

**MINUTES OF THE COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES, 50 VOORTREKKER STREET, CERES ON WEDNESDAY, 27 FEBRUARY 2013 AT 14:00**

**PRESENT**

Councillors

TT Godden (Speaker)  
S Louw (Executive Mayor)  
K Adams  
R Badela  
BJ Chaaban  
JJ du Plessis  
MC du Toit  
WJ Hanekom  
P Heradien  
JS Mouton  
SM Ndwanya  
JT Phungula  
L Salmon  
MI Saula  
E M Sidego  
RJ Simpson  
HJ Smit  
D Swart  
JJ Visagie  
P Waterboer

Officials

Mr D Nasson (Municipal Manager)  
Ms J Krieger (Acting Director: Community Services)  
Mr PR Esau (Director: Finance)  
Mr J Barnard (Director: Technical Services)  
Mr A Hofmeester (IDP Manager)  
Mr GP Bezuidenhout (Manager: Administration)  
Mr CG Wessels (Principal Administrative Officer)  
Mr C Titus (Committee Clerk)  
Ms MJ Prins (Word Processor Operator)

**1. OPENING AND WELCOME**

The Speaker welcomed everyone, especially Councillor B Chaaban, newly appointed as NPP member.

**NOTED.**

**2. CONSIDERATION OF APPLICATION FOR LEAVE OF ABSENCE, IF ANY  
(3/1/2/1)**

Applications for leave of absence from the meeting were received from Councillors BC Klaasen (DA), J Veschini (VIP) and JNED Klazen (DCP).

Apologies for absence from the meeting were received from the Director: Corporate Services and the Head: Internal Audit.

**RESOLVED**

- (a) *That the applications for leave of absence from the meeting, received from Councillors BC Klaasen (DA), J Veschini (VIP) and JNED Klazen (DCP), be accepted.*
- (b) *That cognisance is taken of the apologies for absence from the meeting, received from the Director: Corporate Services and the Head: Internal Audit.*

**3. MINUTES**

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

The following minutes are attached:

- (a) Council meeting, held on 13 December 2012: **Annexure 3.1(a).**
- (b) Special council meeting, held on 31 January 2013: **Annexure 3.1(b).**
- (c) Special council meeting, held on 13 February 2013: **Annexure 3.1(c).**

The following correction was made to the minutes of the council meeting, held on 13 December 2012:

Item 9.2: Ceres Golf Estate Development

That resolution (a) that reads: "That Council obtains a legal opinion regarding the contract between Witzenberg Municipality and the Ceres Golf Estate Development to ascertain whether certain provisions of the contract might be ultra vires" be changed to read: "That Council obtains a legal opinion regarding the full contract between Witzenberg Municipality and the Ceres Golf Estate Development."

The following correction was made to the minutes of the special council meeting, held on 31 January 2013:

That the names of Councillors JJ du Plessis and J Mouton be added to the attendance list.

**RESOLVED**

- (a) *That the minutes of the council meeting held on 13 December 2012, as amended, be approved and signed by the Speaker.*
- (b) *That the minutes of the special council meeting held on 31 January 2013, as amended, be approved and signed by the Speaker.*

- (c) *That the minutes of the special council meeting, held on 13 February 2013, be held in abeyance until the next meeting.*

#### **4. STATEMENTS, ANNOUNCEMENTS OR MATTERS RAISED**

##### **4.1 Gratitude, Congratulations and Commiseration (11/4/3)**

Councillor E Sidego mentioned that her name as well as those of Councillors H Smit and J du Plessis have been omitted from the list of birthdays and requested that the matter be corrected.

The Executive Mayor conveyed Council's congratulations to the following councillors and spouses on their birthdays:

- |                           |             |
|---------------------------|-------------|
| • Councillor BC Klaasen   | 8 January   |
| • Councillor R Badela     | 14 January  |
| • Councillor J Phungula   | 15 January  |
| • Ms Fowzia Adams         | 24 January  |
| • Ms Clara Godden         | 25 January  |
| • Councillor J du Plessis | 15 February |
| • Councillor E Sidego     | 16 February |
| • Councillor BJ Chabaaan  | 23 February |
| • Councillor H Smit       | 25 February |

**NOTED.**

##### **4.2 Matters raised by the Speaker (09/1/1)**

- (a) The Speaker requested that agendas be 100 % correct to avoid corrections and changes.
- (b) The Speaker expressed dissatisfaction that councillors still experience problems regarding computers and office space. This matter must be rectified without delay.

