

Minutes of the Annual General Meeting of the St Helena Views Home Owners' Association

Date: 2nd December 2023 at 10H00

Shelley Point Hotel and Spa, Golden Mile Boulevard, St Helena Bay and via Zoom

1. Welcome and Confirmation of a Quorum

1.1 Jurgens Tubb (JT), Chairman of the HOA, welcomed everyone to the AGM and thanked everyone for taking the time to attend. JT confirmed there was a quorum and the meeting could proceed.

2. Apologies and Proxies

2.1 Apologies were received from:

Erf 9975, Erf 10504, 10956 and 11125

2.2 Proxies were received from Erf 9975, Erf 10504, and Erf 11125 nominating JT as their proxy. Proxies were received from Erf 10049 nominating Mr Viljoen, Erf 10956 to M. Maxongo, and Erf 11319 to H. Rhode as well as Erf 10143, Erf 10114 and Erf 10092 to Johan van den Berg

3. Approval of the minutes of the Annual General Meeting held 22 February 2023

3.1 There were no objections and the minutes were therefore approved.

4. Chairperson's Report

4.1 Jaco Kotze referred to the asbestos pipes that have been replaced by the Saldanha Bay Municipality, but have not as yet been removed from the site. JT advised the HOA will assist where possible with this. Andre Kleynhans advised there is a meeting planned with Gerard Smit of SBM and this will be reported again at that meeting.

4.2 It was noted that a collective decision will need to be made and voted on whether to lodge a Civil claim against the previous managing agent to recover the outstanding monies.

4.3 The Chairman's report was proposed by Jaco Kotze and seconded by Howard Rhode.

5. Security Trustee's presentation of the proposed additional security costs for the HOA

5.1 Marc Lucas and Andre Snyman from Wes Elite Security, who are also owners in SHVHOA, gave a brief presentation of their company and services.

5.2 It was noted by several members that the security service provided has improved drastically since Wes Elite Security took over from Wartrax.

6. Approve the budget for the 2023/2024 year

5.1 The 2023/2024 budget was proposed by Mr and Mrs Tolken, seconded by Johan van den Berg, and approved by the members.

7. The election and determination of the number of Trustees for the ensuing year

7. JT advised the 5 Developer Trustees remain unchanged for the ensuing year. Nominations for 7 member Trustees were also received. The Constitution states a maximum number of 10 Trustees.

Due to a delay and issues with the voting platform, JT announced that all nominations will be Accepted and the additional 2 member nominations will be co-opted as per the Constitution, also as per the Constitution, the Developer will need to appoint an additional 2 Trustees, such that there are an equal number of Developer Trustees to the Member Trustees. The following Trustees were elected onto the Board. The additional 2 Developer Trustees will still need to be provided from the Developer.

Sean Le Riche
Mandla Maxongo
Johan Van Den Berg
Jaco Serfontein (Developer Trustee)
Carel Steenkamp (Developer Trustee)
Jurgens Tubb (Developer Trustee)
Hermanus Prinsloo (owner of Erf 10122)
Anna Hoon (owner of Erf 10728)
Riaan van Jaarsveld (owner of Erf 11435)
Charmaine Hannie (Owner of Erf 10773)
Jacques Cilliers (Developer Trustee)
Andre Kleynhans (Developer Trustee)

8. Consideration of the Audited Annual Financial Statements of the Home Owners' Association for the year ended 30 June 2023

8.1 There were a few questions from the floor, which were answered by Bruce Wademan from Percipient Property Management.

8.2 The AFS was proposed by Manie Prinsloo and seconded by Mr. Oberholzer and was therefore approved.

9. Consideration and fixing of the remuneration of the Auditors and any other service providers for the following financial year

9.1 Fidelity and Computer Fraud insurance in place to 31/07/2024 at R400/month. Proposed by Howard Rhode and Seconded by Johan van den Berg.

9.2 Insurance of the common property in place from 01/02/2024 at R1,121.86/month

9.2.1 Kim Selvan from Percipient Property Management confirmed the insurance is for the common property owned by the HOA, which includes the boundary walls, entrance walls, and fences. The policy includes Public Liability cover of R100m, Executive Liability cover of R10m and Employers Liability of R20m. The policy will be amended to include the gatehouses once completed. Proposed by Anna Hoon and seconded by Andre Kleynhans.

9.3 Eric Salomon and Co – R21,400.00 excluding VAT for Audit and AFS plus R2,300.00 excluding VAT for Income Tax submission to SARS or C2M R11,822.00 excluding VAT for the audit and AFS and R3,075.00 excluding VAT for the Income Tax submission to SARS

9.3.1 It was agreed by those members in attendance, virtually or in person to appoint C2M to carry out the 2024 Audit.

10. Resolution to vote on the amendments to the Architectural Design Guidelines as detailed in the annexure to amend:

10.1 Replace clause 1 Paragraph 3 regarding qualifications of architects/draughtperson

10.1.1 Johan van den Berg explained that this is a compliance requirement as it is law. The proposed amendment was approved.

10.2 To amend clause 2.1 – increase of plan scrutiny fees from R3,000.00 to R4,000.00

10.2.1 Johan van den Berg advised that the fees have not been increased for many years and the costs are in line with other HOAs. The proposed amendment was approved.

10.3 To amend Clause 2.5 paragraph 1 Construction – revert to 12 months for construction

10.3.1 Johan van den Berg gave a brief explanation of the proposed amendment. Following some discussion, it was put to the vote and was approved with the condition that a special application for an extension of 6 months could be submitted to the Board of Trustees for consideration.

10.4 To amend clause 3.1 Density – allow for double dwellings

10.4.1 Jaco Serfontein, the Estate Controlling Architect, gave a brief explanation of this proposal, which is to allow an additional dwelling to be in line with the Municipal by-laws. Currently, the Design Guidelines state NO double dwellings. The proposed amendment was approved.

11. Estate Rules

11.1 This agenda item was requested by Manie Prinsloo. Manie explained and requested that owners be considerate of their neighbours and comply with the rules in the Members Code of Conduct.

12. Any other business

12.1 Spatial Analysis – activities such as shopping, holiday accommodation, restaurants, skills training centre, sports fields, clinic, community day centre, library and school.

12.1 Jaco Kotze answered the question from the owner that the Estate is zoned as residential and therefore it is against the by-laws of the Municipality to run a business from a home.

13. Determination of the “Domicilium Citandi et Executandi” of the Owner Association

13.1 Unit D4 De Werf 1, 87 Simons Way, De Wijnlanden, 7600

13.1.1 The above “domicilium Citandi et Executandi” was accepted as the address of the Managing Agents.

14. Closing

The meeting closed at 12h05

CHAIRMAN

DATE