



MUNISIPALITEIT THEEWATERSKLOOF MUNICIPALITY

RAADSVERGADERING /
COUNCIL MEETING

NOTULE / MINUTES

27 MEI / MAY 2014

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THEEWATERSKLOOF MUNISIPALITEIT/ MUNICIPALITY

NOTULE VAN 'N RAADSVERGADERING GEHOU OP 27 MEI 2014 OM 11:00 IN DIE RAADSAAL, MUNISIPALE KANTORE, CALEDON

MINUTES OF A COUNCIL MEETING HELD ON 27 MAY 2014 AT 11:00, IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES, CALEDON

A. OPENING EN VERWELKOMING / OPENING AND WELCOME

Die Speaker, Raadslid CJM Vosloo, wat as Voorsitter optree, verwelkom almal teenwoordig.

Raadslid M Tshaka open die vergadering met gebed.

The Speaker, Councillor CJM Vosloo, acting as Chairperson, welcomed all present.

Councillor M Tshaka opens the meeting with prayer.

B. VERKIESING VAN WUDE SPEAKER (INDIEN NODIG)/ ELECTION OF ACTING SPEAKER (IF NECESSARY)

C. BYWONINGSREGISTER/ATTENDANCE REGISTER

C.1 Teenwoordig/Present Raadslede/Councillors

Raadslid/Councillor AHF Cupido
Raadslid/Councillor NH de Wet
Raadslid/Councillor JP Hendricks
Raadslid/Councillor PU Stanfliet
Raadslid/Councillor MM Koegelenberg
Raadslid/Councillor J Nellie
Raadslid/Councillor KIJ Papier
Raadslid/Councillor N Pieterse
Raadslid/Councillor M Plato
Raadsheer/Alderman CB Punt
Raadslid/Councillor IM Sileku
Raadslid/Councillor GME Carelse
Raadslid/Councillor K Tiemie
Raadslid/Councillor M Tshaka
Raadslid/Councillor CV Thembani
Raadslid/Councillor CJM Vosloo
Raadslid/Councillor ML Hector
Raadslid/Councillor UT Sipunzi
Raadslid/Councillor J van Niekerk
Raadslid/Councillor SR Witbooi

Amptenare

Mnr./Mr. J Barnard	(Wnde Munisipale Bestuurder) (Acting Municipal Manager)
Adv J Isaacs	(Direkteur : Korporatiewe Dienste) (Director : Corporate Services)
Mnr./Mr. HM Gxoyiya	(Direkteur: Ontwikkelingsdienste) (Director: Development Services)
Mnr./Mr D Louw	(Direkteur: Finansiële Dienste) (Director: Financial Services)
Mnr./Mr. C van Heerden	(Direkteur: Tegniiese Dienste) (Director: Technical Services)
Mnr./Mr A Opperman	(Hoof Uitvoerende Ouditeur) (Chief Audit Executive)
Mrs./Me. B Swartland	(Adjunk-Direkteur : Ontwikkelingsdienste) (Deputy Director : Development Services)
Ms./Mej S Rwanqa	(Assistent Vertaler) (Assistant Translator)
Ms./Me. M Faul	(Bestuurder : Korporatiewe Dienste) (Manager : Corporate Services)
Ms./Me. M Staal	(Hoofklerk : Komitees) (Principle Clerk : Committees)

C.2 Aansoek(e) om verlof tot afwesigheid : (3/2/1/3) **Application(s) for leave of absence : (3/2/1/3)**

BESLUIT : Om verlof tot afwesigheid toe te staan aan die volgende Raadslede en Amptenaar, wie weens omstandighede, nie die onderhawige vergadering kan bywoon nie:

RESOLVED : To grant leave of absence to the following Councillors and Official, who were unable to attend the meeting due to circumstances:

Raadslid/Councillor M Mathews	-	Studieverlof / Study leave
Raadslid/Councillor FV Mankayi	-	Studieverlof / Study leave
Raadslid/Councillor P de Wet	-	Skriftelike Verskoning / Written Apology
Raadsheer/Alderman C November		Skriftelike Verskoning / Written Apology
Raadslid/Councillor GME Carelse		Siekteverlof / Sick Leave
Mnr./Mr. HSD Wallace	-	Verlof / Leave

D. VERKLARINGS EN MEDEDELINGS DEUR DIE SPEAKER / STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

Geen / None

E. VERKLARINGS EN MEDEDELINGS DEUR DIE UITVOERENDE BURGEMEESTER / STATEMENTS AND COMMUNICATIONS BY THE EXECUTIVE MAYOR

Geen / None

**F. VERSLAE VOORGELê DEUR DIE DIREKTORAAT FINANSIële DIENSTE /
REPORTS PRESENTED BY THE DIRECTORATE FINANCIAL SERVICES**

ITEM HEADING/ ITEM-OPSKRIF

Die Uitvoerende Burgemeester, Raadsheer CB Punt, hou sy toespraak rakende die 2014/2015 tot 2016/2017 Begroting aan die Raad voor. (Toespraak word aangeheg as bylae tot die notule). / The Executive Mayor, Councillor CB Punt, presented his address on the 2014/2015 to 2016/2017 Budget to Council. (Address is attached as annexure to the minutes).

