



**NOTULES VAN DIE / MINUTES OF THE**

**SPESIALE RAADSVERGADERING VAN DIE CEDERBERG MUNISIPALITEIT SOOS  
GEHOU OP**

**26 MEI / MAY 2022**

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**SPECIAL COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY, HELD ON**

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**MINUTES OF THE SPECIAL COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY  
HELD ON 26 MAY 2022.**

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**PRESENT AND IN ATTENDANCE:**

- Cllr. W Farmer
- Cllr. R Richards
- Cllr. J Van Heerden
- Cllr. T Waldeck
- Cllr. R Witbooi
- Cllr. W Van Neel
- Cllr. P Strauss
- Cllr. A Scheepers
- Cllr. F Kamfer
- Cllr. M Heins

**ABSENT WITHOUT APOLOGY:**

- Geen / None

**1. OPENING**

- Cllr. W Farmer welcomed all present and Cllr. P Strauss opened the meeting with a prayer.

**02. ELECTION OF (ACTING) SPEAKER, IF NECESSARY**

- N/A

**3. APPLICATIONS FOR LEAVE OF ABSENCE**

- Cllr. M Bergh
- Mr. A Allison (Director Technical Services)

#### 4. INTERVIEWS WITH OR PRESENTATIONS BY DEPUTATIONS

##### Presentation by Carmien – Muisbos2Rooibos

##### RESOLVED:

- a) That Council noted the information as presented, and will comply their minds when it comes to the item, later in the agenda.

#### 05. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

- The Speaker informed the meeting:
  - 31 May 2022 a Councillor workshop will be held in Saldanah Bay by the Dept. of Local Government and University of Stellenbosch, at your own expense.
  - 03 June 2022 the Speakers Forum at Drakenstein Municipality.
  - 15 July Speakers of Councils, Welkom in the Free state.
  - SALGA inductions, at the expense of SALGA.

#### 06. STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR

- Geen / None

### ***Sequence of events: (verbatim)***

Cllr. F Kamfer: Speaker, die Burgemeester sê hy het geen kommunikasie, maar ek het 'n statement gelees in die media Speaker; wat my baie unhappy en ongemaklik laat voel. Ek sien by die finansiële challenge staan Council het besluit by die Mei maand se salaris is daar besluit dat salarisse in 3 fases betaal is. Speaker op die stadium, ek dink nie dis die korrekte weergawe nie. Ek kan

onthou daar was 'n versoek van die Munisipale Bestuurder se kant af om te sê dat die 25ste tot die 27ste 'n betaling gedoen moet word. So ek sou baie graag wou weet waar kom die besluit vanaf van die 30ste Speaker, van die Burgemeester se kant. So ek sal baie bly wees as daar so 'n besluit is wat vir ons getoon word dat daar die 30ste betaal moet word, Speaker.

Cllr. A Scheepers: Dan, die ander ding Speaker, wat ek net wil add is dat die ongelukkigheid wat ek het, op hierdie stadium, is dat ek hierdie brief op social media gekry het. Op my emails het ek al gekyk vanaf Maandag soos wat die MM (Municipal Manager) gesê het, hy sal so 'n skrywe Maandag al vir ons uitstuur, maar daar was geen emails nie. Toe moes ek die brief Dinsdag op social media sien, wat vir my sê...

Cllr. F Kamfer: Dis plain undermining Speaker. Nee die ding is buite orde Speaker. Dis die gesag van Council wat undermine word deur die Munisipale Besuurder of die Burgemeester wie dan die master brain agter die ding is. So ek sal baie graag wil weet wat die Raadsbelsuit sê, ek wil dit sien dat daar besluit was dat Council die 30ste gaan pay. Speaker, dis onaanvaarbaar, my toekoms en ander mense se toekomse se kredietwaardigheid word buitekant... ons reputasie Speaker, my bank het afgegaan en daai deel kon ek nie doen nie Speaker. So ek sal baie graag meer clarity wil kry rondom die 30ste Speaker.

Speaker: Cllrs. ek wil net sê in die Reglement van Orde sê dit die Speaker is verantwoordelik vir orde in die Raadsaal. Ek wil net vra of sê, dat elkeen kan 'n beurt kry om sy ongelukkigheid uit te spreek, maar laat ons dit doen in 'n ordelike manier. Kan ek vra, Cllr. Scheepers is u klaar?

Cllr. A Scheepers: Ja Speaker.

Speaker: Cllr. Heins, u wou iets sê terwyl Cllr. Kamfer gepraat het.

