

## Nash Ranch Road Association--Board Meeting Minutes January 31, 2009

Steve Bramble, Steve Williams, Randy Schock, Colleen Kobler, and Francois Christen were in attendance.

The board discussed the potential liability posed through road usage by tasting rooms, loggers, vineyards, and other commercial interests. This was followed by a discussion of the people who have not been paying their road association dues. Steve Bramble said he would ask Nancy Mayer to send them a Certified Letter indicating that they had not paid their bill and that it was due. A duplicate bill was to be enclosed.

Steve Bramble said that he wanted to send the membership a copy of the minutes of the October and January board meetings.

Steve Bramble read the financial statement to the Board members. As of January 1, 2009, the Association had \$15,456.84 in its various checking accounts and roughly \$7,000 available in savings for emergencies.

The Board agreed to perform the following repairs on the road:

- Big Meadow Road: 3 loads of rock on the hill near the entrance to the Battinich & Spinardi property
- Nash Mill Road: 3 to 4 loads of rock near Wander's gate in Stump Hollow
- Upper Nash Mill Road: 3 to 4 loads of rock
- Nash Mill Road between Clow Ridge and the bridge: 5 to 6 loads of rock
- Pothole filling along all of the roads

Steve Williams is to contact Dean Titus to perform the work of rocking the road; someone else needs to be contacted to fill potholes. The Board agreed to request that a thin layer of rock (.75 inches to 1.0 inches) be applied to see if this works.

The Board discussed brush clearing, but no agreement was reached on this issue and the Board did not allocate any money to this effort at this time.

The Board allocated \$3,000 to \$4,000 for dust-off and \$6,000 for rock on the Lower Road.

The Board discussed the Insurance Policy. Cost: \$2075 + \$376. The Board decided to forego coverage for terrorism (a saving of \$129.03).

The Board agreed that the next meeting was to be on the first weekend in May.

## **Nash Ranch Road Association--Board Meeting Minutes May 30, 2009**

Steve Bramble, Steve Williams, Colleen Kobler, and Francois Christen attended the meetings.

Francois Christen read the notes from the January Board meeting.

Steve Bramble read the financial statement. At this time the Association has roughly \$30,000 on hand in the following accounts:

- \$15,000 for the Upper Road
- \$5,300 for the Lower Road
- \$2,000 in Upper Road savings
- \$7,000 in Lower Road savings

The Association also has the following accounts receivable:

\$3,600 for the Lower Road

\$4,800 for the Upper Road

Steve Bramble made a motion to move an additional \$1,000 into Upper Road savings and the motion was approved toward the end of the meeting.

Francois Christen agreed to call two association members who had not paid their dues as of the meeting. He also agreed to prepare a warning letter to one member that has not paid dues for a long time. This was to be a certified letter sent by Nancy Mayer.

The Board discussed having the Scotch broom on Big Meadow mowed, and perhaps having all of the roads mowed to increase visibility.

The Board agreed to have the following road work performed:

Brush clearing all along Big Meadow Road from the bridge at Big Meadow all the way to Scott Homestead Road (to improve the fire escape route to Scott Homestead Road and to increase visibility and reduce the probability of an accident). A budget not to exceed \$5,000 was established for this task. Steve Williams agreed to obtain an estimate.

Since some of the work scheduled in January had not been performed, the Board agreed to the following:

- Big Meadow Road: \$3,000 for rock on the hill near the Battinich/Spinardi property
- \$1,000 for rock on Nash Mill Road near the Wander gate in Stump Hollow
- \$500 for a culvert on Little Mill Creek

- \$1,000 for grading Big Meadow Road from the Christen property to Scott Homestead Road
- \$5,000 for dust-off on the Lower Road including money for the water that is required to do the work. The Board agreed that the bartering of water for various exemptions used in previous years was not desirable. The Board was informed that Dean Titus was to apply dust-off on the Lower Road to Clow Ridge the week of June 1.

The Annual Membership meeting is to be held on the Saturday for the first weekend in August (August 1). The Board discussed sending out a request for nominations and the announcement for the meeting. The meeting is to be held at the Wicenas property this year located at Big Meadow.

Colleen Kobler agreed to obtain estimates for a right-of-way sign similar to the one on Holmes Ranch and a speed limit sign.

The meeting was adjourned.

Nash Ranch Road Association  
PO Box 290  
Philo, CA 95466

June 10, 2009

Dear Association Member,

This is a brief letter to let you know that it's Road Association election time again, and to invite the Association Members to the annual Pot-Luck Road Meeting.

### *Elections*

One position on the Nash Ranch Road Association Board is up for election. The position is for the seat currently held by Randy Schock. If you wish to nominate someone to run for this positions, please make your nominations known to the Board of Directors by writing to:

NRRA  
PO Box 290  
Philo CA 95466-0290

Alternatively, please nominate someone by calling the one of the Board Members (list follows). Election ballots will be mailed to NRRA members by July 15, 2007. Your nominations must be received by July 8, 2007.