**NOTED.**

##### **4.3 Matters raised by the Executive Mayor (09/1/1)**

The Executive Mayor reminded Council that the Vodacom rugby match between Boland Kavaliers and Western Province will be held at the Victoria Sports Grounds on Saturday, 9 March 2013.

**NOTED.**

**5. MOSIES EN KENNISGEWINGS VAN VOORSTELLE**

Geen.

**AANGETEKEN.**

**6. INTERVIEWS WITH DELEGATIONS**

None.

**NOTED.**

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**7. GEDELEGEERDE BEVOEGDHEDE / DELEGATED POWERS**

**7.1 Notules: Komiteevergaderings  
(03/3/2)**

Die verslae/notules van die volgende komiteevergaderings word ingebind:

- (a) Komitee vir Behuisingsaangeleenthede, gehou op 5 November 2012: **Bylae 7.1(a).**
- (b) Komitee vir Tegniese Dienste, gehou op 21 November 2012: **Bylae 7.1(b).**
- (c) Uitvoerende Burgemeesterskomitee, gehou op 7 Desember 2012: **Bylae 7.1(c).**

**BESLUIT**

*Dat kennis geneem word van die notules van die komiteevergaderings.*

**8. GERESERVEERDE BEVOEGDHEDE / RESERVED POWERS**

**8.1 Direktooraat Finansies / Directorate Finance**

**8.1.1 Monthly reports of the Department Finance: September, October, November and December 2012  
(9/1/2/2)**

The following items have reference:

- (a) Item 6.1.1 of the Executive Mayoral Committee meeting, held on 7 December 2012.
- (b) Item 6.1.1 of the Executive Mayoral Committee meeting, held on 8 February 2013.

The following monthly reports of the Department Finance are attached:

- (a) September 2012: **Annexure 8.1.1(a)**
- (b) October 2012: **Annexure 8.1.1(b)**
- (c) November 2012: **Annexure 8.1.1(c)**
- (d) December 2012: **Annexure 8.1.1(d)**

Councillor T Godden expressed appreciation for a job well done, especially in respect of the decline in outstanding debt.

The Executive Mayoral Committee took cognisance of the monthly reports of the Department Finance for September, October, November and December 2012 and accepted same.

The monthly reports of the Department Finance for September, October, November and December 2012 were tabled and the following matters were highlighted:

- The purchasing of emergency food parcels between September and December 2012.
- The function of the Traffic Forum and refreshments provided.
- Vouchers for schools.
- The yearend function of the Department Finance during December 2012.

The Chief Financial Officer indicated that the various matters will be investigated and a report in this respect tabled at the next council meeting.

Council resolved that the matter be held in abeyance until the next meeting and that the Chief Financial Officer tables a detailed report on the various financial matters.

**RESOLVED**

- (a) *That the Chief Financial Officer tables a report in respect of various questions asked with regard to the monthly reports of the Department Finance between September and December 2012.*
- (b) *That the matter be held in abeyance until the next council meeting.*

**8.1.2 Finance: Adjustment Budget 2012/2013  
(5/1/11)**

A report from the Deputy Director: Finance, dated 21 February 2013, is attached as **annexure 8.1.2**.

The following recommendation was tabled to Council:

That the adjustment budget of Witzenberg Municipality for the financial year 2012/2013, as set out in the budget documents, be approved:

- (i) Table A1 – Budget summary.
- (ii) Table B2 – Adjustments Budget Financial Performance (by standard classification).
- (iii) Table A3 – Budgeted Financial Performance (Revenue and Expenditure) by Vote.
- (iv) Table B4 – Adjustments Budget Financial Performance (revenue by source).
- (v) Table A5 – Budgeted Capital Expenditure by Vote, standard classification and funding.

**RESOLVED**

*That the matter be held in abeyance until the next council meeting.*

**8.1.3 Report: Quarterly stock count: Municipal Stores, Drommedaris Street, Ceres  
(6/1/1)**

Item 6.2 of the meeting of the Committee for Corporate and Financial Services, held on 20 February 2013, refers.

The following report, dated 15 October 2012, was received from the Manager: Supply Chain:

“1. Purpose

To report on the findings of the stock count that took place on 6 October 2012 concerning the following:

- Surpluses and shortages of stock items;
- Redundant stock items; and
- Damaged stock items

2. Discussion

Three counting teams consisting out of two employees each, who are not involved in the day-to-day administration of stock, were assembled. The process was supervised by the Manager: Supply Chain. The Stores personnel, Mr D Titus, Mr J Esau and Ms B Luiters were also present to assist the counters where necessary.

