

Minutes of the 3rd Monthly Council Meeting for the Local Council of Beaufort West held in the **Council Chambers, Municipal Offices, 15 Church Street, Beaufort West** on **Wednesday, 29 March 2023 at 09:15**

Present

Alderman: JJ Van Der Linde

Councillors: A Sauls I [**Executive Mayor**], LV Piti [**Deputy Executive Mayor**], N Constable [**Speaker**], N Abrahams, EF Botha, CL De Bruin, LBJ Mdudumani [*virtually*], JDK Reynolds [*virtually*], SM Meyers, R Skuza, AM Slabbert

Absent:

Councillor: S Essop [*apology*]

In Service: **Acting Municipal Manager** [RR Links], **Director: Corporate Services** [AC Makendlana], **Acting Director: Community Services** [MC Tshibo], **Acting Director: Financial Services** [RA Eland], **Senior Manager: Technical Services** [C Wright], **Senior Manager: Corporate Services** [P Strümpher] [*virtually*] and **Senior Clerk: Committees** [L.D. Draghoender]

A. OPENING AND WELCOMING

The Speaker welcomes all to the 3rd Monthly Council meeting and requests Councillor LV Piti to open the meeting with prayer.

1. ELECTION OF ACTING SPEAKER

NONE

2. APPLICATION FOR LEAVE OF ABSENCE

3/2/1/2

The following councillors give an indication that they will be on leave of absence:

COUNCILLOR	REASON	PERIOD OF LEAVE OF ABSENCE
EF Botha	Leave	03 April 2023 – 05 April 2023
A Sauls I	Leave	03 April 2023
AM Slabbert	Leave	01 April 2023
JDK Reynolds	Leave	03 April 2023 – 10 April 2023

The Speaker requests the Director: Corporate Services to introduce the new ICT Manager to Council and requests Councillor LV Piti to welcome Ms Siyasanga Nombila to Council and the Beaufort West Municipality.

3. CONFIRMATION OF MINUTES

3/2/1/B

dcs

- 3.1 2nd Monthly Council Meeting for the Local Council for Beaufort West held on **Tuesday, 28 February 2023:**

Councillor CL De Bruin seconded by Councillor N Abrahams proposes that the above-mentioned minutes be accepted and approved.

- 3.2 3rd Special Council Meeting for the Local Council for Beaufort West held on **Monday, 06 March 2023:**

Councillor CL De Bruin seconded by Councillor LV Piti proposes that the following minutes be accepted and approved:

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

4. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

NONE

5. STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR

3/4/4

NONE

6. CONSIDERATION OF REPORTS

6.1 MONTHLY BUDGET STATEMENT FOR THE MONTH ENDING FEBRUARY 2023

5/1/2/1

The Executive Mayor, Councillor A Sauls I reads into record the monthly budget statement for February 2023 which is attached as **Annexure 25 to 48** to the Agenda.

The Speaker allows Council to comment and/or ask questions.

Councillor SM Meyers, referring to overspending, requests the Administration to explain what measures are put in place to improve overspending.

The Acting Municipal Manager informs Council that the Administration are putting measures in place to curb overspending. Furthermore the Acting Municipal Manager explains that the Administration are in the process of discussing a Ten Point Plan, which is another measure to reduce overspending and enhance revenue.

The Speaker requests the Acting Municipal Manager to table the Ten Point Plan to Council after it has been finalised.

dcS

Councillor N Abrahams seconded by Councillor CL De Bruin proposes that the monthly budget statement for February 2023 which is attached as **Annexure 25 to 48** to the Agenda be accepted and approved.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

7. CONSIDERATION OF REPORTS ON DELEGATED POWERS

NONE

8. URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

8.1 APPLICATION TO BE ADMITTED PERMANENTLY ON ESSENTIAL TRANSPORT SCHEME

4/6/1/7

The Speaker reads into record the content of the item and allow for deliberation after which:

dcS/hr

Councillor N Abrahams seconded by Alderman JJ Van Der Linde proposes:

8.1.1 That the item be referred to the Standing Committee: Corporate Services and Human Resources with a comprehensive report that will entail the following:

8.1.1.1 Longlist – permanently admitted officials.

8.1.1.2 Cost implications per month.

8.1.1.3 Proof / Evidence of speedometer kilometres submitted on a monthly basis.

8.1.1.4 Proposal on how monitoring will be effected to ensure value for money to the scheme.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

8.2 LETTER: SAMWU BEAUFORT WEST STRUCTURES ON VARIOUS ISSUES

4/7/1/1

Councillor SM Meyers requests the Administration explain why the Council resolution of 08 December 2022 is not yet implemented regarding the once-off payment to employees.

