MINUTESOF ANNUAL GENERAL MEETING OF BODY CORPORATE 90272
SEACREST RESIDENTIAL RESORT BODY CORPORATE
held at 10.30am on Saturday 13th May 2023 in the Pool Pavilion, Seacrest Resort, 200 Papamoa Beach Road, Papamoa

Present/Registered: Trevor Arthur (46), Ray & Mavis Fowke (8), Bill Vincent (39), Ray & Tinka Mushett (22), Dave Ross (33), Leanne Hallowes (33) Celeste Henderson (31), Michael & Aileen Elrick (16), Dave Kerr (37), Milly Hazelwood (41), James Iles (34), Pat Pamment (9), Shirley Mullholland (35), Jocelyn Byrne (28), Charmain (Tikus) White (6), Dora Bardell (19), Helen Davies (20), Don McInnes (1), Hazel Falconer (42), Helen de Montalk (37), Carol Kirkbride (3), Doug Slater & Anne O'Connell (32), Val Mackenzie (45), Ray & Carolyn Collett (10),Trevor Campbell (13) and Robyn Preston-Smith (The Body Corporate Chair (2019) Ltd).

1. QUORUM

Resolved: That a Quorum was confirmed. Mavis Fowke/Dave Kerr
Carried

2. APOLOGIES

Resolved: That apologies were accepted from Ian & Leigh Motion (44), Helen Maxey (30) Raewyne Mills (36), Marion Aitken (21), Wayne & Mark Lloyd (1), Bev McInnes (1), Heather & John Cullington (4).

Mavis Fowke/Celeste Henderson
Carried

3. PROXIES

Resolved: That a proxy received from Ian & Leigh Motion (44) appointing Trevor Arthur was accepted.

Mavis Fowke/Celeste Henderson
Carried

4. POSTAL VOTING FORMS

Resolved: That a postal voting form was received and accepted from Helen Maxey (30).

Mavis Fowke/Dave Kerr
Carried

5. APPOINTMENT OF THE BODY CORPORATE CHAIRPERSON

Resolved: That Mavis Fowke was appointed as Body Corporate Chairperson until the next AGM.

Michael Elrick/Trevor Arthur
Carried

6. DELEGATION OF POWERS AND DUTIES

Resolved by Special Resolution: **T**hat the Powers and Duties of the Body Corporate were delegated to the Body Corporate Committee pursuant to Section 108 of the Act and Regulation 11(2) except for the Powers and Duties of the Body Corporate set out in Section 108(2) of the Act, being

1. Subsection (1) (which is the general power of Delegation);
2. Section 41 (which provides for reassessment of ownership interests and utility interests);
3. Section 105(3) which requires the body corporate to comply with the body corporate operational Rules);
4. Section 136(4) (which relates to the application of insurance monies in or towards reinstatement of the development.

Dave Kerr/Ray Fowke
Carried

7. ELECTION OF THE BODY CORPORATE COMMITTEE

Resolved: The number of Committee members was determined as 7.

Ray Collett/Trevor Campbell
Carried

Marion Aitken advised the BC Secretary prior to the meeting that she would withdraw her nomination to allow for 7 members to be elected unopposed if the number of committee members was amended to 7.

Resolved: That the 7 unit owners elected form the body corporate committee.

Ray Collett/Trevor Campbell
Carried

Elected: Trevor Arthur (46) , Mavis Fowke (8), Michael Elrick (16) Don McInnes (1), Catherine (Tinka) Mushett (22) Helen de Montalk (37) and Leanne Hallowes (33).

Resolved: That the Body Corporate committee quorum is 4.

Milly Hazelwood/Helen de Montalk
Carried

Don McInnes proposed a vote of thanks to Marion Aitken for her contribution to the body corporate committee.

8. MINUTES OF PREVIOUS MEETING

Resolved: That the Minutes of the Annual General Meeting held on 14th May 2022 were accepted as a true and accurate record of that meeting.