Cllr. M Heins: Speaker ek wou net sê ons wil die Raadsbesluit sien want die statement sê Council het besluit. Council het nie besluit nie of dan het ek geheue verlies. Dit was 'n voorstel deur MM soos wat Cllr. Kamfer gesê het en toe sien ons dit op social media terwyl ons nie ook vooraf ingelig was nie. So wat sit en maak ons dan hier Speaker. Wat is ons dan?

Cllr. F Kamfer: Speaker, ek kan onthou dat daar was 'n versoek van die Munisipale Bestuurder in 'n gesprek. Geen Raadsbesluit nie. Jessica of Nigel wat die minutes geneem het moet my reghelp of daar so 'n besluit was. Daar was 'n versoek van die Munisipale Bestuurder om te sê dat die 25ste tot die 27ste sal betaal word. U het gesê, MM moenie so iets sê nie, maak eers seker. U het ook gesê, indien dit so sal wees, stuur dan net aan die Raad 'n kennis of skrywe dat hulle hul nodige reëlins kan tref in terme van betalings deur die bank. Speaker dit het nooit gerealiseer nie. Speaker dit is onaanvaarbaar en ons kan dit nie so laat nie. Daar is geen besluit nie; of was daar meetings off-line gehou waar die besluit geneem is waar ons geminag was? Dit is buite orde Speaker.

Speaker: Kom ons gee die Mayor of die MM 'n geleentheid om te respond:

1. Op die skrywe waarna u verwys
2. Om te hoor wat die besluit was
3. Vir Jessica vra, wat is die nommer van daardie besluit as daar so 'n besluit was.

Munisipale

Bestuurder: Speaker, die press release is 'n release van die Mayor. Ek het die Raad tydens die In-Komitee meegedeel van weë ons finansiële posisie sal ons nie ons salaris commitments nakom nie en dat ons 'n fassering van betalings gaan doen hierdie maand. U het aan my gesê ons moenie 'n commitment maak aan die Raad nie en dat ons moet seker maak of ons die betalings kan doen en dat daar briewe aan die Raad moet voorsien word. Ek is net gou besig om met die Administrasie te konsulteer of daai briewe, ek het instruksie gegee dat daardie briewe na elke Raadslid, individueel omgestuur moet word so eks net gou besig om te confirm of dit gedoen was.

Cllr. R Richards: Thank you Speaker. The discussion around the staggered payments or salaries, as the MM has indicated, was discussed. My interpretation is that the staggering of the payments were conceited to and that is what I have communicated in my open letter. That's the spirit of.... and if I've made a mistake or misrepresented the Council, then I'm happy to retract it, but is my understanding of the discussion that we had.

Speaker: Dankie Mayor. Cllrs kan ek vra dat as daar enige verdere vrae is, dat ons dit skuif na matters for notification toe asb. en dat ons dit daar meer breedvoerig discuss, want ek is seker ek het nie 'n skrywe gekry nie. Wat ek wel kan recall: Die MM het ons meegedeel dat ons 'n challenge het en hy het gesê dat op die 25ste dat amptenare vanaf T3 tot T12 of T13 sal betaal word, T13 en op op die 26ste en Councillors, die 27ste. Ek het toe die Mm gevra, moenie commitments maak as ons nie seker is nie, dat ons moet seker maak en dit dan so kommunikeer met Councillors, want Councillors het ook goed wat moet afgaan, soos debit orders. Ek sê weer, ek het lief geword vir dai woord,

consequence management. So kom ons doen dit by Matters for Notification.

## 07 MATTERS FOR CONSIDERATION

### Rules of Order for Internal Arrangement

#### Part Four:

#### 2. DECISIONS AND VOTING

- 2.1 In the event that the Speaker enquires from the attendees at a meeting if they are in agreement with recommendation/s and there is no opposition by any member present, recommendations are adopted.
- 2.2 The Speaker must put every apposed motion to the vote by calling upon the members to indicate by a raising of hands unless otherwise prescribed by law, whether they are in favour of or against such motion. The result of the vote must thereafter be declared by the Speaker.
- 2.3 The number of members voting in favour of or against an item, is to be recorded in the minutes. Members may abstain from voting without leaving the meeting and may request that his/her abstention be recorded in the minutes of that meeting. Consequently, subsequent to the speaker's declaration of the result, a member may demand that his or her opposition or support of a decision be recorded in the minutes and the Municipal Manager must accordingly arrange for the same.
- 2.4 All decisions must be taken by a supporting vote of the majority of the members present at any meeting of the Council.
- 2.5 The Municipal Council must reconsider a decision taken if the majority of members lodge a request in writing with the Municipal Manager. This shall apply unless such reconsideration adversely affects existing rights. Motions for the reconsideration of decision must be submitted in terms of Rule 5 of the Rules of Order.
- 2.6 Notwithstanding the provision of this Rule, the Council may at any time following a recommendation by the Mayor, rescind or amend any resolution passed by it.