The Executive Mayor, Councillor A Sauls I reiterates that the Administration must execute all Council resolutions. Furthermore Councillor A Sauls I explains how Council decided on which of the 3,5% and /or once-off payment to give to employees.

dcs

Councillor A Sauls I seconded by Councillor LV Piti proposes:

8.2.1 That approval be granted for the payment of a once-off non-pensionable cash allowance for qualifying employees, with immediate effect, which is broken down as follows:-

- R4,000.00 once-off non-pensionable allowance for employees earning R12,500.00 and below; and
- R3,000.00 once-off non-pensionable allowance for employees earning R12,501.00 and above.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

8.3 SIGNATURE: ON COUNCIL'S BANK ACCOUNT / INVESTMENT / INTERNET BANKING

5/1/2/1

RESOLVED

dcs

8.3.1 That the following signatories that are currently on the Council's bank account / Investment / Internet Banking be removed:

- Mr. GZ Nyathi
- Ms. PA Lande
- Ms. LA Gouws
- Mr. CJ Kymdell

8.3.2 That the following signatories should remain on the Council's bank account / Investment / Internet Banking and that the item be brought back to Council should there be any changes required:

- Mr. RA Eland
- Mr. NP Mabhena
- Ms. BV De Klerk

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

8.4 MFMA: SECTION 66: EXPENDITURE ON STAFF BENEFITS: FEBRUARY 2023

5/1/2/4

dcs

Councillor CL De Bruin seconded by Councillor EF Botha proposes that the Section 66: Expenditure on Staff Benefits for February 2023 attached as **Annexure 004** to the Agenda be accepted and approved.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

8.5 ADMINISTRATION RIGHTS OF THE IT MANAGER ON THE MUNICIPALITY'S INTERNET BANKING PROFILE

5/8/2

RESOLVED

ba

Councillor CL De Bruin seconded by Councillor A Sauls I proposes:

8.5.1 That permission be granted to register Ms. Siyasanga Nombila as the Administrator on the Municipality's internet banking profile.

8.5.2. That for a period of six months during the handover period Mr. P. Strümpher's administrator access to the internet banking profile must remain as part of the handover process.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

8.6 EVALUATION OF NOTICE No. 21/2023: SALE OF RESIDENTIAL ZONE 1 PROPERTY: ERF 672, KWA-MANDLENKOSI

7/3/4/1/3/2

RESOLVED

sab

8.6.1 That the bid of Vuyolwethu Mbune for erf 672, Kwa-Mandlenkosi be accepted for the amount of R25 000.00 (VAT excluded).

8.6.2 That the deed of sale be signed and paid in full within 60 calendar days from the date of request to do so.

8.6.3 That failure to comply with the condition in paragraph 2 above, the award be cancelled and the property again be offered for sale.

The Speaker allows Council a 5-minute break at 10:20.

At resumption of the meeting at 10:37 the following were:

Present

Alderman: JJ Van Der Linde

Councillors: A Sauls I [**Executive Mayor**], LV Piti [**Deputy Executive Mayor**], N Constable [**Speaker**], N Abrahams, EF Botha, CL De Bruin, LBJ Mdudumani [*virtually*], JDK Reynolds [*virtually*], SM Meyers, R Skuza, AM Slabbert

In Service: **Acting Municipal Manager** [RR Links], **Director: Corporate Services** [AC Makendlana], **Acting Director: Community Services** [MC Tshibo], **Acting Director: Financial Services** [RA Eland], **Senior Manager: Technical Services** [C Wright], **Senior Manager: Corporate Services** [P Strümpher] [*virtually*] and **Senior Clerk: Committees** [L.D. Draghoender]

In accordance with Section 4(4) of the Rules of Order the Speaker informed Council that Items 8.21, 8.19 and 8.20 will be discussed and that the remainder of the Agenda will be discussed during a continuation meeting and that the date for the continuation meeting will be communicated to councillors.

8.7 APPLICATION FOR UTILISATION OF MUNICIPAL FACILITIES TO RENDER SOCIAL ASSISTANCE SERVICES TO THE COMMUNITIES OF MERWEVILLE, NELSPOORT AND MURRAYSBURG

7/1/4

This Item was not discussed meeting adjourned.

FOR CONSIDERATION

8.8 APPLICATION TO LOCK THE CHILDREN'S PLAY PARK: VOORTREKKER STREET, BEAUFORT WEST

14/9/1

This Item was not discussed meeting adjourned.

FOR CONSIDERATION

8.9 REQUEST FOR THE DISPOSAL OF ERF 256, MERWEVILLE

7/3/4/1/3/2

This Item was not discussed meeting adjourned.

FOR CONSIDERATION

8.10 DISPOSAL OF VACANT RESIDENTIAL ERVEN IN ESSOPVILLE, BEAUFORT WEST
7/3/4/1/3/2

This Item was not discussed meeting adjourned.

FOR CONSIDERATION

8.11 ALIENATION OF ERF 1637, BEAUFORT WEST
7/1/1; 7/3/4/1/3/1

This Item was not discussed meeting adjourned.

FOR CONSIDERATION

8.12 LITIGATION REGISTER
1/2/3/3

This Item was not discussed meeting adjourned.

