Avonddans II *Country Estate*

Notule van die Algemene Jaar Vergadering van die Avonddans II Country Estate Huis Eienaars Vereniging wat gehou was op Saterdag 17 September 2016 om 09h00 in kamer 6 van NG Kerk te Groot Brakrivier.

1) Opening

Willie van Zyl open die vergadering deur almal teenwoordig welkom te heet. Hy noem ook dat die vergadering in terme van die reglement van orde, waarvan afskrifte beskikbaar is, gehou sal word. Die lede teenwoordig aanvaar die reëling.

2) Teenwoordig, verskonings, volmagte en kworum;
   2.1. Daar was 8 eienaars teenwoordig;
   2.2. Verskonings van Belinda Burger en Brian Burchell word aanvaar;
   2.3. Daar was 'n totaal van 47 volmagte;
   2.4. Die vereiste kworum van 50% itv die oorspronklike grondwet word dus bereik aangesien die lede teenwoordig plus die volmagte op 'n persentasie van 67.4% uitgewerk het.

3) Benoeming en verkiesing van die bestuur. Die volgende persone is benoem en verkies as trustees;
   3.1. Willie van Zyl van erf 2957;
   3.2. Andre de Villiers (senior) van erf 2972;
   3.3. Andre de Villiers (junior) van erf 2944;
   3.4. Dawie Schwartz van erf 2954;
   3.5. Brian Burchell van erf 2968; en
   3.6. Suzette Strydom van erf 4110.

4) Goedkeuring van die finansiële state van 2016. Willie van Zyl verneem of daar enige vrae aangaande die konsep fiansiële state is. Die lede teenwoordig is tevrede dat die state in orde is en Willie van Zyl stel voor dat dit so aanvaar word. Die voorstel word gesekondeer deur Dawie Schwartz.

Die state sal dus deur Willie van Zyl namens Avonddans II tesame met 'n bestuurslid van Avonddans afgeteken word.

5) Begroting vir 2016/17. Dawie Schwartz bevraagteken die begroting vir die instandhouding van die tuine. Willem Strydom wat die begroting opgestel het verduidelik dat die kostes vir die sny van leë erwe nou afsonderlik voor begroot word. Willie van Zyl herhaal dat die prosedure vir die sny van leë erwe gewysig is in dat die betrokke eienaars eers die geleentheid gegee word om hul erwe self skoon te maak alvorens die bestuur dit doen. Die nuwe begroting soos voorgelê word aanvaar op voorstel van Andre de Villiers (Junior) en gesekondeer deur Charl Burger.

6) Aanstelling van ouditeurs. Willie van Zyl stel voor dat die Huis Eienaars Vereniging (HEV) voortgaan om van die dienste van Boshoff Visser gebruik te maak as ouditeurs. Die voorstel word gesekondeer deur Sanet Barnard.

7) Voorstelle rakende die toekoms van die 2 aparte HEVs in verband met;
   7.1. Die verdeling van bates. Dawie Schwartz noem dat beide HEVs konsekwent moet wees in die benadering tov die verdeling van bates sowel as die verdeling van operationele kostes. Dawie Schwartz noem dat daar beduidend meer permanente inwoners in Avonddans is as wat in Avonddans II die geval is, 19 teenoor 9 en dat dit in ag geneem behoort te word itv koste verdeling. Verder noem Willem Strydom dat daar 83 erwe in Avonddans II is teenoor 75 in Avonddans ('n verhouding van 52.5% teenoor 47.5%). Willie van Zyl stel 'n 50/50 verdeling van bates en kostes voor. Charl Burger stel 'n proporsionele verdeling voor, in verhouding met die hoeveelheid erwe in die 2 landgoede, tov bates en kostes. Geen besluit word egter in die verband op die vergadering geneem nie. Hierdie aangeleentheid sal deur die nuut verkose bestuur hanteer word.
   7.2. Daar is tans 2 werknemers in diens van die nou ontbinde HEV, een permanent en een tydelik. Beide werknemers se pligte behels toegangsbeheer. In wie se boeke sal die werknemers in die toekoms wees? Willie van Zyl stel voor dat die huidige werknemers in diens van

