

Minutes of the 11th Special Council Meeting of the Local Council for Beaufort West
held in the **Council Chambers, 15 Church Street, Beaufort West**
on **Thursday, 10 August 2023 at 10:10**

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*], R Skuza [*virtually*], S Essop. AM Slabbert and SM Meyers

In service: **Acting Municipal Manager** [DE Welgemoed], **Director: Corporate Services** [AC Makendlana] [*virtually*], **Acting Director: Financial Services** [RA Eland] [*virtually*], **Acting Senior Manager: Community Services** [MC Tshibo], **Senior Manager: Civil Services** [N Kotze] [*virtually*], **IDP Coordinator** [L.P. Lakay] and Intern [P Mpofu]

1. OPENING AND WELCOMING

The Speaker welcomes all councillors and officials present in the meeting and requests Councillor S Meyers to open the meeting with prayer.

2. APOLOGIES

No apologies received.

APPLICATION FOR LEAVE OF ABSENCE

COUNCILLOR	REASON	PERIOD OF LEAVE OF ABSENCE
EF Botha	Leave	16 August – 18 August 2023

3. WELCOMING NOTE: DIRECTOR FINANCIAL SERVICES

Item taken off the agenda by the Speaker.

4. MPAC MINUTES: 18 JULY 2023

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Councillor C De Bruin seconded by Councillor LBJ Mdudumani propose that the MPAC Minutes of the meeting held on 18 July 2023, attached as **Annexure 001 to 006** of the agenda be approved and accepted.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

5. BELEID OOR DIE DRA EN BEVEILIGING VAN DIE BURGEMEESTERSKETING

3/2/1/B: 3/1/2/1: 3/4/4

Raadslid EF Botha gesecondeer deur Raadslid AM Slabbert stel voor:

amm

- 5.1 Dat die Raad 'n beleid oor die dra en beveiliging van die Burgemeesterskething in plek stel.
- 5.2 Dat die Administrasie die Beleid soos vermeld in 5.1 opstel en aan die Raadslede beskikbaar stel vir insae/kommentaar, en daarna met die volle raad deur middel van 'n werkwinkel behandel word, alvorens sodanige beleid deur die Raad vir goedkeuring oorweeg word.

**EENPARIG AANVAAR
ALDUS BESLUIT**

6. MATERIAL IRREGULARITY: EMPLOYEE REMUNERATED IN EXCESS OF THE REMUNERATION POLICY

5/12/2/1

Raadslid N Abrahams gesecondeer deur Raadslid S Meyers stel voor:

amm

- 6.1 Dat die raad kennis neem van die MI 02 van 2020-21.
- 6.2 Dat die aanbeveling soos uiteengesit op **Bylaag 002** [punt 3.5] van die MPAC Komitee gemaak tydens 'n vergadering gehou op 18 Julie 2023, implementeer word, met in agneming van die verslag van die Interne Ouditeur.

**EENPARIG AANVAAR
ALDUS BESLUIT**

7. STRATEGIES: 1. STAKEHOLDER ENGAGEMENT STRATEGY 2. COMMUNICATION STRATEGY

dcs

Councillor C De Bruin seconded by Councillor S Essop propose:

- 7.1 That the Stakeholder Engagement Strategy attached as **Annexure 021 to 040** of the agenda be adopted and approved.
- 7.2 That the Communications Strategy attached as **Annexure 041 to 055** of the agenda be adopted and approved.
- 7.3 That a workshop on the Communication Strategy be arranged.

The Speaker asks if there is any counter proposal/s.

Councillor S Meyers seconded by Alderman J Van der Linde propose that a Workshop on the Stakeholder Engagement Strategy and Communication Strategy must first be held, before Council must consider approval of these strategies.

Mr AC Makendlana indicated that the Stakeholder Engagement Strategy was already presented to Council during the HR Policy Workshop held on the 18-19 May 2023.

The Speaker brings both proposals to a vote.

