

MINUTES OF THE SPECIAL COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON WEDNESDAY, 15 DECEMBER 2021 AT 08:30

PRESENT

Councillors

Councillor JS Mouton (Speaker) (ANC)
Alderman HJ Smit (Executive Mayor) (DA)
Councillor K Robyn (Deputy Executive Mayor) (GOOD)
Alderman K Adams (DA)
Alderman JJ Visagie (DA)
Councillor C Lottering (DA)
Councillor EM Sidego (DA)
Councillor D Swart (DA)
Councillor S de Bruin (DA)
Councillor GJ Franse (DA)
Councillor MJ Ndaba (ANC)
Councillor AL Gili (ANC)
Councillor N Nogcinisa (ANC)
Councillor K Yisa (ANC)
Councillor J Zalie (ANC)
Councillor FE Klazen (GOOD)
Councillor JJ Cloete (Patriotic Alliance)
Councillor JP Fredericks (Freedom Front Plus)
Councillor LA Hardnek (Witzenberg Party)
Councillor P Heradien (ICOSA) (From 09:300
Councillor GG Laban (Witzenberg Aksie)
Councillor IL Swartz (EFF)

Officials

Mr D Nasson (Municipal Manager)
Mr J Barnard (Director: Technical Services)
Mr M Mpeluza (Director: Corporate Services)
Ms L Nieuwenhuis (Manager: Legal Services)
Mr A Hofmeester (Manager: IDP)
Mr CG Wessels (Manager: Administration)
Ms M Arendse-Smith (Chief Administrative Officer)
Mr CJ Titus (Committee Clerk)
Mr J Pieterse (Senior ICT Officer)

1. OPENING AND WELCOME

The Speaker welcomed everyone present and requested Councillor N Nogcinisa to open the meeting with prayer.

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)

Application for leave of absence from the meeting was received from Councillor N Phatsoane due to sickness.

Aansoek om verlof tot afwesigheid van die vergadering weens ongesteldheid is vanaf Raadslid N Phatsoane ontvang.

UNANIMOUSLY RESOLVED

that the application for leave of absence from the meeting, received from Councillor N Phatsoane due to sickness, be approved and accepted.

EENPARIG BESLUIT

dat die aansoek om verlof tot afwesigheid van die vergadering, ontvang vanaf Raadslid N Phatsoane as gevolg van ongesteldheid, goedgekeur en aanvaar word.

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

The Confidentiality and Conflict of Interest Declaration was duly signed by all Councillors.

NOTED

3. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED

3.1 Gratitude, Congratulations and Commiseration (11/4/3)

Councillor K Yisa congratulated and conveyed Council's best wishes to the following Councillor and spouse on their birthdays:

❖	Councillor GJ Franse	11 December
❖	Ms M Fredericks	26 December

NOTED

4. MINUTES

**4.1 Corrections to the minutes
(3/1/2/3)**

None

NOTED

**4.2 Approval of minutes
(3/1/2/3)**

The minutes of the Special Council meeting, held on 22 November 2021, are attached as **annexure 4.2**.

UNANIMOUSLY RESOLVED

that the minutes of the Special Council meeting, held on 22 November 2021, be approved and signed by the Speaker.

EENPARIG BESLUIT

dat die notule van die Spesiale Raadsvergadering, gehou op 22 November 2021, goedgekeur en deur die Speaker onderteken word.

5. MOTIONS AND NOTICE OF SUGGESTIONS

**5.1 Mosie: Samestelling van Raad: Burgemeesterskomitee
(3/1/1/4)**

'n Brief vanaf raadslid P Heradien van ICOSA, gedateer 7 Desember 2021, word ingebind as **bylae 5.1**.

UNANIMOUSLY RESOLVED

that the matter in respect of the Motion: Compilation of Council: Mayoral Committee be held in abeyance until the next meeting due to the absence of the initiator from the meeting.

