MINUTES OF AN ORDINARY COUNCIL MEETING OF THE KOUGA MUNICIPALITY HELD AT THE KOUGA COUNCIL CHAMBER (JEFFREYS BAY UNIT) ON TUESDAY, 11 DECEMBER 2018 AT 10:00

PRESENT: Councillors	H Bornman	(Speaker)
	H Hendricks	(Executive Mayor)
	D Benson	
	F Baxter	
	FJ Campher	
	B Williams	
	BF Rheeder	(Alderman)
	DM Nkomo	
	L Vorster	
	F Louw	
	NS Botha	
	B Dhludhlu	
	WPD Gertenbach	
	R Jantjies	
	T Jantjes	
	C August	
	P Nkwalase	
	J Mayoni	
	C Mandeka	
	M Peters	
	A Mabukane	
	V Camealio-Benjamin	
	M Dayimani	
	C Matroos	
	T Meleni	
	V Vumazonke	
	E Februarie	
	S Jujwana	

Officials & Municipal Manager	C du Plessis	(Municipal Manager)
	S Thys	(CFO)
	F Mabusela	(Director: Planning, Dev & Tourism)
	N Machelesi	(Director: Community Services)
	V Felton	(Director: I&E)
	L Opperman	(Manager: Legal Services)
	D de Jager	(Manager: Human Resources)
	L Randal	(Media Liaison Officer)
	M Jantijies	(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 R Jantjies to open the proceedings with a prayer.

Cllr Dayimani stated that in terms of the Rules of Order adopted by Council on 18 September 2018, that not all Councillors were adhering to the Rules of Order regarding the Dress Code when attending Council meetings. Cllr Dayimani requested that the House follow the proceedings as per the Rules of Order and referred to the Rules of Order:-

53. Dress code

53.1 Council may by resolution prescribe a dress code for Councillors and traditional leaders attending meetings.

53.2 Notwithstanding the provisions of any resolution passed in accordance with Rule 53.1, no Councillor or member of the public shall be allowed to wear any clothing or accessory containing party political regalia to any meeting of Council or its committees.

3. **LEAVE OF ABSENCE**

None

4. **PRESENTATIONS**

4.1 **BUILDING GREEN INCLUSIVE MUNICIPALITIES: DIRECTOR: PLANNING, DEVELOPMENT AND TOURISM**

OUTLINE

- Section1: Reflections on the November Mission
- Section 2: Business Retention & Expansion Programme for Kouga LM
- Section 3: Counclusion

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Meeting with Economic Development Commission

LESSONS LEARNED

- Developing Local Economic Development approaches based on successful international programmes.
- Importance of Real life experience ***(Work Shadowing***) in project management, communication, problem solving, and intercultural learning – things that traditional professional development activities seldom replicate.

KOUGA & PEC REPRESENTATIVES

(Left front row*: Mayor elect Cllr Ferguson, Kouga Speaker-Cllr. H Bornman; Outgoing Mayor- ; Director : Kouga PD& T – Ms. FF Mabusela)*

Left Back row: Director : PEC CDD (Neil Carbone); MM; LED Officers (Mr. V Yake & X Wagosa

Prince Edward County – Council Induction

Kouga Municipal Speaker Councilor H. Bornman presenting to newly elected PEC Council strategic value of Kouga – PEC partnership.

Mrs. F Mabusela: Director - Planning, Development & Tourism presenting to newly elected PEC council progress made Kouga and PEC inception of BIGM

Business Retention and Expansion Interviews

KEY LESSONS:

- Importance of having a BR+E programme for sustainable Local Economic Development.
- BR+E empowers the Municipality to plan, formulate and implement strategies that will encourage the economic growth and social development

KOUGA EMPLOYEES SHADOWING PEC STAFF IN CONDUCTING BR+E INTERVIEWS

Destination Marketing & Development

LESSONS LEARNED

- Stakeholder engagement for effective destination marketing.
- Successful Destination Marketing relies on solid community and municipal relationship.
- Destination Marketing Process is best internally driven.

Prince Edward County Destination Marketing Advisory Committee

Tourism Ambassador Training

LESSONS LEARNED

- Local Community play a critical role in promoting tourism and should be trained as good will ambassadors for local tourism.
- Developing Local content for Tourism Ambassadors Training.

KOUGA MUNICIPAL STAFF TAKING PART IN TOURISM AMBASSADOR TRAINING PROGRAMME

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BUSINESS RETENTION & EXPANSION

- Identified as key activity in March 2018 Mission.
- The purpose of a BR+E program is to **identify local business issues**, concerns and potential opportunities that local government, agencies and other stakeholders **can address proactively.**
- The professionals who administer this program engage with the existing business base to retain and create investment and jobs in their communities.

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BR& E Engagements with Provincial Dept. Agriculture, Rural Dev and Food .

Why BR& E Program??

Existing businesses are major contributors to the local government's tax base, and they also provide jobs for local residents.

As the local economy becomes a global economy, making sure that businesses are operating at optimum capacity becomes a main priority for local economic development professionals.

Conducting a BR&E program provides local government with a specific understanding of the needs and wants of vital businesses.

Base line information for Economic Development Strategy, LED Programs & Strategies, Town planning By-Laws and policies, Strategic Objectives of KLM.

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BUSINESS RETENTION & EXPANSION PROGRAMME
What is it exactly?

- One on one interviews with individual business owners/managers.
- Collects tombstone information about the business.
- Collects information about businesses' opportunities, challenges, workforce, industry outlook, sales, marketing, training, trends, future plans and potential impacts.
- Provides insight into entire sectors or industries within the community.
- Allows the municipality to measure changes in responses over time, in order to evaluate the effects of policy changes and other initiatives on the business climate.

