

**BODY CORPORATE**

**SONNEVELD ATLANTIS CITY**

**MINUTES OF THE HYBRID ANNUAL GENERAL MEETING HELD AT ROSE TULEE, 189 DIRK VANDER HOFF STREET, RAND COLLIERIES, BRAKPAN, AND ONLINE VIA MICROSOFT TEAMS, ON THE 6<sup>TH</sup> OF FEBRUARY 2024 AT 6 PM.**

**PRESENT: AS PER THE ATTENDANCE REGISTER**

	<b>ACTION</b>
<b>1. NOTICE OF THE MEETING:</b>	
<p>The notice of the meeting having been sent in the prescribed manner, and there being a quorum of 95 members present, in person, online, or represented by a valid proxy, the meeting was declared properly constituted and duly convened in terms of clause 18.4 of the MOI.</p> <p>Mr. Slabbert chaired the meeting on behalf of the Directors.</p> <p>The Notice of the meeting, being sent in the prescribed manner according to section 17 of the MOI was taken as read.</p> <p>Mrs. Reddy queried whether the proxies presented had been satisfactorily verified. Mr. Scott confirmed that the registered names of the owners giving proxy had been verified. Mrs. Reddy queried whether each owner giving proxy had been personally contacted to confirm the validity of the proxy. Mr. Scott advised that as the proxies were only presented at the start of the meeting, it was not possible to personally phone each member as this would further delay the start of the proceedings.</p>	
<b>2. REPORT OF THE CHAIRPERSON:</b>	
<p>The report of the Chairperson was included in the notice of the meeting. Mr. Slabbert proceed to highlight some aspects of the chairpersons report. Following a lengthy debate, the members resolved to continue with the next item on the agenda.</p>	
<b>3. MINUTES OF THE PREVIOUS ANNUAL GENERAL MEETINGS TO BE APPROVED:</b>	
<p>Mr. Slabbert confirmed with the members present that all were in receipt of the minutes of the Annual General meeting held on the 23<sup>rd</sup> February 2022, the 28<sup>th</sup> June 2022 and the 29<sup>th</sup> November 2022.</p> <p>Mr. Makhale proposed the minutes be accepted as a true reflection of the meeting, seconded by Mr. Ruele.</p> <p>Mr. Makhale required from the chair an explanation relating to the change in the financial year end of the Home Owners Association. It was noted that in terms of the minutes of the last Annual General Meeting, the financial year end of the HOA be set at the 31<sup>st</sup> August of each year. The auditor had prepared the financial statements as at the 30<sup>th</sup> September 2023. Mr. Slabbert attempted to provide the members with an explanation and request that Mrs. Kriek provide feedback in this regard. Mrs. Kriek advised the members that CIPC had made an error in the registration of the new financial year end. The Auditor had advised that due to the error they were not able to close of the financial year at the 31<sup>st</sup> August and had to comply with the date reflected by CIPC. CIPC was updating their portals and was not able to bring about any amendments to correct same. Following a discussion it was resolved that the Directors mandate Selection Estates to engage with the Auditor and CIPC and ensure that the error in the financial year end is rectified.</p> <p>The members noted that during the last financial year, many of the directors had resigned. The remaining directors had co-opted members to serve as directors, however not all members had received the notifications of these appointments. Mr. Simelane advised that according to the MOI, the Directors needed to consist of a minimum of 3 members and thus should have called an extraordinary meeting to appoint replacement directors the moment they fell below the minimum numbers. Mr. Scott advised the members that CSOS had ruled on a similar situation in another HOA that he manages whereby CSOS resolved that the Directors had the legal mandate to co-opt replacement members to bring their numbers back into a state of compliance with the MOI. The appointment of replacement Directors was thus addressed based on the above CSOS ruling. The members requested that going forward, should there be any changes within the Directors, a members be suitably notified.</p>	<b>JENNY TAYLOR /</b>