FOR CONSIDERATION

8.13 OVERSIGHT REPORT – ANNUAL REPORT 2021/2022 FINANCIAL YEAR
5/1/B

RESOLVED

dcs

Councillor CL De Bruin seconded by Councillor EF Botha proposes:

- 8.13.1 That Council takes note of the comments received from the Auditor General and Provincial Treasury on the Annual Report as well as the fact that the outstanding components of the Annual Report such as the Audited Financial Statements, Auditor General's Report and Audit Committee Report are included in the Final Annual Report for 2021/2022.
- 8.13.2 That Council have considered the 2021/2022 Oversight report as presented by the Municipal Public Accounts Committee attached as **Annexure 142 to 145** of the Agenda, Council adopts the Oversight Report on the Annual Report for 2021/2022 financial year without reservation.
- 8.13.3 That the Final Annual Report for 2021/2022 financial year attached as **Annexure 146 to 501** of the Agenda be accepted and approved.
- 8.13.4 That the Oversight Report be made public within (7) seven days of its adoption.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

8.14 DRAFT: OPERATIONAL AND CAPITAL BUDGET: 2023/2024 FINANCIAL YEAR: 1 JULY 2023 TO 30 JUNE 2024

5/1/2/1

Item concluded in Item 8.19.

FOR CONSIDERATION

8.15 DRAFT: 2022/2027 INTEGRATED DEVELOPMENT

10/3/3/5/11

Item concluded in Item 8.21.

FOR CONSIDERATION

8.16 NON-ATTENDANCE OF MEETINGS

SP: R Skuza

This Item was not discussed meeting adjourned.

FOR CONSIDERATION

8.17 MOTION: RECOVERY OF UNAUTHORISED EXPENSES ACTING MUNICIPAL MANAGER

3/2/1/1

This Item was not discussed meeting adjourned.

FOR DISCUSSION

8.18 PROPOSED DETERMINATION AND COST OF LIVING ADJUSTMENT OF THE UPPER LIMITS OF THE TOTAL REMUNERATION PACKAGES OF MUNICIPAL MANAGERS AND MANAGERS DIRECTLY ACCOUNTABLE TO MUNICIPAL MANAGERS FOR THE FINANCIAL YEAR 2022/2023

10/3/2/3/4

This Item was not discussed meeting adjourned.

FOR CONSIDERATION

8.19 DRAFT: OPERATIONAL AND CAPITAL BUDGET: 2023/2024 FINANCIAL YEAR: 1 JULY 2023 TO 30 JUNE 2024

5/1/2/1

The Speaker informs Council that a workshop will be held on 11 April 2023 before commencement of the IDP/Operational and Capital Budget 2023/2024 Financial Year

public participation meetings on 12 April 2023 to allow the Administration to prepare Council for the public meetings.

dcs/ba

Councillor A Sauls I seconded by Councillor LV Piti proposes:

8.19.1 That Council approve the Annual Budget of the Municipality for the financial year 2023/24 and indicative for the two projected outer years, 2024/25 and 2025/26, as set out in the Annual Budget Tables:

8.19.1.1 Budgeted Financial Performance (revenue and expenditure by standard classification) reflected in Table A2;

8.19.1.2 Budgeted Financial Performance (revenue and expenditure by municipal vote) as reflected in Table A3;

8.19.1.3 Budgeted Financial Performance (revenue by source and expenditure by type) as reflected in Table A4;

8.19.1.4 Multi-year and single year capital appropriations by municipal vote and standard classification and associated funding by source as reflected in Table A5;

8.19.1.5 Capital detailed budget reflected in **Annexure C**;

8.19.2 That Council approve the property rates tariffs increases for 2023/24 as per **(Annexure A)** and tariffs for service charges and other sundry tariffs as per **(Annexure B)**;

8.19.3 That the rate in the rand for Property Rats for 2023/2024 financial year are;

Residential Property	0,022333
Business Property	0,031267
Industrial Property	0,031267
Agricultural Property	0,005583
Public Services puppose	0,031267
National Monuments	0,031267
Multipurpose Use Property	0.0
Municipal Property	0.0
Nature Reserve Property	0.0
PSI	0.0
Vacant Land	0,026800

8.19.4 That the rates levied per individual property will be calculated based on the value of that property and multiplied by the rate in rand set out in the document. Rebates are also taken into consideration.

8.19.5 That the following proposed rates and tariffs increases for the 2023/2024 Budget year be approved:

- Property rates - 6%;
- Service charges electricity - 17%;

- Service charges water - 6%;
- Service charges sanitation - 6%;
- Service charges refuse - 6%;
- Other sundry tariffs - 6% and
- Interest on outstanding debtors be levied monthly at prime plus one percent (1%).

Discounts on certain qualifying properties will be made in terms of the Council's rates policy.

8.19.6 That Council takes cognisance of the 2023/24 draft Service Level Standards (**Annexure E**).

8.19.6.1 The tariffs for electricity - **17%**. The National Energy Regulator of South Africa (NERSA) is responsible for the price determination of the bulk costs of electricity. In January 2023, NERSA approved tariff increases of 18.7 per cent in 2023/24 and 12.7 per cent increase in 2024/25. The 17% increase in municipal tariff increase is provisional as the municipality is still awaiting the Consultation Paper-Municipal Tariff Guideline, Benchmarks and Proposed Timelines for FY 2023/24 to be published.

