

DRAKENSTEIN MUNICIPALITY

MINUTES OF AN ORDINARY MEETING OF THE MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL ON THURSDAY, 27 NOVEMBER 2008 AT 14:00

PRESENT: Councillors (See attached schedule)

Senior Officials:

- Dr S Kabanyane (Municipal Manager)
- Mr K Mrali (Director: Corporate Governance)
- L Coetzee (Director: Infrastructure & Planning)
- C Petersen (Director: Financial Services)
- T Matthee (Director: Social Services)
- Dr P Naidoo (Director: Strategic Services)
- 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 C M Smith	–	27 November 2008
Clr E Basson	–	27 November 2008
Clr C Poole	–	27 November 2008
Clr B Z Adams	–	27 November 2008

2. CONFIRMATION OF MINUTES / BEKRAGTIGING VAN NOTULE

The following minutes of the Municipal Council meeting were **confirmed as correct**:-

- (i) Ordinary meeting held on 2 October 2008;
- (ii) Special meeting held 16 October 2008; and

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The DA questioned the correctness of the minutes of item 3 of the Special meeting held on 29 October 2008 on the basis that the Speaker at that meeting questioned the validity of the motion and not the validity of the special meeting. The DA requested that the exact words used by the Speaker be minuted. The ANC indicated that in their view the minutes were reflected correctly.

The DA requested a recess after which they informed the Speaker that they would no longer participate in the meeting due to the fact that their request to change the minutes, was turned down.

After it was confirmed that a quorum of councillors was still present, the meeting proceeded and the minutes of the Special meeting held on 29 October 2008, was confirmed as correct.

3. MINUTES: COMMITTEE MEETINGS / NOTULES: KOMITEEVERGADERINGS
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Noted.

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

No statements were made.

5. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER
VERKLARINGS EN MEDEDELINGS DEUR DIE SPEAKER

The Speaker indicated that as a result of the by-election to be held on 10 December 2008, this meeting would be the last ordinary meeting of Council for 2008 and wished councillors well for the festive period. The Speaker announced that the official recess of Council would start on 12 December 2008. Cllr Jochim, after being allowed by the Speaker, made a call for political tolerance in the run-up to the by-elections, particularly in Saron.

The Speaker then congratulated councillors who celebrated their birthdays in November and those that would be celebrating their birthdays in December.

6. STATUTORY MATTERS / STATUTÊRE SAKE
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No matters were submitted.

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7. CONSIDERATION OF REPORTS BY THE EXECUTIVE MAYOR AND MAYORAL COMMITTEE
OORWEGING VAN VERSLAE DEUR DIE UITVOERENDE BURGEMEESTER EN BURGEMEESTERSKOMITEE

7.1 DEVIATION FROM AND RATIFICATION OF MINOR BREACHES OF PROCUREMENT PROCESS
AFWYKING VAN EN RATIFISERING VAN GERINGE OORTREDINGE VAN VERKRYGINGSPROSES

UNANIMOUSLY RESOLVED

that the reports **be noted**.

Meeting: Council - 27/11/2008	Submitted by (Dept): Financial Services		
Ref No: 8/1/B	Author/s: D Jacobs		
Doc No: 6936/08	Referred from: EM&MC – 27/08/2008		
	EM&MC – 5/11/2008		
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

7.2 QUARTERLY REPORT: IMPLEMENTATION OF SCM SYSTEM
KWARTAAL VERSLAG: IMPLEMENTERING VAN VKB STELSEL
INGXELO YONYAKA: UKWENZIWA KWE SCM SYSTEM

UNANIMOUSLY RESOLVED

that the report **be noted**.

Meeting: Council - 27/11/2008	Submitted by (Dept): Financial Services		
Ref No: 9/1/1/5	Author/s: D Jacobs		
Doc No: 9247/08	Referred from: EM&MC – 8/11/2008		
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

7.3 APPROVAL OF OVER-EXPENDITURE WITHIN FUNCTIONS
GOEDKEURING VAN OORSPANDERING BINNE FUNKSIES
UKUVUMELEKA KWE OVER-EXPENDITURE KUMACANDELO

