

DRAKENSTEIN MUNICIPALITY

MINUTES OF AN ORDINARY MEETING OF THE MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, FIRST FLOOR, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL ON THURSDAY, 31 JANUARY 2008 AT 14:00

PRESENT: Councillors (See attached schedule)

Senior Officials:	Dr S Kabanyane	(Municipal Manager)
	J Coetzee	(Acting Head: Electrical Services)
	L Coetzee	(Acting Head: Civil Engineering Services)
	D Delaney	(Acting Head: Planning & Economic Dev.)
	T Matthee	(Acting Head: Community Services)
	K Mrali	(Head: Corporate Services)
	C Petersen	(Acting Head: Financial Services)
	A Sauls	(Head: Communication, Policy & Research)
	S Carstens	(IDP Manager)
	T Traut	(Chief Internal Auditor)
	A V Marais	(Manager: Administrative Services)



1. CONSIDERATION OF APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE FROM COUNCIL/COMMITTEE MEETINGS

OORWEGING VAN AANSOEKE DEUR RAADSLEDE VIR VERLOF VAN AFWESIGHEID VAN RAAD/KOMITEEVERGADERINGS
--

The following applications for leave of absence were granted:-

Clr P J von Wielligh	-	31 January 2008
Clr C S Jochims	-	31 January 2008
Clr N C Stemela	-	6 - 18 February 2008
Clr B Z Adams	-	15 February 2008 - 15 March 2008
Clr D Kotzé	-	31 January 2008
Clr J Matthee	-	23 February 2008 - 6 March 2008
Clr J T Basson	-	31 January 2008 (In service)

MINUTES : COUNCIL
31 JANUARY 2008

2. CONFIRMATION OF MINUTES / BEKRAGTING VAN NOTULE

The minutes of the Ordinary meeting of the Municipal Council held on 13 December 2007 was confirmed as correct.

3. MINUTES: COMMITTEE MEETINGS / NOTULES : KOMITEEVERGADERINGS

RESOLVED

that the minutes be noted.

**4. STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR/
EXECUTIVE DEPUTY MAYOR**

**VERKLARINGS EN MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER/
UITVOERENDE ONDERBURGEMEESTER**

The Executive Mayor conveyed her displeasure with some comments attributed to certain councillors with regard to the decision to host a reception for the newly appointed Springbok Rugby Coach that appeared in the press and reiterated that the decision to honour Mr de Villiers was most appropriate.

Noted.

5. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

VERKLARINGS EN MEDEDELINGS DEUR DIE SPEAKER

The Speaker congratulated councillors who celebrated their birthdays during January and also informed Council that the next Council meeting would be held in Mbekweni.

