

**MINUTES OF AN ORDINARY COUNCIL MEETING OF THE KOUGA MUNICIPALITY HELD
AT THE KOUGA COUNCIL CHAMBER (JEFFREYS BAY UNIT) ON
WEDNESDAY, 25 APRIL 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	
	FJ Louw	
	B Carstens	
	NS Botha	
	B Dhludhlu	
	WPD Gertenbach	
	W Coenraad	
	D Biggs	
	M Dayimani	
	C Matroos	
	P Nkwalase	
	J Mayoni	
T Meleni		
V Vumazonke		
E Februarie		
S Jujwana		
C Mandeka		
M Peters		
Officials & Municipal Manager	C du Plessis	(Municipal Manager)
	K Moodley	(Director: Corporate Services)
	S Thys	(CFO)
	V Felton	(Director: I&E)
	N Machelesi	(Director: Community Services)
	C Dreyer	(Manager: IDP)
	K Marais	(Acting Director: P&D)
	M Sobele	(Communications Officer)
	L Opperman	(Manager: Legal Services)
	M Jantjies	(Committee Services)
B Klopper	(Committee Services - Scribe)	

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 Dhludhlu to open the proceedings with a prayer.

3. **LEAVE OF ABSENCE**

Cllr Mabukane - with leave of absence
V Cameallo-Benjamin - with leave of absence

4. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

None

5. **OPENING STATEMENT BY THE SPEAKER**

Someone recently reminded me of a quote by Mike Tyson saying: -

"Everyone has a plan, until they get punched in the face".

As a Municipality we have been punched in the face by some very sad and unfortunate circumstance through the passing of our late Executive Mayor, Elza van Lingen. I don't know wo of you enjoy boxing but you have few choices when you get punched in the face: -

- You fall down, cry and give up;
- You start defending, scared that you will be hit again;
- You start swinging and make sure you hit back harder than you just got hit, or
- You realise your plan is not what is important or why you are boxing;

We can plan as much as we like, we can do all the strategic thinking we want, we can work harder and do more but if we don't change our belief it is all for nothing. Real change, real transformation is not about behaviour but about belief. What do you, sitting here believe about Kouga? Do you believe it can be a better place? Do you believe we can be the best Municipality in the country, with the best service to all people that live here?

If you don't believe that, then you need to ask yourself what you are doing here in the first place. If you do, only then change can start to happen and the plans we made can start bearing fruit.

So, I ask you today to remind yourself why you are here, what you believe because life is short. The people out there, the people that need and depend on our services couldn't care less about our politics. They want and deserve the best services we can possibly give them so I urge you that when you speak in this Chamber, let it be with that in mind. Let us not make political speeches in here where no one hears them. Let us debate matters that have value to our communities.

- We have more than 3000 bucket toilets in Kouga, we all agree that this is not right so let's debate and plan how we are going to fix it.
- We have many people that need houses in Kouga, let's debate and plan how we will get more land;
- We have children struggling with education, let's debate and plan how to support our schools, not drive politics in there. Our children are ones that suffer;
- We have thousands of people who don't have jobs, let debate and plan how we will change that;

So let us work together in this Chamber as one Council. To make decisions that we believe is right for all the people of Kouga.

May we lead with the believe that this could not only be a better place but the best place.

We may get punched in the face some more but let's not be driven by nice plans, let's be driven by what we believe.

Believe in what is right,
 Believe in the goodness of people,
 Believe that our purpose here is to make our municipality the best place to live because real change, real transformation doesn't start with behaviour, it starts with what we believe.

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

The Executive Mayor advised that the Public Participation Process regarding the Draft IDP is currently taking place in all Wards and urged that Ward Councillors and the respective community participate in the process and that it be supported.

The Executive Mayor also thanked the ANC component for the well-disciplined and organised march which took place on 24 March 2018, led to the Kouga Municipality.

The Executive Mayor announced the Mayoral Committee: -

Cllr B Williams	-	Finance
Cllr F Campher	-	Infrastructure & Engineering
Cllr B Dhludhlu	-	Planning & Development
Cllr D Benson	-	Community Services
Cllr F Baxter	-	Corporate Services

The Executive Mayor stated that there is a vacancy at present but will not be filled at this stage.

Cllr Februarie pointed out that the agenda which was distributed stated "Acting Speaker".

The Speaker explained that at the time of the agendas distributed to all Councillors on 19 April 2018, to comply with the Rules of Order, the positions were still Acting as the appointment of a Speaker and Executive Mayor was made at the Special Council meeting held on 20 April 2018.

The Speaker further stated the following:-

Notice of Council meeting emailed	-	18 April 2018
Broadcast list & messaging notification	-	18 April 2018
Council agenda emailed	-	19 April 2018
Broadcast list & messaging notification	-	19 April 2018

Only one request for a hardcopy of the Council Agenda was received. At the previous Council meeting it was stated that electronic copies of the agenda will be distributed and only hardcopies will be made available on request 4 days prior to the meeting to allow Administration enough time to deliver.

