



FROM THE TRUSTEES APRIL 2019

<p>NEW TRUSTEES</p> <p>Nine nominations were received for new Trustees for the Greenways Country Estate Homeowners' Association of which seven members were duly elected. During a subsequent Founding Meeting on 3 April 2019, the following members were provisionally confirmed in the stated portfolios:</p> <p>Chairperson and responsible for the portfolio Security Management: Mr Fanie Janse van Rensburg.</p> <p>Vice Chairperson and responsible for the portfolio Human Capital and Policy Management: Dr Barbara Esterhuysen.</p> <p>Responsible for the portfolio Gardening and Maintenance Management: Dr Caroline Blick.</p>	<p>Responsible for the portfolio Administration Management: Mrs Monika Fourie.</p> <p>Responsible for the portfolio Public Relations and Communications Management: Mrs Maré van der Walt.</p> <p>Responsible for the portfolio Legal and Contract Management: Mr Charl van Wyk.</p> <p>Responsible for the portfolio Financial Management: Mr Johan Verwey.</p> <p>The Trustees wish to thank members for their entrustment.</p>
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<p>AGM COMPLAINT</p> <p>Near the end of the Annual General Meeting (AGM) on 27 March 2019 a concern was raised by a homeowner about one of the Trustees elect being present at the vote counting table, administered by the Managing Agent MICSAM. The Estate Manager, who acted as the Chairperson of the AGM, announced that the voting results will be provisional until a proper audit has been performed. Subsequent to the AGM, the Estate Manager engaged with independent auditors in a letter with the following content:</p> <p><i>"I wish to enquire whether your office could assist this office with a forensic audit.</i></p> <p><i>On Wednesday 27 March 2019 the Greenways Country Estate Homeowners' Association held its Annual General Meeting. One of the agenda items was the election of new Trustees for the coming year, which takes place by ballot paper. Once the ballots are collected, it is counted by our Managing Agents,</i></p>	<p><i>MICSAM and checked against the attendance register and the proxy forms on file. Although the outcome of the voting was presented to the Members of the HOA, it was clearly stated that the results are provisional; as it needs to be finely scrutinized by the Managing Agents the following day.</i></p> <p><i>Whilst the votes were being counted by MICSAM personnel at the back of the conference hall, one of the outgoing Trustees went to the counting table to allegedly inform the MICSAM personnel to send out the levy statements first thing the following morning. It deems mentioning that the levy statements were withheld pending the AGM's approval of the levy increase for the new year.</i></p> <p><i>A member of the HOA however raised concern regarding the outgoing Trustee's presence at the counting table, as she was again nominated for a Trustee position for the new year. This concern later took on the allegation of vote tampering.</i></p>
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<p><i>I wish to enquire whether your office could assist in the following:</i></p> <p><i>Determining whether there is evidence of visible adjustments to ballot papers which cannot be explained by the particular voter (voters are identified by Erf number);</i></p> <p><i>Determining whether the ballots tally up with the attendance register and the proxy forms on file;</i></p> <p><i>Obtaining statements from the four people present at the voting table at that time and any other statement you may deem necessary;</i></p> <p><i>Provide an opinion whether vote tampering can reasonably be proved.</i></p>	<p><i>Should you accept, this office will arrange for free access to all documents currently held by MICSAM in relation to your investigation. If possible, we will also appreciate an estimation of your professional fees in this regard.”</i></p> <p>Until the outcome of the audit has been received, the appointment of the new Trustees will remain provisional. Such outcome will also be communicated to Greenways residents.</p>
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<p>SGM REQUEST</p> <p>Immediately after the conclusion of the AGM, a written request was received – signed by 28 homeowners – for a Special General Meeting for the purpose of effecting Constitutional changes. Regard being held to the fact that Constitutional change is not a trite matter, the Trustees elect proposed the forming and mandating of a Constitutional Review Committee, for which a draft Terms of Reference was compiled.</p> <p>We are pleased to report that the nominated sub-committee members accepted their appointments and have already started with the investigation process. The draft Terms of Reference (which is still subject to amendment, variation or modification by the Sub-Committee), states the purpose of the review as follows:</p> <ul style="list-style-type: none"> • Reviewing areas in the Constitution to ensure that they are fit for purpose and put forward appropriate changes; • Receiving requests proposed by Members, Officers and Committees; • Recommending proposed changes to be accepted for approval at a General Meeting of the Greenways Country Estate Homeowners’ Association. <p>Within a specific time limitation, the Sub-Committee must submit a written report with draft resolutions to the Trustee Committee, upon whom it will be incumbent to call and constitute a Special General Meeting in terms of the Constitution. At the time, homeowners will be informed of the pursuant processes.</p>	<p>The membership of the Sub-Committee consists of the following members:</p> <p>Mr Dave Walker <i>(A senior partner at Werkmans Attorneys, one of the largest law firms in the country, and a noted corporate lawyer.)</i></p> <p>Advocate Anton Meyer <i>(A constitutional expert, and previously involved in the drafting of the country’s Constitution. He is also a long-standing and much appreciated legal advisor to the HOA.)</i></p> <p>Dr Carel Van der Merwe <i>(Chairperson of Emerald Bay Body Corporate who also serves on a number of community bodies. Apart from his intimate knowledge of community schemes’ legislature, his inclusion also ensures a ‘voice’ from our resident bodies corporate.)</i></p> <p>Ms Maré Van der Walt <i>(A member of the Greenways Trustee Committee and also possessing legal expertise, specializing in estate planning and trusts.)</i></p> <p>Dr Philip Coetzer <i>(A signatory of the letter of demand and ensuring representation of the applicant. He is also a noted military strategist and systems analysis advisor.)</i></p>
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SOET RIVER

