

Minutes of the **8th Monthly Council Meeting** for the Local Council of Beaufort West held in the **Council Chambers, Municipal Offices, 15 Church Street, Beaufort West** on **Tuesday, 26 September 2023 at 10:17**

Present

Alderman: JJ Van Der Linde
Councillors: EF Botha [**Executive Mayor**], LV Piti [**Deputy Executive Mayor**], N Constable [**Speaker**], N Abrahams, TCJ Prince, CL De Bruin, R Skuza [*virtually*], SM Meyers, LBJ Mdudumani [*virtually*], JDK Reynolds [*virtually*], S Essop

Absent:

Councillors: AM Slabbert [*apology*]

In Service:

Acting Municipal Manager [DE Welgemoed], **Director: Corporate Services** [AC Makendlana], **Acting Senior Manager: Community Services** [MC Tshibo], **Acting Director: Financial Services** [M Nhlengethwa], **Senior Manager: Technical Services** [C Wright] [*virtually*], **Senior Manager: Corporate Services** [P Strümpher], **Senior Clerk: Committees** [L.D. Draghoender] and **HR Intern** [P Mpofu]

A. OPENING AND WELCOMING

The Speaker welcomes all to the 8th Monthly Council meeting and requests Councillor LV Piti to open the meeting with prayer.

1. ELECTION OF ACTING SPEAKER

NONE

2. APPLICATION FOR LEAVE OF ABSENCE

3/2/1/2

The following councillors give an indication that they will be on leave of absence:

COUNCILLOR	REASON	PERIOD OF LEAVE OF ABSENCE
TCJ Prince	Leave	06 October 2023 – 12 October 2023
EF Botha	Leave	27 September 2023 – 29 September 2023 06 October 2023 – 12 October 2023
CL De Bruin	Leave	06 October 2023 – 10 October 2023
S Essop	Leave	02 October 2023 – 05 October 2023
N Abrahams	Leave	06 October 2023 – 12 October 2023

3. CONFIRMATION OF MINUTES

3/2/1/B

dcs

Councillor SM Meyers requests whether council must elect or appoint an Acting Speaker for the discussion of an item where the Speaker needs to recuse himself, referring to **Page 5** of the Agenda.

The Acting Municipal Manager informs Council that the decision taken by Council is lawful and legit unless set aside in a court of law.

The Acting Municipal Manager makes a correction that the minutes of the 13th Special Council meeting that is tabled for approval should be numbered 3.3.

Councillor CL De Bruin seconded by Councillor S Essop proposes that the following minutes be accepted and approved:

- 3.1 7th Monthly Council Meeting for the Local Council for Beaufort West held on **Monday, 28 August 2023.**
- 3.2 12th Special Council Meeting for the Local Council for Beaufort West held on **Tuesday, 05 September 2023.**
- 3.3 13th Special Council Meeting for the Local Council for Beaufort West held on **Monday, 18 September 2023.**

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

4. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

NONE

5. STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR

NONE

6. CONSIDERATION OF REPORTS**6.1 MONTHLY REPORTING: MONTHLY BUDGET STATEMENT – AUGUST 2023**

dcs

Councillor S Essop seconded by Councillor LV Piti proposes that the Monthly Budget Statement for August 2023 attached as **Annexure 23 to 88** to the Agenda be accepted and approved.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

7. CONSIDERATION OF REPORTS ON DELEGATED POWERS**NONE**

Councillor LBJ Mdudumani and Councillor JDK Reynolds joins the meeting at 10:34.

8. URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER**8.1 MOTION OF EXIGENCY: ESTABLISHMENT OF A SPECIAL COMMITTEE**

3/2/1/1; 10/3/2/1/2

dcs

Councillor N Abrahams seconded by Councillor CL De Bruin proposes that the relevant attorney for labour matters on the appointed through the supply chain management process serve as evidence leader for the Special Committee.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

8.2 NOMINATIONS OF MUNICIPAL PUBLIC ACCOUNT COMMITTEE (MPAC) MEMBERS

3/2/3/4

dcs

Councillor EF Botha seconded by Councillor N Abrahams proposes that Councillor TCJ Prince replaces Councillor EF Botha on the Municipal Public Accounts Committee (MPAC).

