

WHALE ROCK HEIGHTS HOMEOWNERS' ASSOCIATION

ANNUAL GENERAL MEETING
WHALE ROCK HEIGHTS HOMEOWNERS' ASSOCIATION
HELD ON FRIDAY, 6th NOVEMBER 2020 AT 10:00 IN
ST PETERS CHURCH HALL, CHURCH STREET, PLETTENBERG BAY

MINUTES

Attendance:	Mr A Appel	Erf 8575
	Mr NN Swart	Erf 8578
	Mr C Behrens	Erf 8589
	Mr P Kellerman	Erf 8622
	Mr/s JD Jansen van Rensburg	Erf 8629
	Mrs C Clarke	Erf 8634
	Mr/s P Moir	Erf 8640
	Mr H de Wet	Erf 8642
	Mrs S Pillay	Erf 8643
	Mr R Kearns	Erf 8651
	Dr & Mrs R E Williams	Erf 8657
	Mr A V T Ganson	Erf 8661
	Ms B De Wet	Erf 8663
	Mrs AJ Eksteen	Erf 8665
	Mrs CP Noble	Erf 8666
	Mr M Georgiou	Erf 8667
	Mr M Georgiou	Erf 8668
	Groenkloof Trust	Erf 8669
	Groenkloof Trust	Erf 8670
	Groenkloof Trust	Erf 8671
	Mr R Taylor	Erf 8673
	Aristinas (Pty) Ltd	Erf 8674
	Dr M Wallace	Erf 8678
	Mrs TE Davidson	Erf 8684
	Mr A Reekie	Estate Manager
	Mr P Sassin	Plett Property Management (PPM)
	Mr M Gavrill	Plett Property Management (PPM)

Proxies:

Erf 8577	Mr I G Riddick	Caroline Clarke
Erf 8584	2-B-2 Sure Investment (Pty) Ltd	Caroline Clarke
Erf 8585	2-B-2 Sure Investment (Pty) Ltd	Caroline Clarke
Erf 8591	Sostantivo Investments (Pty) Ltd	Caroline Clarke
Erf 8593	Gaye Cawood	Caroline Clarke
Erf 8604	Kruger & Pottinger Prop Ltd	Caroline Clarke
Erf 8605	David van der Merwe	Rob Kearns
Erf 8638	Saper Property Investments	Hannes de Wet
Erf 8645	Mr R Lurie	Caroline Clarke
Erf 8647	Mr M C Maree	Rob Kearns
Erf 8649	Mrs GR Hurley	Caroline Clarke
Erf 8677	Mr BG Mclintock	Caroline Clarke
Erf 8681	Mrs M Levenstein	Caroline Clarke
Erf 8682	Mr/s WS Harman	Caroline Clarke
Erf 8687	Mr/s S A Hovden	Caroline Clarke

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Apologies:	Mr I G Riddick	Erf 8577
	Mr B Swanepoel	Erven 8579 & 8580
	2-B-2 Sure Investment (Pty) Ltd	Erven 8584 & 8585
	P T D Nadauld	Erven 8609 & 8611
	Ms J I Rogers	Erf 8688
	Ms C Sweet	Erf 8690

1. WELCOME

The Chairperson, Mrs Caroline Clarke welcomed all the members and thanked them for their attendance. **CC** informed the meeting that Mr Patrick Sassin will facilitate in the chairing of the meeting. Mr Sassin welcomed and thanked all the members for taking the time to attend the meeting.

2. ATTENDANCE AND PROXIES

The attendance register was presented on arrival for signature. Proxies were noted.

According to the Constitution (**paragraph 20.1**) "The quorum necessary for the holding of any general meeting shall be twenty percent (20%) of the members entitled to vote either by being personally present or by proxy." The number of members in attendance or by proxy was 38 out of a total of 111 members.

Notices as well as the agenda were sent out timeously and thus the meeting had been properly constituted.

3. ADOPTION OF THE MINUTES OF THE AGM HELD ON 18th OCTOBER 2019

Mr Sassin requested if any member had any corrections which needed to be noted on the minutes. Mr A Appel requested that his name and comments be removed under Point 13.5 on Page 4. Noted and corrected.