UNANIMOUSLY RESOLVED

that the over-expenditure as set out below, be approved:-

**MINUTES: COUNCIL/RAAD/EBHUNGA
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Budget per function	Adjustment Operational Budget	Adjustment Capital Budget	Total Budget	Actuals Operating	Actuals Capital	Total Budget	(Over)/Under Expenditure
Executive and Council	47,161,474	20,000	47,181,474	38,793,203	104,395	38,897,598	8,283,876
Finance and Administration	113,415,527	18,872,250	132,287,777	116,988,784	15,285,332	132,274,116	13,661
Planning and Development	20,755,166	2,194,841	22,950,007	18,605,914	1,725,480	20,331,394	2,618,613
Health	12,285,192	269,083	12,554,275	6,825,669	76,076	6,901,745	5,652,530
Community and Social Services	13,081,214	13,207,115	26,288,329	12,405,274	5,114,541	17,519,815	8,768,514
Housing	25,260,868	50,117,057	75,377,925	34,201,785	39,278,711	73,480,496	1,897,429
Public Safety	34,243,656	915,500	35,159,156	34,756,175	739,338	35,495,513	(336,357)
Sport and Recreation	39,711,740	10,853,055	50,564,795	36,890,656	3,655,764	40,546,420	10,018,375
Waste Water Management	34,630,405	24,762,240	59,392,645	35,158,184	21,792,433	56,950,617	2,442,028
Waste Management/Solid Waste	33,334,234	3,944,781	37,279,015	38,346,898	2,405,777	40,752,675	(3,473,660)
Road Transport	37,391,014	13,232,824	50,623,838	40,651,325	12,186,578	52,837,903	(2,214,065)
Water	36,354,644	23,207,638	59,562,282	40,388,555	21,227,502	61,616,057	(2,053,775)
Electricity	216,101,529	26,602,072	242,703,601	221,640,707	25,340,297	246,981,004	(4,277,403)
	663,726,663	188,198,456	851,925,119	675,653,129	148,932,224	824,585,353	27,339,766

Meeting: Ref No: Doc No:	Council - 27/11/2008 5/2/4/ 8788/08	Submitted by (Dept): Author/s: Referred from:	Financial Services C Petersen EM&MC – 22/10/2008
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

7.4 SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN: FIRST QUARTERLY REPORT 2008/09
DIENSLEWERING- EN BEGROTINGSIMPLEMENTERINGSPLAN: EERSTE KWARTAAL VERSLAG 2008/09
UKWENZIWA KWE NKONZO NOKULANDELA IBUDGET: INGXELO YOKUGALA 2008/09

UNANIMOUSLY RESOLVED

that the First Quarterly Report of the SDBIP **be noted**.

Meeting: Ref No: Doc No:	Council - 27/11/2008 5/2/8/ 9249/08	Submitted by (Dept): Author/s: Referred from:	Financial Services C Petersen EM&MC – 5/11/2008
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

**MINUTES: COUNCIL/RAAD/EBHUNGA
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7.5	AMENDMENT TO SUPPLY CHAIN MANAGEMENT POLICY WYSIGINGS AAN VERKRYGINGSBESTUURSBELEID INTSHINTSHO KWIPOLISI YE SUPPLY CHAIN MANAGEMENT
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UNANIMOUSLY RESOLVED

that the amended policy be adopted.

(The Supply Chain Management Policy, as amended, is included in the official minutes of Council.)

Meeting:	Council - 27/11/2008	Submitted by (Dept):	Financial Services
Ref No:	8/1/B	Author/s:	C Petersen
Doc No:	9246/08	Referred from:	EM&MC – 5/11/2008
CLAUSE:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:

7.6	TRANSFER OF FUNDS BETWEEN FUNCTIONS OORPLASING VAN FONDSE TUSSEN FUNKSIES
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UNANIMOUSLY RESOLVED

1. that the amount of R7 000 452, available from carry overs on the Capital Budget be utilized as follows:-

(i)	Computer Software Licenses and e-mail facilities	-	R1 000 000
(ii)	Street and Stormwater in OR Tambo area (Ward 5) Phase 1	-	R2 000 000
(iii)	Traffic Calming	-	R 100 452
(iv)	Tarring of Sidewalks	-	R 400 000
(v)	Wall at Daljosaphat Stadium	-	R1 100 000
(vi)	Bulk infrastructure services (Project 59, Phase 7)	-	R 900 000
(vii)	Fire Disaster: Swartberg Street, OR Tambo	-	R1 000 000
(viii)	Capital Projects: Saron	-	<u>R 500 000</u>
			<u>R7 000 452</u>

2. that the amended High Level Capital Budget (**see below**) which reflects the changes as a result of the above, be approved:-

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Function	Capital Budget Before Transfers 2008/2009	Transfers	Capital Budget After Transfers 2008/2009
Executive and Council	438,200	0	438,200
Finance and Administration	53,852,102	865,152	54,717,254
Planning and Development	2,476,500	0	2,476,500
Health	143,850	0	143,850
Community and Social Services	13,699,456	(146,024)	13,553,432
Housing	56,961,914	(713,558)	56,248,356
Public Safety	1,520,265	0	1,520,265
Sport and Recreation	18,469,108	783,749	19,252,857
Waste Water Management	34,888,000	(3,713,091)	31,174,909
Waste Management/Solid Waste	4,207,000	(76,680)	4,130,320
Road Transport	13,186,765	3,000,452	16,187,217
Water	29,956,375	0	29,956,375
Electricity	26,440,000	0	26,440,000
Total Capital Expenditure Per Vote	256,239,535	0	256,239,535