BENEFITS OF BR+E

- Meaningful consultation with local business; business community feels engaged and heard.
- Tombstone information allows a municipality to develop a database of businesses for various purposes.
- Relationship-building with individual business owners & managers.
- Excellent data from which to derive policy; difficult to argue against BR+E reporting.
- Allows you to share reports with the community.
- Allows you to focus policy on areas of highest value; evidence-based decision making.
- Acts as a call to action for local business; promotes buy-in and support for programs and activities.

How will KLM implement BR&E?

- The BR& E is based on a four stage, 12 steps process.
- Theme *“ **Kouga LM cares, Let’s talk business”.***
- +50 businesses in / supporting Tourism sector.
- Will invite academic support/ DEDEAT to participate as team support.
- Monkey Survey (data analysis).
- Annual programme BR&E

Stage 1: Preparation (Dec-Jan)

Step	
Step 1	Assess Community Readiness and Form a Team
Step 2	Design the Project (Identify sector & develop Questionnaires)
Step 3	Launch the BR+E programme through the media (Stakeholder Buy-In & participation)
Step 4	Train your Interviewers

Stage 2: Collect and Analyze (Feb-March 2019)

Step 5 Conduct Business Interviews

Step 6 Address Immediate Concerns and Opportunities

Step 7 Data Analysis

Stage 4: Develop Goals and Action Plans (March-April)

Step 8

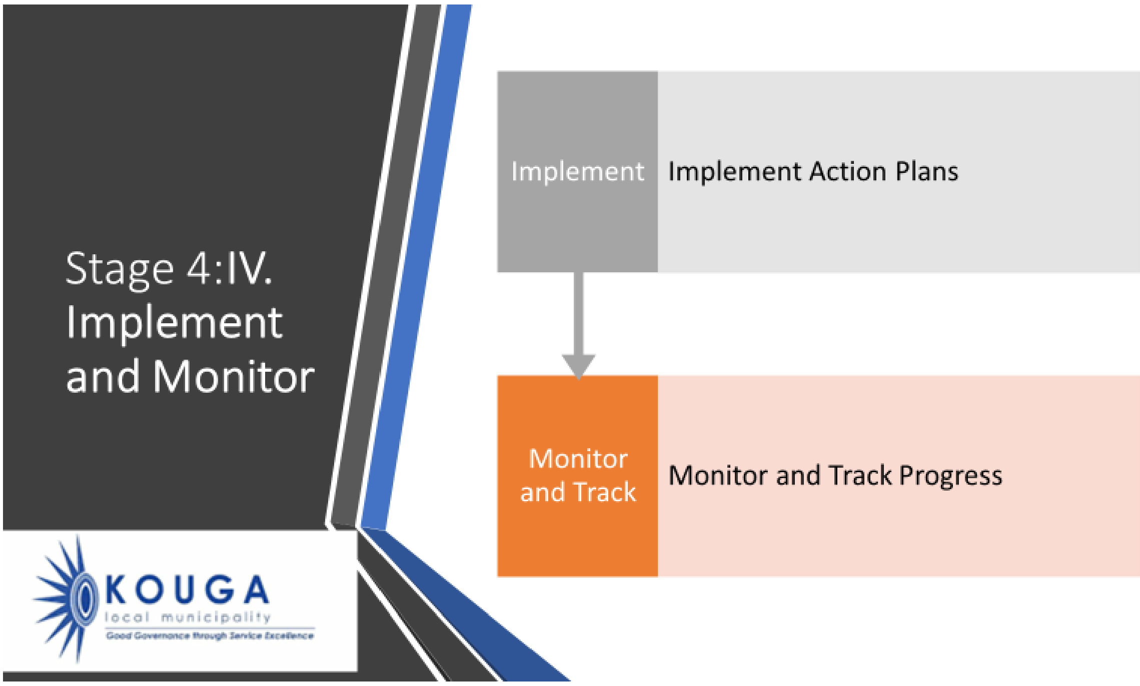
- Host BR+E Task Force Retreat

Step 9

- Prepare Final Report and Action Plan

Step 10

- Communicate Results



Conclusion

- Council support the BR&E program launch.
- Support BR&E as LED Flagship Program (annually).
- Assist with business listing
- Share our excitement!

<u>Questions</u>

- Expenses;
- KM Tourism Client;
- Placement of Ambassadors on whose account;

<u>Response</u>

- Expenses paid by Government of Canada;
- Businesses in Tourism – Shortlisting and appointment of 8 Ambassadors done by the Department of Tourism;
- Placement of Ambassadors paid from budget of Department Tourism – action plan where placements are done over festive season – 8 Tourism Agencies provided by Province.

4.2 AMAZA DEVELOPMENT: EASTER CAPE PROVINCIAL GOVERNMENT BROADBAND ROLLOUT

Province of the EASTERN CAPE OFFICE OF THE PREMIER

AMAZA DEVELOPMENT

EASTERN CAPE PROVINCIAL GOVERNMENT (ECPG) BROADBAND ROLLOUT

N-RFP1819-262

Background

The Eastern Cape Provincial Government has appointed Liquid Telecom for the provision of Broadband Connectivity in the Eastern Cape Province. The contract was formally awarded to Liquid Telecommunications as per Treasury Regulation Section16A.6 – participation of the Eastern Cape Government under RFB1161/2013.

Introduction of the project

The Eastern Cape Provincial Government (ECPG) is the process of accelerating the rollout of broadband services throughout all the District Municipalities of the Eastern Cape Province and to all ECPG facilities, namely; public schools, public hospitals and clinics, social development centres, and ECPG corporate / administrative offices.

This is a mega project aimed at ensuring that our province also take part in the Fourth Industrial Revolution. The OTP fills that this project is the first step in the right direction. While the service is primarily to connect the ECPG facilities, it is our intention to ensure that any excess bandwidth is made available to the public.

Role Players

- The Eastern Cape Office of the Premier is the sponsor and project owner.
- Liquid Telecom is the company appointed last year (2017) to implement the broadband to government facilities (sites).
- It is an international company that has a foot print in many African Countries
- They are one of the leaders in IT space, coverage telecommunication
- Network etc.
- Amaza Development is the support sub consultants appointed by LT to manage
- stakeholders and conduct Institutional Development Facilitation.