**C47/2014 CONSIDERATION AND APPROVAL OF THE FINAL BUDGET
2014/2015 AND INDICATIVE FOR THE PROJECTED TWO OUTER
YEARS 2015/2016 AND 2016/2017**

**R47/2014 OORWEGING EN GOEDKEURING VAN DIE FINALE BEGROTING
2014/2015 EN AANDUIDEND VIR DIE GEPROJEKTEERDE TWEE
BUITEJARE 2015/2016 EN 2016/2017**

[English version of the report is the original / Engelse weergawe van die verslag is die oorspronklike]

LÊER NOMMER/FILE NUMBER

5/1/1-2014/15

PURPOSE / AIM OF REPORT

This report serves to submit to Council for consideration the MTREF for 2014/2015, proposed tariffs, amendments to budget related policies as well as the IDP.

DOEL VAN VERSLAG

Hierdie verslag dien as voorlegging van die MTIUR vir 2014/2015, voorgestelde tariewe, wysigings aan begrotingsverwante beleide asook die GOP vir die Raad se oorweging.

BACKGROUND

In accordance with Section 24 of the Municipal Finance Management Act, No 56 of 2003 the Municipal Council must at least 30 days before the start of the budget year consider approval of the annual budget.

AGTERGROND

Ooreenkomstig Artikel 24 van die Wet op Munisipale Finansiële Bestuur, Wet Nr. 56 van 2003, moet die Munisipale Raad minstens 30 dae voor die begin van die begrotingsjaar goedkeuring van die jaarlikse begroting oorweeg.

DISCUSSION

The following is a summary of the major changes that were made since the draft budget was tabled in Council and following the public participation process as envisaged in section 23 of the MFMA:

Tariffs

- A new tariff for the special rates area to be established in Grabouw was added to the tariff list
- The property rates tariff for agricultural consumers were reduced in line with the Council resolution stating that the effect of the new valuation roll will be phased in over a period of three years.
- A reduced tariff for special events which will be applicable to NPO.
- It should also be noted that the water tariff has been restructured to recover the fixed cost associated with rendering the service from a basic fee and the variable cost will be recovered from a consumption charge based on an inclining block tariff. The fixed monthly basic fee charged by Overberg Water has not been treated as a fixed cost because this would have increased the water tariff by an even greater percentage. Although the Minister of Water and Environmental Affairs had subsequently approved a lower tariff, the proposed water tariff as per the draft budget will not be adjusted downwards to compensate for the loss of revenue as a result of the incorrect treatment of the fixed monthly basic fee payable to Overberg Water.

Housing

The implementation plan for the roll out of housing projects have been reviewed as a result of which the allocation for top structures was reduced by R4million with a corresponding increase in the capital budget.

Policy on Writing-off of Irrecoverable Debtors

It is proposed that an incentive be introduced to encourage residential consumers with arrear accounts to enter into arrangements to pay their arrears. This will certainly improve the collection rate as consumers will now be able to see a reduction in their outstanding accounts.

BESPREKING

Die onderstaande is 'n opsomming van die hoofveranderinge wat aangebly is sedert die konsepbegroting aan die Raad voorgelê is en na die volg van die openbare deelnameproses wat in artikel 23 van die WMFB (MFMA) beoog word:

Tariewe

- 'n Nuwe tarief vir die spesiale belastinggebied wat in Grabouw ingestel is, is by die tariewelys gevoeg.
- Die eiendomsbelastingtariewe vir landbouverbruikers is verminder in lyn met die Raadsbesluit wat lui dat die uitwerking van die nuwe waardasielys oor 'n tydperk van drie jaar infaseer moet word.
- 'n Verminderde tarief vir spesiale byeenkomste wat op NPO van toepassing sal wees.
- Kennis moet ook geneem word dat die watertarief herstruktureer is om die vaste koste wat met die lewering van die diens verband hou te verhaal deur 'n basiese fooi en die veranderlike koste te verhaal deur 'n verbruiksheffing wat op 'n toenemende bloktarief gebaseer word. Die vaste maandelikse fooi wat deur Overberg Water gehef word, is nie as vaste koste hanteer nie omdat dit die watertarief met 'n nog groter persentasie laat styg het. Alhoewel die Minister

van Water en Omgewingsake sedertdien 'n laer tarief goedgekeur het, sal die voorgestelde watertarief soos volgens die konsepbegroting nie afwaarts na 'n laer tarief aangepas word nie om te kompenseer vir die verlies aan inkomste as gevolg van die foutiewe hantering van die vaste maandelikse basiese fooi wat aan Overberg Water betaalbaar is.