Meeting:	Council - 27/11/2008	Submitted by (Dept):	Financial Services
Ref No:	5/2/4/	Author/s:	C Petersen
Doc No:	9256/08	Referred from:	EM&MC – 5/11/2008
CLAUSE:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:

7.7 INCREASE OF INDIGENT SUBSIDY TO THE POOR VERHOOGING VAN DEERNISHULPSUBSIDIE
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It was reported that a campaign to inform residents, which would include radio broadcasts, leaflets to be dropped at churches and messages on the accounts, would be arranged.

UNANIMOUSLY RESOLVED

1. that the following amendments to the Indigent Subsidy Scheme be approved, effective from 1 December 2008:-
 - 1.1. that the income per household to qualify for the indigent grant be increased from R1 880 to R2 444 per month;
 - 1.2. that the 50 Kwh free electricity per indigent household per month be increased to 100 Kwh per month;
 - 1.3. that the 50 Kwh free electricity per unemployed household per month be increased to 100 Kwh per month;

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- 1.4. that 100 Kwh free electricity be granted to farm workers households on local farms in respect of the first 5000 applicants (applications to be submitted by farm owners);
 - 1.5. that the R55 per month subsidy in respect of sewerage fees be increased to R75 per month per indigent household;
 - 1.6. that the R55 per month subsidy in respect of refuse fees be increased to R75 per month per indigent household;
 - 1.7. that the 6kl free water per indigent household per month be increased to 10kl free water per indigent household per month;
 - 1.8. that indigent residents of old age homes be granted a subsidy of R150 per month per resident/couple in respect of refuse and sewerage services (application to the Municipality to be submitted by the old age homes); and
 - 1.9. that all active indigent account holders be exempted from levying of interest and penalties on arrear accounts.
2. that the above decision to be communicated to the public by means of the various communication methods.

Meeting: Council - 27/11/2008		Submitted by (Dept): Financial Services	
Ref No: 5/13/6		Author/s: C Petersen	
Doc No: 9687/08		Referred from: EM&MC – 19/11/2008	
CLAUSE:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
	1) Implement new subsidies 2) Inform residents	1) Executive Director: Financial Services 2) Strategic Services (Communication) & Financial Services	

7.8	COUNCILLOR REMUNERATION INCREASE
	VERHOGING VAN RAADSLIDVERGOEDING

UNANIMOUSLY RESOLVED

that Council approve the new salaries and allowances based on the expected increase of 11% or less and that upon the official promulgation of the upper limits of the new salaries and allowances, the Municipal Manager proceeds to submit the necessary application to the MEC for approval.

Meeting: Council - 27/11/2008		Submitted by (Dept): Financial Services	
Ref No: 3/8/4		Author/s: M Pikinini	
Doc No: 9693/08		Referred from: EM&MC – 19/11/2008	
CLAUSE:	ACTION:	RESPONSIBLE DEPT:	DUE DATE:
	Application to MEC	Corporate Governance (P January)	

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7.9 PROPOSED AMENDMENTS TO EDUCATION, TRAINING AND DEVELOPMENT POLICY
VOORGESTELDE WYSIGINGS AAN OPVOEDINGS-, OPLEIDINGS- EN ONTWIKKELINGSBELEID

This matter was considered under item 7.12 hereof.

7.10 ROLES AND RESPONSIBILITIES OF COUNCIL, POLITICAL STRUCTURES, OFFICE BEARERS AND MUNICIPAL MANAGER
PLIGTE EN VERANTWOORDELIKHEDE VAN DIE RAAD, POLITIEKE STRUKTURE, AMPSDRAERS EN MUNISIPALE BESTUURDER
IMIGAQO NENDIIMA ZIKACEBA, NEEPOLITIKI NOZOMPHATHI KAMASIPALA

RESOLVED

that the Roles and Responsibilities of Council, Political Structures, Office Bearers and Municipal Manager be adopted.

(The English version of the document will be included in the official minutes of Council.)

Meeting:	Council - 27/11/2008	Submitted by (Dept):	Corporate Governance
Ref No:	3/B x 3/8	Author/s:	
Doc No:	8326/08	Referred from:	EM&MC – 08/10/2008
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

7.11 AMENDMENT OF STAFFING POLICY
WYSIGING VAN INDIENSNEMINGSBELEID
INTSHINTSHO KWIPOLISI YABAQESHWA

RESOLVED

that the amended Staffing Policy be approved.