Project Status

- The project is in the pre- construction stage.
- Finalization of technical input, pending site verifications.

- Further to this, the ECPG desires to involve unemployed youth of the Eastern Cape in the establishment of these services by providing successful candidates a one-week employment opportunity to verify site location and other critical information necessary for the successful rollout of broadband services within the whole Province.
- LT will appoint two Unemployed Graduates from each ward in the Province. The two candidates must meet the following criteria:
    1. SA Citizen
    2. Diploma / Degree in Information Technology or Electrical Engineering.
    3. Youth under the age of 35 years.
- To select successful candidates for this one-week employment opportunity, we need the assistance of all the Local Municipality's Municipal Managers and Ward Councilors in the identification process.
- We trust that this initiative to co-opt the unemployed youth of the Eastern Cape in the Delivery of broadband services throughout the 8 District Municipalities of the Eastern Cape.

Budget

- It is the Provincial project of 2.8 Billion that will cover the will the entire Eastern Cape Province.
- Nelson Mandela Metro budget will be ascertained once all the sites are verified.
- Also, the ward budget will be confirmed on completion of the site variation process.
- At the moment the interested companies should prepare themselves and the budget will be released once the entire site have been verified and costed.

Roll out

The full project roll out will be done in phases:

1. Stakeholder Engagements,
2. Pre-construction Phase – Site Verifications and Identification
3. Construction Phase

Benefits of the project

- Improved network coverage for all department and government institutions.
- Easy and quicker work for officials in various department that translate to
- Better service delivery to the end users/ communities.
- Jobs will be created for local communities.

- Local business (SMMEs and Big) will also participate.
- Identify in the community's young IT specialist, Engineers, technicians who will be trained or provided with experiential training in their field of study.

Public Awareness

This a very good initiative, more especially now that we are in the 4th industrial Revolution, but we know that the internet can be utilized by criminals to cause harm and distress to the citizens of our Province. Hence, we plead with the authorities to caution and make the community aware of: e.g.

1. the cyber criminal syndicates, hacking of banking accounts, social media bullying, etc.
2. Viewing of explicit content – visiting pornographic sites and that the whole society is faced with.

We must utilize this service for the betterment of our lives.

For more information and enquiries:

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Way forward

- 3 Public meetings to be co-ordinated;
- Ward Councillors to arrange meeting with SMME's in respective Ward;
- Skills in community to be identified in terms of criteria;
- Ward Councillors to assist in updating CV's of possible candidates and forward to the Office of the Municipal Manager by 10 January 2019;
- Ward Councillors to submit meeting schedule to the Office of the Municipal Manager whereafter to advise the Department of meeting programme for all SMME's;
- Skills in rural areas are scarce but surrounding areas also a possibility;
- Libraries and museums are important for broadband access for learners;
- Employment of 5 days but depends on vastness of areas and stipends will be paid;

5. ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS

The Speaker advised that Cllr D Biggs had resigned, and that the vacancy was declared vacant by the IEC. As prescribed in item 18 of Schedule 1 of the Municipal Structures Act, 1998 (Act No 177 of 1998), that Cynthia Cecily August being the candidate at the top of the party list for the Democratic Alliance (DA) has been declared elected to the Kouga Local Municipality who replaces Diana Jane Biggs who ceased to hold office of Councillor in the Municipality. The Speaker advised that Cllr C August will be sworn in as a Councillor and requested Cllr C August to step forward to undertake the Oath of Office.

OATH OF OFFICE

*I, **Cynthia Cecily August,** do hereby swear that I will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic, and I solemnly promise to perform my functions as a Councillor of the Council of Kouga Municipality to the best of my ability – SO HELP ME GOD.*

Cllr Dayimani as the Regional Chairperson of the ANC congratulated the Cllr C August on her appointment as Councillor to the Kouga Municipality.

Birthday wishes and upcoming was extended to the following Councillors:-

Alderman B Rheeder
Cllr T Jantjes
Cllr A Mabukane
Cllr B Williams
Cllr H Hendricks
Cllr L Vorster
Cllr R Jantjies
Cllr W Gertenbach

Condolences extended to the family of the former General Treasurer of the ANC who had passed away.

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

The Speaker congratulated Cllr C August on her appointment as Councillor to the Kouga Municipality and stated that the aim of Cllrs is to serve the community. Councillors are faced with many challenges.

The Speaker stated that 2018 had been a long year faced with many challenges in the local community but with accomplishments. Councillors were encouraged to continuing doing the good work in the community for their upliftment and by assisting people in need which can make life changes. Continue to strive in making Kouga Municipality the best as the community deserves a better life with hopefulness & positivity – not to serve ourselves but to serve the community.

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

The Executive Mayor welcomed all present to the last Council meeting for 2018 and extended a special welcome to the KM delegation who had returned back from Canada.

The Executive Mayor advised that a full statement reflecting on achievements & challenges for KM will be submitted at the Ordinary Council meeting scheduled in February 2019.

The Executive Mayor reported on the following:-

- Many challenges were faced in 2018 by KM especially with the passing of Mayor Elsa van Lingen who had laid a foundation for Councillors to follow who always said that the interests of the community should be a priority;
- R151m funding received for 10 boreholes, 5 tenders – contactors to be appointed end of January 2019 and work to commence June 2019;
- Commended the Municipal Manger for taking Performance Management seriously – performance vastly improved;
- Unqualified audit received;
- Launching Festive Season on 14 December 2018 – Official open of the Festive Season will take place on 15 December 2018 at 10:00 to 20:30;
- Xmas lights will be switched on in Jeffreys Bay, Humansdorp, Patensie and Hankey;
- Strive to launch the best Summer Festive Season in Kouga – "Safe & have Fun";

In closing, the Executive Mayor wished all Councillors, Officials and their families a safe Festive Season and prosperous New Year.