Randy Schock has agreed to sit on the board for another three-year term. According to the 2006 Road Association Bylaw Amendment, if there are no additional nominations for his board position, no ballots will be sent out to the membership.

### *Potluck Road Meeting*

The Annual Pot-Luck Road Meeting will be held on Saturday, August 1 at 2:00 PM at the Wicinas property. The property is located near the bridge on Nash Mill Road and at the intersection of Nash Mill Road and Big Meadow Road.

Bring food and libations. Paper goods, glasses, utensils, ice, and water will be provided.

Thank you from the Board.

Steve Bramble  
President of the Board

NRRA Board Members:  
Steve Bramble (President): 510 524 8016  
François Christen: 510 814 3779 or 415 205 6047  
Colleen Kobler: 707 895 3123  
Randy Schock: 707 272 5538  
Steve Williams: 707 895 2636

## 2009 Nash Ranch Road Association Annual Meeting Minutes Annual Meeting: August 1, 2009

Colleen Kobler called the meeting to order. Board Members in attendance were Colleen Kobler, Steve Williams, and Francois Christen. It was agreed that there was a quorum of members present.

The Association thanked our hosts for this years meeting: Bruce and Noriko Wicinas. Introductions were made of everyone present.

There is a vacancy on the board, as Randy Shock, whose term ends in 2009, opted not to stand for re-election. Following nominations, John McCue was elected unanimously to serve on the board. John is a full-time resident of the lower road.

Paul Meilleur, of the Clow Ridge Road Association made a brief report about the Clow Ridge road.

Colleen read the minutes of the August 2008 annual meeting. There were no additions or corrections and the minutes were passed as read.

### **Old Business:**

- There was no evaluation of dust-off products done in the past year. Nancy Mayer stated that the road is in the best shape she has ever seen it and that the dust off on the lower road is very helpful in managing the dust.
- Steve Williams reported about the culvert near Highway 128, next to the Martinez property. A civil engineer looked at it briefly. The Board recommends an engineering study, not to exceed \$2500, to understand next steps, how to repair the culvert, how to divert traffic during a repair, what is required by Fish & Game, etc. Discussion ensued and a decision was made that several Association members, including Steve Williams, Bob Battanich and Bill Seekins will go look at the culvert immediately after the meeting. No decision was made to authorize the engineering study, pending the results of the inspection.

### **New Business:**

- Francois Christen reviewed the 2009 financials and compared them to those of 2008. Revenue (income) for 2009 and 2008 is approximately the same at \$30,000. Lower Road expenses were quite a bit higher this year (\$9,213 vs. \$1,584) because Dust-off was applied to the lower road in 2009 and was not applied last year. Upper Road expense this year is \$4000 and is about \$1500 less than last year mostly because there was no brush removal and chipping. Insurance and office expense were roughly the same as last year. The Association currently has \$29,600 in the combined checking accounts. Of this \$7,600 is in the lower road savings account and \$3,000 is in the upper road savings account. This leaves approximately \$20,000 to pay for the work that is planned for the rest of the year, any emergency work and the brush clearing on Big Meadow road that will be done at the first of next year. The Association has committed \$10,000 to the projects mentioned in the May 30th minutes. In addition, Fall rocking and grading that could run as much as \$7,000 to \$8,000.

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- Mila Handley has now put a locked gate on the fire exit road which runs through her property. She has agreed to provide the road association with the combination and to open it in case of fire.
- Potholes should be filled as needed, not necessarily 1 time per year only.
- Money has been allocated to do brush clearing and rocking on Big Meadow Road this fall.
- Grading is most effective if it is done 2 times per year. The road needs to be moist before it is graded.
- There was an extensive discussion about putting dust-off to the bridge. It was estimated that it would cost \$4300 for the material, and \$2000 for the grading and water necessary to spread it. The motion to put dust off from Clow Ridge to the bridge failed to pass. There are a number of individuals who will meet to discuss funding dust-off privately from Clow Ridge to the bridge. Alexa ? agreed to convene the group.
- There was an extensive discussion about the road width and height that is necessary to allow fire trucks to access the ranch roads. Colin Wilson, AV fire chief , has said that brush needs to be cleared so that roads are 18 feet wide and 15 feet high. Some of the ranch roads already conform to this standard, others are too narrow. Steve Williams is in the process of getting estimates for mowing and clearing.
- Judy Nelson proposed that upper road dues increase by \$25 to go to the reserve fund. Evelyn Ashton seconded the motion. Motion was withdrawn following discussion.
- Francois Christen passed around sign in sheets and encouraged everyone to add his/her e-mail address. This will be held in confidence by the Board and only used for official Board communications and/or in case of fire, etc.
- The Board will install signs at the foot of Nash Mill Road stating that this is a private road, right to pass is revocable, etc similar to the one on Holmes Ranch. There will also be a sign posted for 20 mile per hour speed limit.
- The general consensus was that the road was in very good shape. It was agreed that overall more rock was needed, along with regular grading and that extra rock should be made available for filling potholes as they form.