(The Staffing Policy as amended will be included in the official minutes of Council.)

Meeting:	Council - 27/11/2008	Submitted by (Dept):	Corporate Governance
Ref No:	10/6/B	Author/s:	N Matlengwe
Doc No:	6491/08	Referred from:	EM&MC – 19/11/2008
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

**MINUTES: COUNCIL/RAAD/EBHUNGA
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7.12 AMENDMENT OF TRAINING POLICY
WYSIGING VAN OPLEIDINGSBELEID
INTSHINTSHO KWIPOLISI YOKUQESHWA

UNANIMOUSLY RESOLVED

that the amendments to the Training Policy be approved.

(The Training Policy as amended will be included in the official minutes of Council.)

Meeting:	Council - 27/11/2008	Submitted by (Dept):	Corporate Governance
Ref No:	4/B	Author/s:	N Matolengwe
Doc No:	6510/08	Referred from:	EM&MC – 19/11/2008
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

7.13 APPLICATION FOR CLOSURE AND ALIENATION OF PUBLIC STREET, ERF 9339, MAIN STREET, PAARL
AANSOEK OM SLUITING EN VERVREEMDING VAN PUBLIEKE STRAAT, ERF 9339, HOOFSTRAAT, PAARL
ISICELO SOKUVALWA KOMHLABA, ERF 9339, MAIN STREET, PAARL MAYINGAVUMELEKI

UNANIMOUSLY RESOLVED

that the closure and alienation of public street, Erf 9339, Main Street, Paarl not be approved.

Meeting:	Council - 27/11/2008	Submitted by (Dept):	Infrastructure & Planning
Ref No:	15/4/1 (9339) P	Author/s:	D Cupido
Doc No:	1629/06, 2647/06, 7430/06, 8005/06 & 9870/06	Referred from:	EM&MC – 19/11/2008
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	Inform parties	Corporate Gov (Admin)	

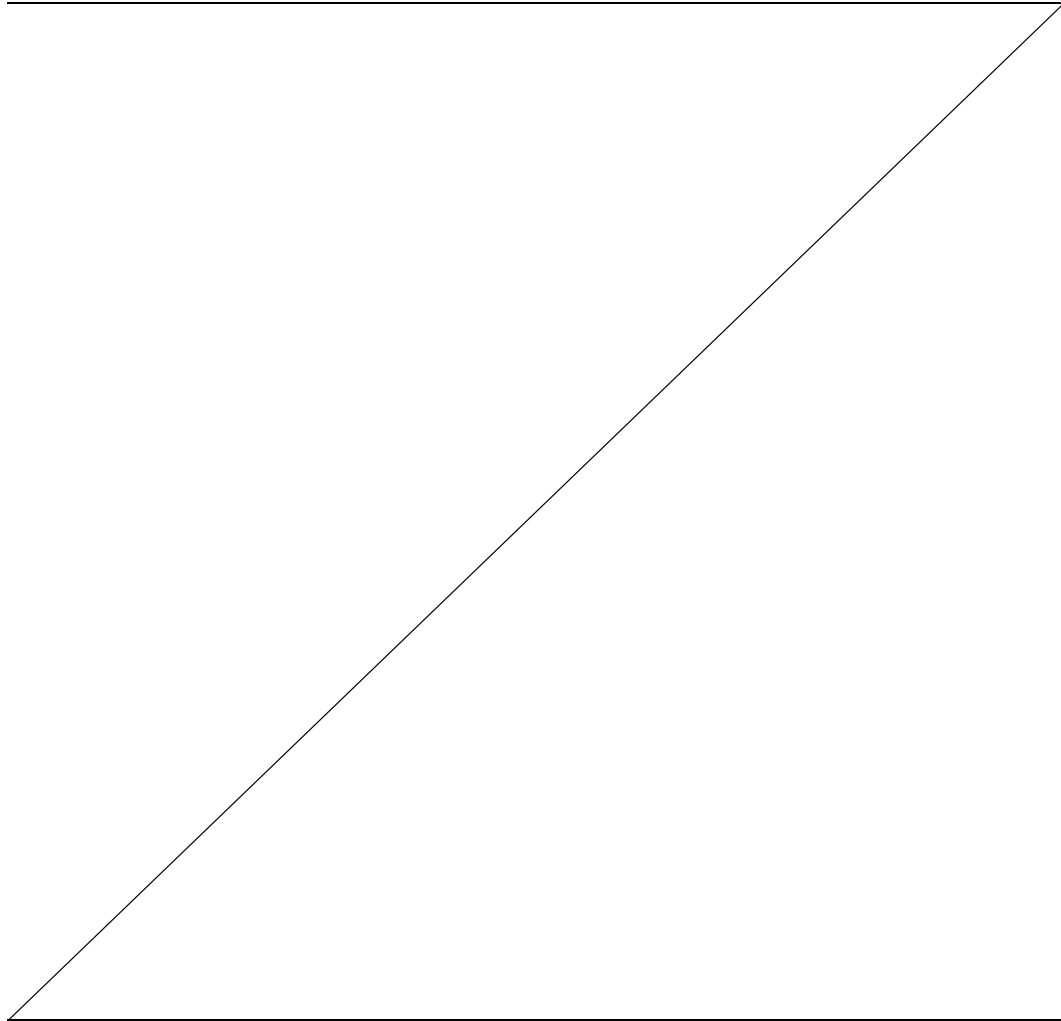
MINUTES: COUNCIL/RAAD/EBHUNGA
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8. MATTERS FOR CONSIDERATION/INFORMATION

