



## FROM THE TRUSTEES JUNE 2019

### AGM COMPLAINT

In previous Newsletters, it was stated that a forensic investigation was commissioned following allegations of voting irregularity during the Annual General Meeting (AGM) on 27 March 2019. At the time, 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 various independent auditing firms who all indicated that such an investigation is outside of their scope and suggested that a legal firm continue with the investigation.

It deems mentioning that the point of order raised at the AGM on this issue, spoke to 'procedural irregularity' and not 'voting irregularity'. As such, the Estate Manager (who took control of the investigation outside of the Trustee Committee – for understandable reasons) has confirmed that he would NOT have commissioned a forensic investigation on procedural irregularity alone. Shortly after the AGM however, written reports were received from identified homeowners alleging vote tampering, which he considered serious enough to commission a forensic investigation.

Following a comprehensive forensic investigation by Morkel De Villiers Attorneys, including the verification of documents and taking down many statements, we received their findings on 19 June 2019. In the report, which is available at the Estate Manager's office, the investigating attorney states the following:

*"I was requested by the Trustees of Greenways Home Owner's Association to investigate the voting procedure at the recent AGM, and more specifically the possibility of ballot paper tampering.*

*On 10 May 2019 I attended on the offices of Micsam, the Managing Agent of Greenways, who was in charge of the administration of the A.G.M and also responsible for the collection, verification and counting of the ballot papers.*

*During my visit I was handed in sealed covers, the following:*

- 1. Attendance register of members*
- 2. Ballot papers*
- 3. Proxy forms*
- 4. Nominations*
- 5. Ballot papers not counted.*

*My findings are as follows:*

- 1. I verified the ballot papers and proxies with the attendance register and find no irregularities, specifically with reference to ballot paper tampering."*

The attorneys then also made comments and recommendations on dealing with spoilt ballots and future administration of proxies, which the Estate Manager has already presented to the Sub-Committee for Constitutional Review. The Estate manager has also requested that his statement be included in this Newsletter, to wit;

*"As a qualified and previous Officer of the Law, I can confirm that due process was followed in this investigation. I have worked closely with the investigating attorneys and have viewed all affidavits, statements and electronic communication - without interfering in the investigation. I can also confirm that the written reports alleging vote tampering are, without exception, based on hearsay and opinion with no prima facie evidence to support the allegations. I welcome and accept the findings of the investigating attorneys. The attorneys' comments and recommendations on process administration has already been incorporated into the current Constitutional review.*

*I consider this investigation closed and support the full instatement of the elected Trustees."*