## **Nash Ranch Road Association--Board Meeting Minutes February 7, 2010**

Steve Bramble, Steve Williams, Colleen Kobler, John McCue and Francois Christen attended the meetings.

Francois Christen read the notes from the previous Board meeting and these were unanimously approved by the Board.

Steve Bramble read the financial statement. Steve felt that the figures looked too high and stated that he would review them with Nancy Maier to straighten them out. Francois Christen suggested that it might be a good idea to include Paul Meilleur of the Clow Ridge Road Association.

The following outstanding bills were mentioned as possibly outstanding:

- Titus Land Development: \$3000
- Steve Williams: \$50 for work regarding the culvert near the Martinez property on the Lower Road

There was some question as to whether TNS had been paid for brush removal.

The Board agreed to have the following roadwork performed:

- The balance of the Fall work would be done in the Spring.
- Work would be conducted on Chemise Ridge and Scott Homestead Road.

Francois suggested that the Road Association clear the brush on the un-rocked extension of Big Meadow Road to Scott Homestead Road, and that selected sections of the road extension be rocked to help reduce erosion now that the road has been graded. Francois also agreed to have a sign made to alert people that this section of the road was impassable during the winter season and should therefore not be used.

The Board discussed stockpiling rock at various places along the road or on selected properties for filling potholes. Francois moved that the Board create stockpiles with fencing to discourage pilfering. Specifically, the plan was to have one load stockpiled at the Mill Creek (green) bridge and one load at the Turnaround for the Lower Road. The motion passed with all in favor.

Steve Williams informed Board members that he had priced a culvert for Big Meadow road near the Wicenas property. The prices were as follows: \$716 for a 20 foot culvert or \$1200 for a 36 foot culvert.

The Board agreed to do the following in the Spring:

- 7 to 10 loads of rock to the chain gate near the Bonano property.
- 3 to 4 loads of rock for Stump Hollow
- The Board thought that 25 loads of rock would cost about \$7500 and that a culvert at Wander's gate would cost \$1,200. Other estimates were as follows:



- Mila Handley has now put a locked gate on the fire exit road which runs through her property. She has agreed to provide the road association with the combination and to open it in case of fire.
- Potholes should be filled as needed, not necessarily 1 time per year only.
- Money has been allocated to do brush clearing and rocking on Big Meadow Road this fall.
- Grading is most effective if it is done 2 times per year. The road needs to be moist before it is graded.
- There was an extensive discussion about putting dust-off to the bridge. It was estimated that it would cost \$4300 for the material, and \$2000 for the grading and water necessary to spread it. The motion to put dust off from Clow Ridge to the bridge failed to pass. There are a number of individuals who will meet to discuss funding dust-off privately from Clow Ridge to the bridge. Alexa ? agreed to convene the group.
- There was an extensive discussion about the road width and height that is necessary to allow fire trucks to access the ranch roads. Colin Wilson, AV fire chief, has said that brush needs to be cleared so that roads are 18 feet wide and 15 feet high. Some of the ranch roads already conform to this standard, others are too narrow. Steve Williams is in the process of getting estimates for mowing and clearing.
- Judy Nelson proposed that upper road dues increase by \$25 to go to the reserve fund. Evelyn Ashton seconded the motion. Motion was withdrawn following discussion.
- Francois Christen passed around sign in sheets and encouraged everyone to add his/her e-mail address. This will be held in confidence by the Board and only used for official Board communications and/or in case of fire, etc.
- The Board will install signs at the foot of Nash Mill Road stating that this is a private road, right to pass is revocable, etc similar to the one on Holmes Ranch. There will also be a sign posted for 20 mile per hour speed limit.
- The general consensus was that the road was in very good shape. It was agreed that overall more rock was needed, along with regular grading and that extra rock should be made available for filling potholes as they form.

- Brush clearing: \$3,000
- Dustoff: \$5,000
- Concrete wall for the Martinez culvert: \$500.

The Board discussed the following new business:

Insurance. Francois moved that we increase liability protection from \$500K to \$1MM. Colleen seconded the motion. The motion passed with all in favor.

Steve Williams asked about the DNO policy. Steve Bramble said that he would check with the insurance company.

There was discussion about whether the Bonanos had been informed and had complied with the request of adding the Road Association as "additional insured" on their insurance policy.

The Board agreed to meet next in late April.

The meeting was then adjourned with everyone in favor.

## **Nash Ranch Road Association--Board Meeting Minutes May 23, 2010**

Board Members in attendance at the meeting were Steve Bramble, Steve Williams, Colleen Kobler, and Francois Christen. In addition, Michael Croft, Adam Calvo, Kathy Bailey, Doug Nelson—all residents of the Nash Ranch—attended the meeting to discuss the situation on Little Mill Creek. Dennis Slota of the *Mendocino County Water Agency* was invited to attend the meeting to discuss the situation on Little Mill Creek.

