



**NOTULES VAN DIE / MINUTES OF THE**

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

**14 DESEMBER / DECEMBER 2023**

.....

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

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**MINUTES OF THE COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY HELD ON  
14 DECEMBER 2023 IN THE COUNCIL CHAMBER AT 2A VOORTREKKER STREET,  
CLANWILLIAM.**

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**PRESENT AND IN ATTENDANCE:**

As per the attendance registers copied into the minutes after the final item:

**ABSENT WITHOUT APOLOGY:**

Geen / None

**1. OPENING**

- The Chairperson called the meeting to order and welcomed all present.

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

N/A

**3. APPLICATIONS FOR LEAVE OF ABSENCE**

- Cllr. W Farmer

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

- Geen / None

**5. CONFIRMATION OF MINUTES**

- 1) That Council approves the following minutes:
  1. Council Meeting held on 31 August 2023;
  2. Special Council Meeting held on 16 October 2023;
  3. Special Council Meeting held on 24 November 2023.

**Proposed:** Cllr. L Venter

**Seconded:** Cllr. J Van Heerden

It further be resolved that:

- b) In-Committee resolutions also be tabled at full Council Meetings for consideration, subject to legal compliance.

**Proposed:** Cllr. R Richards

**Seconded:** Cllr. F Kamfer

## **6. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER**

**RB06/14-12-2023 COUNCIL RECESS**

**RULING BY SPEAKER:**

- a) It be noted that Council will be in recess from 15 December 2023 until 14 January 2024; and
- b) It further be noted that Councillors be available should any emergency or urgent matters arise.

## **7. STATEMENTS AND COMMUNICATION BY THE EXECUTIVE MAYOR**

- See attached.

## **8. 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**

**RESOLVED:**

- a) That Council takes cognisance and approved the following reports submitted by Mayco:
1. Mayco Minutes of 23 August 2023;
  2. Mayco Minutes of 26 September 2023;
  3. Mayco Minutes of 25 October 2023; and

4. Mayco Minutes of 22 November 2023.

**Proposed:** Cllr. L Venter

**Seconded:** Cllr. J Van Heerden

## 9. 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 an 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 to 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.

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## 9.1 DISCUSSIONS BY COUNCIL AND RESOLUTIONS TAKEN

### **RB9.1.1/14-12-2023** AMENDMENTS TO INCOME, OPERATIONAL AND CAPITAL EXPENDITURE PROJECTIONS – ADJUSTMENTS BUDGET 2023/2024 DECEMBER 2023

#### **RESOLVED:**

1. That Council approves the Adjustments Budget for 2023/24 financial year, amendments to income, operational and capital expenditure projections as set out in the following:
  - Municipal Budget tables B1 – B10
  - Municipal Budget Supporting Documentation SB1 – SB19
2. That Council notes that the Service Delivery Budget Implementation Plan be amended in line with these adjustments.

**Proposed:** Cllr. L Venter

**Seconded:** Cllr. J Van Heerden

**Unanimously**

### **RB9.1.2/14-12-2023** DEBT RELIEF PROGRESS REPORT

#### **RESOLVED**

- a) That Council noted the progress of the Debt Relief Programme of the Cederberg Municipality.

### **RB9.1.3/14-12-2023** SECTION 154 SUPPORT PLAN

#### **RESOLVED:**

- a) That council noted the Section 154 Support Plan.

### **RB9.1.4/14-12-2023 WATER AND SANITATION MASTER PLAN (WSMP) AND WATER SERVICES DEVELOPMENT PLAN (WSDP)**

**RESOLVED:**

- a. Council noted the completion of the WSMP and WSDP;
- b. Council noted that the plans (together with own analysis, and ward priorities) will inform the future IDP and Budget allocations and long term infrastructure implementation plans;
- c. Council adopted the WSMP and WSDP.

