



NOTULES VAN DIE / MINUTES OF THE

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

24 NOVEMBER 2023

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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 24 MARCH 2023 IN THE COUNCIL CHAMBER AT 2A VOORTREKKER STREET,
CLANWILLIAM.**

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CIRCULATED AGAIN.**

PRESENT AND IN ATTENDANCE:

As per the attendance register:

Cllr. J Hayes

Cllr. R Richards

Cllr. A Mouton

Cllr. L Venter

Cllr. J Van Heerden

Cllr. M Bergh

Cllr. F Kamfer

Cllr. A Scheepers

Cllr. M Heins

Cllr. P Strauss

Cllr. W Farmer

Mr. GF Matthyse (Virtually logged in)

Mr. N Smit

Mr. H Witbooi

Mr. R De Ridder

Mr. C Sheldon

Mr. J Goeieman

Miss J Cloete

APOLOGIES:

- Geen / None

ABSENT WITHOUT APOLOGY:

- Geen / None

1. OPENING AND WELCOMING

- The Chairperson, CllrJ Hayes welcomed all present and Cllr. F Kamfer 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

- A) The Speaker ruled and informed Council that:
1. the Item 16's will now form part of the open debate/meeting and will not be handled as In-Committee items.
 2. The order of business will proceed as numbered in the Agenda but will communicate any changes if so required.

5. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

- A) The Executive Mayor informed the meeting of the following:
1. He is excited in which direction the municipality is going. On 23/11/2023 he, as the Mayor joined the Technical Director and the PMU Manager for a fotoshoot to receive the yellow fleet (diggerloader and bulldozer) for our service delivery – Communication department currently busy with a press release to announce this positive news to the Cederberg Community.
 2. Introduction of the newly appointed Director Technical Services, Mr. Riaan De Ridder.

3. Three works left for the calendar year and a lot to fit in. The Mayor requested a few minutes after this Council Meeting of Cllr. Kamfer's time to discuss any engagements that Council might have.

6. REPORT BY THE EXECUTIVE MAYOR ON DECISIONS TAKEN BY THE EXECUTIVE MAYOR, THE EXECUTIVE MAYOR TOGETHER WITH THE DEPUTY EXECUTIVE MAYOR AND THE EXECUTIVE MAYOR TOGETHER WITH THE MAYORAL COMMITTEE

- Geen / None

7. MATTERS FOR CONSIDERATION

7.1 ITEMS SUBMITTED BY OFFICIALS OF COUNCIL

RB7.1.1/24-11-2023 PROPOSED AMENDMENT TO THE: CUSTOMER CARE, CREDIT CONTROL, DEBT COLLECTION, INDIGENT AND TAMPERING POLICY 2023/24

RESOLVED:

a) Approve the minor change in the Customer Care, Credit Control, Debt Collection, Indigent and Tampering Policy 2023/2024 as approved by Council on 31st of May 2023.

b) That the following amendments to the policy be implemented with effect **01st of December 2023:**

8.6

Except where expressly provided to the contrary in this Policy, the Municipality will levy interest on

***all arrear accounts at a rate of prime plus 1%,
 except those clients whom have entered into a
 payment arrangement as per the policy.***

Proposed: Cllr. L Venter

Secondment: Cllr. M Bergh

Counter Proposal: Cllr. F Kamfer

(Did not have adequate time to familiarise himself with the content and amendments of the policy and it was not workshopped).

Secondment: Cllr. A Scheepers

VOTE

FOR	AGAINST	ABSTAIN
CE – 3 DA – 2 FF+ - 1	ANC – 4 PA - 1	-

RB7.1.2/24-11-2023

QUARTERLY BUDGET INCLUSIVE OF TOP LAYER SERVICE DELIVERY IMPLEMENTATION PLAN (SDBIP) AND SUPPLY CHAIN MANAGEMENT REPORTS: JULY 2023 – SEPTEMBER 2023

RESOLVED:

- a) That Council takes note of the:
 1. Take note of the Quarterly Budget Statement inclusive of the Top Layer Service Delivery Implementation Plan (SDBIP),

2. Take note of the Virements Report for the first quarter, and
3. Take note of the Supply Chain Management Report for the first quarter.

