

# MINUTES OF AGM



## MINUTES OF THE ANNUAL GENERAL MEETING OF THE GLEN ERASMIA BOULEVARD HOME OWNERS ASSOCIATION HELD ON 24 MAY 2017 AT 19:00 AT THE DUTCH REFORMED CHURCH, KEMPTON KRUIJN, FISKAAL STREET, GLEN MARAIS.

### 1. OPENING AND WELCOME

- 1.1 The Chairperson opened the meeting and welcomed everybody present.
- 1.2 He informed all the Members present that, because of the number of proxies received; the attendance is well over the quorum of twenty percent (25%) required to proceed. 90 Homeowners signed the register and 44 Proxies were received.

The Chairperson explained the ‘House Rules’ of the AGM comprising the following:

- 1.2.1 Only agenda topics will be discussed. Please allow presentation/feedback prior to questions
- 1.2.2 Quorum – 25% Members present (proxies applicable in need).
- 1.2.3 Voting will occur at logical junctures throughout the meeting.
- 1.2.4 Voting only by Members with **levy accounts paid up @ 24<sup>th</sup> May 2017**, either in person, else through signed proxy.
- 1.2.5 Voting will consist of a single vote per Owner/proxy.
- 1.2.6 ***Voting will take the format of a show of hands; if this is inconclusive, a formal count of those in favour or against will be held.***
- 1.2.7 Irrespective of nomination, a Director can ONLY stand if in full compliance with Company regulatory requirements (and obviously be up to date as a voting Member).

***The Aim is to close off by 21h00 the meeting.***

- 1.3 Lastly the Chairperson reflected upon the proposed agenda; the following topics, which were included:
  - 1.3.1 Approvals,
  - 1.3.2 Security,
  - 1.3.3 Finance and Governance,
  - 1.3.4 The 2017/8 Board Member Nomination and Election,
  - 1.3.5 Estate Rules,
  - 1.3.6 Aesthetics and Gardens,
  - 1.3.7 Municipal Engagement,
  - 1.3.8 General,
  - 1.3.9 Other business (as submitted prior to the AGM)
  - 1.3.10 The 2017/18 Board Announcement
  - 1.3.11 Meeting Closure.

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## 2. ATTENDANCE

- 2.1 The managing agent present confirmed 90 Owners signed the attendance register,
- 2.2 It is confirmed that 44 Proxies were received,
- 2.3 Representative of Fidelity Security Services (Security Manager),
- 2.4 Representatives of MC Administration,
- 2.5 Estate Manager and Administrative Secretary.

## 3. APPROVALS

### 3.1 APPROVAL OF MINUTES OF THE PREVIOUS ANNUAL GENERAL MEETING HELD ON THE 23<sup>rd</sup> MAY 2016.

- 3.1.1 The minutes of the previous meeting **was approved** by all by show of hands by the Members present.

### 3.2 CHAIRMAN'S REPORT

- 3.2.1 The Chairman's report was distributed with the notice of the meeting prior to the AGM. The **Chairman's report was approved** by all the Members present by a show of hands.

### 3.3 RECEIPT, CONSIDERATION AND ACCEPTANCE OF ANNUAL FINANCIAL STATEMENTS FOR YEAR ENDED ON THE 29<sup>TH</sup> OF FEBRUARY 2017, INCLUDING AUDITOR'S REPORT AS PER AGM PACK.

- 3.3.1 The report, as stated above, and sent out prior to the AGM, **was approved** by the AGM majority by show of hands by the Members present.

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## 4. SECURITY

### Security Service Provider Update

- Fidelity Security Services (FSS) Contract currently for the next two (2) years;
- Fidelity Security Services (FSS) continue process to ensure appropriate skilled personnel;
- The security as a function is paramount within our Estate, and as such, remains a focal area of the Board, and the Board Security subcommittee;
- The Board / Members acknowledges that the Security Portfolio has been managed in an exemplary fashion throughout the reporting period;
- Thank you to the members of the portfolio,
  - Mr. Morne Jacobs and team, where the management of this function has been exemplary throughout the reporting period.
- The Uniforms have also been changed to be more comfortable for the execution of their duties;
- A new Estate patrol bakkie has been received, which is more applicable for patrols at the Yankees Cameras;
- The Board made use of a Consultant to review all Service Level Agreement's (SLA's) with regards to Security Contracts;
- A number of Member/Resident security rule breaches (card misuse) – addressed;
- Weekly Security Portfolio meetings undertaken (without fail) are invaluable – our gratitude to all involved;
- No notable security incidents for the reporting period (major security incidents) – a great achievement; Some forced entries occurred at neighboring Estates the past three weeks i.e.
  - ***Glen Eagle: 2 x;***
  - ***Bangweulu Sands;***
  - ***Bali on Glen: Acid on the wall and hole to enter;***
  - ***Izintaba in Vaalboom Street: Acid on the wall and hole to enter***

### ClickOn Access Control Service Provider Update

- The Contract was renewed on the 1<sup>st</sup> April 2016 for a period of twenty four (24) months, which will mature at the end of March 2018.

