

**MINUTES OF AN ORDINARY COUNCIL MEETING OF THE KOUGA MUNICIPALITY HELD
AT THE KOUGA COUNCIL CHAMBER (JEFFREYS BAY UNIT) ON
THURSDAY, 26 JULY 2018 AT 10:00**

PRESENT: Councillors	H Bornman	(Speaker)
	H Hendricks	(Executive Mayor)
	B Williams	
	D Benson	
	F Baxter	
	FJ Campher	
	BF Rheeder	(Alderman)
	DM Nkomo	
	L Vorster	
	D Biggs	
	FJ Louw	
	NS Botha	
	B Dhludhlu	
	WPD Gertenbach	
	W Coenraad	
	R Jantjies	
	T Jantjes	
	P Nkwalase	
	V Camealio-Benjamin	
	J Mayoni	
C Matroos		
T Meleni		
V Vumazonke		
E Februarie		
C Mandeka		
M Peters		
A Mabukane		
Officials & Municipal Manager	K Moodley	(Acting Municipal Manager)
	S Thys	(CFO)
	V Felton	(Director: I&E)
	F Mabusela	(Director: Planning, Dev & Tourism)
	N Machelesi	(Director: Community Services)
	L Opperman	(Manager: Legal Services)
	D de Jager	(Manager: Human Resources)
	L Makupula	(Committee Services)
	N Zode	(Committee Services)

1. **NOTICE OF MEETING**

The Speaker read the notice convening the meeting.

2. **OPENING AND WELCOME**

The Speaker welcomed everybody to the meeting and requested Councillor Mabukane to open the proceedings with a prayer.

3. **LEAVE OF ABSENCE**

Cllr Jujwana – Apology

4. **PRESENTATIONS**

BYTES PRESENTATION

QUESTIONS/ ANSWERS/COMMENTS

Cllr Camealio-Benjamin enquired whether the system is live for the Municipality to work on immediately and load information or not.

Cllr Williams stated that he has an issue with the presentation because the Municipality is still manually populating the section 71 reports and section 52 reports and the budget, the finance officials are not in a position to analyse the documents and the reasons for the late adjustment budget was caused by the same issue, bytes made promises in November 2017 and the Municipal Manager still does not have access to do management of the budget and the Councillor himself cannot do oversight as the Portfolio head of finance. He further indicated that he does not have an interest in other products that bytes can offer when they are failing to deliver the current products required by the Municipality which are in the contract. He then requested Mr. Abrahams to indicate the issues finance is dealing with.

Mr. Abrahams said the issue is that they as finance don't have comfort in the integrity of the reports produced by the system, they requested that bytes provide them with a dedicated person to go through all the issues that finance has with the reports, the mapping on the system currently is not aligned to the national treasury and therefore gives discrepancies in the reports provided by the system. The finance department does their mapping manually and it is in line with the national treasury.

The Speaker requested bytes to adhere to the requirements of finance in order to get the correct data regarding the reports.

The Executive Mayor stated that he is not happy with bytes because the Municipality is not getting what it is paying for which then means it is wasteful expenditure.

The Speaker thanked the presenters and excused them from the meeting.

the Speaker indicated that he has received a motion of exigency, he then gave Cllr Botha a chance to explain the motion as it was submitted by him.

Cllr Botha then requested that the motion be dealt with in confidential items.

5. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

Birthday wishes to:-

Cllr. V. Camealio-Benjamin
Ms. A. Carstens

Congratulations to:-

Cllr Dayimani expecting a new born.

6. **STATEMENTS OR COMMUNICATION BY THE SPEAKER**

Councillors and Staff, it's a privilege to serve the people of Kouga and to be elected to a position where we can influence to make a difference in the life of people.

Councillors I would like to remind you why we sit in this chamber today, we sit here because we want to ensure that all people of Kouga have an opportunity to a better life, when we debate today and when we debate in Council in future let it be with that in mind.

Kouga has the lowest unemployment rate in the Eastern Cape, which is wonderful but it's still at 26% which means one in every four people doesn't have a job in Kouga and that is way too high, it might be the lowest in the Province but it's not good enough.

I get a lot of complaints about Councillors not serving their communities as they should, Councillors asking for fridges from service providers and Councillors requesting diesel in their bakkies for different types of reasons, those type of things are not acceptable.

This month is a Madiba month and a moral regeneration movement is having an event in Humansdorp to honour the elderly on the 31 July 2018 and to inspire the youth to do more with their lives than the status quo. What is happening in our town is very worrying, all the drugs and crime are creating more social issues and we have to stand up and take the lead. I would like to thank Councillor Coenraad and the whole community of Ward 4 & Ward 5 who took ownership of the problem in their communities and had a beautiful event, everyone irrespective of politics came together to ask God for wisdom and a way forward, there is another event like this happening this Friday in

the Jeffreys bay comprehensive high school arranged by PE FM and we are all invited.

