

DRAKENSTEIN MUNICIPALITY

MINUTES OF AN ORDINARY MEETING OF THE MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, CIVIC CENTRE, BERG RIVER BOULEVARD, PAARL ON THURSDAY, 2 OCTOBER 2008 AT 14:00.

PRESENT: Councillors (See attached schedule)

Senior Officials:

Mr K Mrali	(Acting Municipal Manager)
L Coetzee	(Director: Infrastructure & Planning)
C Petersen	(Director: Financial Services)
T Matthee	(Director: Social Services)
A V Marais	(Manager: Administrative Services)

ABSENT: Officials:

Dr S Kabanyane	(Municipal Manager) (Apology)
Dr P Naidoo	(Director: Strategic Services) (Apology)



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/KOMITTEEVERGADERINGS

The following applications for leave of absence were granted:-

Clr J Smit	-	2 October 2008
Clr A Buckle	-	2 October 2008
Clr J W Appollis	-	2 October 2008
Clr S Sambokwe	-	9 – 12 October 2008
Clr A M Petersen	-	6 – 14 October 2008
Clr J T Basson	-	3 and 17 October 2008
Clr A B Sishuba	-	6 – 10 October 2008
Clr M Le Hoe	-	16 October 2008 – 12 November 2008
Clr M W Nothnagel	-	6 – 15 October 2008
Clr E Basson	-	17 – 21 October 2008
Clr B Fikizolo	-	4 – 9 October 2008
Clr C Julies	-	6 – 10 October 2008

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2. CONFIRMATION OF MINUTES / BEKRAGTINGING VAN NOTULE

The minutes of the Ordinary meeting of the Municipal Council meeting held on 4 September 2008 was **confirmed as correct**.

3. MINUTES: COMMITTEE MEETINGS / NOTULES: KOMITEEVERGADERINGS

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 congratulated all councillors who celebrated their birthdays during September.

6. STATUTORY MATTERS / STATUTÊRE SAKE

No matters were submitted.

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

7.1 COMPOSITION OF ASSESSMENT COMMITTEE, PERFORMANCE OF THE MUNICIPAL MANAGER
SAMESTELLING VAN EVALUERINGSKOMITEE, PRESTASIE VAN DIE MUNISIPALE BESTUURDER
UKUQANJWA KWEKOMITI YOKUCEBISA, KWINDLELA YOKUSEBENZA KUKA MANEJALA KAMASIPALA

The Executive Mayor tabled the matter and recommended that the Mayor from a neighbouring Municipality be from one of the municipalities in the Cape Winelands District. The DA proposed an amendment, that the Mayor from the neighbouring municipality be from Swartland Municipality and that the member of the Ward Committee be from the opposition parties.

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The amendment was put to the vote and defeated by 30-21 votes.

RESOLVED

that the decision taken by Council on 8 May 2008 be amended and that the Committee assessing the performance of the Municipal Manager comprise the following members:-

- (a) Executive Mayor
- (b) Chairperson of Performance Audit Committee
- (c) Member of Mayoral Committee – Clr A Bekeer
- (d) Mayor from neighbouring municipality
- (e) Member of Ward Committee: Ms N Sambokwe

Meeting:	Council - 02/10/2008	Submitted by (Dept):	Executive Mayor
Ref No:	4/12	Author/s:	C M Manuel
Doc No:	7154/08	Referred from:	EM&MC – 27/08/2008
Clause:	Action:	Responsible Dept:	Due Date:
	Liaise with Executive Mayor	Executive Director: Corporate Governance	

7.2	BULK INFRASTRUCTURE CONTRIBUTION LEVY: SECOND DWELLINGS, GRANNY FLATS, ETC
	GROOTMAAT INFRASTRUKTUUR HEFFING: TWEEDE EENHEDE, OUMAWOONSTELLE, ENS
	IRHAFU YEZAMBUKU YESICWANGCISO: KWIZINDLU SESIBIN, I ZABADALA

UNANIMOUSLY RESOLVED

1. that minimum and maximum Bulk Infrastructure Contribution Levy (BICL) be levied as follows:-

- | | | |
|-----|---------------------------|--|
| 1.1 | Property value < R120 000 | No BICL payable |
| 1.2 | Property value = R120 000 | Minimum BICL of R3225 per service (VAT excluded) |
| 1.3 | Property value = R240 000 | Maximum BICL of R6450 per service (VAT excluded) |

A pro rata BICL is payable for a property value between R120 000 and R240 000.