Avonddans II behoort te wees aangesien die ingangs gebou op Avonddans II se gemeenskaplike eiendom is maar dat die koste van die werknemers deur beide ontwikkelings verdeel word. Geen besluit word in die verband geneem nie. Charl Burger verneem verder of die huidge werknemers by die vergoedings kommisaris geregistreer is. Willie van Zyl sê dat die werknemers nie geregistreer is nie, dit was egter reeds vroeër vanjaar tydens bestuurs vergaderings bespreek en is nog uitstaande. Charl Burger bied aan om die HEVs in die verband by te staan aangesien hy in die veld betrokke is. Sanet Barnard wys die vergadering daarop dat die bestaande toegangsbeheer prosedures 'n ernstige tekortkoming het tov toegang vir nooddienste , die brandweer, polisie en ambulans dienste in die geval van nood wanneer die hoofingang onbeman is. Sy verneem ook of daar oorweging geskenk kan word om die onderste ingang in Avonddans II moontlik in gebruik gestel kan word vir toegang tot Avonddans II vir eienaars in Avonddans II. Beide die kwessies sal deur die nuut verkose bestuur oorweeg word.

7.3. Willem Strydom stel voor dat 'n kundige persoon genader word in verband met die opstel van die formele ooreekoms tussen die 2 HEVs. Die voorstel word eenparig aanvaar.

7.4. Die vergadering gee die komitee 'n mandaat om namens die HEV van Avonddans II met Avonddans te onderhandel en 'n ooreenkoms te sluit.

Hek Sekuriteit

8) Die voorstel van Willie van Zyl om die oorpronklike konstitusie (gemerk "AX") en bouriglyne (gemerk "BX") her in te stel en om aan die nuwe bestuur 'n mandaat te gee om die oorspronklike konstitusie en bouriglyne te hersien word eenparig aanvaar. Die gebruik van die huidige argitek, Francois van Zyl, vir die goedkeuring van bouplanne gaan voort vir nou. Willie van Zyl sal ook vir Willie Buys, 'n plaaslike argitek in die verband nader. Dawie Schwartz verneem of die munisipaliteit nie die funksie wat die argitek tans vervul kan oorneem nie. Dit val egter buite die vereistes wat van die HEV se estetiese komitee verwag word. Charl Burger verneem na die insluiting van reëls tov van die vereistes van die wet op Beroepsveiligheid tov kontrakteur personeel en derde partye van uit 'n HEV oogpunt. Daar is tans geen melding van enige aard in die verband in die

Konstitusie

bouriglyne nie. Hy onderneem om informasie in die verband aan die HEV beskikbaar te stel.

8.1.Die voorstel van Willie van Zyl om die bouriglyne eenvoudig te hou word eenparig aanvaar;

8.2.Dawie Schwartz stel voor dat die 50% kworum vereiste vir die algemene jaar vergadering, soos vervat in die oorpronklike konstitusie paragraaf 8.1.4 soos volg verander word; Die hoeveelheid volledig voltooide wonings, tans 12, plus 10% van die hoeveelheid leë erwe, tans 73. Die formule pas aan soos wat nuwe wonings voltooi word. Die voorstel word eenparig aanvaar. Kworum

9) Die vergadering verdaag om 10h00.

Minutes of the Annual General Meeting of the Avonddans II Country Estate Home Owners Association that was held on Saturday 17 September 2016 at 09h00 in room 6 of the NG Church in Great Brak River.

1) Opening

Willie van Zyl opened the meeting and welcomed all present. He also mentioned that the meeting would be conducted in terms of the regulations of order, copies of which were made available to the meeting; this ruling was accepted by those present.

2) Present, apologies, present and quorum;

2.1.There were 8 owners present;

2.2.Apologies from Belinda Burger and Brian Burchell were accepted;

2.3.There were a total of 47 proxies;

2.4.The required quorum of 50% in term of the original constitution was therefore achieved as those present and the proxies amounted to 67.4%.

3) Nomination and election of the management committee. The following owners were nominated and elected as trustees;

3.1.Willie van Zyl from erf 2957;

3.2.Andre de Villiers (senior) from erf 2972;

3.3. Andre de Villiers (junior) from erf 2944;
3.4. Dawie Schwartz from erf 2954;
3.5. Brian Burchell from erf 2968; and
3.6. Suzette Strydom from erf 4110.

