \$150,000. Frank James: You can find it on our website. It went down to a small fraction of what it has been in the past.

Vince Biciunas: I wanted to ask, did anybody walk the forest after the big rainstorms and flooding? Did anyone do an assessment? Was there any flood damage? The county wanted to know even if there was no damage. I'm sure the Parks Dept. did it, but I thought we, as an entity, should also do it.

Frank James: I did walk through but didn't see any major damage at all. I think if anything, the work done on Hoag's Creed with that large culvert may have prevented damage. Where Hoag's Creek goes under Chuckanut, it could easily have dammed up, with the older smaller 8" culvert, been saturated and washed out and made a bad situation worse.

Vince Biciunas: I think we should document what happens in our 82 acres, if it's not too late. Frank James: I only walked the main trail, so we need a systematic effort at going through the Park.

John Brown: I will do this. I will look at the report, which is some pages, and I will proceed with trying to get a report filed. Frank James: I didn't get down to the southeast corner where the trails are that's disturbed, and it might have eroded significantly there.

John McLaughlin arrived at 6:14 PM.

**Motion** by John Brown to approve Minutes for 11/10/21 meeting. John Hymas seconded. Approved 5/0.

**Park Advisory Board Meeting Report:** John Hymas wasn't able to attend and hoped that someone from Parks Dept would be at this meeting to report.

**Additional Public Comments:** Frank James opened the public comments to a visitor who just arrived. Dennis: Thank you for the invitation. I'd just like to observe. I wanted to get an update and I think I can get that best by listening and not asking questions. Public comment period closed.

**Old Business:**

**Consultant Agreement and any updates.** Bob Carmichael received the base agreement from Herrera and reviewed and made comments on, which were all accepted by Herrera. Bob Carmichael: The document is fairly straightforward. Scope of work was received this afternoon. It is in the vein of a stewardship plan, which would look at the identified background data as the first step. The second step is getting the project started with the board to finalize the goals. Then getting into the details of biological and hydrological analysis is task three. He describes what he would be doing there and then doing an analysis of the restoration and conservation potential of the property, and finally bringing it into a stewardship plan. I hoped we could vote on the contract and authorize the President to sign it on behalf of the board so Chris Webb can get going, but that may depend on if you have had time to review it. I haven't had a chance to talk to Chris Webb since he sent the scope of work this afternoon.

Frank James: Incorporated into this scope of work, would be making this plan be parallel with and consistent with the Urban Forestry Management Plan as well as the Master Plan for the property. I think those are wise and prudent things to do. I don't know how many of you got to look at the information I sent out after our meeting of the Steering Committee with the community members. There is an interest on the city's part to have us fund some of the work after the Park Master Plan is completed. That wasn't what we envisioned and isn't currently part of the scope. I don't think it's appropriate, but I think we need to have a discussion to give some feedback to the city if we're willing to do that. What they were looking for was additional help with assessment after the Master Plan is completed. My interpretation of what we've approved so far, is to get as robust a level as we can of the things we believe the city didn't have adequate resources for in the Master Planning process itself. Chris, in his scope, looks carefully at those issues and labels them a kind of stewardship plan development that would look at restoration conservation and preservations of the parcel.

John Brown: I think, Frank, you've presented that very well. I looked over the scope and am mindful of what Nicole said at the last Steering Committee meeting. She hoped that Herrera's scope would include the issue of the main roadbed, the question of it being too close to one of the wetlands, and she also mentioned the parking at the entrances. She hoped the Herrera report would complement what the city was putting together. The document, as I read it, is sufficiently flexible and comprehensive enough in its terms for us to approve it tonight and urge Herrera to work in close consultation with us and the Urban Forestry Plan Letter. We're not adding to his work, we're just filing in more specifically as we go along. I feel safe in approving this document as it stands. I move that we approve it.

Hue Beattie: I read through, and I remember at the combined meeting there was some discussion about it going to be a sort of history of the area, extractions of gravel, logging, and various things that happened to the site over the years. I didn't see it in the research.

John Brown: That is going to be part of what Laine Potter is putting forward in the outline, a section having to do with the history of the property.

