

**MINUTES OF A VIRTUAL SPECIAL COUNCIL MEETING OF THE KOUGA MUNICIPALITY
HELD ON
TUESDAY, 30 JUNE 2020 AT 09:00**

Present:

Councillors

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

Officials

C du Plessis (Municipal Manager)
K Moodley (Director: Corporate Services)
V Felton (Director: Infrastructure & Eng.)
N Machelesi (Director: Community Services)
R Lorgat (CFO)
F Mabusela (Director: Planning, Dev & Tourism)
D de Jager (Manager: Human Resources)
N Zode (Committee Services - Scribe)

1. **NOTICE OF MEETING**

The Speaker read the notice convening the meeting.

2. **OPENING AND WELCOME**

The Speaker welcomed all Councillors and officials and requested Cllr R Jantjies to open the proceedings with prayer.

3. **ABSENT WITH APOLOGY**

Cllr. M. Dayimani
Cllr. V. Vumazonke
Ms. L. Opperman (Manager Legal Services)

Cllr Februarie advised that in the absence of the Chief Whip of ANC, he will be acting as the Chief Whip of ANC.

4. **ABSENT WITHOUT APOLOGY**

None

5. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

Condolence to the family of: -

Ms. F. Mjako who worked in Corporate Services under Call Centre section.

6. **PRESENTATIONS**

None

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

None

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

None

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 CHAIRPERSON: CORPORATE SERVICES**

20/06/CORP3

REVIEW OF THE ORGANISATIONAL STRUCTURE

Cllr. Februarie stated that organised labour indicated to him that they had one consultation with the employer and they have not reached an agreement with the employer regarding the settlement agreement for 75 workers and employment of workers, which makes him question the trust on the report. He further indicated that he is concerned about a picture being portrayed where a message was delivered to organised labour and a proposal was made to them yet labour has a different version. He further indicated that this report is a draft and he expects that in the next months' time a proper consultation with organised labour will be held and a report of the LLF meeting should be tabled together with the final organisational structure to Council for adoption.

He also indicated that he hopes Council takes into account the statement which was made by the Municipal Manager who said there will be no employment in the near future because of the liquidity of Council. He then enquired the time frame for finalising the draft organogram?

The Executive Mayor indicated his dissatisfaction with the statement made by Cllr Februarie saying the employer's version of report on consultations cannot be trusted that is not true, he further enquired why would organised labour's version be trusted yet the employer's version cannot be trusted. He then handed over to the Manager HR to provide clarity on the consultations that were held.

The Manager HR stated that a service provider was appointed to conduct a work-study and throughout this process the service provider had meetings with organised labour of which there are attendance registers as evidence. They were part of the process, there is an attendance register where the secretary of organised labour was in a meeting with the service provider, there were two separate meetings with only organised labour. At the last Local Labour Forum, organised labour indicated that they wanted further consultation on the organogram at which it was agreed at the

beginning of LLF that consultation sessions will be organised with every department, however organised labour abandoned the meeting because there was no consensus on the job evaluation item. Consultation meetings with all departments were arranged as discussed at LLF and organised labour stated that they will not attend those meeting and subsequently did not attend the consultation meetings arranged by management.

Director Moodley indicated that in terms of section 66 of the Municipal Systems Act, its under the auspices of the Municipal Manager to approve the organogram and that the item is placed before Council for noting. The item brings forward the changes that are being effected to the organogram in terms of the work-study.

Cllr. Februarie stated that based on the response from Dir: Moodley, the issue of implementation becomes a serious issue for him noting that if there is no time frame on implementation from Administration on this organogram, there is nothing stopping the Municipal Manager from implementing what is proposed in this organogram whilst an agreement could not be reached to employ workers on a settlement agreement based on no funds. He further enquired whether it is normal for a Municipality of Kouga's stature/size or bigger Municipalities to have a COO position in South African Municipalities. Council still has a responsibility to approve implementation and check financial implications that might pose a risk to the Municipality.

Director Moodley stated that the approval of the organogram does not mean that there is budget to fill vacant positions. The organogram just indicates what the organisation needs and as and when budget becomes available there is a possibility of filling positions. Departments can re-prioritise their positions and affect lateral transfers when the organogram is approved. She further indicated that with respect to the COO position, the service provider did a benchmarking exercise across municipalities in the country and according to his assessment it is the norm in local government to have such a position residing under the office of the Municipal Manager due to the number of functions that reside in the office of the Municipal Manager.

Municipal Manager indicated that not all the positions are funded on the organogram, filling of positions depends on the budget that is allocated for positions every year.

He further indicated that he does not foresee that all positions will be filled, with the current economic situation most appointments will

be delayed by a year. This organogram is backed up by job evaluation done by a professional.

Cllr. Februarie requested the report of the service provider regarding the proposal of the COO position.

Resolved (30 June 2020)

1. That Council note the Organisational Structure.

20/06/CORP4

REPLACEMENT OF MEMBERS ON THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC).

Cllr. Campher proposed adding Cllr. M. Van Niekerk as a member of MPAC

Cllr. Februarie proposed adding Cllr. Oliphant as replacement of Cllr. Meleni on MPAC. He further stated that he is concerned about the stipend per meeting as MPAC can have three meetings per month and the total amount might be more than just a stipend.

Director Moodley stated that the amount on the item is based on tariffs that are issued by National Treasury and those tariffs are currently being used for audit committee members.

Alderman Rheeder requested that this item be withdrawn and be investigated further.

Cllr. Peters agreed with Cllr. Rheeder in terms of withdrawing the item.

Cllr. Williams seconded the proposal.

Resolved (30 June 2020)

1. That the item be withdrawn

Cllr. Oliphant placed on record that he did not receive an invite via email to the meeting he only received an invite via WhatsApp, and he also stated that he had to connect to the meeting using his own personal data.

12.1 **LOCAL ECONOMIC DEVELOPMENT & TOURISM**

20/06/LED&T2

FINAL DRAFT OF THE KOUGA LOCAL ECONOMIC DEVELOPMENT STRATEGY FOR COUNCIL ADOPTION.

Cllr. Williams proposed a second recommendation as follows; That the action plan together with timelines be tabled at the next Portfolio Committee Meeting.

Cllr. Dhludhlu seconded the proposal.

Cllr. Oliphant indicated that the implementation of critical aspects on the document needs to be monitored whether by-monthly or quarterly.

Resolved (30 June 2020)

1. That Council notes the report and adopts the Final draft LED Strategy as tabled.
2. That the action plan together with timelines be tabled at the next Portfolio Committee Meeting.

13. **CLOSURE**

The Speaker thanked all present for their valuable input and declared the meeting closed.

The meeting closed at 10:00



**H BORNMAN
SPEAKER**

28 August 2020

DATE