



NOTULES VAN DIE / MINUTES OF THE

RAADSVERGADERING VAN DIE CEDERBERG MUNISIPALITEIT SOOS GEHOU OP

28 MAART / MARCH 2024

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COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY, HELD ON

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**MINUTES OF THE COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY HELD ON
28 MARCH 2024**

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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 welcomed all present opened the meeting with a moment of silence

2. ELECTION OF (ACTING) SPEAKER, IF NECESSARY

N/A

3. APPLICATIONS FOR LEAVE OF ABSENCE

- Cllr. W Farmer (Sick leave)

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4. INTERVIEWS WITH OR PRESENTATIONS BY DEPUTATIONS

Rules of Order for Internal Arrangement

Part 6

6. Deputations

Should deputations seek an interview with council, the municipal manager must be provided with ten working days written notice of the intent of the deputation with details of the representations that are to be made as well as its source. The notice must be submitted to the Speaker by the Municipal Manager with recommendations and comments. The Speaker has the discretion to then grant the interview and instate conditions.

- It be noted that the Auditor General presented the AG report for Cederberg Municipality to Council. Item obtained in the Agenda.

5. CONFIRMATION OF MINUTES

RESOLVED:

- 1) That Council approved the following minutes:
 - a. Council Meeting held on 31 January 2024 inclusive of in-committee resolutions;
and
 - b. Special Council Meeting held on 28 February 2024.

Proposed: Cllr. L Venter

Seconded: Cllr. M Bergh

6. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

- The Speaker had mentioned at the start of the meeting that the order of business will be changed in such a way that the Auditor General will present the AG Report of Cederberg Municipality after which they will be excused and the item of mentioned subject will be dealt with as the first item of matters for discussion. .

7. STATEMENTS AND COMMUNICATION BY THE EXECUTIVE MAYOR

- Geen / None

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 adopted of the following Executive Mayoral Reports:
 - 1. Executive Mayoral Committee Minutes of 25 January 2024; and
 - 2. Executive Mayoral Committee Minutes of 21 February 2024.

- b) It further be noted that Cllr Kamfer will engage with the CFO regarding a R50million indicated in one of the Mayco reports.

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 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.

9.1 RESOLUTIONS TAKEN BY COUNCIL

RB9.1.4/28-03-2024

AUDITOR-GENERAL MANAGEMENT REPORT OF CEDERBERG MUNICIPALITY 2022-23

RESOLVED:

1. Council to take note of the Auditor-General's report for the period 2022/2023 and
2. That report is submitted to the Municipal Public Audit Committee of Council to investigate and report back to Council on the Unauthorised, Irregular, Fruitless and Wasteful Expenditure as indicated in the auditor's report.

RB9.1.1/28-03-2024

ADOPTION OF THE DRAFT AMENDED FIFTH (5TH) GENERATION INTEGRATED DEVELOPMENT PLAN FOR 2024/2025

RESOLVED:

1. That Council noted of the processes followed to develop the Draft Amended Fifth (5th) Generation Integrated Development Plan for 2024/2025;
2. That Council adopted the Draft amended fifth Generation Integrated Development Plan 2024-2025;

3. That Council noted the changes as specified on the memorandum in terms of MSA Regulation 3;
4. That council noted of the public participation process on the IDP and Budget.
5. That all outstanding information i.e Executive summary and Chapter 5 as highlighted within the Draft IDP be included in the final document that is to be tabled before Council by end of May 2024;
6. That copies of the Draft amended IDP document be made available at the following places:
 - Municipal Offices
 - Municipal Libraries
 - Municipal Website
 - Copies sent to Provincial Treasury, National Treasury and Department of Local Government.

Proposed: Cllr. L Venter

Seconded: Cllr. M Bergh

Counter Proposal: Cllr. P Strauss

Seconded: Cllr. F Kamfer

VOTE

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

RB9.1.2/28-03-2024

TABLING OF THE 2024/2025 DRAFT ANNUAL BUDGET

RESOLVED:

1. Council approved for public consultation the draft annual budget Report APPENDIX A.
2. Council approved for public consultation the draft annual budget tables as prescribed by the Budgeting and Reporting Regulations, as set out in APPENDIX B.
3. Council approved for public consultation the draft annual budget supporting tables as prescribed by the Budgeting and Reporting Regulations, as set out in APPENDIX C.
4. Council approved the Quality Certificate signed by the Accounting Officer, as set out in APPENDIX D.
5. Council approved for consultation the revised budget related policies, as set out in APPENDIX E:
 - *Accounting Policy*
 - *Asset Management Policy*
 - *Borrowing Policy*
 - *Budget Policy*
 - *Cash Management and Investment Policy*
 - *Cost Containment Policy*
 - *Customer Care, Credit Control, Debt Collection, Debt Collection, Indigent and Tampering Policy*

- *Consequence Management Fwk and SOP*
- *Finance Management Internship Policy*
- *Fleet Management Policy*
- *Funding and Reserves Policy*
- *Insurance Management Policy*
- *Liquidity Policy*
- *Petty Cash Policy*
- *Property Rates Policy*
- *Revenue Enhancement Policy*
- *Supply Chain Management Policy - Cederberg Municipality*
- *Tariff Policy*
- *Unauthorised, Irregular or Fruitless and Wasteful Expenditure Policy*
- *Virement Policy*
- *Electricity and water smart meter installations for Cederberg Municipality*

6. Council approved for public consultation the property rates and charges on properties, tariffs, tariff structures and service charges for water, electricity, refuse, sewerage and other municipal services, as set out in APPENDIX F.
7. That Council approved the Draft Service Level Standards set out in APPENDIX H.
8. That council approved the Procurement Plans as set out in APPENDIX I.
9. That Council noted the Draft Long Term Financial Plan in APPENDIX J.
10. The Draft Budget for the period 2024/2025 is made available to the public for comment.