Mrs C Clarke proposed that the minutes be accepted as a true reflection of the meeting and Mr M Georgiou seconded the motion subject to the above amendment. There were no dissenting votes.

4. MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING

Mr R Taylor suggested that the speed bumps be removed and replaced with smaller speed humps. Mr M Georgiou mentioned that the speed bumps should be lowered or replaced with gradient speed bumps. Mr Sassin informed the meeting that this matter will be taken up at the next Trustees meeting by the incoming Trustees.

5. CHAIRPERSON'S REPORT

The Chairperson's report had been circulated to all the members and was taken as read.

6. ACCEPTANCE OF THE CHAIRPERSON'S REPORT

Mr A Appel proposed that the Chairperson's report be accepted. Mr H de Wet seconded the motion.

7. APPROVAL OF THE AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2020

Mr Sassin tabled the Financial statements and mentioned that the financial position of WRH HOA remained sound. He further stated that the reserve amount had increased from R 1,514,777 in 2019 to R 1,656,593 in 2020.

Mr Sassin confirmed that there was a legal requirement for Homeowner Associations to hold Fidelity Insurance Cover. **PPM** will attend to the additional coverage through the assistance of the incoming Trustees. All agreed.

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Mr Sassin mentioned that according to the Ombud Act, the HOA should be evaluating the common property within the Estate every three years. **PPM** will start to implement this process with the incoming Board of Trustees to ensure that the HOA's common property remains and is adequately insured.

Mr Sassin brought to the attention of the meeting the outstanding levy situation. He stated that there were eight members who were problematic as at the date of the meeting and informed the meeting that the delinquent accounts had been handed over to the attorneys for collection. The attorneys were in the process to seek a sale in execution on one of the immovable properties.

Mr H de Wet proposed that the audited financial statements dated 30 June 2019 be accepted. Mr R Kearns seconded the motion.

8. ACCEPTANCE OF BUDGETED INCOME & EXPENDITURE 2020/2021

The proposed budget was tabled for discussion. The monthly levies had been increased by 5% and were effective from 1st July 2020.

Mrs S Pillay proposed that the budget for 2020/2021 be accepted. Mr M Wallace seconded the motion.

9. APPOINTMENT OF AUDITORS

It was proposed that Michaelides Parker Kretzmann Inc. be re-appointed as Auditors for the financial year 2020/2021. The meeting unanimously agreed to re-appoint MPK.

10. APPOINTMENT OF INSURANCE BROKER

It was proposed that Garden Route Insurance Brokers be re-appointed as Insurance Brokers for the financial year 2020/2021. The meeting unanimously agreed to re-appoint GRIB.

11. CONFIRMATION OF DOMICILIUM CITANDI

The *domicilium citandi et executandi* in respect of Whale Rock Heights Homeowners' Association will be the registered address of Plett Property Management, 7 Gibb Street, Plettenberg Bay.

Mr R Taylor proposed, and Mrs C Clarke seconded the motion.

12. PROPOSAL TO RAISE SPECIAL LEVY OF R 9,000 PER OWNER FOR NEW CCTV CAMERA SYSTEM

Mr Otto Olivier spoke to the members and explained the need to improve Security at the various Estates in Plettenberg Bay. He cited the crime figures before, during and after the lockdown due to Covid-19. The figures indicated that since the Level 3 announcement, criminals were released from SA Prisons and Jails to reduce the spread of Covid-19 in the overcrowded facilities, in particular where it related to petty crime. When Level 1 was introduced and with the opening of the borders, the influx of the criminal element increased in the area.

He further mentioned that the Estates which have CCTV Monitoring systems have minimal crime incidents compared to those who do not have CCTV Monitoring. Mr Olivier informed the meeting of the importance of CCTV cameras for the security and value of properties for Whale Rock Heights. He informed the meeting that his Company will be monitoring the system in two locations which will be at the Guard House and the Control Room should the decision be to go ahead with the installation. **PS** informed the meeting that several of the Estates which are under the management of **PPM** have taken steps to upgrade their security and the option to install CCTV Monitoring Systems.