As far as the Ward development fund is concerned we have started the process of public consultation sessions, there is a concern that I heard that some meetings were blocked by Councillors and some meetings didn't happen for other reasons. We arranged these sessions so early in the year to speed up the processes in order to ensure that the funding gets to the communities as early as possible, to avoid having the same issues we had in the last financial year. As we continue to work hard on the what and the how to make Kouga the best Municipality in the country, we must continually ask ourselves why we are here, why are you doing what you are doing. There will be many critics and we cannot please everyone all the time but let's continue to fight a good fight, let us find our why, let us not sit on benches and criticise, let us really strive for excellence and make this Municipality what it can be, not for ourselves or some nice achievement not for glory but for the people of Kouga. Thank you.

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

The Executive Mayor welcomed all present and stated that today marks my 97th day in the hot seat as Executive Mayor.

As is customary, I have prepared a brief overview of the highlights of my first 100 days in office. It is my honour to present these to you today.

Our late Mayor Elza van Lingen passed away on 19 April and I was elected as Mayor by this Council the next day.

Maintaining stability following the death of a strong leader is never easy, but I believe we have achieved this admirably.

Not only have we been keeping things together, we have been accelerating our drive towards "good governance through service excellence" and have moved even closer together as a collective, united in our desire to see Kouga's people living quality lives.

Elza van Lingen would be proud of us.

The retention of the former Mayoral Committee - albeit with a bit of reshuffling – has definitely contributed to this stability and I would like to thank them, as well as our new Speaker, for how quickly they brought me up to speed on what it means to be the Mayor of a municipality like Kouga, brimming with potential but also with its share of pitfalls.

I have enjoyed a close relationship with our ward councillors since the beginning of this Council term thanks to my time as Speaker and I would like to thank them for the manner they have embraced me in my new role.

A highlight for our ward councillors during my first 100 days was the roll-out of the Ward Development Fund. Many community groups benefited from the fund these past few weeks and we look forward to expanding on this programme in the current financial year.

Community meetings are currently being held in all wards to allow members of the public to put forward their proposals on how the funds should be spent. I want to encourage our ward councillors and committees to identify their projects as quickly as is possible so that they can be implemented timeously and the money not go to waste.

Many of our PR councillors, including the two new councillors we welcomed these past 100 days, have also had to rethink their roles and I am grateful to each one of them for stepping up to the challenge.

The Rules and Ethics Committee has benefited from the addition of Clr Botha as a member while Alderman Rheeder, when asked, didn't hesitate to take up the daunting role of chairing MPAC. Thanks to MPAC's continued good work, we were recently able to lay another old skeleton to rest, with irregular expenditure of more than R2,5 million - dating back to 2013/2014 - being investigated and written off in line with legal prescripts.

The write-off was another milestone in this Council's quest to ensure that public funds are spent well and that every penny is accounted for. We then further affirmed our commitment to fighting fraud and corruption by establishing this municipality's first Financial Misconduct Disciplinary Board.

The municipal administration has also played an invaluable role in taking Kouga forward this past quarter.

In line with my decision to cut the Mayoral Committee to save money, the Municipal Manager and his team have been taking decisive action to ensure that our citizens get more for their money.

The total wage bill for the past three months has consistently been lower than it was for the first months of the 2017/18 financial year - despite our staff complement actually having grown from 811 permanent employees in July 2017 to 873 at year end.

Thanks to these appointments, many of which took place during these past 100 days, staff productivity and morale has been increasing, as reflected by the decrease in annual and sick leave this past quarter.

Critical appointments that were made over the past three months include that of a call centre supervisor and four extra call centre operators. We are confident that these appointments will address the teething problems that have been experienced with this project and allow us to improve the manner in which we communicate with citizens who have submitted complaints.

The amount of overtime worked by staff has also decreased and strict controls will remain in place so as to ensure that this downward trend continues.

The annual calendar of meetings we recently approved for 2018/19 was also the most comprehensive schedule of its kind to be compiled by our administration and will help to streamline and focus our operations over the coming months.

The good news financially is that, while we have been realizing real cost savings on the one hand, we have also improved our collection rate from 86% to 90% over this past quarter.

This improvement comes at a critical time as the successful implementation of our new budget for 2018/2019 depends on our achieving a 90% collection rate.

The adoption of the IDP and budget for 2018/2019 by Council on 31 May was a personal highlight for me. These documents guide and enable the work we were elected to do and it was a privilege to be part of that process as Mayor.

I wish to thank all our community members and stakeholder groups who participated in the public meetings to finalise the documents. We want these documents to reflect the will of our people, within the prescripts set by law. In order for this to happen, public participation is critical.