8.1 PROPOSED COUNCIL MEETING PROGRAM 2009
VOORGESTELDE RAADVERGADERINGSPROGRAM 2009
IPROGRAM YENTLANGANISO YOCEBAI 2009

UNANIMOUSLY RESOLVED

that the enclosed meeting program be approved.



Meeting:	Council - 27/11/2008	Submitted by (Dept):	Corporate Governance
Ref No:	3/3/1/2	Author/s:	
Doc No:		Referred from:	
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	Distribute meeting program to all departments	Corporate Governance (Typists)	

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9.	CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS DEALING WITH MATTERS OF URGENCY BY THE MUNICIPAL MANAGER
	OORWEGING VAN VERSLAE, MEDEDELINGS, VERSOEKSKRIFTE EN AANSOEKE IN VERBAND MET DRINGENDE SAKE VOORGELÊ DEUR DIE MUNISIPALE BESTUURDER

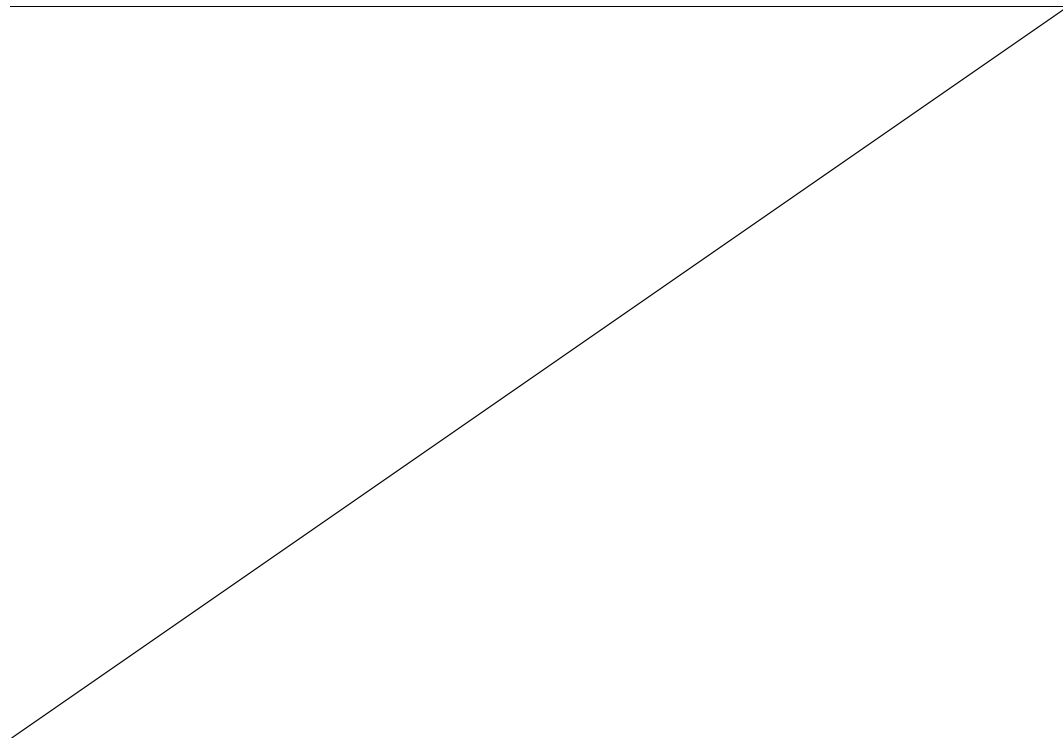
9.1	PERMISSION TO ACT AS SPRINGBOK MANAGER: CLR A M PETERSEN
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The enclosed letter dated 12 October 2008 received from Clr A M Petersen was tabled and considered. Clr Petersen requested to perform other paid work, as Springbok Manager, other than that of full-time councillor. The ACDP and WCC indicated that they could not support the request.

