

Minutes, Nash Ranch Road Association Annual Meeting

2:10 PM August 12th, 2023

At the parcel of Bruce Wicinas and Noriko Nishizawa, 51101 Nash Mill Road.

Introductions: Bill Seekins, Judy and Doug Nelson, Norman and Collette Kobler, Kathy and Andy Rudovsky, Susan and Rick Fehler, Quincy Imhoff, The Kuriens, Dan Gates and Gabrielle Levine, Steve and Maryann Bramble, Andrew Spinardi, Jody Williams, Nicole Chapman and Ted Moser, Francois Christen, Dan Sicular, Hana Levin, Avery and Steve Godfryd,

Bruce Wicinas, NRRA president, led the meeting. Board members present included Norm Kobler, Judy Nelson, Tom Spinardi.

Review of last year's minutes

Bruce gave an oral summary of the main topics of the 2022 minutes. All owners had received a hardcopy of the minutes in their winter 2023 mailing.

Last year, two seats were up for election. Norm and Judy agreed to serve; no new candidates were nominated. Next year, three board seats are up for re-election, those of Tom, Louis, Bruce. The bylaws call for two full-time residents on the board. At present only one board member is a full-time resident.

Old Business

Financial Report Highlights: Tom Spinardi

(Review of the basic agreement) Parcel owners of upper road, lower road and Clow pay according to mileage. A fraction of funds of Clow and of upper road are pooled with the dues of the lower road for lower road maintenance. Clow has its own road association. Long ago, the Clow association did not want to handle the lower road, so the upper road assumed management of the lower road.

The Balance Sheet (copies provided to the attending.)

Upper road typically spends \$20,000 per year. We presently have \$43,000 in upper road checking. That's because the year before last we did not do all anticipated work. Thanks to drought there were a couple of years without flood emergencies. Lower road checking contains \$9640. If dues were up to date we would have about \$20,000. Dust-off on the lower road will cost \$12,000. If people do not pay we will have to eliminate some services such as Dust-off.

The upper road has a savings account, an emergency fund we do not touch, to which we put \$25 per owner per year. We used it in 2017 when the slump first occurred. The lower road savings contains \$44,000. This money is preserved for the "Martinez Culvert" in compliance with a vote about ten years ago. (For detailed background about the "Martinez Culvert" see NashMillRoad.com, click "History, Mission, Bylaws, Technical Reports", click "Martinez Crossing". A catastrophic failure of that culvert seems unlikely. The culvert has performed fine for decades.

Work completed

Tom: On the lower road we spent \$20,642. About \$10,000 was for Dust-off; the rest for rock and labor. The spending on the upper road is broken out by road section on your handout.

Every year I make a budget. In a drought year the budget is closely followed. Last year there were a lot of storm-related added issues.

"Receivables", money we are owed.

Tom: The total owed has never been so high. There are 25 parcels in arrears on Clow and 25 on Upper Road. This is approximately half the owners. Some are behind three years, some two, some only this year. In the past we discussed how to get people to pay.

Francois: When John Wilde set up the organization he showed how to get people to pay. You take them to court. You put a lien on their property. It's the only way to get some of these people to pay. It's the board's job. It's not fair to the rest of us who pay. When I was chair I had to harass people. We had nearly everyone paying. There are some people who pay every three or four years; we know who they are. But there are others who avoid paying.

Doug: Has the board followed up and demanded they pay?

Tom: Last year we did three mailings and a letter. This year we've done only one mailing. Following up with phone calls needs to happen. However, we probably have only half the owners' phone numbers. Many people are super-secretive. Francois, I agree with everything you said. Your tenure on the board saw the least we were ever owed. I've been a contractor all my life. I've been chasing money my whole life. Some people have the money and don't want to pay. Some people don't have the money.

Francois: I'd rather use some reserve money to hire a collection agency than to skip on Dust-off.

Tom: Collection agencies take I think 30%.

Person X: E-mail is cheap and free, an easy way to remind.

(Editor note: We have e-mail for 60% or less owners.)