The **AGM approved** that the contract with ClickOn can be renewed.

### Security Server Update

- Emergency purchase of server
  - The **AGM ratified** a decision by the Board of Directors to purchase a server as a matter of urgency by a show of hands

**Chairperson stated that all residents are jointly and severally responsible to keep eyes open, and report unacceptable or concerning situations to the Estate Office and ensure the security and safety of ALL Residents in the Estate.**

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## TRAFFIC MONITORING MEASURES

- The roads on the Estate, in spite of being within the fence and appearing to be 'private', are in fact public roads and therefore within the jurisdiction of the National Road Traffic Act № 93 of 1996 (as amended),
- Implement traffic monitoring systems and penalties

Question: Does the AGM want new Board to proceed with Traffic calming system?

A member mentioned that the problem comes in where visitors come in and infringe the speed limit.

The **AGM voted against** the implementation of the proposed speed system.

The **AGM approved** a proposal that the new Board further investigate the **viability** of speed cameras within the Estate.

Question: Are the guards monitored at the Guard houses and stated an example of a guard sleeping at 01:00 am and residents couldn't come in.

Answer: The Guard houses are monitored via CCTV cameras.

Mention was made that Gates close at 22:00 and **not at 21:50. This needs to be enforced.**

Mr. M Campbell suggested that the new Security Cell phone number be provided to all residents and that the Reaction Officer be informed of all incidents.

## 3. FINANCE & GOVERNANCE

- The Financial position of the Estate is healthy at year end (Prudent fiscal management by Finance Portfolio and Estate Manager);
- A detailed budgeting exercise undertaken by the standing Financial Portfolio, and ratified unanimously by all Board Members at a recent sitting;
- The positive influence on the budget for 2017/18 of the Company's three (3) long term investments;
  - Decision to split investments across three (3) Financial institutions resulting in excellent returns (approximately R20 000.00/month),
  - Component of investment income factored into Levy composition (element of subsidisation).
- The ongoing sale of access cards and other sundry income projected, the 2017/18 budget will be subsidised to a degree;
- Debt collection process – despite focus on debt collection through the year, outstanding monies reflect R545 122.90 @ 24<sup>th</sup> May 2017, previous year R 513 723.68 @ 20<sup>th</sup> May 2016;
  - please NOTE: (R280 206.43 currently under litigation proceedings),
  - The collection of levies and associated outstanding debt owed to the Company remains challenging despite the effort applied in managing the situation,

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- Members must remember that levy payments are not discretionary and every Member has an obligation to jointly contribute to the financial stability of the Estate.

Chairperson said that the debtors are actively managed by the Financial Team.

The proposed levy increment of R50-00 p/m is below the Consumer Price Index (CPI) against which much of our input costs closely track; in terms of the required capital investments, no 'special levy' is envisaged.

- Levy increase of R50-00 p/m to R1,300/month applied retrospectively to beginning Financial Year i.e. 1<sup>st</sup> March 2017,
  - Excluding the R15-00 per month implementation of the Sectional Titles Schemes Management Act (Act no 28 of 2011) and the Sectional Title Schemes Management Regulations, 2016.
  - Chairperson said that in comparison to sister Estates, the Levy is very low.
  - The increase of R50-00/month for levies **was unanimously approved** by the AGM.

Budget – to consider and approve proposed budget for year ending 28<sup>th</sup> February 2018. The Budget **was approved** by the AGM by show of hands by members.

Authorisation of Board to appoint Auditors for ensuing year. The majority of **members approved** that the Board can change Auditors, if need be, by the show of hands.