6. STATUTORY MATTERS / STATUTÊRE SAKE

**6.1 DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF
COUNCILLORS**

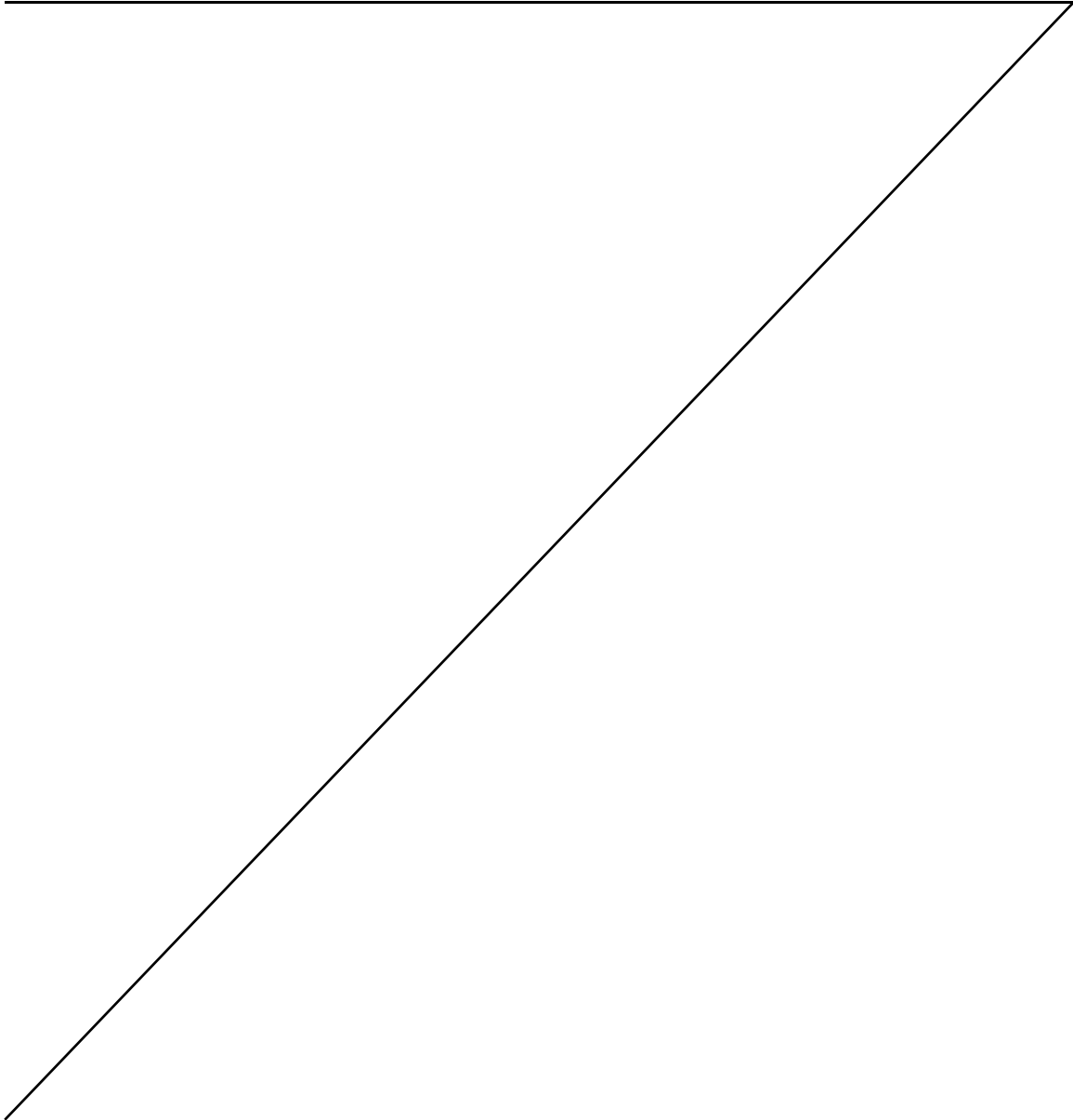
BEPALING VAN BO-PERKE VAN SALARISSE, TOELAES EN VOORDELE VAN RAADSLEDE

UNANIMOUSLY RESOLVED

1. that the increased salaries, allowances and benefits for councillors as indicated on the enclosed schedule, be approved with effect from 1 July 2007; and

MINUTES : COUNCIL
31 JANUARY 2008

2. that application be made to the MEC for Local Government and Housing for approval of the salaries in terms of the Remuneration of Public Office Bearers Act (Act 20/98).



Meeting:	Council - 31/01/2008	Submitted by (Dept):	
Ref No:	3/8/4	Author/s:	
Doc No:		Referred from:	
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