Francois: If you take people to court you need a paper trail that you notified them. You have to send a last notice by registered mail.

Bookkeeping and Reminder Mailings

Bruce: We changed bookkeepers in the past year. During that interval Tom and I were inattentive for personal reasons. Our new bookkeeper was selected by Joy our previous bookkeeper. We assumed Joy explained the job. We provided no job description since we had never authored one. None of us but Judy have met her. The current bookkeeper and the board need to get in sync. Communication has been unsatisfying. There is normally a mailing just prior to this meeting. That did not happen. Second and third reminders to non-payers have not gone out this year. For some time I have been working to arrange a face to face meeting.

Francois: If the bookkeeper is not doing the work we need to move on. I work with her at community services district. It's taking her a long time to learn her job.

Bruce: If you know somebody, if you have a candidate, please let us know! These are two linked issues on which we need to work – bookkeeper and un-paid dues.

Dan Sicular: Half the people aren't paying. Only one letter has gone out this year. There needs to be follow-up, it needs to be escalated so people are at least concerned they are going to be taken to court. If we can't find someone in the valley we can go outside valley.

Francois: I have a draft letter which is more strongly worded than the usual letter. It's available if you want it.

Andy(?): I work for an agency for which I have to chase people for payment. It strikes me that for people who only received one or two letters, receiving a threat of legal action is going from zero to ballistic. You know the regular offenders. For others I would think a friendly phone call would be the place to start.

Person Z: How about amnesty for long-time offenders? Offer a discount deal.

Bruce: As a board we plead "no contest." We will double-down.

New Business:

The “slump” – background Tom Spinardi

(“The slump” refers to the quarter-mile piece of upper road slightly beyond the Clow Ridge branch which began sliding in 2017. Lat Lon 39 7.642' -123 29.538')

Tom: In 1949 the road was built by the Wilbur Nash family. At that time that portion of road would not support heavy machinery. They had to acquire a lighter dozer to work that piece of the road. The USGS map shows it as a slide area. The first and largest slide occurred prior to 1949. It did not move between 1990 to 2017. In 2017 it turned to jello and sank. All the trees fell down. The propane delivery truck would not drive across it. Owners drove off it in dread.

Our contractor deposited 50 loads of rock, some as large as 1' diameter. It kept sinking. We cut the hill back 15' and moved the road in 15'. We put up jute netting. The next year all the jute netting slid down. We had engineers out. They said, try to get the surface water off. We located surface drains. There were a couple dry years. This year the hill above the road did not slide at all. But in late February the road began to crack. We moved traffic to one lane.

Bill Seekins: (from notes: describes soil sample experiment, describes the properties of bentonite and clay; refers to the recently drilled well on the hillside above the slump.) We need to get the water off there at all costs. (Proposes a ditching improvement.)

The “slump” – Recent consultation by geologist

Bruce: This is a large subject. Recently the board contracted a professional geologist, Joshua Kilgore, who consults on issues like this around the west. (Distributed copies of the summary of the geologist's visit. Find the documents on the web: NashMillRoad.com, click “History, Mission, Bylaws, Technical Reports”, find "Geologist Consultation.")

I don't want the meeting to get bogged down in the detail. Now that we have expert input it is less conjectural than formerly. We also we have the testimony of “land historian” Doug, who reports this issue goes back at least 70 years. The original slide may have been 100 years ago. It reportedly blocked Mill Creek for a year.

We had a respite for 15 or 25 years. The geologist predicts this is going to be our “problem child” for a long time. We have been acting blindly for many years and spending a lot of money.

The geologist's visit was educational. The properties of landslides and the ways to solve them were news to me and I typed it up in detail. All we've experienced is typical of large landslides. The details of this one we don't know, such as how deep, it's section profile. When you stand on the road is 10' or 20' of slide material beneath you? How is the water moving inside it?

