

# Waenhuiskrans Arniston Ratepayers Association Waenhuiskrans Arniston Belastingbetalersvereniging

Notule van 2013 Jaarvergadering op 27 Desember 2013 at 10h00 in Munus-saal,  
Waenhuiskrans

Minutes of 2013 AGM held on 27 December 2013 at 10h00 at Munus Hall, Arniston

## 1. Welcome

The chairman, Colin Bird, welcomed the ratepayers and thanked them for their support.

## 2. Apologies

Brad Liebl.

## 3. Chairman's Report

3.1 The Chairman tabled his annual report.

3.2 The Chairman provided the following update regarding the Community Development Trust: this is the second time a medical student has been registered under the programme. The Chairman mentioned that there has been a delay regarding the Vis Huis Project and the Community Development Trust is following due process as far as this is concerned.

3.3 Keith Higgins queried the demolition of erf 599 and the five year delay in demolishing the structure since the interdict was granted. Mr Higgins queried whether the committee has obtained information regarding the demolition of erf 599 and the removing of the rubble. The Chairman advised that these issues are to be addressed to the Cape Agulhas Municipality. Mr Higgins stated that the ratepayers were led to believe that the demolition would be a simple process and queried the costs that the ratepayers would need to cover in respect of the demolition and questioned the ground upon which the structure would be demolished. The Chairman advised that a public circular was distributed by the Cape Agulhas Municipality in which the Cape Agulhas Municipality has appointed a professional team in respect of erf 599 and had resolved to demolish and remove the structure by the middle of this year. Mr Higgins queried whether there would be a financial cost to the ratepayers and the Chairman advised that the committee would look into this.

3.4 Proposer: Murray van Heerden, Seconder: Gavin Hau.

## 4. Financial Report

4.1 The financial report was tabled.

4.2 Proposer: Peter Gird, Seconder: Sylvie Toens.

## 5. Minutes from the AGM held on 27 December 2012

5.1 The correction of Mr Beamish's name.

5.2 Proposer: Mr Beamish, Seconder: Murray van Heerden.

## 6. Matters arising from the Previous Minutes

6.1 Ad Paragraph 4.4

6.1.1 Robert Haarburger queried the procedure regarding the annual financial statements.

6.1.2 The Chairman advised as follows: clarification was obtained from two other auditors who confirm that the review the auditors conduct in respect of the annual financial statements is compliant with the requirements of the law. The Chairman further advised that the committee has continued with these processes as well as during the period when Mr Haarburger was Treasurer and that the committee remains satisfied that the procedure followed is appropriate for an organisation of this style.

6.1.3 Mr Haarburger queried the opinion of the auditors in respect of the financials.

6.1.4 The Chairman confirmed the auditors' advices that the procedure followed by the committee is consistent with the Constitution.

- 6.1.5 Mr Haarburger stated that he requested an opinion and the auditors agreed that all of the monies should have been reflected in the financials. Mr Haarburger queried whether the committee had obtained a written report.
- 6.1.6 Gavin Hau queried the whereabouts of the letter explaining the use of the funds.
- 6.1.7 David Lehr stated that he had requested the letter last year in order to obtain clarification in respect of the funds. Mr Lehr questioned whether the monies that were recovered should have been accounted for by the association.
- 6.1.8 The Chairman queried whether Mr Lehr wanted to see the processes and the accounting of the monies held in the fund which was established separately.
- 6.1.9 Mr Lehr questioned whether the funds should have reverted back to the association.
- 6.1.10 Mr Haarburger stated that the Constitution does not allow for a separate fund to be created. He further stated that all of the monies must be reflected in the annual financial statements.
- 6.1.11 The Chairman advised that the fund was created in respect of the case against Mr Haarburger's company and was established by the people who were donors on condition that there would be complete anonymity and that the accounting of the fund would be independent of the association. The Chairman advised further that a formal trust fund within a lawyer's ambit was established to maintain the anonymity of the donors and to be used for one specific purpose on the instruction of the donors. None of the funds were paid to or from the association.
- 6.1.12 Mr Lehr stated that he accepts this but requested a written letter from the association clarifying this aspect.
- 6.1.13 The Chairman stated that the association obtained a written report from the attorneys regarding the funds held by them.
- 6.1.14 Clive Corder stated that a separate trust account was opened and that this account was not linked with the association.
- 6.1.15 The Chairman stated that the trust account was opened by the donors and not by the association with one specific purpose and that any money was to be accounted for separately and to the satisfaction of the donors.