4) Approval of the financial statements for 2016. Willie van Zyl enquired whether there were any questions regarding the draft financial statements for the year under review. The members present were satisfied with the statements as presented. Willie van Zyl proposed that the statements be accepted, the proposal was seconded by Dawie Schwartz. The statements will therefore be signed off by Willie van Zyl on behalf of Avonddans II together with a representative from Avonddans.

5) Budget for 2016/17. Dawie Schwartz questioned the budget for garden maintenance. Willem Strydom who did the budget mentioned that the cost of the cleaning of empty stands was previously debited to this account. This has now been budgeted for separately in a new account, see Cleaning of Stands. Willie van Zyl mentioned that the procedure for the cleaning of empty stands was changed to provide owners the opportunity to clean their stands if they so wished prior to the cleaning of stands by management. Andre de Villiers (Jr) proposed that the new budget be accepted as presented, the proposal was seconded by Charl Burger.

6) Appointment of auditors. Willie van Zyl proposed that we continue to use Boshoff Visser, the proposal was seconded by Sanet Barnard.

7) Suggestions regarding the future of the 2 separate home owners associations (HOA's) in respect of;
   7.1. The division and splitting of assets. Dawie Schwartz mentioned that there should be consistency in the approach regarding the split as well as the future sharing of operational costs. He mentioned further that there are substantially more permanent residents in Avonddans than in Avonddans II, i.e. 19 compared to 9 and that this should be taken into account in the cost sharing calculation. Willem Strydom mentioned that

the ratio of properties is; 83 properties in Avonddans II compared to 75 in Avonddans (52.5% to 47.5%). Willie van Zyl proposed a 50/50 split of assets and costs. Charl Burger proposed a proportional split in terms of the number of properties in each. No decision was taken in this instance. This matter will be decided by the newly elected management committee.

7.2. There are currently 2 employees (1 permanent and one fixed contract) in the service of the dissolved HOA, and their duties consist of access control management, in which of the HOA's will they feature? Willie van Zyl suggested that they be employees of Avonddans II due to the fact that entrance building and gate are on the communal property of Avonddans II but that the costs of the employees are shared by both associations. No decision in this regard was taken. Charl Burger enquired whether the current employees have been registered at the Compensation Commissioner. Willie van Zyl answered negatively but mentioned that this aspect has recently been raised at a management meeting and is still outstanding. Charl Burger offered assistance as he is involved in this line of work. Sanet Barnard pointed out to the meeting that the current access control procedures have a serious shortcoming in respect of access for emergency services; police, fire brigade, ambulance services, afterhours. She further enquired whether consideration could be given to allowing Avonddans II residents to make use of the second entrance to access and leave the estate. Both these issues will be considered by the newly elected management committee.

7.3. Willem Strydom proposed that a person with the necessary skills be approached with the drafting of a formal agreement between the 2 HOAs'. The proposal was unanimously accepted.

7.4. The meeting gave the newly elected management committee a mandate to negotiate and enter into an agreement with Avonddans.

8) The proposal by Willie van Zyl to revert back to the original constitution (marked "AX") and the original building guidelines (marked "BX") and to provide the new management committee a mandate to review both was unanimously accepted. The continued use of the present architect to consider and approve building plans will continue for now Willie van Zyl will

also approach Willie Buys a local architect in this regard. Dawie Schwartz enquired whether the local municipality could not be approached to take over the function presently performed by Francois van Zyl, however, the meeting was of the opinion that the suggestion falls outside of the requirements of an aesthetic committee. Charl Burger enquired about the inclusion of the Occupational Health and Safety Act requirements in respect of contractor staff and third parties in the building guidelines. There is currently no mention of this in the present guidelines. He undertook to make information in this regard available to the HOA.

8.1.The proposal by Willie van Zyl to keep the building guidelines practicable was unanimously accepted;

8.2.Dawie Schwartz proposed that the 50% quorum requirements for the annual general meeting, as contained in paragraph 8.1.4 of the original constitution be amended as follows; the number of fully completed homes, currently 12, plus 10% of the empty stands, currently 73, the formula adjusts as new homes are completed. The proposal was unanimously accepted.

9) The meeting adjourned at 10h00.