**Proposed:** Cllr. L Venter

**Seconded:** Cllr. M Bergh

**No Counter Proposals**

### **RB9.1.5/14-12-2023 AMENDED CEDERBERG LIQUOR TRADING DAYS AND HOURS BY-LAW: DRAFT**

**RESOLVED:**

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

**Proposed:** Cllr. L Venter

**Seconded:** Cllr. M Bergh

**No Counter Proposals**



## 9.2 Urgent matters submitted by the Municipal Manager

### A: SIU BILL – R2.28 MILLION

The Municipal Manager informed Council that the he requested a break-down in the bill and after receipt of the said break-down, an item will be prepared for Council.

### B: CLACKSON POWER

The Director Technical Services had a meeting with the lawyers on 13 December 2023. In January a settlement agreement will be submitted to Clackson. Matter is currently in progress. Will be provide feedback to Council in due time.

### C: SECURITY

Toi inform Council that the new Security Tender will be saving Council about R7 million. On the GAP Security matter, the Administration will continue to provide progress to Council.

## 9.3 Matters for notification

- The Speaker ruled that no In-Committee will take place.

## 9.4 Consideration of notices of questions

- Geen / None

## 10. CLOSURE

- Meeting adjourned at 11h30

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VOORSITTER / CHAIRPERSON

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DATUM / DATE



**STATEMENT BY EXECUTIVE MAYOR – DR RUBEN RICHARDS**

*As per Section 7 of Agenda of Council meeting held 14 December 2023*

Title of Speech / Statement:

***SERVICE DELIVERY – A tribute to our blue-collar army (surgeons)***

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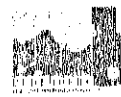
## 1. POTHOLES – a window into the soul of the nation

Today (14 Dec 2023) council goes into recess for a month and so we come to the end of yet another year. Speaker, I wish to beg the indulgence of council before South Africa officially switches off in a few hours time, and request that we take a moment to reflect on the events of the past year.

No doubt, during this past year we have experienced extreme weather conditions which exacerbated our already compromised municipal infrastructure, especially our roads. Potholes appeared like unwanted acne pimples on the face of a teenager. They just kept on appearing and of course were unwanted. It's just not good for the image, as a teenager will tell you, for pimples to keep appearing.

On a more serious note, potholes remain, in my view, a window into the soul of our nation. In other words, if you want a concrete – and please pardon the pun - (as opposed to an abstract) perspective on the state of health of our nation, one place to look is potholes. In this regard, we need to take note of a sobering report from the South African National Roads Agency (Sanral) tabled at the seventh South African Road Federation regional conference held in 2022. There, Sanral reported that South Africa's roads have an estimated 25 million potholes – around seven million more than the estimated households in the country. The number is also 10 million more than reported in 2017, an increase of 67% in five years. In other words, and in terms of the health index of our nation, and using the pothole as an index, things are getting worse and not better. And when you are very ill/sick you need a surgeon to fix you.

It is into this environment that the recent pothole repair project of the Cederberg municipality must be located. As a post-June 2023 flood restoration and rehabilitation project, and with limited resources, our blue collar army (our general workers – those wearing the blue overalls) miraculously repaired 7057 potholes in 17 days in our municipality at a cost of a mere R544,000 rand. In addition, they completed a Phase 1 of the slurry project (sealing of the roads) in Citrusdal and Lambert's Bay. In 8 days they covered 12 751 square meters of road at a cost of R 216 306,74. This has never been achieved before and other municipalities are now calling the MM to find out the magic formula.



Our blue collar workers were the surgeons called in to operate on a very sick patient – a pothole-ridden municipality. And these blue collar surgeons performed a superb job under the leadership of our MM, Gerrit Matthyse.

We are still debriefing our pothole repair miracle. What we can say with a fair amount of certainty is that with the right leadership and motivation in place we as a municipality can perform miracles. We can contribute to the healing of our land – albeit fixing potholes.

With this as background, I therefore want to indicate that the main thrust of my report to council today which is Appreciation. I want to say thank you to all our general workers and then also to all other staff who worked behind the scenes to deliver a successful project. Thank you to the councillors for their support albeit with caution and being careful not to interfere in administration.