Behuising

Die implementeringsplan vir die uitrol van behuisingprojekte is hersien, met die gevolg dat die toewysing vir topstrukture met R4 miljoen verminder is met 'n ooreenstemmende toename in die kapitaalbegroting.

Beleid op Afskryf van Onverhaalbare Debiteure

Daar word voorgestel dat 'n aansporing ingestel word om residensiële verbruikers met agterstallige rekeninge aan te moedig om reëlings aan te gaan om hulle agterstallige rekeninge te betaal. Dit sal sekerlik die invorderingskoers verbeter aangesien verbruikers 'n afname in hul uitstaande rekening sal kan sien.

LEGAL RESPONSIBILITIES/ WETLIKE VERANTWOORDELIKHEDE

Section 16 of the Municipal Finance Management Act, 56 of 2003 and the Municipal Budget and Reporting Regulations./

Artikel 16 van die Wet op Munisipale Finansiële Bestuur, Wet 56 van 2003 en die Munisipale Begroting- en Verslagdoeningregulasies.

FINANCIAL RESPONSIBILITIES/ FINANSIËLE VERANTWOORDELIKHEDE

As contained in the detail report./ Soos in die volledige verslag vervat.

COMMUNICATION RESPONSIBILITIES/ KOMMUNIKASIEVERANTWOORDELIKHEDE

None./Geen.

RECOMMENDATION TO COUNCIL :

Refer to page 1 of the Budget Report

AANBEVELING AAN RAAD :

Verwys na bladsy 1 van die Begroting

RUN-UP TO DECISION-MAKING :

Councillor JP Hendricks replied as follows :

Namely that the ANC cannot support the budget and indeed for the following reasons

- 1. The tariff increase is above the inflation rate.*
- 2. Revenue should be increased by increasing the collection rate.*
- 3. Possibility of distributing electricity in the towns where Eskom is currently the supplier should be investigated.*

4. *Promotion of investments in TWK needs to be addressed.*
5. *Job creation should be addressed.*
6. *Productivity in TWK should be looked at.*

Councillor AH Cupido proposed that the budget not be approved by the ANC and indeed for the reasons offered by Councillor Hendricks.

Proposal seconded by Councillor J Nellie.

Councillor NH de Wet proposed the budget as set out in the Recommendation, with the following amendments :

1. *On page 314 of the Agenda under the "Definitions – Supply Chain Management Policy" the following needs to be inserted :*

*"Minor breach" - The procurement of goods/services with no significant impact on the essential fairness, equity, transparency, competitiveness or cost effectiveness;
The circumstances are justifiable; and
Goods / Services were procured in good faith.*
2. *That 46.(2)(a) – (i) of the "Supply Chain Management Policy" on page 344 and 345 of the Agenda be replaced with the same wording as set out on page 362 and 363 under "Conflict of interest (a) – (i)" seeing as the wordings are currently inconsistent with each other.*
3. *That the following policy be inserted at point 11 under "1. Council Resolutions" on page 163 of the Agenda:*

7. *Long Term Financial Plan Policy.*

Proposal seconded by Councillor I Sileku.

Voting subsequently took place by a show of hands :

Proposal Councillor NH de Wet and seconded by Councillor I Sileku : 13 votes

Proposal Councillor A Cupido, seconded by Councillor J Nellie : 6 votes

AANLOOP TOT BESLUITNEMING :

Raadslid JP Hendricks lewer as volg repliek :

Naamlik dat die ANC nie die begroting kan ondersteun nie en wel om die volgende redes :

1. *Die tariefverhoging is bo die inflasiekoers.*
2. *Inkomste verhoog moet word deur die invorderingskoers te verhoog.*
3. *Moontlikheid ondersoek dat elektrisiteit versprei kan word in die dorpe waar Eskom tans die verspreider is.*
4. *Bevordering van beleggings in TWK moet aangespreek word.*

5. *Werkskepping moet aangespreek word.*

6. *Daar moet na produktiwiteit in TWK gekyk word.*

Raadslid AH Cupido stel voor dat die begroting nie deur die ANC aanvaar word nie en wel om die redes soos voorgehou deur Raadslid Hendricks.

