

# **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 WEDNESDAY, 22 SEPTEMBER 2010 AT 14:00.**

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**PRESENT: Councillors (see attached schedule)**

<b>Senior Officials:</b>	<b>Dr S T Kabanyane</b>	<b>(Municipal Manager)</b>
	<b>Mr K Mrali</b>	<b>(Executive Director: Corporate Governance)</b>
	<b>Mr C Petersen</b>	<b>(Executive Director: Financial Services)</b>
	<b>Mr T Matthee</b>	<b>(Executive Director: Social Services)</b>
	<b>Dr P Naidoo</b>	<b>(Executive Director: Strategic Services)</b>
	<b>Mr L Coetzee</b>	<b>(Executive Director: Infrastructure &amp; Planning)</b>
	<b>Mr A Marais</b>	<b>(Head: Corporate Services)</b>
	<b>Mr K Gordon</b>	<b>(Manager: Administrative Services)</b>



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<b>1. CONSIDERATION OF APPLICATIONS BY COUNCILLORS FOR LEAVE OF ABSENCE FROM COUNCIL/COMMITTEE MEETINGS</b>
<b>OORWEGING VAN AANSOEKE DEUR RAADSLEDE VIR VERLOF VAN AFWESIGHEID VAN RAAD/KOMITEEVERGADERINGS</b>

Clr JP Smit announced that the previous Town Clerk of the disestablished Paarl Municipality has passed away. A moment of silence was observed.

The following applications for leave of absence were approved:

Clr C Meyer	2 - 7 October 2010
Clr MW Nothnagel	27-28 September 2010
Clr JW Solomon	22 September – 10 October 2010
Clr J Smith	11 – 22 October 2010
Clr JA Louw	17 October – 13 November 2010
Clr HR de Goede	27 September – 4 October 2010
Clr JT Basson	18 – 22 October 2010
Clr A Bekeer	22 September 2010
Clr S Davids	22 September 2010
Clr GJ Witbooi	22 September 2010

<b>2. CONFIRMATION OF MINUTES / BEKRAGTIGING VAN NOTULE</b>
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The following minutes of the Municipal Council was **confirmed as correct**: -

28 July 2010	(Ordinary)
1 September 2010	(Special)

<b>3. MINUTES: COMMITTEE MEETINGS / NOTULES: KOMITEEVERGADERINGS</b>
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**Noted.**

<b>4. STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR/EXECUTIVE DEPUTY MAYOR</b>
<b>VERKLARINGS EN MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER/UITVOERENDE ONDERBURGEMEESTER</b>

None.

<b>5. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER</b>
<b>VERKLARINGS EN MEDEDELINGS DEUR DIE SPEAKER</b>

The Speaker congratulated councillors who celebrated their birthdays during August and September 2010.

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<b>6. STATUTORY MATTERS / STATUTÊRE SAKE</b>
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No matters were submitted.

<b>7. CONSIDERATION OF REPORTS BY THE EXECUTIVE MAYOR AND MAYORAL COMMITTEE</b>
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<b>OORWEGING VAN VERSLAE DEUR DIE UITVOERENDE BURGEMEESTER EN BURGEMEESTERSKOMITEE</b>
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<b>7.1 STOCK TAKE REPORT: FINANCIAL YEAR 2009/2010</b>
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<b>VOORRAADOPNAME VERSLAG: FINANSIËLE JAAR 2009/2010</b>
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<b>INGXEKO YOKUBALWA KWEMPAHLA: KANYAKAMALI KA 2009/2010</b>
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The DA indicated that they could not accept the report since the party was of the view that statements around the weighbridge were incorrect and furthermore felt that it was incorrect to reflect a net surplus/shortage by subtracting surpluses from shortages. After some discussion it was

**RESOLVED**

1. that the report be accepted and the rectification of the stock as set out in the report (Annexure F) be approved; and
2. that this report in future be submitted for consideration.

**(The DA requested that their disapproval of the report be recorded)**

Meeting: Council – 22/09/2010 Ref No: 6/2/1 Col No: 63175	Submitted by Directorate: Financial Services Author/s: M Groenewald Referred from: EM&MC 4/8/2010		
<b>CLAUSE:</b>	<b>ACTION:</b> Implement decision	<b>RESPONSIBLE DEPT:</b> Executive Director: Financial Services	<b>DUE DATE:</b>

<b>7.2 DEVIATION FROM AND RATIFICATION OF MINOR BREACHES OF PROCUREMENT PROCESSES</b>
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<b>AFWYKINGS VAN, EN RATIFIKASIE VAN MINDERE OORTREDINGE VAN VERKRYINGSPROSESSE</b>
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<b>UKUPHAMBUKA KUNYE NOKULUNGISWA KONUNGALANDELWA INKQUBO YOKUFUMANA</b>
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The DA raised questions around a number of line items. Council in general agreed that a better description of expenditure would alleviate some questions.