8.19.6.2 The tariffs for water - 6%;

8.19.6.3 The tariffs for sanitation - 6%;

8.19.6.4 The tariffs for refuse removal - 6%;

8.19.6.5 Other sundry tariffs - 6%;

8.19.6.6 Interest on outstanding debtors be levied monthly at prime plus one percent (1%).

8.19.7 That households with a monthly income less than 2 old age pensions (R 4,210) or less; such a household will qualify for the following indigent subsidy:

Component	Subsidy
Electricity Basic	100% Subsidy
Water Basic	100% Subsidy
Electricity Consumption	50 kWh electricity usage
Water Consumption	6 kl
Sanitation	100% Subsidy
Refuse Removal	100% Subsidy

- 8.19.8 That objections and or comments with regard to the budget and or tariffs must be lodged in writing on or before **12:00** on **Friday, 12 May 2023**, stating full reasons for such objections.
- 8.19.9 That Council will consider any objections or comment in terms of Section 23 of the Local Government: Municipal Finance Management Act, 2003 after which the budget and tariffs will be finalized during May 2023.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

8.20 PROJECT: CIVIC CENTRE: ERF 3464 SOUTH CAPE COLLEGE

7/3/4/1/4/1; 7/3/4/2/3/5

After in-depth discussion the Speaker requests for proposals.

ba

Councillor A Sauls I seconded by Councillor CL De Bruin proposed that the Thusong Centre (Rustdene) inclusive of the adjacent land (Public Park) be made available for a Civic Centre and that a public tender process be followed to invite possible investors for the development of a Civic Centre.

Alderman JJ Van Der Linde seconded by Councillor SM Meyers proposed that Council must wait for the transfer of Erf 3464 from South Cape College to Beaufort West Municipality in order to make the land available on public tender for the development of a Civic Centre.

The Speaker brings both proposals to a vote.

3 Votes in favour of the proposal of Alderman JJ Van Der Linde seconded by Councillor SM Meyers.

8 Votes in favour of the proposal of Councillor A Sauls I seconded by Councillor CL De Bruin.

THUS RESOLVED

8.21 AMENDMENT OF THE 2022/2027 IDP [2023/2024 FINANCIAL YEAR]

2/10/2

The Speaker informs Council that a workshop will be held on 11 April 2023 before commencement of the IDP/Operational and Capital Budget 2023/2024 Financial Year public participation meetings on 12 April 2023.

dcs

Councillor A Sauls I seconded by Councillor CL De Bruin proposes:

- 8.21.1 That Council accept the proposal for the amendment of the 2022-2027 IDP, to allow for the new MSDP (2023) to be adopted as a core component of the IDP following the conclusion public participation process that is currently underway in terms of section 20(3) of SPLUMA;

8.21.2 That Council approves the advertising of the proposed amendment of the 2022-2027, for comment.

8.21.3 That Council also approves the legislative public participation process to be followed.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

9. CONSIDERATION OF MOTIONS

9.1 MOTION: UNLAWFUL APPOINTMENT OF LAWYERS FOR THE COUNCIL

This Item was not discussed meeting adjourned.

FOR CONSIDERATION

9.2 MOTION: RECOVERY OF FRUITLESS EXPENDITURE: ADVERTISING COSTS IN RESPECT OF INTENDED PROJECTS

This Item was not discussed meeting adjourned.

FOR CONSIDERATION

9.3 MOTION: IMPLEMENTATION OF THE BATHO PELE PRINCIPLES AT THE COUNCIL

This Item was not discussed meeting adjourned.

FOR CONSIDERATION

10. CONSIDERATION OF QUESTIONS

NONE

11. CONSIDERATION OF MOTIONS OF EXIGENCY

NONE

12. ADJOURNMENT

The meeting adjourns at 11:35 and has been postponed until Tuesday 18 April 2023 at 11:00.

At resumption of the **Continuation Meeting** of the **3rd Monthly Council Meeting** for the Local Council of Beaufort West held in the **Council Chambers, Municipal Offices, 15 Church Street, Beaufort West** on **Tuesday, 18 April 2023** at **08:11** the following were:

Present

Alderman: JJ Van Der Linde

Councillors: A Sauls I [**Executive Mayor**], LV Piti [**Deputy Executive Mayor**], N Constable [**Speaker**], N Abrahams, EF Botha, CL De Bruin, LBJ Mdudumani, JDK Reynolds [*virtually*], SM Meyers, S Essop [*virtually*]

Absent:

Councillor: AM Slabbert [*apology*]
R Skuza [*apology*]

In Service:

Acting Municipal Manager [RR Links], **Director: Corporate Services** [AC Makendlana], **Acting Director: Community Services** [MC Tshibo], **Senior Manager: Technical Services** [C Wright], **Senior Manager: Corporate Services** [P Strümpher] [*virtually*], **Senior Administrative Officer** [KS Fortuin] and **Senior Clerk: Committees** [L.D. Draghoender]

Absent:

Acting Director: Financial Services [RA Eland]

The Speaker welcomes all to the Continuation meeting and request Mrs K Fortuin to open the meeting with prayer.