## Capital projects limited for 2017/18

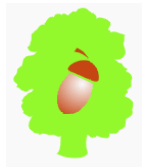
- **Budget of R745,000 allocated for 2017/8 capital projects (included in the budget).**
- Additional security cameras (CCTV) to minimize the current blind spots in certain areas of the Estate to the value of R150,000-00;
- Increase of Server back-up storage space for increase in camera storage footage. This will also lead to an increased time period that footage will be stored;
- Placement of artificial grass at all remaining trampoline areas within the Boulevard play areas;
- Re-surfacing of Mont Pellier Street (will be funded from operational budget);
- The aesthetics upgrade of the main Boulevard area around the Post Boxes.
- The installation of a paved sidewalk between the Top- and Bottom gates for pedestrians. This will ensure uniformity with the current paved sidewalk;
- The installation of aluminium steel street number plates to the kerb of each residence in the Estate to create durability and uniformity.

The **AGM approved** the Capital Projects presented to the AGM.

*It is the opinion of the current Board that the Estate's Financials are healthy and controls in place to manage the Estate are in accordance with good governance principles.*

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## 4. 2017/8 BOARD NOMINATION & ELECTION

- **Board Nomination**
  - Election as Board Member conditional on Member meeting Companies Act requirements.
- Nominations
  - Received from members and Members agreeing to re-election.

### Nominations for Directors

Mr. Nico van Noordwyk

Mr. Dawid Roodt

Mr. Izak Cronje

Mrs. Julie Neto

Mr. Johan Stoffberg

Mrs. Mona Williams

Mr. Nick Verhoef

Mr. Willie van Heerden

Mr. Patrick Brown

Mr. George Labuschagne

Mr. Matthew Campbell

Mrs. Emilia Weideman

Mr. Johan Smit

Mrs. Magda Stoffberg

Mr. Callie van Eck

Mr. Morne Jacobs

Mr. Brian Venkatas

Mrs. Lucy Mogale

Mrs. Jacqui Sandow

Mr. Jean De Villiers

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## 4.1 Board Election for the year 2017/18 (formal vote count required),

4.1.1 BOD nominations were **unanimously approved** by the AGM.

## 5. ESTATE RULES

- Estate Rules are drafted with the intent of ensuring a reasonable degree of security, safety, lifestyle and property aesthetics in mind, for ALL members/Residents (not crafted to victimise any individual);
- The Memorandum of Incorporation (MOI) allows for the Board to periodically reviews Estate Rules insofar as;
  - New requirements,
  - Relevance of Rules,
  - Penalties applicable.
- The following was added to the **Introduction of the Rules** within the past year;
  - **“Penalties are generally applied as per the Section F of the Penalty structure, however the Board can in its discretion override the verbal warning and apply the first penalty from the outset. Where a penalty had already previously been applied, the Board of Directors may in its discretion increase the penalty value by a maximum of 100% (one hundred percent) per repeat offence, considering the severity of the offence, the repeat frequency, or any other relevant factor in the circumstances.”**

The addition **was approved** by the AGM by show of hands by the members present. The addition will be noted with CSOS.

- The introduction of an animals register;
  - New requirements will be implemented like a photographic picture of the animals

The **AGM approved** the implementation of a Pet Register

*Rules are formulated and promulgated with the intention of an **approach of reasonableness applied** with the application of ALL rules. **Penalties are not summarily issued** - Security breaches and offensive language of Staff the exception. Members, on the purchase of property within the Estate, **enter into a contractual arrangement with the Estate/Company, through which Members agree to abide by the Rules as drafted, and by extension are liable for the conduct of tenants and visitors within the Estate***

## 6. LEGAL

### 6.1 Legal Counsel

- The Board engaged with Legal Counsel on three (3) matters,
- Erven Ownerships (Erven 870/871/809/774/867)
  - Debt Collections,
  - Legal challenges against Estate.

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Community Services Schemes Ombudsman Service (CSOS) '*The alternative and affordable dispute resolution service and regulator of the conduct of parties within community schemes*' - Community Schemes Ombudsman Services Act, 2011 (Act 9 of 2011); Promulgated by Law.

- Gaining traction however many questions/concerns remain,
- A legal contribution of R15 monthly per property owner currently which will increase to R16 monthly in accordance to Levy increase.
  - excluded from 2017/18 GEB levy calculation.
- Mandatory for HOA's to collect and pay across when effected (indicated as being from 7<sup>th</sup> October 2016 or when the Gazette was published,
- The Board is engaged through ARC (Association of Residential Communities) in the context of the CSOS negotiations.

The Chairperson said that compliance Audit for the OHS, undertaken by the company, "healthandsafety@myestates" is still work in progress until the end of June 2017. The purpose of engaging with this company is to ensure an independent view of the compliance of the Company to the legal requirements of the Health and Safety regulations (OHS Act). Whilst this is a legal requirement, the end state is to ensure a safe and healthy workplace for our employees and Residents.