RESOLVED

that Clr A M Petersen be allowed to perform other paid work, as Springbok Manager, in addition to being a full-time councillor.

(The ACDP and WCC requested that their counter vote to the above be recorded.)



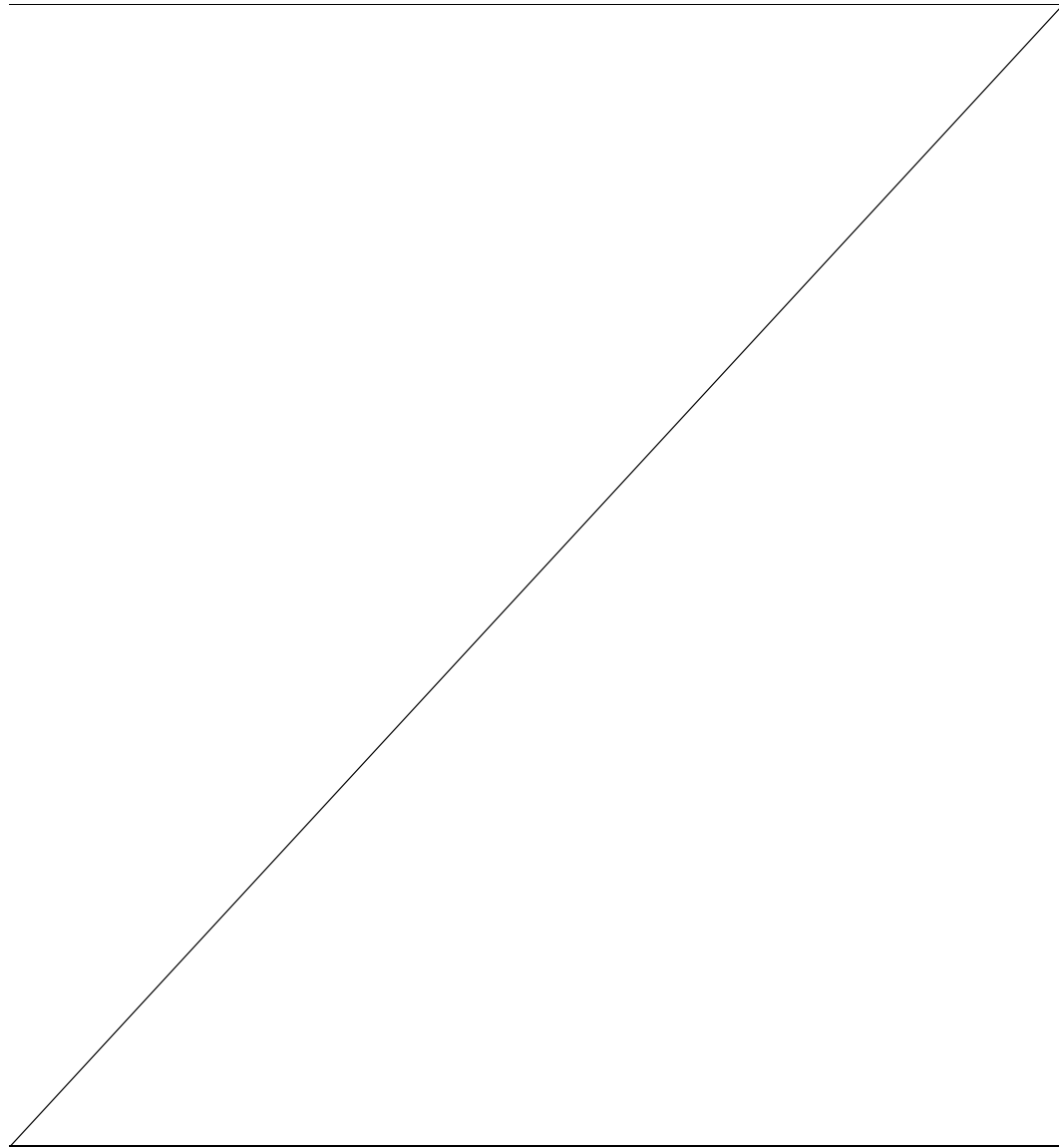
Meeting: Council - 27/11/2008		Submitted by (Dept):	
Ref No:		Author/s:	
Doc No:		Referred from:	
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

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9.2 RECOVERY OF R20 000 FROM ABSA ACCOUNT HOLDER

The Municipal Manager tabled the attached report from Council's legal advisors, regarding the progress made on the issue of recovering of the amount of R20 000 from the ABSA account holder into who's account the money was erroneously paid.