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

None

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

None

The Speaker advised that he had received a request from the Opposition Party to allow speakers to speak on items contained in the agenda. The Speaker referred to previous occasions when notices were given and not given, and he was of the opinion that not all Councillors prepare for all items and wants to allow all Councillors to exercise their rights when requesting to speak on items as Councillors represent the community and their interests. The Speaker also stated that conflict is to be avoided and that the business of Council is to be conducted in an orderly manner.

The Speaker referred to the Rules of Order that a list of names of speakers on items was to be submitted to the Office of the Speaker 12 hours prior to a council meeting and due to the non-submission of a list of names to his office by the ANC the ruling was made to no accept the request from the Opposition Party.

Cllr Camealio-Benjamin stated that additional items have been submitted and Councillors have not had the opportunity to view or discuss the additional items and should no speakers be permitted to speak on the referred to items, then that would be in contraction to the Rules.

Cllr Dayimani regarded the ruling of the Speaker to be unfair as the request was made to the Speaker for Cllrs to speak on items and he was advised that the Speaker would consider the request. Although the list of speakers from the ANC was only submitted at the meeting, the Speaker after considered accepted the list and advised that only the names indicated on the list will be allowed to speak on items as indicated.

10. **REPORT BACK: MUNIMEC**

18/12/MM1 REPORT ON THE PROVINCIAL MUNIMEC TECHNICAL MEETING (INCLUSIVE OF THE PROVINCIAL POLITICAL MUNIMEC AND PROVINCIAL WATER FORUM MEETINGS) HELD ON 1 NOVEMBER 2018 AT QUEENSTOWN

Resolved (11 December 2018)

1. That the content of the report on the 1 November MUNIMEC Meeting, be noted.

2. That the Municipal Manager through the Director Planning and Development pursue possible partnerships/other initiatives with Transnet through their Community Investment Program for the benefit of the local communities pending further discussions on this matter at the next meeting of MUNIMEC.

3. That it be noted that an agreement has been concluded between the Municipal Manager and the Senior Manager to complete the required Certificate Program in Management Development within a period of 18 months from date of appointment as per legislative provisions.

4. That the Municipal Manager monitor MIG and INEP progress and expenditure on a monthly basis and report expenditure at meetings of the Mayoral Committee.

5. That the Municipal Manager monitor expenditure on the drought grant funding and report expenditure at meetings of the Mayoral Committee.

11. **DECLARATION OF INTEREST**

None

12. **STATUTORY MATTERS**

12.1 **CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS**

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

12.2 The Minutes of the Ordinary Council Meeting held on 30 October 2018 were confirmed and accepted.

Proposed: R Jantjies Seconded: B Dhludhlu

9. **REPORT BACK: IGR FORUM**

None

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 **MINUTES OF THE PREVIOUS MAYORAL COMMITTEE MEETING**

13.1.1 Minutes of a Mayoral Committee Meeting held on 16 October 2018 be noted.

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

14.1 **MUNICIPAL PUBLIC ACCOUNTS COMMITTEE MINUTES**

18/12/MPAC1 **MINUTES OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE**

Resolved (11 December 2018)

1. To be dealt with under the Confidential Section of the Agenda.

18/12/MPAC2 **MUNICIPAL PUBLIC ACCOUNTS COMMITTEE RECOMMENDATIONS FOR CONSIDERATION**

Resolved (11 December 2018)

1. To be dealt with under the Confidential Section of the Agenda.

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

18/12/MM2 **COUNCIL RESOLUTIONS FOR 30 OCTOBER 2018**

Cllr Februarie raised a concern that the Council resolutions contained in the Action Sheets was not a true reflection of the Council minutes. A concern was also raised that confidential resolutions were reflected in the open section of the agenda as contained in the Action Sheets and was to be addressed in the confidential section of the agenda.

The Speaker advised that the resolutions reflected in the Action Sheets were unactioned resolutions and needed to be addressed/reported on by the respective Directorates.

An audio recording of the Council meeting was requested to be made available for authentication and legal purposes.

Resolved (11 December 2018)

1. That the updated Actions Sheets reflecting resolutions of the Ordinary Council meeting for 30 October 2018 be accepted.

2. That all outstanding matters / unactioned resolutions be referred to the first Mayco & Exec Management meeting to be held in January 2019.

3. That all outstanding reports be submitted to the respective Portfolio Committee meetings to be held in February 2019.

4. That it be noted that all future confidential resolutions contained in the Action Sheets be dealt with under the confidential section of the agenda and that the open agenda and confidential agenda be distributed separately.

5. That the open agenda and confidential agenda be distributed only to Councillors, the Municipal Manager, all Directors, the Manager Legal Services and the Media Liaison Officer with the exclusion of any official named or under discussion in the confidential agenda.

6. That it be noted that a concern was raised that Council resolutions contained in the Action Sheets do not reflect the Council resolutions as per the minutes of Council meetings.

7. That it be noted that, as contemplated in (6) above, the audio recording of the Council Meeting dated 30 October 2018 be made available for authentication purposes in terms of the Council resolutions.

8. That the Office of the Speaker provide the list of members of the public in attendance of all Council meetings to Administration prior to such meeting, be supported.

18/12/MM3 <u>INSTITUTIONAL PERFORMANCE REPORT: 2018/19 FINANCIAL YEAR: QUARTER 1: PERIOD 1 JULY 2018 TO 30 SEPTEMBER 2018</u>

Resolved (11 December 2018)

1. That the content of the Quarter 1 Institutional Performance Report on the implementation of the Service Delivery and Budget Implementation Plan for the period 1 July 2018 to 30 September 2018, be noted.

2. That as from November 2018, monthly performance reports be submitted to every Council meeting on progress made with improvements in revenue collection and capital budget expenditure until such time as the set quarterly targets have been achieved.

