

Minutes of the November 15, 2018 meeting of the Board of Directors of the Silver Creek Valley Country Club Geologic Hazard Abatement District.

A meeting of the Board of Directors of the Silver Creek Valley Country Club Geologic Hazard Abatement District (“District”, “GHAD”) was held at 5460 Country Club Parkway, San Jose, California on November 15, 2018 and was called to order at 6:30 PM.

Agenda item 1: The following Directors were present at the beginning of the meeting and constituted a quorum for the transaction of business: James Baker, James Forsberg and Reyad Katwan. Director Stephen Ursenbach joined the meeting during Agenda item 4. The General Manager of the GHAD, Ed Abelite was present at the meeting and was asked by Mr. Katwan (the Chairman) to be the Secretary of the meeting and to keep the minutes of the meeting. No Board members were absent. One seat vacant.

In attendance from the public were Paul Hansen as a constituent of the District, Eric Harrell and Haley Trindell of Engeo Geotechnical Engineers.

It was noted by the Directors that the agenda had been properly posted by Mr. Abelite at the guard gate at least 72 hours prior to the meeting.

Agenda item 2: The minutes of the September 13, 2018 meeting were then reviewed by the Board of Directors and the Board voted to approve the minutes as follows: Voting yes: Messrs. Baker, Forsberg and Katwan. Absent: Ursenbach. One Board seat vacant.

Agenda item 3: Comments from Public and Correspondence:

Mr. Abelite noted there were no public comments received.

Mr. Paul Hansen was introduced to the Board as a possible appointee for the Board seat vacated by David Crouse. The Board was also introduced to Mr. Hansen.

Agenda item 4: Consider approving Engeo’s draft work product to clarify GHAD response scenarios and consider hiring Engeo to update the Plan of control.

Eric Harrell and Haley Trindell presented the Engeo draft “Document review and consultation regarding GHAD repair responsibility scenarios” to the Board. There was discussion regarding the value of the document to this and future Boards.

There was discussion regarding the term “earth movement” in that the definition of earth movement includes creep. Mr. Harrell indicated that the current Plan of Control can be read to include earth movement caused by creep as a GHAD responsibility. Some GHAD Board members did not view that assessment the same way. In the past, the GHAD had not taken responsibility of creep with the HOA and / or home owners.

The Board voted unanimously to accept the Engeo “Document review and consultation regarding GHAD repair responsibility scenarios” and directed the document be finalized by Engeo.

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Erik Harrell presented the Engeo proposal to update the GHAD's Plan of Control Document. The current Plan of Control is over 25 years old and has never been updated. Mr. Harrell indicated current Plans of Control are better because there is now a greater body of experience including "best practices" that should be considered. It was noted that the issue of creep can be clarified and addressed in the Plan of Control update.

The Board voted unanimously to approve the Engeo proposal to update the Plan of Control for up to \$10,000.00.

Agenda item 5: Board to review and approve the Audit for 2017-2018.

The Board reviewed and approved the draft June 2018 audit by Boden Klein & Sneesby. The motion to approve the audit was passed as follows: Voting yes: Messrs. Baker, Forsberg, Katwan and Ursenbach. One Board seat vacant.

Agenda item 6: Manager's operations report.

Site visits:

Behind 5396 Vicenza Way.

Mr. Abelite reported that he was working a new matter that came up since the last Board meeting. He reported that there may be a slide located behind 5396 Vicenza Way.

In early September, a home owner at 5396 Vicenza reported their concern regarding earth subsidence along their back-yard fence. Mr. Abelite visited the site with the home owner and it appeared to be creep which is common enough within the District. Mr. Abelite told the home owner that the GHAD does not typically cover hillside creep. The Home owners mentioned they would likely bring in enough soils to level out the area.

Regardless of the foregoing, Mr. Abelite contacted C2 Earth and asked them to look at the site as well. Craig Reid of C2 Earth visited the site October 25, 2018. He reported to Mr. Abelite that this may be a small slide along the back yard of this property and the neighboring property to the southeast. The alleged slide is approximately 50 feet wide and not terribly deep. It encroaches into the back yard(s) around 10 feet. It mostly affects the rear yard fencing and landscaping.

Mr. Abelite reported that in discussions with Craig Reid, the GHAD options are to A) Do nothing and wait for the slide to fail, which would then prompt a repair scenario by the GHAD. OR, B) Become proactive.

On the proactive side, Mr. Abelite presented a proposal dated November 9, 2018, Serial number 18701 to perform a slope instability evaluation study for a cost between \$5,800 and \$6,700. The work had been tentatively scheduled for December 7, 2018. The Board voted unanimously to approve the C2 Earth proposal to evaluate the slope instability study as outlined in their proposal.

5706 Poggia.

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Mr. Abelite reported that he was contacted by the HOA about a home owners concern that a Vee ditch is leaking behind his rear property line at 5706 Poggia. Mr. Abelite visited the site and found the area in proximity to a cracked Vee ditch behind the fence line showed visibly moister earth. The crack did appear wide enough to be the likely issue. Mr. Abelite reported that he responded to the HOA that they should repair the Vee ditch crack.

a. Annual site inspections:

Mr. Abelite reported that the annual site inspections for the District were ongoing. He reported there was some ditch cleanup work necessary through the HOA before further inspections could be performed. That cleanup work was yet to be completed. Mr. Abelite reported he will continue to work the project between the HOA and C2 Earth.

b. Consultation regarding GHAD repair responsibility scenarios:

Mr. Abelite reported he worked with Engeo regarding the GHAD response scenarios. See agenda item 4.

c. Annual accounting audit:

Mr. Abelite reported that he worked with the GHAD auditor to complete the 2018 audit. See item 5 of this agenda.

d. Ethics Training:

Mr. Abelite reminded Board Members to endeavor to fulfill the ethics training requirements through the on-demand class offered through our membership with the California Special Districts Association.

e. General liability insurance renewal:

Mr. Abelite reported that he renewed the yearly GHAD General Liability Insurance policy in September.

f. Routine financial work:

Mr. Abelite reported that he worked on general administration of GHAD business and the following GHAD financial items since the last meeting:

- Processed invoices for payment.
- Created routine financial reports for the Board.
- Reconciled the monthly Morgan Stanley Smith Barney statement.

g. Board Vacancy:

Mr. Abelite reported that he continued to advertise the GHAD Board vacancy in the Informer. He further reported he had met with Mr. Paul Hansen regarding joining the Board.

This was the end of the General Managers report.

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Agenda item 7: Board to act on possible appointment of a new Board member.

Earlier in the meeting, Mr. Paul Hansen was introduced to the Board as a possible appointee for the Board seat recently vacated by David Crouse. The Board voted to appoint Paul Hansen to the Board of the GHAD as follows:

Voting yes: Messrs. Baker, Forsberg, Katwan and Ursenbach. One Board seat vacant.

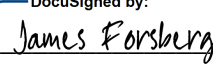
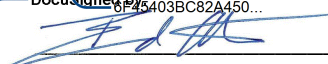
Agenda item 8: Scheduling process for Board meetings in 2019.

Mr. Abelite outlined the process to set the 2019 Board meeting calendar.

The meeting was adjourned at approximately 8:00 pm.

Respectfully Submitted,

and

 _____ DocuSigned by: James Forsberg	, Secretary of the Meeting	2/12/2019
 _____ DocuSigned by: 6745403BC82A450... 155F3B750F68454...	, Clerk of the Board	2/8/2019