2. The BICL tariff for Granny flats, second dwelling units or any other densification on single residential erven.
 - 2.1 Existing footprints: 0-120m² : No levy payable.
plus additions

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- 2.2 Existing footprints: 121-200m² : Pro rata BICL's payable plus additions above 120m² for water, sewerage and electricity only as per subdivision tariff.
- 2.3 Existing footprints: > 200m² : Pro rata BICL's payable plus additions above 200m² on all services as per subdivision tariff.
- 2.4 For any addition bigger than 120m², BICL's on all services are payable as per subdivision tariff;
- 2.5 General
- 2.5.1 The additions will exclude all non-enclosed areas (stoep, verandas, etc);
- 2.5.2 The BICL's are payable before the building plans are approved; and
- 2.5.3 The tariffs be applicable as from 1 July 2008.

Meeting: Council - 02/10/2008		Submitted by (Dept): Infrastructure & Planning	
Ref No: 5/8/9		Author/s: G S du Plessis	
Doc No: 7094/08		Referred from: EM&MC – 27/08/2008	
<u>Clause:</u>	<u>Action:</u>	<u>Responsible Dept:</u>	<u>Due Date:</u>
	Implement decision	Executive Director: Planning & Infrastructure	

7.3 REPORT: SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLANS (SDBIP) FOR FOURTH QUARTER 2007/08
VERSLAG: DIENSLEWERING EN BEGROTING IMPLEMENTERINGSPLANNE VIR VIERDE KWARTAAL 2007/08
INGXELO: UBONELELO NENKONZO KUNYE NESICWANGCISO SOKUMILISELA (SDBIP) YEKOTA YESINE KA 2007/08

UNANIMOUSLY RESOLVED

that the Service Delivery and Implementation Plans for the fourth quarter 2007/08 **be noted.**

Meeting: Council - 02/10/2008		Submitted by (Dept): Strategic Services	
Ref No: 5/2/8		Author/s: V Arendse	
Doc No: 6894/08		Referred from: EM&MC – 27/08/2008	
<u>Clause:</u>	<u>Action:</u>	<u>Responsible Dept:</u>	<u>Due Date:</u>

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7.4	ADOPTION OF PERFORMANCE MANAGEMENT POLICY
	GOEDKEURING VAN PRESTASIEBESTUURSBELEID
	ULWAMKELO LWENKQUBO YOKULAWULA INDLELA YOKUSEBENZA

UNANIMOUSLY RESOLVED

that the Performance Management Policy **be approved**.

Meeting:	Council - 02/10/2008	Submitted by (Dept):	Strategic Services
Ref No:	2/2/B	Author/s:	V Arendse
Doc No:	7027/08	Referred from:	EM&MC – 27/08/2008
<u>Clause:</u>	<u>Action:</u>	<u>Responsible Dept:</u>	<u>Due Date:</u>

7.5	SCARCE SKILLS POLICY
	SKAARS VAARDIGHEDE BELEID
	INKQUBO YABASEBENZI: INKQUBO YOBUCHULE OBUNQABLEYO

The enclosed report of the Executive Director: Corporate Governance was considered by the Executive Mayor and Mayoral Committee on 3 September 2008.

UNANIMOUSLY RESOLVED

that the Scarce Skills Policy be approved by Council.

