

MINUTES OF THE SPECIAL COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON TUESDAY, 17 OCTOBER 2023 AT 09:00

PRESENT

Councillors

Councillor P Heradien (Speaker) (ICOSA)
Councillor KA Robyn (Executive Mayor) (GOOD)
Councillor GG Laban (Executive Deputy Mayor) (Witzenberg Aksie)
Councillor TE Abrahams (DA)
Alderman K Adams (DA)
Councillor WJ Alexander (Patriotic Alliance)
Councillor P Daniels (DA)
Councillor S de Bruin (DA)
Councillor GJ Franse (DA)
Councillor JP Fredericks (FF Plus)
Councillor AL Gili (ANC)
Councillor LA Hardnek (Witzenberg Party)
Councillor JS Mouton (ANC)
Councillor MJ Ndaba (ANC)
Councillor N Nogcinisa (ANC)
Councillor N Phatsoane (ANC)
Councillor EM Sidego (DA) (Speaker) (Until item 4.1)
Alderman HJ Smit (DA) (Executive Mayor) (Until item 4.3)
Councillor D Swart (DA)
Councillor IL Swartz (EFF)
Alderman JJ Visagie (DA)
Councillor K Yisa (ANC)
Councillor J Zalie (ANC)

Officials

Mr D Nasson (Municipal Manager)
Mr HJ Kritzinger (Director: Finance)
Mr J Barnard (Director: Technical Services)
Mr M Mpeluzi (Director: Corporate Services)
Ms L Nieuwenhuis (Manager: Legal Services)
Ms R Hendricks (Manager: Communication and Marketing)
Mr CG Wessels (Manager: Administration)
Ms M Arendse-Smith (Chief Administrative Officer)
Mr C Titus (Committee Clerk)
Ms MJ Prins (Word Processor Operator)
Mr J Pieterse (Senior ICT Officer)
Mr M Njokweni (Interpreter)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Speaker (Councillor E Sidego) welcomed everyone and requested Councillor TE Abrahams to open the meeting with a prayer.

The Speaker thanked former Councillor J Cloete of the Patriotic Alliance for his service during his period on the Council. She also welcomed to Council the newly elected Councillor W Alexander (PA), who replaces former Councillor J Cloete.

NOTED

2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

**2.1 Consideration of application for leave of absence, if any
Aansoeke om verlof tot afwesigheid, indien enige
(3/1/2/1)**

None

NOTED

**2.2 Confidentiality and Conflict of Interest Declaration
Vertroulikheid en Botsing van Belange Verklaring
(3/2/1)**

The Confidentiality and Conflict of Interest Declaration was duly signed by all Councillors. No conflict of interest was declared.

NOTED

**3. MOTIONS AND NOTICE OF SUGGESTIONS
MOSIES EN KENNISGEWING VAN VOORSTELLE**

**3.1 Request for withdrawal of motion of no confidence in Speaker and Mayor
(3/2/2)**

A request, dated 6 October 2023, for the withdrawal of the motion of no confidence in the Speaker and Mayor, submitted on 16 August 2023, is attached as **annexure 3.1**.

Alderman JJ Visagie proposed that the motion of no confidence in the Speaker and Mayor, submitted on 16 August 2023, not be withdrawn.

Councillor AL Gili proposed, and clarified with reasons, that the motion be withdrawn.

The Speaker called for a vote on the matter and the outcomes were:

• In favour not to withdraw	10 votes
• In favour to withdraw	12 votes
• Abstained	<u>1 vote</u>
Total	23 votes

RESOLVED

that the motion of no confidence in the Speaker and Mayor, submitted on 16 August 2023, be withdrawn.

3.2 Request for withdrawal of all motions submitted by majority of Councillors (3/2/2)

A request, dated 6 October 2023, for the withdrawal of all motions submitted by the majority of Councillors before 2 October 2023 is attached as **annexure 3.2**.

UNANIMOUSLY RESOLVED

that all motions submitted by the majority of Councillors before 2 October 2023 be withdrawn.

3.3 Motion: No confidence and removal of Speaker from office (3/2/2)

A request, dated 6 October 2023, for an urgent meeting to table a motion of no confidence and the removal of the Speaker from office is attached as **annexure 3.3**.