### Little Mill Creek

Michael Croft recounted some of the events that led up to the Plowrights arrest a few weeks earlier. Steve Williams suggested amending the bylaws to block the roads of people conducting illegal activities. Francois Christen suggested that the Road Association should obtain a legal opinion.

Dennis Slota said that his agency had collected monitoring data prior to the loader/tractor becoming stuck in the creek and that two independent estimates to repair the damage to the creek came to about \$100,000. He did say that work in the creek could not begin before June 15. Dennis also said that Doug Lasack of the District Attorney's would be the person to contact for coordination of legal activities. Dennis stated that two plans had been developed that produced roughly the same cost estimate. One plan was prepared by the Mendocino County Water Agency and the other by Unger Environmental & Stream Wise for the Department of Fish and Game (DFG). The plans were provided to the Board.

Kathy Bailey asked if the plans were adequate for implementation since the DFG told her that they required a formal plan.

Steve Bramble said that as far as road work was concerned, these could be separated into two separable activities: regular road repairs along Little Mill Creek that would require no approval from county agencies, and reparation to the rolling dips near the Plowright property that would require coordination.

Several avenues were suggested suggested for recovering costs from the perpetrators were mentioned. Apparently, the California Highway Patrol is pursuing the Plowrights for property theft. Kevin Joe of DFG mentioned (to Kathy Bailey, I think) that there were a couple of ways of recovering costs. These include State funds for victim restitution and a lien on the property. Doug Nelson stated that DFG's report stated that the road to the Plowright property was a seasonal road and would need to be upgraded to an all-weather road. Doug Nelson reported that Kevin Joe said that there was probably no money for conducting the work, but that there might be funds for permits and a plan.

The names of several consulting firms were mentioned as resources to come up for a plan. One firm mentioned was Pacific Watershed Associates (PWA). Another suggestion was Steve Henderson in Boonville (707 272-0603).

Tracy Nelson and Kevin Joe were named as the contact persons at DFG to determine if DFG had money for permits and plans. Steve Williams asked if the Association's insurance might cover the work, and Steve Bramble responded that it only covered liability.

There was mention that Phyllis Feters' property was also affected. Steve Bramble asked Kathy Bailey to contact Tracy Nelson to inquire about funding. Doug Nelson stated that it was important to keep reminding the DA's office to keep the Plowright prosecution moving forward.

The portion of the meeting regarding Little Mill Creek was completed and all non-members except Adam Calvo left the meeting.

### **Regular Board Meeting**

Francois Christen read the minutes from the February Board meeting and these were approved by the Board with a minor revision. Francois Christen agreed to draft the announcement for the Annual Meeting of the Association to be held on Saturday August 7. Bruce Wicenas agreed to have the meeting at his place again this year. The announcement should request nominations to fill the three positions that will be vacant on the Board.

Steve Bramble reviewed the financials.

The Board agreed to the following work on the road this spring:

### **Upper Road**

#### Chemise Ridge:

- 1 load of rock to the Y
- 2 loads above the Y (one at the corner and one at the third curve)
- 5 loads on Nash Mill Road from the Chemise Ridge turnoff to the Buonano property
- 3 loads at Stump Hollow to the old Nash property driveway
- Fix the wet spot near the road at the Nash Ranch pond (1 inch pipe)
- Replace the culvert at the Wicenas property
- Fix the staging area at the Little Mill Creek/Nash Mill Road turnoff (3 loads of rock)
- 10 loads of rock for the steep grades on Little Mill Creek (grade and rock the road—use Doug Nelson's rock for the base)
- 2 loads of rock for the dips on Little Mill Creek
- 1 load of rock for the horseshoe between the Mill Creek bridge and the Clow Ridge turnoff

Unclog Little Mill Creek  
Lower + Hornstead culverts

- 1 load for the slide area near the Clow Ridge turnoff
- 4 loads for the back section (fire escape route) of Big Meadow Road (to prevent future erosion) & remove overhanging branches for emergency passage (\$1000)
- Two days of mowing near the Clow Ridge turnoff (@ \$1500 per day)

Colleen will ask her husband if his crew is available for clearing the backside of Big Meadow Road.

### **Lower Road**

- 1 load at the Clow Ridge turnoff
- 1 load after Clow Ridge and 1 load at the dip
- 1 load at Burt Williams' driveway
- Fix the base of the Martinez culvert with cement
- Fix the pipe and erosion at the pipe on the lower side (North) of the road at the Martinez culvert

The Board agreed to increase the reserves for the Upper Road by \$1000 and approved \$6000 for dust-off for the Lower Road.

### **New Business**

Steve Bramble to call Earl Peterman (707 895 3128) to discuss dispute about unauthorized roadwork and non-payment of dues.