It takes a bit longer than 100 days to initiate and implement major infrastructure project.

I did, however, have the honour of switching on the electricity to 116 households at Donkerhoek in June and a further 154 at the Kruisfontein 391 housing development earlier this month. The electrification of the remainder of Kruisfontein 391 is underway and I will be returning to this community in the near future for the official switch-on.

These projects were funded through the INEP grant and I am pleased to report that the preliminary budget figures for 2017/2018 show that the municipality was able to improve its capital spend over the last quarter.

The capex by end June stood at 81,06%, with 100% of the MIG funding having been used for its intended purposes.

Expenditure on repairs and maintenance also improved, with 83,34% of the budgeted amount for 2017/2018 being spent.

The informal settlement of Stofwolk was one of my priorities these past 100 days. Spray lights have been installed at the settlement and 15 chemical toilets have been put in place as part of our commitment to eradicate the bucket system.

An ongoing concern is the drought our area is grappling with. The combined levels of our supply dams have dropped to a scary 18,85%.

While this definitely does not qualify as a highlight, what is important is how we have been dealing with the impact of the drought, including our efforts to secure additional water sources for our communities.

One of our redent achievements in this regard was the roll out of rainwater harvesting to the Gamtoos Valley, with 90 rainwater tanks having been purchased and installed at strategic places.

These tanks proved to be of great value during the recent “dry period” at Hankey and Patensie and we look forward to building on this initiative.

Definite strides were made this past quarter to strengthen our region and people economically.

What better way to allow communities access to the economy by awarding them ownership of their own houses, as we did last week on Mandela Day when we handed over title deeds to more than 600 beneficiaries at Humansdorp.

The title deeds were the first to be distributed of a total of 1688 title deeds that were discovered lying around in municipal store rooms and offices these past 100 days. The remainder will be handed over to beneficiaries at Sea Vista, KwaNomzamo, Patensie, Hankey, Loerie, Thornhill and Jeffreys Bay over the next 100 days.

Another major boost for Kouga's growth was Jeffreys Bay winning the Kwêla Town of the Year competition in June. Winning the title has the potential to boost tourist numbers to the region and to attract more business and investment.

It has also given us the opportunity to revive the tradition of hosting a festival in September. The Jeffreys Bay Kia Makietie, part of the winner's prize, is set to take place from 21 to 23 September and will lay the foundation for us to start a new annual festival for Jeffreys Bay, one that we hope will rival the Shell Festival of old.

Tourism remains an important economic driver of our region, with the recent J'Bay Winterfest demonstrating the job opportunities that open up with big events. This year's Winterfest was one of the most successful to date and created a total of 290 temporary jobs. This is in addition to the money spent at local businesses by visitors and the free marketing the area received through the broadcasting of the Corona J'Bay Open to all corners of the globe.

What goes hand in hand with tourism and a better life for all our residents, is safety and security. I am pleased to announce that we have entered into an agreement with a security company for the entrances to our towns to be monitored by CCTV cameras. We are confident that this will help combat the increase in criminal activities in our towns, especially as many of these criminals enter our towns from neighbouring municipalities.

The Winterfest also again highlighted the importance of developing Koga's digital economy to support growth.

Reliable access to fast and secure internet services is critical if our businesses are to hold their own against national and global competitors. To this end I am very proud that the installation of the first fibre optic data network has commenced during my first 100 days in office and would like to commend the contractor for the disciplined and orderly manner in which the work is being done.

Our libraries were also without public internet services for several months after the Sarah Baartman District Municipality discontinued this service last year. We, as Kouga, are, however, restoring this important and enabling service to our people, with installation at our libraries having started this month.

In closing, I want to remind all our councillors of the wise words spoken by our country's first democratically-elected president, the late Nelson Mandela who would have – appropriately - turned 100 years old last week, when he was delivering his 100-day speech in 1994:

“At the end of the day, the yardstick that we shall all be judged by is one and one only; and that is, are we, through our endeavours here, creating the basis to better the lives of all South Africans.”

I believe these past 100 days have demonstrated that we, as a collective, are on the right track and that, if we keep the momentum going, we will achieve our dream of making Kouga the best-run municipality in the country to the benefit of all our people.

I thank you.

Portfolio Councillor PD & T: B. Dhludhlu and Dir: PD & T requested to be excused in order to attend to the Chinese delegation.

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

None

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

None

10. **REPORT BACK: MUNIMEC**

None

11. **STATUTORY MATTERS**

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

The Acting Municipal Manager confirmed that all reports, are accurate and truthful.

- 12.1 The Minutes of Special Council Meeting held on 15 June 2018 were confirmed and accepted with amendments.

Proposed: D Benson

Seconded: B. Williams

12.2 **MATTERS ARISING**

Cllr Mayoni indicated that her name has been omitted from the minutes.