EENPARIG BESLUIT

dat die aangeleentheid rakende die Mosie: Samestelling van Raad: Uitvoerende Burgemeesterskomitee oorstaan tot die eersvolgende vergadering vanweë die afwesigheid van die iniseerder van die vergadering.

6. RESERVED POWERS

**6.1. Rules of order for conducting of meetings
(1/3/1/25)**

The By-law on the Rules of Order regulating the conduct of meetings of the Witzenberg Municipality is attached as **annexure 6.1**.

UNANIMOUSLY RESOLVED

that the matter in respect of the Rules of order for conducting of meetings be held in abeyance and be workshopped by Council.

EENPARIG BESLUIT

dat die aangeleentheid rakende die Ordereëls vir hou van vergaderings oorstaan tot 'n volgende vergadering en deur die Raad op 'n werkswinkel behandel word.

**6.2 Announcement of appointment of members of Executive Mayoral Committee by the Executive Mayor
(03/1/1/4)**

The Executive Mayor appointed and announced the members of the Executive Mayoral Committee in terms of Section 60(a) of the Municipal Structures Act (No. 117 of 1998) as follows:

- Councillor K Robyn: Deputy Executive Mayor / Portfolio Committee for Technical Services
- Councillor FE Klazen: Portfolio Committee for Corporate and Financial Services
- Councillor JP Fredericks: Portfolio Committee for Community Development
- Councillor EM Sidego: Portfolio Committee for Housing Matters
- Alderman JJ Visagie: Portfolio Committee for Local Economic Development and Tourism

UNANIMOUSLY RESOLVED

that the Executive Mayoral Committee consists of the following Councillors:

- (i) Councillor K Robyn: Deputy Executive Mayor and Portfolio Committee for Technical Services.*
- (ii) Councillor FE Klazen: Portfolio Committee for Corporate and Financial Services.*
- (iii) Councillor JP Fredericks: Portfolio Committee for Community Development.*

- (iv) *Councillor EM Sidego: Portfolio Committee for Housing Matters.*
- (v) *Alderman JJ Visagie: Portfolio Committee for Local Economic Development and Tourism.*

EENPARIG BESLUIT

dat die Uitvoerende Burgemeesterskomitee uit die volgende Raadslede bestaan:

- (i) *Raadslid K Robyn: Uitvoerende Onderburgemeester en Portefeuljekomitee vir Tegniese Dienste.*
- (ii) *Raadslid FE Klazen: Portefeuljekomitee vir Korporatiewe en Finansiële Dienste.*
- (iii) *Raadslid JP Fredericks: Portefeuljekomitee vir Gemeenskapsontwikkeling.*
- (iv) *Raadslid EM Sidego: Portefeuljekomitee vir Behuisingsaangeleenthede.*
- (v) *Raadsheer JJ Visagie: Portefeuljekomitee vir Plaaslike Ekonomiese Ontwikkeling en Toerisme.*

6.3 Structuring of Council

6.3.1 Appointment of Section 79 Committees by Council (03/3/1/1)

Councillor MJ Ndaba, on behalf of the ANC component, requested a caucus break from 09:03 until 09:10.

A lengthy discussion in which various Councillors took part were held with regard to the matter.

Alderman JJ Visagie proposed and Alderman HJ Smit seconded that the matter in respect of the appointment of Section 79 Committees be put to a vote.

The ANC coalition raised various questions with regard to what was called *the appointment of a Municipal Public Accounts Committee Chairperson*. Alderman K Adams mentioned that the Speaker entertained a matter which is not on the agenda. The Speaker ruled that the matter in respect of the appointment of Section 79 Committees be held in abeyance.

Various Councillors from both coalitions took part in the discussion. The ANC coalition supported the ruling of Speaker and the DA coalition requested a voting on the matter in order for the majority of Council to make the decision. The DA coalition was of the opinion that the Speaker does not have a casting vote.

