

MINUTES OF A SPECIAL COUNCIL MEETING OF THE KOUGA MUNICIPALITY HELD AT THE KOUGA COUNCIL CHAMBER (JEFFREYS BAY UNIT) ON THURSDAY, 15 AUGUST 2019 AT 09:00
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PRESENT: Councillors

H Hendricks	(Executive Mayor)
H Bornman	(Speaker)
B Williams	
D Benson	
F Baxter	
FJ Campher	
BF Rheeder	(Alderman)
B Dhludhlu	
N Botha	
C August	
T Jantjes	
L Vorster	
FJ Louw	
R Jantjies	
W Coenraad	
W Gertenbach	
M Dayimani	
C Matroos	
TN Meleni	
P Nkwalase	
M Peters	
C Makasi	
E Februarie	
V Vumazonke	
Z Mayoni	
S Jujwana	
A Mabukane	
P Oliphant	

**Officials &
Municipal Manager**

C du Plessis	(Municipal Manager)
S Thys	(Chief Financial Officer)
K Moodley	(Director: Corp Services)
N Machelesi	(Director: Community Services)
F Mabusela	(Director: Planning, Dev & Tourism)
V Felton	(Director: Infrastructure & Eng.)
L Opperman	(Manager: Legal Services)
S Moloji	(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 all Councillors and officials and asked Cllr A Mabukane to open the proceedings with prayer.

The Speaker advised that he had received an SMS from Cllr A Nkomo advising that he had tendered his resignation as a Kouga Councillor. He also stated that Cllr A Nkomo's written resignation is being awaited and once the necessary procedures and processes have been followed, the seat will be declared vacant.

Cllr Meleni enquired whether consequence management is implemented against Cllrs not attending 3 consecutive meetings and requested that the Rule & Ethics Committee deal with such matters and recommend to Council.

Cllr Oliphant also pointed out that an SMS is not regarded as an official resignation as a Kouga Councillor.

Cllr Februarie stated that seating arrangements in the Council Chamber is to be looked at as there is insufficient seating for all Councillors. He also stated that August is regarded as "Women's Month" and Council is to promote female rights and that more women are to be considered to serve on the Mayoral Committee as women are not acknowledged rightfully.

3. **ABSENT WITH LEAVE**

DM Nkomo

4. **ABSENT WITHOUT LEAVE**

None

5. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

Condolences were expressed to a Ward Committee Member of Ward 13 who's child had passed away.

6. **PRESENTATIONS**

None

7. **STATEMENTS OR COMMUNICATIONS BY THE SPEAKER**

The Speaker advised that not all Wards have submitted their respective priority lists for the Ward Development Fund. Deadline for submission is 16 August 2019.

The Executive Mayor mentioned that consideration is being given for the purchase of playpark kits and that the service provider is willing to assist with this initiative involving SMME's to build the play parks in communities.

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

The Executive Mayor stated he will be monitoring all Ward Development Funds closely.

9. **DECLARATION OF INTEREST**

None

10. **STATUTORY MATTERS**

11. **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).

The Municipal Manager confirmed that to his knowledge all reports tabled were true and correct.

12. **REPORTS BY THE PORTFOLIO CHAIRPERSONS**

12.1 **FINANCE**

19/08/F1 **AMENDMENTS TO THE 2019/20 BUDGET – APPROVAL OF UNSPENT FUNDS AS AT 30 JUNE 2019**

Cllr Oliphant raised concern that the rollover of allocated funds is regarded in a serious light which has an element of lack of planning and oversight in terms of performance of responsible Directorates. He also pointed out that there are 4 rollovers contained in the report and that has a negative reflection.

Cllr Williams stated that the rollovers are not due to the lack of performance and administration as tenders needed to be cancelled to either no bids being received, or non-responsive bids received.

The Speaker stated that the reasons are self-explanatory and are contained in the report.

Cllr Dayimani stated that the Executive Mayor confirmed in his opening speech that he would be monitoring and overseeing rollover funds closely and stated that Directorates have failed the Executive Mayor.

A timeline for the implementation of projects was set in line with the SDBIP and Directorates are to assist the Executive Mayor and need to perform to ensure that procurement and service delivery implementation is within that financial year.

The Executive Mayor stated that he will, in particular, monitor and oversee perpetual rollovers.

The Municipal Manager advised that during the past financial year, substantial capital expenditure on projects, took place, especially the water projects which took preference; therefore, other tenders were not prioritized. Bid Committee meetings are held weekly to evaluate tenders and due to lack of compliance in respect of legislation bids are referred back. Procurement cannot be hurried and could take up to 6 months resulting in rollovers.

The matter was put to the vote by show of hands

In favour of the recommendation = 27

That it be noted that Cllr Nkomo and Cllr Mayoni were not present at the time of voting.

Resolved (15 August 2019)

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 No. 117 of 1998 (as amended), read in conjunction with Section 28 of the Local Government: Finance Management Act, Act 56 of 2003, approved the following amendments to the 2019/20 Budget.

Projects	Vote Number	
Disaster Recovery Server	20190313065619	Provide R 644,106
Office upgrade ICT	20180126051263	Provide R 153,949.84
Supply and Delivery of Dot Matrix printer	20170712043787	Provide R 197,489
Supply and Delivery of New LDV	20190307104328	Provide R 300,000

12.2 CORPORATE SERVICES

19/08/CORP1

ROLL OVER CORPORATE SERVICES – 2018/2019

Cllr Jujwana stated that once again rollovers occur due to lack of planning and monitoring of projects.