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

8.3 STANDING COMMITTEE: SECTION 79 COMMITTEES AND LOCAL LABOUR FORUM

3/2/3/4

dcs

1. Standing Committee: Financial Services

Councillor CL De Bruin seconded by Councillor TCJ Prince proposes that the Executive Mayor, Councillor EF Botha serves on the Finance committee as chairperson.

2. Various Committees: Councillor EF Botha

Councillor CL De Bruin seconded by Councillor LV Piti proposes that Councillor TCJ Prince replaces Councillor EF Botha on the following committees:

1. Corporate Services
2. Community Services, Traffic and Housing

3. Local Labour Forum

Councillor CL De Bruin seconded by Councillor LV Piti proposes that Councillor TCJ Prince replaces Councillor EF Botha on the Local Labour Forum.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

8.4 **MFMA: SECTION 66: EXPENDITURE ON STAFF BENEFITS: AUGUST 2023**

5/1/2/4

dcs

Councillor TCJ Prince seconded by Councillor CL De Bruin proposes:

8.4.1 That a breakdown of "Other benefits" on the Section 66 be stipulated future reports .

8.4.2 That the Section 66: Expenditure on Staff Benefits for August 2023 attached as **003** to the Agenda be accepted and approved.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

8.5 **MEMORANDUM: MINUTES OF THE AUDIT COMMITTEE: 31 AUGUST 2023**

5/12/1/2

dcs

Councillor S Essop seconded by Councillor N Abrahams proposes that the Minutes of the Audit Committee: 31 August 2023 attached as **Annexure 005 to 012** to the Agenda be accepted and approved.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

8.6 **LETTER: NETBALL WORLD CUP 2023 HOST PROVINCE**

5/13/2

NOTED

8.7 **APPLICATION FOR LEASE AGREEMENT: SONSTRAALTJIE CRECHE, ERF 85, NELSPOORT**

7/1/4

RESOLVED

ba

8.7.1 That approval be granted to extend the term of lease to 9 years and 11 months.

8.7.2 That approval be granted to reduce the rental amount to R10.00 per month for the first 3 years from the fourth year rental at 100% of the market rental value at the end of year 3 provided that the Sonstraaltjie Creche:-

- 8.7.2.1 Must provide proof of registration as a non-profitable organisation; and
- 8.7.2.2 Will be responsible for all interior and exterior maintenance of all buildings on erf 85.

The Speaker allows a 10-minute break at 11:10.

At resumption of the meeting at 11:24 the following were:

Present

Alderman: JJ Van Der Linde
Councillors: EF Botha [**Executive Mayor**], LV Piti [**Deputy Executive Mayor**], N Constable [**Speaker**], N Abrahams, TCJ Prince, CL De Bruin, R Skuza [*virtually*], SM Meyers, LBJ Mdudumani [*virtually*], JDK Reynolds [*virtually*], S Essop

In Service: **Acting Municipal Manager** [DE Welgemoed], **Director: Corporate Services** [AC Makendlana], **Acting Senior Manager: Community Services** [MC Tshibo], **Acting Director: Financial Services** [M Nhlengethwa], **Senior Manager: Technical Services** [C Wright] [*virtually*], **Senior Manager: Corporate Services** [P Strümpher], **Senior Clerk: Committees** [L.D. Draghoender] and **HR Intern** [P Mpofu]

8.8 RENEWAL OF LEASE AGREEMENT: ROOM 00347 AT BEAUFORT WEST THUSONG CENTRE: DEPARTMENT OF PUBLIC WORKS O.B.O DEPARTMENT OF HOME AFFAIRS

7/1/4

ba

RESOLVED

That approval be granted that the initiation date for the lease agreement relating to Room 00347, Beaufort West Thusong Centre be amended to 1 June 2023.

8.9 REQUEST FOR EXTENSION OF LEASE AGREEMENT: CDW: MURRAYSBURG THUSONG CENTRE

7/1/4

dcs

RESOLVED

That approval be granted for the renewal of lease agreement between Beaufort West Municipality and Department of Local Government for Room 0954, Thusong Centre Murraysburg for an amount of R651,82 for a further two (2) year period with an annual escalation at Consumer Price Index (CPI).

8.10 APPLICATION FOR LONG-TERM LEASE FOR ERF 1920: BEAUFORT WEST: M. NDOMANE

7/3/4/1/3/1; 7/3/4/1/3/2

Councillor CL De Bruin seconded by Councillor S Essop proposes:

ba

8.10.1 That due to the several municipal infrastructure crossing erf 1920, the erf not be offered for sale / development.

