



Moditlo Estate Home Owners Association NPC

Registration Nr: 2002/013524/08

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Minutes of a Board of Directors meeting held on 30 June 2023 at Moditlo Estate Main Gate Offices / Board Room

1. OPENING AND QUORUM:

The meeting was declared open as due notice was given, and a quorum was present.

2. ATTENDANCE AND APOLOGIES:

Pieter Janeke (Chairperson)
Alan Hiatt (via Zoom)
Bernard Koppes
Brett Thomson (via Zoom)
Craig Carnaby
Godfrey Phillips
Piet Scheepers
Wimpie Pieterse

ALSO IN ATTENDANCE:

Annelie Roets (Estate Manager)
Riaan Hugo (Operational Manager)
René Riekert (Administrative Assistant)

APOLOGIES:

Lorna Zoghby (Vice-Chairperson)

3. DECLARATION OF INTEREST:

The directors present confirmed that they have declared any personal interest or financial gain – where applicable – on the agenda as adopted.

4. ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON:

Pieter Janeke, Wimpie Pieterse and Lorna Zoghby were nominated. After a discussion and voting took place, Wimpie was elected as Chairperson, and Lorna was re-elected as Vice-Chairperson per majority vote, and the floor was given to Wimpie to continue with the meeting as newly elected Chairperson.

5. **ADDITIONAL ITEMS:**

a. **Firebreaks – R40 (Bernard)**

Bernard stated that the fence maintenance team started to do bush clearing from the fence from Moditlo to the railway track and have started from the Leopard's Bend gate towards Fleur de Lys. He stated that, although that area is Transnet property, they have taken the initiative to do bush clearing, as the area is extremely overgrown, and can be a fire hazard. The Board agreed that he should continue with the works, and invoice the HOA for the work done, as it is both a security risk, and a fire hazard.

b. **Website (Wimpie)**

Wimpie raised a query regarding clarity to whom the website belongs (HOA / Lodges / Game Reserve), to which Bernard replied that, as it was dormant on a South African server, and he had his own server, he proposed to manage the website free of cost. Wimpie stated that he does not have any problem with it but proposed that maybe the wording should change from Moditlo Estate to Moditlo Estate Home Owners Association. Bernard requested that, should there be any changes made to the website, the request be forwarded to Annelie, and she will then forward it to his IT technician to make the relevant changes.

c. **Definition – Moditlo Game Reserve (Wimpie)**

Wimpie raised a query regarding the wording "Moditlo Game Reserve", to which Pieter replied that it is Moditlo Wildlife Estate, which is a part of the Blue Canyon Private Game Reserve, and it is also expressed as such in a document. Wimpie stated that people might have the wrong impression where it is stated "Moditlo Game Reserve", as it can give the impression that all game on the reserve belong to the members, which is not the case. Annelie stated that the wording on the website is incorrect, and she will forward an e-mail regarding this to be amended.

d. **Relationship – MEHOA / Conservancy including communication (Wimpie)**

After a discussion ensued regarding communication between the MEHOA and the Conservancy, Wimpie requested that the members of the HOA should be informed in time if any culling on the Estate should take place.

e. **Breaking of Rules – parties / individuals not part of the MEHOA (Wimpie)**

Wimpie raised a query regarding parties and / or individuals that are not part of MEHOA, breaking rules on the Estate, to which Pieter replied that should any member of the HOA encounter a non-member / member of the Conservancy that is breaking a rule, to inform the Chairperson of the Conservancy of the issue, and he / she will take the matter up with the relevant parties.

6. **APPROVAL OF THE MINUTES OF THE PREVIOUS BOD MEETING – 20 APRIL 2023:**

The minutes were presented, proposed, and approved at the meeting.

7. **MATTERS ARISING:**

a. **Pipeline – Madrid / Kapama Line**

Wimpie queried regarding feedback of the water trucks / Madrid Line / Kapama Line, to which Riaan replied that currently the boreholes are performing well since it was reconfigured and refitted. To save costs, the use of the water trucks has been scaled down to only one truck. He

stated that his opinion was that the urgency to install the Madrid pipeline has subsided, and the funds could rather be used for the installation of the Kapama pipeline. Wimpie queried the amount that was quoted for the installation of the pipeline from Madrid to which Riaan replied that it was about R3 500 000.00, but the quote is outdated and would probably be different should he request a new quote.

Annelie requested that it should be which director/s should be appointed to continue with discussions for the installation of the Kapama pipeline. Wimpie proposed that a Memorandum of Agreement should be drawn up. Pieter stated that there is historical goodwill between himself and Bernard Roode, and Wimpie proposed that Pieter and one other director should continue with the discussions regarding the Kapama pipeline.

Pieter stated that his opinion is to continue with the Madrid pipeline, as the continuous use of the water trucks will cause damage to the roads. He has a meeting with Garth Wolfe during the following week and will consult with Garth regarding the usage of Garth's land for the pipeline, but, as there will be certain costs involved, he proposed that the pipeline rather be installed via another route.

Wimpie requested Riaan to obtain an updated quote and draft a brief description of the scope of works. Wimpie raised his concern should the land on which the Madrid borehole is situated be sold, would Moditlo still be able to get water from that borehole. Pieter proposed that a contract should be drafted to buy the water at a certain amount per cubic meter for a number of years, and the contract should then be honoured should the land be sold, and it can also be registered against the Title Deed in the Deeds Office.

b. Generator Feedback

Annelie proposed that, as Ledit did not yet do a site visit, herself, a director and/or Riaan should visit Ledit's offices to finalise the process.

