



MODITLO
W I L D L I F E
E S T A T E

Moditlo Estate Home Owners Association NPC

Registration Nr: 2002/013524/08

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Minutes of a Board of Directors meeting held on 2 February 2024 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:**

Wimpie Pieterse (Chairperson)
Lorna Zoghby (Vice-Chairperson)
Alan Hiatt (via Zoom)
Craig Carnaby
Godfrey Phillips
Pieter Janeke
Piet Scheepers

ALSO IN ATTENDANCE:

Annelie Roets (Estate Manager)
René Riekerk (Administrative Assistant)

APOLOGIES :

Bernard Koppes
Brett Thomson

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. **ADDITIONAL ITEMS:**

a. **Related party transactions – Stand 251 Moditlo Lux / Odvest (Wimpie)**

Wimpie stated that himself, Lorna, and Piet had a meeting with Bernard during the morning of the 2nd of February 2024, a discussion ensued regarding the two companies being in arrears. Bernard indicated that he would withdraw his acceptance of nomination for director.

Wimpie then stated that, to be in good standing does not only refer to being a paid-up member, but also conforming to the Rules and Regulations and the MOI of Moditlo Estate, and requested the directors present, should they not be in good standing, to excuse themselves from the meeting, and hand in his/her letter of resignation as a director.

Wimpie requested Annelie to do a short monthly report to confirm that all directors' levies have been paid, and that they are in good standing.

b. **Online meetings (Wimpie)**

Wimpie stated that the Board took note of the members' request for an online AGM, but as it is short notice, the AGM will continue to be held on the 3rd of February 2024, and it will be a physical meeting. He will then obtain further information, with the assistance of the six members that requested an online meeting, on this matter, as connectivity might be a major issue to allow a large number of members to be online. Alan commented that there is no legal obligation to have a hybrid or virtual AGM.

c. **Water (Wimpie)**

Wimpie stated that the motivation given for the increase in the water tariff was to collect funds for the development to obtain sustainable water, and to demotivate residents from wasting water. After a discussion ensued, the Board agreed that it will be presented at the AGM of the 3rd of February 2024, but they will inform the members present that no voting will be done on the increase of the water tariff and will again request residents to close any illegal drinking points, as this is against the Rules and Regulations of the estate, and a waste of water.

d. **Proxies (Wimpie)**

Wimpie stated that, according to the Companies Act, proxies can be submitted until the morning that the meeting is taking place, unless the company's MOI states otherwise, and MEHOA's MOI states "*the date as published in the Notice of the meeting*". He stated that, should the members want to change the rule in the MOI, they need to submit an official proposal, and it should be voted on.

e. **Service road – M139 / M140 (Alan)**

Annelie stated that the owner of M139 (Ms Florence Moll) submitted a complaint regarding the owner / guests of M140 (Mr Guy Morgan) that is making use of the service road between the stands (creating an additional access road for them), and it is only the lodges' game viewing vehicles, and the HOA's management / maintenance that are allowed to use that road. When Ms Moll's house was built, the then Operational Manager, Mr Ernst Scheepers allowed her to use a little portion of that service road, as she could not build her driveway from Tamboti Road, as there are tall trees which could not be cut down. Mr Morgan was requested to refrain from using the service road as an access road. After a discussion ensued, the Board agreed that Ms Moll should be presented with the option of either moving her driveway to Tamboti Road, and the service will then be closed to Mr Morgan as well as herself, or she should allow Mr Morgan to also make use of the service road.

f. **Extra roads (Lorna)**

Lorna stated that, when there were just a few houses on Hoep-Hoep Road, the Operational Manager at that time, Mr Ernst Scheepers, built a small road (which is not marked as a designated road) for the lodges' game viewing vehicles to prevent them from traversing on the sodic site. With all the construction that took place over the years in that area, the construction vehicles

(trucks etc.) made use of that road, which led to cause extensive damage to the road. Pieter stated that it should be made clear that no contractors are allowed on that road, and only residents may traverse on that road.

