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MINUTES OF A SPECIAL COUNCIL MEETING OF OUDTSHOORN LOCAL MUNICIPALITY, TUESDAY, 25 FEBRUARY 2020, COUNCIL CHAMBER, VOORTREKKER ROAD, OUDTSHOORN, 08:06.

Resolution no: 63.9/02/20

OPENING

The Speaker welcomed Councillors, officials, the media whereafter Councillor Human opened the meeting with a prayer.

ATTENDANCE

COUNCILLORS

Councillor J Le Roux Krowitz	(Speaker)
Councillors CF Sylvester	(Executive Mayor)
Councillor NV Mwati	(Executive Deputy Mayor)
Councillor GJ Kersop	(Chairperson: Financial Services)
Councillor DJ Fourie	(Chairperson: Technical Services)
Councillor E Fortuin	(Chairperson: Corporate Services)
Councillor H Ruiters	(Chairperson: Community Services)
Councillor N Soman	(Chairperson: Strategic Services)
Councillor RR Wildschut	
Councillor MBG Theyse	
Councillor LPO Wagenaar	
Councillor J Lambaatjeen	
Councillor H Botha	
Councillor H Human	
Councillor LS Stone	
Councillor J Floors	
Councillor H Tyatya	[arrived 08:10]
Councillor GR Gertse	[arrived 08:10]
Councillor DR Maarman	
Councillor BV Owen	
Councillor VM Donson	
Councillor GH Juthe	

MUNICIPAL OFFICIALS

Mr RK Smit	(Acting Municipal Manager)
Mr L Fourie	(Chief Financial Officer)
Mr T Matthee	(Director: Community Services)
Ms S Sims	(Acting Director: Human Settlements)

Mr LA Coetzee	(Senior Manager: Strategic Services)
Mr P Tofile	(Manager: Contract & Legal Services)
Mr L Fatuse	(Manager: Risk Management)
Mr P Nel	(Chief Audit Executive)
Mr P Goliath	(Acting Manager: Council Support Services)
Mrs J Metembo	(Officer: Council & Support Services)
Mrs M Sederstroom	(Officer: Council & Support Services)

Resolution n: 63.10/02/20

APPLICATIONS FOR LEAVE OF ABSENCE

RESOLVED

That the following applications for leave of absence received be recorded:

Mr AA Paulse (Municipal Manager)

The following Councillors was absent without an apology:

Councillor CL Cobus
Councillor N Magopeni
Councillor K Windvogel

Resolution no: 63.11/02/20

CONSTITUTING OF MEETING

The presence of a simple majority of Councillors constitutes a quorum. Twenty (20) Councillors out of twenty five (25) were present, at the scheduled time of the meeting, therefore the meeting was duly constituted.

Resolution no: 63.12/02/20

DECLARATION OF INTEREST BY COUNCILLORS AND OFFICIALS IN RESPECT OF ITEMS ON THE AGENDA

RESOLVED

That no declaration of interest was made by Councillors or officials in respect of items on the agenda.

Resolution no: 60.13/02/20

COMMUNICATIONS BY THE ACTING MUNICIPAL MANAGER

The Acting Municipal Manager, informed the meeting on the Liquor Trading Days & Hours By-Law that was approved by Council during a Council meeting, 28 June 2019. There is a discrepancy between the text which allows trading on Sunday and the schedule which forbids sales on Sunday for trading off consumption in terms of Section 33 (l). A full detailed report will be submitted to Council during the Draft Budget Meeting, 31 March 2020.

NON-DELEGATED MATTERS

SECTION 1
DIRECTORATE: FINANCIAL SERVICES

Resolution no: 63.14/02/20

MID-YEAR (4TH) ADJUSTMENT BUDGET 2019/ 20

UNANIMOUSLY RESOLVED

(a) That it be noted that an adjustment budget was necessary in accordance with Municipal Budget and reporting regulations, (MBRR), Regulation 23(1) after the consideration of the Mid-year budget and performance report.

(b) That the Mid-year (4th) Annual Adjustments Budget of Oudtshoorn Municipality for the Financial year 2019/2020, as set-out in the schedules contained in Section 4 of the budget report, be considered as contained in the following prescribed budget tables;

(i.) Table B1: Adjustments budget summary

(ii.) Table B2: Adjustments Budget Financial Performance (expenditure by standard classification)

(iii.) Table B3: Adjustments Budget Financial Performance (expenditure by municipal vote)

(iv.) Table B4: Adjustments Budget Financial Performance (revenue by source)

(v.) Table B5 to B10 as well as supporting tables SB1 to SB19

(c) That adjustments permitted in terms of Sections 28(2)(a)(b)(d)(f) & (g) of the Municipal Finance Management Act and reflected in the tables referred to in resolution (b) above be approved.

PROPOSED: COUNCILLOR CF SYLVESTER
SECONDED: COUNCILLOR GJ KERSOP

EXECUTION: ACTING CHIEF FINANCIAL OFFICER

SECTION 2
DIRECTORATE: STRATEGIC SERVICES

Resolution no: 63.15/02/20

REPORT: AMENDMENTS TO THE REVIEW IDP 2019/2020

UNANIMOUSLY RESOLVED

1. That the 2019/2020 SDBIP be included to the reviewed IDP 2019/20 in order to align the SDBIP 2019/20 with the IDP review 2019/20.

2. That the aforementioned proposed amendments be published for public comments for a period of at least twenty one (21) working days in a manner that allows the public an opportunity to make representation on the proposed amendments.