3. That the SDBIP be updated regarding targets for the year and to be aligned with the Adjustments Budget.

18/12/MM4 <u>MID-YEAR PROGRESS REPORT ON THE 2019/20 REVIEW PROCESS</u>

Resolved (11 December 2018)

1. That the mid-year progress report on the 2019/20 IDP Review period, be noted.

18/12/MM5 **CALL CENTRE REPORT ON SERVICE DELIVERY REQUESTS FOR SEPTEMBER 2018**

Resolved (11 December 2018)

1. That the report on the Call Centre Service Delivery Requests September 2018 be noted.

2. That all service delivery requests received directly by management / Supervisors, be immediately reported to the Call Centre, alternatively on the Vodacom Link Application.

3. That it be noted that many issues are still not going via the Call Centre and departments are requested to make it mandatory for all requests to be logged at the Call Centre.

4. That the incidence level of septic tank issues be prioritized, and a root cause analysis be conducted to resolve the issues (dealt with under item 18/12/MM6).

5. That the GV area be included in the detailed Service Delivery Requests Report per Ward regarding service delivery requests and resolved service delivery requests, be investigated.

6. That Service Delivery Requests Reports include overgrown plots per Ward indicating resolved service delivery requests.

7. That Ward Councillors utilize Ward Assistants to log issues on behalf of the community.

8. That the possibility of alternative methods of electrical backup be investigated.

18/12/MM6 **CALL CENTRE: ROOT CAUSE ANALYSIS ON THE INCIDENCE LEVEL OF SEPTIC TANKS**

Resolved (11 December 2018)

1. That the report on the Root Cause Analysis on the incidence level of septic tanks be noted.

2. That the resolution of the problems indicated in the report be referred to the Infrastructure and Engineering Department to execute a plan to resolve these factors.

16. **REPORTS BY THE EXECUTIVE MAYOR**

16.1 **REPORTS BY THE PORTFOLIO CHAIRPERSON: FINANCE**

18/12/F1 MONTHLY BUDGET STATEMENTS FOR THE PERIOD JULY 2018 TO OCTOBER 2018 AND FINANCIAL STATE OF AFFAIRS OF THE MUNICIPALITY AS AT 31 OCTOBER 2018 (2018/19 FINANCIAL YEAR)

Resolved (11 December 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. 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 a report on expenditure on furniture be submitted to the next Portfolio Committee meeting for the 2017/2018 financial year as well as expenditure on furniture for the first 6 months of the current financial year.

5. That a report on expenditure on the 66KV line supplying Jeffreys Bay with power be submitted to the next Finance Portfolio Committee meeting detailing expenditure on the 66KV line during 2017/2018 and 2018/2019 financial year.

6. That a report on Travelling & Subsistence for 2017/2018 and 2018/2019 financial year be submitted to the next Finance Portfolio Committee meeting.

7. That a report on the EMF expenditure for the current financial year be submitted to the next Finance Portfolio Committee meeting.

18/12/F2 BYTES USER GROUP INVITE

Resolved (11 December 2018)

1. That the financial implications associated with the user group meeting, be noted.

2. That the matter be referred to MPAC for further investigation, regarding potential fruitless and wasteful expenditure incurred.

3. That all the necessary supporting documentation be submitted to the MPAC by no later than 15 January 2019.

18/12/F3 <u>WRITE-OFF IN RESPECT OF IRRECOVERABLE ARREAR DEBTS – EQUITABLE SHARE</u>

Resolved (11 December 2018)

1. That the Equitable Share write-offs for the period 1 July 2018 to September 2018, in the amount of R3 532 392.21, be approved.

2. That Sea Vista be reported on separately from St Francis regarding write-offs in respect of irrecoverable arrear debts – Equitable Share

18/12/F4 <u>SUPPLY CHAIN MANAGEMENT: S36 DEVIATIONS, MONTHLY TENDERS AND 7 DAY NOTICES FOR THE MONTH OF OCTOBER 2018</u>

Resolved (11 December 2018)

1. That the report on the Section 36 Deviations, monthly tenders and 7 Day Notices for the month of October 2018, be noted.

18/12/F5 <u>PUBLIC AUDIT AMENDMENT ACT</u>

Resolved (11 December 2018)

1. That the Public Audit Amendment Act, be noted.

18/12/F6 <u>REVENUE: WRITE-OFF OF LONG OUTSTANDING DEBT</u>

Resolved (11 December 2018)

1. The Bad Debts Committee recommended that the outstanding debt as per Annexure "A", in the amount of R1 833 382.05 be written-off as bad debt and be implemented as at 30 September 2018.

18/12/F7 <u>KPMG</u>

Resolved (11 December 2018)

1. That the item be withdrawn.

18/12/F8 THE ACQUISITION OF IMMOVABLE PROPERTY BY COUNCIL

Resolved (11 December 2018)

1. That the item be withdrawn.

18/12/F9 EXTENSION OF LEASE AGREEMENT - ERF 554, ST FRANCIS BAY BOWLING CLUB

Resolved (11 December 2018)

1. That consideration be given to extend the lease agreement of the St Francis Bay Bowling Club for a further period of one year, at the current rental, until the disposal process is completed.

2. That the necessary processes to address the request be implemented with immediate effect.

16.2 **REPORTS BY THE PORTFOLIO CHAIRPERSON: CORPORATE SERVICES**

18/12/CORP1 COMPARATIVE MONTHLY REPORT FOR THE CORPORATE SERVICES DIRECTORATE: ADMINISTRATION SECTION

Resolved (11 December 2018)

1. The monthly report for September 2018, be noted.

2. That a full audit of the owners of equipment on the Municipal towers be undertaken and that proper processes for the removal of such equipment of other radio network operators on Municipal high sites, be followed.

3. That high sites be identified, and towers be erected by the Municipality where other radio network operators can install their equipment, supported.