RB7.1.3/24-11-2023

INDIVIDUAL PERFORMANCE MANAGEMENT POLICY

RESOLVED:

- a)** That Council considered and approved item no RB7.1.3/24-11-2023 on the Individual Performance Management Policy.

Proposed: Cllr. L Venter

Secondment: Cllr. M Bergh

Counter Proposal: Cllr. F Kamfer

(Policy should first be workshopped before Council can consider).

Secondment: Cllr. A Scheepers

VOTE

FOR	AGAINST	ABSTAIN
CE – 3 DA – 2 FF+ - 1	ANC – 4 PA - 1	-

RB7.1.4/24-11-2023

NEW TRAFFIC BY-LAW - DRAFT

RESOLVED:

A. That council resolved in **Item no RB7.1.4/24-11-2023 on the "CEDERBERG TRAFFIC BY-LAW - DRAFT"** that:

1. The Traffic by-law is approved, in principle, by Council;
2. That the Traffic by-law is published for public comment;
3. That the public comments be collated and be submitted to Council for final approval into section 12 to 15 of the Local Government : Municipal Systems Act, 2000 (Act 32 of 2000).

It further be noted that:

4. The following be changes be made on P58 of the said By-law: **2021 change to 2023**

Proposed: Cllr. L Venter

Secondment: Cllr. M Bergh

RB7.1.5/24-11-2023

**AMENDED CEDERBERG LIQUOR TRADING DAYS AND
HOURS BY-LAW - DRAFT**

RESOLUTION BY CONSENSUS

a) After discussion and debate, it was resolved that the item be referred back to the Administration and prepared to be tabled at the Council Meeting scheduled for 14 December 2023.

RB7.1.6/24-11-2023

**ITEM 16 BREACH OF ITEM 2 OF SCHEDULE 7 OF THE
LOCAL GOVERNMENT MUNICIPAL STRUCTURES ACT,
1998 (ACT 117 OF 1998 CODE OF CONDUCT FOR
COUNCILLORS -: CLLR. MAXWELL HEINS, CLLR. AZRAIL
SCHEEPERS, CLLR. FRANCOIS KAMFER AND CLLR. PAUL
STRAUSS**

RESOLVED:

1. That Council approved the completion of a preliminary investigation, by a suitably qualified person, in terms of the Code of Conduct for Councillors.
2. That the Municipal Manager be mandated to procure the services of a suitably qualified person in terms of the Supply Chain Management Policy of Council.

3. That the person appointed submit a complete report to council on their findings and make recommendations to Council in terms of their findings

Proposed: Cllr. L Venter

Secondment: Cllr. M Bergh

Cllr. F Kamfer would like to put the following on record:

- *That Council can continue with the processes but all Councillors in support of these reports be held accountable in their personal capacity if any financial implications may occur.*

RB7.1.7/24-11-2023

ITEM 16 BREACH OF ITEM 2 OF SCHEDULE 7 OF THE LOCAL GOVERNMENT MUNICIPAL STRUCTURES ACT, 1998 (ACT 117 OF 1998 CODE OF CONDUCT FOR COUNCILLORS -: CLLR FRANCOIS KAMFER

RESOLVED:

1. That Council approved the completion of a preliminary investigation, by a suitably qualified person, in terms of the Code of Conduct for Councillors.
2. That the Municipal Manager be mandated to procure the services of a suitably qualified person

in terms of the Supply Chain Management Policy of Council.

3. That the person appointed submit a complete report to Council on their findings and make recommendations to Council in terms of their findings.

