

NGATARAWA 1A3A, 1A3B, 1A3C,1A3B1B2 AHU WHENUA TRUSTS

ANNUAL GENERAL MEETING SATURDAY 19th MARCH 2016

TE TAIWHENUA O HERETAUNGA 821 ORCHARD ROAD HASTINGS

9.30am

Trustees Present : Chairman Boy Kemp, Timoti Gemmell, Olivia Thompson, Kathleen Kireka, and Sandra Matenga. Robert Kale as Secretary/Accountant and Cara Bennett as Legal advisor.

Owners : Christine Waitere, Raewyn Kohere, Sue Pene, Florence Karaitiana, Marie Leef, Christine Teariki, Huia Smith, Norma Steffert, Inaka Takiwa, Justine Nuku, Sarah Munro, Louise Kemp, Mere Jenkins, Mangu Kemp, Matarita Edwards, Lesley Waaka, Jamie Karetu, Rex Carroll, Hohepa Taiaroa, Sheryle Allen, Kaupa Teariki, George Gemmell, Mere Gemmell, Traci Tuimaseve, Ruth Wong, Christopher Kemp, Joyce Kelly, and Tikao McClutchie.

Mihi Whakatau : Chairman

Karakia : Kaupa Teariki

New Attendees : Introduced themselves and gave a brief background of their family.

1. APOLOGIES :

RESOLUTION : Moved by Jamie Karetu seconded by Rex Carroll that the following apologies be accepted. Carried.
Christine Kidwell, Kereopa Karaitiana, Raymond Rehua, Vaine Emile, Taungaroa Emile, James Matenga, Melanie Matenga, Sandra Thomas, Libby Wawatai, John Puanaki, Minna Clair, Teresa Gilbert, Virginia Mikara, Whitu Mikara, Dale Russell, Eve Kireka, Rodger Kireka, Carina Matenga, Tia Matenga, Mana Kireka, Frank Kireka, Dawn Waka, Colleen Karetu, Sharlena Karetu, Vivienne Matenga, Teresa Turvey, Cleona Parata, Marilyn Carroll, and Joinella Carroll.

2. MINUTES OF 2014 AGM :

Chairman apologised for not having a copy of the 2014 AGM minutes attached to the handouts for owners. He then read the minutes from the 2014 AGM.

RESOLUTION : Moved by Florence Karaitiana, seconded by Jamie Karetu that the minutes be accepted as a true and correct record.
Florence Karaitiana voiced her concern that a copy was not made available to the owners attending.

MATTERS ARISING :

Florence Karaitiana commented on the Wahi Tapu report.

Traci Tuimaseve said the web site was available and was just awaiting details. Traci was advised that on several occasions the Secretary and one of the Trustees had endeavoured to contact him by phone to no avail.

Ruth Wong put her name forward to take the AGM Minutes even although the secretary was already doing so.

At this point the meeting developed into a shambles with the Matenga Family members voicing their opposition to both the Trustees and the Secretary. The Chairman called for a 5/10 minute break to let things settle down before proceeding. The Chairman also spoke privately to Sandra about her actions.

The meeting resumed after this break.

3. CHAIRMAN'S REPORT :

The Chairman presented and read his report. Copies of the report were made available to those present.

RESOLUTION : Moved by Rex Carroll seconded by Sarah Munro the Chairman's Report was accepted. Florence wanted her objection against the motion to be noted.

MATTERS ARISING :

Florence stated that the Trustees had made no follow up from the 2102 Meeting when the new Trust orders were discussed and it was not until Sandra followed up with the court that they were approved.

Cara was invited to comment on Florence's statement as the Trustees did not agree with her at all. Cara explained the reasons for the delays in getting the new Trust orders approved by the MLC. This was in no way the fault of the Trustees who on making several enquiries were first told that it was awaiting the Judge to sign off. Eventually the Court advised that they had lost it. They had also lost the details forwarded to them of the change in Trustees both by Cara and the Secretary.

When Sandra went to the court to get the change of trustees finalised she found that the court now required copies of all the documentation again so that the new Trust Order could be ratified and the change of Trustees also finalised.

This clarified the problems associated with finalising the new Trust order and the change of Trustees. This AGM for 2015 was delayed until the new Trust Order was finalised.

The new Trust order came into effect in November 2015 and accordingly the first election of Trustees would take place in 2018.

4. FINANCE REPORT :

Copies of the financial Statements were available to all present. Robert spoke to the reports explaining the details of income, expenses, the allocation of the profit between the 4 Trusts, the distributions to the owners, and the resulting overall position of Assets and Liabilities of the Trusts.

Again the biggest concern was the unpaid distributions awaiting owners details of bank accounts and IRD Numbers.

Robert also explained the procedures that the trustees went through both at the beginning of the financial year and also before each dividend distribution to Owners to ensure that the maximum dividend was distributed.

RESOLUTION : Moved by Huia Smith and seconded by Joyce Kelly that the Financial Report be adopted.

5. WAITANGI CLAIM :

Sandra gave her report on progress with the claim. She believed that there was an area of land of approx. 17 acres that was not included in the original claims. Further enquiries were to be made to research and clarify this point.

Olivia followed up with further comments on the present position of the claims.

6. TERTIARY GRANTS :

Discussion took place on the policy for qualification for applying for a grant. The current position was for study at a tertiary institution for those that had already done one year of study.

Discussions surrounded the following points –

- a) Should it be restricted to students already having completed 1 year?
- b) Should it be restricted to Tertiary education only?

Whilst it maybe too late to change it for the current year on the motion of Ruth Wong seconded by Traci Tuimaseve

“That the Trustees give consideration to extending the Tertiary Grants to cover both Tertiary, Trades, and other qualifications at the discretion of the Trustees”

Traci also raised the possibility to increasing the grants from \$5000 but this was deferred.

7. RESOLUTIONS :

Whilst Cara was present the Chairman asked her to fully explain what the format of a resolution was and how it would need to be worded.

Cara explained that resolutions that needed to be notified to all owners before any meeting to discuss them and vote on could take place were –

Special resolutions that affected the whole operation of the Trust and affected all members to the extent that all owners needed not only to be aware of what was to be brought up at the meeting but also needed the opportunity to express their opinions either by proxy or by attending at that meeting.

Simple resolutions that had been carried out at this meeting require no prior notification to Owners.

Cara also explained what could or could not be the subject of a Special Resolution. The proposed “resolutions” forwarded to the Trustees prior to this AGM did not constitute a special resolution and that is why they were rejected by the Trustees. It is the sole prerogative of the Trustees as to who they hire or consult with over any issue. This is not something that the Owners have any say in.

8. GENERAL :

1. Ruth Wong requested that the Secretary put his full contact details on all correspondence in future.

2. Traci Tuimaseve requested the Secretary to make contact with him after the AGM via email regarding the website. The Secretary advised that this would be done but not until sometime in April as he was fully tied up with filing Tax Returns until early April.
3. Sheryle Allen spoke to the meeting regarding the Rokotukatahi Reunion coming up on the 10th December 2016. She asked whether there could be any donations towards this event.
4. Discussion took place on the maintenance of the Urupa. The Tenants, the Apatu's were to be approached regarding the matter and also asked for recompense for the fence erected by Timoti Gemmell to protect the Urupa from their stock. Moved by Ruth Wong seconded by Lovey Edwards.
5. Discussion on Komatu Grants for owners over 65yrs. The amount to be at the discretion of the Trustees.

8. CLOSURE :

The meeting closed at 1.15pm when lunch was served.