MINUTES : COUNCIL
31 JANUARY 2008

7. CONSIDERATION OF REPORTS BY THE EXECUTIVE MAYOR AND MAYORAL COMMITTEE

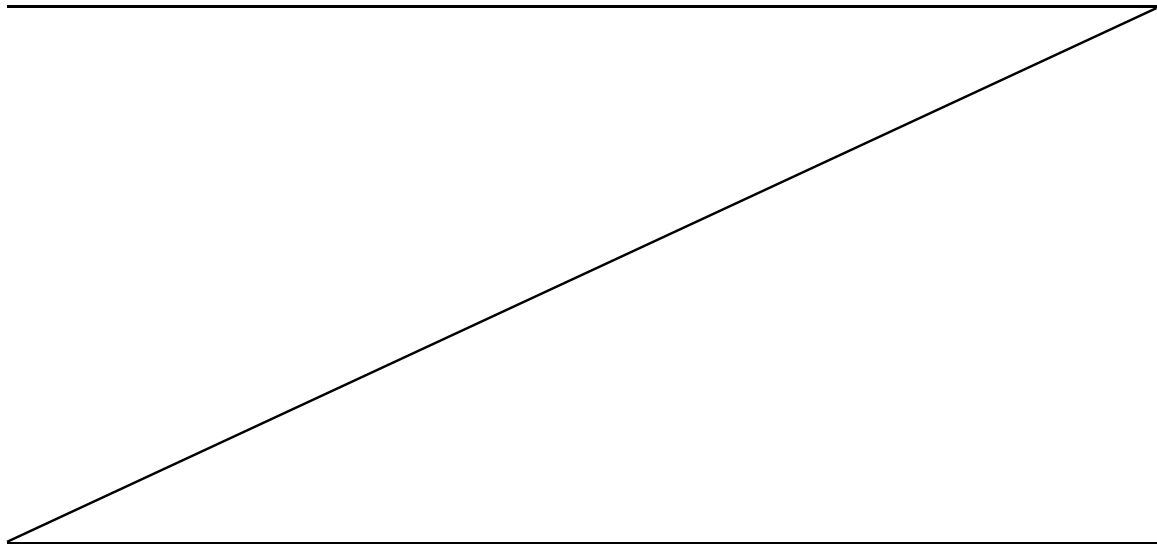
OORWEGING VAN VERSLAE DEUR DIE UITVOERENDE BURGEMEESTER EN BURGEMEESTERSKOMITEE

7.1 OUTDOOR ADVERTISING AND SIGNAGE BY-LAW

VERORDENING INSAKE BUITELUG ADVERTERING EN ADVERTENSIE TEKENS

UNANIMOUSLY RESOLVED

1. that the attached Outdoor Advertising and Signage By-Law be adopted in terms of Section 156(2) of the Constitution, read with Section 13 of the Local Government Municipal System Act, (Act 32/2000) as amended, and the necessary steps be taken to promulgate the by-law in the Provincial Gazette;
2. that the law enforcement in respect of existing unauthorized structured signs be implemented in phases as set out in the report in the agenda; and
3. that the public be informed of the date on which the by-law will take effect.



Meeting: Council - 31/01/2008		Submitted by (Dept): Corporate Services	
Ref No: 1/5/2/4		Author/s: A V Marais	
Doc No: 66/08		Referred from: EM&MC - 16/01/2008	
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
7.1	1) Manager: Admin Services (promulgation) 2) Planning Department (Law Enforcement)		

MINUTES : COUNCIL
31 JANUARY 2008

8. MATTERS FOR CONSIDERATION/INFORMATION
SAKE VIR OORWEGING/INLIGTING

8.1 REPORT IN TERMS OF SECTION 126(4) OF THE MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT 56 OF 2003): REASONS FOR THE DELAY IN COMPLETING THE AUDIT OF DRAKENSTEIN MUNICIPALITY FOR THE FINANCIAL YEAR ENDED 30 JUNE 2007
VERSLAG INGEVOLGE ARTIKEL 126(4) VAN DIE WET OP MUNISIPALE FINANSIËLE BESTUUR (WET 56 VAN 2003): REDES VIR DIE VERTRAGING MET VOLTOOIING VAN DIE OUDIT VAN DRAKENSTEIN MUNISIPALITEIT VIR DIE FINANSIËLE JAAR GEËINDIG 30 JUNIE 2007

RESOLVED

that the letter of the Office of the Auditor-General be **noted**.

Meeting: Council - 31/01/2008		Submitted by (Dept):	
Ref No: 5/12/2/1		Author/s:	
Doc No: 11223/07		Referred from:	
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

8.2 2006/07 ANNUAL REPORT: FIRST DRAFT
2006/07 JAARVERSLAG: EERSTE KONSEP

RESOLVED

that the first draft of the 2006/07 Annual Report be **noted**.

Meeting: Council - 31/01/2008		Submitted by (Dept):	
Ref No: 9/1/2		Author/s:	
Doc No: 464/08		Referred from:	
<u>CLAUSE:</u>	<u>ACTION:</u> IDP Manager	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

MINUTES : COUNCIL
31 JANUARY 2008

9. CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS DEALING WITH MATTERS OF URGENCY SUBMITTED BY THE MUNICIPAL MANAGER

OORWEGING VAN VERSLAE, MEDEDELINGS, VERSOEKSKRIFTE EN AANSOEKE IN VERBAND MET DRINGENDE SAKE VOORGELÊ DEUR DIE MUNISIPALE BESTUURDER

9.1 COMPOSITION OF THE ANNUAL REPORT OVERSIGHT COMMITTEE

The Municipal Manager reported that the Chief Whip of Council has informed the Administration that Clr B E Vos would replace Clr J Thomas on the Annual Report Oversight Committee.

ACCORDINGLY RESOLVED

9.2 INVESTIGATION INTO POSSIBLE CONTRAVENTIONS OF THE CODE OF CONDUCT FOR COUNCILLORS

The Municipal Manager reported that the Speaker has indicated that the investigation into possible breaches of the Code of Conduct for Councillors was almost completed and a report would be submitted in due course.

Noted.