4. That operators apply to the Municipality for authorization to install their equipment and pay a monthly usage fee to the Municipality, be supported.

5. That a By-Law be established to regulate the installation of radio networks of other operators within the Municipal boundaries, be supported.

6. That the acquisitions and installation of an internet fibre network for the Municipal radio network, be explored.

7. That the proposed Municipal account enquiries being handled by the call centre be referred to the CFO and Municipal Manager for further investigation.

8. That the Call Centre operators sign a confidentiality agreement regarding account information, be supported.

9. That the frequency and meeting schedule of Ward Committees, be noted.

10. That the Municipal vehicle usage be monitored and reported on a monthly basis and anomalies in distance travelled as well as fuel usage, be supported.

18/12/CORP2 **COMPARATIVE CALL CENTRE REPORT ON SERVICE DELIVERY REQUESTS JULY – SEPTEMBER 2018**

Resolved (11 December 2018)

1. That the report on the Comparative Call Centre Service Delivery Requests July – September 2018 be noted.

2. That a status report on water losses be compiled indicating progress made as well as remedial measures to reduce water losses be submitted to the next Portfolio Committee meeting.

3. That future service delivery reports include overgrown plots with service requests resolved.

18/12/CORP3 **TELEPHONE BILLING FOR SEPTEMBER 2018**

Resolved (11 December 2018)

1. That the report on telephone activity for September 2018 be noted.

2. That the extent of unanswered is still a concern and user departments are urged to attend to this and submit a report to their respective portfolios on interventions to deal with the problem.

3. That the various Directorates take responsibility for:

- Monitoring usage.
- Getting employees to account for usage.

18/12/CORP4 **<u>COMPARATIVE TELEPHONE BILLING REPORT FOR JULY - SEPTEMBER 2018</u>**

Resolved (11 December 2018)

1. That the report on Telephone Activity for July to September 2018 be noted.

2. That it be noted that all unanswered calls are currently being investigated per Directorate and a further report thereon will be submitted.

3. That a report on cell phone activity be included in future reports submitted to the respective Portfolio Committee meeting.

18/12/CORP5 **<u>HR REPORT SEPTEMBER 2018</u>**

Resolved (11 December 2018)

1. That the HR Report for September 2018, be noted.

2. That the stats and monitor movement, on a monthly basis, be noted.

18/12/CORP6 **<u>SALGA CONTINUED TASK JOB EVALUATION SUPPORT AND IMPLEMENTATION IN ALL MUNICIPALTIES- CIRCULAR 44 OF 2018</u>**

Resolved (11 December 2018)

1. That the content of the SALGA Continued Task Job Evaluation Support and Implementation In all Municipalities - Circular 44 Of 2018 report, be noted.

18/12/CORP7 **<u>WARD DEVELOPMENT FUND – USAGE OF SUPPLIERS FROM RESPECTIVE WARDS</u>**

Resolved (11 December 2018)

1. That suppliers from respective Wards be invited to submit quotations for Ward specific projects, be supported.

2. That should suppliers from the Ward not be able to submit a quotation, suppliers from other Wards be afforded an opportunity to quote, be supported.

3. That if more than one item is requested collectively across various wards, which results in an amount over R30 000,

either a 7-day notice or a formal tender process be used for such procurement as per the SCM Policy, be supported.

4. That Councillors be prohibited from submitting quotes and that quotations be requested only from service providers who are registered on the SCM database, be supported.

18/12/CORP8 **APPROVAL OF COUNCIL POLICIES**

Resolved (11 December 2018)

1. That the following revised policies be approved by Council for adoption:-

   - Plot Clearing Policy;
   - Child Care Facilities in Residential Areas;
   - Kouga Telecommunication Mast Policy;

2. That the adopted policies be placed on the Kouga Website.

18/12/CORP9 **DELEGATION OF POWERS TO THE EXECUTIVE MAYOR DURING RECESS PERIOD**

Councillor N. Botha	-	In favour
Councillor B Dhludhlu	-	In favour
Councillor B. Williams	-	In favour
Councillor F. Baxter	-	In favour
Councillor D. Benson	-	In favour
Councillor H. Bornman	-	In favour
Councillor F. Campher	-	In favour
Councillor T Jantjes	-	In favour
Councillor W. Gertenbach	-	In favour
Councillor L. Vorster	-	In favour
Councillor C August	-	In favour
Councillor W Coenraad	-	In favour
Councillor F. Louw	-	In favour
Councillor D. Nkomo	-	In favour
Alderman B. Rheeder	-	In favour
Councillor R Jantjies	-	In favour
Councillor H Hendricks	-	In favour
Councillor S. Jujwana	-	In favour
Councillor CS Mandeka	-	In favour
Councillor P Nkwalase	-	In favour
Councillor T Meleni	-	In favour
Councillor M Peters	-	In favour
Councillor V Camealio-Benjamin	-	In favour
Councillor M Dayimani	-	In favour

Councillor C Matroos	-	In favour
Councillor J Mayoni	-	In favour
Councillor V Vumazonke	-	In favour
Councillor E Februarie	-	In favour
Councillor A Mabukane	-	In favour

In favour of the recommendation 29

Not in favour of the recommendation 0

Resolved (11 December 2018)

1. That the authority be delegated to the Executive Mayor to take decisions on matters normally reserved for resolution of Council, during the recess period, with the exception of the following powers:

   - The passing of by-laws;
   - The approval of budgets;
   - The imposition of rates and other taxes, levies and duties; and
   - The raising of loans;
   - Entering into Service Delivery Agreements, and
   - The approval or amendment of the IDP.
2. That authority be delegated to the Executive Mayor to consider and, if necessary, authorize the increase of the remuneration of Councillors in terms of the limits set by the Remuneration of Public Office Bearers Act, in line with the 2018/19 Operating Budget subject to the request for concurrence received from the MEC of Local Government & Traditional Affairs.