Cllr Dayimani requested the former Speaker to amend the Standing Rules of Order by re-looking at the distribution of meeting notices and timeframes.

Submission of items referred to Council need to have deadlines – Administration to address the timeous submission of items with due dates.

Resolved (25 April 2018)

1. That all Council Committee agendas be distributed electronically with effect 1 May 2018.
2. That hardcopies of Council Committee agendas be requested in writing, if required, timeously to allow for the distribution of agendas by Administration.

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**

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

- 11.1 The Minutes of an Ordinary Council Meeting held on 23 March 2018 were confirmed and accepted.

Proposed: D Benson

Seconded: F Baxter

- 11.2 The Minutes of a Special Council Meeting held on 29 March 2018 were confirmed and accepted.

Proposed: B Dhludhlu

Seconded: B Williams

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).

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

13.1 **MUNICIPAL PUBLIC ACCOUNTS COMMITTEE MINUTES**

Resolved (25 April 2018)

1. That the minutes dated 9 February 2018 be referred back to the MPAC.
2. That the MPAC be requested to submit a report with recommendations to the next Council meeting for consideration.

13.2 **KOUGA AUDIT COMMITTEE**

Resolved (25 April 2018)

1. That the minutes 23 November 2017 be referred back to the Kouga Audit Committee.
2. That the Kouga Audit Committee be requested to submit a report with recommendations to the next Council meeting for consideration.

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

18/04/MM1 RESOLUTIONS FOR MARCH (COUNCIL)

Resolved (25 April 2018)

1. That the updated Actions Sheets reflecting resolutions of Council Meetings for March 2018 be accepted.
2. That it be noted that the outstanding reports from all Directorates are to be submitted to their respective Portfolio Committee meetings.
3. That the following budget related reports be placed on the agenda of the Budget Steering Committee meeting to be held on 4 May 2018:-
 - Implementation strategy to reduce non-technical and technical electricity losses;
 - Implementation strategy to reduce water losses;
 - Implementation strategy to collect traffic fines;
 - Implementation strategy to contain personnel expenditure;
 - Maintenance Plans;
 - Draft Procurement Plan for 2018/2019;
 - Revenue Enhancement Strategies;
 - Overview of 2018/2019 Draft Budget;
4. That it be noted that the Estuary Management Plan and Seekoei Maintenance Plans which were adopted on 29 March 2018 (18/03/I&E1) have been submitted to DEDEAT and is in the process of being advertised and Gazetted.
5. That a comprehensive report on all unspent funds on the 2017/2018 budget as well as strategic measures to be implemented to increase the collection rate be submitted to the Budget Steering Committee to be held on 4 May 2018 as contemplated above.

18/04/MM2 SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN: 2017/18 FINANCIAL YEAR: AMMENDMENT OF SDBIP TARGETS FOLLOWING THE MID-YEAR PERFORMANCE ASSESSMENT

Resolved (25 April 2018)

1. That the item be withdrawn and that an updated SDBIP be submitted Council in line with the Mid-Year budget adjustment.



15. **REPORTS BY THE EXECUTIVE MAYOR**

15.1 **FINANCE**

18/04/F1 **MONTHLY BUDGET STATEMENTS FOR THE PERIOD JULY 2017 TO MARCH 2018 AND FINANCIAL STATE OF AFFAIRS OF THE MUNICIPALITY AS AT 31 MARCH 2018 (2017/18 FINANCIAL YEAR)**

Resolved (25 April 2018)

1. That the Municipal Manager's report on the monthly budget statements, in accordance with Section 71(1) of the Municipal Finance Management Act, be noted.
2. That the monthly budget statements be submitted accordingly to Provincial Treasury as stipulated in Section 71(1) of the MFMA.
3. That the following concerns raised be referred to the Budget Steering Committee: -
 - Measures to be implemented to increase the collection rate;
 - Financial implications (loss) in terms of illegal electrical connections regarding bulk electrical purchases;
 - Underspending on budget regarding infrastructure i.e. repairs and maintenance;
 - Measures to provide electrical connections in formal housing areas to avoid illegal electrical connections;

18/04/F2 **BUDGET AND TREASURY: WITHDRAWALS FROM MUNICIPAL BANK ACCOUNT FOR THE QUARTER ENDED 31 MARCH 2018**

Resolved (25 April 2018)

1. That the withdrawals that were made in terms of Section 11(1) (b) to (j) of the MFMA for the quarter ended 31 March 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.



18/04/F3

**SUPPLY CHAIN MANAGEMENT/ STORES: MONTHLY TENDERS, S39
DEVIATIONS AND 7 DAY NOTICES FOR THE PERIOD FROM NOVEMBER
2017 – JANUARY 2018**

Resolved (25 April 2018)

1. That the report on the monthly tenders, Section 39 Deviations and 7-day Notices for the period November 2017 to February 2018, be noted.
2. That the report be approved by Council as per the Reporting requirements.
3. That it be noted that Service Providers are awarded and appointed but due to the delay of approved MIG funding on projects, deviations occur.

