



NOTULES VAN DIE / MINUTES OF THE

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

29 OKTOBER / OCTOBER 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 29 OCTOBER 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. Y Blaauw

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4. INTERVIEWS WITH OR PRESENTATIONS BY DEPUTATIONS

- Geen / None

5. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

- Geen / None

6. STATEMENTS AND COMMUNICATION BY THE EXECUTIVE MAYOR

- Geen / None

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 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.

8.1 RESOLUTIONS TAKEN BY COUNCIL

RB8.1.1/29-10-2024 DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF MEMBERS OF MUNICIPAL COUNCIL AS PER GOVERNMENT GAZETTE NIO. 51407 AND 51419

RESOLVED:

1. Council takes cognizance of the content of the Government Gazette No. 51407, dated 17 October 2024,
2. Council takes cognizance of the content of the Government Gazette No. 51419, dated 21 October 2024,
3. Council approves the implementation of the upper limits,
4. That the tools of trade be approved based on provisions made in the budget, and
5. The Speaker is mandated to handle further communication with the MEC in this regard.

Proposed: Cllr. J Van Heerden

Seconded: Cllr. L Venter

No Counter Proposals

RB8.1.2/29-10-2024 DESIGNATION OF WASTE MANAGEMENT OFFICER

RESOLVED:

- a) That Elton Klaassen be appointed as the Waste Management Officer with immediate effect in order for the Cederberg Municipality to comply with the National Environment Management Waste Act, 2008 (Act 59 of 2008)

Proposed: Cllr. R Richards

Seconded: Cllr. J Van Heerden

No Counter Proposals

RB8.1.3/29-10-2024 RENEWAL OF TERM FOR AUDIT & PERFORMANCE AUDIT COMMITTEE MEMBER

RESOLVED:

1. It was noted that the term of office of Me. Sehunelo will not exceed the six year period as indicated in Circular 65 of the MFMA, therefore Council is requested to consider the following proposal to ensure continuity and further existence of the committee:
 - a) The renewal of term for Me. Sehunelo as member of the Audit & Performance Audit Committees for a further term of office of 3 years;
 - b) Me. Sehunelo is committed and has provided excellent service over her past term of office.

Proposed: Cllr. R Richards

Seconded: Cllr. J Van Heerden

No Counter Proposals

RB8.1.4/29-10-2024 CONSTITUTION OF COUNCIL COMMITTEES: MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC)

RESOLVED:

- a) That Council appointed an additional member to the MPAC committee as per section 79A(2) of the Municipal Structures Amendment Act 117 of 1998 to effectively execute its mandate;
 - 1. That Council appointed Cllr. M Heins to serve on the MPAC;

- b) It was noted that MPAC members will be appointed for a term which corresponds to the term of Council.

Proposed: Cllr. M Bergh

Seconded: Cllr. W Farmer

No Counter Proposals

RB8.1.5/29-10-2024 APPOINTMENT OF AN ACTING DIRECTOR CORPORATE AND COMMUNITY SERVICES

RESOLVED:

- A.** In consultation with the municipal manager, appointed Alice Wilton to act in the position of Director Corporate & Community Services from the 23rd of October 2024 until the 30th of November 2024, commensurate with the period of medical leave taken by the Director Corporate & Community Services.

Proposed: Cllr. Richard

Seconded: Cllr. M Bergh

No Counter Proposals

Vote: 8-For 2-Abstain

RB8.2/29-10-2024 URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

RB8.2.1/29-10-2024 APPOINTMENT OF ACTING MUNICIPAL MANAGER

RESOLVED:

- a) In consultation with the Executive Mayor, appointed Mr. R De Ridder, to act in the position of Municipal Manager from 29 October 2024 until 15 December 2024,

Proposed: Cllr. M Heins

Seconded: Cllr. L Venter

No Counter Proposals

Unanimous for approval – 10 Votes

RB8.3/29-10-2024 MATTERS FOR NOTIFICATION

- The Executive mayor informed the meeting that a Special Council Meeting will be called for 11 November 2024 to table the Adjustment Budget.

RB8.4/29-10-2024 CONSIDERATION OF MOTIONS OF EXIGENCY

- Geen / None

09. CLOSURE

- Meeting adjourned.

VOORSITTER / CHAIRPERSON

DATUM / DATE