16.3 **REPORTS BY THE PORTFOLIO CHAIRPERSON: INFRASTRUCTURE & ENGINEERING**

18/12/I&E1 ST FRANCIS BAY BEACH SPIT DUNE PROTECTION REVETMENTS

Resolved (11 December 2018)

1. That the Municipal Manager be authorized to instruct Council's legal representatives to approach the necessary government departments in a pursuit for same to contribute towards the estimated costs involved, as per the report submitted by PRDW Consulting Port and Coastal Engineers, in respect of the St Francis Bay Beach Spit Dune Protection, be supported.

18/12/I&E2 EXTENSION OF DUINEWEG ROAD – JEFFREYS BAY

Resolved (11 December 2018)

1. That the Municipal Manager be authorized to enter into a Land Use Agreement with the registered owner of the property known as Portion 63 of Farm 335 Jeffreys Bay, be approved.

2. That the Director Infrastructure & Engineering be authorized to conduct the necessary feasibility studies in respect of the property known as Portion 63 of Farm 335 Jeffreys Bay for the purpose of constructing a road connecting Duineweg road to the Marina Martinique Road, subject to budget availability, be approved.

3. That a layout plan indicating the total distance of the road connecting Duineweg Road to the Marina Martinique Road, as contemplated in (2) above, be provided at the next Portfolio Committee meeting.

16.4 **REPORTS BY THE PORTFOLIO CHAIRPERSON: COMMUNITY SERVICES**

18/12/CS1 MINUTES OF THE SEEKOEI ESTUARY MOUTH BREACHING COMMITTEE MEETING HELD AT THE MAYORAL BOARDROOM (JEFFREYS BAY) ON MONDAY: 10 SEPTEMBER 2018

Resolved (11 December 2018)

1. That the minutes of the Seekoei Estuary Mouth Breaching Committee held on 10 September 2018, be noted.

2. That the approval of the Environmental Management Plan by the MEC be expedited for implementation, be supported.

18/12/CS2 PROGRESS REPORT: LIFESAVING

Resolved (11 December 2018)

1. That an integrated approached between lifeguards and the National Sea Rescue Institute (NSRI) towards lifesaving in Kouga, be supported.

2. That the Lifeguard container for the NSRI remain for the 2018 Festive Season until 15 January 2019 and be removed by no later than end of January 2019.

3. That public participation processes be followed and adhered to regarding all future applications of such nature.

18/12/CS3 **<u>BLUE FLAG STATUS AWARD – 2018/2019 SEASON</u>**

Resolved (11 December 2018)

1. That the achievement of the Blue flag Status/award, be noted.

2. That a successful and compliant Blue Flag Beach status be maintained throughout the Blue Flag season, be supported.

3. That the Portfolio Councillor accompany the official responsible for obtaining the required samples at the Main beach and be requested to sign off the sample taken, be supported.

18/12/CS4 **<u>ENVIRONMENTAL PROTECTION AND INFRASTRUCTURE PROGRAMMES(EPIP): APPLICATION FOR FUNDING 2018/19 – 2020/21 MTEF</u>**

Resolved (11 December 2018)

1. That the Environmental Protection and Infrastructure Programmes (EPIP): approval for funding to the value of R 20 million (2018/19 – 2020/21) MTEF report be supported.

2. That the planning and implementation of the project not exceed the budget, be supported.

3. That Council enter into a pre-implementation owning entity MOA with the department within 60 days from the date of receipt of the letter as no implementation shall commence without a duly-signed MOA, be supported.

4. That the Department of Environmental Affairs procure the services of professional companies and CIDB graded contractors for the planning and implementation of the infrastructure projects using correctional methods as defined in the Built Environment Industry, be supported.

18/12/CS5 **<u>2018/19 FESTIVE SEASON READINESS PROGRAMME: COMMUNITY SERVICES</u>**

Resolved (11 December 2018)

1. That the content of the report in preparation of the festive season 2018/19, be noted.

2. That the temporary closure of the Pellsrus and Paradise Lagoon areas for motor vehicles for the period: 30 December 2018 to 02 January 2019, be supported.

3. That the temporary conversion of the Diaz street to be a one-way street from the 30 December 2018 up to the 02 January 2019, be supported.

4. That a formal notice be published in the local newspapers and Council Notice boards of Councils intentions of the temporary closure of motor vehicle access to the Pellsrus and Paradise Lagoon picnic areas.

5. That the overtime implications during the festive season to render an acceptable level of service, be supported.

6. That emergency after hours details be made available to all Councillors and such be made via public media.

18/12/CS6 <u>AMENDMENTS TO THE 2018/19 ANNUAL BUDGET – APPROVAL OF SERVICE LEVEL AGREEMENT ALLOCATION FROM THE SARAH BAARTMAN DISTRICT MUNICIPALITY</u>

Resolved (11 December 2018)

1. 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, approved the following amendments to the 2018/19 Annual Budget.

Revenue : Service Level Agreement funding
Vote Number : 20180702070337
Amended Budget : R 1,965,100

Ukey Nr	**Item Description**	**Approved Budget 2018/19**	**Adjustments**	**Adjusted Budget 2018/19**
20171122982465	Vehicle	1,850,000	1,700,000	3,550,000
20171122982543	Machinery & Equipment	200,000	265,100	465,100
Total		**2,050,000**	**1,965,100**	**4,015,100**

18/12/CS7 CLIMATE PARTNERSHIP MISSION: ILSFELD MUNICIPALITY GERMANY VS KOUGA MUNICIPALITY SOUTH AFRICA (8 – 12 OCTOBER 2018)

Resolved (11 December 2018)

1. That the report on the mission between Kouga and our Germany Partner Municipality, Ilsfeld be noted.

2. That the envisaged, identified projects between the two municipal partners be noted and supported:

   - Water
   - Energy
   - Recycling

18/12/CS8 TRADITIONAL CIRCUMCISION SUMMER SEASON/NOVEMBER/DECEMBER 2018

Resolved (11 December 2018)

1. That the report on the tradition Summer Season for Kouga Municipality, be noted.
2. That the Council supply water to initiation school sites in particular for Gamtoos area, be supported.