Hue Beattie: We're going to depend on Laine to do it, not Chris Webb? John Brown: Laine is going to draw on documents that we've produced.

Vince Biciunas: Laine is in a better position because she has city resources for the history and there's pages and pages of history already in the baseline study.

Frank James: Ann has generously volunteered to help whoever we selected. She has probably one of the greatest depths of knowledge of this parcel, and that would be a resource for looking at the underlying historical ecology of the site. I think you're right that we could have Herrera review that information, but I think letting the city initiate that would be a wise thing to do in terms of resource allocation.

John Brown: On page three of that draft Chris Webb does say under Task 4, he does see, as appropriate, the analysis that he will conduct, will identify opportunities to coordinate with parallel planning efforts such as the Urban Forestry Management Plan and the Park Master Plan. With his framework of understanding of all of the components, I feel very safe with him on this.

John McLaughlin: I agree with John Brown and support his motion. I would note that on combination of tasks 4 and 5, that this group has produced a set of restoration priorities. We already have considerably more detail than is in the scope of work regarding where to go in the future for restoring some of the conditions that the conservation isn't supposed to protect and that we certainly want to maintain. I think we have more details than is in the scope of work and we're probably fine with the scope of work as written.

Frank James: John, do you think it would be beneficial to sit down with Chris and point him in the right direction on where those materials are at? John McLaughlin: Probably the first step would be to send him the Restoration priorities document and have him read that and then confirm with him. Frank James: If you could take that on to send to him and be available because John, I think you understand these issues better than most of us and I think it might be beneficial to get that kind of high level of understanding.

Hue Beattie: Wasn't he going to be here tonight? Frank James: I thought he was. Robyn Albro offered to call and see if he could attend.

John McLaughlin: Before we bother him and take up his time, is there anything that we need from him at this meeting tonight?

Frank James: He might want the opportunity to walk through this plan with us to make sure that he understands our needs. We have a motion from John Brown to approve this scope and to continue to work with them on developing it. Is there a second or further discussion.

Bob Carmichael: I would like to clarify the motion to include approval of the Scope and the Contract along with the changes I suggested in my email of December 2<sup>nd</sup> to Herrera.

Frank James: The scope that we have here is just one component of the agreement and Bob has worked diligently with the contracts person at Herrera and have come up with an agreeable set of issues that are both in an email and in a document and they would protect our interests and clarify our relationship in a way that would be very helpful.

John Brown: It was very beneficial, and I think it's positive news for all of us that Chris was at the Steering Committee meeting, and he spoke with and Nicole and with all of us. He knows that one of the key things he's going to do is to work with the city on the masterplan.

John Brown: I make a motion that we approve the Scope of Work from Herrera including the revisions worked out between our Counsel and Herrera to the underlying contract and including a budget of \$30,000 or less and that we expect Herrera to set out a budget as well.

Frank James: We are approving three components in this motion, the Scope of Work as drafted by Herrera and modified by the clarifications that John McLaughlin will make with Herrera in terms of the details of the scope, asking Herrera to include a budget that will be \$30,000 or less, and that this Scope will be appended into the contract which has been drafted by Bob Carmichael and the contract officer for Herrera. John Hymas seconded the motion. Approved 5/0.

John McLaughlin: To clarify, I'm going to confer with Chris Webb, and we're actually going to clarify or expand, complete the Scope of Work. Frank James: Yes, to include the documents we've already done, which he may not be aware of. If you could simply share that document with him and show him what's there, I think it will enhance and improve his effort.

John McLaughlin: He does note that Task 1 Link 4 are our restoration priorities we're already talking about. Discussion about which Master Plan outline Herrera received. John will discuss that with him and the differences between them.

Noxious weeds in the Forest were brought up. Frank James said we could share the minutes from the meeting that discussed that, but also important to mention that the noxious weeds are in small, focused areas that the staff member with the Noxious Weed Program thought they could be manageably handled. This would be good information to have in their maps and would be wise to be part of the planning process.

John McLaughlin: My concern is with visually impacted soils and disturbed areas that are suitable for invasion of many invasive species and the sooner we restore those conditions, the easier it's going to be.

