

**1<sup>st</sup> October 2020**

**INITIAL INVESTIGATIVE REPORT BY SYDNEY KEITH WEBER, APPOINTED TRUSTEE  
ON THE NHOA COMMITTEE.**

**AS REQUESTED BY ERNIE VISSER, THE INTERIM ACTING VICE-CHAIRMAN.**

**Statement:**

**I was approached by ERNIE VISSER and his wife, CHRISTINE VISSER, to  
investigate the legality of the continuance of the NHOA Constitution with the  
approved Addendum.**

**This action was prompted by:**

- 1     The Municipality refusal to pass plans stamped and signed by EUGENE  
ELLIS, without him giving them a written indemnity of his personal  
responsibility;**
- 2     Plans that were fairly recently submitted to the Municipality were not  
approved, for the reason stated in 1;**
- 3     The members who submitted their plans are dissatisfied by the delays  
of not having their building plans approved by the Municipality, for the  
same reason as stated in 1;**
- 4     The threat of the Municipality to take over the duties of the NHOA,  
due to false reports of the NHOA being non-operative and dormant by  
Eugene Ellis. This action taken is stated by his own admission to those  
present at a Special Meeting held on the 19<sup>th</sup> September 2020.**
- 5     EUGENE ELLIS resigned from the Committee, as he was not prepared to  
sign a Personal Indemnity Letter required by the Kraaifontein  
Municipality to satisfy their request, stated in 1;**
- 6     The bank account at Standard Bank, Cape Gate, was inactive needing  
up to date signing authorities, which had to then be adjusted in order  
to open up the account for withdrawals of needed expenses; Shaun  
Mac CARTHY is to be removed, through his written resignation, by his  
own request; KOOS JAMNECK sold his house and had to leave off being  
a trustee; the new signatories are E.VISSER, S.K.Weber, having**

alternate signing powers; with the newly appointed Secretary, CHRISTINE VISSER; the account has then become fully operational;

7 Having read through the Minutes and notes given to me by E.VISSER, seconded by ADVOCATE CARLO VILJOEN, who signed each of the pages as proof of having reviewed them, the following is noted:

- 7a EUGENE ELLIS IS NAMED AS CHAIRMAN, possibly of Phase 2, and will be asked for written proof of his appointment by the Official NHOA Committee;
  - 7b He signed the Addendum to the Constitution at a specially called Annual General Meeting, dated 8<sup>th</sup> January 2008, due to the contingencies of urgent questions and enquiries posed to the NHOA Committee by some members of various Phases;
  - 7c When Eugene Ellis agreed to and had signed the Addendum, he automatically rescinded his position as a possible candidate for CHAIRMAN of Phase 2, (note: Originally Brian Olsen was handling all the concerns of phase 2, which was allowed for by the original NORMANDIE DEVELOPMENT CC's submission to the Municipality, as proven by documents held in the Archive of the NHOA);
- 8 At an Annual General meeting, Mr. Deon de Goede, who was the acting chairman at the time, wanted the ADDENDUM declared invalid, stating the Mr. Weber did not follow correct procedures (Note: Mr de GOEDE was also a signatory of the Addendum, dated 24<sup>th</sup> January 2008, and should not have signed it, if he did not agree with it. No reasons were given to the meeting as to why this was his proposed course of action but said members had complained. He did not mention who they were or how many had complained. As Chairman, he should have called Mr. WEBER to come and give an account to the Committee, of what he had done in having the ADDENDUM legally approved. Since he did not do this, his suggested proposal was never followed to a conclusion. Mr, Ernie Visser was appointed to try to have

- the Addendum rescinded, through a lawyer at Deon de Goede's request. This was an inappropriate action, as the Lawyer did not interview Mr. Weber concerning the procedures that had been followed. The Attorney's report was based on speculation and is therefore being set aside;
- 9 No meeting, either General, Special or Annual had been arranged to follow up, in having the Constitution Addendum declared invalid and therefore the Addendum remains legal to this day. The Advocate, Mr. C. VILJOEN, has concurred to this. All actions defaulted when Mr. D. de Goede, as Chairman, sold his house and had to leave the committee; no further chairman was appointed since then, and the Constitutional requirements were needed to continue with the denial actions of his decisions. Ernie Visser, voluntarily offered to act as Building Inspector and was appointed by the Committee and he has continued in this role; Eugene Ellis was appointed by the Committee as Treasurer but did not continue in this role.
- 10 This report brings the matter up to date and shows that the Addendum still stands; all signatories to the Addendum have been legally appointed in the capacities in which they were stated, having their signatures placed on the Addendum; if they acted in any other measure then it has been unconstitutionally and illegally done. The documents that pertained to this matter were reviewed by Advocate Carlo and are initialled by him, as being legitimate.

Signed: Sydney Keith Weber, by virtue of ERNIE VISSER'S REQUEST, for the approval of the current Committee.

This report has been compiled by the Appointed Advising Trustee (owning two properties in Normandie Estate.)

Sydney Keith Weber. Reviewed by NHOA Committee on 26th April 2021, BRACKENFELL and approved by means of official signing and Stamping.