



**KINGSWOOD GOLF ESTATE HOA
TRUSTEE MEETING
MINUTES**

**18 July 2022
10h00**

1. PRESENT

Marc Stuyck	Developer Trustee	MS
Dan de Wet	Kingswood HOA	DdW
Willem Jacobs	Kingswood HOA CEO	WJ
Marilyn Kamp	Kingswood HOA Trustee	MK
Jonathan Witts-Hewinson	Kingswood HOA Trustee	JWH
Lize van Heerden	Kingswood HOA	LvH
Marius Botha Via Teams	Developer Trustee	MB
Werner Jerling Via Teams	Developer Trustee	WJerling
Tony Jacobsen Via Teams	Kingswood HOA Trustee	TJ

A quorum was in attendance and the meeting properly constituted.

2. ATTENDANCE REGISTER

All those present signed the Attendance Register.

3. APOLOGIES

Albie Laker	Developer Trustee	AL
Fielies Nieuwoudt	Kingswood HOA Trustee	FN

4. FINALISATION OF AGENDA

The following items were added:

REF	ITEM	CONTRIBUTED BY
4.1	HOA login section: HOA Trustee meeting minutes. POPI requirements	MK
4.2	Hole no 17 / Kingston Road – Illegal fence and hedge on free space	DdW
4.3	Re-organize the sub-committees due to newly elected Trustees	MS
4.4	Homeowner communication received with regards to the AGM	MS
4.5	Email request from a new homeowner for relevant Kingswood documents from 2017 - 2021	MK
4.6	Speed camera's	WJ
4.7	Sanlam retirement fund: Nominated signatories	WJ
4.8	Management Structures, internal working structures / functional working between management and Trustees	JWH
4.9	Tree planting Phase 3B sidewalks – objections received	DdW

5. Disclosure of Conflict of Interest:

Marc Stuyck, Marius Botha and Werner Jerling attending the meeting as Trustees and not as the Developer.

6. APPROVAL OF PREVIOUS MINUTES

The minutes of the meeting held on 13 Junie 2022 were approved.

7. MATTERS ARISING FROM PREVIOUS MINUTES

REF	ITEM	WHO	WHEN
7.1	Transfer of POS & Road reserve erven Phase 1, 2 & 3 MS confirmed this was submitted to the Deeds office. Registration should happen shortly.	Noted	2022
	Two erven in Kingswood Crest (Public Open Space, Road's erf) need to be transferred to the HOA. LVH to follow up on the Resolution – to be signed by the Trustees. Resolution to be signed by Kingswood Crest Representative as well.	LvH	
7.2	Roads: Speed humps on the Estate and other road works DdW requested the supplier to submit a layout plan indicating all the areas required to be repaired and indicating to the supplier the areas to be prioritized. Decision: None	DdW	July
	JWH asked that it be minuted that the traffic calming measure in Kingston Road serves no purpose, and that the expenditure of monies on similar "speed bumps" amounts to nothing other than fruitless and wasteful expenditure.	Noted	
7.3	POPIA Act: Project Closure Report and POPI Ready Certificate received on 2 June 2022. To be reviewed in 2023.	Noted	May 2023
7.4	Transfer of Roads in Phase 4		

	MS confirmed the contract was received from the transfer attorneys. Action: Refer to W van Breda for comment.	Noted	
7.5	Access Road Phase 4 MS confirmed the Developer had a meeting with George Municipality. Contract was forwarded to their attorneys two months ago. Still no comment or feedback received. JWH requested the Trustees to address a written request the Developer to apply for permission to use the airport road as access for construction vehicles (and emergency exit of residents in Phase 4). And he requested the Developer to maintain the gravel road. It was agreed that a letter to this effect will be addressed by the CEO to the Developer in this regard. JWH and TJ requested the previous info and emails in this regard – to familiarise themselves.	Noted Noted WJ	July
7.6	Gatehouse Restaurant – Smoking in the stoep area and outside balconies KGO still awaits feedback from their consultant. They await feedback on the square meters allowed for smoking area inside the building. They feel it is unfair to change the situation now, after years of being allowed. TJ suggested to set a deadline for 29 July 2022.	WJ	July
7.7	HOA strategic session Kingswood clubhouse project: The Board of Trustees need to finalise the mandate, as per the AGM, to appoint / mandate the committee to do the work on behalf of the Board of Trustees. Committee appointed: JWH, TJ, WJerling, MK, WJ. It was proposed that MS join the committee: Agreed. JWH had a few comments on the document circulated by WJerling and agreed to forward his comments to the committee. The document will be added to the minutes, subject to approval of amendments by Trustees. Decision: Committee mandated by the Board of Trustees to proceed. WJerling gave a short summary of events: The committee has gone through the process of interviewing applicants for the position of Project Management, resulting in 2 Companies being on the shortlist, rather than 2 individuals. Committee also decided not to appoint, based on becoming an employee of HOA. Now in final round the committee will ask them for information to enable them to get to a point where their cost to the homeowners could be quantified to some extent and their services and experience will be documented for the committee to decide which one those two entities will be appointed. The successful applicant will have the option to introduce their preferred professional team. Appointment will be a phased appointment. If HOA not satisfied at any point, there will be a step-out clause which will be quantified and understood by all parties involved.	Noted	
7.8	Bridges:		