Frank James: Perhaps we could talk with him about the bicycle trails, not just the newest ones but the oldest ones, which still offer an opportunity for invasive species to get into this forest. Also, to clarify that the city intends, I believe, to have the main trail through the forest be the old roadbed, which if I understand correctly, comes very near or even crosses a wetland territory and some restoration and planning and hydrology is important if that's going to be the trail plan, then there really has to be some consideration given to the ecologic impacts where it crosses through wetland and sensitive areas.

John McLaughlin: Yes, depending on which parts of the roadbed you're talking about which does cross the wetlands in at least a couple different places and it interferes or impedes both surface and subsurface flows, and so there needs to be something done about both of those.

Frank James: I raised that issue as forcefully as I could when the city brought that idea forward. There's another consideration that needs to be given, that I think the city wants, which is the hydrology and ecological impact of that roadbed evaluated, and if it needs to be moved, we should move it in the planning process. The other thing the city

mentioned explicitly is they want to improve the parking. We've discussed safety of the current parking, especially along Chuckanut Drive, which is very busy and there is a limited sight situation where it comes over the crest of the hill there. So, I think I interpret that to be we're supportive of improving that parking for safety and that land that would be involved is highly degraded already in terms of ecological impact. That's where the Scotch Broom and other things are that it would be nice to clean up. A parking place might be better than what's there ecologically, but those were the two issues that John Brown brought up at the beginning and I think they're good issues for us to take forward as concerns that should be considered and fully evaluated as part of completing the Master Plan.

**Data Sharing Agreement with the Washington State Auditor's Office.** Frank James: We need to discuss and vote on the data sharing agreement and authorize its use. I'll sign it if the decision is to move forward with that. It's something we have to do, and we have a fairly clear path forward on. Bob Carmichael: I wouldn't go so far as to say we have to do it. The State Auditor wants us to do it. It's the path of least resistance to do it. They'll keep bugging us until we sign it. The biggest factor in recommending the board sign it is to keep your legal fees down because every time I touch this thing it costs you money and it's just not worth it. The agreement they've prepared, in my opinion, is deficient in a couple of respects, the biggest one being it doesn't have an indemnification clause in it to protect the district, but I believe the risk is minor and I don't think we have confidential data that is likely to be breached. So, I think it is best to go ahead and approve it and move on.

John Brown: Could we simply approve this if Mr. Carmichael says that we should and it's going to save us money. It seems to me I said and so did the rest of you, that it doesn't need to be done. Mr. Carmichael said he wasn't sure it needed to be done. We're going to be out of business in a year or so anyway, but just to save ourselves the cost, let's get it done. I make a motion to approve it. Hue Beattie seconded it. Discussion: Hue Beattie: There's an insurance bill that we're paying, so we're kind of insured here anyway. Approved: 5/0.

**Report on the Steering Committee Meetings and any Master Planning Updates:** Frank James: I did send out the minutes and the agenda of the earlier meetings at the conclusion of the last meeting. I'm happy to answer any questions about that or take any additional input or have comments from Vince Biciunas or John Brown. To briefly summarize, I think they're currently planned for two more meetings. The next big event is going to be a public process to get input. The city is going to run a very passive process and it's going to be online. There will be one more meeting of the Steering Committee and then once a final draft is produced, before it comes to us for review, it will go back to the Steering Committee for a final review. I think there's pretty good, consistent consensus and alignment between the city and us in my view, but I would be anxious to hear what John Brown and Vince Biciunas have to say. Hue was also an observer there.

John Brown: You have expressed two concerns very well and you made them at the meeting too. That is, we don't feel that enough time has been given to this entire process and we don't feel that enough money from the city has been given to it. However, within the constraints that exist, there is great energy within that Steering Committee to do as much as they can, and a number of people are working with good will. I think we owe quite a vote of thanks to Frank for his superb vision of everything that is going on and juggling any number of balls at the same time. He spoke beautifully to everyone about the positive nature of the meeting, and I think that everyone is coming out of it with a lot of energy and desire to do the right things.

Vince Biciunas: I concur with that, even though I missed the last meeting. I'm sorry to miss it, I had a little medical emergency, but I'm pleased with the direction. We're going slowly, but surely so. I don't have major concerns at this time, and I want to see what Herrera is going to help us with.

