

SAN MARINA RECREATIONAL CLUB

SPECIAL GENERAL MEETING - Meeting Minutes

Tuesday, 30th January 2024

Agenda

1. Welcome
2. Electing a new committee
3. Resolutions

Discussion Points & Notes:


1. **Welcome**

Jonathan opened the meeting at 19:20. Opening statement was that the election of the committee is imperative.

Note on attendance: Quorum for constitution amendments was reached.: Out of 154 paid up members, 75 paid up members were present (48%). After the meeting was completed, an attendance audit was done and the attendance was corrected to 81 members present out of 155 paid up members (52%)

2. **Electing a new committee.**

Nominations for committee candidates:

1. **Gavin** nominated himself: Availed himself for the committee. He feels like there are certain issues raised and no one wants to avail themselves. Majority vote to accept his nomination
 2. **Lavelle**: Has volunteered for the committee. Motivation: Her son sees the pool as an extension of their home, so it is in her best interest to maintain the club. She has a development background (8 years ago). Nomination seconded. Majority vote accepted.
 3. **Jonathan** was nominated for the committee. This was seconded. Jonathan has agreed to stand. Accepted by majority vote.
 4. **Nick** has nominated himself. (Lavelle and Nick are married, only one person will hold a portfolio and vote). Motivation: Same as Lavelle, the club is an extension
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of their home. He'd like to promote inclusivity and make the club work for everyone as a community. Nomination seconded and accepted by majority vote.

5. **Heidi nominated by Nick:** Positive attributes - logical thinker; fairly outspoken, holds her ideas and listens to others. Objective by nature. Majority vote accepted.
6. **Amanda nominated by Nick:** Motivation: been in the area for 20 years, easy going and relaxed, happy to contribute to the progression of the club. Nomination seconded and accepted by majority vote.
7. **Genevieve nominated by Nick:** Motivation: She believes in the value which the club brings to the community and would like to help maintain the club. Nomination seconded and accepted by majority vote.
8. **Rowan** nominated himself: Motivation, he's been living here for 28 years, he is capable of fixing things around the club. Nomination seconded and accepted by majority vote.
9. **Valerie nominated by Heidi :** Motivation: lived here since 2015, very community oriented, can bring a lot of bonus to the club in terms of hall hire, and has managed to get the hall hire revenue up in the past. Nomination seconded and accepted by majority vote.
10. **Theresa nominated by Heidi :** Motivation, happy to help where she can, although she has capacity constraints.
11. **Russell** was nominated. He accepted. Russel has been in the area for 2 years, he is dedicated to retaining the club. Nomination seconded and accepted by majority vote.
12. Mike Ryder nominated by Theresa: he declined as he is too busy this year.
13. Sheena Pillay was nominated, she declined the nomination

The nominated residents, who had accepted their nomination, were officially voted in by majority vote as the new committee for the year.

Jonathan Walters was elected by the new committee to chair the rest of the meeting.

3. Resolutions:

Resolution 1: Levy increase (Proposer Heidi Schoute-Vanneck)

Motivation

Due to inflation and the historical lack of increase in levies over the past few years (between July 2015 and June 2023 levies remained at R60 per month), it was proposed that the levies need to increase by more than 10%.

This was substantiated by noting the effect of inflation over the past few years as detailed in the Treasurer's report at the AGM in December 2023. Taking inflation into account, we should have been paying R93 per month for our 2023/2024 financial year. Heidi elaborated on instances when last year's committee had to delay maintenance on items and faults around the clubhouse due to a lack of funds.

Heidi has conducted an analysis to gauge what the increase should be.

The proposal was that it be raised to R95 per month as of July 2024, which should allow most of the backlog of maintenance tasks to be carried out within the next 2 years

Discussion:


A resident noted that we're all getting a very reasonable deal, and noted that anyone who has owned a pool would have spent way more to maintain their own pool and suggested the fee be R100 as it is reasonable.

Question: Does the calculation of completing the required maintenance over the next 2 years, assume payment of levies by all households? **Answer:** Yes. It was elaborated on that many residents who were in arrears have since paid up or are in the process of paying up. It was added that current levies billed covered only rates and the Bookkeeper's wages, they do not cover anything further, all other expenses have been covered by hall hire income and debt collection.

Question: Why raise the fee in July only, as opposed to immediately in February. The reason for asking this is that, with winter starting in June/July, it may be too late to get key elements fixed around the club before the rain.

Suggestion: An alternative suggestion was made to have the fee increased by the start of the next quarter (April) instead. **Answer** (to both the above) Jonathan noted that increases should take place in the new financial year. Even if we are deciding on a special rate in a special meeting, we should still follow the constitution, which says to start increases at the beginning of the financial year, i.e. in July.

Question: Repairs are based on projected income, inclusive of people who are in arrears, how will this be possible? **Answer:** It was noted that residents who are defaulting will continue to be contacted to request outstanding funds; alternatively, should this route not be conducive, defaulters will be contacted by the debt collector. Heidi noted that the proposed inclusion of interest would be a further incentive for defaulters to pay. When houses in the area are sold, club



fees need to be paid up before a “Consent to Transfer” document is signed by the committee. In this regard, the seller would then have to pay the outstanding fee including interest.

Question: (raised by a pensioner) Would everyone, including pensioners, be expected to pay the full amount or would a pensioner’s discount still apply?