Pieter then stated that, according to the agreement between Moditlo and the landowners, the HOA must maintain all the roads, which also includes the roads on the wilderness area (which is also Moditlo), and the two-tracks roads. As the HOA could not afford these expenses, the landowners are maintaining these roads with no costs to the HOA, which is not according to the agreement.

g. **Fence maintenance (Annelie)**

Annelie stated that Riaan offered, as it is the responsibility of the HOA, to assist the conservancy with the clearance / spraying of the grass at the fences. Pieter stated that the electric fences will prevent animals from getting out, but when grass grows against the fence, it causes a short in the fence, and that takes electricity from the fence, which makes it easier for animals to then get through the fence. He stated that the fences should be kept clear and should be tested regularly. He will provide the name of a certain poison to Craig / Riaan, which works extremely well. Wimpie stated that clearing should also be done around the electricity boxes, as that can also be a fire hazard.

h. **Eiland Dam (Godfrey)**

Godfrey stated that a new owner on Moditlo, Mr Brian Mahon, indicated that he would privately fund the repair Eiland Dam. Wimpie indicated that, as it would be tax expense for him, he should pay the contractors directly for the repair of the dam.

i. **Dispute – Bilal Adam (virtual meeting)**

Annelie stated that she received a formal dispute from Bilal Adam, and that, according to the process, a committee (three directors) should be appointed by the chairperson and convene a meeting within a period of 10 business days to adjudicate upon the issue.

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

The minutes were presented, proposed, approved, and seconded by Lorna and Pieter at the meeting.

6. **MATTERS ARISING:**

a. **Water status and feedback**

Annelie stated that the reservoir is picking up with the new borehole that was implemented. A 24-hour test still needs to be done on the borehole to determine how much water per hour the borehole is producing.

She also informed the Board that the meeting that Riaan and Ian Oliver had with Kapama, was positive. Wimpie also stated that Ian Oliver offered his assistance with this, and he is doing it at no cost to the HOA.

b. **Gates – feedback**

Annelie stated that, as there was an issue with the wi-fi signal at the exit side of the main gate, an update was done to the router, and it seems to be working better. She will be in contact with ATG to do the permanent installation of the facial recognition system at the main gate and take

out the biometric system. Once that is completed, the system will be installed at the middle gate, where a pedestrian gate with facial recognition will also be installed. Garth Wolfe is also busy with upgrades at the Leopard's Bend gate, and the HOA will be responsible for the installation of the solar and the two facial recognition units, this will be done when Garth has done the necessary upgrade, and Moditlo's middle gate has been switched to the facial recognition system.

c. **Moditlo Estate name and logo clarification**

Annelie stated that, as there were queries again of Moditlo's name, she had a look at the historic documents, and according to the DFA, it clearly states that the name should be Moditlo Estate. After a discussion ensued, the Board agreed that the name should be Moditlo Estate t/a Moditlo Wildlife Estate. The logo will then not be changed, but when formal letters are drafted, the logo should be displayed as Moditlo Estate.

d. **AGM**

After a discussion ensued, the Board agreed that the question of good standing should be made at the AGM, meaning not just levies paid in full, but also adhering to the Rules and Regulations of the Estate.

e. **Directors' appointment at AGM**

Annelie confirmed that Bernard Koppes has withdrawn his nomination. There is a total of eight nominations, and no vote will be done. All the nominees are in good standing.

f. **Electrical Maintenance Contract**

Wimpie stated that himself and management had a meeting with Leopardo Electrical, and he proposed to the Board that Leopardo Electrical be appointed again, to which all agreed.

g. **Resolutions**

Annelie queried if funds budgeted for the fence in the MRRF budget, could be moved to the budget for water, to enable management to proceed with the installation of the telematics system. Wimpie then advised that the last capital expense on the water budget, can be transferred to the new year, and they can then proceed.

Annelie stated that there will then be no resolution that has to be approved.

7. **FINANCES:**

a. **General Finances**

The General Finances were tabled and presented to the Board by Wimpie. No queries were raised.

b. **Monthly financials**

The Monthly financials were tabled and presented to the Board by Wimpie. No queries were raised.

c. **Approval of Financial Statements for September 2023**

The Approval of Financial Statements for September 2023 were presented, approved, and seconded by Pieter Janeke ad Piet Scheepers

8. **LEGAL:**

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

Wimpie stated that, should Dr Paul van der Merwe mention at the AGM that the outcome of this case was in his favour, the BoD will advise him that the Board acknowledges it, but that he again did the same during the last week, which led the Board to previously submit the complaint against him, and they will again submit the same complaint with CSOS.

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

Annelie stated that she received no feedback from the adjudicator.

c. **Collection of arrear levies feedback**

Discussed under finances.

9. **NEXT MEETING:**

A date will be communicated after the AGM.