



**NOTULES VAN DIE / MINUTES OF THE**

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

**13 JUNIE / JUNE 2024**

.....

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

**THIS IS A PERMANENT DOCUMENT PLEASE RETAIN IT AS IT WILL NOT BE  
CIRCULATED AGAIN**

**MINUTES OF THE SPECIAL COUNCIL MEETING OF THE CEDERBERG MUNICIPALITY  
HELD ON 13 JUNE 2024**

**PLEASE RETAIN THIS DOCUMENT FOR RECORD PURPOSES AS IT WILL NOT BE  
CIRCULATED AGAIN.**

**PRESENT AND IN ATTENDANCE:**

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

**ABSENT WITHOUT APOLOGY:**

- Cllr. W Farmer

**1. OPENING**

- The Chairperson welcomed all present and the Director Support Services opened the meeting with a prayer.

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

- N/A

**3. APPLICATIONS FOR LEAVE OF ABSENCE**

- Geen / None

## Contents

4. INTERVIEWS WITH OR PRESENTATIONS BY DEPUTATIONS .....	5
5. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER .....	5
6. STATEMENTS AND COMMUNICATION BY THE EXECUTIVE MAYOR .....	7
7. 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 .....	7
8. MATTERS FOR CONSIDERATION .....	8
8.1 RESOLUTIONS TAKEN BY COUNCIL .....	9
RB8.1.1/13-06-2024 .....	9
AMENDMENTS TO INCOME: OPERATIONAL AND CAPITAL EXPENDITURE PROJECTIONS – ADJUSTMENTS BUDGET 2023/2024 JUNE 2024 .....	9
RB8.1.2/13-06-2024 .....	10
PROPOSED CORRECTION OF THE CUSTOMER CARE CREDIT CONTROL DEBT COLLECTION AND TAMPERING POLICY 2024-2024 .....	10
RB8.1.3/13-06-2024 .....	11
MUNICIPALITY’S CREDIT CONTROL DEBT COLLECTION AND INDIGENT SUPPORT BY-LAW, PROPERTY RATES BY-LAW AND TARIFF BY-LAWS .....	11
RB8.1.4/13-06-2024 UPPER LIMITS OF TOTAL REMUNERATION PACKAGES PAYABLE TO MUNICIPAL MANAGERS AND MANAGERS DIRECTLY ACCOUNTABLE TO MUNICIPAL MANAGER .....	11
RB8.1.5/13-06-2024 .....	12
WRITE-OFF OF IRRECOVERABLE DEBT WITH REFERENCE TO AUDITOR-GENERAL REPORT 2022/2023 AND FRAUD AND STALE CHEQUES .....	12
RB8.1.6/13-06-2024 INCREASE IN BARGAINING COUNCIL LEVY .....	13
RB8.1.7/13-06-2024 .....	13
DATES AND FREQUENCY OF FUTURE MEETINGS FOR THE PERIOD 2024/2024 FINANCIAL YEAR .....	13
RB8.1.8/13-06-2024 .....	13
CASH MANAGEMENT AND INVESTMENT POLICY .....	13
RB8.1.9/13-06-2024 .....	14
UNAUTHORISED, IRREGULAR, FRUITLESS AND WASTEFUL EXPENDITURE .....	14
RB8.1.10/13-06-2024 .....	15
CONSIDERATION OF OVERDRAFT FACILITY .....	15
RB8.1.11A/13-06-2024 .....	16

ELECTION OF INTERIM SPEAKER FOR THE PURPOSE OF THE FOLLOWING ITEM: GAP FIFTH  
SUBMISSION..... 16  
RB8.1.11/13-06-2024 ..... 16  
GAP: FIFTH SUBMISSION..... 16  
URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER ..... 17  
RB8.3/13-06-2024 ..... 17  
MATTERS FOR NOTIFICATION ..... 17  
RB8.4/13-06-2024 ..... 18  
CONSIDERATION OF MOTIONS OF EXIGENCY..... 18  
09. CLOSURE..... 18

## 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.

- Geen / None

## 5. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

A: The Chairpers asked the MM to share his notifications:

### 1) Resignation of Cllr. F Kamfer

- The MM in informed Council of the resignation of Cllr. F Kamfer and also mentioned that the Bi-election of Ward 2 is indicated to be 28 August 2024.
- The vacancy was declared by the MM and the IEC is informed accordingly.

**RB5.1/13-06-2024**

**RESIGNATION OF COUNCILLOR: CLLR. F KAMFER**

### **RESOLVED**

a) Council took note of:

1. the resignation of Cllr. F Kamfer as Ward Councillor of Ward 2 and Councillor of Cederberg Municipality;
2. that the Municipal Manager declared a vacancy; and
3. that the date of bi-election is indicated to be 28 August 2024 in Ward 2, Citrusdal.