8.7 APPLICATION FOR UTILISATION OF MUNICIPAL FACILITIES TO RENDER SOCIAL ASSISTANCE SERVICES TO THE COMMUNITIES OF MERWEVILLE, NELSPOORT AND MURRAYSBURG

7/1/4

The Speaker reads into record the content of the item.

sab

Councillor N Abrahams seconded by Councillor CL De Bruin proposes:

- 8.7.1 That approval be granted that the South African Social Security Agency (SASSA) can lease the following facilities for a period of two years starting 1 June 2023 and as per table:

Facility	Frequent Monthly Usage	Tariff Fee per usage	Deposit	Monthly Municipal Service Fee	Monthly Fee
Merweville Sport Complex	2 days per month	R349.00	R349.00	R500.00	R1547.00 (excl VAT)

Murraysburg Town Hall	3 days per month	R190.00	R290.00	R500.00	R980.00 (excl VAT)
Nelspoort Sport centre	1 day per month	R349.00	R349.00	R500.00	R1198.00 (excl VAT)

1. That Council approve the amount of R500.00 per month as a pro-rata flat rate for the municipal services at the different facilities.
2. That the Lessee must inform the Director: Community Services of the date when the halls will be utilised, in order to ensure that the hall is readily available for utilisation by the Lessee.
3. That the lease agreement attached as **Annexures 044 to 056** to the Agenda be approved.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

8.8 APPLICATION TO LOCK THE CHILDREN'S PLAY PARK: VOORTREKKER STREET, BEAUFORT WEST

14/9/1

Councillor SM Meyers expresses his view that the Rotary Club is already cleaning the park and that they are doing a good job. Furthermore that with all the activities happening in the park after hours, it would be to the benefit of the Beaufort West Municipality to lock the park.

sab

Councillor SM Meyers seconded by Alderman JJ Van Der Linde proposes:

- That the Council approve the closure of the Children's Play Park between 19:00 and 08:00;
- That the Rotary Club lock and open the Children's Play Park and exercise access control to the park on behalf of Beaufort West Municipality, and
- That the Rotary Club erect a notice board to indicate the opening and closing times of the Children's Play Park.

Councillor CL De Bruin seconded by Councillor EF Botha propose:

- That the application received from the Rotary Clun to lock the Children's Play Park: Voortrekker Street in order to implement access control not be approved.
- That the Acting Director: Community Services explore ways in which access control by the Beaufort West Municipality be implemented in order to manage the park.

The Speaker brings both proposals to a vote.

3 Votes in favour of the proposal of Councillor SM Meyers seconded by Alderman JJ Van Der Linde.

7 Votes in favour of the proposal of Councillor CL de Bruin seconded by Councillor EF Botha.

Councillor S Essop abstains.

THUS RESOLVED

8.9 REQUEST FOR THE DISPOSAL OF ERF 256, MERWEVILLE

7/3/4/1/3/2

Alderman JJ Van Der Linde seconded by Councillor SM Meyers propose:

sab

8.9.1 That approval be granted that erf 256, Merweville be offered for sale, "voetstoots" by public notice.

8.9.2 That a valuation of erf 256, Merweville be done to determine the market value.

8.9.3 That the following documents be approved:

8.9.3.1 Notice regarding the disposal of erf 256, Merweville attached as **Annexure 088 to 089** of the Agenda.

8.9.3.2 The bid form to be completed and submitted by prospective buyers attached as **Annexure 090 to 093** of the Agenda.

8.9.3.3 The deed of sale attached as **Annexure 094 to 098** of the Agenda.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

Councillor EF Botha recuses himself at 08:31.

8.10 DISPOSAL OF VACANT RESIDENTIAL ERVEN IN ESSOPVILLE, BEAUFORT WEST

7/3/4/1/3/2

Councillor N Abrahams seconded by Councillor CL De Bruin propose:

sab

8.10.1 That approval be granted that the properties attached as **Annexure 100 to 101** of the Agenda be offered for sale by public notice.

8.10.2 That approval be granted that minimum value of the erven be as per the amounts as indicated on **the General Valuation Roll**.

8.10.3 That the following documents be approved:

- 8.10.3.1 Notice requesting applications to purchase the vacant residential properties in Essopville, Beaufort West attached as **Annexure 102 to 106** of the Agenda.
- 8.10.3.2 The bid form to be completed and submitted by prospective buyers attached as **Annexure 107 to 111** of the Agenda.
- 8.10.3.3 Deed of Sale attached as **Annexure 112 to 121** to the Agenda.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

Councillor EF Botha joins the meeting at 08:36.

8.11 ALIENATION OF ERF 1637, BEAUFORT WEST

7/1/1; 7/3/4/1/3/1

RESOLVED

sab

That approval be granted that erf 1637, Beaufort West be leased “voetstoots” by public notice, for a period of 5 years with a 10% escalation per annum from the last valuation report.

