HOME OWNERS ASSOCIATION, ATLANTIC SANDS & SHORES, LAAIPLEK
MINUTES OF THE THIRTEENTH ANNUAL GENERAL MEETING, HELD AT THE RIVIERA HOTEL, VELLDRIF AND ONLINE, ON 11 MAY 2024

1. WELCOME

The Chair person, Paul Naude, welcomes everybody present and thanked them for making the time available to attend the meeting.

2. ATTENDANCE REGISTER

The attendance register was signed by all owners present in person or by proxy. The register is kept on record for future reference.

Owners representing 54 individual properties were present in person and the Investor represents 82 erven. 32 Proxies were received.

15 Owners attended the meeting online.

During the meeting some of the online attendees complained that the sound quality was not good and that they could not hear everything. When asked on the chat option on the online platform if all present online could not hear, it was confirmed that it was not everyone and that some present could hear everything.

J. Line demanded / suggested that the meeting be stopped and rescheduled. P Naude asked the owners present at the meeting if the meeting should be stopped and rescheduled to which they indicated that the meeting must proceed.

3. PROXIES AND APOLOGIES

The proxies and apologies received are recorded on the attendance register.

4. QUORUM

The owners present in person and proxies received represent a quorum and the meeting was duly constituted. A quorum constitutes of 10% of the registered owners which represents 59 erven. A total of 183 owners were present in person and online or by proxy.

5. NOTICE

The notice is taken as received and read by all owners present.

6. APPROVAL OF THE PREVIOUS MINUTES

The minutes of the Annual General Meeting held on 06 May 2023 was distributed to all owners after the meeting and again with the AGM documents that were sent out.
Approval of the minutes as a true reflection of what was discussed was proposed by J Hoon and seconded by WJ van Graan.

7. MATTERS ARISING FROM THE PREVIOUS MINUTES

7.1 Estate management office and store room

This was discussed as part of the chairperson's report.
The plans for the office and store room were drawn up and submitted to the municipality for approval. Upon approval, the trustees will obtain quotations for the required work. The cost and the financing of the project will be submitted to all owners for their approval.

7.2 Main road speed limit

This was discussed as part of the chairperson's report.
The speed limit in the main road towards Dwarskersbos was followed up monthly. The chairperson was happy to report that new 60 km/h signs were erected in the past month.

7.3 Estate rules

This was discussed in point 18.

8. CHAIR PERSON'S REPORT

The report was distributed to owners prior to the meeting.

P Naude thanked the trustees, owner volunteers and Johan Greyling for all of their hard work and the time that they have given towards the upkeep of the estate.

There have been some security upgrades during the past year. The electric fence at Sands south was installed.

A new security company, Expol Security, was appointed as from 01 June 2024. Five companies quoted according to a specification, short listed candidates were invited for an interview whereafter Expol was appointed.

The newly appointed trustees will look into other options to improve security such as drones and security cameras. Some owners present are not in favour of drones as they are of the opinion that it is not effective and does not stop crime. A Smuts informed the meeting that drones can be very effective.

F Steyn mentions that thieves get access to the estate by going under the fence. He suggests that a galvanised bar is attached to the bottom of the fence. J Nolan informs the meeting that he uses the building rubble from his building sites to work into the ground underneath the fence. He also adds cement. This prevents thieves from being able to dig underneath the fence. He also suggests planting Kei Apple plants along the permitter of the erf, as they have thorns.
Mr Roberts requested that the purchase of drones and installation of security cameras be postponed. As more houses are being built, there will be more residents who will be able keep an eye on the estate and who can report any suspicious activities. The annual spend for security is already in excess of R2 m which is already high.

The Constitution will also be revised in the coming year. An owner present online is of the opinion that the constitution must have been changed first and then the estate rules. P

Naude answers that the review of the Estate rules was the most important document, as the issuing of fines to transgressors had to be included in the rules. At this stage the HOA cannot issue fines to repeat offenders.

10. FINANCIAL STATEMENTS

The audited financial statements for the period ending 29 February 2024 were distributed to all owners.

Owners were asked to submit any questions or queries with regards to the financial statements prior to the meeting.

Managing Agent (MA) reported that the only queries received were with regards to the outstanding debtors.
The outstanding debtors list as at 29 February 2024 is currently considerably less.

MA further reports that there are 16 owners handed over collection and that there are no costs involved for the HOA. When an owner is handed over for collection all of the costs incurred are for the owner's account.