### 2) Seasonal School for Councillors

- Sandra Greyling reached out because they haven't received any interest from our Councillors in this regard.

### **3) Floods: Update**

- On 10/06/2024 we had a JOC meeting just to take stock of the impact of the floods in the Citrusdal area. I can report back that basically no damage to the infrastructure at all. Our boreholes were running on generators unfortunately due to the fact that Eskom electricity in the Citrusdal area was cut off. Wupperthal and surrounding farm areas were also cut-off from electricity for about 3 - 4 days.
- 15 families in the town hall – Citrusdal
- Entrance road between N7 and Citrusdal was flooded again. Cederberg Mun. with WCD manage to open the road up even though it was just a 1 direction pathway.
- Mouton bridge was also flooded.
- Media coverage by EM and MM were dealt with.
- Cleaning of the rivers to start in August 2024.
- We are going to revisit our humanitarian-aid protocol
- Eskom turn-around time to restore or repair also concerning. We are going to ask for a bi-lateral with Eskom in this Council Chambers so we can agree on how to manage this issue going forward.
- No casualties on our side.
- Langbome – the bridge was also washed away.
- Road assessments were done by our team regularly.
- Elandskloof also affected.
- Algeria bridge also affected.
- Radio Connectivity – Wupperthal and outer station areas:
  - 5 radios provided in this area
  - Cell phone network also issues
- Building of the repeater – Wupperthal
- Busy with this process –re-building of the repeater
- Logging in real time: disaster incidents

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

- 4) The Executive Mayor informed Council that he requested that Ward Councillors submit a report where problems to infrastructure is identified in order to prepare for the readiness for the winter period. We are experiencing bad weather already and the winter season is only starting. He requested again that Cllrs adhere to this request as it is quite important.
- 5) Just to alert Council that a fundamental focus of our next MayCo meeting will be particularly referenced to our Waste Management System and the challenges around the transfer station - the manner in which we propose to deal with waste. 2 Professional delegations is to come and address Mayco around the Circular Economy.
- 6) We had a bi-lateral meeting with West Coast District the past Friday. It was a useful engagement and he awaits the minutes of that meeting. The Mayor of WCD did send the EM (of Ced. Mun.) a formal letter indicating some concerns. The concerns were that Mayco wasn't fully present, there was 1 member absent. The Mayor did answer on these concerns.

## **7. 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

## 8. 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.



## 8.1 RESOLUTIONS TAKEN BY COUNCIL

RB8.1.1/13-06-2024

### AMENDMENTS TO INCOME: OPERATIONAL AND CAPITAL EXPENDITURE PROJECTIONS – ADJUSTMENTS BUDGET 2023/2024 JUNE 2024

#### 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. R Richards  
**Seconded:** Cllr. J Van Heerden  
**Counter Proposal:** Cllr. P Strauss  
**Seconded:** Cllr. A Scheepers

#### VOTE

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

**RB8.1.2/13-06-2024**

## **PROPOSED CORRECTION OF THE CUSTOMER CARE CREDIT CONTROL DEBT COLLECTION AND TAMPERING POLICY 2024-2024**

### **RESOLVED:**

- a) Approve the correction in the relevant dates of implementation of the Customer Care, Credit Control, Debt Collection, Indigent and Tampering Policy 2024/2025 as previously approved by Council on 14<sup>th</sup> of May 2024.

#### **1. Correction to be made:**

##### *PROBLEM STATEMENT*

*The policy submitted to Council with the relevant budget documentation on the 14th of May 2024 the review and implementation date of the policy was erroneously tabled as 2023/2024 and not 2024/2025.*

*Council to approve this correction of dates related to the policy and for implementation with the approved budget as from 1st of July 2024.*

- b) That the amendment to the dates be implemented with effect 01<sup>st</sup> of July 2024.

**Proposed:** Cllr. R Richards

**Seconded:** Cllr. M Heins

**No Counter Proposals**

## **RB8.1.3/13-06-2024**

### **MUNICIPALITY'S CREDIT CONTROL DEBT COLLECTION AND INDIGENT SUPPORT BY-LAW, PROPERTY RATES BY-LAW AND TARIFF BY-LAWS**

#### **RESOLVED:**

1. Council took note of the three by laws;
2. Council approved the Credit Control, Debt Collection and Indigent Support By-law, Property Rates By-law and Tariff By-laws for implementation upon promulgation in the Western Cape Government Gazette.

**Proposed:** Cllr. J Van Heerden

**Seconded:** Cllr. R Richards

**No Counter Proposals**

## **RB8.1.4/13-06-2024 UPPER LIMITS OF TOTAL REMUNERATION PACKAGES PAYABLE TO MUNICIPAL MANAGERS AND MANAGERS DIRECTLY ACCOUNTABLE TO MUNICIPAL MANAGER**

#### **RESOLVED:**

- a) That Council took note of the Upper Limits of Total Remuneration Packages payable to Municipal Manager and Managers directly accountable to Municipal Managers.