Frank James: I think the difficult thing is really the timeline. I think it's still at breakneck speed and the city has had 10 years to do this. They don't like to talk about that, and now to do it in just a few months. There's a practical reason behind it that their reason is that they don't want our taxing ability to detract from the likelihood of passing the Greenways and other Initiatives they have. They also want to move onto other projects. I respect and honor both those things. At the same time this is our project and if we feel that there needs to be more time, now is the only time we're going to have to ask for that. My thought is it's hard to believe we're going to get a finished product, public comment and legislative process done in the time frame they envision.

John McLaughlin: You mentioned in the document you sent us, some request for us to do additional work, and I can't see that in those two documents from the November meeting and the agenda for the December 3<sup>rd</sup> meeting.

Frank James: Nicole wanted to clearly differentiate and make certain that we didn't think we were doing the master planning activity ourselves. I don't think any of us have ever envisioned that we would actually do the master planning process. They did not allocate very much money. They delegated \$25,000 total. \$10,000 of that was allocated to having the facilitator that runs the meeting. That's a hefty amount for that task. I was also told by Nicole that the other \$15,000 are going to be paid to that same consulting firm to do things like graphics, sign design, and brochures, and that was going to be the bulk of the expenditures that they make on the master planning process. The remaining work will be done by the city staff themselves. I expected and still expect more from the city. It would be nice if they put more effort into this planning process and took a longer time. One of the things they want back

from us from this meeting is kind of an endorsement of their timeline and that approach. This is our opportunity to say that's okay with us and that's what we want to go with, or we think that's inadequate. That's up to the group. I have strong opinions about this and I'm trying not to inflict them on everybody now, so I really need to hear from each other what we believe and then we need to go forward with that.

John Brown: I did not hear anything at that meeting about any expectation voiced that we would respond to the city's sense of a timeline. The city's sense of a timeline is that there will be an open house sometime, perhaps in January and then there will be other things that happened finally of a final Steering Committee to review the feedback and they anticipate the whole process will be wrapped up before summer, but I didn't hear from the Steering Committee, Park staff or Nicole an expectation that we would come up with a timeline or that we would respond to their sense of a timeline.

Frank James: What I heard is they were specifically looking for feedback from us about the timeline and agenda. They plan on finishing this by June and that puts some serious constraints on what can be done even by the consultant we've chosen to work with. That's a constricted amount of time. Specifically, they asked, that I thought was unusual and odd, was that they wanted the Herrera group to work on the implementation plan, not on the planning document, but actually doing some of the technical work around how the trails would be constructed, where the trails should be and how we can plan for those trails. I think they were looking pretty explicitly to use some of that resource in work that typically would fall to the city in this process, trail design, construction and permitting and all those kinds of things. Maybe I misunderstood.

Vince Biciunas: I wasn't at the last meeting, but my comment would be that we can't really know for sure what kind of roadblocks the Herrera Group might or might not encounter, if any. Maybe it'll all go smoothly, because there's a lot of work that's already been done, and all they'll do is put it all together and digest it and maybe it will be just fine. I don't know for sure that's the way it's going to go.

John Brown: The city was a bit in the dark about Herrera and how Herrera was going to be involved in this process. They are happy to have him involved. They've worked with him before. They like him. He likes them, but they don't know what he's going to do now. We have approved the scope of work and that will be in the city's hands. Presumably, there will be some communication between Herrera and the City, and I think that they will feel more liberated and loosened up and know where their energy should go and where they are going to suggest that Herrera energies might go. I think that these things are just in the course of events as it evolves. They have worked together before and the feeling seemed to work.

John McLaughlin: Quick comments first. You mentioned a timeline and I'm wondering where that is. There's some mention of timeline in the Dec 3<sup>rd</sup> meeting agenda, but it doesn't have the details that you've been speaking to, so I wonder if we could find that out and the second comment is if the city wanted Herrera to do technical work on trail design or construction? That would be a great opportunity for us to influence that so we don't end up with roads, you know per the City Parks usual standards, so we could have influence on trail designs or trail specifications that are more suitable to this place than what usually happens with city standards.

