

August 28, 2005
Brush Road Association
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Dear Neighbors:

Enclosed please find:

1. The agenda of the August 25, 2005 Brush Road Association;
2. The unapproved minutes of the meeting;
3. An invoice for your portion of fees as agreed to at the meeting.

Given the urgency of the matter, we all appreciate your prompt attention to this matter.

So far the Kurt Anslinger of the Culvert Committee has been very active gaining information on what we can do, as well as drafting a letter to be vetted by counsel, to be sent to the state as we discussed. He plans to meet with the state this week in order to get things moving.

I will continue to update everyone as things develop.

Please do not hesitate to contact me with any questions you might have.

Michael McNamara
President, Brush Road Corporation

Brush Road Association Meeting
August 25, 2005

Agenda:

1. Minutes from last meeting?
 - a. Need motion to confirm change to annual rates approved at last meeting. Do we need to re-vote?
2. Election of new officers - 3 positions

Goal of tonight's meeting is to educate everyone on the situation, make sure we all understand which items are critical to address this year, and which can wait, and to gain agreement on our strategy to address the short term as well as address how we define our long term plan.

3. Educate everyone on the issues at hand - Hunt

These are the primary repairs (in order of priority):

1. Drainage at bottom - it is critical that we do some minimum repair this fall to the stand pipe and culvert below the gates (see pictures)
2. Minimum road repairs - cracked pavement areas need to be repaired prior to the rains (see pictures)
3. Optional road repairs
4. Complete re-paving of Brush / Old Well Road

Time is running out... Today is August 25, we have two months left before the rains could begin, and we need to complete a minimum amount of work to protect our road from additional damage this winter.

4. Authorize formation of a sub-committee
 - a. Define minimum work to be done
 - b. Authorize sub-committee to spend \$60K maximum to address water problems and minimum road repairs (split is \$25K for minimum road repairs and \$35K for the drainage)
 - c. Allocate culvert repair equally among all of the homeowners
 - d. Allocate the min road repairs per the formula in the by-laws
5. Direct new board to research long term fixes, including engineering design, funding options, permits, etc.
6. Set date / location for follow up meeting (as needed).

Additional repairs to consider in the capital improvement project:

1. Fire roads - two fire safety exits exist, but both are washed out and impassible by car.

Miscellaneous topics:

1. Safety domed mirror at corner of bottom curve (just below the gates). Assign board member to identify a solution and bring a proposal back to the board for approval.

Meeting Minutes, Aug 25, 2005
Brush Road Association

Meeting was called to order by Bob Burke at approx 7:45 p.m.

Introductions were made around the room as there are several new homeowners on the road. In attendance were the following Road Association members and guests:

1. Kurt & Judy Anslinger
2. Kathy Bartow
3. John & Margo Billmeyer
4. Chuck & Pattie Brassfield
5. Bob Burke
6. Mike Burke & Lynn Kennedy
7. Tracey & Mark Calassa
8. Mike Hunt
9. John Jervis
10. Ron Kaminski
11. Judy Lagalante & Carl Blaha
12. Scott Landstrom
13. Rick Lazansky
14. Leslie Daniels
15. Frank & Ann Marrone
16. Carrie Martin
17. Phil McCowan
18. Mike & Kris McNamara
19. Paul Normandin
20. Mary Stiles
21. Carl Theisen
22. John Waddington representing Laurie Nelson
23. Michael Newburn, Mid Peninsula Openspace
24. By Proxy: Jim Hench
25. By Proxy: Marshall & BJ Serwitz
26. Non-member: Regina Barhydt

Absent:

1. Sal Giovannotto
2. Bob & Erin Gove
3. Rich Rose
4. Non-member: Frank Boholst
5. Non-member: Stig Nilsson

Meeting was turned over to Carrie Martin who introduced the purpose of the meeting and called for nominations to fill three officers of the board.

Nominations were made for Mike McNamara, Carrie Martin, and Scott Landstrom. Nominations were closed, all present voted in favor of electing the nominees.

Mike McNamara assumed the role of President
Carrie Martin Assumed the role of Secretary
Scott Landstrom assume the role of Treasurer

Meeting was then turned over to Michael Hunt who has been talking to contractors and gathering bids for repairs to the damaged drainage stand pipe and for repairs and improvements to the road. Mike explained the history of the boundary location for Brush Road and how Cal Trans has been maintaining the road between Hwy 17 and the gate leading into the neighborhood. Extensive damage occurred during this past winter's rainy season, as documented by pictures taken by Mike McNamara (which were distributed around the group for viewing during the meeting).

Cal Trans pointed out the damage to the drain pipe and indicated to Brush Road that this portion of the road was not in their jurisdiction, and have documented their position in a letter to the road association. Although they installed the pipe originally in 1938, and have maintained that portion of the road up until 2005, they have currently assigned the liability to Brush Road members to make repairs to this pipe.

Kurt Anslinger presented plot maps which showed that Cal Trans property overlaps with a portion of the road in question, and brought up that if any portion of the road is on Cal Trans property, then they do have an ownership in maintaining and making necessary repairs.

Mike discussed various possible solutions to repairing the drainage pipe, and in particular focused the discussion on the need to make a minimum level of repair this fall prior to the rains so that we do not risk the water cutting away at the bank under the road and risk the road collapsing, preventing access to our homes. Everyone understood and agreed to the urgency of the situation.

Leslie Daniels raised a concern about getting legal counsel to ensure we protect ourselves from assuming liability as we make these emergency repairs. It was agreed that we need to document our position back to the state, per legal counsel.

Kurt Anslinger made a motion to establish and authorize a sub-committee to develop and present a proposal to repair the drainage, cost to be divided equally among all 28 Brush Road Association members plus the three households who are not members (at 20715, 20720, and 20780 Brush Road). Maximum amount authorized, not to exceed \$1500 per household.

Motion was seconded and passed unanimously by all present, which was 25 out of the 28 members, or 89%.

It was agreed that we would ask all members to pay \$1500 by Sept 1, invoices will be sent out as quickly as possible.

The committee members selected to address the drainage issue were as follows:

1. Kurt Anslinger
2. Michael Hunt
3. Rick Lazansky
4. Mike Burke
5. Carl Glaha
6. Mark Calassa
7. Mid Pen Representative - Michael Newburn to provide name

The committee was asked to do the following:

1. Get an Engineering opinion and approval for the proposed solution
2. Seek legal counsel to draft a letter back to the State of California outlining our position and assigning liability back to them.
3. Prepare a proposed solution that will reconnect the drainage pipe to the stand pipe, and stabilize the bank under the road at a minimum cost.

Meeting focus was then shifted to a discussion of the minimum repairs needed to be completed before the end of October. This includes repairing the portions of the road which have been marked by Michael Hunt with orange paint, along with some fixes to a couple of the drain grates located up near Old Well Road.