In regard to expressing appreciation, I conducted Mayoral town visits this past week to personally thank our staff, and in particular our blue collar army of workers, for their contribution to fixing our vulnerable and broken municipality through this small window called pothole repairs. On the strength of our Vala-i-Pothole project, I am happy to report that we are on the mend to delivering basic services with a smile. Project Vala-i-Potholes has proven to us that we have what it takes to turn around our municipality. My hope is that the magic of our blue collar army will spread throughout the municipality as we collectively join hands to restore the Cederberg municipality to its former glory. Let us show the rest of the country what it means to deliver basic services to our people notwithstanding very difficult fiscal constraints. Let us use the Vala-i-Pothole project as a catalyst to inspire us to achieve our vision which dreams of the Cederberg Municipality as the home of good governance, service excellence and opportunities for all.

Thank you to the residents who provided food for our pothole repair team.



## 2. CORE BUSINESS OF A MUNICIPALITY

As mentioned, I recently conducted Mayoral Infrastructure visits where I inspected the municipal infrastructure for which we are the custodians. I personally visited the various sites interacted with our staff and asked lots of questions and also listened to staff. On Monday and Tuesday this past week I completed another round of town visits. This time the purpose was to meet with staff face-to-face and say a thank you to them for their work and to wish them happy and safe holidays.

During these visits, as well as on various other occasions, I remind my audiences that the core business of the municipality is to deliver basic services and good governance. I tell them that we are not an employment agency. We are a service delivery agency. We are a business that provides services in exchange for payment. Sometimes people look at me very strangely when I say that. Some even want to argue against what I am saying. Then I remind them of the vision of the municipality – To be the home of good governance, service excellence and opportunities for all.

## 3. GOVERNANCE - A new team

I am happy to report at the level of **good governance** we are on track. We now have a stable council and we are reviewing and aligning all policies and by-laws with the latest legislative amendments and changes. This is an ongoing task and we can barely keep up. We, of course, have no shortage of by-laws. We just have a shortage of being able to implement them with excellence and without fear, favour or prejudice. But, I am confident we shall get there too.

At the level of **service excellence**, I am happy to report that we have a new and competent team of Directors and Managers. For example, we have a new water manager – Heiny Adams. Our new Technical Director (an engineer) – Rlaan de Ridder - who started three weeks ago. We also have a new PMU – Project Management Unit manager, Denver Cloete. His job is to find us money / grants to buy equipment and source funding for capital projects so that we can fix our municipality. We have a new head of Administration, Alice Wilton. We have a new Chief Financial Officer, Nico Smit. We have an old but new Director Support Services, Henry Witbooi.



Let me share with you a significant observation: The last time the municipality had a full time top management team was 13 years ago. When I introduced the MM and the three directors to the staff over the past two days during our town visits, I told them that this was history in the making. We made it a priority to appoint the right people. Sadly, it has taken us two years to just stabilise the top management team and get the posts filled.

This new team has only been with us a few months now, and they are still finding their feet. And yet we can already feel and see the difference they are making. Well done to the MM and his team.

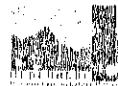
Let me now give you a quick snap shot of progress to date under the following headings – Finance, Service Delivery and Governance.

### **FINANCES, SERVICE DELIVERY AND GOOD GOVERNANCE**

Everything is work in progress so please view the list below in that context:

#### **Finances**

- Let me provide some high level contrasts.
- When we took office 2 years ago our creditors was R103 million. Today it is R60 million. We have reduced our creditors by 42%
- When we took office the Debtors book was R135 million of which the vast majority of debt was older than 90 days and almost irrecoverable. We have managed to recover R9m from Debtors thus far.
- Our income has moved from a collection rate of 85 percent to 92%.
- We are still financially vulnerable and our budget is still unfunded – something we are desperately trying to fix in time for the next financial year. This means we are still technically bankrupt. But the signs are positive and we have been able to accumulate some small reserves in the meantime. It was those reserves which could pay for the pothole repair project, for example, and contribute a portion towards the purchase of our new yellow fleet vehicles (2 digger loaders and a bulldozer).