Proposed: Cllr. J Van Heerden

Seconded: Cllr. L Venter

Counter Proposal: Cllr. P Strauss

Seconded: Cllr. F Kamfer

VOTE

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

RB9.1.3/28-03-2024

**DRAFT TOP LAYER SERVICE DELIVERY BUDGET IMPLEMENTATION
PLAN (SDBIP) 2024/2025**

RESOLVED:

1. That Council take cognisance of the content of the Draft Top Layer Service Delivery Budget Implementation Plan (SDBIP) for the 2024/2025 financial year
2. That the Draft SDBIP 2024/25 be send to Provincial Treasury and Department Local Government.
3. That the Mayor approve the Top Layer Service Delivery Budget Implementation Plan (SDBIP) for the 2024/2025 as prescribed in Chapter 7, Section

53 of the Municipal Financial Management Act of the Local Government: Municipal Finance Management Act, 56 of 2003.

- .
4. It further be noted that:
 - a) the ANC component's view is that the Draft Top Layer SDBIP is non-compliant.

RB9.1.5/28-03-2024 SUBMISSION AND TABLING OF ANNUAL REPORT 2022/2023

RESOLVED

1. Council to take note of the outstanding components included in the AR i.e (Chapter 5 Audited Financial Statements and Chapter 6 Audit Report) as per Council Resolution RB9.1.1/31-01-2024 (2)
2. Council to adopt the Annual Report of Cederberg Municipality for the 2022/23 financial year;
3. That the administration submit an OPCAR (Operation Clean Audit Reports), related and relevant to this report to correct all audit findings to the Municipal Public Accounts Committee.
4. That council note that the Oversight Report will now be delayed. The Oversight Report will now only be submitted to Council by end of May 2024. Council should therefore note that this is out of the timeframe provided in terms of legislation; however, this was out of the control of the administration due to the prolonged and delayed components
5. That the Municipal Public Accounts Committee within two months from today in terms of Section 129 of the

MFMA, submit an Oversight Report containing the Council's comments on the Annual Report.

6. To note that the Annual Report RB9.1.1/31-01-2024 was published and an invitation for representation from the community was requested (Notice 07/2024).
7. That the resubmitted Annual Report be made available to the public again to provide the community with an opportunity on the full report with all the components as included.
8. Submit the annual report to the Auditor-General, the relevant provincial treasury and the provincial department responsible for local government in the province.

Proposed: Cllr. L Venter

Seconded: Cllr. M bergh

Counter Proposal: Cllr. P Strauss

Seconded: Cllr. A Scheepers

VOTE

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

RB9.1.6/28-03-2024

EXTENSION OF EXISTING PROCUREMENT CONTRACTS IN TERMS OF SECTION 33 AND 116(3) OF THE LOCAL GOVERNMENT MUNICIPAL FINANCE MANAGEMENT ACT, 2003(ACT 56 OF 2003)

RESOLVED:

1. That approval be granted to continue with the contract extensions:
 - a) for a period of 24 months for CED 19/2020-2021:
The compilation of the general valuation rolls and supplementary valuations rolls.
2. That council grant approval to make known the intent of extending the current contract as in terms of Section 33 and 116 (3) of the Municipal Financial Management Act, Act 56 and invite/solicit public comments.
3. That comments be obtained from the respective Provincial and National Treasury in terms of Section 33 and 116 (3) of the Municipal Financial Management Act, Act 56
4. That report back in terms of 2 and 3 to the above be presented to Council prior to concluding the contract extension addendum.

Proposed: Cllr. L Venter

Seconded: Cllr. M Bergh

Counter Proposal: Cllr. F Kamfer

Seconded: Cllr. A Scheepers

VOTE

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

RB9.1.7/28-03-2024

REVIEW OF THE MACRO ORGANISATIONAL STRUCTURE OF THE CEDERBERG MUNICIPALITY

RESOLVED

- a. That Council approved the attached structure in principle and mandated the administration to formally consult with unions;
- b. Delegate the power to the municipal manager, as of 01 July 2024. to make operational amendments to the organisational structure pertaining to reporting lines, merging or separating of functions within the context of a directorate and report to council on such amendments, within the quarter that such amendment has been affected; and
- c. Re-submit to council after consultation, including all notes on all inputs.

Proposed: Cllr. L Venter
Seconded: Cllr. M Bergh
Counter Proposal: Cllr. A Scheepers
Seconded: Cllr. F Kamfer

VOTE

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

RB9.1.8/28-03-2024

DRAFT REVIEWED WARD COMMITTEE POLICY & CODE OF CONDUCT 2024

RESOLVED:

1. That Council take note and adopt the Draft Reviewed Ward Committee Policy & Code of Conduct 2024.
2. That council note that this policy will replace the previous reviewed ward committee 2021-2026 policy.
3. That the policy be made available for public comments.

Unopposed.

RB9.2/31-03-2024

URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

- Geen / None

RB9.3/31-03-2024

MATTERS FOR NOTIFICATION

- Geen / None

RB9.4/31-03-2024

CONSIDERATION OF MOTIONS OF EXIGENCY

- Geen / None

10. CLOSURE

- The Speaker wished all a blessed Easter weekend and the meeting adjourned.

VOORSITTER / CHAIRPERSON

DATUM / DATE