Eucalyptus trees near the Nash Ranch need to be removed

Brush needs to be removed on the escape route to the Holmes Ranch and some rock needs to be applied in a few sections

### **Annual Meeting**

The following people have been nominated as possible new board members and their names will be placed on the ballot:

- Bruce Wicenas
- Tom Spinardi
- Adam Calvo
- Günter Ruffler

The next meeting will be held at Steve Williams' house at 10 AM on June 5 to further discuss the problem on Little Mill Creek.

The meeting was adjourned with all in favor.

Nash Ranch Road Association  
PO Box 290  
Philo, CA 95466

June 9, 2010

Dear Association Member,

This is a brief letter to let you know that it's Road Association election time again, and to invite the Association Members to the annual Pot-Luck Road Meeting.

### *Potluck Road Meeting*

The Annual Pot-Luck Road Meeting will be held on Saturday, August 7 at 2:00 PM at Bruce Wicinas and Noriko Nishizawa's property near the bridge over Mill Creek. The address is 46001 Nash Mill Road. Bring food and libations. Paper goods, glasses, utensils, ice, and water will be provided.

### *Elections*

Three positions on the Nash Ranch Road Association Board are up for election. The positions are for seats currently held by John McCue, Colleen Kobler, and Francois Christen. John resigned from the board when he and his family sold their property on the Ranch, and Colleen and Francois decided to step down after serving for six years.

According to the By-Laws of the Association, two board members need to be full-time residents of the Nash Ranch. There will be only one full-time resident (Steve Williams) on the Board after Francois and Colleen step down. Five people have been nominated so far. They are:

- Bruce Wicinas (part time resident)
- Tom Spinardi (part time resident)
- Adam Calvo (part time resident)
- Günter Ruffler (full time resident)
- Alexa Croft (full time resident)

If you wish to nominate someone else to run for these three positions please make your nominations known to the Board of Directors by writing to:

NRRA  
PO Box 290  
Philo CA 95466-0290

Alternatively, you can nominate someone by calling one of the current Board Members:

- Steve Bramble (President): 707-272-8487 or 707 473-9798
- François Christen: 510 814 3779 or 415 205 6047
- Colleen Kobler: 707 895 3123
- Steve Williams: 707 895 2636

**NASH RANCH ROAD ASSOCIATION**  
**Minutes of Annual Meeting**  
**August 6, 2010**  
Recorded by Bruce Wicinas.

In attendance:

The annual meeting was held at the Wicinas/Nishizawa property, 51101 Nash Mill - at the bridge. The meeting was conducted by Steve Bramble. Other continuing board members present included Steve Williams. Outgoing board members included Coleen Kobler and Francois Christen. The meeting commenced at about 2:10 PM.

The board announced the outcome of the election of new members to the board. Three seats were open due to the exit of Coleen Kobler, Francois Christen and John McCue. According to the bylaws at least one of the three seats had to be occupied by a full-time resident. The three leading vote-getters included Alexa Croft, Gunther Ruffler and Bruce Wicinas. Steve Bramble informed us that Gunther has changed status from full time resident part time resident, disqualifying him from the "full time" seat. But Alexa is a full time resident so the outcome of the election may stand.

#### **DISCUSSION OF PREVIOUS YEAR'S MINUTES**

Paul Meilleur of the Clow Ridge Road Association had a question concerning allocation of rock: "a load after Clowe ridge, a load at the dip." Paul asked the location of the "dip." "The other side of Clowe Ridge" was the reply.

#### **FINANCIAL REPORTS, 2009 AND 2010**

Steve B. walked us through the financial reports for 2009 and for 2010. He began with the 2009 report. See "Profit and Loss 2009" and "Profit and Loss, Jan. through July 2010."

Steve B. acknowledged Paul's efforts to improve clarity on the lower road maintenance figures. Paul commented that Nancy and he are having a hard time classifying some of the lower road invoices because they are vague.

Steve B. highlighted a substantial difference between the figures of 2009 and 2010. Total income for the upper road in 2009 was 30,000; total for 2010 is 38,000. This large difference is due to the vote by the membership two years ago to charge an additional assessment for lower road maintenance. It was not assessed the first year following its passage. It was assessed times two in this year to offset the non-assessment last year.

#### **OLD BUSINESS**

Steve Bramble reminded of the concern last year about the culvert at the Martinez's. Last year following the meeting a few people visited and examined it. The culvert was determined to be sound. It suffers from a little blockage.

Dan Sicular asked, "Do we need a Fish and Game permit for that?" Steve Williams replied that the required work is located at the intake and not near the stream.

Francois asked, "Didn't we allocate some money for riprap?"

Steve B. reported that the "private road" and the "speed limit" signs are up. Steve Williams did a lot of the work on that. The speed limit signs read "20 MPH." Alexa asked if she might add "10

MPH Preferred" to the sign on her road.

Steve Bramble reported there were questions about filling potholes. Norm filled a lot of the potholes this year. He did well. But then there was more rain.

Steve B. reported that this year a lot of things did not happen when the board wanted them to happen. The late rain was a factor. Dean Titlus was not prompt in responding to requests to get the work done.