Alderman JJ Visagie proposed and Alderman HJ Smit seconded that the motion not be accepted.

Councillor AL Gili proposed that the motion in terms of Section 29 of the Local Government Structures Act (Act 117 of 1998) and in terms of Section 18(2) when the majority of Councillors request the Speaker in writing to convene a Council meeting, the Speaker must convene a meeting at a time set out in the request.

RESOLVED

that the motion of no confidence and removal of the Speaker from office be accepted.

Items 4.1 and 4.2 were dealt with at this stage.

3.4 Motion: No confidence and removal of Executive Mayor from office (3/2/2)

A request, dated 6 October 2023, for an urgent meeting to table a motion of no confidence and the removal of the Executive Mayor from office is attached as **annexure 3.4**.

UNANIMOUSLY RESOLVED

that the motion of no confidence and removal of the Executive Mayor from office be accepted.

4. RESERVED POWERS

4.1 Election of a Speaker (3/1/1/4)

The Speaker called for nominations.

Alderman JJ Visagie proposed Councillor EM Sidego.

Councillor KA Robyn proposed Councillor P Heradien.

The Speaker called for a vote and the outcomes were:

• In favour of Councillor P Heradien	12 votes
• In favour of Councillor E Sidego	10 votes
• Spoiled ballot papier	<u>1</u>
Total	23 votes

RESOLVED

that Councillor P Heradien was democratically elected as the Speaker of Witzenberg Municipality by a majority of votes.

4.2 Handing over the chair to the Speaker
(3/1/1/4)

Councillor E Sidego handed over the chair to Councillor P Heradien.

The Speaker's address to the public and Council is attached as **annexure 4.2**.

The following Councillors conveyed congratulations to the Speaker on his election:

- Councillor MJ Ndaba on behalf of the ANC
- Councillor WJ Alexander on behalf of the Patriotic Alliance
- Councillor KA Robyn on behalf of GOOD
- Alderman JJ Visagie on behalf of the DA
- Councillor LA Hardnek on behalf of the Witzenberg Party
- Councillor IL Swartz on behalf of the EFF

NOTED

4.3 Election of Executive Mayor
(3/1/1/4)

The Speaker called for nominations.

Councillor AL Gili proposed Councillor KA Robyn.

There were no further nominations.

The Speaker declared in terms of Schedule 3, Section 5 of the Local Government: Municipal Structures Act (Act no. 117 of 1998) and Regulations that if only one candidate is nominated, the person presiding must declare that candidate being elected.

Councillor KA Robyn was thus uncontested democratically elected as the Executive Mayor of Witzenberg Municipality.

RESOLVED

that Councillor KA Robyn was uncontested democratically elected as the Executive Mayor of Witzenberg Municipality.

**4.4 Acceptance speech by the Executive Mayor
(03/1/1/4)**

The acceptance speech of the Executive Mayor is attached as **annexure 4.4**.

The Executive Mayor said that the following Councillors are considered to be appointed as members of the Executive Mayoral Committee:

- Councillor WJ Alexander
- Councillor IL Swartz
- Councillor JS Mouton
- Councillor AL Gili
- Councillor K Yisa

The following Councillors conveyed congratulations to the Executive Mayor on her election:

- Councillor WJ Alexander on behalf of the Patriotic Alliance
- Councillor N Phatsoane on behalf of the ANC
- Councillor IL Swartz on behalf of the EFF
- Councillor LA Hardnek on behalf of the Witzenberg Party
- Alderman JJ Visagie on behalf of the DA alliance

NOTED

5. OTHER MATTERS

The Speaker requested a five minute caucus break to discuss the way forward with Council with the Executive Mayor and Executive Deputy Mayor.

After the caucus break the Speaker announced that a Special Council meeting will be held in the Town Hall, Voortrekker Street, Ceres on Monday, 23 October 2023 at 10:00.

NOTED

6. ADJOURNMENT / VERDAGING

The meeting adjourned at 10:43.

Approved on 26 July 2024 without amendments.

COUNCILLOR P HERADIEN
SPEAKER

MJ Prins