We have experienced a huge outcry regarding the foul smell currently coming from the Soet River. Following on initial meetings with die Directorate of Infrastructure Maintenance on local government level, the matter was escalated to the office of the Provincial Minister of Environmental Affairs and Development Planning. On 19 March 2019 we met with a delegation sent by Minister Anton Bredell, consisting of Mr Thorsten Aab (Department of Environmental Affairs and Development Planning; Western Cape Government), Mr Russell Mehl (Department of Air Quality Management; Western Cape Government) and Mr Mziwethu Myali (Department of Maintenance Management; City of Cape Town).

During this meeting we were informed of the very particular social-economic challenges faced by government regarding the efforts to re-settle three informal settlements next to the Soet River in the Morkel's Cottage area and progress made in this regard. Information was also shared on measures to prevent new squatters moving into the area once the existing settlers have been relocated to formal housing. The meeting with Greenways was obviously only one of the actions scheduled by the delegation, as they also had to meet with residents of Rusthof and the settlements themselves (amongst others). Their findings and proposals will be sent to Minister Bredell.

On 29 March 2019 we decided to open the weir at the river's mouth. Although we traditionally open the weir just before the rain season begins, we hoped that some of the contaminated water will flow out to the sea. We will, in fact, leave the weir open and hope for more rain to flush the river.

On Monday 1 April 2019, we met with Ward Councillor Jongidumo Maxheke in a meeting arranged by Greenways members. Mr Maxheke undertook to table the option of river-bed dredging at the Sub-Council, together with more regular cleaning teams in the Morkel's Cottage area.

On Friday 5 April 2019 the Estate Manager again met with a local government delegation consisting of the Regional Manager for Water and Sanitation Management (Mr Cronje) and two of his senior managers (Messrs. Matthyse and Bonang). At this meeting, we were informed that four sewer spillages were found and fixed; some of which had caused sub-surface contamination of the Soet River.

Information was shared by Mr Matthyse that possibly sabotage is suspected. In a number of the blockage issues attended to, the sanitation management teams have found pre-made parcels of fist-sized rocks wrapped in old blankets, which is of the right size to be thrown into the manholes and then traverse some distance into the sewer pipes where it will lodge once it connects with sand deposits. Apart from causing a blockage some distance away from the manholes (which is difficult to find and fix, as some pipes are deep underground), the rocks also break the blades of the router equipment; necessitating heavy civil works with digger-loaders.

Until the new low-cost housing project is completed – which is currently under construction, and where the informal settlers will be relocated – the City of Cape Town is treating the water upstream aggressively with mainly chlorine and bio-enzymes. This treatment causes the bacteria to die, BUT decomposition starts when the water flows through Greenways Estate, causing the stench. By NOT treating the water upstream, harmful bacteria will reach the estate and also end up in the sea, causing far more damage to the marine biology.

The only sustainable solution is to speed up the low-cost housing project where formal municipal services (sewage, refuse removal and storm-water management) can be supplied and the informal settlements humanely and legally removed. This is indeed what the Trustees and Greenways Management have demanded.