#### Part 5

#### 4. Councillor to address chair

A member who speaks at a meeting must address the chair.

#### Part 5

#### 16. Order of priority

- 16.1 The Speaker must ensure that there is maintenance of order. To this end, the Speaker may, if he / she deems it necessary, at any time in a meeting direct an officer to remove or cause the removal of any person, excluding a member, from the Council Chamber. The Speaker may also direct that the public gallery be vacated.
- 16.2 The removal of any person or persons who refuse to carry out any reasonable instruction given by the Speaker or obstructs the carrying out of such instruction may be ordered by the Speaker.

#### Part 5

#### 3. Precedence of the Speaker

Silence must be observed by all present in meeting when the Speaker addresses meetings in order for the Speaker to be heard without interruption. Whenever the speaker addresses the meeting, all members must be silent so that the speaker may be heard without any interruption. Council must be addressed by members through the Speaker.

#### 13. Relevance

Speeches by members must address the subject or matter under discussion or to an explanation or to a point of order. In this regard, no discussion shall be tolerated in relation to the anticipation of any matter on the agenda or in respect of any matter in respect of which a decision by a judicial or quasi-judicial body or a commission of inquiry, whether instituted in terms of legislation or not, is pending, provided that such matter may be considered with the permission of Council.

#### Part 5

#### 5. Right to speak

A member is provided with an opportunity to speak with the permission of the Speaker only once for no longer than 5 (five) minutes on a matter before the meeting unless authorised by the Chairperson.

A member is entitled to speak once on any recommendation, motion or proposal, provided that the Mayor or Member may reply to conclude a debate and shall restrict himself/herself to answering previous speakers rather than the introduction of new matters.

Prior to the consideration of any item contained in the report of the mayor in reply to a specific question or during discussion of the same, the Speaker shall permit the Mayor, MMC or Chairperson of the Committee in terms of section 79 and 80 of the Local Government Municipal Structures Act 117 of 1998 who made the proposal in terms of rule 9 or rule 14 of part 5 of these Rules to make and explanatory statement.

#### 6. Length of speeches

- 6.1 A member may (unless authorised otherwise by the Speaker) only speak once to-
  - 6.1.1 the matter and any amendments to that matter that is before the council;
  - 6.1.2 any motion before the council;
  - 6.1.3 to a matter or an amendment proposed or be proposed by himself or herself;
  - 6.1.4 a point of order or a question of privilege, unless authorised by the speaker or as provided for in terms of these rules.
- 6.2 No new matters may be introduced by a mover that speaks to a motion and replies to previous speakers in a debate. The right of reply shall not extend to the mover of an amendment which, having been carried, has become substantive motion.



## **7.1 RESOLUTIONS TAKEN BY COUNCIL**

**RB7.1.1/26-05-2022**

### **TABLING OF 2022/2023 FINAL ANNUAL BUDGET**

**After deliberation and a caucus break of 5 minutes granted to the ANC component**

**It was:**

#### **RESOLVED:**

1. That Council approves the final tabled annual budget of Cederberg municipality for the financial year 2022/23 and the two outer years 2023/24 and 2024/25 as per Annexure A (Budget schedules A1 to A10 and supporting schedules SA1 to SA 38)
2. Council approves the final tabled 2022-2023 Annual Budget Report as Annexure B;
3. That Council approves the final tabled property rates and tariffs on service charges and other municipal services as contained in Annexure C for the 2022/23 financial year;
4. That Council approves the electricity tariffs as included in Annexure C as approved by NERSA.
5. That Council adopt and approves the budget related and proposed amendments to the budget related policies listed in Annexure D, as workshopped with Council;
6. That the tabled service standards attached as Annexure E be approved;
7. That the 2022/23 MTREF Procurement Plan per Annexure F be approved;

8. That Council approves the Quality Certificate & Budget Locking Certificate as set out in Annexure G;
9. That Council takes note that version 6.6.1 of the mSCOA classification framework was used to prepare the budget;
10. That Council notes the budget assumptions used to prepare the budget as outlined in Annual Budget Report;
11. That Council approves that an application will be submitted to SALGA to apply for a waiver on the implementation of salary increase due to the financial position of the Municipality.