	<p>Bridges: Handrails to be fitted to golf cart bridges Quote received from Billy's Steel Centre: R 328 624.46. Agreed that the quote and price is reasonable. More quotes were requested.</p> <p>JWH commented that this has taken far too long to complete. It was agreed by the meeting to have an exception to the rule that applies to obtaining 3 tenders before an appointment could be made as it had become extremely difficult to find service providers who would tender for the work, and because it was evident that the quoted price was indeed fair and reasonable.</p> <p>Decision: The trustees therefore agreed to work with the one tender that had been received rather than having to obtain 3 tenders before making an appointment.</p> <p>Decision: Billy's Steel quote approved. Agree to proceed. Cost to be split 50% between HOA and KHOAP. (1% call account for HOA)</p>	<p>DdW</p> <p>Noted</p> <p>Noted</p>	
<p>7.9</p>	<p>Storm water problems due to heavy rains: Golf course Areas at the 14th, 9th, and 1st Still await quote from Turfworx. (Seeing that the previous quote received is from Adam Kelland who is now working overseas).</p> <p>Action: W Jacobs to follow up with Turfworx.</p> <p>Decision: None</p> <p>Road areas Identified: Sloot at Golf Park 3: Water coming through at Kingston Rd. Two quotes received; one company can't assist. Over top situation, water will be handled overland. It will alleviate some of the problems, however with any major flooding the house in question might flood again due to the design of the driveway and level of the garage in question.</p> <p>Decision: ASLA Quote approved: R 263 050.95</p> <p>Serious surface water problems experienced in Knightsbridge Road due to storm water flowing from the research farm onto erven 879 & 880.</p> <p>Action: K&T to supply an engineered solution.</p> <p>Knightsbridge Road & Rushmore Road: Galvanized grids ordered.</p> <p>Catchpit / surface drain 5-meter x 4 at R 50 647.26 each.</p> <p>Decision: ASLA quote Approved. (HOA Road Reserve fund to be used for all the work)</p>	<p>WJ</p> <p>Noted</p> <p>DdW</p> <p>Noted</p>	<p>July</p>
<p>7.10</p>	<p>Insurance Suggestion to combine the HOA and KHOAP insurance and broker. When all the current outstanding insurance claims are resolved the consolidation will take place. WJ in discussion with SKF on the process of consolidation. WJ will inform Securitas of the changes.</p>	<p>Noted</p> <p>WJ</p>	

7.11	Private school development next to Phase 3A Nothing new to report.	Noted	
7.12	Storage facilities at Kingswood & Shaded parking area for staff Estimated costings received. MS instructed a feasibility report / study to be done. Action: WJ will forward to the Trustees. Nothing new to report. Shaded parking for the staff area to be identified. Area at the back of the building at the post boxes. Feasibility study to be completed. Decision: None	WJ WJ	2022
7.13	Gardens at Gate 1,2 & 3, the Gatehouse Building and the Maintenance Shed Action: WJ in discussions with Liezl Kelland on proposals and costing. Liezl is in Vietnam with her husband for some months, on her return the process will be concluded.	Noted	

8. FINANCE

REF	ITEM	WHO	WHEN
8.1	Income Statement The Income Statement for June 2022 was tabled for discussion.	Noted	
8.2	Outstanding debtors The overdue accounts for June 2022 were discussed. Action: Normal collection procedures / handed over to the attorneys for collection.	LvH	2022
8.3	Monthly expenses None		
8.4	Remuneration Committee - Kingswood HOA employees MK advised that Sanlam had reduced their premium slightly and that communication to members of the fund will now go ahead. WJ and MK agreed to consider methods of implementing suggested changes in the most efficient and effective manner. Action: MJ and WJ to discuss with Sanlam Brokers Decision: None	WJ MK	2022
8.5	Sanlam retirement fund: Nominated signatories WJ was mandated to sign on behalf of the company – both for HOA and KHOAP.	Noted	