Proposed: Cllr. L Venter

Secondment: Cllr. M Bergh

RB7.1.8/24-11-2023

ITEM 16 BREACH OF ITEM 2 OF SCHEDULE 7 OF THE LOCAL GOVERNMENT MUNICIPAL STRUCTURES ACT, 1998 (ACT 117 OF 1998 CODE OF CONDUCT FOR COUNCILLORS : CLLR JOSEPH FARMER

RESOLVED:

1. That Council approve the completion of a preliminary investigation, by a suitably qualified person, in terms of the Code of Conduct for Councillors.
2. That the Municipal Manager be mandated to procure the services of a suitably qualified person in terms of the Supply Chain Management Policy of Council.
3. That the person appointed submit a complete report to council on their findings and make

recommendations to Council in terms of their findings.

Proposed: Cllr. L Venter

Secondment: Cllr. M Bergh

Counter Proposal: Cllr. F Kamfer

(The case has no merit. All Councillors in support of this report be held accountable in their personal capacity if any financial implications may occur).

Secondment: Cllr. A Scheepers

Cllr. W Farmer would like to put the following on record:

- *The report speak to a Council Meeting that took place on November 2023. He would like to make it known that there was no Council Meeting taking place on the said date and there may be consequences because of the wrongful information obtained in this report.*
- *Councillor Richards challenged and corrected Councillor Farmer by informing council that, to his knowledge, a corrected/amended date was communicated in writing to the relevant councillors.*

VOTE

FOR	AGAINST	ABSTAIN
CE – 3 DA – 2 FF+ - 1	ANC – 4 PA - 1	-

RB7.1.9/24-11-20243

ITEM 16 BREACH OF ITEM 2 OF SCHEDULE 7 OF THE LOCAL GOVERNMENT MUNICIPAL STRUCTURES ACT, 1998 (ACT 117 OF 1998 CODE OF CONDUCT FOR COUNCILLORS : CLLR FRANCOIS KAMFER, CLLR PAUL STRAUSS, CLLR AZRAIL SCHEEPERS, CLLR JOSEPH FARMER AND CLLR MAXWELL HEINS

RESOLVED:

1. That Council approved the completion of a preliminary investigation, by a suitably qualified person, in terms of the Code of Conduct for Councillors.
2. That the Municipal Manager be mandated to procure the services of a suitably qualified person in terms of the Supply Chain Management Policy of Council.
3. That the person appointed submit a complete report to council on their findings and make recommendations to Council in terms of their findings.

Proposed: Cllr. L Venter

Secondment: Cllr. M Bergh

Counter Proposal: Cllr. F Kamfer

(The case has no merit. All Councillors in support of this report be held accountable in their personal capacity if any financial implications may occur).

Secondment: Cllr. A Scheepers

VOTE

FOR	AGAINST	ABSTAIN
CE – 3 DA – 2 FF+ - 1	ANC – 4 PA - 1	-

8.2 Urgent Matters submitted by the municipal Manager

RB7.2.1/24-11-2023

CONSTITUTION OF COUNCIL COMMITTEES:

MUNICIPAL

PUBLIC ACCOUNTS COMMITTEE

RESOLVED:

- a) That Council accepted Cllr. van Heerden's resignation as a member of MPAC as per section 79A(2) of the Municipal Structures Amendment

Act 117 of 1998 and replace him with Cllr. W Farmer.

b) MPAC members will be appointed for a term which corresponds to the term of council;

Proposed: Cllr. F Kamfer

Secundi: Cllr. M Bergh

8.3 MATTERS FOR NOTIFICATION

- An In-Committee took place.

8.4 CONSIDERATION OF MOTIONS OF EXIGENCY

- Geen / None

8.5 CONSIDERATION OF NOTICES OF QUESTIONS

- None

8.6 CONSIDERATIONS OF NOTICES OF EXIGENCY

- None

07. CLOSURE

- Meeting adjourned at 11h51.

VOORSITTER/CHAIRPERSON

DATUM/DATE