**Proposed:** Cllr. J Van Heerden

**Seconded:** Cllr. T Waldeck

***No Counter proposals***

***Speaker informed the Meeting that 7.1.2 will now be 7.1.3 and 7.1.5 will now be 7.1.2 and 7.1.3 will now be 7.1.4 and 7.1.4 will now be 7.1.5***

**RB7.1.2/26-05-2022**

**REVIEW OF THE ORGANISATIONAL STRUCTURE:  
CEDERBERG MUNICIPALITY**

**RESOLVED:**

- a) The organisational structure first be workshopped with Council;

- b) It be noted that the rumours of 48 retrenchments/positions being cut, are untrue; and
- c) A more detailed report be brought back to Council for approval.

**RB7.1.3/26-05-2022**

**REPORT TO COUNCIL: IMPLEMENTATION OF  
BUDGET FUNDING PLAN AND OTHER FINANCIAL  
RECOVERY IINTERVENTIONS**

**RESOLVED:**

That:

1. Council takes cognisance of the Report and presentations by the Municipal Manager
2. Council supports the administration in its efforts to improve the financial position of the municipality;
3. The committee notes and approves the following interventions:
  - a. **Vehicle Allowances:**
    - i. Non-management members who currently receive vehicle allowances that are not part of their conditions of service, will have the vehicle allowances revoked;
    - ii. Affected personnel to re-apply for vehicle allowances
    - iii. Essential user scheme to be implemented on lower levels
    - iv. The Vehicle Allowance Policy must be reviewed
  - b. **Cellphone Allowances**
    - i. To be reviewed in line with T-Scales

**c. Scarce Skill Allowances**

- i. Allowance will only be given to employees who received same as part of their service conditions

**d. Contracted Services**

- i. To be reviewed based on cost and affordability
- ii. Alternative Service Delivery measures to be investigated.

**e. Revenue Management and Financial Management**

- i. Implement Revenue Management Initiatives as per the approved Budget Funding Plan
- ii. Review the current budgeting strategy and process as well as expenditure and management systems to ensure efficient and effective service delivery in line with Cederberg Municipality priorities

**Proposed:** Cllr. A Scheepers

**Seconded:** Cllr. F Kamfer

**RB7.1.4/26-05-2022**

**REPORT TO COUNCIL: PROMOTION OF CYCLING  
EVENTS TO PROMOTE ADVENTURE TOURISM IN  
CEDERBERG MUNICIPALITY ROOIBOS2MUISBOS,  
CEDERBERG 2 DAY TREK MOUNTAIN BIKE EVENTS**

**RESOLVED:**

1. The council takes cognisance of the report;
2. The council recognises the importance of the Rooibos2Muisbos Mountain Bike Event and the Cederberg 2-Day Trek as two of the key sport events on the

Cederberg annual events calendar and its impact on the promotion of tourism in the region;

3. The council supports the utilisation of the Lambert's Bay Caravan Park as the finish mark for the Rooibos2Muisbos MTB Event, which facility will be made available to the event at cost.
4. The events are not exempted from paying event approval and traffic and law enforcement fees.
5. The Cederberg Municipality must be recognised as a key partner to the events;
6. The Municipal Manager, be mandated to enter into a Memorandum of Understanding with the event organisers on an annual basis.

**Proposed:** Cllr. F Kamfer

**Seconded:** Cllr. T Waldeck

**RB7.1.5/26-05-2022**

**APPOINTMENT OF ACTING DIRECTOR: FINANCES  
(CFO)**

**RESOLVED:**

- a) **That Council**, in consultation with the municipal manager, appoint Mr. C Appel to act in the vacant position of Chief Financial Officer for a period of three months; and,
- b) Should it be required, obtain approval from the MEC for Local Government in terms of the Act to extend the acting period.

**Proposed:** Cllr. W Van Neel

**Seconded:** Cllr. R Witbooi

**RB7.1.6/26-05-2022**

## **CONSIDERATION OF OVERDRAFT FACILITY**

### **RESOLVED:**

1. Council, in terms of section 45 of the MFMA, take note of the following:
  - (i) Overdraft Facility of R9 000 000.00 payable as set out as follow:
    - a) Overdraft facility of R 9 000 000.00 (Nine million Rand) effectively from 01 July 2022 till 15 March 2023.
2. The Municipal Manager, Mr Dawid Adonis, ID: 640114 5048 082 be mandated to sign all relevant documents with Standard Bank.

**Proposed:** Cllr. T Waldeck

**Seconded:** Cllr. W Van Neel

## **7.2 URGENT ITEMS SUBMITTED BY THE MUNICIPAL MANAGER**

### **WATERKRISIS - LAMBERTSBAAI**

Die Munisipale Bestuurder deel die vergadering mee dat die Burgemeester op 25 Mei 2022 'n vergadering bygewoon het met die MEC van Plaaslike Regering sowel as die HOD, die Regsverteenwoordiger van die eienaar van die plaas sowel as die eienaar van die plaas, mnr. SW Van Zyl.

