

MINUTES OF AN ORDINARY COUNCIL MEETING OF THE KOUGA MUNICIPALITY HELD AT THE KOUGA COUNCIL CHAMBER (JEFFREYS BAY UNIT) ON THURSDAY, 30 AUGUST 2018 AT 10:00
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PRESENT: Councillors

H Bornman	(Speaker)
H Hendricks	(Executive Mayor)
B Williams	
D Benson	
F Baxter	
FJ Campher	
BF Rheeder	(Alderman)
DM Nkomo	
L Vorster	
FJ Louw	
NS Botha	
B Dhludhlu	
WPD Gertenbach	
W Coenraad	
R Jantjies	
T Jantjes	
D Biggs	
P Nkwalase	
J Mayoni	
C Mandeka	
M Peters	
A Mabukane	

**Officials &
Municipal Manager**

C du Plessis	(Municipal Manager)
K Moodley	(Director: Corporate Services)
S Thys	(CFO)
F Mabusela	(Director: Planning, Dev & Tourism)
N Machelesi	(Director: Community Services)
V Felton	(Director: I&E)
A Koegelenberg	(Manager: PMS)
L Opperman	(Manager: Legal Services)
D de Jager	(Manager: Human Resources)
L Makupula	(Committee Services)
B Klopper	(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 Cllr Mabukane to open the proceedings with a prayer.

3. **LEAVE OF ABSENCE**

T Meleni	- with leave of absence
E Februarie	- with leave of absence
V Camealio-Benjamin	- with leave of absence
V Vumazonke	- without leave of absence
S Jujwana	- without leave of absence
M Dayimani	- with leave of absence
C Matroos	- with leave of absence

4. **PRESENTATION**

None

5. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

None

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

None

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

The Executive Mayor reported on the following:-

Title Deeds handed over to Government Housing Beneficiaries

- Kwanozamo – 143
- Hankey & Patensie – during September and envisaged to complete all handovers by end of September 2018;

Levels of surrounding dams

- Kouga Dam – 6,76%
- Churchill Dam – 16%
- Mpofu Dam – 27%

No support from Department Water & Sanitation in terms of the drought disaster areas resulting in no support outside Kouga area. Private sector supporting areas regarding donations of water of areas in need. Water delivered to all drought areas in Kouga.

Collective measures and actions to be in place not to reach day 0. Reservoirs are full due to boreholes connected in Hankey.

Appointments made: Town Planner & Waste Manager.

In conclusion, the Executive Mayor stated that KM was on-route to become a Municipality of Excellence and expressed gratitude to all in reaching the goals attained to the betterment of the community.

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

None

9. **REPORT BACK: MUNIMEC**

None

10. **DECLARATION OF INTEREST**

None

11. **STATUTORY MATTERS**

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

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

12.1 The Minutes of an Ordinary Council Meeting held on 26 July 2018 were confirmed and accepted.

Proposed: R Jantjies

Seconded: B Dhludhlu

12.2 **MATTERS ARISING**

18/07/I&E **KOUGA DAM: IMPLEMENTATION 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/CS3 JEFFREYS BAY CARAVAN PARKS

Resolved (26 July 2018)

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

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).

13.1 MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

18/08/MPAC1 MUNICIPAL PUBLIC ACCOUNTS COMMITTEE RECOMMENDATION FOR CONSIDERATION

Item dealt with under the Confidential Section of the Agenda under item **18/08/MPACC2**

18/08/MPAC2 MINUTES OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

Item dealt with under the Confidential Section of the Agenda under item **18/08/MPACC3**

18/08/MPAC3 WRITE-OFF OF IRREGULAR EXPENDITURE

Resolved (30 August 2018)

1. That in accordance with Section 32(2)(b) of the MFMA, the irregular expenditure incurred during the financial years stated below, be certified as irrecoverable and be written off:

- 2010/11 Financial year : R 3 718 462
- 2011/12 Financial year : R 10 129 647.63
- 2012/13 Financial year : R 20 019 913.81
- 2014/15 Financial year : R 24 681
- 2015/16 Financial year : R 319 609.37

2. That the Municipal Manager ensures compliance with the Municipal Supply Chain Management Regulations, the Municipal Supply Chain Management Policy and the Preferential Procurement Regulations, in order to prevent a recurrence of instances of irregular expenditure.

13.2 **KOUGA AUDIT COMMITTEE**

18/08/KAC1 REPORT OF KOUGA AUDIT COMMITTEE CHAIRPERSON FOR 2016/2017 FINANCIAL YEAR

Resolved (30 August 2018)

1. That the report of the Kouga Audit Committee Chairperson for 2016/2017 Financial Year be noted.
2. That it be noted that all future reports by the Kouga Audit Committee Chairperson be dealt with under the Office of the Municipal Manager.
3. That the Chairperson of the Kouga Audit Committee be invited to attend Council meetings, as an observer, when Audit Committee reports are tabled.