**RESOLVED**

1. that the report **be noted**; and

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2. that a more detailed and simplified description of the deviations be contained in future reports.

Meeting: Ref No: Col No:	Council – 22/09/2010 8/1/B 63180	Submitted by Directorate: Author/s: Referred from:	Financial Services D Jacobs EM&MC-4/8/2010
<b>CLAUSE:</b>	<b>ACTION:</b> Implement decision	<b>RESPONSIBLE DEPT:</b> Executive Director: Financial Services	<b>DUE DATE:</b>

<b>7.3 SALE OF MUNICIPAL LAND, ERF 20950 PAARL</b>
<b>VERKOOP VAN MUNISIPALE GROND, ERF 20950 PAARL</b>
<b>UKUTHENGISWA KOMHLABA KAMASIPALA, ERF 20950 EPAARL</b>

**UNANIMOUSLY RESOLVED**

1. that approval **in principle** be granted for the alienation of the property and that tenders be called for the purchase and development of Erf 20950 Paarl, measuring 1822,3m<sup>2</sup> in extent, for social, welfare and church purposes;
2. that the technical conditions laid down by the technical departments be incorporated into the tender document; and
3. that approval be granted for the alienation of the property at a reserve price of 20% of market value.

Meeting: Ref No: Col No:	Council – 22/09/2010 15/4/1 (20950)P 63914	Submitted by Directorate: Author/s: Referred from:	Corporate Governance N C Marais EM&MC-19/8/2010
<b>CLAUSE:</b>	<b>ACTION:</b> Implement decision	<b>RESPONSIBLE DEPT:</b> Corporate Governance: (Properties)	<b>DUE DATE:</b>

<b>7.4 ACCOMMODATION OF COMMUNITY DEVELOPMENT WORKERS (CDW's) AT THUSONG CENTRE</b>
<b>AKKOMMODASIE VAN GEMEENSKAPSONTWIKKELINGSWERKERS (GOW's) BY THUSONG SENTRUM</b>
<b>UKUHLALISWA KWABASEBENZI BOPHULISO LOLUNTU (CDW's) KWISENTA YE-THUSONG</b>

**UNANIMOUSLY RESOLVED**

1. that the decision of 25 June 2010 not to locate CDW's in the Mbekweni Thusong/Multi-purpose Centre be reviewed and rescinded;

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2. that the Corporate Services Department be authorised to enter into a lease agreement with the Department of Local Government for the purposes of locating CDW's at the Mbekweni Thusong Services Centre;
3. that the Office of the Speaker submit a report with recommendations as to how to accommodate the unemployed CDW's;
4. that the rental amounts of service organizations be reviewed to make it more affordable for these organisations to remain at the Thusong Centre; and
5. that State Departments be approached to also rent space at the Thusong Centre in order to bring such services closer to the people.

Meeting: Ref No: Col No:	Council – 22/09/2010 17/15/3/1/1/1 63869	Submitted by Directorate: Author/s: Referred from:	Social Services J Rhoda EM&MC-19/8/2010
<b>CLAUSE:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>
2	Implement decision	2 Head: Corporate Services	
3	Submit report	3 Office of Speaker	
4-5	Implement decision	4-5 Executive Director: Social Services	

<b>7.5 QUARTELY REPORT ON THE IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT SYSTEM OF DRAKENSTEIN MUNICIPALITY</b>
<b>KWAARTAALVERSLAG OOR DIE IMPEMETERING VAN VOORSIENINGSKANAAL-BESTUURSTELSEL VIR DRAKENSTEIN MUNISIPALITEIT</b>
<b>INGXELO YEKOTA YOKUMILISELWA KWE NKQUBO YOKULAWULWA KOTHUNGELWANO LOBONELELO LWASEDRAKENSTEIN</b>

**UNANIMOUSLY RESOLVED**

that the report **be noted**.

Meeting: Ref No: Col No:	Council – 22/09/2010 9/1/1/5 63547	Submitted by Directorate: Author/s: Referred from:	Financial Services D Jacobs EM&MC-19/8/2010
<b>CLAUSE:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

<b>7.6 PROPOSED AMENDMENT TO THE HOUSING POLICY</b>
<b>VOORGESTELDE WYSIGING TOT DIE BEHUISINGSBLEID</b>

**UNANIMOUSLY RESOLVED**

that the proposed amendment to the Housing Policy be supported in principle but be referred back to the Executive Mayor and Mayoral Committee to submit the correct amendments.