## **Legal Matter between Member and GEB HOA**

- **Context per communique was circulated and included in Chairperson Report**
- **Perpetual Silence Application High Court of South Africa**

Chairperson said Estate has issued and served a High Court Application against a Member,

- The heads of arguments was served 25<sup>th</sup> April 2017,
- The practice directive in the Heads of arguments of the Member concerned was due 18<sup>th</sup> May 2017,
- As a result of failure, a letter is to be send to the Deputy Judge President for a directive to be issued,
  - ✓ to the defaulting party,
  - ✓ to compel delivery of Heads.

During 2016, unanimous vote was received to proceed with the legal matter. The system in Law enticed that the member had to comply by the 18<sup>th</sup> May 2017.

Mr AJ Van Rensburg, Legal Counsel for Estate, said that a change in Heads of Arguments took Place. According to Civil Procedure this was due on the 18<sup>th</sup> May 2017. According to opponents it will be served by the 26<sup>th</sup> May 2017. If not served by 26<sup>th</sup> May 2017, the Deputy Judge President will be approached and the 2<sup>nd</sup> June 2017 was given as a date.

Either way, a date will be obtained for the PSA.



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## 7. AESTHETICS AND GARDENS

Annual aesthetics survey on properties undertaken (detail in Chairperson's Report)

- The following "grading" approach was applied;
  - AAA+ grading: Aesthetics is of a high standard,
  - AAA grading: Good standard with minor visible defects which are considered as acceptable,
  - AA grading: Significant deterioration is observed; which should be addressed within a reasonable time. Letters to alert owners of the condition(s) may be issued.

Combined Grading	April 2014	April 2015	April 2016	April 2017
AAA+ AAA	372	355	342	377
AA	41	58	72	37
% Properties at AAA+/AAA rating	90%	86%	82%	91%

Focus for reporting period on driveways and gardens;

The Chairperson said that the continued focus on maintaining homes at an acceptable/high level of aesthetic appearance is taking place; this reflects in positive commentary from visitors to the Estate and Estate Agent praise. THANK YOU!

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## 7. GARDENS

### Gardens

- Renewal of Service Provider contract,
  - The **AGM approved** that the Board can change the Garden Service Provider if the need would necessitate a change by show of hands by members present.
- To open up the area around at the Main Boulevard (Post Boxes Area) for a more user friendly Boulevard,
- To succeed with this issue and problem with the grass that is not growing, Members need to;
- Get rid of the extra soil and level the ground with existing grass,
- Pave the area next to the Tar Road, for the use of Walkers and Cyclers,
- Install Bollards at the two ends where the Tar Roads meet the Boulevard,
- Take out the existing grass and use it to fill up the area where needed.

**This will only be done in Aug./Sept. when the rain started –some extra- Irrigation might be needed**

- The **AGM approved** the Capital Project around the Post Boxes by show of hands by the members present.

## 8. MUNICIPAL ENGAGEMENT

### Erwen 870/871 and 809:

- Transfer of ownership to HOA underway;
- Await sign-off by twenty one (21) municipal departments;
- Thereafter, Legal engagement to facilitate transfer of the erwen;
- Appraiser engaged and value calculation established (R1, 000 per erwen);
- Will communicate as required.

### Erwen 867 and 774:

- Determined erwen are still belonging to Trans-Acht;
- Trans-Acht agreed to transfer the erwen at its costs;
- Legal engagement underway but is a slow process.
- The Chairperson said that correspondence was received on the 24<sup>th</sup> May 2017 to appoint a Director and that it will be transferred to Glen Erasmia Boulevard. Transfers will be done at the least cost.

### Council:

- Estate Office has good working relationship with key Council Stakeholders;
  - Power, water, and sewerage departments.
  - Power boxes upgrade.
- Estate Office has called on EMPD to visit Estate periodically;
  - The first visit was undertaken in February 2017.

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## 9. GENERAL

### Vodacom and MTN signal Augmentation

- Construction and lamp post erections concluded
  - Aim was to improve broadband and cellular service reception within Estate.
- Rental income agreements were concluded with Vodacom and MTN.

### Fiber to the Home (FttH)

- High speed internet access within the Estate was approved by previous AGM;
- Service Provider agreement was concluded;
- Physical fibre infrastructure will start to be deployed during April 2017; It is hoped that the inside of the Estate would be completed by June 2017.
- Open to all ISP's as required by the Estate;
  - Marketing day was a great success,
  - Resident deals directly with the ISP and,
  - Enters into contractual arrangement with its ISP of choice.
- Digging of trenches will be limited and only take place if no other way can be found.
- The Chairperson said that after 30 years the infra structure will become part of the Estate.