Answer: No proposal has been made to remove the pensioner’s discount, so this will still stand at a 40% discount for the upcoming financial year.


Getting urgent repairs done immediately: Some residents have paid in advance, although this money shouldn’t be used yet, Heidi stated that she would advocate spending the funds paid in advance to rectify issues around the club now, provided that the proposal to increase levies in July was passed.

Proposed resolution:

(The proposer chose to stick to her original value and timing and not amend the originally submitted proposal.)

The monthly levy should be raised to R95 per month as of 1st July 2024.

It was noted that a two thirds majority of meeting attendees voting in favour of the proposal is needed in order for the proposal to be passed.



Voting

The proposal was seconded

12 members voted against the proposal.

The remainder (69) voted in favour of the resolution.

This being an 85% majority, the proposal was passed.

It was verified that pensioners pay 60% of the fee (i.e. R57).

Jonathan suggested looking into the possibility of implementing a financial plan – i.e a subsidy scheme - to sponsor and subsidise pensioners who cannot afford the fees.


Resolution 2: Interest on Arrears (Proposer Heidi Schoute-Vanneck)

Add clause 4.5.1 to the constitution:

Where accounts are in arrears when the next quarter's levies are billed, interest should be charged on the amount outstanding since the beginning of the concluded quarter. The interest should be charged at an annual interest rate to be determined by the committee, but not exceeding the South African Prime lending rate during the previous 12 months.

Discussion

A member pointed out that, as per the current credit law, the maximum interest that can be charged is 2.5% per month; it was acknowledged by the proposer that we will obviously always be bound by the prevailing credit legislation at any given time.



Voting

The proposal was seconded.

The proposal was passed unanimously..

Resolution 3 : Signed acknowledgement of obligatory SMRC membership
(Proposer Mike Ryder)

In the event that the SMRC is not wound up.....

Add to the constitution the following clause:

Before a waiver for transfer of property within the San Marina township is provided by the SMRC,

a) All levies and monies owing to the SMRC are fully paid up (as is currently required)

And

b) All purchasers sign a document (provided by SMRC) accepting receipt and understanding of all terms, conditions, rights and obligations relating to membership of the SMRC (proposed addition)

Motivation.


It is not uncommon for members who don't pay levies to claim they were not informed of their obligations, by the seller or the agent, prior to their purchase..... it is also only common sense for those upon whom conditions are being imposed to sign acceptance of those conditions.

Voting:

The proposal was seconded.

The proposal was voted on and members present voted unanimously in favour.

The proposal was therefore passed.



Resolution 4 : San Marina CID (Proposer Mike Ryder)

In the event the SMRC is not wound up

The SMRC committee should immediately investigate and pursue the formation of a "San Marina CID " (community improvement district) to include only those residing within the San Marina township and the prime purpose of which would be the

- i) Running and maintaining the club
- ii) Providing adequate security and safety for the same club
- iii) Any other issues that may be of community benefit and contribute to the quality of residence within the San Marina township.

Motivation

Collection of levies has been an ongoing problem for many years, presenting problems both for maintenance, operational and capital expenditure. Some members resent paying whilst others seem to continue non payment with apparent impunity.


Forming a CID, where the levy collection would become the responsibility of council (via the rates), would mitigate this problem, whilst transferring the problems of non-payers to council's much more robust resources.

Discussion

The proposal is to direct the committee to put the above on the agenda and that it should be a dedicated portfolio.

It was requested that the proposal be amended and the wording be rephrased from "immediately" to "in due course" as there is a long list of critical items to be addressed.

Lavelle has noted that as a newly elected committee member, she would be keen to take on the investigation due to her past work experience in this field.



A concern was raised that this would cost residents money and that every household in the area would need to vote on it. The CID levy amount would be based on the value and size of the property. It was noted that in other areas in the Marina da Gama which are in CIDs, the CID levy is roughly R100 per R1 000 000 of the value of the property.

The proposer agreed to the amendment above, and proposed the amended statement, namely:


In the event that the SMRC is not wound up

The SMRC committee should in due course investigate and pursue the formation of a “San Marina CID” (community improvement district) to include only those residing within the San Marina township and the prime purpose of which would be:

- i) Running and maintaining the club**
- ii) Providing adequate security and safety for the same club**
- iii) Any other issues that may be of community benefit and contribute to the quality of residence within the San Marina township.**

Voting:

The amended proposal was seconded.
Members in favour of the amended proposal: 34
Members against the amended proposal: 13
The remainder of the members abstained.
The amended proposal was thus passed.



Resolution 5: Gate Security

Gate security raised by Margie Elliot, as well as the age limit of children under 15 accessing the pool on their own.

The proposal is that gate security needs to be looked at asap. Outcome: this will be placed on the agenda for the new committee to discuss.

Regarding the supervision of children, it was agreed that this needs to be discussed by the new committee.

Resolution 6: Dissolution of the Club

Dissolution of the club due to the belief that the club is not an asset to the community; security reasons; as well as pensioners, who do not use the club, not being able to afford levies.

No one present was prepared to motivate the proposal.

The proposal was not seconded.

The proposal was therefore abandoned.

No members present objected to the abandonment of the proposal.

The meeting was closed at 20:47.

(Genevieve Clarke; edited by Heidi Schoute-Vanneck and Jonathan Waters)