Noted.



Meeting:	Council - 27/11/2008	Submitted by (Dept):	Corporate Governance
Ref No:	15/4/1 (6370)W	Author/s:	
Doc No:		Referred from:	
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

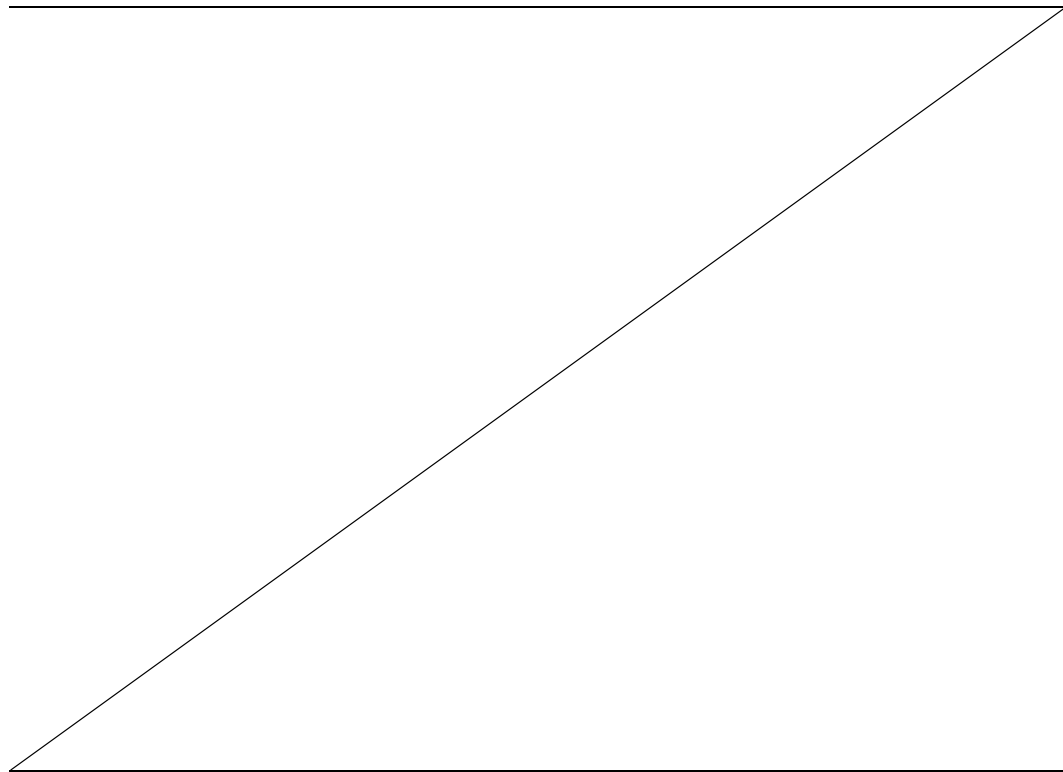
MINUTES: COUNCIL/RAAD/EBHUNGA
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9.3 ALIENATION OF PORTION OF ERF 34, WELLINGTON: AFRIGLASS (PTY) LTD

The enclosed item as considered by the Executive Mayor and Mayoral Committee earlier that day (27 November 2008) was tabled and considered.

RESOLVED

1. that the sale of a portion of Erf 34, Wellington (\pm 10ha) as the preferred option, or alternatively Erf 607, Gouda, to AfriGlass (Pty) Ltd, be approved in principle;
2. that the Project Steering Committee be given the mandate to continue with further negotiations with AfriGlass (Pty) Ltd;
3. that the public participation process be proceeded with; and
4. that the extension of any services on the approved site will be for the account of the developer.



Meeting:	Council - 27/11/2008	Submitted by Directorate:	Corporate Gov & Strategic Serv
Ref No:	15/4/1 (34) W	Author/s:	N Bell / G Fouldien
Doc No:	9677/08	Referred from:	EM&MC - 19/11/2008
CLAUSE:	ACTION: Advertise proposal	RESPONSIBLE DEPT: Corporate Services Properties	DUE DATE:

MINUTES: COUNCIL/RAAD/EBHUNGA
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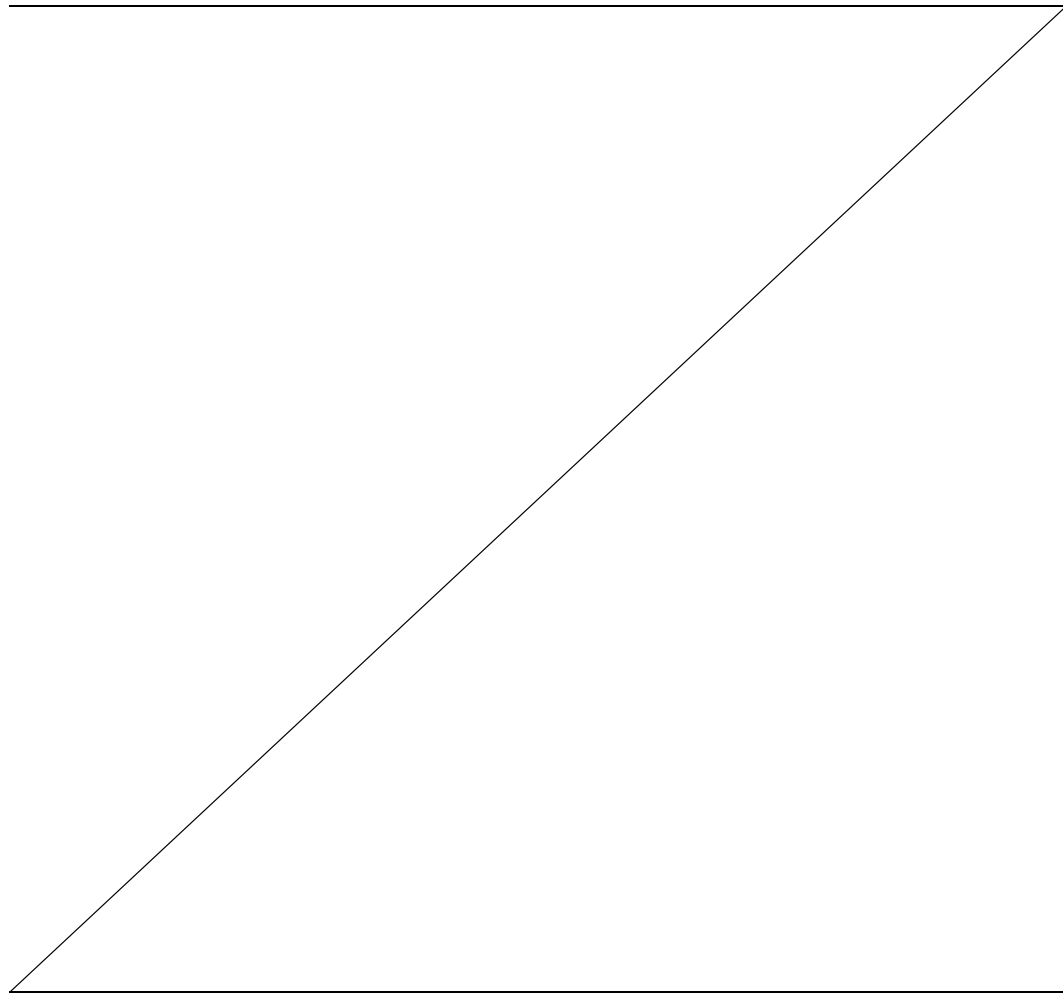
10. CONSIDERATION OF NOTICES OF MOTIONS AND NOTICES OF QUESTIONS
OORWEGING VAN KENNISGEWINGS VAN MOSIES EN KENNISGEWINGS VAN VRAE

10.1 MOTION OF QUESTIONS BY THE DA: VARIOUS MATTERS
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The Executive Mayor responded to the questions as set out on the attached submission.

RESOLVED

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



Meeting:	Council – 27/11/2008	Submitted by (Dept):	
Ref No:	3/3/1/5	Author/s:	
Doc No:		Referred from:	
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

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10.2 MOTION COUNCILLOR L DARIES (DA): CODE OF CONDUCT FOR COUNCILLORS: CLR J THOMAS

The Speaker indicated that the case was still sub judice and therefore any action by Council would be premature. The Speaker indicated that the matter would receive further attention once the court had ruled on this matter.

Noted.

Meeting: Ref No: Doc No:	Council - 02/10/2008 3/3/1/5	Submitted by (Dept): Author/s: Referred from:	
<u>CLAUSE:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>

11. SUPPLEMENTARY AGENDA (IF ANY)
AANVULLENDE AGENDA (INDIEN ENIGE)

IN-COMMITTEE

12. CONSIDERATION OF CONFIDENTIAL MATTERS
OORWEGING VAN VERTROULIKE SAKKE

12.1 CONFIRMATION OF CONFIDENTIAL MINUTES: 19 JUNE 2008
BEKRAGTIGING VAN VERTROULIKE NOTULE: 19 JUNIE 2008

The Confidential minutes held on 19 June 2008 was confirmed as correct.

The meeting was ended at 15:10.

CHAIRPERSON:

DATE:

Confirmed on with/without amendments.

PJ/db
4/12/2008