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

9 Votes in favour of the proposal of Councillor CL De Bruin seconded by Councillor S Essop

THUS RESOLVED

8. VERHURING VAN KAMER 2: KWA-MANDLENKOSI: MINIMARK

7/1/4

ba

Raadslid N Abrahams gesecondeer deur Raadslid S Essop stel voor dat goedkeuring verleen word dat Kamer No.2 weer per openbare kennisgewing te huur aangebied word teen 'n minimum maandelikse huur van R1184.50 BTW uitgesluit.

**EENPARIG AANVAAR
ALDUS BESLUIT**

9. BETEKENIS VAN DIE WOORDE "ABSENT EN UNAVAILABLE"

BESLUIT

amm

9.1 Dat die raad kennis neem van die vertolking van die eksterne regs persoon.

9.2 Dat die Raad nie van voorneme is om hierdie aangeleentheid verder te ondersoek of aan te aanspreek nie.

10. MEMORANDUM: VANDALISM OF INFRASTRUCTURE AT HANSRIVER FARM

7/3/4/1/1

BESLUIT

dcs

Dat die Raad kennis neem van die verslag, met in agneming van die versoek van Raadsheer Van Der Linde dat daar in die toekoms sodra 'n eiendom ontruim word deur 'n huurder, daar gepoog word om so gou doenlik 'n nuwe huurder/okkupeerder in die eiendom te plaas, alternatiewelik sekuriteit by die eiendom geplaas word.

11. 2ND BI-ANNUAL REPORT OF THE AUDIT COMMITTEE: 01 JANUARY 2023 TO 30 JUNE 2023

5/12/1/2

dcs

Councillor C De Bruin seconded by Councillor N Abrahams propose that the 2nd Bi-annual report of the Audit Committee: 01 January 2023 to 30 June 2023, be approved and accepted.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

The Acting Municipal Manager, Mr.DE Welgemoed excuse himself from the meeting before discussion of item 12.

12. APPOINTMENT OF SELECTION PANEL: MUNICIPAL MANAGER

10/3/2/3/4

dcs

Councillor C De Bruin seconded by Councillor N Abrahams propose that the selection panel for the position of Municipal Manager in accordance with Regulation 12(3) will consist of the following members:

- 12.1 The Executive Mayor, Councillor A Sauls I, who will be the Chairperson, or his or her delegate
- 12.2 The Deputy Executive Mayor, Councillor LV Piti; and
- 12.3 Advocate Willem Blunden from Kgatelope Local Municipality.

The Speaker asks if there are any counter proposals.

Councillor S Meyers seconded by Alderman J Van der Linde propose that one of the opposition parties should be accommodated to be part of the Selection Panel.

The Speaker brings both proposals to a vote.

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

8 Votes in favour of the proposal of Councillor CL De Bruin seconded by Councillor N Abrahams.

Councillor S Essop abstain from voting.

THUS RESOLVED

The Acting Municipal Manager, Mr.DE Welgemoed join the meeting before discussion of item 13.

13. APPOINTMENT OF SELECTION PANEL: DIRECTOR: INFRASTRUCTURE SERVICES

10/3/2/3/4; 4/3/1

dcs

Councillor EF Botha seconded by Councillor CL De Bruin propose that the selection panel for the position of Director: Infrastructure Services in accordance with Regulation 12(4) will consist of the following members:

- 13.1 Mr De Welgemoed, the Acting Municipal Manager, who will be the Chairperson,
- 13.2 Councillor CL De Bruin, Chairperson of the Standing Committee: Infrastructure
- 13.3 Ms N Baliso, the Technical Director: Infrastructure Services employed at Theewaterskloof Local Municipality.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

Councillor S Essop request the Speaker to grant permission for a 5 minute break of which the Speaker granted permission for the request at 11:05.