9. CEO REPORT

REF	ITEM	WHO	WHEN
9.1	After the AGM on 27 June the newly elected Trustees are: Tony Jacobsen & Jonathan Witts-Hewinson. Developer Trustees: Werner Jerling It was noted that the sub-committees need to be re-organised after the elections.	Noted	

	<p>Security committee: Chris Horsley, WJ, MK, FN</p> <p>Clubhouse: JWH, TJ, W Jerling, MK, WJ, MS</p> <p>Remuneration Committee: MK, Amanda Smit, WJ</p> <p>KARC: Lindy Bekker (KDC), FN, Virgil Townsend (KDC), DdW, WJ</p> <p>Audit committee: Roy Edge, WJ, MB, representative from Mazars. It was suggested to find a replacement (CA background) for RE.</p>		
9.2	<p>Management Structures, interim working structures / functional working of the management.</p> <p>All communications to go out from Management / HOA office.</p> <p>No direct communication from Trustees to homeowners on operational issue.</p> <p>As part of the strategic session, more people will be employed to assist in the work that needs to be done.</p> <p>WJerling requested the strategic plan, to get a better view of the organigram and staff required.</p> <p>WJ confirmed an appointment will be made to assist DdW, and the process is again underway to appoint a CFO. This will help to ease some of the workload for WJ as well. WJ noted the urgency to appoint a temporary replacement for Masadi while she is on maternity leave.</p>	<p>Noted</p> <p>WJ</p> <p>Noted</p>	<p>July</p>

10.LEGAL

REF	ITEM	WHO	WHEN
10.1	<p>Air B&B and Guest houses:</p> <p>A discussion took place on the question as to whether the HOA should be enforcing the strict letter of the Municipal bylaws. The position was understood to be complicated by historic decisions and approvals previously given over time, and investments made by property owners to this particular end. Nonetheless, it was thought that a communication should be prepared to homeowners alerting them to what it is that the bylaws stipulate.</p>	Noted	
10.2	<p>Kingswood Website HOA login section: HOA Trustee meeting minutes. POPI requirements</p> <p>It was suggested to take cognisance when minuting personal names.</p> <p>Decision: It was decided to remove any references to specific homeowner names. Previous minutes to be redacted, corrected to be according to POPI specifications.</p>	LvH	Aug

11.INFRASTRUCTURE & LANDSCAPING

REF	ITEM	WHO	WHEN
11.1	<p>Landscape Contract with Golfscape</p> <p>It was agreed and decided to keep this function outsourced, and not to do it inhouse.</p>		

	Proposed RFP circulated in July 2022 for Trustee approval. Decision: None	WJ	2022
11.2	Pre-Paid Electricity Meter: Gate 4 Application to be done by HOA Decision: Approved DdW confirmed according to the Municipality, the HOA needs to be the registered owner of the building before submission can be done.	DdW	2022
11.3	Speed camera's WJ tabled the option to make use of cameras to monitor speeding on the estate. Products from Ambrosys Laser Zone monitoring was tabled for consideration. Action: MS requested WJ to forward a proposal	WJ	Aug
11.4	Tree planting objections Phase 3B sidewalks DdW to discuss with individual homeowners for solutions and alternatives.	DdW	Aug
11.5	Gatehouse 2 & 3 To be repainted: Quotes to be sourced. (Funded out of the 1% call account)	DdW	Aug

12. SECURITY & RISK COMMITTEE

REF	ITEM	WHO	WHEN
12.1	Agenda points Security Risk Committee meetings: MS proposed to co-opt Chris Horsley, to stay on as the Chairman of the Security committee and Pieter Viljoen as a member of that committee. Decision: Approved	Noted	
12.2	Security Strategic Plan & Proposals Five-year security plan to be finalized & costed. WJ to circulate to the board of Trustees for approval. Construct a new central control room at Gate 1: JWH suggested a temporary control room, and not wait for the construction of a new building. It was noted that when the current gatehouse building is repurposed, there could be a possibility to rehouse the security control room. Action: To be tabled at the next security & risk committee meeting.	WJ	Aug
12.3	69 Longbridge Break-in Nothing new to report. Fidelity reported that the SAPS investigation is still underway.	Noted	