Cllr Botha indicated that his name has been omitted from the minutes.

The Speaker mentioned that there are 5 Councillors unaccounted for on those minutes and that must be followed up by the scribe.

- 12.3 The Minutes of Special Council Meeting held on 29 June 2018 were confirmed and accepted with amendments.

Proposed: W. Gertenbach

Seconded: F. Baxter

12.4 **MATTERS ARISING**

Cllr Matroos indicated that her name has been omitted from the minutes.

Cllr Camealio-Benjamin stated that her submission for the Portfolio Committee members have been incorrectly captured and she will email the correct list to the scribe and the office of the Speaker.

The Speaker concurred with Councillor Camealio-Benjamin he further indicated that the submission for the DA Councillors has also been captured incorrectly and will submit the correct list to the scribe.

Cllr Gertenbach mentioned that on page 18 under paragraph 5 the last bullet number, the correct wording should be "moral regeneration".

CFO mentioned that on page 21 the first resolution regarding **MPAC1 WRITE OFF OF IRREGULAR EXPENDITURE** should be removed and on the resolution the word "be supported" be removed.

Cllr Williams indicated that page 24 F2 bullet point two has been captured incorrectly, the correct wording should be "the credit control policy be reviewed to investigate the installation of water flow meters relating to outstanding water debt" and the rest of the sentence be removed, this amendment must be effected on page 25 F6 as well as F7 bullet point two.

Cllr Williams mentioned that on page 26 F9 the following sentence "the bad debt committee recommended" be removed and the same amendment be effected on F11.

13. **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).

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

14.1 **MUNICIPAL PUBLIC ACCOUNTS COMMITTEE**

14.2 **KOUGA AUDIT COMMITTEE**

None

15. **REPORTS BY THE OFFICE OF THE ACTING MUNICIPAL MANAGER**

18/07/MM1 RESOLUTIONS FOR JULY 2018 (COUNCIL)

Resolved (26 July 2018)

1. That the updated Actions Sheets reflecting resolutions of Council for July 2018 be noted.
2. That Directorates submit reports on all outstanding matters to their respective Portfolio Committee meetings.
3. That timeframes be indicated in the Action Sheets in order to track progress as well as the responsible official to monitor unactioned matters for implementation/finalisation.
4. That Administration report on the progress for the appointment of a professional, experienced Service Provider to further investigate desalination as a sustainable source of water supply as a long-term measure and affordability, as approved by Council in January 2018.

18/07/MM2 PROCESS PLAN FOR THE 2019/20 IDP, MTREF AND PMS PERIOD

Resolved (26 July 2018)

1. That the process plan for the IDP, MTREF and PMS for the 2019/20 period be approved in terms of the provisions of Chapter 5, sections 25 and 28 of the Local Government Municipal Systems Act, 32 of 2000 and Chapter 6, section 39 and 40 of the Act as well as section

21 of the Local Government, Municipal Finance Management Act of 2003.

2. That an advertisement be placed of the IDP Process Plan within 10 days after the adoption of the Plan.
3. That the Process Plan be submitted to the MEC and relevant stakeholders within 10 days of adoption by Council.
4. That the scheduled dates for the 2 public meetings during the process be noted.

16. **REPORTS BY THE EXECUTIVE MAYOR**

16.1 **FINANCE**

18/07/F1 **IMPLEMENTATION OF THE BUDGET AND THE FINANCIAL STATE OF AFFAIRS OF THE MUNICIPALITY AS AT 30 JUNE 2018 (2017/18 FINANCIAL YEAR)**

Resolved: (26 July 2018)

1. That the Executive Mayor notes the Municipal Manager's report on the monthly budget statements, in accordance with Section 71(1) of the Municipal Finance Management Act.
2. That the Executive Mayor's report on the implementation of the budget and the financial state of affairs of the municipality, for the quarter ended 30 June 2018 in accordance with Section 52(d) of the MFMA, be noted.
3. That the monthly budget statements be accordingly submitted to Provincial Treasury as stipulated in Section 71(1) of the MFMA.
4. That Council takes note that creditors as not all invoices received by suppliers are being processed upon receipt and are not being reflected as 30days and over creditors.
5. That a report on why creditors are understated be submitted to the Portfolio Chairperson of Finance within 7 days.

18/07/F2 **BUDGET AND TREASURY: WITHDRAWALS FROM THE MUNICIPAL BANK ACCOUNT FOR THE QUARTER ENDED 30 JUNE 2018.**

Resolved: (26 July 2018)

1. That the withdrawals that were made in terms of Section 11(1) (b) to (j) of the MFMA for the quarter ended 30 June 2018, be noted.

2. That the report accordingly be submitted to Provincial Treasury and the Auditor-General, as stipulated in Section 11(4) (b) of the MFMA.

