

MINUTES OF THE SPECIAL COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD VIRTUALLY (MICROSOFT TEAMS) ON THURSDAY, 31 JULY 2020 AT 09:00

PRESENT

Councillors

Alderman TT Godden (Speaker) (COPE)
Councillor BC Klaasen (Executive Mayor) (DA)
Alderman K Adams (Deputy Executive Mayor) (DA)
Councillor TE Abrahams (DA)
Councillor P Daniels (DA)
Councillor P Heradien (ICOSA)
Councillor MD Jacobs (EFF)
Councillor D Kinnear (DA)
Councillor GG Laban (Witzenberg Aksie)
Councillor C Lottering (DA)
Councillor M Mdala (ANC)
Councillor ZS Mzauziwa-Mdishwa (DA)
Councillor MJ Ndaba (ANC)
Councillor N Phatsoane (ANC)
Alderlady JT Phungula (ANC)
Alderman JW Schuurman (ANC)
Councillor EM Sidego (DA)
Councillor RJ Simpson (ANC)
Alderman HJ Smit (DA)
Councillor D Swart (DA)
Alderman JJ Visagie (DA)

Officials

Mr D Nasson (Municipal Manager)
Mr J Barnard (Director: Technical Services)
Mr M Mpeluza (Director: Corporate Services)
Mr A Raubenheimer (Acting Director: Finance)
Mr G Louw (Head: Internal Audit)
Ms L Nieuwenhuis (Manager: Legal Services)
Mr A Hofmeester (IDP Manager)
Mr CG Wessels (Manager: Administration)
Mr R Rhode (ICT Administrator)
Ms MJ Prins (Acting Principal Administrative Officer)
Mr C Titus (Committee Clerk)

1. OPENING AND WELCOME

The Speaker opened the meeting and welcomed everyone. The Speaker confirmed the attendance of Councillors virtually by name.

NOTED

2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

**2.1 Consideration of application for leave of absence, if any
(3/1/2/1)**

The meeting took notice that Councillor H Visagie (ANC) was still sick after being hospitalised. The applicable medical certificates are awaited to apply for leave of absence from the meeting. Council approved that leave of absence be granted to Councillor H Visagie.

UNANIMOUSLY RESOLVED

that leave for absence from the meeting due to sickness, and awaiting the applicable medical certificates, be approved for Councillor H Visagie.

**2.2 Confidentiality and Conflict of Interest Declaration
(3/2/1)**

The Confidentiality and Conflict of Interest Declaration was verbally declared by all Councillors.

NOTED

3. RESERVED POWERS

**3.1 Draft Review IDP and Budget Process Plan for 2021/2022
(02/02/1)**

In terms of Section 28 of the Municipal Systems Act (Act 32 of 2000), Council must adopt an IDP and Budget Process Plan. The Municipal Finance Management Act (Act 56 of 2003) further stipulates that at least ten months before the start of the budget year, the Executive Mayor should table a time schedule outlining key deadlines in respect of the IDP/Budgetary process.

Section 29 of the Municipal Systems Act (Act 32 of 2000), specifies that such a Process Plan must include:

- Programs that set out timeframes for the different planning steps;
- Appropriate mechanisms, processes and procedures for consultation with:
 - Local communities, both in terms of needs and priorities as well as consultation during development;
 - Organs of state, traditional authorities, and other role-players in the drafting process; and
- Binding plans and planning requirements, i.e. policy and legislation.

National Treasury has provided further guidance by the issuing of MFMA Circular 10. That circular provides specific guidance with regard to six distinct steps in compilation of the IDP and the annual Budget. The table below highlights these steps, with a brief description of each step:

Steps	Process
1	Planning
2	Strategizing
3	Preparing
4	Tabling
5	Approving
6	Finalising

In capturing the above steps, this IDP and Budget Process Plan seeks to address, *inter alia*, the:

- Identification of areas requiring additional attention in terms of legislative requirements, proper planning processes and sound financial management;
- Inclusion of the most current Census and own statistical data;
- Consideration and review of any other relevant and new information;
- Addressing comments received from the various role-players;
- Factor-in the shortcomings and weaknesses identified through self-assessment;
- Preparation and review of sector plans and its alignment with the IDP;
- Preparation and review of the Performance Management System (PMS);
- Updating of the 5-year Financial Plan; and
- Finalisation of the annual Budget and IDP in terms of the relevant legislation.

