



MINUTES OF A MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD IN THE BANQUETING HALL, MALMESBURY ON WEDNESDAY, 18 AUGUST 2021 AT 10:00

PRESENT:

Executive Mayor, ald T van Essen (chairman)
Deputy Executive Mayor, aldd M S I Goliath

Members of the Mayor's Committee:

Rdl P E Solomons
Ald O M Stemele
Ald R F van der Westhuizen
Aldd M van Zyl

Officials:

Municipal Manager, mr J J Scholtz
Director: Financial Services, mr M Bolton
Director: Civil Engineering Services, mr L D Zikmann
Director: Electrical Engineering Services, mr R du Toit
Director: Development Services, ms J S Krieger
Director: Protection Services, mr P A C Humphreys
Director: Corporate Services, ms M S Terblanche
Manager: Strategic Services, ms O Fransman
Manager: Secretarial and Record Services, ms N Brand

1. OPENING

The Executive Mayor welcomed members and requested the Municipal Manager to open the meeting with a prayer.

2. APOLOGIES

That **NOTE IS TAKEN** of the apology received from the Speaker, ald M A Rangasamy.

3. SUBMISSIONS/DEPUTATIONS/COMMUNICATIONS

None

4. MINUTES

4.1 MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE MAYOR'S COMMITTEE HELD ON 14 JULY 2021

RESOLUTION

That the minutes of an Ordinary Meeting of the Executive Mayor's Committee held on 14 July 2021 are approved and signed by the Mayor.

5.1 MINUTES OF A PORTFOLIOS COMMITTEE MEETING HELD ON 11 AUGUST 2021

5.1.1/...

5.1.1 MUNICIPAL MANAGER, ADMINISTRATION AND FINANCES

RESOLUTION that the Executive Mayor ratifies the recommendations in the relevant minutes.

5.1.2 CIVIL AND ELECTRICAL SERVICES

RESOLUTION that the Executive Mayor ratifies the recommendations in the relevant minutes.

5.1.3 DEVELOPMENT SERVICES

RESOLUTION

(a) That the Executive Mayor ratifies the recommendations in the relevant minutes, subject to the following addition –

ITEM 7.1: USE OF SIBANYE STRUCTURE (17/2/2)

FURTHER RESOLUTION

(b) That the upgrading of the so-called “upstairs/double storey” structure in Sibanye Square, Moorreesburg is investigated in order to get a cost estimate for consideration, during the following budget process.

5.1.4 PROTECTION SERVICES

RESOLUTION

(a) That the Executive Mayor ratifies the recommendations in the relevant minutes;

(b) That the statistics in respect of vacant grave sites, given the impact of the Covid pandemic on rising deaths, are made available.

6. MATTERS ARISING FROM THE MINUTES

6.1 MINUTES OF AN EXECUTIVE MAYOR’S COMMITTEE MEETING HELD ON 14 JULY 2021

6.1.1 ITEM 5.1.1: WRITE-OFF OF DESTITUTE AND OTHER NON RECOVERABLE DEBT, JUNE 2021 – REAL AMOUNT FOR WRITE-OFF (5/7/3)

The report aims to submit the real amount for write-off to the Executive Mayor’s Committee after current levies and/or interest are brought up to date in the write-off lists in respect of destitute households and other non recoverable debts.

The Executive Mayor stated that the Municipality is accused of not doing anything for the poor people, but subsidized services are delivered every month to ±9260 destitute households. The total expense (including 2 kl free water and operational costs) amounts to ±R 80 million per annum.

The expenditure in respect of destitute households in the towns in which Eskom is the electricity provider amounts to ± R 13 300/household, as against ± R 12 200/household where the Municipality provides electricity. On the other hand 60% of non recoverable debt is written off in respect of defaulters living in the towns where Eskom provides electricity, against 40% of non recoverable debt in areas where the Municipality provides electricity.

Furthermore provision is made/...

6.1.1/...

Furthermore provision is made annually to the amount of ± R 47 million for write-off of bad debt and services to the destitute households, which must be financed. The total non recoverable debt for the 2020/2021 financial year amounts to R14 903 238.63.

RESOLUTION

- (a) That cognizance is taken that the actual amount written off in respect of indigent households amounted to R 1 434 172,98 and in respect of other irrecoverable debt amounted to R1 812 119.53;
- (b) That further cognizance is taken that Swartland Municipality reserves the right to do a reversal of any amount that was written off to the relevant debtor and that all necessary steps will be taken to recover the debt, if it comes to light after the date of this approval that -
 - (i) a household did not comply with the indigent criteria (as determined in Chapter 7: of the Indigent Policy); or
 - (ii) a portion of, or the total debt of a debtor was not correct; or
 - (iii) information came forth that was not known to the Executive Mayoral Committee when the writing off was considered, that would have influenced the decision of the committee;
- (c) That cognizance is taken that if the property is alienated in any way; Swartland Municipality reserves the right to refuse clearance on the property in question in order to first recover the amounts written off. A register is kept in this regard at the Property Rates Division in order to determine if any amounts was written off for the previous two years, in order to recover the write-off amount before clearance is given.