18/07/F3 AMENDMENTS TO THE 2018/19 BUDGET – APPROVAL OF UNSPENT FUNDS AS AT 30 JUNE 2018 (FINANCE DIRECTORATE)

Resolved: (26 July 2018)

1. That the Executive Mayor recommends that the Council, by resolution taken by the majority of its full number, and in terms of Section 30(2) of the Local Government: Municipal Structures Act No. 117 of 1998 (as amended), read in conjunction with Section 28 of the Local Government: Finance Management Act, Act No 56 of 2003, approves the following amendment to the 2018/19 Capital Budget.

PROJECT	Vote number	
IT Server	20171122982585	Provide R 736 551.85
IT Building	20180126051263	R 100,000.00
Total		R 836,551.85

18/07/F4 SUPPLY CHAIN MANAGEMENT/ STORES: MONTHLY TENDERS, S39 DEVIATIONS FOR THE PERIOD APRIL, MAY AND JUNE 2018.

Resolved: (26 July 2018)

1. That the report on the monthly tenders, Section 39 Deviations and tenders for the period April, May and June 2018 be noted.
2. That the report be submitted to Council for approval as per the reporting requirements.
3. A memo be issued to all line Departments that all invoices received from suppliers be processed immediately and Finance Department be informed accordingly.
4. That legal fees be referred to MPAC to check for irregular expenditure.

18/07/F5 RENEWAL OF LEASE AGREEMENTS

Resolved: (26 July 2018)

1. That Council approves the renewal of the leasing agreements for the following crèches:

Calamari Str. Pellsrus (Edlred Groep Creche) - Erf 1568
Harder Str. Pellsrus (JBay Educare Centre) - Erf 33
Garnaal Str. Pellsrus (Noah's Ark Playschool) - Erf 190
Rooikloof Str. Patensie (Noxolo Crèche) - Erf 570
Kapenaar Str. Pellsrus (Tokyo Sexwale Creche) - Erf 492
Judy Str. Loerie (Loerie Heuwel Creche) - Erf 59
Dahlia Str. Phillipsville (Phillipsville Creche) - Erf 15
2. That month to month lease agreements be entered into, based on the lease rental amount as per the lapsed lease agreements, until the Council determines a new lease rental structure for crèches and the required sub- divisions have been attended to.
3. That a monthly lease rental of R10 be charged for the creches.
4. That a month to month lease agreement be entered into with the Jeffreys Bay Golf Club, at a monthly rental of R 2310, subject to the required Council processes being concluded.
5. That the Planning, Development and Tourism Directorate attends to the possible sub-divisions and rezoning and report back to the Land Advisory Committee by the end of September 2018.
6. That the Land Advisory Committee meet weekly from next week.
7. That the Land Evaluation Committee be constituted and chaired by the Municipal Manager with the CFO, Director Planning Development & Tourism, Director Infrastructure and Engineering being members of the Committee.
8. That the Land Evaluation Committee meet fortnightly and report regularly to Finance Portfolio Committee.

16.2 CORPORATE SERVICES

18/07/CORP1 REPORT ON THE CALL CENTRE

Resolved: (26 July 2018)

1. That the report be submitted to Council for approval as per the reporting requirements.
2. A memo be issued to all line Departments that all invoices received from suppliers be processed immediately and Finance Department be informed accordingly.
3. That other financial implications incurred by the Municipality apart from staff, be tabled at the next Council meeting.

18/07/CORP2 MONTHLY REPORTS FOR THE CORPORATE SERVICES DIRECTORATE: ADMINISTRATION SECTION FOR MAY AND JUNE 2018

Resolved: (26 July 2018)

1. That the monthly report for April, May and June 2018, of the Directorate Corporate Services be noted.
2. That a memorandum be circulated by the Municipal Manager to all employee informing them that they should stop using the Municipality's postal or physical address to receive personal mail.

18/07/CORP3 REPORT ON THE STATUS OF WARD COUNCILLORS OFFICES

Resolved: (26 July 2018)

1. That the report on the Status of Ward Councilors Offices and progress with repairs & maintenance be noted.
2. That Community Services prioritize ongoing cleaning and maintenance around the ward offices.
3. That all future faults/complaints of Ward office buildings be reported to the Auxiliary Officer for escalation/execution purposes.

18/07/CORP4 HR REPORT APRIL 2018 – JUNE 2018

Resolved: (26 July 2018)

1. The Human Resources Report for April 2018 – June 2018 be noted.
2. That the stats and monitor movement be noted on a monthly basis.
3. That the overtime and concerted effort be made to reduce the overtime bill, be noted.
4. That the Employment Figures for closer alignment to the provincial demographics, be monitored.