3. That it be noted that a report, as contemplated above 2), indicating all financial implications be submitted to the next Corporate Services Portfolio Committee meeting to be held in February 2019.

4. That the Council provide the monitoring team with transport, be supported.

16.5 **REPORTS BY THE PORTFOLIO CHAIRPERSON: PLANNING, DEVELOPMENT & TOURISM**

18/12/PDT1 RELOCATION OF HUMANSDORP MUSEUM TO KOUGA CULTURAL CENTRE

Resolved (11 December 2018)

1. That the report on the Relocation of Humansdorp Museum to Kouga Cultural Centre, be noted.

2. That the Feasibility Study undertaken by the Humansdorp Museum Association, be supported.

3. That relocation options of the community radio station be investigated by the Municipal Manager & Maycom, be supported.

4. That security measures at the Kouga Cultural Centre be investigated and be put in place to avoid vandalism, be supported.

18/12/PDT2 AMENDMENT OF LAYOUT PLAN: OCEAN VIEW 1500 HOUSING PROJECT: INSTALLATION OF INFRASTRUCTURE SERVICES

Resolved (11 December 2018)

1. That the approved layout plan for the Ocean View 1500 Housing Project be amended to make provision for 235 additional stands on a portion of portion 125 of the Farm Estate Klein Zeekoe River No. 335 and the densification of 58 middle-income stands comprising erven 9646 to 9663 and 9684 to 9725, be supported.

2. That the proposal to provide the appointed Contractor with alternative stands for the installation of infrastructure service in the Ocean View 1500 Housing Project, be supported.

3. That a Land Surveyor be appointed to undertake the land surveying and pegging activities in the erven mentioned in 1) above, be supported.

4. That the financial implications for the appointment of a land surveyor and town planner to undertake the subdivision and amendment of existing general and layout plan be reported at the next Portfolio Committee meeting.

18/12/PDT3 PROCESSES PLAN – LAND DISPOSAL

Resolved (11 December 2018)

1. That the Flow Chart for the Alienation of Municipal Properties, be noted.

18/12/PDT4 EXCHANGE TRANSFER: ROODEGROND BOERDERY/ GRASKOP TRUST: PORTIONS 39, 197 & 201 OF THE FARM QUACHA NO. 49; DIVISION OF HUMANSDORP, EASTERN CAPE

Resolved (11 December 2018)

1. That the Exchange Transfer: Roodegrond Boerdery/ Graskop Trust: Portions 39, 197 & 201 of the Farm Quacha No. 49; Division of Humansdorp, Eastern Cape, be supported.

2. That the application for the cancellation of the Notarial Tie be supported.

3. That it be noted that portion 197 of Quacha, No. 49 and 198 of Quacha No. 49 may not be separately alienated.

4. That Groenewalds Attorneys be advised accordingly.

18/12/PDT5 ESTABLISHMENT OF HOUSING COMMITTEES IN KOUGA MUNICIPALITY

Resolved (11 December 2018)

1. That the establishment of Housing Committees in Kouga Municipal area, be approved.

2. That the composition of the Housing Committee be composed of the following representatives, be approved:-

   a) Representatives of the community on the need list at a ratio of 1:500 with the option to increase the number to serve on the Committee;
   b) Ward Councillor;
   c) PR Councillor;
   d) Each representative must submit the name of an alternative for record purposes;

3. That the Terms of Reference for establishment of Housing Committees, be approved.

4. That the time frames for the establishment of the Housing Committees be completed by end February 2019 and that the establishment of committees be Ward based, be supported.

18/12/PDT6 APPLICATION FOR IMPLEMENTATION OF AN AMNESTY PERIOD IN RELATION TO PENALTIES IMPOSED ON BUILDING PLAN SUBMISSIONS TO THE DEPARTMENT PLANNING & DEVELOPMENT: UNAUTHORISED BUILDING WORK IN TERMS OF THE NATIONAL BUILDING REGULATIONS AND STANDARDS ACT, ACT 103 OF 1977.

Resolved (11 December 2018)

1. That the implementation of an amnesty period of 18 months, on building plan submissions to the department planning and development in respect of unauthorised building works, from a date to be determined by Council, be approved.

2. That the applicant shall where applicable, be required to comply with the National Building Regulations and Standards Act ,1977(Act 103 of 1977, as amended) to ensure sound building control management, be supported.

3. The Council reserves the right to impose conditions to ensure compliance to other applicable legislation, be supported.

4. That the amnesty period as determined by Council be published in the local newspaper during January 2019 for a period of 18 months effective from date of publication to inform all residents of the waiver period for penalties, be supported.

5. That the penalties being waived be reported to Council for endorsement.

18/12/PDT7 DONATION OF ERVEN IN PARADISE BEACH

Resolved (11 December 2018)

1. That the item be withdrawn and referred back to the Leading Department.

18/12/PDT8 SELLING OF 98 HIGH WATER TABLE HUMAN SETTLEMENT ERVEN – KRUISFONTEIN

Resolved (11 December 2018)

1. That the item be withdrawn and referred back to the Leading Department.

18/12/PDT9 OUTSTANDING LAND ADVISORY COMMITTEE ITEMS – APPLICATIONS TO PURCHASE ERVEN

Resolved (11 December 2018)

1. That the item be withdrawn and referred back to the Leading Department.

18/12 PDT10 SALE OF MUNICIPAL PROPERTIES PREVIOUSLY PUT OUT IN TENDER

Resolved (11 December 2018)

1. That the item be withdrawn and referred back to the Leading Department.

The meeting closed at 15:15 for In Committee discussions.

31 January 2019

<u>H BORNMAN</u>
SPEAKER

<u>DATE</u>