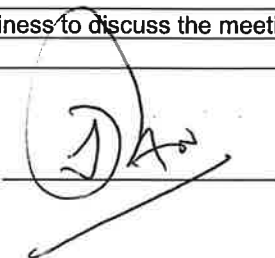
<b>4. TO CONSIDER THE AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED 30/09/2023</b>	
<p>The Audited Financial Statements for the year ended 30/09/2023 were included with the notice of the meeting.</p> <p>Mrs. Grootboom queried who the appointed Treasurer was, as it was the duty of the treasurer to provide the members with an overview of the finances in conjunction with the Auditor. Mr. Slabbert advised that there was no appointed Treasurer on the Board.</p> <p>Following a brief discussion it was resolved that going forward a Treasurer be appointed to oversee the financial aspects of the HOA and that the Auditor be requested to attend all future Annual General Meetings to present to the members the Audited Financial Statements and address any queries raised.</p> <p>Mr. Slabbert advised the members that no written queries had been received by the Managing Agent prior to the meeting. Mr. Slabbert expressed concern with the costs incurred by the HOA in the changes / registrations of directors every time a member resigns and proceed to provide the members with an overview of the outstanding debtors. Mr. Kirsten expressed concern with the quantum of outstanding debtors and requested that the Directors provide an explanation on what action had been done to address this issue. Mrs. Reddy expressed the opinion that no action had been taken. In response to this statement, Mr. Scott provided the members with an overview of the meeting held with the HOA's Attorney in January 2024, whereby the Directors were provided an indept overview of each case file to date. Following a lengthy discussion it was resolved that the newly elected Directors investigate debt solutions and provide the members with feedback on their proposals.</p> <p>Mrs. Grootboom proposed that the Directors engage with the home owners and try obtain professional assistance from qualified members within the Home Owners Association in an effort to try reduce costs. An example given was that of a lawyer, electrician, etc. It was further resolved that when presenting the debtors, the monies outstanding by owners with vacant land be split from those properties in arrears where services are rendered (such as security, acces control, etc.)</p>	<p><b>DIRECTORS TAYLOR</b></p> <p><b>DIRECTORS</b></p>
<b>5. THE APPROVAL, WITH OR WITHOUT AMENDMENT OF THE INSURANCE COVERING THE COMMON AREAS:</b>	
<p>Mr. Slabbert confirmed that the HOA had insurance over the common property with OUTsurance. A copy of the Insurance Policy was included in the notice of the meeting. The monthly insurance premium amounted to R 1 427.82. The insurance over the common property was approved as presented.</p>	
<b>6. FIDELITY INSURANCE:</b>	
<p>Mr. Slabbert confirmed that the Home Owners Association was currently covered for Fidelity Insurance for the sum of R 1 007 371.00 at a monthly premium of R 192.16. Mr. Scott explained to the members that every community scheme was required to hold Fidelity Insurance in terms of Regulation 15(1) of the Community Schemes Ombud Service. Mr. Scott explained that the sum insured is determined by the cash on hand plus three months of levy income.</p> <p>It was resolved, without objection, that the sum insured remain unchanged for the ensuing year.</p>	<p><b>TAYLOR</b></p>
<b>7. PROPOSED ESTIMATE FOR INCOME AND EXPENDITURE</b>	
<p>Mr. Slabbert advised the members that in terms of the budget distributed with the notice of the meeting, the proposal was made to increase the monthly levy as follows:</p> <ul style="list-style-type: none"> <li>- Houses to increase by R 46.61 per month (from R 650.38 to R 696.99).</li> <li>- Sub-divided properties to increase by R 57.23 (from R 532.13 to R 589.36)</li> <li>- Townhouses to increase by R 46.12 (from R 413.88 to R 460.00)</li> </ul> <p>Mrs. Nulesi proposed that the monthly levy increase by R 100.00 per property. This proposal was seconded by Mrs. Grootboom subject to a financial review of the budget being undertaken.</p> <p>Mr. Makhale proposed that the newly elected Directors review the budget and present to the members a revised proposal for consideration. Concern was raised that insufficient provision had been made in the budget to finance the legal costs and the costs for the intercom system. Mr. Makhale's proposal was seconded by Mr. Ruele.</p> <p>Mrs Tlholoe proposed that the levy increase by no more than R 50.00, supported by Mr.</p>	

