



OFFICIAL MANAGING AGENT FOR THE ELISENHEIM HOME OWNERS ASSOCIATION

CIRCULAR 18

**COMMENTS FOR THE
ANNUAL GENERAL APPROVED EXTENSION MEETING**

Dear Member,

After the meeting of 24 August we received various comments from members that the discussions at the meeting were matters that were not on the Agenda that unnecessarily prolonged the meeting. The Trustees and Representatives are mindful of the predicament of owners with regard to the problems with Sabika and allowed these matters to be discussed albeit at the frustration of members that wanted to deal with the points on the Agenda.

With regard to the above the Trustees and Representatives thought it appropriate to issue this Circular to inform members of how the proceedings should and will proceed at the meeting of 7 September 2015.

ELIGIBILITY TO SPEAK, VOTE AND/OR SERVE AS REPRESENTATIVE

IF A MEMBER IS IN ARREARS HE/SHE WILL NOT BE ALLOWED TO:

ADDRESS OR VOTE AT ANY GENERAL MEETING

SERVE AS REPRESENTATIVE ON THE BOARD OF REPRESENTATIVES

An aspect that we did not enforce at the meeting of 24 August was the eligibility of members to address the meeting. In this regard members are referred to the following article in the Articles of Association:

19.1.1 Subject to Article 19.1.3, every member of the Association who is in good standing (who is not in arrears with respect to any levies or other debt), shall in respect of the approved extension in which he is a homeowner, be entitled to vote in person or by proxy and shall have 1 (one) vote for each Erf registered in his name, subject to the provisions of section 205(1) and (2) of the Companies Act.

Just to keep proceedings orderly and in line with the Articles we will have a list with outstanding levies as at 31 July 2015 available at the meeting and before any member addresses the meeting we will request their erf number to determine if they may address the meeting, vote and/or serve as representative on the Board of Representatives.

AGENDA MATTERS

We have mailed the Agenda to members. The Articles of Association is specific as to which matters must be dealt with and we refer you to the following Article:

16.1.1.2 Annual General Approved Extension Meeting (AGAEM):

16.1.1.2.2 The notice convening an AGAEM shall be delivered to the members of the approved extension concerned and shall contain an agenda of the business to be conducted as follows:

tabling of the report of the chairperson of the extension;

if applicable, the election, subject to Article 15A.2, of Representatives to fill the portfolios of the Board of Representatives concerned as contemplated in Article 15A.1;

if applicable, the election, subject to the proviso to Article 15C1.1, of 3 (three) Representatives to represent the approved extension concerned at AGM's and EGM's;

subject to Article 15C1.2, the formulation or amendment of Extension Rules;

any other relevant business.

- **Report of the Chairperson**

The report of the Chairperson was mailed to all members.

From the Articles it is clear that the financial statements and the budget forms part of the Chairperson's report.

- **Election of Representatives**

For practical reasons and better transparency the Trustees have decided that it would be preferred that four representatives are elected of which:

- Two representatives are elected to serve on the Elisenheim Owners Association Board of Trustees
- Two representatives serve on the Board of Representatives.

At the meeting the following procedures will be followed:

- Members that are in arrears will be requested to excuse themselves from the meeting
- Nominations received by the Board of Representatives before the meeting will be announced and the members introduced to the meeting with a short résumé
- The meeting will call for further nominations of members present at the meeting
- Persons nominated will be requested to give a brief résumé to the members present
- Once all the nominated members are introduced we will call for the meeting to start with the voting process
 - Voting for members will be by a show of hands
 - If there are more than four nominations:
 - Vote to determine who the elected four members will be
 - Vote to elect the two representatives who will serve on the Board of Trustees
 - The remaining two members will serve on the board of representatives.

There is a provision that a “poll” may be called, we do not believe that it will be necessary but should it be necessary:

- Members will be issued with blank ballot papers
- Members must write the erf number(s) that they represent on the ballot paper
- Nominees will be allocated a number
- In order of preference the member numbers must be written on the ballot paper
- Ballot papers will be deposited into the ballot box
- After voting is complete and depending on the number of votes:
 - The votes will be counted at the meeting
 - The boxes sealed and the voting done the next day and the outcome announced

- **Amendment of Rules**

The formulation or amendment of the Rules is an agenda point in terms of the articles.

In order for there to be an amendment to the rules members must be informed with supporting documents of the proposed amendments with the original advice of the AFAEM meeting. Whilst no documentation was submitted there will be no discussion on amendments and accordingly the Chairman will inform the meeting that there is no amendment to the rules and it will be so recorded.

- **Other Relevant Business**

The matters listed are:

- **Sub Committee Members**

- DRC, Environment and the Building control and Management
- Disciplinary committee
- Security Committee

Members will be requested to nominate members that will serve on these committees. It will be appreciated if members with a specific background in these matters make themselves available to serve on these committees

- **Estate Manager**

This matter is dealt with in the Chairman's report and Mr. Schalk Kruger will introduce himself. We have also circulated documents with regard to the Estate Management to members

- **Street Names**

The matter is dealt with in the Chairman's report - The installation of the street names remains the responsibility of the previous developer. We have entered into negotiations with them for the installation of the street names and would hope to have completed the process soon so that the Street names can be installed.