8.12 LITIGATION REGISTER

1/2/3/3

Councillor SM Meyers requests the Administration to confirm whether the Litigation Register includes all cases of the Beaufort West Municipality and that the Administration gives an overview on each case.

The Director: Corporate Services informs Council that it is all the cases that the Administration is aware of at this stage and gives an overview of all cases as per Litigation Register.

dcs

The Speaker requests the Administration to table an updated list at the next Council meeting on 30 May 2023.

Alderman JJ Van Der Linde requests clarity with regards to the current attorneys that the Administration has appointed and that they need to be held accountable for withdrawing from cases.

The Acting Municipal Manager explains that the Beaufort West Municipality has an Audit Query relating to diversity with regards to the use of Crawfords Attorneys. Furthermore the Acting Municipal Manager explains that due to the limited Attorney firms in Beaufort West the possibility of appointing Attorneys from outside Beaufort West is a reality.

The Acting Municipal Manager informs Council that the Administration is in the process of appointing a Panel of Attorneys.

NOTED

8.16 NON-ATTENDANCE OF MEETINGS

SP: R Skuza

The Speaker reads into record the content of the item and gives an overview of the non-attendance of meetings by Councillor R Skuza. Furthermore the Speaker informs Council that he requested the Administration to start the process of action against Councillor R Skuza in accordance with the Code of Conduct for Councillors and the Rules of Order.

The Director: Corporate Services explains to Council that according to the Code of Conduct for Councillors, Council must elect a committee to investigate the matter. Furthermore that an Evident Leader may be appointed to assist the Committee during the investigation.

The Director: Corporate Services suggests that the Evident Leader be appointed from the Central Karoo District Municipality Legal team with no costs to the Beaufort West Municipality.

The Speaker reiterates that the Committee excludes the Speaker, Deputy Executive Mayor and the Executive Mayor.

Councillor CL De Bruin requests clarity on whether Councillor R Skuza must still attend meetings whilst the investigation is ongoing.

The Speaker confirms that Councillor R Skuza must still attend meetings even though the investigation is ongoing.

dcs

Councillor CL De Bruin seconded by Councillor Councillor SM Meyers proposes:

8.16.1 That the Investigation Committee comprises of the following Councillors:

- Chiefwhip of the DA Component - Alderman JJ Van Der Linde
- Chiefwhip of the PA – Councillor N Abrahams
- Chiefwhip of the ANC – Councillor CL De Bruin
- Chiefwhip of GOOD – Councillor S Essop
- Evident Leader – Central Karoo District Municipality Legal Team Representative.

8.16.2 That the investigation be conducted as soon as possible and the report be tabled at the next Council meeting to be held on 30 May 2023

6.16.3 That Councillor S Essop be appointed as the Chairperson of the Committee.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

ADDENDUM-AGENDA

8.17 MOTION: RECOVERY OF UNAUTHORISED EXPENSES ACTING MUNICIPAL MANAGER

3/2/1/1

A letter date 01 February 2023 received from Councillor SM Meyers is attached as **Annexure 508 to 509**.

Councillor SM Meyers expresses his view that the Administration gave legislative answer to the questions posted by him and that the expenses to Mr GZ Nyathi was unlawful. Furthermore Councillor SM Meyers reiterates that Council was misled by the Administration by paying Mr GZ Nyathi and that the next motion will be for the recovery of the payment made to Mr GZ Nyathi.

Councillor S Essop referring to Annexure 527 of the Agenda mentions the criteria stipulated and that no formal assessment was made to establish whether Mr GZ Nyathi met the requirements. Councillor S Essop request clarity on how the Administration assessed that Mr GZ Nyathi should get the payment..

Councillor CL De Bruin reminded Councillor S Essop of occasions during previous Council meetings where she applauded Mr GZ Nyathi for work well done.

Councillor S Essop informs Council that it was based on answers given by the Administration.

Councillor SM Meyers expresses his view that the Administration should not blame Council but advice Council not to make illegal appointments.

The Speaker informs Council that any other questions must be tabled to Council by means of a motion.

Councillor CL De Bruin seconded by Councillor LV Piti proposed that Council accept the answers provided by the Administration with regards to the motion of Councillor SM Meyers, Motion: Recovery of Unauthorised Expenses Acting Municipal Manager .

In the absence of a counter-proposal the Speaker confirms that the decision is:

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

The Director: Corporate Services excuse himself at 09:31.

8.18 PROPOSED DETERMINATION AND COST OF LIVING ADJUSTMENT OF THE UPPER LIMITS OF THE TOTAL REMUNERATION PACKAGES OF MUNICIPAL MANAGERS AND MANAGERS DIRECTLY ACCOUNTABLE TO MUNICIPAL MANAGERS FOR THE FINANCIAL YEAR 2022/2023

10/3/2/3/4

Councillor SM Meyers expresses his view that Council and the Administration are responsible for the finances of the Beaufort West Municipality and that Council took a decision not to take any increases. Furthermore Councillor SM Meyers reiterates that

until the financial situation of the Beaufort West Municipality improves that Senior Managers and Council do not take any increase.