Steve B declared, "owners, you are welcome to do along-road maintenance at your own parcels. But we would like to receive a phone call in the spirit of coordination so your work does not conflict with scheduled work."

Dan S. commented that it appeared someone had used herbicide along the road. "We do not use herbicide," Steve B. replied.

## **NEW BUSINESS**

"Little Mill Creek Road issues" consumed the major part of the meeting.

Steve B provided background. Formerly the Plowrights' activity had not caused much harm. But now they are destroying the road leading to their property. Stolen property was brought to the Plowright parcel. The road was damaged by efforts to get the equipment up the road. They buried a loader on Doug & Judy's property, right in Little Mill Creek. Three government agencies got involved due to the broad scope of violations. A few weeks ago Mendocino Fish and Game finally got the loader pulled out of the creek.

The road association is not a policing group. We maintain the road and we carry insurance. The road is on private land. So it is up to us, as owners, to call the police for assistance. Plowright, as far as is known, is still in jail. The Plowright family members did a lot of damage and ran up a lot of liability.

Steve W added that Craig Walker, deputy sheriff, has worked with us. We sought existing statutes under which we could restrict or bring charges against the Plowrights. There aren't any helpful rules. There is an existing restriction which pertains to mobile home parks but it may not fit our situation. The Plowrights are using the road in their vicinity for recreation, not for transportation. They are damaging the road. In order for law enforcement to assist us we need to know who and what they are doing and tell them they can't to it. It is not sufficient that some of us have witnessed objectionable behavior. We believe they have been lead to believe that they had a meth lab, various kinds of weapons, dynamite on their property. It is alleged that they have stolen several pieces of heavy equipment.

Alexa said she could document their comings and goings. "I hear them approaching."

Steve W: It is hard to catch them by surprising them because they can see our approach.

Evelyn proposed we add something to our bylaws to restrict the undesirable activity.

Doug replied that we are limited as to what we may restrict.

Cathy: Enforcing a bylaw is problematic. We'd like to initiate a criminal action, not a civil action.

Steve B: I understand that road association members cannot sue road association members.

Dan Sicular: John Wild sued in court for back dues.



Steve W: "-in Small Claims Court, not in "real" court. So I understand."

Doug: The Plowrights removed a segment of road on our property.

Steve W: With that removal the association's road network lost its fire egress.

Doug: How do we handle things which severely impact only about three owners?

Doug: Improvements made under the 2003 grant must be preserved against damage. Work done under a Fish and Game grant must be sustained for at least 10 years.

Paul reported on a similar incident on Clow Ridge where a property owner was incarcerated. We were told at the start of his incarceration that this guy would be out of jail in three or four days. But each time his expected release date came around we showed up at the County. As a result he stayed in jail for 135 days. We were able to exploit "victim witness."

**Cathy: I move we write the DA to express our concerns and to request advance notice of subsequent court days.**

The motion was seconded and then discussed.

Steve W: We are trying to avoid using lawyers because we can't afford them.

Dan S: The creeks are a concern of the federal government due to the Endangered Species Act. Can we involve the Feds?

There was a vote on Cathy's motion. **The motion carried.**

Doug: We want all these issues followed up. Hearing the situation everybody says, "we don't have money." Dean and Wayne Hyatt at last came and yanked the tractor out of the ground and restored the right of way.

Steve W: Fish and Game estimates the cost of repair at \$100,000. We're fixing it for \$5000.

Doug: Dean was there for four days. Wayne, for a day.

Francois: I want to help out with the cost.

Cathy: There is additional damage on the streambank on Plowright's property.

Doug: We can use volunteers to help re-plant the creek banks.

## **FALL ROAD WORK**

Steve B: The May 23 minutes were mailed to all members. They contain a list of the work that was planned. It did not all happen.

The upper road has \$5000 less than expected due to work on Little Mill Creek. We may need to dip into the Upper Road Reserve Fund to do the needed work.

Steve B: The Martinez culvert is actually O.K. and will require no funds. "Any comments on the proposed road work?" There were no comments.

Doug: Our roads get done a lot cheaper per mile than those of Holmes Ranch.

Alexa: Shall we re-try the motion to apply Dust-off from Clow Ridge to the bridge? Last year it

failed by one vote.

Steve B: We have a lot of work planned this year. We can't really spare the money.

Alexa: I move we apply Dust-off from Clow Ridge to the bridge (cost, approximately \$6500)

Steve W: The steeper, dryer stretches are the parts to hit first. The timing of the application and the condition of the road must be carefully considered to get the most from the Dust-off.

Don H: Is there a savings that can be captured somewhere else to somewhat offset the application of Dust-off?

Steve W: There may be some offset. We probably save a little on rock application.

The motion was put to vote, among upper road members only. It failed: 6 for, 8 against.