FURTHER RESOLUTION

- (d) The Communications Officer is requested, in conjunction with the Director: Financial Services, to put out a press release in respect of the support provided to the destitute in the municipal area to demonstrate what the Municipality does for the needy.

7. NEW MATTERS**7.1 APPROVAL OF THE "IDP/BUDGET TIME SCHEDULE AND ROAD TO NEW IDP" (2/1/4/4/1)**

Article 21(1)(b) of the Municipal Financial Management Act, Act 56 of 2003 (MFMA) stipulates that the mayor must submit a time schedule to the Council together with deadlines in respect of the revision of the Integrated Development Plan (IDP) and budgeting processes, at least ten months before the beginning of the budget year.

It is important to note that the term of the 2017-2022 IDP ends on 30 June 2022. With the local elections taking place in October 2021 there will not be enough time for the newly elected council to approve a full five year IDP by May 2022. Therefore Division 3 of the document, which explains the available options in terms of Section 25 of the Municipal Systems Act, Act 32 of 2000, must be specifically noted.

RESOLUTION

- (a) That the attached "IDP / Budget time schedule and Road to new IDP" - that includes the following - be recommended for approval by Council:
 - (i) the time schedule in terms of section 21(1)(b) of the Municipal Finance Management No 56 of 2003 for the preparation, tabling and approval of the annual budget as well as the tabling and adoption of any amendments to the IDP if necessary; and
 - (ii) the adoption of the existing IDP by the new Council (after the elections) in terms of section 25(3) of the Municipal Systems Act No 32 of 2000.

7.2 REPLACEMENT OF PRE-PAID VENDOR SYSTEM IN ORDER TO MAKE PROVISION FOR THE PURCHASE OF ELECTRICITY BY MEANS OF INTERNET BASED APPLICATIONS (6/1/2/2)

The chairman asked the Director: Electrical Engineering Services to give the background to the report. Mr du Toit stated that the committee is aware of the matter and that in 2020 tenders were obtained which, for various reasons, could not be awarded.

Requests are continually received from the public, taking into account the restrictions caused by the Covid-19 pandemic, to again consider implementing an internet application for the purchase of prepaid electricity.

The Municipality's financial system for the purchase of prepaid electricity by means of commercial banks, ATM's, cell phone applications, etc will need to be handed over to a private service provider. The latter has already been done by many other municipalities and also by Eskom.

The Director: Electrical Services stated that the following need to be considered:

- (1) The tenders which have already been received cannot be used to make an award. Tenders must again be called for and the fact that the tender amount is already known may have an effect on the tender price.
- (2) The intention of the tender was that the appointed service provider would also manage the TID roll over before 2024. If a tender cannot be awarded the Municipality must do this themselves;
- (3) There will be an increase in tariffs / NERSA will need to approve the adjusted prepaid tariff, or;
- (4) Consideration can be given to introduce a basic increase;
- (5) The alternatives to internet based applications have already been investigated, but these will place a huge administrative burden on the Municipality together with associated personnel resources;
- (6) Consideration can be given to support the vendors -
 - (i) to make card facilities available;
 - (ii) to remain open later in the evening – weighed against the security risks.

The Director: Financial Services stated that the Council's appetite to introduce the convenience for the minority will need to be considered.

It is also important to comply with the legal requirements in terms of providing for the relevant expenditure in the budget, by means of the adjusted budget processes for the following years, with a possible interim source of finance from higher than expected water usage, or in future budgets if the decision is made to call for tenders. The appointment of a tenderer for a period of five years must also be considered because a three year tender runs out very quickly.

The Executive Mayor requested that a public participation process should be undertaken before sense can be made of the implementation of an internet based application for the purchase of prepaid electricity.

With the public participation process it must be clearly spelt out (1) what the costs will be in changing over of the system with associated higher electricity tariffs for all tax payers and (2) what the minimum amount will be for the purchase of electricity etc.

RESOLUTION

- (a) That, before considering going out to tender again for the provision of an internet-based vendor system for the purchase of prepaid electricity, there should be a public participation process, focused on customers purchasing prepaid electricity, to determine how much of these customers support the system or not;

- (b) That, in the meantime, an investigation is being conducted to determine whether vendors may later be accessible to the public, taking into account the security risks;
- (c) That the report is meanwhile also referred to the next Portfolio Committee: Technical Services for discussion.

7.3 CANCELLATION OF/NO LEVY OF THE PROPOSED SEASONAL TARIFFS FOR THE USE OF THE COUNCIL'S SPORTS FACILITIES (17/9/2/B)

The Director: Civil Engineering Services confirmed that various requests from sports clubs and schools had been received for consideration to be given to the paying back of the 2020/2021 seasonal fees for the use of the municipal sports facilities.

This is regarded as a reasonable request, because the Covid-19 regulations placed substantial restrictions on the practising of sport. Many of the sports clubs rely on the income generated from home games which could not take place recently.