<p>Ncube.</p> <p>Mr. Kirsten proposed that the monthly levies remain unchanged.</p> <p>Following a lengthy discussion, Mrs. Nulesi elected to retract her proposal.</p> <p>Mr. Scott advised the members that the following proposals were on the floor for consideration:</p> <p><i>Option 1:</i> Mr. Makhale proposed that the newly elected Directors review the budget and present to the members a proposal going forward. Currently the proposal is to leave the levy unchanged pending the Directors review. (90 days to revert to the members)</p> <p><i>Option 2:</i> Mrs. Tiholoeproposed that the levy increase by R 50.00.</p> <p><i>Option 3:</i> The proposal as presented with the notice remain unchanged with Sectional Title units increasing by R46.12, Sub-divided by R 57.23 and Houses by R 46.61</p> <p>Following a vote by show of hands, 52 of the 95 members in attendance voted in favour of Option 1.</p> <p>In light of the above, it was resolved that the newly elected Directors review the budget and present to the members a proposal for consideration / adoption at an Extraordinary meeting to be called within 90 days.</p>	<p><b>DIRECTORS</b></p>
<p><b>8. APPOINTMENT OF AUDITOR:</b></p> <p>Mrs. Grootboom queried the number of years that the current auditor had been attending to the Financials of the Body Corporate. Mrs. Kriek confirmed that Carla Rae Tucker had been appointed in 2017.</p> <p>Following a brief discussion it was resolved that the auditor be changed a minimum of every 3 years, but a maximum of every 5 years.</p> <p>It was resolved that the newly elected Directors perform their due diligence and attend to the appointment of an auditor.</p> <p>It was once again reaffirmed that going forward, the Auditor would need to be present at the Annual General Meeting to present the Audited Financial statements and address any questions arising therefrom.</p>	<p><b>DIRECTORS</b></p>
<p><b>9. DETERMINATION OF THE NUMBER OF DIRECTORS:</b></p> <p>Mr. Slabbert reaffirmed that in terms of the Memorandum of Incorporation (MOI) of the Home Owners Association, a minimum of 3 Directors may be appointed with a maximum of 7 Directors.</p>	
<p><b>10.ELECTION OF DIRECTORS:</b></p> <p>Mr. Slabbert confirmed receipt of the following signed and accepted nominations:</p> <ul style="list-style-type: none"> <li>- Johan Slabbert – Nominaton retracted</li> <li>- Marisa Calaca – Nomination retracted</li> <li>- Teresa Da Camara – Nomination retracted</li> <li>- Thato Manganye</li> <li>- Thabo Magemba</li> <li>- Kevin Mahlaule</li> <li>- Francis Ruele</li> <li>- Johnny Makhale</li> <li>- Bonginkosi Ndlovu</li> <li>- Farida Grootboom</li> <li>- Thami Simelane</li> <li>- Portia Gumede</li> </ul> <p>Mr. Slabbert vacated the chair and left the meeting. Mr. Makhale requested, in the interest of time, that Mr. Scott continue to chair the meeting in the absence of a Chairman.</p> <p>Following a brief discussion, it was resolved that the above nominees be elected as Directors. It was further noted that only 7 directors would sit in office at a time. The additional members would rotate after 6 months to ensure that all nominees had an opportunity to serve.</p> <p>It was further proposed that a procurement committee be established to attend to all</p>	<p><b>TAYLOR / DIRECTORS</b></p>



procurement processes and that this committee exclude the appointed directors.	
<b>11. DETERMINATINO OF THE DOMICILIUM CITANDE ET EXECUTANDI (SERVICE ADDRESS)</b>	
<p>It was resolved, without objection, that the service address of the Home Owners Association remain that of Selection Estates:  91 Main Road, Farrarmere, Benoni, 1500  Private Bag X01, Postnet Suite 41, Farrarmere, 1518  Tel: 011-849-6800</p>	
<b>12. NEW MATTERS:</b>	
<p>a) <u>Proposed Mandate:</u></p> <p>1.1 To put in motion the resolution previously made in respect of the erection of the traffic calming zones at West Street ( to avoid occurrence of further accidents due to high speed)  It was resolved that the incoming Directors apply their minds and revert to the members.</p> <p>1.2 To develop a medium and long term plan to address the road infrastructure and storm water system inside the complex The cost details must be tabled at the next Annual General Meeting or at a special General Meeting to be called by the Board of Directors.  Ms. Calaca requested from the previous Board of Directors clarification on where road surfacing had been undertaken, that had cost the HOA R 270 000.00. Mr. Ruele advised that previously work had been underktane to address the road surface damaged by the ingress of water. Kr Kirsten queried they the Directors had elected to spend R 270 000.00 to fix the road surface when the underlying storm water problem had not been addressed.  Ms. Calaca proposed that going forward the Directors be required to obtain more than 3 quotations for any project. All quotations, including the procurement process followed should be seen by the Treasurer and be accessible and verifiable by any member wishing to have sight of same.  Ms. Calaca further proposed that the Chairperson or any one Director not be authorized to sign of expenses below R 10 000.00. Decisions relating to the spend of monies should be approved / authorized by at least 3 Directors.  It was resolved that the incoming Directors apply their minds and revert to the members.</p> <p>Mrs. Nulesi advised the members that two owl boxes had been donated to the complex and would need to be installed. This was in response to a recent incident whereby her dog had been bitten by a snake in the complex and surcummed / passed away within 45 minutes of the incident. The Directors undertook to attend to same.</p> <p>A proposal was made, that due to the lateness of the hour, the balance of the "new matters" be held over to the extraordinary meeting to be called within the next 90 days. The members in attendance agred with the proposal, without objection.</p> <p>Mrs. Grootboom extended thanks to Mr. Slabbert for the service he offered to the Home Owners Association in the past. The services rended by Mr Slabbert during his tenure as Chairman of the HOA and Director had been acknowledged.</p> <p>Mrs. Nulesi thanked Rose Tulee for the use of their facilities, all at no cost to the Home Owners Association.</p>	<p><b>DIRECTORS</b></p> <p><b>DIRECTORS</b></p> <p><b>TAYLOR / DIRECTORS</b></p>
There being no further business to discuss the meeting was closed at 9:37 PM.	

CHAIRPERSON:



DATE:

15/3/24