



**DISCOVERY BAY HILLGROVE VILLAGE OWNERS' COMMITTEE**

**Minutes of Meeting No 14 2016-2017**

**held on 2 August 2018, 7:30 pm at Multi-purpose Hall**

**Discovery Bay Office Centre**

**Present:**

Mr Edwin Rainbow	(ER)	Chairperson
Ms Alice Li	(AL)	Member
Ms Cheng Mei Yu	(CMY)	Member
Mr Edmund Fan	(EF)	Member
Mr Edwin Tam	(ET)	Member
Fine Faith Limited	(FFL)	Member
Mr John Antweiler	(JA)	Member
Mr Martyn Keen	(MK)	Member
Mr Michael McGuire	(MM)	Member
Ms Nikki Wepener	(NW)	Member
Mr G H Koo	(GH)	Manager – Estate, City Management (CM)
Ms Ricky Kong	(RK)	Officer – Estate, CM

**Absent with Apologies:**

Ms Janice Fung	(JF)	Vice Chairperson
Mr Chung Kwok Wah	(CKW)	Member
Ms Lo Yuk Shan Connie	(CL)	Member
Ms Kimberly Keng	(KK)	Member
Mr Nigel JH Reid	(NR)	Member

**In Attendance**

Mr Charles Hung	(HPA)	Messrs Ho & Partners
Mr Thomas Tam	(HPA)	Messrs Ho & Partners
Ms Michelle On	(HPA)	Messrs Ho & Partners

**1. Confirmation of Previous Meeting Minutes and Recording of Meeting**

The Chair asked if the members present would approve of an independent audio recording of the meeting to facilitate verification of the minute. The CM audio recording to be kept as the official recording and archived for future reference. Members agreed unanimously

**愉景灣服務管理有限公司**  
**Discovery Bay Services Management Limited**

香港大嶼山愉景灣廣場徑二號愉景灣商務中心103室  
Unit 103, Discovery Bay Office Centre  
No.2, Plaza Lane, Discovery Bay, Lantau Island, Hong Kong  
電話 Tel: (852) 2238 3601 傳真 Fax: (852) 2987 8192

香港興業國際集團有限公司成員  
A Member of HKR International Limited  
www.hkri.com



GH advised that he was unable to confirm the amended draft of the minutes from the previous meeting (Meeting No 13) as could only convey the request from the Committee for the Chairman to join the first meeting with the solicitors on the matter of recovery of the debts to be collected by CM, but he was not in a position to confirm such an arrangement.

The Chairman said this was not a reason to change what GH had said at the last meeting. Members present at the previous meeting, in particular MK, MM confirmed the GH's statement to the effect that the Chairman would be invited to the first meeting with the solicitors, and that it seemed very clear.

The committee agreed to modify the draft minutes to reflect the fact that there was room for a possible misunderstanding and that ER would amend draft and it would be circulated for consideration.

(A discussion followed on Item 2.2: Arrangements for preliminary meeting with chosen lawyer regarding long overdue debt recovery – 2.2 see below.)

## **2. Report on Financial Status**

### **2.1 Village Finance**

The latest income and expenditure as at 30 June with a deficit of about HKD200,000.00 against a budgeted deficit of about HKD160,000.00 was presented.

JA asked the reason for a shortfall of interest income side against budget. CM advised that the variance was a result of providing account receivable of interest collect on late payment in the budget in this term. There seemed to be a discrepancy as the principle and interest from the long outstanding debtor did not appear to be reflected in the accounts.

A substantial saving in staff salaries and allowance was noted since the department of the Assistant Officer – Estate early this year. And, the actual expenses of pest control almost doubled the provision of the budget as more removals of wasp nest jetted up the amount paid out.

JA also enquired about the expenses of miscellaneous items exceeding the budget by about HKD27,000.00. CM would check the breakdown and revert. (Post-meeting notes: The expense under miscellaneous items incurred due to the secondment of the estate assistant to fill up the duty of the Assistant Officer who resigned, of which the impact was set off a saving of staff salaries and allowance).

### **2.2 Arrangements for preliminary meeting with chosen lawyer regarding long overdue debt recovery**

ER asked GH if he would go to the meeting or not as this was a very specific request in an earlier letter. GH said he fully understood the view of the VOC that

it would be good idea or the Chairman to join the first meeting but that he had not had an answer from his seniors. ER said on behalf of the Committee that they accepted that he [their Estate Manager] believed that it would be a good idea for ER to be at the first meeting and added, "for the record" that they sympathized with his position.

MK asked when will the first meeting with the lawyer would take place? ER added that in any event it was important to know if the lawyer would have access to the legal advice he had obtained [from Carol Wong – barrister"]. The Chairman reminded GH that a suggestion had been made that each owner would go after CM, individually through the Small Claims Court if we think that CM has not done everything to recover the debt we think we are due. GH replied "If you don't mind I will copy your legal advice to our in-house lawyer? ER asked "So the legal advice has not been passed to the in-house lawyer?" Members expressed surprise that this had not already been done. ER said the legal advice was given CM to be used and no permission was needed. This was clearly offered to everybody at the COC. GH conceded that he had not passed the legal advice to the in-house lawyer.

