



KAAP AGULHAS MUNISIPALITEIT  
CAPE AGULHAS MUNICIPALITY  
U MASIPALA WASECAPE AGULHAS

**NOTULE VAN 'N SPESIALE RAADSVERGADERING VIRTUEEL GEHOU OM 09:00 OP VRYDAG 17 JULIE 2020 IN DIE MUNISIPALE RAADSAAL TE BREDASDORP**

**MINUTES OF A SPECIAL COUNCIL MEETING TO BE HELD VIRTUALLY ON FRIDAY, 17 JULY 2020 AT 09:00 IN THE MUNICIPAL COUNCIL CHAMBERS, BREDASDORP**

**RAADSLEDE / COUNCILLORS**

MNR	R J BAKER	
MNR	G D BURGER	
MNR	D J EUROPA	
MNR	C J JACOBS	
MNR	D JANTJIES	
ME	E C MARTHINUS	
MNR	J G A NIEUWOUDT	(Speaker)
ME	M OCTOBER	
ME	E L SAULS	
MNR	P J SWART	(Burgemeester)
ME	Z TONISI	(Onder-Burgemeester)

**AMPTENARE / OFFICIALS**

Mnr D O'Neill	Munisipale Bestuurder
Mnr B Swart	Interne Ouditeur
Mnr G M Moelich	Bestuurder: Administrasie

1. **OPENING**

Die Speaker heet die teenwoordiges welkom en Rdl Europa open met gebed.

2. **AANSOEKE OM VERLOF TOT AFWESIGHEID / APPLICATIONS FOR LEAVE**

Geen

3. **VERKLARINGS EN/OF MEDEDELINGS DEUR DIE VOORSITTER**

As gevolg van die geweldige toename van Covid 19 in ons gebied, word raadslede versoek om steeds bewusmaking in hul wyke aan te moedig.

4. **VERKLARINGS EN/OF MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER**

- (i) Raadslid Jantjies word sterkte toegewens met die afsterwe van sy skoonsuster.
- (ii) Burgemeester versoek ook raadslede se betrokkenheid om Covid 19 meer in te perk.

## BLADSY

5. **ITEMS NA DIE RAAD VERWYS VIR OORWEGING**
- 5.1 Approval for filling of vacancy: Municipal Manager 3
- 5.2 Appointment: selection panel for recruitment and selection process for the appointment of a new Municipal Manager 3 - 4
6. **DRINGENDE SAKE DEUR DIE MUNISIPALE BESTUURDER**
- Geen
7. **OORWEGING VAN KENNISGEWING VAN MOSIES**
- Geen
8. **OORWEGING VAN KENNISGEWING VAN VRAE**
- Geen
9. **OORWEGING VAN DRINGENDE MOSIES**
- Geen
10. **SLUITING**
- Die vergadering verdaag om 9h45

5. **ITEMS NA DIE RAAD VERWYS VIR OORWEGING**
- 5.1 **APPROVAL FOR FILLING OF VACANCY: MUNICIPAL MANAGER**

**PURPOSE OF REPORT**

To obtain Council's approval for the filling of the vacancy of Municipal Manager, which was triggered by the resignation of the current Municipal Manager, Mr D O'Neill, effective from 1 November 2020.

**BACKGROUND**

The Municipal Manager, Mr Dean O'Neill, will has resigned effective from 01 November 2020, afterwhich the post will be vacant. Chapter 3 of the Regulations provides for the legislative process to be followed for the filling of the vacancy. Sub-regulation 7(1) determines that when the post of municipal manager becomes vacant, *the mayor, upon receipt of the official notification that the post of the municipal manager will become vacant, obtain approval from the municipal council for the filling of such post at its next council meeting or as soon as it is reasonably possible to do so.*

**DISCUSSION**

Mr O'Neill submitted his resignation as Municipal Manager to the Executive Mayor on 8 July 2020. Sub-regulation 10(2) provides that the vacancy must be advertised in a newspaper circulating nationally and in the province where the municipality is located.

This item is thus brought before council in order for the municipality to follow the recruitment process as prescribed in the Regulations mentioned below, and for the council to appoint a new Municipal Manager in good time.

### **FINANCIAL RESPONSIBILITIES**

Sufficient funds are available in the 2020/21 salary budget for the funding of the post.

