

MINUTES — Regular Meeting
CHUCKANUT COMMUNITY FOREST PARK DISTRICT
Wednesday January 25, 2023, at 06:00 PM
 Online Meeting Through Zoom and
 In-Person at 1108 11th St, Ste 303, Bellingham
 Mailing Address: PO Box 4283, Bellingham, WA 98227

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

John Hymas jhymas1331@gmail.com Frank James fjames.ccfpd@gmail.com
 Hue Beattie hue.ccfpd@gmail.com John McLaughlin johnm.ccfpd@gmail.com
 Ed Grumbine egrumbine.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.

This meeting will be recorded. 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: Welcome Commissioners and Citizens. Per Chapter 42.30 RCW (Open Public Meetings Act), CCFPD Board meetings are open to the public. 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 (President), John Hymas (Clerk), Ed Grumbine, and Hue Beattie. John McLaughlin is excused from this meeting.

Motion by Hue Beattie and second by John Hymas to approve agenda for tonight. Approved 4/0

Motion by Hue Beattie to approve minutes of two meetings - November 28, 2022 and December 14, 2022. Seconded by Ed Grumbine. Approved 4/0.

General Public Comments

Christopher Grannis: Quick statement I'm looking forward to our neighborhood meeting following this one. In fact, it starts at 7:00 o'clock. I will be giving a presentation on the history of the attempts to develop the 100 Acre Wood and the formation of the Chuckanut Community Forest Park District. And then Barbara will give a presentation.

Barbara Zylstra: I'm going to talk about an update for people on the Park District and what's going on with the Park District.

Vince Biciunas: If questions arise about the future, I will talk about the master plan. I made a printed copy so I could see the maps in color and not be tied to my computer.

Frank James: It's citizen activism that's made this whole thing possible from the beginning. Thanks for joining us and thanks for doing that additional work to provide accurate and timely information to our community partners.

Introductions of legal counsel, Bob Carmichael, and secretary, Robyn Albro, and Vince Biciunas (former commissioner), Barbara Zylstra, Christopher Grannis.

Park Advisory Board Meeting Report: Nothing related to the Park District.

Education/PR Committee Report

Frank James: Thank you. The Education PR Committee is a community group and the members of it are here with us and have already said something. Vince, Barbara, Christopher, and I have attended the meetings. Ed Grumbine has attended some of the meetings. These are not official functions of the board, but they are an attempt by citizens to reach out to fellow citizens to educate them about what's gone on. It's already been said that there will be a meeting at 7:00 o'clock tonight at the South Side Neighborhood meeting and there is the intention to go to some of the other neighborhood meetings as well as perhaps reach out to the press. So, we really appreciate that. Just an activism and support of the of the Park District and our goals and objectives of preserving the 100 Acre Wood.

Vince Biciunas: We have the first draft of what we want to focus on at our first meeting tonight and the next Wednesday at the Fairhaven neighbors meeting, and then I'm not sure what else we'll schedule after that. But I think if you guys would authorize Bob Carmichael to review the document as a press release. Then we could also send it out as a press release and ask Robyn to include it in an e-mail to our Friends, the group that gets notified of every meeting and all that, so that people don't have to depend on the newspaper, as you have had faulty reporting, which we've seen.

Christopher Grannis: I wonder if we should put a post in the Northwest Citizen.

Vince Biciunas: Yeah, we could do that too, but I would like to have Bob Carmichael's imprimatur on it.

Frank James: Actually Bob, I'd like to get your opinion about how we would do that with a group supporting the Park District, not an official arm of the Park District itself. What can or should we do from a legal point of view?

Bob Carmichael: I don't think it raises a legal issue. It's really up to the Board if it wants me to do that or not. I'd be happy to but there's no prohibition on it, and no requirement for it either.

Frank James: So that that sounds great if the general sentiment is that we should do that, I'm happy to have Bob take a look at it. I don't believe it requires a motion.