Dave Kerr/Don McInnes
Carried

Correction – Tinka Mushett (Unit 22 – Not 28)

Resolved: That the Minutes of the Extraordinary General Meeting held on 28th September 2022 were accepted as a true and accurate record of that meeting.

Dave Kerr/Tinka Mushett
Carried

9. MATTERS ARISING

Nil

10. CORRESPONDENCE

Nil

11. COMMITTEE REPORT

Resolved: That the Committee Report was received.

Mavis Fowke/Dave Kerr
Carried

12. FINANCIAL REPORT

Resolved: That the Financial Report to 31st March 2023 prepared by M2 Accounts was adopted.

Don McInnes/Helen Davies
Carried

Resolved by Special Resolution: That the Financial Report to 31st March 2023 prepared by M2 Accounts shall not be audited.

Dave Kerr/Ray Fowke
Carried

13. BUDGET

Resolved: That the 2023/2024 Budget was be adopted and be effective 1st April 2023.

Dave Kerr/Trevor Campell
Carried

Resolved: That the body corporate levies shall be increased to $4,200.00 per annum for the period 1st April 2023 to 31st March 2024 and be paid in full by 31st March 2024.

Dave Kerr/Trevor Campbell
Carried

14. BODY CORPORATE LEVIES

Resolved: That the Body Corporate levies are to be paid monthly in advance in 12 instalments of $350.00 paid on the 1st day of each month.

Trevor Campbell/Ray Fowke
Carried

Resolved: That interest of 10% per annum will accrue on levies not paid, effective on the 1st of the month following due date.

Helen Davies/Helen de Montalk
Carried

Resolved: That the Body Corporate shall take action against any owner whose levies remain unpaid to 90 days through the Tenancy Tribunal (Unit Titles Act). All costs, including Application Fee associated with collecting unpaid levies will be to the defaulting owner's account.

Helen de Montalk/Dora Bardell
Carried

15. HEALTH & SAFETY POLICY & Reporting

Resolved: That the body corporate Health & Safety Policy shall be reviewed by the committee and presented to the body corporate at the next Annual General Meeting.

Dave Kerr/Ray Collett
Carried

Trevor Arthur thanked Ray Collett on behalf of the body corporate for his assistance with arranging the upgrade to the road.

No incidents to report. No new hazards identified.

16. MAINTENANCE OF TREES ON PRIVATE PROPERTIES

It has recently been brought to the attention of the body corporate administrator that trees on private properties have been maintained by the body corporate.

This can only continue if the body corporate agrees by resolution to continue this practice (e.g., on the basis that the trees add to the value of the complex).

Legally, the body corporate is only responsible (financially) for the upkeep of common property and any contract that the body corporate enters into for services to all privately owned units.

The body corporate is responsible to ensure all repairs and maintenance is kept up to date by unit owners.

This item will be discussed further by the committee and reported to owners.

17. GENERAL BUSINESS

Pool Room Hire – Charge

Committee to discuss and document hall charges, responsibility for provisions and where the money collected is deposited and how it is used.

Management Contract

Updated to include private lawnmowing. Committee will complete and copies will be forwarded to all owners.

Owners/Residents Contacts

Trevor will be putting together an updated telephone/email contact list. Owners who do not wish to have their details circulated should advise Trevor.

Spraying of Roofs for Moss and Mould

This is the responsibility of each unit owner. Owner's are asked to ensure their roofs are maintained and treated for moss and mould as required.

Teardrop Garden

Shells to be replenished and the area sprayed for moss and mould. Committee to investigate suppliers/cost and arrange for this area to be upgraded.

10 Year Maintenance Plan

Unit Titles Act 2010 Strengthening Amendments require bodies corporate to have a 30 year maintenance plan.

Email Update

Please advise email addresses to robyn@bcc.co.nz

Meeting closed at 11.30am