Meeting: Ref No: Col No:	Council – 22/09/2010 17/5/3/2/1 65237	Submitted by Directorate: Author/s: Referred from:	Financial Services C Mapeyi EM&MC-15/9/2010
<b>CLAUSE:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

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	Submit proposed amended policy to Executive Mayor and Mayoral Committee	Executive Director: Financial Services	
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<b>7.7</b>	<b>IMPLEMENTAION OF SUPPLY CHAIN MANAGEMENT SYSTEM FOR 2009/2010 FINANCIAL YEAR</b>
	<b>IMPLEMENTERING VAN VOORSIENINGSKANAAL-BESTUURSTELSEL VIR 2009/2010 FINANSIËLE JAAR</b>
	<b>UKUMILISELWA KWE NKQUBO YOKULAWULWA KOTHUNGELWANO LOBONELELO LIKANYAKA 2009/2010</b>

**UNANIMOUSLY RESOLVED**

that the report **be noted**.

Meeting: Ref No: Col No:	Council – 22/09/2010 17/5/3/2/1 65237	Submitted by Directorate: Author/s: Referred from:	Financial Services D Jacobs EM&MC-15/9/2010
<b>CLAUSE:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

<b>7.8</b>	<b>PROPOSED ADOPTION OF SYSTEM OF DELEGATIONS FOR DRAKENSTEIN MUNICIPALITY</b>
	<b>VOORGESTELDE AANVAARDING VAN DELEGASIESTELSEL VIR DRAKENSTEIN MUNISIPALITEIT</b>
	<b>ISINDULULO SOKWAMKELWA KWENKQUBO YOKUNIKEZELWA KWAMAGUNYA YOMASIPALA WASEDRAKENSTEIN</b>

Clr JP Smit proposed an amendment that paragraph 4 of the Executive Mayor and Mayoral Committee's recommendation be accepted provided that certain delegations contained in the schedule containing delegations of Council's own statutory functions, be referred to a multi-party committee for discussion and a recommendation to Council. The amendment was put to the vote and defeated by 29 to 26 votes.

**RESOLVED**

1. that the delegations as set out in the System of Delegations be approved in terms of section 59 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), subject to the principles and the conditions set out therein;
2. that the schedule containing delegations of Council's own statutory functions, be noted;
3. that in addition to the above specific delegations, the Executive Mayor be authorized to take decisions on all other matters of political competency, excluding those that may not be delegated in terms of legislation; and

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4. that the Executive Mayor be authorized to take decisions on matters of urgency relating to Council's own statutory functions during periods when Council is in recess on condition that such decisions be reported to Council at the first available opportunity.

Meeting: Ref No: Col No:	Council – 22/09/2010 2/4/B 65210	Submitted by Directorate: Author/s: Referred from:	Corporate Governance A V Marais EM&MC-15/9/2010
<b>CLAUSE:</b>	<b>ACTION:</b> Implement decision	<b>RESPONSIBLE DEPT:</b> HOD: Corporate Services	<b>DUE DATE:</b>

<b>7.9 APPOINTMENT OF AUDIT COMMITTEE MEMBERS</b>
<b>AANSTELLING VAN OUDITKOMITEELEDE</b>
<b>UKWANYULWA KWAMALUNGU EKOMITI YOPHENGULULA KWENCWADI</b>

**UNANIMOUSLY RESOLVED**

1. that the position left vacant by the resignation of Ms M Burger be filled;
2. that an additional position on the Audit Committee be created and advertised to provide for an additional Chartered Accountant and Risk Management professional;
3. that the panel to undertake the shortlisting, selection and recommendation to Council, be constituted; and
4. that the Multi-party committee comprising of Clr JT Basson (Chairperson), Clr A Bekeer, Clr B Vos, Clr JA Louw and Clr S Ross be appointed to undertake the shortlisting and selection processes for the appointment of the Audit Committee members and make a recommendation to Council.