ER asked if the in-house lawyer was in HKR and GH confirmed this to be the case and he also said that he had told the in-house lawyer that there was a dispute between the VOC and CM. They would take this matter to the solicitors for further advice. ER asked why there was a dispute adding that it was not unreasonable to go for the maximum? Why does CM not take the legal advice from the barrister and stop obstructing and use it and see what happens in Court? GH replied that simple interest was their practice. ER said that this was wrong [It should be compound] and that this was Hillgrove [not CM] and asked how often there are debts that go on for so long? Why did it go on so long and why did we (this VOC) have to discover it?

ER asked if the cost of the lawyer would be paid for by CM, since the cost could not come from the Reserve Fund? GH replied that this was to be decided.

MK again insisted that GH would tell him when the meeting with the external lawyer outside HKR would take place? GH agreed to find out.

ER asked if the delay in contacting the lawyer is because the VOC would not release the funds? GH replied he had not got an answer. EF suggested that there should be deadline.

MM said that all this has to be absolutely minuted, as all this showed many points of failure and that there could be liability issues.

JA asked when CM was last in touch with the "guy that had not paid". It was necessary to have a clear notice on record. GH replied that it was 2 months ago. He was asked to pay the principal but has not followed through. MM asked if a solicitor's letter has been sent to the owner. JA asked if there was any response. MM asked "Can I take that as a NO?" MK "it is a NO. ER reminded GH that this did not look good.

GH read out some of the questions he had noted :

- a. Confirm the date of first meeting with the solicitors, and whether the Chair or Committee representative(s) would be invited to join the above meeting;
- b. Which party [Hillgrove fund or CM] to discharge the legal bills?(to be decided by CM)
- c. Why did CM take over ten years to deal with this matter?
- d. When was the last communication with the debtor made and when the first demand letter was sent out;

ER proposed the following question should be added “Has the debtor received a lawyers letter stating his possible liabilities?”

JA Reminded GH that we had asked in the past for regular updates on the progress on the debt recovery. It had been an [standard] agenda item and that should include a report on all outstanding debts. GH promised to resume the agenda item and to send the report on outstanding debts

### 2.3 To resolve the Allocation of Payment of Installation of Individual Balustrade in Last Renovation to Renovation Fund

CM mentioned that there were provisions in form of account payable under the renovation fund due unclaimed cost for work in last renovation from a sub-contractor who went bankrupt. CM recommended transferring the sum with the main contractor back to Reserve Fund as the construction work was never been carried out and the main contractor was wound up in early 2011. The Committee unanimously agreed to the transfer as recommended.

## 3. City Management Report on Village Matters

### 3.1 Parking and Security Control

The trial of parking control was implemented but the operations were not effective. Members pointed out several observations as follows needed to be tackled:

- a. Golf carts / working vehicles being parked log the frontage of the buildings for a long period;
- b. Golf carts being parked at the area next to the golf cart parking lot and left unattended while security staff took no action against these unauthorized parking;
- c. The wheelclamp was not in use even there was offence against security staff's instruction; and
- d. Golf carts of Hillgrove residents unable to locate vacant spaces for overnight parking.

Members commented that security team did not virtually enforce the parking rules. As a result, golf carts of commuters always occupied most of the spaces. Further, some golf carts, other than those of Hillgrove residents stayed overnight.

Members welcomed a share use of golf cart parking spaces with visitors or DBers, however, CM should give priority to Hillgrove residents on this issues. A waiting time limit was also suggested in order to keep the driveway cleared.

**4. Consultancy Service**

HPA delivered a draft presentation of the renovation summarizing the survey findings / essential items of repairs; option to improve the buildings and the development of the whole survey / renovation process with the Committee and working group. The Committee was content with the report and was prepared to put the subject forward in the annual owners' meeting for a resolution.

The Annual General Meeting was fixed at 8:00pm on Thursday 13 September 2018. Management notice would be issued shortly for the rundown and the detailed information of the renovation.

**5. Matters of City Owners' Committee (COC) Meeting**

The Chair advised that the Assistant Director Mr Patrick Ho of CM resigned and departed from CM last week. He would circulate the minutes to members when published

**6. Community Events**

Date	Event	Venue
July – August	Fantastic Summer 2018	Tai Pak Bay

**7. Any Other Business**

Members mentioned that broken bottles were found at the rear of Glamour Court. It was suspected that some groups loitered around the area at night and caused nuisance to residents. CM would carry out regular patrol by security taskforce avoiding the situation became a black spot.

**8. Date of Annual General Meeting**

The meeting to be held on Thursday 13 September 2018.

The meeting was adjourned at 21:25 pm.



Chairperson