

HOME OWNERS ASSOCIATION

SONNEVELD ATLANTIS CITY

MINUTES OF THE ANNUAL GENERAL MEETING HELD AT THE THABONG WEDDING AND CONFERENCE, PLOT 172, DENNE ROAD, RAND COLLIERIES, BRAKPAN ON THURSDAY THE 12TH SEPTEMBER 2019 AT 6:30 PM.

PRESENT: AS PER ATTENDANCE REGISTER

	ACTION
1. NOTICE OF THE MEETING:	
The notice of the meeting having been sent in the prescribed manner and there being a quorum of 24 members present or represented by valid proxy, the meeting was declared properly constituted and duly convened by Mr. Ruele.	
2. COMMITTEE MEMBERS REPORT:	
Mr. Ruele provided the members with an overview of the Chairpersons report.	
3. MINUTES OF THE PREVIOUS ANNUAL GENERAL MEETING HELD ON THE 4TH OF SEPTEMBER 2018 TO BE READ AND APPROVED:	
The minutes of the Annual General meeting held on the 4 th September 2018 were approved as presented, proposed by Mr. Nkgapele, seconded by Mrs. Reddy. No objections were received.	
4. TO CONSIDER THE AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED 28TH FEBRUARY 2019:	
It was agreed to approve the Audited Financial statements for the year ending 29 th February 2019. Proposed by Mr. Ludick, seconded by Mr. Slabbert	
5. THE APPROVAL, WITH OR WITHOUT AMENDEMENT OF:	
5.1. The insurance covering the Common Areas It was agreed to retain the current insurance policy, proposed by Mr. Slabbert, seconded by Mr. Bronkhorst.	JENNY / HENCIA
5.2. Insurance/ fidelity cover Mr. Scott confirmed that the HOA was covered for Fidelity Insurance under the following Insurance Policy – CIA 0000-71096 for the total sum of R 491 675.00 at a monthly premium of R 183.71. It was agreed that the sum insured be adjusted to comply with regulation 15(1). R 831,214.00 (cash on hand R 559 906.00 (AFS) + 3 months levy income R 271 614.00 x 3), proposed by Mr. Slabbert, seconded by Mr. Ludick.	
5.3. Proposed Estimate for Income and Expenditure The Proposed Estimate of Income and Expenditure was presented as follows: <ul style="list-style-type: none">- The monthly levy on houses remains unchanged for the balance of the financial year.- The monthly levy on Sectional Title properties increase to R 350.00 and- The monthly levy on the subdivided units increase to R 450.00 Mr. Bronkhorst proposed adoption of the levy structure with effect from the 1 st November 2019, seconded by Mrs. Reddy. Mr. Shivambu proposed the following, seconded by Mr. Mooki. The monthly levy on houses remains unchanged for the balance of the financial year. <ul style="list-style-type: none">- The monthly levy on Sectional Title properties increase to R 325.00 and- The monthly levy on the subdivided units increase to R 425.00 It was proposed that the above come into effect from the 1 st November 2019. Mr. Ruele called for a vote by show of hands which indicated a majority of 15 votes to 9 votes in favour of the proposal by Mr. Bronkhorst. Thus the levy payable by each member from the 1 st November 2019 will be as follows: <ul style="list-style-type: none">- The monthly levy on houses remains unchanged for the balance of the financial year.- The monthly levy on Sectional Title properties increase to R 350.00 and- The monthly levy on the subdivided units increase to R 450.00 Mr. Scott highlighted compliance in terms of the Community Schemes Ombud Service Act 9 of 2011 for an HOA to provide for a financial reserve of no less than	
	CHANE / TASHA

25% of the Annual Levy which equates to R 261 613.00.	
The members resolved that the CSOS Levy continue to be reflected as a separate line item on each and every owners levy account.	
6. APPOINTMENT OF AUDITOR: It was unanimously agreed that Messrs Carla Rae Nurden Chartered Accountants SA be reappointed as the Auditor for the ensuing year, proposed by Mr. Bronkhorst, second by Mr. Nkgapele.	BIANCA / HENCIA
7. DETERMINATION OF THE NUMBER OF COMMITTEE MEMBERS: In terms of the newly accepted Memorandum Of Incorporation (MOI) the Board of Directors is to consist of a minimum of 3 (three) and a maximum of 7 (seven) Directors.	
8. ELECTION OF COMMITTEE MEMBERS: It was unanimously agreed that the Committee Members be elected as follows: <ul style="list-style-type: none"> - Mr. Francis Ruele - Mrs Sue Reddy - Mr. Thami Simelane - Mr. Lewis Bronkhorst - Mr. Johan Slabbert - Mr. Lambert Potgieter - Mr. Lukey Nkgapele 	
9. DETERMINATION OF SERVICE ADDRESS: It was determined that the Domicilium Citandi et Executandi of the Home Owners Association will be: Selection Estates, 91 Main Road, Farrarmere, Benoni, 1500. P.O Box 15014, Farrarmere, 1518 Tel: 011-849-6800 Fax: 011-425-0128	
10. MATTERS FOR THE INCOMING COMMITTEE MEMBERS: a) <u>Security:</u> The Directors were requested to apply their minds to the improvement of security as the following has been noted: <ul style="list-style-type: none"> - Incidents of break-ins in the last couple of months particularly along the perimeter. - Lack of armed response. - Additional cameras needed - Panic button system needed - Perimeter foot patrols are still carried out per Martin. - How reliable is the electric fence also delays in repairs - Each residents has the obligation to secure their home, a proposal was made to link the home alarm system to the guard house for a quick response time. 	
11. NEW MATTERS: a) <u>Amended Participation Rules:</u> Mr. Ruele presented to the members the alterations / amendments requested to the Participation Rules as recommended by the Community Schemes Ombud Service following the submission of the Participation Rules adopted at the last Annual General Meeting held on the 26 th of September 2017 as follows: Rule 10.4 Feedback from CSOS: Trustees may not evict or terminate lease agreement. The owners remain liable for his tenant's conduct. Amendment: Owners and occupiers shall be responsible for the behaviour of their employees, children and guests and shall be liable for any damage caused by them. Any damage caused by such employees, children or guests shall be repaired at the cost of the owner or occupier concerned, within 14 days of notice by the Trustees, to the satisfaction of the Trustees. Rule 10.16 Feedback from CSOS: There should not be a requirement for accreditation of Estate agents or service providers	