18/04/F4

**MEETING SCHEDULE FOR THE BUDGET PERFORMANCE MONITORING
COMMITTEE**

Resolved (25 April 2018)

1. That the following schedule of meetings be approved, for the Budget Performance Monitoring Committee, for inclusion in the Council Calendar of Meetings:
 - 06 April 2018
 - 26 April 2018
 - 25 May 2018
 - 22 June 2018
 - 27 July 2018
 - 24 August 2018
 - 21 September 2018
 - 26 October 2018
 - 23 November 2018
 - 21 December 2018

18/04/F5

**TERMS OF REFERENCE AND MEETING SCHEDULE FOR THE REVENUE
ENHANCEMENT TASK TEAM**

Resolved (25 April 2018)

1. That the following Terms of Reference of the Revenue Enhancement Task Team, be approved.
 - To consider reports on the implementation of the Revenue Enhancement Plan.
 - To monitor the implementation of the Revenue Enhancement Plan.



- To review the Revenue Enhancement Plan, in order to improve revenue collection performance.
 - To recommend steps for implementation, to timeously rectify under-performance.
 - To report to the Finance Portfolio Committee, in the first instance, on its activities.
2. That the following schedule of meetings be approved, for the Revenue Enhancement Task Team, for inclusion in the Council Calendar of Meetings.
- 05 April 2018
 - 11 May 2018
 - 8 June 2018
 - 13 July 2018
 - 10 August 2018
 - 14 September 2018
 - 12 October 2018
 - 9 November 2018
 - 14 December 2018

18/04/F6 BID COMMITTEE MINUTES

Resolved (25 April 2018)

1. That the minutes of the various Bid Committee Meetings, be noted.
2. That Portfolio Councillors report back on the procurement of tenders affecting their Directorate to the respective Portfolio Committee meetings.

18/04/F7 APPROVAL OF COUNCIL POLICIES – REVISED IN NOVEMBER & DECEMBER 2017

Resolved (25 April 2018)

1. That the Policy and Procedures for the Disposal of Immovable Assets be approved.
2. That in the case of a direct lease of immovable property to registered social care organisations/institutions, sports/public facilities or registered non-profit organisations, the rental shall be determined by the Accounting Officer, taking into consideration the community value of the lease, be approved.



15.2 CORPORATE SERVICES

18/04/CORP1 REPORT ON VISIT BY PRINCE EDWARD COUNTY DELEGATION TO KOUGA MUNICIPALITY: 10-23 MARCH 2018 - BIGM

Resolved (25 April 2018)

1. That the report be noted with appreciation to SALGA, FCM & PEC.
2. That the project definition **“The Development of a LED Strategy which seeks to benefit the vulnerable groups and is informed by inclusive engagement with all role-players”** be adopted by Council for implementation over the next 2 years.
3. That that BIGM project and the project definition be expressed in the Final IDP and Budget.
4. That the Municipality commit to the achievement of the project and the partnership.

15.3 COMMUNITY SERVICES

18/04/CS1 CLIMATE PARTNERSHIP SECOND MISSION: ILSFELD MUNICIPALITY GERMANY VS KOUGA MUNICIPALITY SOUTH AFRICA (03-10 FEBRUARY 2018)

Resolved (25 April 2018)

1. That the report back of the second mission by our Germany Partner Municipality, Ilsfeld from 3rd -10th February 2018 to the Kouga area be noted and supported.
2. That the envisaged, identified projects between the two municipal partners be noted.
3. That it is anticipated that the planning and funding of the projects will be finalized for implementation by October 2019 and are to be reflected on the Integrated Development Plan, be accepted.
4. That the third mission envisaged visiting dates by Kouga to Ilsfeld in August/September 2018 be supported and approved.
5. That any recommendations arising from this report be forwarded to the Mayoral Executive Committee for further consideration.
6. That a Climate Change Steering Committee be established.
7. That the Committee Members of the Environmental



Management Committee serve on the Committee as contemplated above (6) until such time of the establishment of the Climate Change Committee.

8. That it be noted that the financial implications are subject to the foreign exchange rate at the time of implementation.
9. That the following projects be included on the IDP:-
 - Development of the natural spring of Kruisfontein in Humansdorp;
 - Rain water harvesting -Kouga;
 - Interlinking of Kouga's bulk water supply systems;
 - Small Business Enterprises;

15.4 **PLANNING, DEVELOPMENT & TOURISM**

18/04/PD&T1 ESTABLISHMENT OF HOUSING COMMITTEES IN WARDS FOR HOUSING PROJECTS IN THE KOUGA MUNICIPAL AREA **Resolved (25 April 2018)**

1. That the establishment of Housing Committees in Wards where housing projects are taking place in terms of Section 79 of the Local Government: Municipal Structures Act, Act. 117 of 1998 be approved.
2. That the Draft Terms of Reference be drafted and submitted for approval and implementation.
3. That the Terms of Reference, Powers, Functions and Delegations be reviewed annually and that all amendments and / or additions be subject to Council's final approval.

The meeting closed at 10:50 for In Committee discussions.



H BORNMAN
SPEAKER

31 May 2018

DATE