3. Council considered the public comments after twenty one (21) working days and adopt the final amendments.

4. That after the Public Participation process that the administration organized for a workshop with Council on the amended SDBIP and IDP.

PROPOSED: COUNCILLOR CF SYLVESTER
SECONDED: COUNCILLOR N SOMAN

EXECUTION: MANAGER: IDP

SECTION 3
DIRECTORATE: CORPORATE SERVICES

Resolution no: 63.16/02/20

REPORT: ACTING ARRANGEMENTS, DIRECTOR CORPORATE SERVICES

UNANIMOUSLY RESOLVED

PROPOSAL 1

1. That Council noted the content of the report, Acting Arrangements, Director Corporate Services.

2. That Council recommended that the Manager: HR Management will act in the position of the Director Corporate Services in the absence of the Director.

3. That Council specify the duration of acting; and

4. That the Manager: HR Management, be paid an acting allowance in accordance with the Collective Agreement and the Remuneration Policy of Council as approved on 20 June 2019/2020 financial year.

PROPOSED: COUNCILLOR H TYATYA
SECONDED: COUNCILLOR GR GERTSE

PROPOSAL 2

1. That Resolution six (6) of 63.10/05/17 dated 8 May 2017 which reads as follows:

   "That the Acting Municipal Manager focuses on the duties of the Municipal Manager and that Mr. HD Visagie be appointed as Acting Director Corporate Services" be rescinded.

2. That the Municipal Council approves a schedule for Managers who will be acting as Director Corporate Services in the absence of the said Director or where the post of Municipal Manager has become vacant.

PERIOD	Managers			
January/February	Manager: Legal Services	Manager: HR Administration	Manager: Administration	Manager: HR: Development and Transformation
March/ April	Manager HR Administration	Manager: Administration	Manager HR Development and Transformation	Manager: Legal Services
May/June	Manager: Administration	Manager: HR: Development and Transformation	Manager: Legal Services	Manager HR Administration
July/Aug	Manager: HR: Development and Transformation	Manager: Legal Services	Manager HR Administration	Manager: Administration
Sept/Oct	Manager: HR: Development and Transformation	Manager HR Administration	Manager: Administration	Manager: HR: Development and Transformation
Nov/Dec	Manager HR Administration	Manager: Administration	Manager: HR: Development and Transformation	Manager: HR: Development and Transformation

3. That the Managers who act in the position of the Director during his absence or when the post is vacant, has the same authority in terms of the council system of delegations

4. That the managers who act in the position under the circumstances as referred to in recommendation 2 above be paid an acting allowance in accordance with the Collective Agreement and the Remuneration Policy of Council as approved on 20 June 2019 for the 2019/2020 financial year.

5. That when the post of Municipal Manager or Director Corporate Services becomes vacant, then appointments needs to be made for a longer period therefor an item needs to be brought to Council.

PROPOSED: COUNCILLOR CF SYLVESTER
SECONDED: COUNCILLOR E FORTUIN

After the above mentioned proposals were brought to a vote, the following results were acquired:

Proposal 2 - **13 votes** in favour of proposal, **6 votes** against proposal **one (1)** abstained
Proposal 1 - **6 votes** in favour of proposal, **13 votes** against proposal **one (1)** abstained

It was thus:

RESOLVED BY COUNCIL

3. That Resolution six (6) of 63.10/05/17 dated 8 May 2017 which reads as follows:

   "That the Acting Municipal Manager focuses on the duties of the Municipal Manager and that Mr. HD Visagie be appointed as Acting Director Corporate Services" be rescinded.

4. That the Municipal Council approves a schedule for Managers who will be acting as Director Corporate Services in the absence of the said Director or where the post of Municipal Manager has become vacant.

PERIOD	Managers			
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March/ April	Manager HR Administration	Manager: Administration	Manager HR Development and Transformation	Manager: Legal Services
May/June	Manager: Administration	Manager: HR: Development and Transformation	Manager: Legal Services	Manager HR Administration
July/Aug	Manager: HR: Development and Transformation	Manager: Legal Services	Manager HR Administration	Manager: Administration
Sept/Oct	Manager: HR: Development and Transformation	Manager HR Administration	Manager: Administration	Manager: HR: Development and Transformation
Nov/Dec	Manager HR	Manager:	Manager: HR:	Manager: HR:

	Administration	Administration	Development and Transformation	Development and Transformation

3. That the Managers who act in the position of the Director during his absence or when the post is vacant, has the same authority in terms of the council system of delegations

4. That the managers who act in the position under the circumstances as referred to in Agreement and the Remuneration Policy of Council as approved on 20 June 2019 for the 2019/2020 financial year.

5. That when the post of Municipal Manager or Director Corporate Services becomes vacant, then appointments needs to be made for a longer period therefor an item needs to be brought to Council.

PROPOSED: COUNCILLOR CF SYLVESTER
SECONDED: COUNCILLOR E FORTUIN

EXECUTION: ACTING MUNICIPAL MANAGER

CLOSURE

The Speaker adjourned the meeting at 10:25.

I, **Councilor Julia Le Roux Krowitz** in my capacity as **SPEAKER** of the **Oudtshoorn Local Municipality** hereby certify that the **Special Council Minutes** of **25 February 2020** was approved by the **Oudtshoorn Municipal Council** on **30 September 2020.**

CLLR J LE ROUX-KROWITZ
SPEAKER