At resumption of the meeting at 11:17, the following were:

Present:

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

In service: **Acting Municipal Manager** [DE Welgemoed], **Director: Corporate Services** [AC Makendlana] [*virtually*], **Acting Director: Financial Services** [RA Eland] [*virtually*], **Acting Senior Manager: Community Services** [MC Tshibo], **Senior Manager: Civil Services** [N Kotze] [*virtually*], **IDP Coordinator** [L.P. Lakay] and Intern [P Mpofo]

14. HERNUWING VAN HUURKONTRAK: SAAILAND NR. 4: MURRAYSBURG: MNR. M.A. MACPHERSON
7/3/4/1/1/1

ba

Raadslid EF Botha gesekondeer deur Raadslid S Essop stel voor dat die huurkontrak van mnr. MacPherson ten opsigte van Saailand 4 vir 'n verdere drie (3) jaar verleng kan word met dien verstande dat die huurgeld jaarliks met ingang 1 Oktober 2024 met 6% sal eskaleer.

**EENPARIG AANVAAR
ALDUS BESLUIT**

15. MEMORANDUM: MINUTES OF THE RISK COMMITTEE: 27 JULY 2023
5/12/1/2

dcs

Councillor S Meyers seconded by Councillor S Essop proposed that the Minutes of the Risk Committee: 27 July 2023, be approved and accepted.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

Councillor N Abrahams join the meeting at 11:23.

16. MEMORANDUM: TOP RISK REGISTER AND FRP RISK REGISTER: JULY 2023
5/12/1/2

RESOLVED

dcs

That the Top Risk Register and FRP Risk Register: July 2023, be approved and accepted.

17. PERFORMANCE AGREEMENT FOR FINANCIAL YEAR 1 JULY 2023 TO 30 JUNE 2023: MR AC MAKENDLANA
SP

See Separate Minute Book.

18. LINK APP AND PORTAL SERVICES DELIVERY PROPOSAL FOR BEAUFORT WEST LOCAL MUNICIPALITY

Councillor S Meyers seconded by Councillor EF Botha propose:

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- 18.1 That the proposal for Link App and Portal Services Delivery for the Beaufort West Local Municipality Attached as **Annexure 157 to 162** on the agenda be approved and accepted.
- 18.2 That the Service Level Agreement between Beaufort West Municipality and LINK attached as **Annexure 163 to 173** be approved and accepted.
- 18.3 That a detailed estimated cost be done and presented to Council before Implementation of this service.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

19. MOTION OF EXIGENCY

The Speaker indicates to Council that Councillor CL De Bruin requested to table a motion of exigency attached as **Annexure 001** to these minutes and explain the procedure for tabling of a motion of exigency.

The Speaker grants Councillor CL De Bruin the opportunity to give the background of the motion of exigency.

amm//dcs

Councillor CL De Bruin continue to give the background of the motion to the Council which reads as follow:

“Speaker, I have noticed the past year that one of our Councillors, named Councillor Shaun Meyers writes articles or press releases that include certain council information. Some of these information was not yet part of a council resolution. My view Speaker and it’s also the view of the Systems Act and Structures Act is that only the Executive Mayor or the Municipal Manager are the people who communicate with the media.”

The Speaker request Councillors to indicate whether they are in support that the matter can be accepted to be brought to Council as a Motion of Exigency in this meeting or not, before Councillor CL De Bruin can continue with the tabling of the matter.

8 Councillors Vote in favour of the matter to be tabled as a Motion of Exigency in this meeting.

4 Councillors vote against the tabling of the matter as a Motion of Exigency in this meeting.

Councillor S Essop abstain from voting.

The Speaker provided Councillor CL De Bruin the opportunity to continue to table the Motion of Exigency to Council.

After Councillor CL De Bruin tabled the Motion of Exigency, the Speaker reconfirms to the meeting that the Motion of Exigency is specifically in relation to Councillor SM Meyers who wrote articles and media releases without Council's permission.

The Speaker, therefore request an indication whether the recommendations as requested in the Motion of Exigency should be implemented or not.

8 Councillors Vote in favour of that the recommendations as tabled in the Motion of Exigency be implemented.

4 Councillors vote against the implementation of the recommendations as tabled in the Motion of Exigency.

Councillor S Essop abstain from voting.