18/07/CORP5 REPORT ON THE PROGRESS OF THE WARD DEVELOPMENT FUND (R88 000 ALLOCATION)

Resolved: (26 July 2018)

1. That the report on the Progress of the Ward Development Fund be noted.
2. That the rollover of remainder funds be approved by Council.
3. That the rollover funds be added to the 2018/2019 Ward Fund Allocation.
4. That all Ward Councillors submit their priorities in terms of the approved Ward Development Fund Policy, to the Office of the Speaker by 16 August 2018.
5. That the Procurement Processes be finalized by end November 2018.

18/07/CORP6 REPORT ON THE PRINTING TENDER REASON FOR THE DELAY

Resolved: (26 July 2018)

1. That the report on the delay for the Printing Tender, be noted.
2. That the financial implication for the month to month lease of photocopiers be included in the report and re-submitted to Council.

18/07/CORP7 BACK TO BASICS MUNICIPAL REPORT FOR PROVINCE

Resolved: (26 July 2018)

1. The Back to Basic Municipal Report for Province reports, be noted.
2. That the Back to Basics report be transferred to the Mayor's office.

18/07/CORP8 HEALTH AND SAFETY REPORT

Resolved: (26 July 2018)

1. That the Health and Safety Report, be noted.

18/07/CORP9 DRAFT KOUGA MUNICIPALITY DONATIONS POLICY

The following amendments were effected to the policy by the Portfolio Councillor:

- Page 229 point number 6.1.3 change the word "may" to "can".

- Page 230 point number 7.3 amount of R5000 be included.
- Include a new clause under 7.3 “if the mayor intends approving an amount in excess of the said maximum amount, the mayor must refer such application to the Council for approval.
- 7.5 the name “special” to “donations”.
- 8.2 amend number 7.1 to 8.1

Resolved: (26 July 2018)

1. That the draft Kouga Municipality Donations Policy be adopted with amendments.
2. That the draft Donations Policy be workshopped with Council and relevant officials.

18/07/CORP10 DRAFT MAYORAL INTERVENTION POLICY

The following amendments were effected to the policy by the Portfolio Councillor:

- Introduction paragraph on the last sentence the inclusion of “in consultation with Mayoral Committee”.
- 4.1.6 include “but” after activities.
- 8.5 to be deleted from the document.
- The name of the policy be changed to Mayoral Intervention Fund.

Councillor Camealio-Benjamin indicated that the Mayor cannot be in consultation with Mayoral Committee, it must be with Council.

Manager: Legal Services stated that Council will exercise oversight and Mayor will report to Council.

Councillor Camealio-Benjamin requested that Manager Legal Services clarify the legal implications for Council should anything go amiss in the Mayoral Intervention Fund and report back to Council

Resolved: (26 July 2018)

1. That the draft Mayoral Intervention Policy be adopted.
2. That the draft Policy be workshopped with Council and relevant officials.

18/07/CORP11 AMENDMENTS TO THE 2018/19 BUDGET – APPROVAL OF UNSPENT FUNDS AS AT 30 JUNE 2018 (CORPORATE SERVICES DIRECTORATE)

Resolved: (26 July 2018)

1. That the Executive Mayor recommends that Council, by resolution taken by the majority of its full number, and in terms of Section 30(2) of the Local Government: Municipal Structures Act No. 117 of 1998 (as amended), read in conjunction with Section 28 of the Local Government: Finance Management Act, Act No 56 of 2003, approves the following amendments to the 2018/19 Capital Budget:

2. Projects	Vote number	
3.		
Upgrade offices of Councillors	20170712043568	Provide R 47 254.39
Tender: Office Furniture & Equipment	20170712043700	Provide R 364 395.21
Upgrade community center ward 14 (Funds were allocated to the Library upgrade)	20170712043829	Provide R 75 734.00
Computer Equipment	20171122982579	Provide R 4 210.48
Computer Equipment	20171122982588	Provide R 2 115.80
Computer Equipment	20171122982597	Provide R42 463.03
Computer Equipment		
Library Upgrade	20180204055431	Provide R 745 400.00
EDMS	20180308055720	Provide R 400 000.00
PA System	20180308055749	Provide R 145 830.30
Ward Councillors Capital	20180308055779	Provide R 68 729.37

18/07/CORP12 AUDIT OF COUNCILLOR ATTENDANCE AT COUNCIL MEETINGS – 2017 & 2018

Resolved: (26 July 2018)

1. That the assessment of Councillor attendance at Council meetings, be noted.
2. That the correct procedure as required by the Standing Rules of Order, be followed by Councillors to request leave of absence, be supported.
3. That it be noted that the information captured on the annexures is captured incorrectly.