Tydens die vergadering is bewerkstellig dat Cederberg Munisipaliteit 'n maand uitstel kry. Die MEC het ook aangedui dat hy sal nou met waterwese intervenue om te kyk of hulle nie 'n lisensie vir daardie plaas kan uitreik van mnr. Van Zyl. Daar is reeds aan mnr. Van Zyl 'n aanduiding gegee daarvan. Die tydperk wat ons graag wou hê was 12 maande., maar ons het die maand aanvaar. Die 2 prokureurs sal nou met mekaar skakel en korrespondensie uitruil om dit dan so aan die Regter te voorsien vir die maand grasie.

Daar is ook konsensus bereik om sonder prokureurs met mnr. Van Zyl te skakel en sal die Burgemeester dan later vandag besoek by die plaas gaan doen.

### 7.3 MATTERS FOR NOTIFICATION

#### - Open letter of the Executive Mayor

##### *Sequence of events (verbatim)*

Municipal

Manager:

Speaker, Raadslede, die amptenary van T3 tot T12 was betaal. Die amptenary van posvlakke 13 en op was skriftelik ingelig die betalingsdatum is soos geskeduleer, mōre sal kan geskied. Dan het ek met die bepaalde amptenaar gepraat, in die breuk, wat die briewe aan die Raadslede moes geskryf het en hy het my meegedeel dit het hom skoon ontgaan. So op hierdie stadium is betaling skedule vir Raadslede, in die breuk het ek gaan luister hoe lyk ons bank balans. Miskien moet ek net vir die Raad mee deel nadat ons Woensdag die oorbetalings gedoen het vir die T3 tot T12, het ons net R36000 in die bank gehad. Ons het omtrent R4miljoen uitbetaal en ons nodig R1.6miljoen vir die uitbetaling van T13 tot by MM en dan so R260 000 vir die Raadslede. Dan Dinsdag moet ons nog R3.5miljoen betaal vir ons mediese fondse en pensioen bydraes vir werknemers. So, ons sit in 'n groot krisis op hierdie stadium wat ons kontant vloei betref. Ek dink net dis nodig dat ek die Raad meedeel dat ons is in 'n geweldige uitdagende situasie as Cederberg Munisipaliteit.

Cllr. F Kamfer:

Speaker, eerstens, as daar gekommunikeer was kon ons beter voorsorg maatreëls getref het. Dit het nie gebeur nie. Tweedens, deur u na die acting CFO, wil ek baie graag 'n vraag vra en omdat ek weet wat was in die vorige tyd gedoen as ons by hierdie situasies kom. Daar was dan vir die CFO gevra om onmiddellik met ons groot besighede op te tree ten minste 2 tot

3 weke vooraf. Het daar so 'n instruksie na u gekom om ons mense aan te slaan wat ons derduisende rande skuld, miljoene rande skuld. Was daar so iets gedoen om daardie gelde in te kry Erika?

Erika Visser: Waar ons dit voorheen 1 keer per maand gedoen het, het ons die sny op 'n twee weeklikse basis begin doen vir residensieel as ook besighede. Van die plase is dan ook oorhandig aan die prokureurs.

Cllr. F Kamfer: Speaker ek wil graag 'n direkte vraag vra Speaker. Ons kommersiële mense soos Seekoevlei, Patrysvlei, hierdie tipe plase. Was daar interventions by hierdie plase? Dis plase wat ons groot gelde skuld. Hulle sal

Erika Visser: Kredietbeheer het wel intervene en is die nodige inligting dan oorhandig aan die prokureurs.

Cllr. F Kamfer: So hulle het net eenvoudig geweier om te betaal. As on skyk na die bedrag wat die mense skuld, Namakwa Sitrus, die mense skuld ons baie geld en die mense betaal net nie.

Speaker: Cllrs. kyk, ek verstaan die current situation, maar die POPI Act weerhou ons ook om mense se inligting bekend te maak.  
Kan ek vra dat ons In-Komitee gaan met dit asb.

**Council now shifted to In-Committee.**

#### **7.4 CONSIDERAATION MOTIONS OF EXIGENCY**

- Geen / None



**08. CLOSURE**

- Meeting adjourned at 14h20.

\_\_\_\_\_  
**VOORSITTER / CHAIRPERSON**

\_\_\_\_\_  
**DATUM / DATE**