Meeting:	Council - 02/10/2008	Submitted by (Dept):	Corporate Governance
Ref No:	4/B	Author/s:	
Doc No:	6510/08	Referred from:	EM&MC – 03/09/2008
<u>Clause:</u>	<u>Action:</u>	<u>Responsible Dept:</u>	<u>Due Date:</u>
	Initiate implementation and development of policy	Executive Director: Corporate Governance	

7.6	REPORT: ESKOM SERVITUDE ON FARM 736, KLAPMUTS: BUILDING OF 132/kV SUBSTATION
	VERSLAG: ESKOM SERWITUUT OP PLAAS 736, KLAPMUTS: KONSTRUKSIE VAN 132/kV SUBSTASIE
	INGXELO: YE ESKOM NGEKONZO KWIFAMA 736, KLAPMUTS: UKWAKHIWA KWE 132/kV YESITITSHANA

UNANIMOUSLY RESOLVED

that a portion of Farm 736, Klapmuts (±3.5ha in extent), be alienated to Eskom for the purpose of a substation servitude measuring 380m x 270 x 260m and an electrical transmission servitude of 31m wide along the eastern boundary of the property, subject to the following conditions:-

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1. the land be sold at R50/m², excluding VAT;
2. the purchaser be responsible for all costs related to the subdivision, closure, rezoning, survey and transfer of the property;
3. compliance with all conditions laid down by the technical departments;
4. the sale of the land be advertised for any objections; and
5. Eskom ensure that no squatters settle in the servitude area.

Meeting: Ref No: Doc No:	Council - 02/10/2008 15/4/1 (F736)K 6911/08	Submitted by (Dept): Author/s: Referred from:	Corporate Governance N Marais EM&MC – 27/08/2008
<u>Clause:</u>	<u>Action:</u> Inform relevant parties	<u>Responsible Dept:</u> Corp Governance (Properties)	<u>Due Date:</u>

7.7 APPROVAL OF BUDGET POLICY
GOEDKEURING VAN BEGROTINGSBELEID
ULWAMKELO KWENKQUBO YOHLAHLWABIWO MALI

UNANIMOUSLY RESOLVED

that the Budget Policy **be approved.**

Meeting: Ref No: Doc No:	Council - 02/10/2008 5/2/B 6895/08	Submitted by (Dept): Author/s: Referred from:	Financial Services C Petersen EM&MC – 27/08/2008
<u>Clause:</u>	<u>Action:</u> Implement policy	<u>Responsible Dept:</u> Executive Director: Financial Services	<u>Due Date:</u>

7.8 APPROVAL OF CASH AND INVESTMENT MANAGEMENT POLICY
GOEDKEURING VAN KONTANT EN BELEGGINGSBESTUURSBELEID
ULWAMKELWA KWENKQUBO YOKULAWULA NOKUGCINA KWEMALI

The DA proposed an amendment that Section 60(2) of the Municipal Systems Act be complied with when delegation of authority relating to investments is considered. The amendment was put to vote and defeated by 30 - 21 votes.

RESOLVED

that the Cash and Investment Management Policy **be approved.**

Meeting: Ref No: Doc No:	Council - 02/10/2008 5/2/B 6897/08	Submitted by (Dept): Author/s: Referred from:	Financial Services C Petersen EM&MC – 27/08/2008
<u>Clause:</u>	<u>Action:</u> Implement policy	<u>Responsible Dept:</u> Executive Director: Financial Service	<u>Due Date:</u>

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7.9	LEIVOOR DEVELOPMENT: ERF 6370, WELLINGTON: OUTSTANDING PAYMENT OF R20 331,08
	LEIVOOR ONTWIKKELING: ERF 6370, WELLINGTON: UITSTAANDE BETALING VAN R20 331,08
	UPHUHLISO LWE LEIVOOR: KU ERF 6370, EWELLINGTON INTLAWULO ENGEKAHLAWULWA YI R20 331,08

The DA requested that Council be kept informed regarding the recovery of the outstanding amount.