before they could conduct their duties.

Amendment:

In the event that an agent has multi-listed, the Listing Agent must at all times accompany all multi-listed agents to view any property within the HOA. Any multi-listed agent not accompanied by the Listing Agent will not be granted access to the Estate.

Annexure A Please note fines may not be equal or more than twice the monthly payable levy. Clarify or amend these fines.

Amendment:

1. Assaulting the Security Officers (Verbally or Physically)

Assault can also result in criminal charges being laid against the perpetrator.

	Offence			
	1 st	2 nd	3 rd	4 th
Perpetrator	50% of monthly levy	1 x monthly levy	1 x monthly levy + 50%	2 x monthly levy
Responsible Homeowner / Tenant	50% of monthly levy	1 x monthly levy	1 x monthly levy + 50%	2 x monthly levy

2. Fines and Penalties

The following fines and penalties will be applicable

Transgressions / Offences	Penalty / Fine
Contractors display and notice board non-compliance	1 x monthly levy
Illegal electricity and/or water connection	2 x monthly levy
No toilets / Non-functional toilets / No screen around toilet or change area	2 x monthly levy
No skip on building site / Cleanliness on building site lacking	2 x monthly levy
Water – cement – mud spilling on the road or pathway / pollution	2 x monthly levy
Damage to plant, property and electrical apparatus	2 x monthly levy
Dumping on sidewalk, adjacent stands and/or the road	2 x monthly levy
The condition of a building site may cause damage or injury to a person or property of a person	2 x monthly levy
Failure to control labour force, causing pollution, unnecessary noise and/ or other nuisance	2 x monthly levy
Speeding, ignoring stop signs, reckless driving, unlicensed vehicle and/or any other traffic offence	2 x monthly levy
Violation of the HOA Participation Rules	1 st offence: 50% of monthly levy 2 nd offence: 1 x monthly levy 3 rd offence: 1 x monthly levy + 50% 4 th offence: 2 x monthly levy
Non-compliance with property access and egress	1 st offence: 50% of monthly levy 2 nd offence: 1 x monthly levy

Contractors egress in respect of time restrictions	3 rd offence: 1 x monthly levy + 50%
	4 th offence: 2 x monthly levy
	1 x monthly levy

3. PENALTIES FOR EXCEEDING PLANS APPROVAL AND BUILDING TIME LIMITS

– 2 x monthly levy until remedy of breach of such time limit.

Added to the Participation Rules per the Directors:

10.17. Residents moving into the complex for occupation and those moving out of units must ensure that security is alerted by adhering to the following procedure:

Moving out residents:

- Residents moving out, either as owners or tenants, must fill in the moving out form to be obtained from security.
- A signature from the owner of the unit or estate agent must be obtained.
- A completed form must be submitted to security two weeks prior to the date of moving out.
- One copy will be submitted to HOA managing agent and the other retained by security.
- A day after vacating a vacating resident remote(s) will be deactivated.

Moving in residents:

- All new residents, whether as new owners or tenants will follow same procedure as above for moving out residents, i.e. a –d, with a completed form submitted to security two weeks prior to occupation.
- The resident will follow rule 2.1 of conduct rules with acknowledgement of having received a copy of rules as stipulated.

N.B. Strictly no furniture will be allowed through the gate, in or out, if the process has not been followed.

b) Amended Memorandum of Incorporation (MOI):

Mr. Ruele presented to the members the alterations / amendments requested to the Memorandum of Incorporation as recommended by the Community Schemes Ombud Service following the submission of the Participation Rules adopted at the last Annual General Meeting held on the 26th of September 2017 as follows:

Rule 22 –

Arbitration is no longer permitted. Clause removed.

Added to the Memorandum of Incorporation (MOI) (purchasing rules) per the Directors:

Operating Expenditure (OPEX) will be treated as an emergency purchasing.

- An emergency is an unexpected situation of a serious nature that demands immediate action. The unexpected or unforeseen situation is explained as , but not limited to, distribution box explosion, life threatening situations, probable danger to property water pipe burst, security related incident, malfunctioning gate, security turnover due to strike or any other reason.
- The approval will be immediately done by chairperson or any delegated director by the chairperson.

There being no further business to discuss the meeting was closed at 08:05PM.

12. TIME, DATE AND PLACE OF THE NEXT MEETING:

To be advised.

CHAIRPERSON:

F. Ruele


DATE: 08-03-2020