Meeting: Ref No: Col No:	Council – 22/09/2010 3/3/1/3/9 64176	Submitted by Directorate: Author/s: Referred from:	Municipal Manager S T Kabanyane EM&MC-15/9/2010
<b>CLAUSE:</b>	<b>ACTION:</b> Implement decision	<b>RESPONSIBLE DEPT:</b> Executive Director: Strategic Services	<b>DUE DATE:</b>

<b>7.10 APPOINTMENT OF BUILDING CONTROL OFFICER</b>
<b>AANSTELLING VAN BOUBEHEERBEAMPTE</b>
<b>UKUQESHWA LWEGOSA LOKULAWULA ISAKHIWO</b>

**UNANIMOUSLY RESOLVED**

that Mr V Abrahams be designated as the Building Control Officer for Drakenstein Municipality as required in terms of section 5 of the National Building Regulations and Standards Act, 1977 (Act No.103 of 1977).

Meeting: Ref No: Col No:	Council – 22/09/2010 4/6/3 65232	Submitted by Directorate: Author/s: Referred from:	Infrastructure & Planning D Delaney EM&MC-15/9/2010
<b>CLAUSE:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

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<b>7.11 FUNDING FOR UPGRADING OF DALJOSAPHAT SPORTS FIELDS</b>
<b>BEFONDING VIR OPGRADERING VAN DALJOSAPHAT SPORTVELDE</b>
<b>INGXASO MALI YOKUPHURLISA AMABALA EZEMIDLALO EDALJOSAPHAT</b>

**UNANIMOUSLY RESOLVED**

that a new capital vote: Daljosaphat Sports Stadium: Upgrading Facility, be created and that the following amounts from the undermentioned votes be transferred to the new vote:

- |    |  |               |
|----|--|---------------|
| 1. | Sight Screens: Vote no 462540642500                      | - R100 000.00 |
| 2. | Daljosaphat Stadium: Upgrade Track: Vote no 462540653700 | -R1 million   |
|    | Total  | R1 100 000    |

Meeting:	Council – 22/09/2010	Submitted by Directorate:	Social Services
Ref No:	17/7/2/2/1/8	Author/s:	A B van der Merwe
Col No:	65383	Referred from:	EM&MC-15/9/2010
<b><u>CLAUSE:</u></b>	<b><u>ACTION:</u></b>	<b><u>RESPONSIBLE DEPT:</u></b>	<b><u>DUE DATE:</u></b>
	Implement decision	Executive Director: Social Services	

<b>7.12 PROPOSED POLICY FOR THE USE OF LANDLINE TELEPHONE SYSTEM</b>
<b>VOORGESTELDE BELEID VIR DIE GEBRUIK VAN DIE LANDLYN TELEFOONSTELSEL</b>
<b>ISINDULULO SENKQUBO YOKUSEBENZISWA KWEFONI</b>

**UNANIMOUSLY RESOLVED**

that the attached Policy for the Use of Landline Telephone System be approved.

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Meeting:	Council – 22/09/2010	Submitted by Directorate:	Corporate Governance
Ref No:	6/B	Author/s:	A Marais/ F Theron
Col No:	65503	Referred from:	EM&MC-15/9/2010
<b><u>CLAUSE:</u></b>	<b><u>ACTION:</u></b>	<b><u>RESPONSIBLE DEPT:</u></b>	<b><u>DUE DATE:</u></b>
	Implement decision	HOD: Corporate Services	

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<b>7.13 EXPENDITURE ON STAFF BENEFITS</b>
<b>SPANDERING OF PERSONEELVOORDELE</b>
<b>UCHITHO YONCEDO KUBASEBENZI</b>

**UNANIMOUSLY RESOLVED**

that the report **be noted**.

Meeting: Ref No: Col No:	Council – 22/09/2010 9/1/14 65192	Submitted by Directorate: Author/s: Referred from:	Financial Services C Mapeyi EM&MC-15/9/2010
<b>CLAUSE:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

<b>7.14 MONTHLY BUDGET STATEMENTS: APRIL 2010 TO JUNE 2010</b>
<b>MAANDELIKSE BEGROTINGSTATE: APRIL 2010 TOT JUNIE 2010</b>
<b>INGXELO YOHLALO LWABIWO MALI LWENYANGA: APRIL 2010 UKUYA KU JUNI 2010</b>

**UNANIMOUSLY RESOLVED**

that the report **be noted**.

Meeting: Ref No: Col No:	Council – 22/09/2010 9/1/14 65192	Submitted by Directorate: Author/s: Referred from:	Financial Services C Mapeyi EM&MC-15/9/2010
<b>CLAUSE:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

<b>7.15 MONTHLY BUDGET STATEMENTS: JULY 2010 TO AUGUST 2010</b>
<b>MAANDELIKSE BEGROTINGSTATE: JULIE 2010 TOT AUGUSTUS 2010</b>
<b>INGXELO YOHLALO LWABIWO MALI LWENYANGA: JULAYI 2010 UKUYA NGO OGASTI 2010</b>

**UNANIMOUSLY RESOLVED**

that the report **be noted**.

