



NOTULES VAN DIE / MINUTES OF THE

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

24 JUNIE / JUNE 2024

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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 27 JUNE 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:

- Cllr. W Farmer

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

- Geen / None

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4. INTERVIEWS WITH OR PRESENTATIONS BY DEPUTATIONS


- Geen / None

5. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

5A. NOTING OF ROUND ROBIN RESOLUTION: RE APPOINTMENT OF ACTING DIRECTOR SUPPORT SERVICES

RESOLVED:

- a) That Council noted the following Round Robin Resolution taken by Council and signed off on Tuesday, 25 June 2024:

ROUND ROBIN RESOLUTION		
RB05/21-06-2024	APPOINTMENT OF ACTING DIRECTOR SUPPORT SERVICES	
RESOLVED:		
That Council:		
A. In consultation with the municipal manager, appointed Ms Alice Wilton to act in the position of Director Support Services from the 24 th of June 2024 until the 05 th of July 2024, commensurate with the period of leave taken by the Director Support Services.		
VOTE		
FOR	AGAINST	ABSTAIN
4 – CE 2 – DA 1 – FF+	-	-
No signed ballot papers received from Cllrs. A Scheepers (ANC), P Strauss (ANC) and Cllr. W Farmer (PA).		
 _____ VOORSITTER / CHAIRPERSON	<u>25 JUNE 2024</u> DATUM / DATE	

- B: The Speaker informed Council he received numerous complaints about senior staff member which the Executive Mayor will handle further
- C: The Office of the Speaker is currently busy with an audit about the CWP as well as the CDP program. These programs are not paid by the Municipality but by Central- and Provincial Government. Salaries are paid directly from the Government department paid into these people's accounts. Apparently the Cederberg Municipality's Communication Officer is the supervisor of both of these programs
- D: Cllr. Bergh raised his frustration with regard to verbal attendance and how this method of attendance, if not properly exercised, and one is not properly equipped, can delay the proceedings of meetings. The Administration will be informed of the urgency of the matter.

6. STATEMENTS AND COMMUNICATION BY THE EXECUTIVE MAYOR

1. Focus of today's meeting is the new organisational structure and the implementation thereof.
Words of encouragement:
Encourage Municipal Manager - anything and everything that is new, for some reason we as human beings don't like new things we stick with the old. We encourage the Municipal Manager around his change management processes and strategy to take note and also just to wish him strength and also the rest of the senior team.
2. As a result of the MayCo Meeting that we had two days ago we are calling a Special MayCo Meeting in early July. In that meeting we will discuss using a new template on reporting for the Portfolio Committee.
We had a presentation from the African Circular Economy Network which have to do with efficient management of waste and our challenge at the moment is around our Transfer Station, Regional Dumpsite, etc. That is

also why I'm calling a waste management indaba/summit for 09 July 2024 @14h00 and the focus will be to address Waste Management.

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

See Statements and Communication by the Executive Mayor.

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

RB8.1.1/27-06-2024

FINAL APPROVAL OF THE ORGANISATIONAL STRUCTURE OF THE CEDERBERG MUNICIPALITY

RESOLVED:

- a) Council approves the tabled organisational Structure for implementation with effect of 1 July 2024.
- b) Council notes that the office of the MEC of local government was duly and timeously notified and that the MEC's office has not submitted any objections or amendments to the proposed and micro organogram;
- c) In terms of procedure and record purposes, Council now approves the structure and mandates the administration to submit the latter to the MEC for Local Government (only after the Executive Mayor has signed off the content of said item);
- d) The following documents must accompany the submission;
 - A copy of the structure adopted and signed off staff establishment (new);
 - All annexures to said item.