The Speaker repeated that a ruling has been made by her and that the decision was final. Alderman K Adams requested that it be minuted that he called Speaker to be out of order. The Speaker verbally agreed that Secretariat may minute the request.

There was no Council resolution on the matter. The Speaker made a ruling:

- (a) that the matter in respect of the appointment of Section 79 Committees by Council be held in abeyance until the next meeting.
- (b) that a Municipal Public Accounts Committee (MPAC) will be appointed by Council.

NOTED

**6.3.2 Appointment of Section 80 Committees by Council
(03/3/1/1)**

UNANIMOUSLY RESOLVED

that the following Section 80 Committees be established:

<i>Name of committee</i>	<i>Chairperson</i>	<i>Committee members</i>
<i>Committee for Housing Matters</i>	<i>Councillor EM Sidego</i>	<i>Councillor S de Bruin Councillor MJ Ndaba Councillor IL Swartz</i>
<i>Committee for Technical Services</i>	<i>Councillor K Robyn</i>	<i>Councillor D Swart Councillor GJ Franse Councillor AL Gili</i>
<i>Committee for Corporate and Financial Services</i>	<i>Councillor FE Klazen</i>	<i>Councillor J Zalie Councillor JJ Cloete Councillor P Heradien Councillor C Lottering</i>
<i>Committee for Community Development</i>	<i>Councillor JP Fredericks</i>	<i>Councillor K Yisa Alderman K Adams Councillor LA Hardnek</i>
<i>Committee for Local Economic Development and Tourism</i>	<i>Alderman JJ Visagie</i>	<i>Councillor GG Laban Councillor N Nogcinisa Councillor N Phatsoane</i>

EENPARIG BESLUIT

dat die volgende Artikel 80 Komitees aangewys word:

<i>Naam van komitee</i>	<i>Voorsitter</i>	<i>Komiteelede</i>
<i>Komitee vir Behuisingsaangeleenthede</i>	<i>Raadslid EM Sidego</i>	<i>Raadslid S de Bruin Raadslid MJ Ndaba Raadslid IL Swartz</i>
<i>Komitee vir Tegniese Dienste</i>	<i>Raadslid K Robyn</i>	<i>Raadslid D Swart Raadslid GJ Franse Raadslid AL Gili</i>
<i>Komitee vir Korporatiewe en Finansiële Dienste</i>	<i>Raadslid FE Klazen</i>	<i>Raadslid J Zalie Raadslid JJ Cloete Raadslid P Heradien Raadslid C Lottering</i>
<i>Komitee vir Gemeenskapsontwikkeling</i>	<i>Raadslid JP Fredericks</i>	<i>Raadslid K Yisa Raadsheer K Adams Raadslid LA Hardnek</i>
<i>Komitee vir Plaaslike Ekonomiese Ontwikkeling en Toerisme</i>	<i>Raadsheer JJ Visagie</i>	<i>Raadslid GG Laban Raadslid N Nogcinisa Raadslid N Phatsoane</i>

6.4 Council's representatives on outside bodies (3/1/1/5)

A list of outside bodies for which Council must appoint representatives, is attached as **annexure 6.4**.

UNANIMOUSLY RESOLVED

that the matter in respect of Council's representatives on outside bodies be held in abeyance until the next meeting.

EENPARIG BESLUIT

dat die aangeleentheid rakende die Raad se verteenwoordigers op buite-instansies oorstaan tot die volgende vergadering.

6.5 Determination of upper limits of allowances for Councillors and office bearers (5/11/1)

UNANIMOUSLY RESOLVED

that notice be taken of the matter in respect of the determination of upper limits of allowances for Councillors and office bearers.

EENPARIG BESLUIT

dat kennis geneem word van die aangeleentheid rakende die vasstelling van maksimum perke van toelaes vir Raadslede en ampsdraers.