18/07/CORP13 KOUGA MUNICIPALITY STANDING RULES & ORDER BY LAW

Item withdrawn

18/07/CORP14 SERVICE AND CONSTRUCTION SETA DISCRETIONARY DRANT APPLICATION

Resolved: (26 July 2018)

1. That Council condone the discretionary grant application made by the Municipality which closed on 20 July 2018.
2. That Kelly Damons, the Senior Skilled Development Officer, be granted authority to make the application on behalf of Kouga Municipality.
3. That further investigation be done for possible additions.

16.3 INFRASTRUCTURE & ENGINEERING

18/07/I&E1 NOTARIAL DEED OF SERVITUDE 41/1969: LOMBARDINI GAME FARM INC CC: PTN 1 OF FARM ALOE RIDGE: MR. JOHAN LOTTERING

Resolved: (26 July 2018)

1. That effect to the conditions set out in the Notarial Deed of Servitude as contained in Clause 4, be given.
2. That the drought restrictions imposed by the Nelson Mandela Bay Municipality be applicable and applied to the maximum allocation as and when required, be supported.

18/07/I&E2 KOUGA DAM: IMPLEMENTION OF DROUGHT RESTRICTIONS FOR WATER YEAR 2018/2019

Resolved: (26 July 2018)

1. That the Council supports the new water restrictions to be implemented on usage from the Kouga Dam.
2. That daily water rationing be implemented in the towns of Patensie and Hankey to ensure compliance with the restricted allocation.
3. That an intensified public awareness campaign with regard to Water Conservation and Demand Management be initiated, public process be implemented on the reduction of 12kilolitres.
4. That the financial implications of the intensified public awareness campaign should form part of the report.

18/07/I&E3 RE: PROGRESS ON CAPITAL PROJECTS (MIG, INEP & OWN FUNDING)

Resolved: (26 July 2018)

1. That the report on the Progress on Capital Projects (MIG, INEP & Own Funding) be noted.

18/07/I&E4 MINISTERIAL ENGAGEMENT BETWEEN THE MINISTER OF WATER & SANITATION WITH MAYORS OF SBDM

Resolved: (26 July 2018)

1. That the report from the Provincial Department of Water and Sanitation be noted.
2. That a report on the current drought status be submitted.

18/07/I&E5 AMENDMENTS TO THE 2018/19 BUDGET – APPROVAL OF UNSPENT FUNDS AS AT 30 JUNE 2018 (INFRASTRUCTURE & ENGINEERING DIRECTORATE)

Resolved: (26 July 2018)

1. That the Executive Mayor recommends that the Council, by resolution taken by the majority of its full number, and in terms of Section 30(2) of the Local Government: Municipal Structures Act No. 117 of 1998 (as amended), read in conjunction with Section 28 of the Local Government: Finance Management Act, Act No 56 of 2003, approves the following amendments to the 2018/19 Capital Budget.

PROJECT	Vote number	
Supply and Delivery of nine (9) One-ton LDV/pick-ups Base models.	20171122982459	Provide R3,910,264
Supply and delivery of two (2) Hi Rise picks.		
On Road cost (registration & licensing Fee)	20170702072819	Provide R16,500
Total		R3,926,764

16.4 **COMMUNITY SERVICES**

18/07/CS1 MONTHLY REPORT COMMUNITY SERVICES: APRIL 2018

Resolved: (26 July 2018)

1. That the monthly report of Community Services Directorate for April 2018 be noted.

18/07/CS2 MONTHLY REPORT COMMUNITY SERVICES: MAY 2018

Resolved: (26 July 2018)

1. That the monthly report of Community Services Directorate for May 2018 be noted.

18/07/CS3 JEFFREYS BAY CARAVAN PARKS

Resolved: (26 July 2018)

1. That the report be noted.
2. That a proper maintenance team be establish for repairs and maintenance of all facilities within the Community Services Directorate.
3. That the Council resolution of 2015 be tabled to the next Council meeting for rescindment.

18/07/CS4 REPORT ON COAST CARE PROJECT (TSWELLA TRADING 88CC)

Resolved: (26 July 2018)

1. That progress report from Tswella Trading 88cc be noted.
2. That Council should approach Businesses to "Adopt A Facility" programme. (PPP)
3. That a proper maintenance team be establish for repairs and maintenance of all facilities within the Directorate Community Services.
4. That the Municipality be constructively involved in future projects.

18/07/CS5 WORLD PLAY DAY EVENT

Resolved: (26 July 2018)

1. That the World Play Day Event report be noted and supported.
2. That the culture of reading through play be encouraged within our Kouga communities.