Meeting: Ref No: Col No:	Council – 22/09/2010 9/1/14 65207	Submitted by Directorate: Author/s: Referred from:	Financial Services C Mapeyi EM&MC-15/9/2010
<b>CLAUSE:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

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<b>7.16 MONTHLY REPORT: FINANCIAL SERVICES: AUGUST 2010</b>
<b>MAANDVERSLAG: FINANSIËLE DIENSTE: AUGUSTUS 2010</b>
<b>INGXELO YENYANGA: IINKONZO ZEZIMALI: OGASTI 2010</b>

**UNANIMOUSLY RESOLVED**

that the report **be noted**.

Meeting: Ref No: Col No:	Council – 22/09/2010 9/1/1/4 65208	Submitted by Directorate: Author/s: Referred from:	Financial Services C Mapeyi EM&MC-15/9/2010
<b>CLAUSE:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

<b>7.17 REVIEW OF DEBT COLLECTION POLICY: TO INCLUDE ASSISTANCE TO CHILD HEADED HOUSEHOLDS</b>
<b>HERSIENING VAN SKULDINVORDERINGSBELEID: OM BYSTAND AAN KINDERBEHEERDE HUISHOUDINGS IN TE SLUIT</b>
<b>UHLOLO LWENKQUBO YOKUQOKELELA IMALI YAMATYALA: MALIDIBANISE UNCEDO LABANTWANA ABAZINTLOKO ZAMAKHAYA WABO</b>

**UNANIMOUSLY RESOLVED**

1. that the full outstanding balance of child headed households be written-off from the date the last parent passed away;
2. that the Indigent Policy be amended accordingly to make provision for the above, as set out in the enclosed amended Indigent Policy (**amendments in bold print**);
3. that Indigent application forms also be completed by child headed households;
4. that any application by child headed households be accompanied by a written report of a registered social worker; and
5. that child headed households be given a 50% discount on all service tariffs in addition to the Indigent Grant.

Meeting: Ref No: Col No:	Council – 22/09/2010 5/9/B 65236	Submitted by Directorate: Author/s: Referred from:	Financial Services C M Petersen EM&MC - 15/09/2010
<b>CLAUSE:</b>	<b>ACTION:</b> Implement decision	<b>RESPONSIBLE DEPT:</b> Executive Director: Financial Services	<b>DUE DATE:</b>

**8. MATTERS FOR CONSIDERATION/INFORMATION**

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<b>SAKE VIR OORWEGING/INLIGTING</b>
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None.

<b>9. CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS DEALING WITH MATTERS OF URGENCY BY THE MUNICIPAL MANAGER</b>
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<b>OORWEGING VAN VERSLAE, MEDELINGS, VERSOEKSKRIFTE EN AANSOEKE IN VERBAND MET DRINGENDE SAKE VOORGELÉ DEUR DIE MUNISIPALE BESTUURDER</b>
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None.

<b>10. CONSIDERATION OF NOTICES OF MOTIONS AND NOTICES OF QUESTIONS OORWEGING VAN KENNISGEWINGS VAN MOSIES EN KENNISGEWINGS VAN VRAE</b>
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<b>10.1 MOTION: ALLEGED TRANSGRESSIONS AND REPORTING THEREOF</b>
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After some discussion, the Executive Mayor on behalf of the ANC proposed an amendment that the motion not be supported, as it has no substance. The amendment was put to a vote and carried by 28 to 26 votes.

**RESOLVED**

that the motion not be supported.

**(Clr S Kika indicated that she abstained)**

Meeting: Ref No: Col No:	Council – 22/09/2010 3/3/1/5	Submitted by Directorate: Author/s: Referred from:	
<b>CLAUSE:</b>	<b>ACTION:</b>	<b>RESPONSIBLE DEPT:</b>	<b>DUE DATE:</b>

<b>11. SUPPLEMENTARY AGENDA (IF ANY) AANVULLENDE AGENDA (INDIEN ENIGE)</b>
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No supplementary agenda was considered.

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<b>IN-COMMITTEE</b>
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<b>12. CONSIDERATION OF CONFIDENTIAL MATTERS</b>
<b>OORWEGING VAN VERTROULIKE SAKE</b>

No confidential matters were submitted.

The meeting ended at 16:14.

**CHAIRPERSON:** .....

**DATE:** .....

Confirmed on ..... with / without amendments.