**6.6. IDP and Budget Process Plan for 2022 to 2027
(02/02/1)**

UNANIMOUSLY RESOLVED

- (a) that the IDP and Budget Process Plan for 2022 to 2027 be approved.*
- (b) that in the event of any changes with regard to the dates of the Process Plan, the Municipal Manager be mandated to change same after consultation with the Executive Mayor.*

EENPARIG BESLUIT

- (a) dat die Geïntegreerde Ontwikkelings- en Begrotingsprosesplan vir 2022 tot 2027 goedgekeur word.*
- (b) dat in die geval van enige wysigings rakende die datums van die Prosesplan, die Munisipale Bestuurder bemaagtig word om genoemde datums te wysig na oorlegpleging met die Uitvoerende Burgemeester.*

**6.7 Proposed establishment of Ward Committees: 2022 until 2027
(3/3/1/5)**

UNANIMOUSLY RESOLVED

that the matter in respect of the proposed establishment of Ward Committees for 2022 until 2027 be held in abeyance to be workshopped by Council and after that be tabled to Council again.

EENPARIG BESLUIT

dat die aangeleentheid rakende die voorgestelde stigting van Wykskomitees vir 2022 tot 2027 oorstaan om deur die Raad op 'n werkwinkel bespreek te word en daarna weer aan die Raad voorgelê word.

**6.8 Reconnection of electricity over the festive period
(5/12/1/R)**

UNANIMOUSLY RESOLVED

- (a) that the electricity of prepaid consumers be reconnected free of charge.*
- (b) that the electricity of the suspended conventional consumers be reconnected upon payment of a deposit of R500-00.*
- (c) that the concession of goodwill runs from 22 December 2021 until 4 January 2022.*
- (d) that the Chief Financial Officer ensures that the public be informed of the Council decision via loud hailer and notices placed at all municipal pay points.*

EENPARIG BESLUIT

- (a) dat die dienste van verbruikers van voorafbetaalde elektrisiteit gratis heraangesluit word.*
- (b) dat die elektrisiteit van konvensionele verbruikers wie se dienste opgeskort was, heraangesluit word teen betaling van 'n deposito van R500-00.*
- (c) dat die toeweging van 22 Desember 2021 tot 4 Januarie 2022 geld.*
- (d) dat die Hoof Finansiële Beampte sorg dra dat die publiek ingelig word omtrent die raadsbesluit deur middel van luidsprekeraankondigings en kennisgewings by alle munisipale betaalpunte.*

**6.9 Council matters: Council recess for festive season 2021/2022
(3/1/2/3)**

UNANIMOUSLY RESOLVED

- (a) that the recess period of Council for the 2021/2022 festive season will be from 20 December 2021 until 16 January 2022.*
- (b) that if the Speaker needs to call a Council meeting all Councillors must be available for a virtual Council meeting at all times.*
- (c) that the Executive Mayor and Deputy Executive Mayor will be on standby during the recess period.*

EENPARIG BESLUIT

- (a) *dat die Raad vir die 2021/2022 Feesseisoen vanaf 20 Desember 2021 tot 16 Januarie 2022 in reses sal wees.*
- (b) *dat alle Raadslede ten alle tye vir 'n virtuele Raadsvergadering beskikbaar moet wees indien dit nodig sou wees dat die Speaker 'n Raadsvergadering belê.*
- (c) *dat die Uitvoerende Burgemeester en Uitvoerende Onderburgemeester op bystand sal wees gedurende die resestydperk.*

**7. REFRESHMENTS AT COUNCIL MEETINGS
(5/11/1)**

UNANIMOUSLY RESOLVED

that a deduction of R100 be made monthly from the salaries of all Councillors to provide for refreshments at Council meetings.

EENPARIG BESLUIT

dat 'n bedrag van R100 maandeliks van Raadslede se salarisse verhaal word om voorsiening vir verversings by Raadsvergaderings te maak.

8. COUNCIL-IN-COMMITTEE