13. KARC

REF	ITEM	WHO	WHEN
13.1	Nothing new to report		

14. HOMEOWNERS ISSUES

REF	ITEM	WHO	WHEN
14.1	Business from home applications No new applications received.	Noted	
14.2	Wildlife Management plan It was agreed that Kingswood needs a wildlife management plan and to this end DdW will engage the services of the wildlife vet who looks after the animals on a needs basis to assist with this. The bachelor heard has grown to approximately nine large animals and we must investigate selling them off to another entity.	DdW DdW	Aug 2022
14.3	Cycle & Hiking Route: MS will forward example of cycling boards. He suggested the cycling association in George assist.	MS	July
14.4	Hole no 17 / Kingston Road – Illegal fence and hedge on free space DdW confirmed this arrangement was approved by the Board of Trustees years ago. This was an arrangement with the specific owner, to plant & maintain the area, but it would never form part of their property. There are other areas and instances like this on the estate. Decision: WJ to respond in writing to the homeowner who raised the complaint.	WJ	Aug
14.5	Email request from a new homeowner for relevant Kingswood documents from 2017 – 2021 JWH suggested that the homeowner be asked what he requires the information for. Action: WJ to write letter to him.	WJ	Aug
14.6	Homeowner Golf Cart registrations JWH suggested the KGO starter, inform the HOA, of homeowners playing that day with unregistered carts. R 50 reward per cart. Action: DdW to request Golf ops to assist.	DdW	Aug

15. GENERAL

REF	ITEM	WHO	WHEN
15.1	AGM & SGM 2022 Monday 27 June Draft minutes will be circulated shortly to the Trustees for approval. TJ & JWH noted that it is unacceptable that the minutes are not finalised yet, 3 weeks after the meeting.	LvH	July
15.2	Email received from a concerned homeowner in Knightsbridge Road on 4 July, with regards to how the AGM was conducted. The email was discussed, and the Trustees agreed that better communication and feedback needs to be done. The presentation and lack thereof at the meeting were not up to standard. Action: WJ will draft a reply.	WJ	July

16. GOLF COURSE PROPERTIES – KHOAP

Refer to KHOAP Directors minutes

Occupational Health and Safety Act (OHASA)

<p>17.1</p>	<p>Contractors and building sites TJ raised his concern with regards to contractors and building sites on the Estate that does not comply to the standards. According to previous feedback he received, the safety on site is the responsibility of the homeowner and the builder. He raised the question what happens if someone gets injured on site, and if there is a comeback for the HOA.</p> <p>WJ referred to the act – which refers to the premises, and the responsibility of the homeowner. WJ confirmed the owner and builder signs the Contractors Code of Conduct and the contractors need to register the site at the Department of Labour. MS raised the question whether the HOA should get involved at all.</p> <p>WJerling confirmed that the HOA has no responsibility towards private building sites. He suggested if there is something in our guidelines / policies or agreements it needs to be removed. We do have a civil duty to address blatant unsafe conditions. No need to appoint a Health and Safety Officer. He suggested to remind homeowners in a newsletter or communication of their responsibility in this regard. He commented that if there is an incident, the HOA should give their assistance with access to the estate for emergency services. Responsible parties: Homeowner, Builder & Building inspectors, Engineer & Architect, Department of Labour. He did comment that the HOA will be responsible for work they commissioned on HOA property. Decision: Contractors Code of Conduct to be circulated to WJerling, MS and TJ for their input and comments. MS commented that the HOA can manage the aesthetics of the house & environmental issues, but not safety.</p>	<p>DdW</p>	<p>Jul</p>
<p>17.2</p>	<p>Public Liability Insurance: Nothing new to report.</p>	<p>Noted</p>	

17. Insurance

<p>18.1</p>	<p>Business interruption Insurance: Nothing new to report</p>	<p>Noted</p>	
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Next Meeting:
 Friday 19 August at 10h00

Agreed meeting dates for 2022:

- 26 September
- 24 October
- 21 November

Proposed meeting dates for 2023:

- 23 January
- 20 February
- 22 March - Wednesday
- 17 April
- 22 May
- 12 June
- 19 June AGM

DATE	120 DAYS	90 DAYS	60 DAYS
31/01/2022	R 63,303.67	R 15,472.62	R 24,692.70
28/02/2022	R 33,001.07	R - 2,060.99	R 9,000.93
31/03/2022	R 6,183.34	R 154.80	R 32,474.90
30/04/2022	R - 7,183.88	R 14,310.69	R 27,916.50
31/05/2022	R 6,010.00	R 11,727.99	R 27,907.80
30/06/2022	R 13,098.38	R 11,240.22	R 22,777.27
31/07/2022	R 6,477.43	R 7,074.32	R 25,573.31

Debtors by month