Pursuant to the above statutory requirements, a Draft Process Plan for the 2021/2022 Review IDP and Budget cycle is attached as **annexure 3.1**.

UNANIMOUSLY RESOLVED

that notice be taken of the Draft Review IDP and Budget Process Plan for 2021/2022.

3.2 Request from DBSA for funding: Revenue Enhancement Project (5/6/1)

The following documents are attached:

- (a) Memorandum from Acting Director: Finance, dated 23 July 2020: **Annexure 3.2(a)**.
- (b) Application letter: **Annexure 3.2(b)**.
- (c) Business Plan: **Annexure 3.2(c)**.
- (d) Pro forma commitment: **Annexure 3.2(d)**.

UNANIMOUSLY RESOLVED

- (a) *that Council hereby approves the project, accepts the DBSA's grant funding and Revenue Enhancement Programme and supports the implementation of the project in terms of the Grant Agreement as to be agreed by both parties.*

- (b) *that the Municipal Manager / Accounting Officer is hereby authorised and mandated to sign the Grant Agreement on its behalf, and to sign and/or dispatch all documents and notices to be signed and/or dispatched by it or in connection with the Agreement.*
- (c) *that the Municipal Manager provides the DBSA with the Designated and Authorised Signatories, any of whom shall represent the municipality on the Project Steering Committee for the purposes stated in the Grant Agreement.*
- (d) *that the municipality provides the relevant FICA documentation required by the DBSA in terms of Regulations 3,4,5 and 6 of FICA (the Financial Intelligence Centre Act, 38 of 2011).*
- (e) *that accordingly, the municipality is obliged to enter into a Grant Agreement (“the Agreement”) with the DBSA, in terms of which the DBSA will make available a grant to the benefit of the municipality for the execution of the project.*
- (f) *that pursuant to the Agreement, the municipality agrees and acknowledges that the Grant Amount shall be paid to the Professional Service Provider, appointed by the DBSA, for the provision of the services relating to the project for the benefit of the municipality.*

3.3 Solidarity pledges to contribute towards the curbing of the spread of and impact of COVID-19 (12/1/1/11)

The following memorandum, dated 24 July 2020, was received from the Municipal Manager:

“Purpose

To submit to Council Circular 16/2020 from SALGA in terms whereof Councillors / Senior Managers are requested to consider contributing to the Municipal Solidarity Fund.

Deliberation

SALGA has forwarded to Municipalities Circular 16/2020 calling on municipalities to possibly consider certain recommendations as set out in the circular. See in this regard Circular 16/2020 attached as **annexure 3.3(a)**. Included in the correspondence is also the structure of the Municipal Solidarity Fund, attached as **annexure 3.3(b)**. The circular requests that Council should consider the following:

- (a) That Councillors and municipal officials should respond to the President’s Call;
- (b) Approve that Councillors pledge to contribute the 4 % annual increment for the months of April, May and June 2020;
- (c) Recommend that Senior Managers, which includes the Municipal Manager and Managers directly reporting to the Municipal Manager, should pledge their annual increment for the months of April, May and June 2020;

- (d) Approve the establishment of a Municipal Solidarity Fund linked to COVID-19 and other related future municipal support initiatives;
- (e) Approve the Terms of Reference for the establishment of the Municipal Solidarity Fund;
- (f) Approve that all pledges/contributions should be paid into the Municipal Solidarity Fund;
- (g) Approve that the contributions from Councillors and municipal officials will constitute seed funding for the Municipal Solidarity Fund;
- (h) Approve that the seed funding may be used to encourage other stakeholders and role players within the municipal area to similarly contribute towards the Municipal Solidarity Fund.”

UNANIMOUSLY RESOLVED

- (a) *that Councillors can individually decide to consider contributing the 4 % annual increment for the months of April, May and June 2020 to the Municipal Solidarity Fund.*
- (b) *that Councillors supra (a) arrange with the Municipal Manager that deductions be made and paid over to the Municipal Solidarity Fund.*

4. COUNCIL-in-COMMITTEE