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A lengthy discussion took place on the CCTV system amongst the members. Mr R Kearns informed the meeting that he had received three quotes with similar pricing. Mr Sassin informed the meeting that all owners will be billed with a Special levy of R 9k at the end of November 2020. He further added that in the case of owners who were in financial difficulties, the Trustees have agreed that the Special levy amount may be paid over a six-month period at no interest being levied. It will be for the owner to approach **PPM** in writing to this regard.

Mr Sassin requested the attendees to vote on this proposal by a show of hands as well as any objections to the proposal. As there were no objections, the proposal was unanimously passed.

13. APPROVAL OF THE ARCHITECTURAL GUIDELINES

Chris Behrens raised a possible conflict of interest where the Estate Architect acts as the Estate Architect and as an Architect for an owner in WRH. Discussions took place whether this was allowed or not. It was agreed that the incoming Trustees will look into this matter at the next Trustees Meeting.

Mr Sassin presented two additional items to be added to the presented Guidelines. On Page 5, Point 1.3.3.3 to be added: "When the house is repainted, it is imperative that the colour must first be approved by the Estate Architect."

Discussions took place as to why the owners need permission to choose a paint colour from the Estate Architect, as this should be a Trustees decision. Mr Sassin suggested to the meeting that Clause 1.3.3.2 and 1.3.3.3 be amended to reflect that instead of the Estate Architect having this authority, it rests with the Board of Trustees who will prepare a colour spectrum, which will form part of this process.

The meeting overwhelmingly accepted this change in the Guidelines.

Mr Sassin informed the meeting of the second item on Page 11, Point 1.13.1.7. The original wording stipulates that only the lower platform needed Surveyors' certificates. He added that the Amendment now states that **ALL** slab levels must have Surveyors' certificates.

Mr R Taylor requested that the height restriction issue be resolved and informed the meeting that Summer Place had different rules than the rest of the Estate. Mr H de Wet requested a copy of the rules for Summer Place from any members. The incoming Trustees will be directed to look into this matter.

After a lengthy discussion, the meeting unanimously approved the Amendment as proposed.

14. APPROVAL OF THE WHALE ROCK HEIGHTS CONSTITUTION

Mr Sassin informed the meeting that the proposed Constitution sent to the members was a modernized Constitution, removing any mention of the developer, corrected technical issues with the Constitution as it was outdated, incorporated internal dispute resolution and Ombud procedures act.

Mr Sassin asked the meeting if any members opposed the new Constitution. No objections were received, and the new Constitution was unanimously approved.

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15. ELECTION OF TRUSTEES

Nominations for seven Trustees had been received which was allowed in the Constitution. During the discussion process, both Mr R Kearns and Mr R Taylor withdrew their nominations. The Meeting agreed that the 5 remaining nominees be accepted to hold office as Trustees. The following Trustees had been duly elected:

Mrs C Clarke (re-elected)
Mr H de Wet (re-elected)
Mr T Tolmay(re-elected)
Dr M Wallace (re-elected)
Mr A Appel (re-elected)

16. GENERAL

16.1 Fibre Optics Presentation

Perri Crossley from Samarlink gave a Power Point presentation explaining that Samarlink has merged with Octotel and was offering the members more selections of Internet Service Providers.

Ms Crossley informed the meeting that there might be a charge for the installation of fibre optic cables. She will revert to the Trustees with the costs.

PPM will distribute the power point presentation with the AGM Minutes.

16.2 Snake Season

Mike Georgiou reminded the meeting that it was snake season and requested that homeowners with reptile issues should contact him to have the reptiles removed.

17. CLOSURE

Mrs Clarke once again thanked members for attending the meeting. She also made particular thanks to all the trustees and especially Rob Kearns for all the work he had put into security during this difficult year and his work in getting together the various quotes for cameras to be installed. Mrs Clarke also thanked **PPM** for their continuing support and work.

There being no further items to be discussed, the meeting closed at 11:30.

Chairman's Signature

Date