### **PERSONNEL IMPLICATIONS**

Vacancy of the position of Municipal Manager.

### **MANAGEMENT RECOMMENDATION**

- (i) That the resignation of the Municipal Manager; Mr D O'Neill be noted.
- (ii) That the filling of the vacancy from 01 November 2020 be approved.
- (iii) That it be noted that the vacancy of Municipal Manager be advertised in the national newspapers as well as the provincial newspapers in the Western Cape within 14 days after the approval of this item.

Die ANC maak 'n nuwe voorstel dat die pos nie nou gevul moet word nie, maar tydelik deur 'n Direkteur gevul moet word tot na die Munisipale Verkeising wat in alle waarskynlikheid in Augustus 2021 sal plaasvind.

### **RESOLUTION 84/2020**

**After voting, the management recommendation was accepted.**

#### **Die volgende raadslede teken hul teenstem aan:**

Rdl Martinus, Rdl Baker, Rdl Europa, Rh Jantjies en Rdl Jacobs.

#### **Die rede vir hul teenstem sluit in:**

Die termyn van die aanstelling mag net 2 jaar wees (1 jaar na die munisipale verkiesing – Art 57(6)a-Stelselwet (32/2000))

Onnodige koste spandeer aan advertensiekoste, die aanstelling van 'n regs persoon, asook onnodige koste vir die vulling van die pos.

## 5.2 **APPOINTMENT OF A SELECTION PANEL FOR THE RECRUITMENT AND SELECTION PROCESS FOR THE APPOINTMENT OF A NEW MUNICIPAL MANAGER WITH EFFECT 1 NOVEMBER 2020**

### **PURPOSE OF REPORT**

For Council to appoint a selection panel for the recruitments and selection process and for recommendations in the appointment of a Municipal Manager with effect 01 November 2020.

### **BACKGROUND**

Following the approval of the filling of the envisaged vacancy discussed in the previous item, council needs to consider the appointment of a selection panel to make recommendations for the appointment of a candidate as Municipal Manager.

### **DISCUSSION**

Sub-regulation 12(1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): Regulations on the Appointment and Conditions of Employment of Senior Managers provides for a *municipal council to appoint a selection panel to make recommendations for the appointment of candidates to vacant senior manager posts.*

**Sub-regulation 12(2) further prescribes that *in deciding who to appoint to a selection panel, the following considerations must inform the decision* -**

- (a) *the nature of the post;*
- (b) *the gender balance of the panel; and*
- (c) *the skills, expertise, experience and availability of the persons to be involved.*

**Sub- regulation 12(3) provides that the selection panel for a municipal manager to be appointed, must consist of at least three and not more than five members, and constitutes it as follows:**

- (a) *The mayor, who will be the chairperson, or his or her delegate,*
- (b) *A councillor designated by the municipal council; and*
- (c) *At least one other person, who is not a councillor or staff member of the municipality, and who has expertise or experience in the area of the advertised post.*

### **FINANCIAL RESPONSIBILITIES**

Sufficient funds are available on the 2020/21 salary budget for the funding of this post and for subsistence and travel allowances for visiting members of the panel, should it be necessary.

### **PERSONNEL IMPLICATIONS**

Vacancy of the position of Municipal Manager.

### **MANAGEMENT RECOMMENDATION**

For consideration by Council.

### **RESOLUTION 85/2020**

- (i) **The selection panel for the appointed a Municipal Manager will be:**
  - a. **The Mayor (as chairperson)**
  - b. **Councillor Burger**
  - c. **Me Geraldine Metler (MM of Stellenbosch)**
  - d. **1 Representative of the Department of Local Government**
  - e. **Mr Omar Valleay**
- (ii) **As monitors for the process and appointment, 1 councillor of the opposition, as well as 1 representative of each union.**

**Die volgende raadslede teken hul teenstem aan:**

Rdl Martinus, Rdl Baker, Rdl Europa, Rh Jantjies en Rdl Jacobs.

Die rede vir hul teenstem sluit in:

Aangesien hul nie die aanstellingsproses ondersteun nie (punt 5.1.), sal hulle nie eens in 'n waarnemingshoedanigheid op die aanstellingskomitee dien nie.

Hierna verdaag die vergadering om 9:45

BEKRAGTIG op hierdie

dag van

2020

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**SPEAKER**

**DATUM:**