

**MINUTES OF CONTINUATION MEETING OF AN ORDINARY COUNCIL MEETING OF THE
KOUGA MUNICIPALITY HELD AT THE KOUGA COUNCIL CHAMBER (ST FRANCIS BAY
UNIT) ON THURSDAY, 25 JANUARY 2018 AT 11:30**

PRESENT: Councillors	H Hendricks D Benson EC van Lingen H Bornman B Williams F Baxter FJ Campher BF Rheeder DM Nkomo L Vorster FJ Louw B Carstens NS Botha D. Biggs B Dhludhlu WPD Gertenbach W Coenraad	(Speaker) (Executive Mayor) (Alderman)
Officials & Municipal Manager	C du Plessis S Thys K Moodley V Felton C Dreyer D de Jager H Hammes L Makupula M Jantjies B Klopper	(Municipal Manager) (CFO) (Director: Corporate Services) (Director: Infrastructure & Eng) (Manager: IDP) (Manager: HR) (Acting Manager: Corporate Serv) (Committee Services) (Committee Services) (Committee Services)
AUDITOR GENERAL	C Somsam T Mseleni	(AGSA) (AGSA)
COGTA	B Vanda	(Cogta EC)

1. **NOTICE OF MEETING**

The Speaker requested the Municipal Manager, to read the notice re-convening the meeting in St Francis Bay.

2. **OPENING AND WELCOME**

The Speaker welcomed everybody present to the meeting and advised that only compliance items will be dealt with in terms of legislation.

An urgent supplementary item was tabled and by resolution taken by the majority of its full number, the item was unanimously accepted for discussion, as reflected below:-

18/01/F3 Assets: Eviction, Illegal Dwellers, Aston Bay Caravan Park, Erf 166, Aston Bay: Proposed Submission Of Formal Written Proposal To The Department Of Roads And Public Works, Eastern Cape, For The Donation Of Erf 166, Aston Bay

3. **ABSENT WITH OR WITHOUT APPROVAL**

ANC Caucus absent due to being expelled from the meeting by the Speaker.

4. **PRESENTATIONS**

None

5. **STATEMENTS BY THE SPEAKER**

None

6. **STATEMENTS OR COMMUNICATIONS BY THE EXECUTIVE MAYOR**

The Executive Mayor advised that the communication will be circulated to Councillors due to time constraints and will submit a full statement at the Special Council meeting still to be determined.

7. **REPORT BACK: SARAH BAARTMAN DISTRICT MUNICIPALITY REPRESENTATIVES**

None

8. **REPORT BACK: INTERGOVERNMENTAL RELATIONS FORUM (IGR)**

None

9. **REPORT BACK: MUNIMEC**

None

10. **STATUTORY MATTERS**

11. **CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS**

11.1 Minutes of an Ordinary Council Meeting held on 8 December 2017 be referred to the Special Council meeting.

11.2 Minutes of a Special Council Meeting held on 19 December 2017 be referred to the Special Council meeting.

12. **MATTERS DEALT WITH IN TERMS OF DELEGATED AUTHORITY BY THE EXECUTIVE MAYOR**

(The reports by the Executive Mayor, in terms of the provisions of Section 63 of the Local Government Municipal Systems Act, 32 of 2000, on matters dealt with by the Executive Mayor in terms of delegated authority as detailed in the Minutes to be noted).

12.1 Minutes of a Mayoral Committee meeting held on 22 November 2017 be referred to the Special Council meeting.

13. **MINUTES AND REPORTS OF COMMITTEES OF THE COUNCIL**

13.1 **MUNICIPAL PUBLIC ACCOUNTS COMMITTEE MINUTES**

None

13.2 **KOUGA AUDIT COMMITTEE MINUTES**

None

14. **REPORTS BY THE MUNICIPAL MANAGER**

18/01/MM1 MID YEAR INSTITUTIONAL PERFORMANCE ASSESSMENT: 2017/18 FINANCIAL YEAR: PERIOD 1 JULY 2017 TO 31 DECEMBER 2017

Resolved: (25 January 2018)