RESOLUTION

- (a) That it be noted that the Covid-19 regulations has severely restricted the use of sport facilities by schools and clubs for their normal activities and that it can be expected to continue throughout the 2021/2022 financial year;
- (b) That it be noted that appeals have been received from various sport clubs and schools for the cancellation of the 2021/2022 season fees for sport facilities in lieu of normal availability by not levying same;
- (c) That the Executive Mayoral Committee approves that season fees for the use of sport facilities be cancelled for the 2021/2022 financial year and that the sport facilities still remain available for allowable activities under Covid-19 restrictions for recognised clubs and schools that has paid seasonal fees in previous financial years;
- (d) That it be noted that abolishing seasonal fees for sport facilities will have a negligible effect on the income budget of the 2021/2022 financial year;
- (e) That Executive Mayoral Committee approves that in the event where a school or sport club has already made payment for the 2021/2022 seasonal fees a refund be made.

7.4 REVISION OF THE POLICY IN RESPECT OF SUPPORT IN THE EVENT OF SMALLER DISASTERS (WITH SPECIFIC REFERENCE TO THE BURNING DOWN OF A HOUSE AND OTHER SMALLER DISASTERS) (17/5/1/1; 17/5/B)

The policy to support certain categories of taxpayers in times of need, with specific reference to houses destroyed by fire or smaller disasters such as floods, gales etc. has recently been revised in conjunction with the Disaster Management Committee.

The revised policy, which indicates the adjustments, was circulated with the agenda.

RESOLUTION that the revised Policy on Support in the Event of Minor Disasters (with specific reference to the burning of dwellings and other minor disasters) be approved retrospectively by the Executive Mayoral Committee from 1 July 2021.

7.5 REVISION OF POLICY FOR LENDING OUT OF LIBRARY MATERIAL (17/8/B)

The services offered by libraries have changed dramatically in the past few years, inter alia, with the availability of computers for use in the library. The Lending policy, implemented in 1998, is therefore out of date.

Resolution/...

7.5/...

RESOLUTION

That the revised Loan policy as tabled, be adopted by the Executive Mayoral Committee, for implementation from 1 September 2021.

7.6 REPORT IN RESPECT OF COMMUNITY DEVELOPMENT PROJECTS: 2020/2021 OUTCOMES AND IMPACT (17/2/2)

The Division: Community Development must report, annually, the outcomes and impact of community development projects in accordance with the Swartland Social Development Policy and Strategy.

The report includes the outcomes and impact of the projects which were offered during the 2020/2021 financial year. The Director: Development Services confirmed that, in spite of the challenges which the Covid-19 pandemic brought, the division managed to achieve all the goals in respect of early childhood development.

The Executive Mayor requested that the committee's thanks are conveyed to the Division: Community Development for the role played in the implementation of the projects for the up-liftment of the community. Special mention must be made of the RSEP project in Jacaranda Street which is seen as a huge success in terms of supporting smaller businesses.

RESOLUTION

- (a) That the Executive Mayoral Committee takes cognizance of the outcomes and impacts measured of the Community Development projects of 2020-2021;
- (b) That the Community Development Division report yearly by August on the outcome and impact of community development projects of the previous financial year.

7.7 PROGRESS IN RESPECT OF OUTSTANDING INSURANCE CLAIMS (5/14/3/5)

In accordance with the Asset Management Policy outstanding insurance claims must be reported monthly.

RESOLUTION that cognizance be taken of the progress with outstanding insurance claims for the period ending 31 July 2021.

7.8 DEPARTURE FROM THE PRESCRIBED PROCUREMENT PROCEDURES: URGENT REPAIRS TO THE REFUSE REMOVAL TRUCK, CK 38712 (8/1/B/2)

The relevant refuse removal truck, CK 38712, is used as a standby vehicle for the removal of solid waste in the municipal area.

RESOLUTION

- (a) That the Executive Mayoral Committee take note of the deviation from the prescribed procurement procedures in terms of clause 36 (2) of the Supply Chain Management Policy;
- (b) That the action of the Municipal Manager be condoned with regards to the repair of the waste removal truck CK38712, for the amount of R 61 602.42 excluding VAT;
- (c) That the reason for the deviation from the prescribed procurement process be recorded as follows:
 - (i) The truck would have been left out of service for an extended period of time;
 - (ii) This would have resulted in a failure in the waste removal services

- capacity and public health risks;
- (iii) The repair works to the truck therefore is handled as an emergency;
- (d) That it be noted that the expenditure was allocated mSCOA Code: 9/241-1253-709 and that there is sufficient funding available for the quoted amount of R 61 602.42 excluding VAT;
- (e) That the Manager: Financial Statements and Control be instructed to include the above reason as a note to the financial statements, when compiled.

7.9 OUTSTANDING DEBTORS: JULY 2021 (5/7/1/1)

A complete list of outstanding debtors was circulated with the agenda.

RESOLUTION that cognizance be taken of the report with reference to the state of the outstanding debtors of Swartland Municipality for July 2021.

**(SGD) T VAN ESSEN
EXECUTIVE MAYOR**