Hamerkop Mountain Trust Annual General Meeting 2024
Held on Thursday 24 October 2024 at 7.30 pm
by virtual Zoom Meeting

1. **Welcome** The Chairman Jad Ball welcomed all present.

2. **Attendance and apologies**
   Present: Jad Ball, Margie Owen-Smith, Mark Epstein, Steve Spottiswoode, Karin Spottiswoode, Duncan Barker, Serv Venter, Magdeleen Enslin, Paul Mackenzie, Roy Kendall, Tina Culwick-Fatti, Annabe Pretorius, Julia Van-Biljon-Heidemann, Gavin Ehlers, Petrus Nel, Gerhard Le Roux, Marietjie Louw, Robert Dalais, Helen Perry, Paul Rainier-Pope, Eppie Epstein, Matthew Dalais, David Prior, Oliver Barker, Humphrey Farrer
   Apologies: Jane Luck, Noel Modes, Judith & Oliver Oppler, Mike Grant

3. **Confirmation of minutes of previous meeting**
   The minutes had been circulated within 10 days of the 2023 AGM and re-circulated with the documents for the present meeting. No amendments were forthcoming, so that they were considered as accepted. Acceptance was proposed by Mark Epstein and seconded by Duncan Barker.

4. **Matters arising from the minutes**
   Dog policy: Our dog policy is based on the MCSA's (Johannesburg) latest policy. As decided at our last AGM, we will wait to review ours when they review theirs.
   Going solar: Initial investigations had indicated that considerable costs and complexities would be involved. Further attention will be given to possible options in the future.
   Upgrading of the website: A basic framework had been prepared to make the process of accessing information on Hamerkop more user-friendly. It will be developed further by a specialist next year. A comment was put forward in the chat that it could be very useful, because the swapping of weeks could be facilitated through website communication.

5. **Maintenance report**
   Serv reported as follows:
   Roof painting: Because it was a big task, the roof was painted by a professional contractor (who is also a Hamerkop beneficiary). **Annex tiling:** The bathroom floor in the Annex was tiled. **Recent lightning strike:** Serv reported on the lightning strike in the previous week that blew the borehole pump, some plugs and lights, the geyser element and the alarm. This had to be seen to asap and Serv arranged the repairs. The claim has been sent to the insurance company and an assessor had been out to Hamerkop. Feedback from the insurance company was awaited. Jad thanked Serv and the team for addressing the impact of the lightning strike so efficiently. More detail on maintenance work done at Hamerkop over the past year is provided in the attached Chairman's Report.

6. **Chairman's Annual Report**

   Please see the complete Chairman's Report attached.

7. **Do the Trustees/MCom have a mandate to create and enforce rules that affect Beneficiary rights of participation and ownership?**

   This item, querying the existence of such a mandate, was placed on the agenda by beneficiaries who unfortunately did not attend the AGM to clarify their concerns.
   A Trustee response was attached to the AGM documents for discussion, reassuring beneficiaries that, firstly, neither of the two recent decisions prompting their concerns affected any existing beneficiary rights and, secondly, that the systems allow for any management decisions to be recalled for broader consultation on beneficiary request.
   Both decisions involved new rules in response to the new situations to be discussed under the next agenda item, in light of the Trustees' aim to keep Hamerkop unit ownership available to local MCSA members, and to promote beneficiary participation in Hamerkop affairs.
   Beneficiaries were reminded, however, that although the house rules (developed by the Trustees since 1987) allow a beneficiary to sell their unit to a buyer of their choice, this is balanced by the Trust Deed which limits unit sales to MCSA members and mandates both the MCSA (Johannesburg) and the Trustees (see 13.1.2 and 13.2 respectively) to block the transfer of any unit if they think it is not in the interests of the Trust and its body of beneficiaries. As Jane's proxy, Jad noted that she had suggested that one of the criteria for the acceptance of new beneficiaries should be their willingness to participate in the Hamerkop Affairs.

8. **Two trustee proposals aimed at promoting beneficiary participation (with questions for a beneficiary vote in Appendix 2 of attachment to agenda)**

   An attachment to the AGM documents raised the issues causing management concern. As outlined by Mark, these relate to the movement of beneficiaries away from Gauteng, the accumulation of unit ownership within families, non-usage of weeks and the low percentage of beneficiaries sharing the work of managing Hamerkop Affairs.
   A view that limitation of new sales to 3 members in a family (across 3 generations) was excessively restrictive focused on a case where three family members were operating completely independently of each other. Sharing of each other's units was not feasible, efforts to swap units with others had been unsuccessful and it was felt to be necessary to be able to buy another unit. The siblings in this case are a half-brother/sister pair and the family has a long history of participation in Hamerkop. It was noted that requiring a commitment to participate in the management of Hamerkop affairs, could make it unnecessary to limit family ownership to promote participation. Provision had been made to vote on these issues and the decision was taken to go ahead with it to get a broader sense of beneficiary thinking at this stage.

9. **Volunteers called to assist with the management of Hamerkop in 2025**

   Jad's call for volunteers was reiterated in the Chairman's report.

10. Adoption of the financial statements for 2024 (attached)

The externally reviewed Annual Financial Statements as at 30 June 2024 were unanimously adopted. Proposed by Oliver Barker and seconded by Serv Venter.

11. Adoption of the Budget for 2025 (attached)

The treasurer, Paul Mackenzie, took the meeting through the detailed explanatory notes he had attached to the AGM documents, outlining the aims of our budget, the three items making up 85% of our annual expenses (staff costs, electricity and maintenance) and the key problems associated with each of these. Of particular concern, was the fact that fixed *availability* charges are responsible for 70% of our electricity bill and that these are set to increase very significantly in the future.

A total levy of R5570 per unit was proposed for 2025 (discounted to R5160 for payments received before the end of January 2025). This is made up of the **annual levy increase of 12% to R5370**, and a **special levy of R200** to address the extra expenses incurred in the roof painting in FY2024.

The proposed budget was unanimously adopted. Proposed by Oliver Barker and seconded by Annabe Pretorius.

12. General

The cost implications of the lightning strike experienced in the previous week, after the budget was drawn up, were discussed. Oliver Barker raised the need to consider other ways of raising funds beyond levies in the future, to grow a much more significant reserve fund over the coming years to allow for unforeseen contingencies and/or special projects (for example solar installation). Jad agreed and requested this to be an agenda item on the first MCom meeting in January ’25.

Magdeleen suggested that, as an interim measure to address the difficulties raised by some beneficiaries due to school holiday constraints, they could send her their “dates wish list”, so that she could advise on who to contact.

13. Closure

Margie thanked Jad on behalf of MCom and the trustees for chairing the meeting and for his leadership over the year. Jad thanked everyone for attending and the team for their support throughout the year. The meeting was officially closed at 21h20.