- i) That the content of the Institutional Performance Report for the period 1 July 2017 to 31 December 2017 be noted.
- ii) That the following recommendations relative to the Institutional Performance Report be adopted:
 - a) That Directorates review Departmental Performance on a monthly basis and report Departmental Performance in terms of the SDBIP to the Municipal Manager at the Top Management Meetings and to the respective Portfolio Councillor.
 - (b) That Directorates must on a quarterly basis within 5 days of the end of each Quarter submit Departmental Performance Reports to the relevant Portfolio Committee. (Where Portfolio Committees do not meet within this

specific time frame, such reports must be submitted to the Office of the Municipal Manager within this period.)

- (c) That the Performance Management Section prepare an Institutional Performance report for submission to Council and the Audit Committee not later than the 7th day of the month after the end of the Quarter.
- (d) That the Performance Management Section report all instances of non-compliance to Council and the Audit Committee in writing.

18/01/MM2 SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN: 2017/18 FINANCIAL YEAR: ALIGNMENT OF TARGETS WITH THE INTEGRATED DEVELOPMENT PLAN

Resolved: (25 January 2018)

- i) That the content of the report on the matter of the alignment of 2017/18 Service Delivery Plan with the Integrated Development Plan as set out in the report be noted and approved.
- ii) That the Municipal Manager in consultation with the Executive Mayor reconsider the applicability of SDBIP targets for the 2017/18 year and submit a report on proposed amendments to the Executive Mayor for submission to Council for approval after approval of the adjustments budget as provided for in Section 54(1)(c) of the MFMA.
- iii) That on approval of any amendment to the SDBIP, the Municipal Manager reconsider the applicability of the targets as set out in individual performance plans against any possible revision of the SDBIP and effect the adjustment to performance plans accordingly.
- iv) That the Director: Infrastructure & Engineering be requested to verify the percentage amount for households per month for correctness, as reflected in the report submitted to Council.

18/01/MM3 ASSETS: EVICTION, ILLEGAL DWELLERS, ASTON BAY CARAVAN PARK, ERF 166, ASTON BAY: PROPOSED SUBMISSION OF FORMAL WRITTEN PROPOSAL TO THE DEPARTMENT OF ROADS AND PUBLIC WORKS, EASTERN CAPE, FOR THE DONATION OF ERF 166, ASTON BAY

Resolved (25 January 2018)

- i) That Council take note of the Application for Eviction of illegal dwellers, occupying Erf 166, Aston Bay, and that the Municipality is added as the eleventh respondent to the matter.



- ii) That Council support the submission of a formal written proposal to the Department of Roads and Public Works, proposing that the said department donate Erf 166, Aston Bay to the Municipality for purposes of future housing development, or in the alternative enter into an Exchange of Land Agreement, whereby the Municipality would exchange certain ,available land parcels for an end user department such as the Department of Education for development of school buildings, which land can be exchanged for the said Erf 166, Aston Bay.

15. **REPORTS BY THE EXECUTIVE MAYOR**

15.1 **FINANCE**

The Speaker requested the Municipal Manager to confirm that the tabled report, as far as his knowledge, was accurate and truthful – on which the Municipal Manager replied that he accepted it as true reflections of the reports being tabled to the Council.

18/01/F1 **MID-YEAR FINANCIAL REPORT FOR THE PERIOD JULY TO DECEMBER 2017 AND THE ASSESSMENT OF THE MUNICIPALITY'S FINANCIAL POSITION AS AT 31 DECEMBER 2017 (2017/18 FINANCIAL YEAR)**

Concerns raised:-

- decline in the debt collection rate – measure to be addressed;
- repairs and maintenance - % spent not acceptable;
- Remuneration of Councillors - % incorrect;
- Bulk purchases – to be reduced;
- Infrastructure & Engineering – (Capital Budget Performance) poor performance (12,32%);

Councillor B Williams proposed amendments to the recommendation, which was unanimously accepted by those present.