Barbara Zylstra will review her edited notes and finalize them.

Robyn Albro: Frank, I have one question, there was this suggestion that I send out this PR thing to the Friends. Is that something the Board would like me to do or? Would you like to wait at this point?

Frank James: I think in general that's a good idea, but before we can take an action, we need to review it and make sure that it's all right.

Robyn Albro: I'll put it on the agenda for next month.

Frank James: Sure or if we need a special meeting to approve it. I think if they want to use it and see if they like it, or if there's still more work to do on it. It's an excellent start.

New Business

Election of Officers for 2023 – President and Clerk

Hue Beattie nominated Frank James as President and John Hymas as Clerk. Approved 4/0.

Monthly expenses and cash flow sheets.

No report this month. It will be coming next month after the finalization of numbers for the end of the year.

Motion by Hue Beattie to approve District Payroll Input Form, wages for Robyn Albro, 23.25 hours in December 2022, total gross of \$581.25. Seconded by Ed Grumbine. Approved 4/0.

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

- Payment for January 20, 2023, Invoice 184982377 from Robyn Albro for \$110.13 for Zoom Annual Subscription. Less expensive to buy an annual subscription with the discount they gave, rather than to pay \$14.99 a month, even though we'll only be using a max of 9 months, though we may get a refund when we cancel our account.
- Payment for December 31, 2022, receipt from Robyn Albro for \$17.14 for mileage, adjustment to July through October due to change in IRS reimbursement rate in 2nd half of 2022, and mileage for November and December.
- Payment for December 15, 2022, Invoice #01507 from Carmichael Clark for \$5,687.00 for professional services.
- Payment for January 03, 2023, Invoice #2360683 from Whatcom County Administrative Services for \$30.00 for Qtr. 4 2022 payroll services.

Discussion re Criteria for picking a Grantee of the Conservation Easement

Frank James: As part of the public meeting, I'd like to go ahead and have that discussion about the criteria for picking a grantee for the conservation. I'd like to open the discussion on that, and if people have a point of view, it's time to express it. We have currently, after winnowing out over a dozen potential institutions, three remaining. We have a long-standing relationship, dialogue, and discussion with Whatcom Land Trust. Also, the Northwest Indian College at the Lummi Reservation has expressed interest and willingness to consider this, as well as ReSources that runs the ReStore. Both of which are not-for-profit entities and also have a long-standing interest in conservation and have what I believe are

the essential ingredients that qualify them for doing this. So, we have three viable candidates. We have worked most closely with Land Trust.

Frank James: The things that I think are important are that it has the potential to do this in perpetuity. I think all three of those organizations are likely to be in perpetuity. The Land Trust has many holdings and many legal responsibilities and will hold them well into the future. The Northwest Indian College has been here in their prior incarnations long before white people came, part of the Lummi Tribe, and then part of the greater native community in our state and region. ReSources has been here for quite a while, maybe not the same claim to perpetuity that the others have. That would be my brief summary of the three organizations and how they might qualify.

Frank James: There are other criteria, their ability to advocate for the property and be an active steward and to be committed to upholding a conservation easement. I believe the Land Trust is exemplary in that area and they are actually right now going forward with additional initiatives around this idea of stewardship. It's one of the key things they're focusing on this year, is to improve their stewardship on the properties they currently have. I know that the Lummi with this Northwest Indian College is very interested. I know that they see it as a place where they want to become involved and do hands on support for the property to improve and enhance it. They're drawn to the fact that it is an area that does support the growth of salmon and the reproduction of salmon and thereby the food for the orca and the salmon. The orca are both spiritually and historically very, very important to them, and so I think that they are a good option. ReSources has been a resource for the community for many years. For full disclosure, I was on their board for five years and President for one or two years as well. I know the organization well and I respect and support the current leadership and their current structure. It has been many years since I was on the Board. I think they also have staff that have had these roles in land management in the past and in holding conservation easements, and being stewards. So, they have some expertise in the area as well. I think we're extremely fortunate to have three well qualified and kind of vetted organizations. I know that we're the furthest down the discussion road with the Land Trust and I think we've had some very detailed discussions and they're I think in earnest about wanting to be a good steward for the property. Having said all that contextual information, do other people have ideas about what criteria we should use in selecting the steward? Thinking not just about the organization, but about what the criteria we might use to make that selection.