UNANIMOUSLY RESOLVED

1. that the outstanding amount of R20 331,08 be paid to Leivoor Development from the Bulk Services levy fund: vote no 9000 120 077 04;
2. that Van der Spuy and Partners be instructed to collect the outstanding amount from the account holder of Absa, account number 406 223 3582 and once received, be paid into the bulk services levy fund; and
3. that the necessary corrective and preventative actions be taken in order to prevent a recurrence of this incident.

Meeting:	Council - 02/10/2008	Submitted by (Dept):	Infrastructure & Planning
Ref No:	15/4/1 (6370) W	Author/s:	G S du Plessis
Doc No:	7096/08	Referred from:	EM&MC – 27/08/2008
Clause:	Action:	Responsible Dept:	Due Date:
7.9 (1)	Arrange payment	Executive Director: Planning & Infrastructure	
7.9 (2)	Instruct attorneys to collect	Exec. Direct: Corp Govern (Admin) C Louw	
7.9 (3)	Arrange preventative measures	Planning & Infrastructure / Finance	

7.10	ASSET REGISTER: 30 JUNE 2008
	BATEREGISTER: 30 JUNIE 2008
	INCWADI YEMPAHLA: 30 JUNI 2008

UNANIMOUSLY RESOLVED

1. that the writing-off of properties sold and transferred, be approved (**Appendix A**);
2. that assets held for sale, be sold by public auction (**Appendix B1 and B2**); and
3. that assets not found during the stock take be retained on the asset register and that the relevant directorates investigate such cases.

Meeting:	Council - 02/10/2008	Submitted by (Dept):	Financial Services
Ref No:	6/2/1	Author/s:	A Viola
Doc No:	7736/08	Referred from:	EM&MC – 17/09/2008
Clause:	Action:	Responsible Dept:	Due Date:
	Implement decision	Executive Director: Financial Service	

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7.11 TRAVEL AND SUBSISTANCE ALLOWANCE POLICY
VERVOER EN VERBLYFTOELAE BELEID
INKQUBO YOKUNDWENDWELA KUNYE NEMALI EVUNYIWEYO

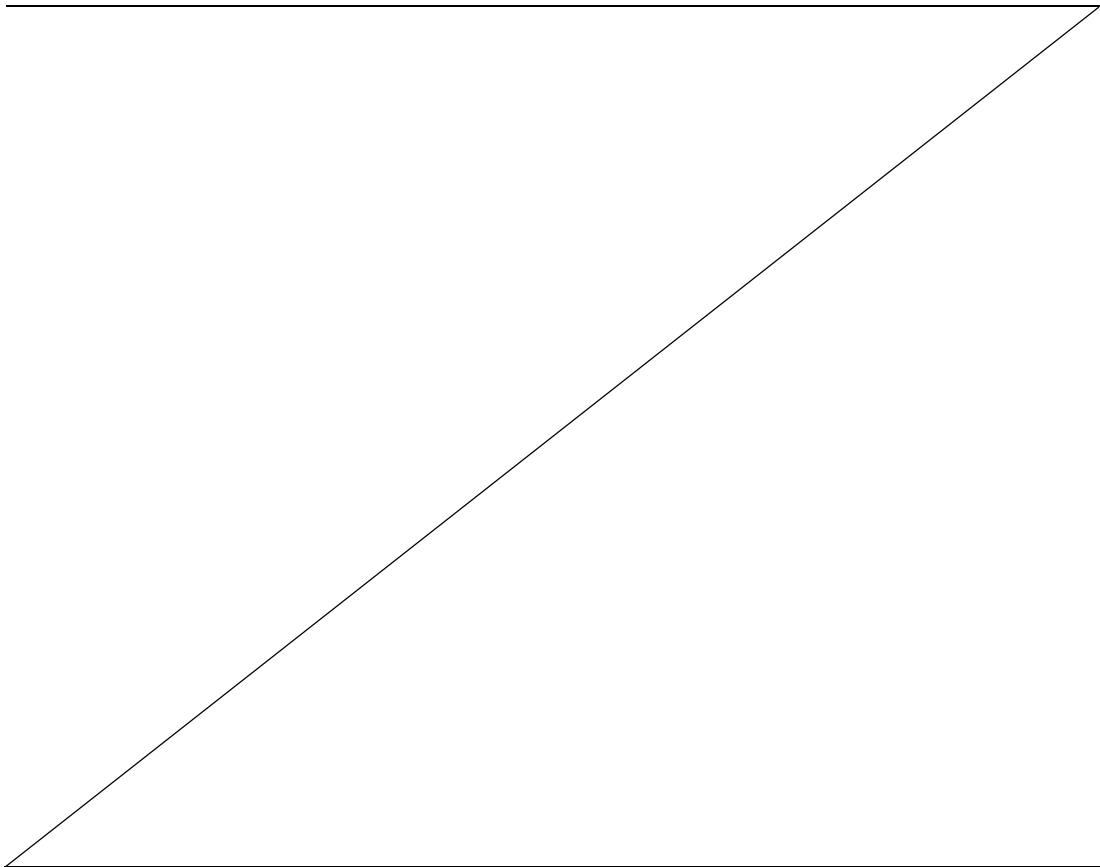
The Executive Mayor reported that clause 9.4 as recommended by the Finance Committee on 8 September 2008 should be accepted.

