

**MINUTES OF A SPECIAL COUNCIL MEETING OF THE KOUGA MUNICIPALITY HELD AT
THE KOUGA COUNCIL CHAMBER (JEFFREYS BAY UNIT) ON
FRIDAY, 21 FEBRUARY 2020 AT 09:00**

PRESENT: Councillors

H Hendricks	(Executive Mayor)
H Bornman	(Speaker)
F Baxter	
BF Rheeder	(Alderman)
B Dhludhlu	
Cllr B Williams	
D Benson	
Cllr F Campher	
N Botha	
Cllr W Gertenbach	
C August	
T Jantjes	
L Vorster	
R Jantjes	
W Coenraad	
M Biko	
M van Niekerk	
M Dayimani	
P Nkwalase	
M Peters	
C Makasi	
E Februarie	
V Vumazonke	
Cllr S Jujwana	
C Matroos	
Cllr S Mayoni	
P Oliphant	

**Officials &
Municipal Manager**

C du Plessis	(Municipal Manager)
N Machelesi	(Director: Community Services)
L Randall	(Media Liaison Officer)
L Opperman	(Manager: Legal Services)
B de Groot	(Senior Admin Officer: Committees)

1. **NOTICE OF MEETING**

The Speaker read the notice convening the meeting and asked Cllr Dayimani to open the proceedings with prayer.

2. **OPENING AND WELCOME**

Cllr Oliphant expressed his dissatisfaction and felt perturbed by the attitude and treatment continuously endured by Cllr Gertenbach in that while the ANC caucus used the Council Chamber prior to a Council meeting, Cllr Gertenbach interrupted and raised his voice to enquire who gave permission to use the Council Chambers. The ANC component has always used the Council Chambers to caucus. Other Cllrs who had also entered, walked out respectfully. Currently no venue has been made available for the ANC caucus and therefore the Council Chamber is used. Co-operation between the ANC and DA Councillors with respect towards all Councillors should be applied.

Cllr Oliphant further stated that the attitude applied reminds him of the National debate which took place regarding FW de Klerk defining apartheid.

The Executive Mayor raised a Point of Order and stated that Councillors are venturing onto a different platform to raise political matters which are not supposed to take place in this Council. The Executive Mayor urged that Cllr Oliphant strike his comment regarding FW de Klerk in relation to Cllr Gertenbach.

The Speaker stated that firstly, he has not had the opportunity to formally welcome all present at the meeting and secondly has noted the point made by Cllr Oliphant and agreed that the National issue be withdrawn.

Cllr Februarie stated that Cllr Oliphant was not referring to Cllr Gertenbach vs FW de Klerk.

The Speaker advised that arrangements have been made for the ANC caucus to utilise the IT Boardroom for future deliberations prior to any meeting. Preparations of the Council Chambers need to be done prior to any meeting and when the Council Chambers not available, it causes delays in respect of setting up the venue.

Cllr Jujwana stated that Councillors are to exercise respect for each other and that differences are not to be addressed in Council and that personal differences are to be set aside.

Cllr Dayimani stated that any differences between the ruling party and opposition party should be addressed by the two Chief Whips in terms of how Councillors conduct themselves in Council however the issues regarding the conduct of Cllr Gertenbach will be taken up the when the Chief Whips meet.

The Speaker stated that personal issues are not to be addressed in Council, only matters relevant to the agenda.

3. **ABSENT WITH APOLOGY**

Cllr A Mabukane - sick leave
Cllr T Meleni - sick leave
Director: Corporate Services
Director: Planning, Development & Tourism
Director: Infrastructure & Engineering
Acting Chief Financial Officer

Cllr Februarie stated that Cllr Mabukane and Cllr Meleni are receiving treatment and that Council note that both Councillors will not be attending every Council meeting.

4. **ABSENT WITHOUT APOLOGY**

None

5. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

Cllr Benson asked that Councillors on sick leave are to be kept in prayers for a speedy recovery.

6. **PRESENTATIONS**

None

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

None

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

The Executive Mayor stated that Councillors need to conduct themselves in a disciplined manner and requested that the Rules & Ethics Committee urgently schedule a meeting to revise the Disciplinary Rules in respect of Councillors for implementation in terms of fines issued when breaching the Rules of Order.

Cllr Dayimani raised a Point of Order regarding the statement made by the Executive Mayor in terms of giving an instruction to the Rules & Ethics Committee which was not seconded and also mentioned that the Executive Mayor was not recognised by the Speaker. Should a proposal be made it is to be seconded.

The Executive Mayor expressed his concern that the Speaker made a ruling that no Point of Order is to be raised on his statement but yet the Speaker is allowing such.

The Speaker stated that he had raised a Point of Order as everyone was speaking at the same time which caused a disruption in the meeting and he can therefore not raise his voice to draw the attention of Councillors. When a Point of Order is raised it must be done in an orderly manner by raising a hand.

The meeting is disrupted at this point.

The Speaker stated that the Executive Mayor has the delegated authority to make a statement and whatever the Executive Mayor chooses to state, he may do so and therefore he cannot rule the Executive Mayor out of order for making a statement. The Executive Mayor did not make a policy but referred a matter to the Rules & Ethics Committee and is entitled to make such referral.

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 that all reports tabled were true and correct.

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

20/02/MM1 **APPROVAL OF R150 000.00 DONATION FOR THE MIGHTY MEN CONFERENCE HOSTED IN JEFFERY'S BAY IN MARCH 2020**

Cllr Dayimani pointed out that the item was previously approved in principal by Council and he requested clarity as to why the item was tabled before Council again.

The Speaker stated that the previously submitted item was withdrawn and that the relevant Directorate was requested to submit a revised report as the content was not correct.

According to the Donations Policy, the Municipality may make provision for funding in the annual budget for the purposes of donations with approval by Council. Special expenditure votes may be created for these purposes.

Resolved (21 February 2020)

1. That the Donation of **R150 000.00** (One Hundred and Fifty Thousand Rands Only) for the Mighty Men Conference to be hosted in Jefferys Bay in March 2020, be approved.

The meeting closed at 09:50

A handwritten signature in black ink, appearing to be 'H Bornman', written over a horizontal line.

H BORNMAN
SPEAKER

29 May 2020

DATE