The geologist recommends a “Phase I geotechnical study”. That entails drillings and soil tests. The engineers seek to characterize the slide – depth, water movement, inclinometer readings at different levels. If we opt afterward to keep doing things with our own means we should be advised by a professional who is informed by the study. It will suggest the value of alternate remedies.

Bill Seekins: How about the recently drilled well? Does that have value?

Bruce: It's unlikely that will help. It isn't in the right location.

Tom: I have the information about that well from the owner. He has been very forthcoming.

Bruce: We received the proposal from Brunsing Associates yesterday. The Phase 1 investigation is estimated to cost \$8000. The geologist assured me it's fairly solid figure. They will inform us if it is likely to be exceeded.

It may indicate a fix that requires really big work or fixes within our means. Surface and subsurface drains we may be able to do but with oversight of a professional.

Francois: In 2017 it was looked at by Tom's sister who is an engineer and has geology background, and by someone at the resource conservation district. The consensus was, a large fix would be way too expensive. They both advised, don't add weight to the slump. (This advice we received after depositing the loads of rock.)

Bruce: I urge you read the full version of the geologist's visit. I learned there is a science to this. There are people who specialize in fixing these. We can apply science and have hope of doing better than we have in the past. There are lower cost and higher cost options.

Doug: We have worked on this as amateurs for a long time. We haven't made it work.

Bruce: Grants are possible. And the first step to getting a grant is the Geotech investigation. Via that we have a proposal of what we want to do. Because this potentially or actually has been affecting Mill Creek, a salmonid watershed, the state may be interested. We've obtained big grants before. We need science and a credible plan.

Francois: I thought we paid \$8000 for the guy to look at it.

Bruce: The geologist consult was \$425. The geologist says, one alternative is to "do nothing." When it "rips," then you've got an emergency situation for which you can seek urgent help. You show shocking pictures, list alarming consequences. Of course this may mean the road becomes nearly impassible. But catastrophe is not a given because it might not rip all the way.

Francois: The other in-between possibility is doing the kind of thing CalTrans does in that area above Booneville. Every year it slides; every year the work on it.

Bruce: Caltrans has far more resources.

Steve B: Is the slide solid today?

Bruce: The cracks have closed. A month ago Bill could insert a measuring tape 11' into those holes. Presently a tape stops at 3.5'

Vote to engage the firm for the phase 1 study

Steve B: I moved we engage the firm to do the \$8000 Phase I survey using upper road funds.

Bruce: I second. Now let's discuss. I guess we have sufficient upper road owners here we can viably vote. This is strictly an upper road decision.

(Discussion about whether to use money from the main checking or from the reserve fund.)

Jody: We have a board to decide from which fund to take the money.

Francois: I'm worried that road work will be cut.

Tom: We have \$44,000 in checking due to money unspent year before last.

Dan Sicular: How about a second motion about the source of the money.

VOTE on motion: engage the firm for the phase 1 study. For: Nelson, Rudofsky, Sicular, Williams, Kobler, Spinardi, Kurian, Imhoff, Bramble, Moser, Fehler, Christen, Wicinas. Opposed; None

Francois: I move we use money from the upper road reserve. (Seconded: Person Z.) I don't think it looks good to have a big reserve when we're seeking a grant.

Dan Sicular: This is not an emergency. Reserve is for an emergency.

(Discussion about the history of the Upper Road reserve fund, the distinction between it and the lower road's much larger reserve, typical yearly spending, purpose of respective reserves. This became an exchange of recollections about past decisions; the massive 2002 slide on Big Meadow and how it was repaired, etc.)

Steve B: We should not be tapping the reserve when we have sufficient money in checking to pay.

Mr Kurien: Sometimes funders will not be able to fund you if you have a large reserve.

Bruce: We could make that upper road reserve disappear really quickly. I am sure we have at least a year before we're ready to apply for any grant.

Doug: Many grants expect matching funds.

VOTE on motion: The \$8000 must come from the reserve. For: Francois. Opposed: everyone else.

Motion: "Let the board decide the fund source." Second: Steve B. Vote: For: Everyone but Francois.

Bruce: I intend to get a mailing to the upper road to explain this recent development.