- Cost containment / budget cuts remains in place. All expenditure is double-checked. Unfortunately, there is still no budget for tea or coffee for the Mayor's office. We bring our own from home.
- Importantly, we have qualified for Eskom Debt Relief – which means that if we religiously pay our monthly current account (which is about R10m per month), Eskom will write off our Debt of around R42m over three years at a rate of R14m per annum.
- And lastly, unlike Mafube municipality in the Free State, our staff will receive their salaries and bonuses for December. Mafube Municipality on the other hand issued a letter to all staff stating that the municipality will not be able to pay their staff salaries for the next three months – Dec, Jan, Feb and possibly also March 2024.
- Thanks to stringent fiscal discipline under the leadership of our MM, Nico Smit, and not filling unnecessary posts and reviewing the contracts of all service providers for a better deal, and then adding the payment of accounts by ratepayers/customers, our finances are looking much better than those of Mafube Municipality. We are positively on the mend. I am confident we shall achieve a funded budget in time for the next financial year which starts 1 June. At least that is the goal.

### Service delivery

- You have seen and I have already spoken about our miraculous pothole repair project.
- We manage to fix 7057 potholes ourselves (without any outside contractor). We completed the job 17 days at a cost of R 544 380.00
- We also successfully concluded a phase 1 road slurry (sealing of the road) project in Citrusdal and Lamberts Bay. In 8 days we covered 12 751 square meters of road at a cost of R 216 306,74.
- The pothole and slurry project has never been achieved at this scale and pace before and other municipalities are now calling us to find out the magic formula. All we can say is that the magic is our people. With the right leadership and motivation in place we can perform miracles.
- We have just acquired specialist waste management machinery via a grant for approximately R3m (bulldozer and two digger loaders – the yellow fleet).

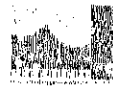




- In the new year (2024) we hope to purchase new garbage trucks. We are awaiting confirmation of our grant funding for further capital projects.
- We are about to start upgrading the sewerage plant in Clanwilliam. The tender has been advertised and closed this week I think. We received grant funding to complete this project. I suspect we will have contractors on site by end February 2024.
- We are busy desperately trying to fix the poor quality of water in Clanwilliam. In this regard, I recently called an urgent WATER INDABA which was meeting with the Water Users Associations of the Cederberg to get their guidance and advice. This was a most productive engagement and a partnership has developed with our new water management team and the Water User Associations.
- We have begun to number the shacks in our informal settlements. We need to know exactly how many people are living there so that we can better manage the provision of services.
- In the New Year we will install electrical pay-as-you go meters in Khayalitsha as a pilot: No more free services and no more stealing of electricity and water. Everyone must pay. The days of stealing water and electricity will come to an end under my leadership.
- In Citrusdal we are going to move the shacks which are below the flood line and which pose a risk of polluting the Olifants River waterways.
- We are implementing a customer complaints system: One that actually works. I am still sceptical but at the same time I am pushing hard so that our residents (and staff) can have a responsive and reliable complaints interface with the municipality. I know many resident complain bitterly about unsatisfactory calls to municipality and not getting their complaints properly logged or handled. This too must and will change in time.

### Organisational Renewal

- We are reviewing our current staffing structure (our organogram) so that we have the optimal number of positions to deliver services adequately and professionally.



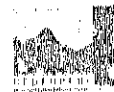
- We currently have over 500 positions on the staff establishment. This is the organogram we inherited. The consultants appointed by Provincial Government in 2023 tell us that our optimal number of staff should be around 461 positions. The key to all of this is affordability. At the moment we can just about afford what we have which is about 325 positions.

### Governance

- As of 1 March 2023, our council meetings are no longer disruptive but instead productive (and peaceful).
- As already indicated, all policies and by-laws are in the process of being reviewed and aligned to recent amendments in legislation.
- We are exploring partnerships with the private sector in respect of the delivery of all services to the municipality.