One of the long-standing debtors has passed away and we are waiting on the estate to be finalised. When the property is transferred, the outstanding levies will be recovered.

The financial statements were approved as proposed by T Wallace and seconded by M van Niekerk.

11. LEVY AND EXPENSE BUDGET

The budget which was approved in principle by the trustees and distributed to all owners was discussed.

Management fee: MA explained that they charge per erf. When investor erven are sold and transferred, the MA charges for the additional registered erven. Therefore, the amount on the budget will not correspond with the financial statements.

Security: This is the biggest expense. The new contract with Expol security is R50 000.00 less than the budgeted amount.

Remotes: The amount in the budget is for the purchase of gate remotes. New owners receive 1 x free remote.

A query was received after the AGM as the owner joined the meeting online and could not hear the whole meeting:

Trustees R4000.00 - This cost is for the Managing Agent attendance for trustees' meetings should they take place after hours or on weekends. The wording on the budget will be changed to MA Attendance – Trustees Meetings.

Venue Hire R10 000.00 – This amount includes the venue rental as well as the online meeting management.

There was a 5% increase in levies and the levy is R423.00 per erf for individual owners and R171.00 per investor erf. The trustees strive to keep the levy as low as possible and to avoid any special levies.

The budget was approved by L van Staden and seconded by FJ Steyn.

11.3 5 Year Maintenance budget

This is a living document which can change as the need for maintenance arises.

To date all of the landscaping at the entrances have been done by Johan Greyling and Mustafa with plants that they have collected. The trustees must consider adding some trees, shrubs, etc. at the entrances.

An owner joining the meeting online mentioned that inflation must be included in the document. This will be done when the document is reviewed every year.

The trustees elected will have to decide the way forward with regards to security, ie drones, cameras, etc.

P Naude informs the meeting that expenses not included in the budget which exceeds R50 000.00 will have to be approved by the owners as per the financial policy. Owners must therefore decide on all major expenses.

12. INSURANCE

The infrastructure is currently insured for R7 960 000.00. The elected trustees will revise the insurance, if necessary.

It was approved that Fidelity Fund and Computer Fraud cover should be R 3,2 million.

An owner enquired if quotes are gleaned for the insurance. MA responded that it is done every couple of years. The insurance is presently held with CIA. They are cost effective and specialise in HOA, Body corporate and Fidelity insurance.

13. AUDITORS

Theron du Plessis Inc. is appointed as auditors for the 2024/2025 financial year.

14. ELECTION OF MANAGEMENT COMMITTEE

In terms of the constitution a minimum of four and a maximum of six trustees must be appointed. The investor, Vestbest, is entitled to appoint one trustee according to the number of erven currently owned by them. MA informs the meeting that all of Vestbest's erven have been sold and all of them should be transferred within the next couple of months. T Wallace will thus only be a trustee until the last erf has been transferred.

The outgoing trustees suggested that two trustees per area be appointed. MA informs the meeting that the Constitution stipulates that the trustees may co-opt trustees onto the committee. MA suggests that, given the short term the investor trustee will be on board, seven trustees be elected, as this will ensure that there are 2 trustees each for Atlantic Shores, Sands North and Sands South. Owners present are in favour of this.

The following trustees were elected:

Owners:

Paul Naude	- Shores
Gustaf Kriel	- Shores
A Smuts	- South
Wikus de Beer	- South
Jan Dippenaar	- North
Johan Nolan	- North
Jasper Hoon	- North

Vestbest:
Terry Wallace

15. DOMICILLIUM OF THE HOA

It was decided that the auditor's address will be taken as the domicilium, namely:
Theron du Plessis Inc.
Buena Vista office park
Cnr Durban and Kendal Road,
Durbanville
7550

16. APPOINTMENT OF MANAGING AGENT & LEVY CLEARANCE

The managing agent is appointed by the trustees and the appointment of Devman Props CC, trading as Propex Property Services is recorded. The trustees concluded a 2-year contract with Devman Props CC, which expires on 28 February 2025.

It is approved that H Truter, M Terblanche, H Gegenhuber and S Carosini from the managing agent's office are authorised to sign all documentation pertaining to the Consent to Transfer and bond waiver when a property is sold.

