



NOTULES VAN DIE / MINUTES OF THE

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

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

08 FEBRUARIE / FEBRUARY 2023

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**MINUTES OF THE URGENT SPECIAL COUNCIL MEETING OF THE CEDERBERG
MUNICIPALITY HELD ON 08 FEBRUARY 2023 IN THE COUNCIL CHAMBER AT 2A
VOORTREKKER STREET, CLANWILLIAM.**

PRESENT AND IN ATTENDANCE:

As per the attendance register:

Cllr. M Heins

Cllr. W Farmer

Cllr. F Kamfer

Cllr. P Strauss

Cllr. A Scheepers

Cllr. R Richards

Cllr. M Bergh

Cllr. J Hayes

Cllr. J Van Heerden

Cllr. L Venter

Mr. A Titus, Mr. C Appel, Mr. C Sheldon, Mr. H Witbooi, Miss E Visser, Mr. D Frantz,
Miss J Cloete

APOLOGIES:

- Geen / None

ABSENT WITHOUT APOLOGY:

- Geen / None

1. OPENING AND WELCOMING

- The Chairperson, Cllr. M Heins welcomed all present. Cllr. P Strauss opened the meeting with a prayer.

2. ELECTION OF (ACTING) SPEAKER, IF NECESSARY

N/A

3. APPLICATIONS FOR LEAVE OF ABSENCE

- Geen / None

4. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

- 4 The Speaker informed all due to the disruption of a quorum on 31 January 2023's Council Meeting, there were items that still needed to be finalised. The Speaker then announced that, at this time, Council will proceed to an In-Committee to finalise the items not dealt with on 31 January 2023.

DEBATE – COMMENTS - REMARKS

- 4.1 Cllr. Richards addressed the Speaker and pointed out that as per the notice for this meeting, the Agenda of 31 January 2023 would be the discussion for today. In the previous notice an addition to the notification was added informing Council that an In-Committee will follow. However, this meeting, there wasn't a notification alerting councillors that there would be an In-Committee and Council is informed at this moment.
- 4.2 The Executive Mayor, through the Speaker mentioned to the house that the In-Committee was part of the Agenda for 31 January 2023 and that this meeting in fact is an extension of that meeting.
- 4.3 Cllr. Hayes raised a point of order: That Councillors were informed of an In-Committee that will follow after the Agenda of 31 January were handled and not at the start of the meeting.
- 4.4 The Executive Mayor raised a point of order: The Rules of Order informs Councillors that the format of the meeting can be determined by the Speaker and Councillors must abide by the rules you lay down.
- 4.5 The Speaker responded and told Cllrs. Richards and Hayes that this is a repeat of the Agenda for 31 January 2023 and that an In-Committee was part of the business.
- 4.6 Cllr. Richards requested the Speaker to inform Council regarding the topic or focus of the In-Committee items about to be discussed.

- 4.7 The Administration responded through the Speaker:
- 4.7.1 Extension of Acting of Snr. Personnel: Acting MM, Acting CFO, Acting Director Support Services.
 - 4.7.2 Recruitment process of the Appointment of MM
 - 4.7.3 Recruitment process of the Appointment of CFO
 - 4.7.4 The Appointment of Director Technical Services will not be handled as Mr. Mpoti withdrew his application.

CAUCUS BREAK

- 4.8 The meeting convened after a 5minute caucus break was allowed to Cllr. Richards by the Speaker.
- 4.9 Cllr. Richards informed Council that it is the view of the CE/DA/VF Plus coalition to insist that the coalition be allowed to apply their minds properly to these matters and that adequate notice should be given in this regard. The limited time given to prepare for the mentioned items, is deemed unacceptable and it is on that basis that the coalition cannot participate in this In-Committee session on these matters.
- 4.10 **SPEAKERS RULING:** It is then on that basis that Council will continue with the In-Committee session. "If you state that you will not participate then it means that the quorum will be disrupted and these matters cannot be resolved upon."
- 4.11 The Speaker responded to Councillor Richards informing him that protocol for In-Committees is that Councillors receive these items in the meeting. Usually time is provided to familiarise themselves with the content of these items and then room for debate is also given before resolving on these matters.
- 4.12 Cllr. Richards responded to the Speaker by informing him that he is addressing the issue of principle of adequate notice. The fact that it was norm doesn't mean that it was right. However, the coalition shall be guided by the ruling of the Speaker, which are respected.

- 4.13 The Speaker responded to Councillor Richards and informed him that in the past, this protocol also applied.
- 4.14 The Executive Mayor, through the Speaker informed the house that this protocol is the norm in Local Government given that you deal with matters that is highly confidential.
- 4.15 Cllr. Richards, through the Speaker, said that the concept or principle of an In-Committee session is not being questioned. The issue is the inadequate time given to Councillors to apply their minds to the content of what is to be discussed.
- 4.16 After robust debate the Speaker made a ruling:
- ***That Council will proceed with the In-Committee session and it will be done in the manner in which it was always done.***
- 4.17 Cllr. Richards addressed the Speaker saying that in light of the ruling made by the Speaker, the (CE,DA and FF+) will have to excuse themselves from the meeting.
- 4.18 The Speaker reminded these Councillors that they are again, breaching the Code of Conduct for Councillors and that the MEC will be notified accordingly.
- 4.19 Speaker informed the house that the quorum has been disrupted and the meeting shall be delayed for 10 minutes.
- 4.20 After 10 minutes there is still no quorum.

Members present:

- Cllr. M Heins
- Cllr. W Farmer
- Cllr. F Kamfer
- Cllr. P Strauss
- Cllr. A Scheepers

Members leaving without consent from Speaker:

- Cllr. R Richards
- Cllr. M Bergh
- Cllr. J Hayes
- Cllr. J Van Heerden
- Cllr. L Venter

08. CLOSURE

- Meeting adjourned.

VOORSITTER/CHAIRPERSON

DATUM/DATE