UNANIMOUSLY RESOLVED

that the Travel and Subsistance Allowance Policy be approved subject to Section 9.4 being amended to read as follows:-

“9.4 All flights by representatives of the municipality shall be in economy class. However, in cases where the Executive Mayor, the Executive Deputy Mayor, the Municipal Manager, councillors and Executive Directors, form part of or accompany ministerial delegations, they be allowed to fly business class.”

(Corrected version is included in the official minutes of Council.)



Meeting:	Council - 02/10/2008	Submitted by (Dept):	Financial Services
Ref No:	5/B	Author/s:	D M Pikitini
Doc No:	5078/08	Referred from:	EM&MC – 17/09/2008
Clause:	Action:	Responsible Dept:	Due Date:
	Implement Policy	Executive Director: Financial Services	

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7.12 DISPOSAL OF MOVABLE ASSETS
VERVREEMDING VAN ROERENDE BATES
UKUTHENGISWA KWEMPAHLA

UNANIMOUSLY RESOLVED

that the writing-off and disposal by public auction of the movable assets as listed in the report, be approved.

Meeting:	Council - 02/10/2008	Submitted by (Dept):	Financial Services
Ref No:	6/2/4	Author/s:	D Jacobs
Doc No:	7361/08	Referred from:	EM&MC – 17/09/2008
Clause:	Action:	Responsible Dept:	Due Date:
	Implement decision	Executive Director: Financial Services	

7.13 STOCK NO LONGER REQUIRED
VOORRAAD NIE MEER BENODIG
IMPAHLA ENGASAFUNYWAYO

UNANIMOUSLY RESOLVED

1. that the items as listed in the report that are no longer in use by the Municipality be written-off and disposed of by public auction; and
2. that these items also be deleted as store items.

Meeting:	Council - 02/10/2008	Submitted by (Dept):	Financial Services
Ref No:	6/2/4	Author/s:	D Jacobs
Doc No:	7361/08	Referred from:	EM&MC – 17/09/2008
Clause:	Action:	Responsible Dept:	Due Date:
	Implement decision	Executive Director: Financial Services	

7.14 STOCK TAKE REPORT: 2007/08 FINANCIAL YEAR
VOORRAAD OPNAME VERSLAG: 2007/08 FINANSIËLE JAAR
INGXELO YOKUBALWA KWEMPAHLA: KANYAKAMALI 2007/08

The DA proposed an amendment that the fuel shortages also form part of the investigation. The amendment was put to the vote and defeated by 30 - 21 votes.