17. LEVY COLLECTION POLICY AND INTEREST RATE CHARGED ON LEVIES IN ARREARS

The levy collection policy and interest rate charged on arrear levies are approved as follows:

The monthly levy is payable in advance at the beginning of a month for that specific month.
A levy statement is issued to all owners each month.
Accounts outstanding for thirty days are being followed up and if still unpaid at sixty days a final demand is sent out. If the amount is not paid within the time period set in the final demand, the account is handed over for collection and all cost is for the account of the owner.
Interest at 15,5% per annum will be debited on all levies outstanding for 30 days and longer.

J Hoon is of the opinion that interest may not be charged on levies in arrears as the MA is not a financial institution. MA informs the meeting that the interest is charged by the HOA and not the managing agent. The constitution makes provision for interest to be charged on levies in arrears and MA advised that interest may be charged. Mr Hoon undertook to forward information to the MA confirming that the HOA is not entitled to charge interest.
MA will also obtain a legal opinion confirming that charging interest is permissible.

L van Staden enquired if owners who pay levies in advance will receive any discount. MA informed the meeting that no discount is given for payments in advance.

18. ORDINARY RESOLUTION – APPROVAL OF ESTATE RULES (CODE OF CONDUCT)

The document was circulated to owners prior to the meeting. The following questions were raised:

5.0 PETS: The proposed rules stipulate that only two dogs and two cats are allowed per erf. This is a requirement which is applied by Municipal Law Enforcement. Should an owner have more than two dogs or cats when he/she takes occupation of a house, it will not be expected of owners to get rid of the excess pet, but should the pet pass away, it may not be replaced.

Dog faeces within the estate is a big problem as owners don't clean up after their dogs.

1.8 NOISE The proposed rule states that no music will be allowed after 19:00 pm from Mondays to Saturdays. Owners present are of the opinion that the time must be changed to 23:00 pm as per municipal regulations. It was further mentioned that neighbours should consult each other should they be planning a party or event.
It was agreed that the time must change to 23:00. The document will be amended.

4.1 SPEEDING: H van Vuuren enquired if the HOA has any means of determining the driving speed within the estate. P Naude informs the meeting that the trustees received quotes for speed cameras and that the cost ranged from R70 000 – R100 000.00. Should owners see a vehicle that is speeding they should report it to Johan Greyling immediately so that he can follow up with the guilty party. The new rules make provision for fines to be issued should the rules be transgressed.

The speedhumps have not yet been installed as it is very expensive. J Nolan suggested that owners vote on the matter again. The voting will be done online. MA will send out the voting form to owners.

7. GUEST HOUSES: At the last AGM owners voted in favour of short term, medium term and long-term rentals. Holiday letting and guest houses will be allowed as long as rules 7.2 – 7.6 are abided to.

Owners present voted in favour of the Code of Conduct and Rules document.

19. OWNERS ITEMS

19.1 The state of the public road leading to the beach between South and North

It is the responsibility of the municipality to maintain and clean the street and kerbs. All access paths to the beach are also in a terrible state which reflects poorly on the estate. P Naude will take it up with the Ward Councillor (Ward 7) which meets once a month.

The old caravan park is also in a bad state. J Hoon reported that he drew up plans for new ablution facilities and a kiosk at the caravan park, which will diminish the need for portable toilets.

J Nolan offered to pay for a worker to clean the areas Mondays – Saturdays, to which owners applauded him. J Greyling will liaise with J Nolan regarding the employment of a worker and his/her duties.

19.2 Cleaning of vacant plots / cleaning of building sites

There are still some erven which must cleaned. J Greyling and the trustees will do an inspection to provide an update list to the MA. MA will follow up with the owners.

19.3 Solar panels

Mr Roberts informed the meeting that the neighbouring owners had to give permission for the installation of solar panels on his roof. This was a requirement from the control architect. MA will enquire with him why this was needed.

19.4 Whats App Groups

There are several Whats App groups within the estate. It was requested that owners must use the security group for security purposes only. P Naude suggested that the security group be closed so that only the admin could post on the group, but owners present were of the opinion that the group will not be as effective. It was resolved that the group will remain open so that anyone can post, but should anything be posted that is not security related, it will be deleted immediately.

Relating to safety and security, J Nolan informed the meeting that he is prepared to fund a water tank and trailer which can be used in case of a fire. The trustees can assemble a fire fighting and security committee which can assist in the case of a fire. Owners are in favour of this and applauded Mr Nolan.

As there was no further business to discuss the meeting adjourned at 11h30.

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CHAIRPERSON DATE

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TRUSTEE DATE