John Brown: I wish John McLaughlin would bring that up with Herrera. Then Herrera can bring it up with the city.

Frank James: I brought it up at the meeting and we also brought up issues about timelines. They're aware that one of my concerns as a Steering Committee member is that they have a trail standard for big wide trails and there needs to be standards for narrow or smaller trails that are more agile in terms of navigating the kind of space that we're talking about and the inspected timeline. They also have accommodated, to some extent, the public process. They were expecting that to take place this month and the Steering Committee confirmed that timeline wasn't very realistic. That the public meeting was premature in December and so that's been put off to January. But the timeline is still largely motivated by other demands on the city's time and a desire to take this kind of taxing piece out of the picture, so that it would not threaten other initiatives they have that they want funding for. As sympathetic as I am to those causes, we need to look at and say this is our last chance to have an impact on what the ultimate security of this parcel is going to be, and how well it's going to be protected. This Master Plan and the Conservation Easement are the only opportunities we're going to have to impact that. The Conservation Easement being the more important thing. The city was not willing to negotiate that with us now. There's quite a bit shrugged off into the future. That future is truncated from the point of view of the timeline. I would like to ask them for the amount of time it takes to naturally complete the process rather than take a predetermined get it done by June approach.

John Brown: I'm not sure they want to get it done by June. I think it's obvious that's their hope. It seems to me also Frank that the kinds of concerns you have will become clearer as we go along.

Frank James: That's fine with me. I just wanted to not let that issue not be a focus. I think we need to raise the issues. We don't need to resolve the issues as long as we raise the issue and make sure that we're clear that we expect, prior to approval, that the process really address conservation, restoration, preservation in ways that will

really protect the property, including as ultimately reflected in the conservation Easement, then I'm comfortable. I would be uncomfortable if we just rushed to meet a deadline due to other priorities.

John McLaughlin: So, Frank, what you just said is really important. If you look at the last line on the December 3<sup>rd</sup> agenda, it's to notify the Park District to dissolve as soon as the Plan is approved, and so your comments about making sure that restoration and all the other plans you just mentioned are included in the plan are critical because it's clear they want us to go away as soon as that plan is approved.

When we're gone, the only surviving legacy we have are the details of the conservation easement and as currently written, it doesn't come close to protecting our interests. The Steering Committee has been quite strong and has passed and approved of things that are entirely consistent with our vision of a future Conservation Easement. But again, that Steering Committee has two more meetings and it's gone. I think we need to be mindful of that.

John Brown: I wish I had raised that at the last meeting, because it occurred to me that we're going to need more meetings of the Steering Committee and with all respect, I think that we can raise that question at the next meeting. We can say we need to meet more times.

Vince Biciunas: I'm pretty sure too that we're going to need to meet more often.

John Brown: Let's bring that up the next time we meet with them.

John McLaughlin: The Steering Committee is going to stop meeting before the plan is done?

Frank James: No, there would be one more meeting around the public engagement time and a second meeting when the draft is done. They didn't write it down in the agenda, but they had a plan for moving the process through the legislative agenda by June to have it done. They envision, if I understand it correctly, moving the draft plan to the legislative process at the same time as the revisions of the Conservation Easement. That those would go forward together. John Brown: I never heard them say that Frank. I trust your recollection, but those were not things that I wrote down about specific times.

Vince Biciunas: In one of the early first meetings John, they said that by the time the Steering Committee had done all this public outreach and blah blah blah that the conservation easement would kind of be associated with it.

John Brown: That's another thing we can bring up at the next meeting of the Steering Committee. We can try to pin them down on what they expect are dates and tell them why we think the dates are unrealistic.

Vince Biciunas: I don't think we need to worry about changing anything right now, because I think it's going to naturally flow, and it gets extended as it needs to get extended. I'm pretty sure.

John Brown: I'm optimistic that way too. Of course, we may be wrong, but let's hope.

Hue Beattie: The way I look at it, if Chris could get his work pretty much done by Spring, then they could have their open house in early spring, let's say early April or April sometime, and then go through the legislative process and be ready by the Fall Equinox, mid-September.