18/08/KAC2 AUDIT COMMITTEE CHARTER

Resolved (30 August 2018)

1. That the item be referred to a Special Council meeting to be determined.

14. **REPORTS BY THE OFFICE OF THE MUNICIPAL MANAGER**

18/08/MM1 RESOLUTIONS FOR JULY 2018 (COUNCIL)

Resolved (30 August 2018)

1. That updated Action Sheets reflecting resolutions of Council for 26 July 2018 be referred to the next Special Council meeting for discussion.

15. **REPORTS BY THE EXECUTIVE MAYOR**

15.1 **FINANCE**

18/08/F1 **MONTHLY BUDGET STATEMENTS FOR THE MONTH OF JULY 2018 AND FINANCIAL STATE OF AFFAIRS OF THE MUNICIPALITY AS AT 31 JULY 2018 (2018/19 FINANCIAL YEAR)**

Resolved (30 August 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 monthly budget statements be accordingly submitted to Provincial Treasury as stipulated in Section 71(1) of the MFMA.
3. That Council takes note that creditors are understated as not all invoices received from suppliers are being processed upon receipt and are not being reflected as 30 days and over creditors.
4. That the section 71 reports be signed by the Executive Mayor, before submission to Provincial Treasury.

18/08/F2 **SUPPLY CHAIN MANAGEMENT/ STORES: S36 DEVIATIONS, S36 DEVIATIONS FOR THE 2017/18 FINANCIAL YEAR AND MONTHLY TENDERS FOR JULY 2018**

Resolved (30 August 2018)

1. That the report on the Section 36 Deviations and Monthly Tenders for the month of July 2018; and Section 36 deviations relating to the 2017/18 financial year, be noted.
2. That the report be submitted to Council for approval as per the reporting requirements.
3. That the award to Telkom for the procurement of mobile devices for officials, be referred to MPAC for further investigation to undertake an internal audit within 30 days to establish whether the procurement process followed was compliant.

18/08/F3 **KOUGA MUNICIPALITY: SUPPLY CHAIN MANAGEMENT ANNUAL REPORT FOR THE FINANCIAL YEAR ENDED 30 JUNE 2018**

Resolved (30 August 2018)

1. That the Supply Chain Management Annual Report for the financial year ended 30 June 2018, be noted.

18/08/F4 **ATTENDANCE OF FINANCE PORTFOLIO COMMITTEE MEETINGS BY THE MUNICIPAL MANGER AND DIRECTORS**

Resolved (30 August 2018)

1. That the Municipal Manger and Directors attend all the scheduled meetings of the Finance Portfolio Committee.

18/08/F5 **KOUGA MUNICIPALITY'S CUSTOMER CARE, CREDIT CONTROL AND DEBT COLLECTION BY-LAW**

Resolved (30 August 2018)

1. That the Customer Care, Credit Control and Debt Collection By-Law, be adopted.
2. That the adopted Customer Care, Credit control and Debt Collection By-Law be promptly published in the Provincial Gazette and placed on the Kouga Municipality Website.

15.2 **CORPORATE SERVICES**

18/08/CORP1 **SERVICE DELIVERY BUDGET IMPLEMENTATION PLAN: 2018/19 FINANCIAL YEAR**

Resolved (30 August 2018)

1. That the Service Delivery and Budget Implementation Plan which includes the Repairs and Maintenance Plan for the 2018/19 financial year as approved by the Executive Mayor be noted.
2. That the Municipal Manager oversees the quarterly submission of departmental progress reports to Council on the implementation of the Services Delivery and Budget Implementation Plan.

3. That Directors prepare Departmental SDBIP's in support of the achievement of the Institutional objectives as defined in the Institutional SDBIP and the achievement of lower level Departmental targets and objectives to ensure the rollout of performance management to Line Managers and Employees at the supervisory level.

18/08/CORP2

REVIEW OF THE ORGANISATIONAL STRUCTURE 2018/2019

Resolved (30 August 2018)

1. That the Organisational Structure be approved for implementation with effect 1 September 2018 with the following amendments: -
 - a) That Ward Assistants report directly to the Public Participation Officers be indicated on the Organisational Structure;
 - b) That the Ward Assistants stipends referred to on the Organisation Structure be removed and to indicate contractual;
2. That the filling of positions be prioritised subject to budgetary provision.
3. That Council prioritize the filling of vacant attrition general worker positions on or before December 2018.
4. That the Critical Vacancy Committee be resuscitated to establish the new list of critical vacancies.