RESOLVED

1. that the Stock Take Report for the 2007/08 Financial Year be accepted and that the rectified value entries in respect of the shortages/surpluses be approved; and

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3. that the shortages with regard to sand and gravel be further investigated and a report be submitted to the Executive Mayor and Mayoral Committee.

(The DA requested that their objection to the above decision be recorded.)

Meeting: Ref No: Doc No:	Council - 02/10/2008 6/2/1 7737/08	Submitted by (Dept): Author/s: Referred from:	Financial Services A Viola EM&MC – 17/09/2008
<u>Clause:</u>	<u>Action:</u>	<u>Responsible Dept:</u>	<u>Due Date:</u>

7.15 ANNUAL FINANCIAL STATEMENTS 2007/2008
JAARLIKSE FINANSIËLE STATE 2007/2008
IINGXELO YONYAKA YEMALI KA 2007/2008

RESOLVED

that the un-audited statements be **noted**.

Meeting: Ref No: Doc No:	Council - 02/10/2008 5/2/5 7745/08	Submitted by (Dept): Author/s: Referred from:	Financial Services C Petersen EM&MC – 17/09/2008
<u>Clause:</u>	<u>Action:</u>	<u>Responsible Dept:</u>	<u>Due Date:</u>

7.16 IDP/BUDGET PROCESS PLAN 2008/09
GOP/BEGROTING PROSESPLAN 2008/09
IDP/INKQUBO YOMYILO LOHLAHLOLWABIWO MALI KA 2008/09

RESOLVED

that the IDP/Budget Process Plan 2008/09 be approved by Council.

Meeting: Ref No: Doc No:	Council - 02/10/2008 5/2/5 7745/08	Submitted by (Dept): Author/s: Referred from:	Financial Services C Petersen EM&MC – 17/09/2008
<u>Clause:</u>	<u>Action:</u>	<u>Responsible Dept:</u>	<u>Due Date:</u>

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8. MATTERS FOR CONSIDERATION/INFORMATION

8.1 INTERVENTION IN RESPECT OF PROJECTS PROGRESSING SLOWER THAN ANTICIPATED: SDBIP, THIRD QUARTER 2007/08

RESOLVED

that the report be **noted**.

Meeting:	Council - 02/10/2008	Submitted by (Dept):	Municipal Manager
Ref No:	5/12/8	Author/s:	Dr S T Kabanyane
Doc No:	7130/08	Referred from:	EM&MC – 17/09/2008
<u>Clause:</u>	<u>Action:</u>	<u>Responsible Dept:</u>	<u>Due Date:</u>

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 VOORGELË DEUR DIE MUNISIPALE BESTUURDER

9.1 ADJUSTMENT BUDGET: PURCHASE OF SENTRASURE HOUSE: ERF 15025, PAARL

The Acting Municipal Manager submitted a report by the Executive Director: Financial Services dealing with the necessity to make adjustments to the approved budget, in order to finance the purchase of Sentrasure House.

The DA requested a recess after which they reported that they could not participate in deciding on this matter due to short notice and lack of information. After the recess the Speaker informed the remaining councillors that the DA, WCC, ID, FF+ and ACDP indicated that they would not return to the meeting and they requested that full detail pertaining to the transaction be submitted at a special meeting of Council. The Speaker adjourned the meeting due to the lack of a quorum.

**10. CONSIDERATION OF NOTICES OF MOTIONS AND NOTICES OF QUESTIONS
OORWEGING VAN KENNISGEWINGS VAN MOSIES EN KENNISGEWINGS VAN VRAE**

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

<i>IN-COMMITTEE</i>

12. CONSIDERATION OF CONFIDENTIAL MATTERS
OORWEGING VAN VERTROULIKE SAKE

12.1 CONFIRMATION OF CONFIDENTIAL MINUTES
BEKRAGTIGING VAN VERTROULIKE NOTULE

The meeting was adjourned at 16:53.

CHAIRPERSON:

DATE:

Confirmed on with/without amendments.

PJ/ja
9/10/2008