3. Findings and financial implications

The value of stock as at 6 October 2012 was R4 854 982.01.

3.1 Surpluses and shortages

The following surpluses were found:

(a) Surpluses

Table 3.1(a)

Item code	Item description	Quantity (in meters)	Value per item (R)	Total value (R)
F0055	Ferruls 16 mm 71/064	2	1.17	2.34
W0037	Fibre washers for meters 15 mm	5	0.55	2.75

(b) Shortages

No shortages were found.

(c) Redundant stock items

No redundant stock items were found.

(d) Damaged stock items

No damaged stock items were found."

The Executive Mayor congratulated the Finance Department and Municipal Manager that no shortages exist.

The Committee for Corporate and Financial Services resolved on 20 February 2013 that Council authorises the up taking of surpluses as per table 3.1(a) above.

**RESOLVED**

*That Council authorises the up taking of surpluses as per table 3.1(a) above.*

**8.2      Direktoraat Tegniëse Dienste / Directorate Technical Services**

**8.2.1    Provision of drink water: Vredelust Farm, Ceres  
(16/02/1/3/1)**

The following items have reference:

- (a)      Item 6.9 of the meeting of the Committee for Technical Services, held on 19 September 2012.
- (b)      Item 8.2.1 of the council meeting, held on 13 December 2012.

A memorandum dated 6 September 2012, received from the Manager: Water and Sewerage is attached as **annexure 8.2.1**.

The Committee for Technical Services resolved on 19 September 2012:

- (a)      That the Cape Winelands District Municipality writes a letter to the owner of Vredelust farm, instructing him to provide the residents with sustainable clean drink water.
- (b)      That an agreement be reached with Cape Winelands District Municipality to supply water on a regular basis.
- (c)      That the Environmental Health Inspectors of Cape Winelands District Municipality do regular inspections on the drink water supply of Vredelust farm.
- (d)      That the issue regarding the installation of bigger water tanks on Vredelust farm be referred to Council for a decision regarding the spending of public funds on private property.

The Municipal Manager informed Council that public funds may not be spent on private property.

Council resolved on 13 December 2012 that the matter regarding the provision of drink water on Vredelust farm be held in abeyance.

The Council requested that the Municipal Manager writes a letter to the MEC for Agriculture and requests that the matter of drink water at Vredelust Farm be investigated and also to render support to Witzenberg Municipality in this regard.

**RESOLVED**

*That the Municipal Manager addresses a letter to the MEC for Agriculture and requests that the matter of drink water at Vredelust Farm, Ceres to be investigated and also to render support to Witzenberg Municipality in this regard.*



**8.3      Direktoraat Gemeenskapsdienste / Directorate Community Services**

Geen.

**AANGETEKEN.**

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**8.4      Direktoraat Korporatiewe Dienste / Directorate Corporate Services**

**8.4.1    Amendment to Section 80 Committees of Council  
(03/3/1/1)**

The following items refer:

- (a)      Item 7.4.1 of the Executive Mayoral Committee meeting, held on 15 October 2012.
- (b)      Item 8.4.1 of the council meeting, held on 13 December 2012.

Council established the following Section 79 and 80 Committees at its meeting held on 22 June 2011:

- (i)      Committee for Community Services
- (ii)     Committee for Housing Affairs
- (iii)    Committee for Corporate and Financial Services
- (iv)     Committee for Technical Services
- (v)      Committee for Rural and Local Development and Town Planning

Since the inception of the committees various practical problems were experienced by both the political office bearers as well as the administrative staff. Councillor J Veschini requested that the following amendments be considered to the committees:

<b>Committee</b>	<b>General role / Function of committee</b>
1.      Committee for Technical Services and Planning	To deal with all matters of technical nature, including roads, water, sewerage and electrical services. Town Planning and Building Control.
2.      Committee for Local Economic Development, Tourism and Marketing	To deal with all matters such as Local and Socio-Economic Development, Tourism and Marketing.
3.      Committee for Community Services	To deal with all Community Safety and Security, Health and Social Welfare, Protection and Traffic Services, Sports and Recreation, Amenities, Environment, Fire Services and Community Services.
4.      Committee for Housing Matters	To deal with all matters to do with housing, including managing informal dwellers, rental stock, sales of municipal housing and housing applications.