### The future - 20 year plan

- We are developing a 20-year plan for the Cederberg. We must take a long term view even though our current needs are urgent and immediate. But, it is prudent to take a step back and dream of what we want the Cederberg to be in 20, 30, 40 year's time. I have had a few meetings with our town planners and Mayco has received a detailed report of land availability within our municipal area.
- We want to be able to attract investment and increase tourism. In order to do that we need to be able to guarantee consistent basic services, provide safety and security and provide good investment incentives. These matters are now under discussion and some of these will surface at the strategic planning session we intend for council and top management towards the end of January 2024. I will keep you posted on these developments.
- Of course, loadshedding does not help. Perhaps the municipality must own its own renewable energy source instead of depending on Eskom.



#### **4. “154 RESCUE PLAN” IN CONTEXT**

I can list a number of other activities and projects to show that we are trying our best to fix our broken and injured municipality as quickly as possible. The challenge is to prioritise. What do we fix first? The bigger challenge is the lack of money to fix things. So, as Mayor I am unashamedly going around to other municipalities begging and asking for help.

At the level of how to set priorities, the answer is provided for us by the approved 154 Rescue plan. As you know, the 154 Budget Funding Plan is dictated/Imposed by the Western Cape Provincial government. It should have been a 139 plan – which as you know is placing the municipality under administration. I remind you that the new council elected in November 2021 immediately requested the help of provincial government to rescue our municipality which was technically bankrupt and terribly dysfunctional. The rescue plan was agreed (i.e. called the 154 plan). This plan identified 71 action items across all areas including finances, governance, service delivery, staffing etc, which needed to be completed/achieved in order to fix and stabilise the municipality.

I am happy to announce that we are well on our way to recovery. It requires tight fiscal control and discipline on the one hand. On the other hand, it requires a dramatic institutional and organisational culture change. And as you can appreciate, this will take a little while to happen. I am devoting much of my time to facilitating a culture change, which says – we are residents who serve residents. We are not in the municipality to serve ourselves and look after our pockets. We are here to serve others.

#### **5. COMMUNICATION WITH STAKEHOLDERS**

In addition to our IDP processes, I have tried to keep our stakeholders, abreast of developments through my Mayoral newsletters and press releases and public engagements. I try to provide sober and realistic feedback on our challenges and progress, and in that way engender trust and goodwill from our residents. Of course, the naysayers tend to rather want to communicate BAD news as opposed to positive developments. Bad news sells, they say. Well, I say, good news heals. And we need lots of healing. No doubt, we still have our challenges, the biggest challenge being attitude. Old and negative attitudes die hard. I remain hopeful that armed with enough positive information, we will see a turn around in attitude.



## **6. TOWARDS STABILITY**

### **OVERCOMING A DECADE OF DYSFUNCTION**

Let me use a medical analogy to summarise the current state of affairs in the municipality. The patient called Cederberg Municipality is still in a critical condition but stable. The life support machine will soon be removed when we are able to breath on our own. But for now, we need all the assistance we can get. The provincial government have been very supportive and they have funded the salaries of some of the experts who are helping us to fix the municipality. For this we are most grateful.

Basic services are beginning to happen more predictably and with new attitudes and equipment we will do even better.

### **THE PAST TWO YEARS**

Two years ago, at around this time, we had just taken office, and the picture of the municipality was grim. We had no money, no directors, no direction. We were on the edge of a precipice.

Today, two years later, I am pleased to report that the picture is beginning to look different. We are still technically bankrupt (or to use municipal language – we still have an unfunded budget) but not for much longer. Our finances were improving. And then, of course, just as we were recovering, we were hit by the terrible floods of June this year.

## **7. CONCLUSION - December holidays**

My report has been too long. Please forgive me. Have a blessed Christmas and if you can, and try to rest and do not call me. Call Nico Smit. He will be the acting Municipal Manager during this coming holiday season. Please take care and thanks for all your support and prayers.

Speaker, with these words, I conclude with my opening remarks which is simply to say: Thank you to our staff and to councillors.



I wish you all the best for this festive season and the new year.

Thank you

Executive Mayor  
Dr Ruben Richards