Frank James: I trust Vince and John's judgment about that, and I think we'll have to have our input about that though. I trust the Steering Committee. There are really good people on the Steering Committee, and I think the goals they have are truly in line with the goals that we have. So, I will trust the Steering Committee to do that.

**Urban Forestry Plan Letter** John McLaughlin: I hope the letter speaks for itself, but basically the city, as you heard in September, is commencing an Urban Forestry management plan. It is in three phases. They have, I think, completed the first phase, which is basically assembling documents and baseline information. So, Analiese Burns is calling her operation the science arm for the city and presented two of the documents they contracted with a consultant from Vancouver, Diamond Head Consulting, to do. She presented results of those two reports. I wasn't at the meeting, but I did view the reporting of it and two concerns immediately jumped out at me. I have since gone back through and read both documents in details. My initial concerns were confirmed, and I noticed a bunch of additional problems with those reports which I described in the letter. Analiese presented or depicted Diamond Head Consulting with a very good reputation, and I didn't find that in their reports. I found a bunch of very obvious errors. Maybe that's because the border closure didn't allow them to do site visits. But city staff should have recognized those errors. I tried to mute that and describe these concerns in very respectful terms, but I'm very concerned that the city would be basing any plans on these documents. They need to be corrected. If they're basing their Urban Forestry Management Plan on the information in these reports, the information on both the forest stature and on wildlife are inadequate. Then any decisions, both what happens within Chuckanut Community Forest, but probably more likely would be what happens to lands around it that affect the connection of forest wildlife, fungi, water, or everything else associated. The Forest is not an island, it is connected. Then decisions based on this erroneous information could impact the Forest. So, I tried to use respectful but informed language to try and convince the city that they need to ground truth these documents and correct the errors.

Frank James: Do you need any additional thoughts from others?

John Brown: The letter that we are all supposed to sign, what becomes of this letter?

Frank James: John's letter has 14 major points and I think that these are technical and valid points. I think the question of sending this to Analiese is a good thing to do. It is not just a comment about the Urban Forestry Plan, but how that Plan might impact the place that we're responsible for. I think that's really where the rubber meets the road. It's the first part of a more nuanced and complicated discussion with the city about what that means and what we expect. I believe that John has done a careful job and a thoughtful job and made a positive criticism that says here's how it could be better. John has done a very good job of crafting a document that does that.

Frank James: The next step is we sign this and send it to Analiese. The question is, and I would look to Bob Carmichael for what you think, if the right place to send it is to Analiese? And copy to the Mayor and City Council?

Bob Carmichael: Yes, John does have it copied to the Mayor, the Parks Director, and the Council Members. It is important to copy it to the Public Works Director to that list because he is Analiese's boss.

Frank James: I just wanted to make sure this was our intention because we are elected people and we are parallel to the County Council and the Mayor. They are our peers and I think our speaking to them directly is the correct thing to do. But that's something we as Commissioners need to decide.

John Brown: I make a motion that we sign the letter.

Bob Carmichael: Frank just made a really good point, and I hadn't even thought of it myself, but as an elected board, it would make more sense to send this to the President of the City Council, which is Hannah Stone, and then copy everybody that is copied already. Doing that may require a slight alteration of the first paragraph. You'd have to reference the presentation that Analiese Burns gave.

After further discussion, it was decided to send it to the Mayor and to Hannah Stone, as President of the City Council, and John would modify his first paragraph, then it would be copied to Analiese, the Public Works Director, and all the Council Members.

Frank James: So as amended we have a motion to approve. Is there a second? Hue Beattie seconded. Approved 5/0. Great, thank you so much for that. I realize that's a huge amount of work John. John Brown: Great job John.

Bob Carmichael: I know I'm just the attorney, but I was really impressed with this. This is really a value that nobody else could do other than someone with your expertise. John, I think it's wonderful, very professional.

Frank James: The impact goes far beyond just our community forest. This goes to the entire city and potentially for many years to come. It's a critically important piece of work and thank you so much from all of us.

John McLaughlin will modify the letter and email it to Robyn and then she can take it around to the Commissioners to sign. Hue made a reminder to correct the spelling of his first name.