Francois motioned: "**Let's allocate \$3000 for Dust-off application to selected stretches between Clowe Ridge and the bridge.**" Discussion of this motion included offers to donate additional funds to raise the total available for the work. Alexa amended Francois's motion: **Donated additional funds will be welcome and added to the total, not deducted from the money allocated by the association.**

Seconded by Bruce, **this motion carried.**

Alexa: "Can we post 'No dumping' signs?" "Do people dump?" some asked. Doug confirmed that dumping occurs, such as in Little Mill Creek. There was some discussion but no motion made.

#### **ADJOURNMENT**

There was a motion to adjourn. The meeting adjourned at 3:47.

Francois announced he is compiling an e-mail list.

**NASH RANCH ROAD ASSOCIATION**  
**Minutes of Board Meeting -- October 2, 2010**  
Recorded by Bruce Wicinas.

In attendance: Steve Williams, Steve Bramble, Alexa Croft, Bruce Wicinas, Doug Nelson.  
About 10 minutes into the meeting we were joined by Adam Calvo.

### **THE PLOWRIGHTS**

Steve Bramble: The road association has authority to maintain the roads, and no more. What are its options when one resident has damaged the road, our present situation? Can a road association do a special assessment on one member to offset damages caused by that member? Is Small Claims court a viable way to recover expenses? Regarding criminal or threatening behavior such as careless use of guns or damage to individuals' private property we must deal with as individuals.

Steve Williams: Over what they do on their own property we have no jurisdiction. But misusing the road affects several people. I have about 14 "points" - options for action. We should pursue all or as many as possible. I've discussed these proposals with a lawyer.

1. We have no means to reclaim damages except small claims court or a lawsuit.
2. Meet with them and talk to them about how we and they use the road.
3. At the same time, write certified letters to all the grownup Plowrights.
4. Issue certified letters from attorneys outlining the codes they are breaking. Include a return letter with checkboxes as an easy means for them to acknowledge receipt.
5. A small claims suit can get to court in about six weeks. If they fail to appear we may win or the judge will make us repeat the effort.
6. The attorney will commence preparation of a suit for much greater monetary damages. This takes 3 years and costs a great deal. But the costs will be borne by Plowrights. Commencing this process costs only \$1000, the filing fee.
7. We could vote to increase dues on Little Mill Creek, reflecting the damage.
8. Keep the sheriff informed - license plates, dates, times, as well as pictures of the damage going on.
9. We designate a "Problem coordinator." This can be one of us, or someone we hire. This person just coordinates information and effort; it is not a force-applying person.  
(Steve B. has Steve W.'s list which may include more than he read to us.)

SB: Try to engage the Plowrights - write a letter to them.

Doug: The letter from Kevin Joe should be included.

SW: You have to get "in their face." They are not going to respond to unaggressive communications.

SB: The Plowright who stole equipment is still in jail.

Doug: The DA wants copies of all the bills for the damage we incurred.

Bruce: Have you ever talked with them?

SW: I've never talked to them face to face.

Adam: I'm closest to them. I've seen them and don't really want a relationship. So I don't want to talk to them.

SW: Should we post "Only 4WD vehicles should be used on Little Mill Creek until it is repaired."?

Doug: They are using equipment. Do they have a 1602?

Others: What is a "1602"?

Doug: They put up another gate, so you can't walk in there now. They have the most "bad-boy"

lawyer you have ever encountered.

## FALL ROAD WORK

SB: The list of fall road work appeared in the May 23 board minutes. We plan to start at the top of Chemise ridge and work our way down.

Alexa: I can get the backhoe work done, but I don't want to do the rock. I have a great backhoe crew. Who does the rock?

Adam: I know Alexa's backhoe contractor. He is excellent.

SB: Dean (Titus) does the rock, but he's backed up. Does your contractor have workman's comp?

Doug: Take care. Every time we've changed operators it has cost us.

Bruce: Is there a history with Dean of which we should be aware?

Doug: Dean has showed up when we were in trouble.

SW: In the last couple years Dean has gotten the job done a lot more slowly. He has not exhibited the same commitment as before. Dean and Wayne, his brother, are now talking about closing their door in response to the upcoming new pollution regulations.

Alexa: Bringing rock in is really easy. It just requires a truck.

SW: Don't underestimate it. Timing is critical due to weather, road condition, rock availability.

SW: Be careful when you contract this; mind the money you are spending.

SB: Let Dean know we're getting a bid from someone else. Last winter we were screwed by Dean. He didn't show up until spring.

Alexa: I'm going to get a bid from "my" crew on all the work.

SB: We have about \$13,000 for all the upper road work. This probably will fall short. We have about \$8,000 for the lower road but do not expect to need that much.

Doug: Culverts at the top of Moore Holmestead Road has been blocked for three years.

SB: The culvert at the turnoff of Little Mill Creek is clogged.

Doug: There are a lot of culverts needing attention which are not on the list.

SB: Every year we put in more culverts or replace them by sharing costs - the association buys culvert, the owners put it in.