18/07/CS6 TEENAGE PREGNANCY, CONDOM USAGE AND SEXUALLY TRANSMITTED INFECTIONS AWARENESS CAMPAIGNS HELD IN LUNGISO HIGH SCHOOL, TAXI RANKS AND HUMANSDORP COUNTRY CLUB

Resolved: (26 July 2018)

1. That the report on Teenage pregnancy, Condom usage and Sexually transmitted Infections and be noted.

18/07/CS7 TRADITIONAL CIRCUMCISSION REPORT JUNE/JULY 2018 SEASON

Resolved: (26 July 2018)

1. That the report on the traditional circumcision June 2018 season for Kouga Municipality be noted and supported.

18/07/CS8 PUBLIC BOAT LAUNCHING SITES IN THE KOUGA AREA

Resolved: (26 July 2018)

1. That the report on the status quo of all boat launching sites, be noted.
2. That the matter be investigated and an application to renew all the licenses of the launching sites and other possible sites be initiated.

3. That Coast Care be requested to erect ablution facilities on the launching sites as part of their program.

18/07/CS9 PROPORTIONING OF INCOME AT THE DRIVING LICENCE TESTING CENTRES, VEHICLE TESTING STATION AND REGISTERING AUTHORITY BETWEEN KOUGA MUNICIPALITY AND DEPARTMENT OF TRANSPORT

Resolved: (26 July 2018)

1. That the report on the proportioning of income at the driving licence testing centres, vehicle testing station and registering authority between Kouga Municipality and Department of Transport, be noted.

18/07/CS10 REGISTRATION AND LICENSING SECTION

Resolved: (26 July 2018)

1. That the progress report Registration and Licensing Section and the action plan be noted.

18/07/CS11 AMENDMENTS TO THE 2018/2019 BUDGET – APPROVAL OF UNSPENT FUNDS AS AT 30 JUNE 2018

Resolved: (26 July 2018)

1. That the Executive Mayor recommends that the Council, by resolution taken by the majority of its full number, and in terms of Section 30(2) of the Local Government: Municipal Structures Act No. 117 of 1998 (as amended), read in conjunction with Section 28 of the Local Government: Finance Management Act, Act No 56 of 2003, approves the following amendments to the 2018/19 Capital Budget.

Projects	Vote number	
Supply and Delivery of 240L Wheelie Bins	20180308055737	Provide R500,000

Supply and Delivery of Fire Fighting Vehicle	20171122982465	Provide R1,850,000
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16.5 PLANNING, DEVELOPMENT & TOURISM

18/07/PDT1 RE-ALLOCATION OF APPROVED GRANT-IN- AID FUND

Resolved: (26 July 2018)

1. That Council approves the request submitted by KLTO to redirect the funds of R40 000.00 allocated for J/bay Fest to Winterfest.

18/07/PDT2 TOWN PLANNING PROGRESS REPORT: APRIL – JUNE 2018

Resolved: (26 July 2018)

1. That the content in the town planning progress report be noted.
2. That the building application amount reflected on page 609 of the agenda be included in the recommendation.

18/07/PDT3 MONTHLY PROGRESS OF THE 10 X HUMAN SETTLEMENTS PROJECTS

Resolved: (26 July 2018)

1. That the current status of the Human Settlements Projects be noted.

18/07/PDT4 AMENDMENTS TO THE 2018/19 ANNUAL BUDGET – APPROVAL OF GRANT ALLOCATION FROM THE SARAH BAARTMAN DISTRICT MUNICIPALITY AND DEDEAT

Resolved: (26 July 2018)

That the Executive Mayor recommends that the Council, by resolution taken by the majority of its full number, and in terms of Section 30(2) of the Local Government: Municipal Structures Act, Act No. 117 of 1998 (as amended), read in conjunction with Section 28 of the Local Government: Municipal Finance Management Act, Act No 56 of 2003, approves the following amendments to the 2018/19 Annual Budget.

Projects	Vote number	
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Arts and Creative Industries	To be created	Provide R 250, 000
Lowrie Flower Project	5015050835003	Provide R 65,500

18/07/PDT5 APPLICATION FOR ENCROACHMENT AREA ON A PORTION OF PUBLIC OPEN SPACE (P.O.S) ADJASENT TO ERF 6811, JEFFREYS BAY:

Resolved: (26 July 2018)

1. That Council approve the encroachment of the property adjacent to Erf 6811, Jeffreys Bay, for a period of 4 years and 11 months, for an area of 48 m², where after the contract may be extended for another term.
2. That, the applicant shall where applicable, be required to comply with the National Environmental Act,1998 (Act No. 107 of 1998) to ensure sound environmental management.
3. The Council shall determine the cost of the area of encroachment and all cost pertaining to the encroachment shall be borne by the applicant/encroacher.
4. That the necessary building plans be submitted to the Municipality for approval.
5. The proposed seating area will be limited to 48 m² in total and further encroachments will not be allowed.

The meeting closed at 12:30 for In Committee discussions.



H BORNMAN
SPEAKER

30 August 2018

DATE