8.10.2 That approval be granted that the Beaufort West Municipality rezone erf 1920 as a utility zone in order to be in line with the By-laws.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED****8.11 EVALUATION: NOTICE No. 128/2023: SALE OF VACANT RESIDENTIAL ERF: ERF 256: MERWEVILLE**

7/3/4/1/3/2

ba

Councillor TCJ Prince seconded by Councillor N Abrahams proposes that the offer of Mr. T.F. Kotsi in the amount of R30,500.00 plus VAT for the purchase erf 256 Merweville is accepted subject to the direct sale and purchase price being signed and paid in full within 60 days of publication of the award as well as the costs of the transaction and in default the award will expire and erf 256 Merweville will be offered for sale again.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED****8.12 ALIENATION OF MUNICIPAL PROPERTY: WATERFALL**

7/3/4/1/1

ba

The Speaker concluded that Councillor CL De Bruin requests the minutes for the sale of the Airport in writing from the Administration and write a motion to Council should there be any further discussion or questions that he wants to elaborate on.

NOTED**8.13 LEASE OF CROPLANDS 5, 6 AND 7 MURRAYSBURG: FORMER MURRAYSBURG POMEGRANATES PROJECT**

7/3/4/1/1/3

Councillor N Abrahams seconded by Councillor TCJ Prince proposes:

ba

8.13.1 That approval be granted for the minimum rental be determined as per the following table below:

Cropland 5	R1,614.00	Year on year escalation
Cropland 6	R1,216.00	Year on year escalation
Cropland 7	R764.00	Year on year escalation

- 8.13.2 That the rental shall be payable on the following basis:-
- Years 1 to 3 - free of charge
 - Years 4 – 6 - up to 50% of the fair rental value as at the end of year 3
 - Years 7 to 9 and 11 months - up to 75% of the fair rental value as at the end of year 6; provided that the crops planted by the Tenant will not be taken into account in the calculation of fair rental of the property.
- 8.13.3. That the term of lease be determined on 9 years and 11 months in order to allow the successful bidder sufficient time for return on investment.
- 8.13.4 That approval be granted of the following documents:
- 8.13.4.1 Draft notice for publication attached as **Annexure 132 to 134** to the Agenda.
- 8.13.4.2 Bid form attached as **Annexure 135 to 143** to the Agenda.
- 8.13.4.3 Lease Agreement attached as **Annexure 144 to 153** to the Agenda.
- 8.13.5 That the following conditions with regards to water and electricity be included with bid form and lease agreement.
- 8.13.5.1 No water connection from the municipal network will be allowed for irrigation purposes.
- 8.13.5.2 The exact GPS coordinates indicating the location of the water source for irrigation must be indicated by the bidder.
- 8.13.5.3 The successful bidder will be responsible to provide the Municipality with test results that the water source can sustain the water need of the project.
- 8.13.5.4 The successful bidder must carryout water abstraction tests on the water source under supervision of the relevant authority and supervision of Beaufort West Municipality to determine the safe yield of the water source and the impact on Municipal borehole water levels.
- 8.13.5.5 The successful bidder must license the water source in terms of the Water Act.
- 8.13.5.6 That the lease agreement only be signed and occupation of the land handed to the successful bidder once conditions 3 – 5 above has been complied with.
- 8.13.5.7 That a maximum electrical connection of 25 kVA will be allowed and all costs with regards to the electrical connection and connection fees will be for the expense of the successful bidder.

Alderman JJ Van Der Linde seconded by Councillor SM Meyers proposes:

- That the CPI from 2018 until July 2023 be calculated at 4,67%.
- That the rental shall be calculated on the following basis:-
 1. Years 1 to 3 - free of charge
 2. Years 4 – 6 - up to 50% of the fair rental value as at the end of year 3
 3. Years 7 to 9 and 11 months - up to 75% of the fair rental value as at the end of year 6; provided that the crops planted by the Tenant will not be taken into account in the calculation of fair rental of the property.

The Speaker brings both proposals to a vote.