**RB8.1.5/13-06-2024**

**WRITE-OFF OF IRRECOVERABLE DEBT WITH REFERENCE TO  
AUDITOR-GENERAL REPORT 2022/2023 AND FRAUD AND STALE  
CHEQUES**

**RESOLVED:**

A. Council approve the write off and closure of accounts in respect of:

1. **Indigents:**

Total amount to be written off: **R 3 375 905, 59**

1. **Theft and fraud:**

Total amount to be written off: **R 459 258, 06**

2. **Stale Cheques:**

Total amount to be written off: **R 107 633, 60**

**Proposed:** Cllr. R Richards

**Seconded:** Cllr. M Heins

**No Counter Proposal**

## **RB8.1.6/13-06-2024 INCREASE IN BARGAINING COUNCIL LEVY**

### **RESOLVED**

- a) That in respect of the Item no RB8.1.6/13-06-2024 on the "INCREASE IN BARGAINING COUNCIL LEVY" that Council note the content of said item

## **RB8.1.7/13-06-2024**

### **DATES AND FREQUENCY OF FUTURE MEETINGS FOR THE PERIOD 2024/2024 FINANCIAL YEAR**

#### **RESOLVED:**

1. The item be de tabled at the next Council Meeting.

## **RB8.1.8/13-06-2024**

### **CASH MANAGEMENT AND INVESTMENT POLICY**

#### **RESOLVED:**

- a) Council approved the final Cash Management and Investment Policy to be implemented 01 July 2024.

**Proposed:** Cllr. R Richards

**Seconded:** Cllr. J Van Heerden

**No Counter proposals**

**RB8.1.9/13-06-2024**

## **UNAUTHORISED, IRREGULAR, FRUITLESS AND WASTEFUL EXPENDITURE**

### **RESOLVED**

1. Council take note of the Unauthorised, Irregular Fruitless & Wasteful expenditure;
2. Council, having fully considered the Unauthorised, Irregular Fruitless & Wasteful expenditure make the following recommendations:
  - a. To write off unauthorised expenditure to the amount of R 2 369 206 in 2022-23 financial year
  - b. To write off Irregular expenditure of R 1 605 195 relating to 2020-21 financial year
  - c. To write off Irregular expenditure of R 35 203 795 relating to 2021-22 financial year
  - d. To write off Irregular expenditure of R 36 233 137 relating to 2022-23 financial year
  - e. To write off Fruitless and wasteful expenditure amounting to R 1 281 604 relating to 2019-20 financial year

- f. To write off Fruitless and wasteful expenditure amounting to R 3 511 254 relating to 2020-21 financial year
- g. To write off Fruitless and wasteful expenditure amounting to R 3 406 368 relating to 2021-22 financial year
- h. To write off Fruitless and wasteful expenditure amounting to R 3 911 555 relating to 2022-23 financial year

**Proposed:** Cllr. R Richards  
**Seconded:** Cllr. J Van Heerden  
**Unanimous**

**RB8.1.10/13-06-2024**

## **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 2024 till 15 March 2025.

2. The Municipal Manager, Mr GF Matthyse, ID: 631006 5039 080 be mandated to sign all relevant documents with Standard Bank.

**Unanimous**

## **RB8.1.11A/13-06-2024**

### **ELECTION OF INTERIM SPEAKER FOR THE PURPOSE OF THE FOLLOWING ITEM: GAP FIFTH SUBMISSION**

- a) That Councillor J Van heerden be elected as the interim Speaker for the purpose of the item.

**Unanimous**

## **RB8.1.11/13-06-2024**

### **GAP: FIFTH SUBMISSION**

#### **RESOLVED:**

1. That Council mandated the Municipal Manager to undertake a forensic investigation related to the content included above, as suggested by Adv Venter in her report which served before Council on the 24<sup>th</sup> of November 2023.



2. That the administration be mandated in terms of Council decision to liaise with the Provincial department and sign an agreement to obtain part funding related to said forensic investigation.
3. Council has to appoint a suitably qualified person to investigate the allegations in Annexure Q, after which they must provide a recommendation to Council in terms of the USP of Council.

**Proposed:** Cllr. R Richards

**Secondant:** Cllr. M Heins

**ANC component abstained from the item**

## **URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER**

- Geen / None

**RB8.3/13-06-2024**

## **MATTERS FOR NOTIFICATION**

- Geen / None

**RB8.4/13-06-2024**

**CONSIDERATION OF MOTIONS OF EXIGENCY**

- Geen / None

**09. CLOSURE**

- Meeting adjourned.

---

**VOORSITTER / CHAIRPERSON**

---

**DATUM / DATE**