Councillor S Essop explains to Council that all employees are equal and due to the fact that the workers did not get 3,5% increase that Senior Managers do not get their increase.

Councillor EF Botha is of the view that the workers received their once-off payment and that the Directors should also be paid in order to boost moral and in light of fairness.

Councillor N Abrahams reads into record that seeing that the workers did not receive their 3,5% the Directors should also not get their increase.

Alderman JJ Van Der Linde suggests that the Administration should determine when a time when the increase can be paid to the Councillors and Senior Managers taking into consideration the financial situation of the Beaufort West Municipality.

Furthermore Alderman JJ Van Der Linde proposes that a comprehensive report be compiled and tabled to Council presenting the increases for all levels of employees within the Beaufort West Municipality.

dcs

The Speaker concluded that the Administration do a comprehensive report and present it to the Standing Committee: Financial Services to make proposals on the remuneration for all levels of employees within the Beaufort West Municipality.

THUS RESOLVED

The Speaker postpones the meeting at 10:11 until 12:00 to accommodate loadshedding.

At resumption of the meeting at 12:14 the following were:

Present

Alderman: JJ Van Der Linde
Councillors: A Sauls I [**Executive Mayor**], LV Piti [**Deputy Executive Mayor**], N Constable [**Speaker**], N Abrahams, EF Botha, CL De Bruin, LBJ Mdudumani, JDK Reynolds [*virtually*], SM Meyers, S Essop [*virtually*]

In Service: **Acting Municipal Manager** [RR Links], **Director: Corporate Services** [AC Makendlana], **Acting Director: Community Services** [MC Tshibo], **Senior Manager: Technical Services** [C Wright], **Senior Manager: Corporate Services** [P Strümpher] [*virtually*], **Senior Administrative Officer** [KS Fortuin] and **Senior Clerk: Committees** [L.D. Draghoender]

The Acting Municipal Manager recuse himself at 12:18.

CONTINUATION ADDENDUM-AGENDA**8.22 APPLICATION FOR EXTENSION OF ACTING PERIOD: ACTING MUNICIPAL MANAGER: BEAUFORT WEST MUNICIPALITY: DR RR LINKS**

4/6/1/3

The Speaker reads into record the content of the item.

Councillor A Sauls I (1st) seconded by Councillor N Abrahams proposes that the Acting Municipal Manager, Dr RR Links's extension on acting period be terminated on Friday 21 April 2023 and that Mr D Welgemoed be appointed as Acting Municipal Manager effective 24 April 2023.

Alderman JJ Van Der Linde expresses his view that all advertisements for the appointment of Senior Managers must then be cancelled before a new Acting Municipal Manager can be appointed.

The Director: Corporate Services explains that the current Acting Municipal Manager are only on the panel for the Directors: Infrastructure Services and Financial Services. Furthermore that the interviews for the mentioned two positions has been concluded.

The Director: Corporate Services suggests that Council allows the Administration to consult with SALGA whether the Acting Municipal Manager, Dr RR Links will be able to chair the last phase of the selection and recruitment phase for the appointment of Directors: Infrastructure Services and Financial Services, as chairperson if he is no longer in the employment of the Municipality.

After in-depth discussion on the matter Councillor A Sauls I (1st) seconded by Councillor N Abrahams proposes that the Acting Municipal Manager, Dr RR Links's extension on acting period be terminated effective 30 April 2023 and that Mr DE Welgemoed be appointed as Acting Municipal Manager effective 01 May 2023 on a month-to-month basis for a period not exceeding three months.

Alderman JJ Van Der Linde seconded by Councillor SM Meyers proposes that Mr J Jonkers be appointed as Acting Municipal Managers for a period not exceeding 3 months.

The Speaker brings both proposals to a vote.

6 Votes in favour of the proposal of Councillor A Sauls I (1st) seconded by Councillor N Abrahams.

4 Votes in favour of the proposal of Alderman JJ Van Der Linde seconded by Councillor SM Meyers.

THUS RESOLVED

The Acting Municipal Manager re-joins the meeting at 12:39.

Councillor S Essop requests to be excused from the meeting at 12:41.

8.23 MINUTES OF THE AUDIT COMMITTEE: 23 MARCH 2023

5/12/1/2

Councillor SM Meyers proposes that Council takes note of Items 8.23 and 8.24 and referred the mentioned items to the MPAC for recommendation to Council.

kk

Councillor EF Botha requests a caucus at 12:41.

At resumption of the meeting at 12:45 the following were:

Present

Alderman: JJ Van Der Linde

Councillors: A Sauls I [**Executive Mayor**], LV Piti [**Deputy Executive Mayor**], N Constable [**Speaker**], N Abrahams, EF Botha, CL De Bruin, LBJ Mdudumani, JDK Reynolds [*virtually*], SM Meyers

In Service: **Acting Municipal Manager** [RR Links], **Director: Corporate Services** [AC Makendzana], **Acting Director: Community Services** [MC Tshibo], **Senior Manager: Technical Services** [C Wright], **Senior Manager: Corporate Services** [P Strümpher] [*virtually*], **Senior Administrative Officer** [KS Fortuin] and **Senior Clerk: Committees** [L.D. Draghoender]

Councillor N Abrahams seconds the proposal of Councillor SM Meyers.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

8.24 INTERNAL AUDIT AD-HOC REPORT ON THE MATERIAL IRREGULARITY THAT WAS IDENTIFIED BY THE AUDITOR-GENERAL OF MR AF MARAIS / MELECH & ASS / VISION WEST IRREGULAR EXPENDITURE

5/12/2/2

Concluded with Item 8.23.