Voorstel word gesekondeer deur Raadslid J Nellie.

Raadslid NH de Wet stel die begroting voor soos voorgehou in die Aanbeveling, met die volgende wysigings :

1. *Op bladsy 314 van die Agenda onder die "Definitions – Supply Chain Management Policy" moet die volgende toegevoeg word :*

*"Minor breach" - The procurement of goods/services with no significant impact on the essential fairness, equity, transparency, competitiveness or cost effectiveness;
The circumstances is justifiable; and
Good / Services were procured in good faith.*

2. *Dat 46.(2)(a) – (i) van die "Supply Chain Management Policy" op bladsy 344 en 345 van die Agenda vervang word met presies dieselfde bewoording soos weergee word op bladsy 362 en 363 onder "Conflict of interest (a) – (i)" aangesien die bewoording tans teenstrydig met mekaar is.*

3. *Dat die volgende beleid by punt 11 onder "1. Council Resolutions" op bladsy 163 van die Agenda toegevoeg word :*

7. *Long Term Financial Plan Policy.*

Voorstel word gesekondeer deur Raadslid I Sileku.

Daarna word oorgegaan tot stemming deur die opsteek van hande :

Voorstel Raadslid NH de Wet en gesekondeer deur Raadslid I Sileku : 13 stemme

Voorstel Raadslid A Cupido, gesekondeer deur Raadslid J Nellie : 6 stemme

RESOLVED BY COUNCIL : 27 MAY 2014

On proposal by Councillor NH de Wet, seconded by Councillor I Sileku, it was resolved as follows :

1. That Council resolves that the Final Annual Operating Budget of the municipality for the financial year 2014/2015 and indicative for the two projected Outer Years 2015/2016 and 2016/2017 be approved as set out on Tables A1, A2, A3 and A4.
2. That Council resolves that the Final Annual Capital Budget of the municipality for the financial year 2014/2015 and indicative for the two projected Outer Years 2015/2016 and 2016/2017 be approved as set out on Tables A1, A5 and SA36.
3. That Council resolves that the Monthly Cash Flow Forecasts with appropriate amendments be approved as the Cash Flow Budget of the Council for the 2014/2015 financial year as set out on Tables A1 and A7.
4. That Council resolves to adopt the Final Integrated Development Plan.

5. That Council resolves to adopt the “Spatial Development Framework” as part of the Integrated Development Plan, as regulated by the Municipal Systems Act (Act 32 of 2000), as directed in terms of Section 22 of the Bill on the Land Use Planning Act.
6. That Council resolves that the Final Tariff Charges are approved for the Financial Year 2014/2015. (Annexure A).
7. That the Final Monthly Indigent Subsidy in respect of 6kl Water, 70KwH Electricity, Refuse, Sewer and Informal Settlement Plot Rental (where applicable) are approved and that the applicable free basic services subsidies be calculated on the approved tariffs for the applicable services and measurable units.
8. The first R100,000 on all residential properties are exempt from property rates for persons older than 60 years of age and earning less than R6400 per month.
9. That it be noted that “Unfunded Functions” and “Underfunded Functions” are fully budgeted for at present service levels and in respect of Housing.
10. That note is taken that Internal Division of Costs (Departmental Charges) are calculated based on expected budgeted time spent, measurable units/quantities, cost, and that tariffs are determined accordingly.
11. That Council resolves the following Amendments to the Policies as per Annexure B
 1. Short Term Insurance Policy
 2. Credit Control and Debt Collection Policy
 3. Tariff Policy
 4. Supply Chain Management Policy
 5. Policy on the Writing-off of Irrecoverable Debt.
 6. Rates Policy
 7. Theewaterskloof Long-Term Financial Plan Policy

as well as the following :

1. *On page 314 of the Agenda under the “Definitions – Supply Chain Management Policy” the following needs to be inserted :*

*“Minor breach” - The procurement of goods/services with no significant impact on the essential fairness, equity, transparency, competitiveness or cost effectiveness;
The circumstances are justifiable; and
Goods / Services were procured in good faith.*

2. *That 46.(2)(a) – (i) of the “Supply Chain Management Policy” on page 344 and 345 of the Agenda be replaced with exactly the same working as set out on page 362 and 363 under “Conflict of interest (a) – (i)” seeing as the workings are currently inconsistent with each other.*

For finalization by the Director : Financial Services, Mr. D Louw

BESLUIT DEUR RAAD : 27 MEI 2014

Op voorstel van Raadslid NH de Wet, gesekondeer deur Raadslid I Sileku, word as volg besluit :