**New Business:** The issue of starting to involve the Whatcom Land Trust was brought up. Frank James: I've thought about that, and I was waiting until we got the scope done and have as much clarity as we can. It doesn't make sense to talk to them until we know we've got something. We can take our draft of the Conservation Easement and we can say that the Steering Committee has endorsed all those elements, but that's what they're going to want to see. They're going to want to know what it is that they've got. And until we have that, I don't think they're going to be able to move their own process forward. That's the unfortunate part of the city not deciding to negotiate that earlier. It seems like they're just keeping their options open, which leaves me uncomfortable.

Bob Carmichael: I wonder Frank if you would know the right time to do this? You, John Brown, and Hue, who have been attending the Steering Committee. I wonder if it might be worth raising that issue again with the City now that more time has passed and this Committee seem to be aligned with what our purposes are and given that the Master Plan is going to draw out a little bit, perhaps try to get this Conservation Easement revised now?

Frank James: I've had that discussion a couple of times now with Nicole. She's taking the lead from Alan Marriner. He appears to be the source of that reticence and somehow saying it keeps the city's options open and indeed it does. I mean, it's a huge level on us. I think we can ask and the more often we ask, probably the better.

Bob Carmichael: You know one can play the other way too. Off topic, but when I was talking to Chris Webb and the scope of work, which is broadly written, this can inform his work and inform the Conservation Easement. When we get his work, we may end up deciding we want to ask for other things as amendments to the Conservation Easement, not just the elimination of the permitted items. Those things that we're looking for, were pretty obvious to most of us and were easy to take out. This is something you can talk with him about. After we have a contract in place, he said he'd like to meet with the board, so maybe he'll be able to meet with us at the next meeting. That can be one of the questions we can ask him at the next meeting, how he sees his work interplaying with the potential amendment to the Conservation Easement.

Frank James: With that in mind, there may be some strategic advantages to a delay. I'm just glad we have a year once we're done to negotiate, because it may take a year. They told me really explicitly that this could take nine

months or a year just to get through their formal process. They're who I believe our preferred partner should be, but we need to land them still.

**Monthly expenses and cash flow sheets.**

**Petty Cash:** WECU Bank account balance as of 11/30/2021 was \$2,967.

**Treasurer's Report:** As of November 30, 2021, Whatcom Co. Treasurer's Monthly Report, beginning unencumbered cash balance (11/01) \$482,774, ending unencumbered cash balance (11/30) \$303,993. We received tax revenues of \$47,619. Paid out \$4,364 in operating expenses, and \$222,036 was paid on our loan to the city of Bellingham. Current debt outstanding as of 11/30/2021: \$67,842.

**Motion:** To approve District Payroll Input Form by John Brown, seconded by John McLaughlin for wages for Robyn Albro, 31.75 hours in Nov. 2021, total gross of \$793.75. Approved 5/0.

**Consent Agenda: Motion to approve following payments** by John Brown, seconded by Hue Beattie. Discussion: Isn't it ironic that we pay almost two grand for insurance? The Philadelphia Insurance Company, where we've got a state auditor looking at this and we've got a county treasurer and we've got our own elected leadership and we've got all this oversight and we still have to have this insurance policy too. John Hymas: Out of state. Frank James: The irony is noted for the record. Approved 5/0.

Payment on November 15, 2021 Invoice #96516 from Carmichael Clark PS for \$7,382 (including \$500 discount) for regular professional services.

- Payment on November 30, 2021 Invoice from Robyn Albro for \$29.01 for mileage for September, October, and November.
- Payment on November 17, 2021 Policies PHS1674371 and PHBX21001755 from Philadelphia Insurance for \$1,982 for Businessowners and Directors and Officers Liability Insurance.
- Payment on November 30, 2021 Invoice from Robyn Albro for \$78.31 for Ink, Paper, Stamps, and Copies for 2021.

**Reminder:** R. Albro will send an email to three board members right after the meeting, John Hymas, Hue Beattie, and John McLaughlin. Please respond confirming that you approve the paying of bills as listed in the consent agenda and payroll.

**Next meeting will be on the fourth Wednesday:** January 26th, 2021, at 6 PM.

**Adjourn.** Time: 7:40 PM.