Doug: The board should keep the reserve fund going. In the past we've had a hard time with continuity with boards.

SB: Francois was of opinion that damage to the road should not be the burden of one owner.

SB: The road association should take care of the road. When you, Doug, have costs to repair the road please pass the bill on to the association. If we don't have sufficient funds we'll raise it as required.

Doug: I spent \$3500.

SB: I have not seen that bill.

Bruce: Being completely new to this job I would appreciate hearing the thoughts of board members who have served formerly.

SB: Steve Williams has the "minutes book." Except for this Plowrights issue, manging the road has been a pretty simple job.

SB: Ride the roads. Look at them!

(Bruce shows the small edition of the road map authored years ago and mentions the large edition map.)

Doug: Lauren Amalong on Clowe Ridge authored this small edition map. The large edition was made by John Wild.

(Everyone studies the map.)

Alexa: Opening up the Gimlet-to-Masonite road connection would be fantastic!

Adam: What about other copies of the road signs the association has ordered? I'd love a copy of the "surveillance" sign.

SB: I'll draft the letter and get it out.

(All exit.)

**NASH RANCH ROAD ASSOCIATION**  
**Minutes of Board Meeting – Saturday, December 11, 2010, Steve Williams residence.**  
Recorded by Bruce Wicinas.

In attendance: Steve Williams, Steve Bramble, Alexa Croft, Bruce Wicinas, Gunther Rufler.

**SEASONAL MAINTANANCE PROGRESS**

Steve Williams: 39 loads of rock have been dumped. I asked Dean to deposit only one load between Clowe Ridge and the green bridge. The rock is supposedly spread but I have not yet inspected it. It sounds like he has done everything requested so far. The pothole repair is supposed to be in action today.

Steve Bramble: On Little Mill Creek we need to clean out the culvert at the turn.

Steve W: I asked Dean "what about grading?" but got no response. The grading has probably been done in the past by Dean's brother. There may be a problem.

Steve W: Doug Lloyd has a grader he bought from me. He may want to sell it.

Alexa: Steve Henderson wants to buy one.

Steve B: We are presently O.K. on cash.

**REQUEST BY NANCY**

Steve B: You all received a copy of the e-mail from Nancy. She asked for \$150 to purchase the latest edition of Quickbooks.

(There followed a discussion of Nancy's past performance of her paid duties for the road association.)

Alexa: Three people on my road have not been billed for years.

Steve B: I have the latest list of owners from Case Logic's database. It's about ten pages, over three hundred line items.

Bruce W: Three hundred owners? I was under the impression there were about 34 parcels on the upper road.

Steve B: This list covers a larger area.

Steve B: Last year there was a big mistake in the billing.

Steve B: Nancy said she wants to send out the bill in February instead of the customary time. Her rationale is, she wants to send out a financial statement along with the bill.

Steve W: Why does she need a month for that?

Alexa: What credit does she receive against her dues for doing the work?

Steve B: She receives the full amount of her dues - \$450 – for doing the work. She is now asking for an additional \$600 in cash. This adds up to over \$1000 per year for doing our books.

Steve B: Paul wants the expenses broken out. So she has to spend an hour or so with Paul a couple times a year. But the work would not seem to require many hours.

Alexa: Take a firm line on this. Being "nice" always leads to regret.

Steve, Steve, all: \$1000 seems like too much for the amount of work.

Steve W: Just put her on a budget of X. Have her do as much as she can for that amount.

Alexa: Give an ultimatum. "If not X, we'll find someone else." Her error rate is pretty high.

Steve W: We want to keep it simple.

Alexa: Yes, I would do the job really differently.

Steve B: If the Quickbooks is the property of the Road Association, then we'll pay.

Steve B: She asked to send bills by e-mail.

All: No, let's stick with a written bill.

Steve B: So we'll change nothing for now, but we'll see.

### **MAINTANANCE, CONTINUED**

Alexa: Are we going to do brush removal?

Steve W: The maintenance tasks and the methods are in my head. I'm trying to pass on my knowledge.

Alexa: Can't we hire someone to do spot-fixing of potholes?

Steve W: The problem is insurance. We're limited to someone who has it. The big crews all have it. But small crews often don't.

All: (comparing notes about Gunther's speed bumps and the adjacent potholes which seem to be a consequence.)

Alexa: I want to put a sign up on 128: "Nash Mill Road Ahead." The intention is to avert an accident, not to announce Nash Mill.

Steve W: Contact CalTrans.

Steve B: We didn't replace the culvert at Bruce's this fall. That will happen this coming summer, probably in July.

Bruce W: The breaking out of the bottom of the culvert can't advance any more because it's resting on bedrock, so the delay should not be a problem.

Bruce: I want to change the course of Big Meadow Road slightly where it passes my construction site. The new route is marked with painted sticks. It affects only the portion from the fork to the culvert.

Steve W: I will come down after the meeting and look at that vicinity.

We adjourned about 11:45.