It was proposed and agreed that the committee send a letter to all members setting out the process of how the funds were dealt with.

- 6.2 Ad Paragraph 8.4
  - 6.2.1 Mr Marais stated that there is a pungent smell as a result of the sewerage system. He stated that it is a result of the overflow system in operation.
  - 6.2.2 The Chairman advised that the smell is a result of the solids remaining once the liquid content is removed. Over time, the solids also need to be removed.
  - 6.2.3 Gavin Hau queried whether this posed a health hazard.
  - 6.2.4 The Chairman advised that the committee will pursue both these issues with the Cape Agulhas Municipality.

## 7. New Committee

- 7.1 Vivian Lourens, Colin Bird and Steven Boers retired.
- 7.2 Sam Lawrence and Rovina Eurpoa retired and were reinstated.
- 7.3 The following nominees were proposed: Rod Lloyd (nominated by Colin Bird), Trish Robertson (nominated by Colin Bird) and Christine Craven (nominated by Hannes van Zyl).
- 7.4 The WARA Committee is Peter Hofmeyr, Murray van Heerden, Casey Hofmeyr, Sam Lawrence, Rovina Europa, Rod Lloyd, Trish Robertson and Christine Craven.
- 7.5 A Chairman is nominated at the committee's first meeting.

## 8. New Matters

- 8.1 Valuation of Properties and Sewerage
  - 8.1.1 37 ratepayers participated, 7 of whom were refunded, 1 donated their refund to the Community Development Trust and 1 donated their refund to the association.
  - 8.1.2 Ratepayers objections were denied but without reasons. They were not answered on second appeals.

- 8.1.3 Christa Joubert stated that one could raise objections and if you were refused, you could apply to court, but this court date has not been announced. Ms Joubert stated further that the valuations at Arniston were substantially higher than at Struisbaai in that in Struisbaai all of the valuations were below the actual sale prices whereas in Arniston the valuations were 75% higher than the actual sale prices. Ms Joubert advises that all of these facts were given to the Cape Agulhas Municipality but were ignored. The Chairman stated that you have the right to request reasons. Ms Joubert stated that the association should investigate this because they have more authority.
- 8.1.4 Ms Joubert complained about the state of the sewerage system.
- 8.1.5 Gavin Hau stated that perhaps the association should increase the membership fee to R1,000.00/R2,000.00 per year in order to employ someone to address the issues and queries raised by the ratepayers. He proposed that the ratepayers put in substantial monies for these very issues which need to be addressed.
- 8.1.6 John Lee advised that he spent a considerable amount of time and effort in fighting the valuation last year. He stated that he was treated with absolute disdain by the Cape Agulhas Municipality and when he took the valuation on review, the Cape Agulhas Municipality approached him and settled.
- 8.1.7 Keith Higgins stated that we have R348,000.00 in our trust fund to assist with employing an individual to tackle certain issues.
- 8.1.8 The Chairman responded stating that these funds are separate.
- 8.2 Ward Committee
- 8.2.1 Neil Gilomee requested confirmation as to how the ward committee operates.
- 8.2.2 The Chairman advised that they work on a voting procedure and thus we do not have the right to nominate someone onto the ward committee.
- 8.2.3 Mr Gilomee stated that we should have someone there to support us and deal with our issues.
- 8.3 Additional Steps
- 8.3.1 David Lehr requested an update regarding the request at the previous annual general meeting for additional steps at the Hotel Beach.
- 8.3.2 The Chairman advised that the committee will address this issue this year in order to obtain the additional steps.
- 8.4 Website and Anniversary of the Arniston Wreck
- 8.4.1 The Chairman reminded the ratepayers of the committee's sponsored website.
- 8.4.2 The Chairman also stated that the year after next will mark the 200 year anniversary of the Arniston wreck. The Chairman advised further that Marius Diemont will be compiling a book about Arniston and asked if anybody has or knows somebody who has any information regarding the wreck to please contact the committee. Mr Diemont will publish this book and the proceeds will be donated to the Community Development Trust.
- 8.5 Annual General Meeting Minutes
- 8.5.1 Mike Dichmont requested that the annual general meeting minutes contain a list of active items.
- 8.5.2 The Chairman confirmed that this will be put in place.
- 8.6 Undersized Fish
- 8.6.1 Gavin Hau requested the ratepayers to abstain from purchasing undersized cob or red steenbras.
- 8.7 Murray van Heerden thanked the Chairman for his considerable time spent on the committee and for all he had done over the years for Arniston.

The Chairman thanked all for attending the meeting, which finished at 10:53.