Fire Prevention

Francois: I'm going to do an additional 10 acres of fuel reduction. The Imhoffs have done a beautiful job. Dan Sicular has started doing controlled burns. Folks should consider it. Look at the website of the Fire Safe Council of Mendocino County. They have links to other sites such as the Prescribed Burns Association. Fuel reduction will make our community safer. (Bruce hands out copies of "Nash Ranch/Little Mill Creek 17" map of fire-pertinent resources, see NashMillRoad.com, click "History, Mission, Bylaws, Technical Reports", click "Fire Resources " for the .pdf)

Gabriella: Mike Jones is head of Mendocino Prescribed Burns association. You can get on the e-mail list and get involved in what prescribed burns are going on and receive links to all kinds of wonderful information. We're going to do one at our place on Clow Ridge. We'd love to have you guys visit.

Dan Sicular: We burned about 5 acres last year. If anyone is interested in taking a look, please contact me.

Nicole Moser: Has anyone done one on a really steep slope?

Francois: On the 10 acres we're doing, we'll cut brush, pile it and burn it in place. It's not a prescribed burn.

Doug: You start with small burns and work your way down the slope. There's a technique. It looks like a very good program.

Groundwater recapture study Doug Nelson

Due to water concerns and because Mill Creek continues to be a productive fish stream, there is money available to increase flow and to bank more water into the ground. There are programs on Little Mill Creek on the Moser property and on other properties. They seek grand funding to rehabilitate the whole area of the old mill town, mostly on Croft's property, so more water soaks in and less runs off. The methods are dealing with compaction and grade reshaping. It is Water Resources' highest priority project in the area. They have designed projects on various holdings of that 1100 acres on Little Mill Creek, the whole Little Mill Creek watershed. We're going to try for funding to do some thinning and billish stuffing (?). It looks very promising and applicable more widely. This has been a planning grant. The next step is implementation.

Francois: Former owner Zach Robinson suggested that Stump Hollow would be a good place to do water infiltration. Mark Wander who owns that property and Linda MacElwee from the RCD think it's a good idea. It might get our road culverts at that location fixed. Maybe we create a pond that drains through Bruce's property.

Doug: It would be a tremendous storage zone. The ground on the whole east side of that valley is unstable and at the bottom of Stump Hollow is a big hard rock zone which isn't eroding. It's really deep in sediment. You could trap water and keep it. Bill Seekins has done studies of the capacities of these sediments to hold water. A square foot of this sediment will hold 2 gallons of water. By storing water by that means you could preserve moisture until late in the season.

Bill Seekins: Stump Hollow has a large number, acres of buried tires.

Gabriella (?):Next weekend is "tire amnesty day" in Booneville. They accept 9 tires per vehicle.

Bruce: Can we get a URL on the water recapture projects?

Doug: Follow Zach Robinson, Linda MacElwee.

Andy (?): We face two larger-than-normal problems. You may want to notice among owners for an ad-hoc committee of volunteers to help the volunteer board.

Road condition dissent

Francois: I am not happy with the state of Big Meadow Road. There are a lot of ruts. Our contractor has not done a very good job of fixing ruts. I asked, “do you grade before you put rock down” – “Yes, with a backhoe.” You can’t grade with a backhoe. We reside full time; we drive it 3-4 times a week.

Andy: From John Wild’s place to our place, Nash Mill Road is horrible. It hasn’t been addressed in a long time.

Tom: That condition of that piece of Nash Mill Road is worst of the whole network.

Date and location of next year’s annual meeting; Conclusion

People said flattering things about the present location but no alternate location was offered or proposed.

Doug: I have an early 20th century map of various properties. (This is on the web: NashMillRoad.com, click “History, Mission, Bylaws, Technical Reports”, click “Claims Ranch”)

Bruce: Please indicate if you want to be added to the emergency phone tree.

Motion by to adjourn the meeting by Bruce; 2nd by Francois.

Minutes by Bruce Wicinas from a sound recording. 8/23/23