On a question about the contractors working in the Estate, it was mentioned that the same principal of "No ID No Access" will apply on the workers/contractors.

On a question on what the costing will be of the FTTH, it was mentioned that owners will only pay for the "last Mile".

### Website

- GLOvent Portal to be used for communications.
- ***AGM Notifications to be limited to electronic distribution in future***

## 10. OTHER BUSINESS

Chairperson said that during 2016 AGM the Board was mandated to investigate the incorporation of Zimbali into Glen Erasmia Boulevard. **Zimbali HOA Incorporation into GEB HOA (previously approved by GEB HOA @ AGM),**

### Aesthetics

- The homes and garden areas within the Zimbali Estate conform to a high standard and could very well form part of the existing GEB HOA.

### Concerns

- The ongoing maintenance of the structures would negatively affect the existing GEB budget indefinitely,
- The aesthetics of the GEB Estate would not flow progressively through all its areas and roads.

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## Financial

- In order to fund the list of requirements, will have a Financial bearing on GEB HOA Budget,
- The recommendation is that Zimbali HOA continues until the list of work is completed.

## Conclusion

- All external structures be reduced and all maintenance issues addressed,
- It will be possible in future to incorporate the Zimbali complex into the existing Estate infrastructure if all matters above are addressed,
- Minimal impact to our existing GEB budget.

## Decision on new Board to manage further

### - show of hands/vote

Mrs C Van Niekerk, current Zimbali HOA Chairperson, said that Zimbali will hold an AGM on the 30<sup>th</sup> May 2017. A special levy will be implemented to attend to the maintenance required by GEB HOA.

Secondly they will proceed on a legal process to clarify the Zimbali issue.

The Chairperson said that a special AGM to be held, alternatively at the next AGM the terms of the incorporation can be discussed. For now the status quo will stay as is and the new Board will take it further.

## 11. 2017/87 BOARD MEMBERS ANNOUNCEMENT & ACCEPTANCE

The nominated Board members were elected by the AGM.

The New Board was congratulated on their election to the Board of Directors for the term 2017/18.

Mr S Hamade, who came in after the matter on speeding was discussed, asked what is going to be done on the speeding in the estate. The Chairperson mentioned that matter was already addressed earlier.

Mrs N Adams asked what is going to be done about water issue at Top Gate as the rain is blowing into Guard house when it rains.

The Chairperson said that the New Board will look into sheltering of the Top Gate from rain.

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## 12. CONCLUSION

- Chairperson thanked all the Board Members for their time and effort in managing the affairs of Glen Erasmia Boulevard, in particular those who resigned midterm and electing not to stand again – he thank them for their year of dedication to Glen Erasmia Boulevard
- He further, noted a compliment to both Messer's. Owen Muthobeni and Sello Mahowa;
  - their efforts in maintaining the Estate aesthetics and safety of the infrastructure within do not go unnoticed and
  - thanked them for their ongoing commitment.
- To Mrs. Louise Venter, who has settled in very well, evidenced by numerous compliments received from Residents since she took up employment with Glen Erasmia Boulevard.
  - Her friendliness and assistance to Member/s requirements do not go unnoticed.
- Finally to the Estate Manager, Mrs. Greta Bezuidenhout
  - her dedication,
  - perseverance in dealing with difficult situations and
  - the long hours she spends at the Estate Office cannot go unmentioned.
  - The Chairperson said he has personally received many a compliment from Members toward her and the Estate staff, testament to her management capability and commitment.
  - The Board and Members express their sincerest appreciation.

***The chairperson thanked the following members for their contribution to the AGM.***

Members  
Greta Bezuidenhout  
Board Members  
MC Admin and Auditors  
Fidelity  
Kempton Kruijn

The following general questions were asked.

Question: What is the position of feeding of animals in open spaces as stray cats are being fed in the park and that attracts more cats.

Answer: Chairperson said that new Board will look into matter together with the Pet Register. The number of animals per household is a Municipal Bylaw.

Question: What is the idea of toilet facilities on the Main Boulevard.

Answer: The **AGM voted against** any toilet facilities on the Boulevard.

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The meeting officially closed at 20:25

CHAIRPERSON \_\_\_\_\_ DATE: \_\_\_\_\_