5. Committee for Corporate and Financial Services	To deal with all matters relating to Finance, including budgetary matters, IDP, Credit Control, Cash Management, Tenders, Bids, Supply Chain Control, Corporate Services, Human Resources, Training, Asset Management, Risk Management, IT, Communication and Marketing, Leases, Contracts of sale.
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Comments of Municipal Manager:

“The only changes effectively proposed by Councillor Veschini are with regard to the Committee for Technical Services and the Committee for Rural and Local Economic Development and Planning. Town planning and building control will now be included in the Committee for Technical Services whereas it previously formed part of the Committee for Rural and Local Economic Development and Planning. Town planning and building control are also part of the Directorate Technical Services and it makes sense to include it with the Committee for Technical Services. This will create a much better picture of the department as a whole and the impact of planning on service delivery.

Tourism and Marketing will now be part of the Committee of Rural and Local Economic Development instead of Corporate Services. Tourism and Marketing is fundamental in the concept of local economic development and should as such be dealt with by the new committee.

The rest of the KPA's will remain the same as those adopted and accepted by Council at its meeting on 22 June 2011.”

The Executive Mayoral Committee resolved on 15 October 2012 that the following amendment to the Section 79 Committees of Council be approved:

- (a) That Councillor JJ du Plessis be transferred from the Committee for Corporate and Financial Services to the Committee for Community Development.
- (b) That the Section Town Planning and its KPA's form part of the Committee for Technical Services.

Council took cognisance of the amendment to the Section 79 Committee of Council on 7 December 2012.

Comments of Municipal Manager dated 22 February 2013:

“Confusion with regard to Section 79 and 80 Committees

Section 79 deals with the establishment of Council committees. Section 80 deals with committees to assist the Executive Mayoral Committee or Executive Mayor. Section 80 stipulates that:

‘(1) If a municipal council has an executive committee or executive mayor, it may appoint in terms of Section 79, committees of councillors to assist the executive committee or executive mayor.’

Although the Section 80 Committees serve the Executive Mayor, it is still established in terms of Section 79, hence the previous referral in council items to both sections.”

**RESOLVED**

*That cognisance is taken of the amendment to the Section 80 Committees of Council and same be accepted.*

**9. URGENT MATTERS SUBMITTED AFTER DISPATCHING OF THE AGENDA**

**9.1 IDP and SDBIP 2012/2013: Proposed amendment  
(5/1/5/5 & 2/2/1)**

A memorandum from the Manager: Projects and Performance, dated 21 February 2013, is attached as **annexure 9.1**.

The following recommendation was tabled to Council:

- (a) That the 2012/2013 IDP be amended with the attached changes in terms of the Strategic Objectives.
- (b) That the 2012/2013 SDBIP be amended in terms of the Strategic Objectives and Key Performance Indicators as attached.
- (c) That the financial information of the 2012/2013 SDBIP be amended after approval of the amended budget.
- (d) That procedural systems be developed for all Key Performance Indicators (Top Level).
- (e) That an internal Performance System be implemented for the period ending June 2013.

**RESOLVED**

*That the matter be held in abeyance to be adopted concurrently with the Adjustment Budget.*

**9.2 Optimisation of Telkom SA Limited's Public Pay-Telephone Portfolio  
(17/15/1)**

Item 8.4.1 of the council meeting held on 28 September 2011 refers.

Council resolved on 28 September 2011 that the Municipal Manager informs Telkom SA that the Council of Witzenberg Municipality rejects the proposal pertaining to the Public Pay Telephone Portfolio.

A letter from Telkom, dated 30 January 2013, is attached as **annexure 9.2**.

**RESOLVED**

*That the Municipal Manager consults with Telkom regarding the optimisation of Telkom SA Limited's Public Pay-Telephone Portfolio.*

**10. FORMAL AND STATUTORY MATTERS**

**10.1 Council and Council Affairs: Code of Conduct: Councillors not attending meetings  
(3/2/2)**

The Speaker removed the item from the agenda as being wrongfully placed.

**NOTED.**

**11. QUESTIONS and/or MATTERS RAISED by COUNCILLORS**

Councillor J Phungula raised the following matters:

- The dirtiness of Pine Valley, Wolseley and Nduli, Ceres and requested that the areas be cleaned.
- That an urgent site inspection be held at the graveyards of Pine Valley, Wolseley and Nduli, Ceres.
- The problem of parking space for councillors at the main building.
- That the municipal building opposite the clinic at Nduli, Ceres urgently be renovated and utilised for emergency purposes.
- The presence of armed security at the main building and the reasons therefore.
- That the late distribution of council agendas is still problematic for councillors.

**NOTED.**

**12. ADJOURNMENT**

The meeting adjourned at 15:15.

Approved on \_\_\_\_\_ .

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**COUNCILLOR TT GODDEN**  
**SPEAKER**

/MJ Prins