10. CONSIDERATION OF NOTICES OF MOTIONS AND NOTICES OF QUESTIONS

OORWEGING VAN KENNISGEWINGS VAN MOSIES EN KENNISGEWINGS VAN VRAE

10.1 MOTION OF QUESTIONS BY THE DA: TRAFFIC AND RELATED MATTERS

MOSIE VAN VRAE DEUR DIE DA: VERKEER EN VERWANTE SAKE

The Executive Mayor responded to the questions as set out in the attached annexure.

RESOLVED

that the response of the Executive Mayor be **noted**.

Meeting:	Council - 31/01/2008	Submitted by (Dept):	
Ref No:	4/6/2/1 x 4/3/3/3	Author/s:	
Doc No:		Referred from:	
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

MINUTES : COUNCIL
31 JANUARY 2008

10.2 MOTION BY THE DA: CONFIDENTIAL COUNCIL MEETING OF 18 OCTOBER 2007

MOSIE DEUR DIE DA: VERTROULIKE RAADSVERGADERING VAN 18 OKTOBER 2007

The Executive Mayor moved that since the DA did not quote the exact legislation and relevant sections of the Rules of Order that had allegedly been contravened, the motion not be responded to until the necessary detail is provided. After discussion, the proposal was put to the vote and was adopted by 29 votes against 25.

RESOLVED

that the proposal of the Executive Mayor be accepted.

(The DA and VF requested that their objection to the above be recorded as the matter was in their opinion dealt with procedurally incorrect).

Meeting: Ref No: Doc No:	Council - 31/01/2008 4/6/2/1 x 4/3/3/3	Submitted by (Dept): Author/s: Referred from:	
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

10.3 MOTION OF QUESTIONS: DISCIPLINARY HEARING OF FORMER MUNICIPAL MANAGER, MR J CARSTENS AS WELL AS MATTERS ARISING FROM THAT WHICH INTER ALIA ARE RELATED TO THE SEVERANCE PACKAGES PAID TO HIM AND OTHER FORMER DEPARTMENT HEADS

MOSIE VAN VRAE: DISSIPLINÊRE VERHOOR VAN DIE VOORMALIGE MUNISIPALE BESTUURDER, MNR JACQUES CARSTENS ASOOK DIE DAAROPVOLGENDE SAKKE WAT DAARUIT VOORTGESPRUIT HET EN ONDER ANDERE BETREKKING HET OP DIE SKEIDINGSPAKKETTE WAT AAN HOM EN VOORMALIGE DEPARTEMENTSHOOFDE UITBETAAL IS

The ANC moved that this matter be dealt with in Open Council and this was supported by a majority of Councillors. The Executive Mayor responded to the questions as set out in the enclosed schedule.

RESOLVED

that the response of the Executive Mayor be **noted**.

(The DA requested that their objection be recorded against moving this matter to Open Council since the party was of the view that matters to be dealt with in Open Council should be advertised in the press.)

(Mr J Coetzee was not present when this matter was discussed.)

Meeting: Ref No: Doc No:	Council - 31/01/2008 4/6/2/1 x 4/3/3/3	Submitted by (Dept): Author/s: Referred from:	
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

**MINUTES : COUNCIL
31 JANUARY 2008**

11. SUPPLEMENTARY AGENDA / AANVULLENDE AGENDA

No matters were submitted.

IN-COMMITTEE

12. CONSIDERATION OF CONFIDENTIAL MATTERS

OORWEGING VAN VERTROULIKE SAKE

12.1 MOTION OF QUESTIONS: DISCIPLINARY HEARING OF FORMER MUNICIPAL MANAGER, MR J CARSTENS AS WELL AS MATTERS ARISING FROM THAT WHICH INTER ALIA ARE RELATED TO THE SEVERANCE PACKAGES PAID TO HIM AND OTHER FORMER DEPARTMENT HEADS

MOSIE VAN VRAE: DISSIPLINÊRE VERHOOR VAN DIE VOORMALIGE MUNISIPALE BESTUURDER, MNR JACQUES CARSTENS ASOOK DIE DAAROPVOLGENDE SAKE WAT DAARUIT VOORTGESPRUIT HET EN ONDER ANDERE BETREKKING HET OP DIE SKEIDINGSPAKKETTE WAT AAN HOM EN VOORMALIGE DEPARTEMENTSHOOFDE UITBETAAL IS

(See item 10.3)

The meeting ended at 14:52.

CHAIRPERSON:

DATE:

Confirmed on with/without amendments.

PJ/db