<p><b>SGM REQUEST</b></p> <p>The Sub-Committee tasked to review the Greenways Constitution has all but concluded the revision of the Constitution, which will result in a Special General Meeting (SGM) called to present the revision as a Special Resolution to the members.</p> <p>The Sub-Committee has however found that some of the revisions will impact on the existing Conduct Rules (including the House Rules, Security Rules, Architectural Guidelines, etc.) and has graciously accepted a request by the Trustees to extend their Terms of Reference to also review the Conduct Rules.</p>	<p>Whilst this will understandably slightly delay the envisaged date for the SGM, it makes sense to present a total review package to the members in one SGM.</p> <p>Yet again, we wish to express our deepest appreciation to the members of the Review Sub-Committee for the mammoth task they are performing; offering their professional knowledge and time for the benefit of all members.</p> <p>Based on the current process analysis, we envisage the SGM to occur in mid-August this year. Proper notice will be given closer to the time.</p>
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<p><b>ESTATE AESTHETICS</b></p> <p>The newly convened Aesthetics Sub-Committee has its aim to assist the Trustees and Management to manage the estate in such a way to ensure that Greenways is a sought-after residential estate. During their recent tour of the estate, they identified various issues which impacts negatively on the expected standard of maintenance and general upkeep.</p> <p>Some of these issues include residents parking on pavements and public open space, dustbins not removed after collection day, weeds growing on driveways and pavements as well as dogs running loose without a leash or supervision, dog poop not being picked up and stray cats without bells to warn birds.</p>	<p>In the previous Newsletter, residents were asked to respect and abide by the conduct rules and it was stated that the Trustees and Management do not want it to be necessary to police conduct rule infringements draconically. Justice must however be seen to be done, and where rules are infringed upon, corrective and/or punitive actions will be taken.</p> <p>Please familiarise yourselves with the House Rules, also available under <i>News &amp; Info</i> on the Greenways website <a href="http://www.greenwaysestate.co.za">www.greenwaysestate.co.za</a>.</p> <p>Please do not be that person who tries his/her luck to see how far they can 'test' the system. Be the adult and do the right thing!</p>
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<p><b>INTERCOM SYSTEM</b></p> <p>We have experienced a slight hold-up in the finalization of the intercom system. According to reports received, Telkom has restructured again and has decided to terminate the services of all consultants working for them. One such consultant was the liaison contact between the gated communities and Telkom, Mr Irfaan Adams, which has also affected Greenways.</p> <p>We understand that Telkom is currently busy with the contracts to appoint several such consultants as full-time Telkom employees, and it is understood that a contract has indeed been offered to Mr Adams.</p>	<p>Instead of having him hand over his tasks and responsibilities to someone else, it is expected that he will continue his tasks with the gated community network within the next week.</p> <p>As we have stated before, the 'slow-down' in the finalization of the intercom fibre project is frustrating for all, especially as we are more than 90% completed. At least we are not paying Telkom the amortised cost for the installation through the special levy until the system has been formally completed and accepted by the HOA.</p> <p>The Estate Manager has already set up a high-level meeting with Telkom executives to finalize this project.</p>
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<p><b>FACIAL RECOGNITION</b></p> <p>We have registered just over 750 residents on the new Facial Recognition platform, with another approximately 5000 to go. As we have stated in previous Newsletters, the registration is slower than expected, and we again urge residents to visit the Greenways office during office hours to complete the registration process.</p> <p>Residents who have already downloaded and completed the very simple registration form from our website <a href="http://www.greenwaysestate.co.za">www.greenwaysestate.co.za</a> (click on News &amp; Info) and then visit the office with any form of official identification (ID book or card, driver's licence or passport) really enter and leave the office in less than a minute.</p>	<p>We have started with the first test-runs to iron out the smaller technical matters and hope to 'go live' with the system at the end of September 2019. Please do not wait until the existing fingerprint/card/disc system is deactivated before your register! Once we have registered approximately 70% of the current residents, we will communicate dates and times when the office will be opened after normal office hours. Residents who can visit the office during normal office hours are asked not to use the after-hour opening, as that will be for the benefit of those few residents who definitely cannot get to the office due to work commitments. We do not want to flood the after-hours time slots.</p>
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<p><b>POSTAL SERVICES</b></p> <p>In our Newsletter of February 2019, we have asked residents NOT to use their street addresses for postal services or deliveries, but we still receive many notices to collect parcels from the local post office. These notices are addressed to street addresses in the estate, and as no post is delivered to homes, the postal officials deliver same to the office.</p>	<p>Although the Office Manager (Ursula) tries her best to contact the owners and then leave the slips in the post box outside the office, many owners do not collect the slips.</p> <p>Residents are again urged NOT to use their street addresses for deliveries, but rather to use their Greenways post box number. Should you require a post box, please visit Ursula and she will be happy to assist you.</p>
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<p><b>ANCHOR BAY WINTER MENU (TAKE-AWAYS)</b></p> <p>The clubhouse restaurant has a limited take-aways menu which can be ordered directly from the restaurant on telephone number 083 628 7758 (WhatsApp welcome). Please note that not everything will be available all the time due to a lack of freezing space. Orders can however be made up.</p> <p><b>VEGETABLE SOUPS</b>  Bean &amp; Lentil  Potato &amp; Leak  Butternut</p>	<p><b>OTHER SOUPS</b>  Beef &amp; Vegetable  Smoked Chicken &amp; Butternut  Eisbein &amp; Pea  Beef &amp; Bean</p> <p><b>FROZEN TV MEALS</b>  Lasagna  Bobotie  Thai Green Curry (Chicken)  Chicken Pie  Game Pie (when available).</p>
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<p><b>SIDE-LINE NEWS</b></p> <p>Attached to this Newsletter, is a newsletter from the Strand Sectional Title Association carrying interesting news on the 'Deep Blue' derelict building on Strand</p>	<p>beach as well as the Strand sea wall and promenade. Also attached is the Beach Zoning chart for dogs and horses.</p>
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