- e) Council takes note of the attached report from Agito Minds – the consultants who facilitated the development of the new organogram in consultation with the office of the MEC of local government;
- f) Council delegates 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;
- g) That Council confirms the approved Human Resources strategy as aligned with the new organisational structure;
- h) Council approves, as of 01 July 2024, the alignment of the following documents:
 - the Delegation Register;
 - the budget.
- i) Council approves as of 01 March 2025, the alignment implementation of:
 - The Departmental SDBIP [Individual Performance Management System];
 - The Service delivery budget implementation plan.
- j) Take note of the placement project plan attached as **Annexure B** taking into consideration the placement, job description and job evaluation process that must follow the implementation of the organisational structure, which will impact on the people side of the implementation and alignment

with the individual performance management system and the Service Delivery Budget Implementation Plan.

Proposed: Cllr. L Venter

Seconded: Cllr. M Heins

Proposed: Cllr. A Scheepers (do not approve)

Seconded: Cllr. Strauss

VOTE

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

RB8.1.2/27-06-2024

DECISION REGARDING THE TRANSFER OF THE CEDERBERG MUNICIPAL FIRE FIGHTING FUNCTION

RESOLVED:

- a) That the Fire Brigade Services not be transferred yet, but that the administration be mandated to do a complete cost management exercise (section 78) in-house, to ensure that services are viable; and
- b) That feedback is given to Council via the re-submission of this Item to the portfolio committee meeting in August 2024 regarding the outcome of the cost management exercise.

Proposed: Cllr. Cllr. L Venter

Seconded: Cllr. Cllr. M Heins

No Counter Proposals

RB8.1.3/27-06-2024

TOP 10 STRATEGIC RISK REGISTER FOR CEDERBERG MUNICIPALITY

RESOLVED:

- A) Item be withdrawn.

RB8.1.4/27-06-2024 TABLING OF 2024/2025 FINAL ANNUAL BUDGET: CORRECTION OF ELECTRICITY TARIFFS

RESOLVED:

1. Council noted that the Cost of Supply Study will not be implemented in the 2024/2025 year and that the supply study will be reviewed soonest for submission to NERSA for approval and possible implementation in the next financial year.
2. Consequently, Council approves the original electricity tariffs as tabled with the Draft Budget of March 2024 for implementation on the 1st of July 2024.
3. It was further resolved that there be proper and adequate communication, to all consumers, regarding this change of tariff structure and approach as

determined by processes beyond the control of the municipality.

Proposed: Cllr. L Venter

Seconded: Cllr. M Heins

No Counter Proposals

RB8.1.5/27-06-2024

LANDFILL SITE ESTABLISHMENT AND FUTURE REMOVAL ACTIONS

RESOLVED:

1. That the item be deferred back to the administration for the following reasons:
 - a. Until all necessary input is obtained from the Waste Management Summit (WMS) scheduled for 9 July 2024; and
 - b. That the content of the report, tabled today, inclusive of cost and the process implications also be debated and discussed at the WMS.
2. That in the interests of efficiency, the item and/or reports follow due processes serving at the necessary platforms simultaneously (Exco Portfolio and Mayco) in order for Council to make an informed decision as soon as possible.

Unanimous

RB8.1.6/27-06-2024

PRIVATISATION OF CEDERBERG VEHICLE TESTING STATIONS

RESOLVED:

1. That the item be deferred back to the administration in order to conduct an in-house Section 78 process;
2. That the item or report and results of the Section 78 process be submitted to the relevant Portfolio Committee and then Mayco, and then to council in order for Council to make a final and informed decision.

Proposed: Cllr. R Richards

Seconded: Cllr. L Venter

No Counter Proposals

RB8.1.7/27-06-2024

LOCAL INTEGRATED TRANSPORT PLAN (LITP) 2020 - 2025

RESOLVED:

1. That Council approved and adopted the Local Integrated Transport plan 2020 – 2025.

Proposed: Cllr. L Venter

Seconded: Cllr. M Bergh

No Counter Proposal

RB8.1.8/27-06-2024

ESTABLISHMENT OF THE CEDERBERG MUNICIPAL COMMUNITY SAFETY FORUM

RESOLVED

1. That Council supports the establishment of the Cederberg Municipal Community Safety Forum.
2. That Council adopted and approved the Community Safety Forum Policy as the CSF guidance document for the Cederberg Municipality.