ADDENDUM – AGENDA

**20. SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT FOR 4TH QUARTER
– 01 APRIL TILL 30 JUNE 2023
8/1/1/2/3**

dcs

Councillor S Meyers seconded by Councillor EF Botha propose that the Supply Chain Management Implementation Report for the 4th quarter – 01 April till 30 June 2023 attached as Annexure 174 to 183 to the agenda, be approved and accepted.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

**21. SELECTION PANEL REPORT TO COUNCIL APPOINTMENT OF DIRECTOR:
FINANCIAL SERVICES**

NOTED

**22. ACTING DIRECTOR: FINANCIAL SERVICES: MR RA ELAND
SP**

See Seperate Minute Book.

**23. TRANSPORT VERBAND: A HUGO // CF BOOYSE
CF BOOYSE // ABSA BANK
ERF 5685 BEAUFORT-WES**

amm

Raadslid LBJ Mdudumani gesekondeer deur Raadslid EF Botha stel voor dat die onderneming van Crawfords Prokureurs om die bedrag van R30 749.84 vir die Uitklaringcertifikaat op dag van registrasie en verdere kostes en rente aan die

munisipaliteit oor te betaal op datum van registrasie van bogemelde transport [A Hugo // CF Booyse] en verband [CF Booyse // ABSA BANK] erf 5685, Beafort-Wes, goedgekeur en aanvaar word.

**EENPARIG AANVAAR
ALDUS BESLUIT**

24. AMENDMENT TO BEAUFORT WEST MUNICIPALITY DEBT RELIEF APPLICATION THAT SERVED BEFORE COUNCIL ON THE 31ST MAY 2023

Councillor LBJ Mdudumani seconded by Councillor N Abrahams propose that approval be granted that the following amendments be made to the Beaufort West Debt Relief Application that served before council on the 31st May 2023:

dcs

- 24.1 The application be signed by the MM, CFO, Speaker, Executive Mayor (chairperson of Financial Services Standing Committee) on every page thereof and be re-submitted;
- 24.2 The Municipal Debt Relief Monitoring Plan be signed by the MM, CFO, Speaker, Executive Mayor (chairperson of Financial Services Standing Committee) and be re-submitted;
- 24.3 The Indigent Information be updated and signed;
- 24.4 The Collections per ward template be signed by the MM, CFO, Speaker, Executive Mayor (chairperson of Financial Services Standing Committee).

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

25. NOTIFICATION OF THE CONVENING OF THE SALGA NATIONAL MEMBERS ASSEMBLY

BESLUIT

Dat geen afvaardiging die SALGA Nasionale vergadering in Johannesburg bywoon nie.

FURTHER ADDENDUM – AGENDA

26. QUOTATION FOR THE REPAIR FOR THE RUSTDENE SWIMMING POOL

14/9/22

The Acting Municipal Manager informs Council that the Quotation serves to indicate the cost for the Repair of the Rustdene Swimming Pool in comparison to the construction of a total new Swimming pool. The cost of repairing the swimming pool will be plus minus R1,7 million compare to the construction of a new swimming pool which will cost between R7 million and R10 million.

The Acting Municipal Manager also refer to the letter received from Councillor EF Botha, Councillor of Ward 3, who indicated that the Former Executive Mayor of the Central Karoo District Municipality, Mr.G Mckenzi will avail the funding to repair the

swimming pool and request only the support of the municipality during the process.

Councillor S Meyers wants to know where the funding will be sourced to repair the swimming pool.

The Speaker draws the attention of Councillor S Meyers to the self-explanatory letter received from Councillor EF Botha, who clearly indicated in the letter where the funding will come from.

RESOLVED

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- 26.1 That approval be granted to proceed with the repair of the Rustdene Swimming Pool, given the fact that the Municipality have no financial obligation in terms of covering the cost of the repairs.
- 26.2 That the Municipality provide the necessary support in as far as the support is needed from the Department: Infrastructure Services during the process.
- 26.3 That this process be completed within the parameters of the applicable legislative framework.

The Speaker thank all for attending the meeting.

The meeting closes at 12:04.

Minutes approved this _____ day of _____ 2023.

N Constable
[Speaker]