18/08/CORP3

FIRST DRAFT ANNUAL REPORT (2017/2018)

Resolved (30 August 2018)

1. That the First Draft Annual Report for the 2017/2018 financial year be noted in terms of Section 127(1) of the Municipal Finance Management Act (Act 56 of 2003).
2. That the First Draft Annual Report for the 2017/2018 financial year, including the Draft Annual Financial Statements and Annual Performance Report be submitted to the Auditor-General for auditing purposes.
3. That the First Draft Annual Report for the 2017/18 financial year be tabled to the Kouga Audit Committee for consideration.

4. That the Chairperson of MPAC submit dates for MPAC meetings to administration for placement on the monthly calendar in order to enable MPAC to commence with the oversight process.
5. That the 1st Draft Annual Report be made available to the MPAC.

18/08/CORP4

KOUGA MUNICIPALITY – AMENDMENT TO THE CALENDAR OF MEETINGS: 1 JULY 2018 TO JUNE 2019

Resolved (30 August 2018)

1. That the amended Calendar of Meetings for Council Committees for the period 01 July 2018 to 28 June 2019, be adopted.
2. That the amended Calendar of Meetings indicate Portfolio Committee meetings, Mayoral Committee meetings and Council meetings within the six-week cycle, indicating each cycle.

18/08/CORP5

NATIONAL TREASURY CIRCULAR 92: MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

Resolved (30 August 2018)

1. That the content of National Treasury Circular 92 dated 19 April 2018: Municipal Public Accounts Committee and MPAC Guide and Toolkit, be noted.
2. That the Kouga Municipal Public Accounts Committee takes note of the content of National Treasury Circular 92 dated 19 April 2018: Municipal Public Accounts Committee and MPAC Guide and Toolkit for implementation in the execution of the duties and functions of MPAC.
3. That National Treasury Circular 92 dated 19 April 2018: Municipal Public Accounts Committee and MPAC Guide and Toolkit be submitted to the next meeting of the Municipal Public Accounts Committee.

18/08/CORP6

ADOPTION OF THE KOUGA MUNICIPALITY'S SYSTEM OF DELEGATIONS 2018

Resolved (30 August 2018)

1. That Council adopts the System of Delegations, and
2. That all previously adopted Delegation Registers be repealed.
3. That the adopted System of Delegations be effective from date on which Council adopts the System of Delegations.
4. That the Manager: Legal Services make recommendations to Council on delegations to Portfolio Committees.
5. That the Manager: Legal Services make recommendations to Council on delegations to the Chairperson of MPAC.

15.3 **COMMUNITY SERVICES**

18/08/CS1 **NAMING OF THE NEW LIBRARY BUILDING IN SEA VISTA Erf 2601, STEENBRAAS STREET**

Resolved (30 August 2018)

1. That Council approve the name Sea Vista Community Library for the library in Sea Vista, Erf 2601 Steenbraas Street.
2. That the handing over of the facility to the Kouga Municipality by the Kouga Wind Farms at the end of September 2018 be supported.

18/08/CS2 **RENOVATIONS AND ADDITIONS: JEFFREYSBAY PUBLIC LIBRARY: ERF 1389 DIAZ**

Resolved (30 August 2018)

1. That Council condone the move, renovations and additions of the Jeffreys Bay Library from the Main Building to the Ski Boat Club, erf 1389 Diaz Road.
2. That funding for the project to do renovations, provision of furniture, ICT Infrastructure and equipment will be provided for by the Department of Sport, Recreation, Arts & Culture.

3. That it be noted, that the project will be implemented in two phases as follows:

Phase 1- Library Extension and Renovations

Phase 2- The application for the establishment of the Multi-Purpose Centre

4. That on completion and handover of the Jeffreys Bay Public Library, the library be renamed **The Elsa van Lingen Community Library** by Public Participation and that a Service Level Agreement be entered into with the relevant Department.
5. That the Provincial Department be requested to expedite internet services to the library for learners.
6. That it be noted that the Municipal Manager undertook to investigate interim options/measures to provide internet access to the Libraries for learners.
7. That the Director: Community Services be requested to submit a full status report on all libraries in Kouga area to the next Portfolio Committee meeting.
8. That the Director: Community Services be requested to submit the layout building plans for the renovations to the Jeffreys Bay Public Library to the next Council meeting for noting purposes.

15.4 **PLANNING, DEVELOPMENT & TOURISM**

18/08/PD&T1

REPORT ON BIGM MISSION 10-21 SEPTEMBER 2018

Resolved (30 August 2018)

1. That the planned BIGM Mission over the period 10-21 September 2018, as outlined in the report, be endorsed by Council.
2. That it be noted that workshops will be held over a period of 3 days involving Portfolio Councillors and requested that all Ward Councillors be available when visiting the respective areas.

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



H BORNMAN
SPEAKER

18 September 2018

DATE