Proposed: Cllr. L Venter

Seconded: Cllr. J Van Heerden

No Counter Proposal

RB8.1.9/27-06-2024

ESTABLISHMENT OF IMPOUND FACILITY AT LAMBERTSBAY

RESOLVED:

1. That the report be deferred back to the Administration.

Unanimous

RB8.1.10/27-06-2024

**ADDENDUM TO CONTRACTUAL AGREEMENT: CEDERBERG
MUNICIPALITY AND ASLA DEVCO**

RESOLVED

1. Council noted the Addendum No 2 and management's efforts to ensure a governance framework will apply to manage the Agreement within a sound governance environment, ensuring proper contract enforcement, monitoring monthly performance, and reporting on the performance of the Agreement.

**RB8.1.11/27-06-2024 DATES AND FREQUENCY OF FUTURE
MEETINGS FOR THE PERIOD 01 JULY 2024 – 30 JUNE 2025**

RESOLVED:

1. Council approved the dates for Cederberg Council business for the period 2024/2025; and
2. That the public be informed accordingly.

Proposed: Cllr. L Venter

Seconded: Cllr. M Heins

No Counter Proposal

RB8.1.12/27-06-2024

IN-COMMITTEE: UPDATE ON CLACKSON POWER: SETTLEMENT AGREEMENT

RESOLVED:

- a) That council noted the signing of the agreement as per Council resolution **Item no "RB8.1.12/27-06-2024 "CLACKSON POWER SETTLEMENT AGREEMENT"**, and that this matter is now concluded.

RB8.2/27-06-2024 URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

RB8.2.1/27-06-2024 WRITE-OFF OF TRAFFIC FINES AND WITHDRAWALS IN TERMS OF UNIFORM NATIONAL INSTRUCTIONS ISSUED BY NATIONAL PROSECUTION

RESOLVED:

1. Council took cognizance of the National Prosecution Services Circular 10/2/12/3 – 223/2017; and
2. Council approved that unpaid traffic fines as amounting to **R16 894 097.96** be written-

off against the provision relating to traffic infringements older than 30 June 2023.

Proposed: Cllr. L Venter

Seconded: Cllr. J Van Heerden

No Counter Proposal

RB8.2.2/27-06-2024 SUPPLY OF AUTOMATED METER READING SERVICES

RESOLVED:

- a) That Council took cognizance of the report.
- b) That council noted of the process set out in Section 116(3) of the Municipal Financial Management Act, Act 56 2003.
- c) That the existing contract with Landis+Gyr (Pty) Ltd for the automated meter reading system be extended until the tender process is completed.

Proposed: Cllr. R Richards

Seconded: Cllr. L Venter

No Counter Proposal

RB8.2.4/27-06-2024 APPOINTMENT OF ACTING CHIEF FINANCIAL OFFICER

RESOLVED:

- A.** That Council noted and accepted the resignation of the acting Chief Financial Officer, Mr. N Smit, as of 30 June 2024.

- B.** That Council approves the appointed Ms L September to act in the position of Chief Financial Officer from the 01st of July 2024 for a period not exceeding three months, or until the position is filled, whichever comes first; and

- C.** Request the MEC for Local Government for an extension of Ms September's acting, should the post still be vacant after three months.

Proposed: Cllr. M Heins

Seconded: Cllr. L Venter

No Counter Proposal

RB8.3/04-04-2024

MATTERS FOR NOTIFICATION

- Geen / None

RB8.4/04-04-2024

CONSIDERATION OF MOTIONS OF EXIGENCY

- Geen / None

09. CLOSURE

- Meeting adjourned.

VOORSITTER / CHAIRPERSON

DATUM / DATE