Resolved: (25 January 2018)

- i) That the Municipal Manager's report on the Mid-year Budget and Performance Assessment of the municipality, in accordance with Section 72(1)(a) of the MFMA, be noted.
- ii) That the Executive Mayor's report on the implementation of the budget and the financial state of affairs of the municipality, in accordance with Sections 52(d), 54(1)(f) and 72 of the MFMA, be noted.
- iii) That an Adjustments Budget, based on the realistically anticipated revenues, in line with section 18 of the MFMA, be tabled by the Executive Mayor to the Council.
- iv) That the 2017/18 Adjustments Budget be tabled by the Executive Mayor to the Council on 28 February 2018.



- v) That the Mid-year report accordingly be submitted to National Treasury and Provincial Treasury, in line with Section 72(1) (b) of the MFMA.
- vi) That the Budget Monitoring Committee meet on a monthly basis with the attendance of Directors and presentation of both Capital and operational Budgets at this Committee to form part of Key Performance Indicators of all Directors.
- vii) That the Revenue Enhancement Task Team be established as per Council Resolution taken on 31 May 2017 (17/05G16).
- viii) That the Executive Mayor and the Portfolio Chairpersons of both Infrastructure & Engineering and Finance form part of the Revenue Enhancement Task Team which will meeting monthly.
- ix) That participation in the Task Team form part of Key Performance Indicators of the Municipal Manager and Directors.
- x) That a vehicle be hired and at least one electrician be appointed on a temporary basis to conduct disconnections of electricity of non-paying customers.

18/01/F2

BUDGET AND TREASURY: WITHDRAWALS FROM MUNICIPAL BANK ACCOUNT FOR THE QUARTER ENDED 31 DECEMBER 2017

Resolved: (25 January 2018)

- i) That the withdrawals that were made in terms of Section 11(1) (b) to (j) of the MFMA for the quarter ended 31 December 2017, be noted.
- ii) That the report accordingly be submitted to Provincial Treasury and the Auditor-General, as stipulated in Section 11(4) (b) of the MFMA.



15.2 CORPORATE SERVICES

The Speaker requested the Municipal Manager to confirm that the tabled report, as far as his knowledge, was accurate and truthful – on which the Municipal Manager replied that he accepted it as true reflections of the reports being tabled to the Council.

18/01/CORP2 2ND DRAFT ANNUAL REPORT (2016/2017)

Resolved: (25 January 2018)

- i) That the 2nd Draft of the 2016/17 Annual Report be noted in terms of the provisions of Section 127(1) of the Municipal Finance Management Act (Act 56 of 2003).
- ii) That the Accounting Officer in terms of Section 127 (5) of the MFMA, and in accordance with Section 21 (A) of the Municipal Systems Act:
 - a) Make public the Annual Report; and
 - b) Invite the Local Community to submit inputs and comments on the 2nd Draft Annual Report.
 - c) Submit the Annual Report to:
 - The Auditor-General;
 - The Provincial Treasury;
 - The Provincial Department for Local Government;
 - Other institutions as prescribed by legislation.
- iii) That the 2nd Draft Annual Report for the 2016/17 financial year be tabled to the Kouga Audit Committee for consideration.
- iv) That an Oversight Report on the 2nd Draft Annual Report be prepared by the Municipal Public Accounts Committee in terms of Section 129 of the MFMA to be tabled to the Council at the end of March 2018.
- v) That the Manager: Legal Services be requested to evaluate input/comments received by Public Participation and that a report be submitted to Council.



15.3 **INFRASTRUCTURE & ENGINEERING**

The Speaker requested the Municipal Manager to confirm that the tabled report, as far as his knowledge, was accurate and truthful – on which the Municipal Manager replied that he accepted it as true reflections of the reports being tabled to the Council.

18/01/I&E1 **LONG-TERM WATER SUPPLY SECURITY- DESALINATION**

Resolved (25 January 2018)

- i) That a professional, experienced Service Provider be appointed to further investigate desalination as a sustainable source of water supply as a long term measure.
- ii) That due process be followed and that a report be submitted to the next Ordinary Council meeting.

The meeting closed at 12:50.



H HENDRICKS
SPEAKER

28 February 2018

DATE