John Hymas: It seems like whichever entity we decide on, they're bound contractually to do a job, so I think that's the criteria for accepting and I think that they're all three qualified.

Ed Grumbine: I would add on to what John said. It appears to me they are all three qualified and of course to all of us they're bound by the easement. Whatever form it takes finally, but that doesn't speak to the experience of the different groups we've reached out to. It seems clear to me that the Land Trust, having managed who knows how many conservation easements all over the county, has vastly more experience in the management of easements, which primarily involves multiple visits on a schedule, monitoring function, and then a due diligence that may result in ongoing monitoring in the future. Or it may branch off into seeing something that needs to be done, and in this case, asking the City of Bellingham to do it and negotiating the details of what that may look like. None of the other groups have the experience and therefore the capacity in doing those things compared to the Land Trust, which is probably why we're looking at language they have suggested tonight. We know that the City would prefer to have them take the easement over. I don't think the City's position is because they have some kind of internal connection with the Land Trust. They simply have seen the Land Trust in action and they feel solid about their experience managing easements.

Frank James: We should also disclose our connections with these institutions. I would just disclose that I am on the Institutional Review Board at Northwest Indian College where we review and improve research projects in this region in the northwest part of the nation. I also have been a volunteer at the Land Trust before at various events raising funds. So, I have those conflicts which everybody should know about and keep in mind.

Ed Grumbine: Well, I'm a volunteer currently for the Land Trust on their stewardship committee and have been in that role for two years. I don't have any power. But I only engaged in the day-to-day stewardship of it and like us, of course, it's a volunteer position. There's no remuneration.

Hue Beattie: I've been president, treasurer, vice president, whatever of the People's Land Trust for many years and was around when the Whatcom Land Trust started and knew some of the players there and worked with them, including Rand Jack and Bob Keller. I've done that and I've worked with Lummi as a Vista volunteer for several years and have good connections there and feel good about that. ReSources was one of the things we did in the Happy Valley neighborhood when we started curbside recycling and

spun that off. I'm familiar with all of them and I think the Whatcom Land Trust would do a fine job. If none of these local organizations pan out, I would also say that we go with the Nature Conservancy. They've shown great lawyering over the years, they could take care of it too.

Frank James: And they do manage local properties. They have a stewardship relation with that and Chuckanut Island, where they have a steward there. And they're they've got extensive holdings actually in the San Juan Islands as well.

John Hymas: They are also known for trading properties if they consider one more valuable than another.

Frank James: Each of these organizations has strengths and weaknesses, and when we looked at the national organizations and we didn't find one that jumped out as a great fit at the local level. There are still three or four other organizations we could consider at the national level, but they really aren't very present locally.

Bob Carmichael: I should mention, as I have in the past, that our law firm represents the Land Trust on pro bono matters. Obviously not on anything related to what we're talking about, but management of their property and issues that they get into with other properties and we've done that for many years and I am also a former board member of the Whatcom Land Trust.

Frank James: Is there further discussion at this point about the criteria for choosing one or shall we move on? Hearing none, I guess I'll close that discussion and then I think that's really all of our business other than our executive session so. I want to thank all of you for attending or participating, and if you have any questions, don't hesitate to get a hold of me or our secretary for additional support.

Executive Session: Board went into executive session with legal counsel Bob Carmichael to discuss the conveyance of real property interest (assignment of conservation easement), pursuant to RCW 42.30.110(1)(c). The Board came out of Executive Session at 7:43.

Adjourned at 7:43pm.