8.25 CIRCULAR 07/2023: WESTERN CAPE DIVISION: FUNCTIONING OF LOCAL LABOUR FORUMS (LLF)

10/3/1/1/8

The chairperson of the Local Labour Forum, Councillor SM Meyers reads into record the content of the item.

Councillor SM Meyers raises his concern that Trade Unions will be in a position to make decisions which may become problematic for Council.

The Speaker concludes that Council should not put the Trade Unions in a position where decisions are made in the Local Labour Forum, however Council still makes the final decision.

NOTED

- 8.26 CIRCULAR 1/2023: INTENTION TO CONSIDER REDETERMINATION OF MUNICIPAL BOUNDARIES IN TERMS OF SECTION 26 OF THE LOCAL GOVERNMENT: MUNICIPAL DEMARCATION ACT NO. 27 OF 1998 (MDA): INVITATION TO SUBMIT VIEWS AND REPRESENTATIONS FOR CLASS 2 – 4 MUNICIPAL BOUNDARY PROPOSALS**
12/1/2

NOTED

- 8.27 APPLICATION FOR RENEWAL OF LEASE AGREEMENT: AD LITES (PRIMEDIA OUTDOOR (PTY) LTD)**
13/3/2/7

RESOLVED

ba/sab

That the Administration do a survey/comparison at other Municipalities regarding the price for the lease of Ad Lites and table a comprehensive Valuation report to Council.

The Speaker requests the Acting Director: Community Services to recuse himself at 13:10.

- 8.28 APPOINTMENT OF SECTION 56 EMPLOYEE: BEAUFORT WEST MUNICIPALITY**
SP; 4/2/B

See Separate Minute Book.

9. CONSIDERATION OF MOTIONS

9.1 MOTION: UNLAWFUL APPOINTMENT OF LAWYERS FOR THE COUNCIL

The Speaker request the Administration to respond on the motion in writing before the next Council meeting that will be held on 30 May 2023.

THUS RESOLVED

9.2 MOTION: RECOVERY OF FRUITLESS EXPENDITURE: ADVERTISING COSTS IN RESPECT OF INTENDED PROJECTS

The Speaker request the Administration to respond on the motion in writing before the next Council meeting that will be held on 30 May 2023.

THUS RESOLVED

9.3 MOTION: IMPLEMENTATION OF THE BATHO PELE PRINCIPLES AT THE COUNCIL

The Speaker request the Administration to respond on the motion in writing before the next Council meeting that will be held on 30 May 2023.

THUS RESOLVED

10. CONSIDERATION OF QUESTIONS**NONE****11. CONSIDERATION OF MOTIONS OF EXIGENCY**

The Executive Mayor, Councillor A Sauls I (1st) tabled a motion of exigency and Councillor SM Meyers propose that the motion can be discussed.

The Acting Municipal Manager reads into record the content of the motion and explains to Council that the Administration recovered the R38 000,00 outstanding amount of Mr HT Prince's Municipal Account. After the deduction was made Mr HT Prince informed the Administration that he can pay R2066,00 for 5 months towards the arrears amount of R38 000,00 and that the balance must be paid back to him.

Councillor A Sauls I (1st) informs Council that he is satisfied how the motion was tabled and reiterates the transparency around the matter.

After in-depth discussion on the matter, Councillor A Sauls I (1st) explains that the R2066,00 over 5 months is the consumption amount and that the difference will be paid back to Mr HT Prince.

Councillor SM Meyers expresses his concern that if the Administration could not proof the full amount as being in arrears, how many community members went through the same situation.

Councillor A Sauls I (1st) seconded by Councillor EF Botha proposes that the consumption estimate of R2066,00 x 5 months be deducted from the arrears amount of Mr HT Prince's municipal account and the difference be paid back to Mr HT Prince.

Councillor SM Meyers seconded by Alderman JJ Van Der Linder proposes not to support the proposal made by Councillor A Sauls I (1st) seconded by Councillor EF Botha.

2 Votes in favour of the proposal of Councillor SM Meyers seconded by Alderman JJ Van Der Linde.

7 Votes in favour of the proposal of Councillor A Sauls I (1st) seconded by Councillor EF Botha.

The Acting Municipal Manager requests Council to give guidance on how to handle the reflection of the difference after the money has been paid back to Mr HT Prince.

The Speaker concluded that the Administration gather all information and bring the item back to Council.

12. ADJOURNMENT

The meeting closes at 14:00.

Minutes approved this _____ day of _____ 2023.

N Constable
[Speaker]