3 Votes in favour of the proposal of Alderman JJ Van Der Linde seconded by Councillor SM Meyers.

8 Votes in favour of the proposal of Councillor N Abrahams seconded by Councillor TCJ Prince.

THUS RESOLVED

8.14 SALGA WORKING GROUPS

10/3/2/3/4

dcs

Councillor CL De Bruin seconded by Councillor LV Piti proposes that Councillor EF Botha replaces Councillor A Sauls I on the following SALGA Working Groups:

1. Economic Development and Job Creation
2. Municipal Finance and Fiscal policy
3. Health

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

8.15 INVITATION 7TH KAROO SMALL TOWN REGENERATION (STR). CONFERENCE 27-28 SEPTEMBER 2023: NORTHERN CAPE

10/3/2/3/4

dcs

Councillor CL De Bruin seconded by Councillor N Abrahams proposes:

- 8.15.1 That the Executive Mayor Councilor EF Botha and the IDP coordinator attend the 7th Small Town Regeneration (STR) conference to be held on 27-28 September 2023 in the Northern Cape.
- 8.15.2 That approval be granted for the payment of traveling and accommodation costs.

**UNANIMOUSLY ACCEPTED
THUS RESOLVED**

8.16 CIRCULAR 3/2023: OUTCOMES OF SECTION 26 PROCESS AFTER CONSIDERATION OF VIEWS AND REPRESENTATION FOR BATCH 1 AND BATCH 2 MATTERS OUTSTANDING FROM CIRCULAR 2 AND BATCH 2 MUNICIPAL BOUNDARY REDETERMINATION PROPOSAL

12/1/2

dcS

RESOLVED

That a Special Council meeting be convened on Thursday 28 September 2023 to further deliberate on the matter pertaining to the inclusion of Leeu-Gamka to Beaufort West. Furthermore that a comprehensive report be tabled that will entail the pros and cons of the Council decision taken on 20 April 2022.

8.17 REMUNERATION OF PUBLIC OFFICE BEARER ACT, 1998: DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF DIFFERENT MEMBERS OF MUNICIPAL COUNCILS

5/16/1

dcS

RESOLVED

8.17.1 That approval be granted for the implementation of upper limits as published in the Government Gazette No.49142 dated 18 August 2023 for a Grade 2 Local Municipality with effect from 01 July 2022 and the implementation entails backpay of revised councillors remuneration until date of implementation.

8.17.2 That an application for the implementation of the upper limits be submitted to the MEC for Local Government for concurrence.

8.18 APPLICATION: EXTENSION OF ACTING MUNICIPAL MANAGER: MR DE WELGEMOED

SP: DE Welgemoed

See Separate Minute Book.

ADDENDUM-AGENDA

8.19 APPOINTMENT OF A SERVICE PROVIDER FOR PREPARATION OF VALUATION ROLL.

NOTED

8.20 INVITATION TO LGSETA PROVINCIAL STAKEHOLDER ENGAGEMENT ROADSHOW – 04 OCTOBER 2023

Council unanimously nominated the following employees to represent the Beaufort West Municipality at the LGSETA Provincial Stakeholder Engagement Roadshow on 04 October 2023:

- The Deputy Executive Mayore, Councillor LV Piti

- The Acting Municipal Manager, Mr DE Welgemoed
- The Director: Corporate Services, Mr AC Makendlana
- A Representative from the Finance Department
- A representative from the Skills Development Department

THUS RESOLVED

9. CONSIDERATION OF MOTIONS

NONE

10. CONSIDERATION OF QUESTIONS

NONE

11. CONSIDERATION OF MOTIONS OF EXIGENCY

Alderman JJ Van Der Linde seconded by Councillor SM Meyers proposes to table a Motion of Exigency with regards to the Code of Conduct of one of the Councillors.

The Speaker test if the motion of exigency can be considered.

Councillor CL De Bruin seconded by Councillor TCJ Prince proposes that the motion of exigency from Alderman JJ Van Der Linde cannot be considered.

The Speaker brings both proposals to a vote.

3 Votes in favour of the proposal of Alderman JJ Van Der Linde seconded by Councillor SM Meyers.

7 Votes in favour of the proposal of Councillor CL De Bruin seconded by Councillor TCJ Prince.

Councillor S Essop abstain from voting.

THUS RESOLVED

12. ADJOURNMENT

The meeting closes at 12:54.

Minutes approved this _____ day of _____ 2023.

N Constable
[Speaker]