1. Dat die Raad besluit dat die Finale Jaarlikse Bedryfsbegroting van die munisipaliteit vir die finansiële jaar 2014/2015 en aanduidend vir die twee geprojekteerde Buitejare 2015/2016 en 2016/2017 goedgekeur word, soos uiteengesit in Tabela A1, A2, A3 en A4.
2. Dat die Raad besluit dat die Finale Jaarlikse Kapitaalbegroting van die munisipaliteit vir die finansiële jaar 2014/2015 en aanduidend vir die twee geprojekteerde Buitejare 2015/2016 en 2016/2017 goedgekeur word, soos uiteengesit in Tabela A1, A5 en SA36.
3. Dat die Raad besluit dat die Maandelikse Kontantvloeivooruitskattings met gepaste wysigings goedgekeur word as die Kontantvloeibegroting van die Raad vir die 2014/2015 finansiële jaar, soos uiteengesit in Tabela A1 en A7.
4. Dat die Raad besluit om die Finale Geïntegreerde Ontwikkelingsplan goed te keur.
5. Dat die Raad besluit om die “Ruimtelike Ontwikkelingsraamwerk” as deel van die Geïntegreerde Ontwikkelingsplan te aanvaar, soos gereël deur die Munisipale Stelselwet (Wet 32 van 2000), soos bepaal ingevolge Artikel 22 van die Wetsontwerp op Grondgebruikbeplanning.
6. Dat die Raad besluit dat die Finale Tariefgelde vir die 2014/2015 Finansiële jaar goedgekeur word. (Bylae A).
7. Dat die Finale Maandelikse Behoeftige Subsidie ten opsigte van 6kl Water, 70KwH Elektrisiteit, Vullis, Riool en Informele Nedersettingserfhuur (waar van toepassing) goedgekeur word en dat die toepaslike gratis basiese dienstesubsidies bereken word op die goedgekeurde tariewe vir die betrokke dienste en meetbare eenhede.
8. Dat die eerste R100,000 op alle residensiële eiendomme vrygestel word van eiendomsbelasting vir persone ouer as 60 jaar en wat minder as R6400 per maand verdien.
9. Dat kennis geneem word dat “Onbefondse Funksies” en “Onderbefondsde Funksies” ten volle begroot is op huidige diensvlakke en ten opsigte van Behuising.
10. Dat kennis geneem word dat Interne Verdeling van Koste (Departementele Gelde) bereken word op grond van verwagte begrote tyd bestee, meetbare eenhede/hoeveelhede, koste, en dat tariewe dienooreenkomstig bepaal word.
11. Dat die Raad besluit op die volgende wysigings aan die Beleide soos volgens Bylae B
 1. Beleid op Korttermynversekering
 2. Beleide op Kredietbeheer en Skuldinvordering
 3. Tariewebeleid
 4. Voorsieningskanaalbestuursbeleid
 5. Beleid op die Afskryf van Onverhaalbare Skuld
 6. Eiendomsbelastingbeleid

7. Theewaterskloof Beleid op die Langtermyn- Finansiële Plan

Asook die volgende :

12. Op bladsy 314 van die Agenda onder die “Definitions – Supply Chain Management Policy” moet die volgende toegevoeg word :

*“Minor breach” - The procurement of goods/services with no significant impact on the essential fairness, equity, transparency, competitiveness or cost effectiveness;
The circumstances is justifiable; and
Good / Services were procured in good faith.*

13. Dat 46.(2)(a) – (i) van die “Supply Chain Management Policy” op bladsy 344 en 345 van die Agenda vervang word met presies dieselfde bewoording soos weergee word op bladsy 362 en 363 onder “Conflict of interest (a) – (i)” aangesien die bewoording tans teenstrydig met mekaar is.

Vir afhandeling deur die Direkteur : Finansiële Dienste, Mnr. D Louw

**K. VERDAGING /
ADJOURNMENT**

Die vergadering verdaag om 12:30.
The meeting was adjourned at 12:30.

NOTULE BEKRAGTIG OP DIE DAG VAN
..... AS PRIMA FACIE BEWYS VAN DIE
JUISTHEID DAARVAN.

MINUTES CONFIRMED ON THE DAY OF
..... AS PRIMA FACIE EVIDENCE OF
ITS CORRECTNESS.

.....
SPEAKER

.....
DATUM/DATE

OPGESTEL EN BYGEHOU DEUR :
COMPILED AND RECORDED BY

.....
M STAAL
HOOFKLERK : KOMITEES
PRINCIPAL CLERK : COMMITTEES