It was pointed out that incorrect information was reflected in the calculation tables with regards to the projects in respect of the rollover amounts.

Cllr Oliphant proposed that due to inaccurate financial implications, the item be withdrawn and revised.

The CFO advised Council of the correct rollover amount on the Ward Development Fund Capital and indicated that the last column of the table needs to be removed for clarity purposes.

The matter was put to the vote by show of hands

In favour of the recommendation = 27

That it be noted that Cllr Nkomo was not present at the meeting and that Cllr Februarie did not vote.

Resolved (15 August 2019)

1. 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 56 of 2003, approves the following amendments to the 2019/20 Budget.

VOTE NO	PROJECT	ROLL OVER AMOUNT
20170712043568	Buildings	20,489.43
20170712043700	Furniture and Equipment	40,520.65
20170712043739	Furniture and Equipment	126051.26
20170712043763	Computer Equipment	140,581.93
20180702070201	Library upgrade, Phase 2	356688.91
20190307104307	EDMS	670,494.00
20190307104319	Fencing of the main building	120,000.00
20190313065607	Biometric System	120,000.00
20180308055779	Ward Development Fund Capital	1,067,694.70

19/08/CORP2

STIPEND INCREASE – WARD COMMITTEE MEMBERS

Resolved (15 August 2019)

1. That a 20% increase in Ward Committee members stipends to cover out of pocket expenses, with effect from 1 July 2019, be approved.
2. The 2019/20 Budget will be adjusted as follows:

Vote Number	Item Description	Approved Budget 2019/20	Adjustments	Adjusted Budget 2019/20
20190710992030	Legal Cost: Legal Advice and Litigation	5,575,600	- 360,000	5,215,600
20170702072921	Remuneration to Ward Committee Members	1,800,000	360,000	2,160,000

12.3 INFRASTRUCTURE & ENGINEERING

19/08/I&E1 AMENDMENTS TO THE 2019/20 BUDGET – APPROVAL OF UNSPENT FUNDS AS AT 30 JUNE 2019

The matter was put to the vote by show of hands

In favour of the recommendation = 28

Resolved (15 August 2019)

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 No. 117 of 1998 (as amended), read in conjunction with Section 28 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, approved the following amendments to the 2019/20 Budget.

Projects	Vote number	Roll Over
Wavecrest Sewer: Northern bulk outfall sewer	20170712043634	Provide – R 925,677.19
Bucket Eradication	20180702070150	Provide - R 2,231,522.60
Procurement of Vehicles	20170712043586	Provide - R 4,300,000.00
Procurement of Vehicles	20180814081224	Provide - R 785,469.08
Procurement of miniature substation	20190307104310	Provide - R 591 556.55
Procurement of Solar lights	20190313065616	Provide - R 753 449.19
Procurement of concrete poles	20190313065616	Provide - R 197 245.81
Procurement of LPU meters	20190307104313	Provide - R 195 887.78
		R 9 980 808.20

12.4 **COMMUNITY SERVICES**

19/08/CS1 AMENDMENTS TO THE 2019/20 BUDGET – APPROVAL OF UNSPENT FUNDS AS AT 30 JUNE 2019

The matter was put to the vote by show of hands

In favour of the recommendation = 28

Resolved (15 August 2109)

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 No. 117 of 1998 (as amended), read in conjunction with Section 28 of the Local Government: Finance Management Act, Act 56 of 2003, approved the following amendments to the 2019/20 Budget.

Projects	Vote Number	
Supply and Delivery of Patrol Vehicles	20170712043607	Provide R1143845.11
Supply and Delivery of Bullet proof Vests	20180702070171	Provide R 164 385
Procurement of a 6000L firefighting water tanker	20190108032133	Provide R 1 700,000
Machinery and Equipment	20190108032136	Provide R 253 637
New hydraulics rescue set of equipment	20171122982465	Provide R 415 331
Life Guard's Beach Tower	20180702070180	Provide R 123 600

12.5 PLANNING, DEVELOPMENT & TOURISM

19/08/PDT1 APPROVAL OF VIREMENTS ON THE 2019/20 OPERATING BUDGET

Alderman Rheeder stated that the report addressed the re-direction of funds and was not a rollover. Certain projects were not funded in the SDBIP and therefore the re-direction of funding for those projects.

Resolved (15 August 2019)

1. That the Council approves the following virements on the 2019/20 Operating Budget.

UKEY NR	PROJECTS	ITEM DESCRIPTION	Approved Budget 2019/20	Virement	Adjusted Budget 2019/20
20170702071057	Strategic Planning	Outsourced Services:Professional Staff	52 600.00	(52 600.00)	-
20170702071092	Community Development	Business and Advisory:Project Management	531 260.00	(400 000.00)	131 260.00
20190710992027	Municipal running cost	Business and Advisory:Research and Advisory (Land Audit)	300 000.00	100 000.00	400 000.00
20190307104336	Arts and Creative Industries	Contractors:Artists and Performers	263 000.00	(163 000.00)	100 000.00
20170702071089	Mayours Cup	Business and Advisory:Project Management	85 000.00	(85 000.00)	-
20170702071090	Tourism Development	Business and Advisory:Project Management	4 000 000.00	(1 000 000.00)	3 000 000.00
New Vote	Municipal running cost	Panel of Professional Team	-	1 000 000.00	1 000 000.00
New Vote	Municipal running cost	Precinct Plan Development	-	600 600.00	600 600.00
			5 231 860.00	-	5 231 860.00

The meeting closed at 10:45



H BORNMAN
SPEAKER

30 October 2019

DATE