Craig stated that he knows of someone who can assist with the process, and he will forward the contact details to Annelie.

c. Pet Proposal approved – Objection received.

Annelie stated that 31 members lodged an objection against the pet proposal that was approved at the AGM, and in terms of the MOI, 10% of the voting rights should be obtained for a matter to be considered at a meeting. If the said percentage was not obtained, it should be handled according to the dispute resolution process. A reply should be forwarded to the members who lodged the objection, and a committee will have to be appointed. When the committee made a ruling and the members are not satisfied with the ruling, it will have to go for mediation, which is again CSOS. The two options are to have a Special General Meeting where the members can submit their proposals again and revote on it, or it can go the legal route.

Pieter stated that, although he sympathises with pet owners, his concern is that, should it be voted on at a Special General Meeting and the members do not have the desired outcome on the voting, they will again lodge an objection. He proposed to ask the members if they would agree to go directly to the CSOS for mediation, as this matter will just move in circles.

Majority of the Board of Directors agrees that a committee be appointed, the committee then states that they uphold the approved pet proposal, and if the members prefer to take the process further, it should go for mediation by the CSOS.

d. Water price increase

Annelie stated that, as the infrastructure should be maintained and upgraded, and there was no increase in the water tariff for the last 8 years, Wimpie and herself proposed that the water tariff be increased.

After a discussion ensued, and the Board could not reach a conclusion on the amount of the increase, it was decided that a calculation should be done and circulated for approval.

Wimpie raised a query to Pieter and Bernard, as members of the conservancy, regarding if water holes on members' stands have a negative impact on the wildlife, to which Pieter replied that it does have a negative impact on major conservation, as the wildlife do not move around in search of water as they are supposed to. Bernard also replied that it has a negative effect on the surrounding bush as well. The Board propose that a steeper fine be implemented should there be a waterhole on a member's stand, and the resolution should be presented at the next AGM / SGM.

e. Baboon Monitoring Team

Annelie stated that she received a quote from K9 and have forwarded it to the Board for their review. After a discussion ensued the Board proposed that the quote should be renegotiated, and K9 should be appointed for a 3-month period, and as this expense is not included in the budget, it should be voted on at a Special General Meeting, which can be done via e-mail.

Pieter stated that it should be proposed at the next AGM / SGM that the Estate Manager and/or Operational Manager are allowed to do inspections at properties should they have received any complaint of a rule breach on that property.

f. Access Control staff – K9 - Feedback

Annelie stated that they had a third meeting with the MEHOA employees regarding possible retrenchment or transfer to K9, and only one have indicated that he will not be transferring to K9 and would prefer the retrenchment package. The aim is for K9 to take over by the 1st of August 2023. Final feedback will be provided after the final meeting was concluded.

g. Contractors Gate – Security Feedback

Annelie stated that, regarding the contractor's gate moving to the resident's gate, Riaan pointed out that the single railway track at the resident gate is of concern to them, as trucks did previously get stuck when they tried to cross the railway track. They proposed that the contractor's gate remain where it is, be upgraded and shielded from incoming traffic to the estate.

After a discussion ensued, the Board agreed that, as the relocation of the contractor's gate to the resident's gate was approved, to proceed with it, and close the current contractor's gate. Further discussions with Garth Wolfe will also continue for the Leopard Bend's gate to be open 24 hours per day.

8. FINANCES:

a. Budgets

After a discussion ensued, the Board agreed that the proposed budget be distributed to the members and be voted upon electronically.

9. **LEGAL:**

a. **Occupation – R32 – Bottomley - Feedback**

Annelie stated that Mr Peter Bottomley demolished the water hole, the property was inspected by Riaan and herself and the occupation certificated was issued.

b. **CSOS Application – MEHOA / P van der Merwe - Feedback**

The Company Secretary, Mr Chris Steyn, is in contact with the CSOS, with regards to this case, and any further negative postings on any of the WhatsApp groups, will also be added. They are currently awaiting a formal letter from CSOS to advise the next step in the process.

c. **CSOS Case – PVDM / MEHOA – Donga - Feedback**

Annelie stated that she did forward the HOA's response to CSOS. Mr Van der Merwe did respond to the letter, and she will forward that also to the Board. CSOS will now have to appoint an adjudicator to decide the matter and send their ruling in this respect. Should the outcome not be favourable, the Board can then instruct the Legal Advisor to proceed with further legal process.

d. **Letters of Demand - Feedback**

Annelie stated that several Letters of Demand were issued for, security breach, off-road driving, allowed building time period exceeded, waterholes, and driving in the conservancy. A letter was also issued to the owner of Hoedspruit 11 for continuous barking of her dog, to which she objected, and a committee should now be appointed.

e. **Arrear Levies**

Annelie stated that she received an update from Mr Chris Steyn, and reported that the collection of arrears is in satisfactory progress.

f. **Interest charged.**

Annelie confirmed that interest is still charged on a monthly basis in terms of the NCA Act, under Incidental Credit Agreement, which is 2% compounded per month, 24% per year.

10. **NEXT MEETING:**

Wimpie proposed that the next meeting should be near the end of September and requested Annelie to forward available dates to the Board.

As there were no further items on the Agenda, the Chairperson thanked all in attendance and proceeded to close the meeting.