

**MINUTES OF A VIRTUAL ORDINARY COUNCIL MEETING OF THE KOUGA MUNICIPALITY  
HELD ON FRIDAY, 30 JULY 2020 AT 10:09**

**PRESENT: Councillors**

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

**Officials**

C du Plessis	(Municipal Manager)
R Lorgat	(Chief Financial Officer)
V Felton	(Director: Infrastructure & Eng)
K Moodley	(Director: Corporate Services)
N Machelesi	(Director: Community Services)
F Mabusela	(Director: Planning, Dev & Tourism)
L Opperman	(Manager: Legal Services)
L Randall	(Media Liaison Officer)
B de Groot	(Sen Admin Officer: Committees)

1. **NOTICE OF MEETING**

The Speaker read the notice convening the meeting and requested Cllr B Dhludhlu to open the meeting with prayer.

2. **OPENING**

The Speaker welcomed all present to the meeting

3. **WITH LEAVE OF ABSENCE**

Cllr A Mabukane

Cllr Februarie advised that Cllr Mabukane receives scheduled treatment on specific days during the week and had tendered apology previously should a Council meeting take place at the time of his treatment. Cllr Februarie urged that Council meetings not be scheduled on days when Cllr Mabukane receives treatment.

3.1 **WITHOUT LEAVE OF ABSENCE**

None

4. **PRESENTATIONS**

None

5. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

Birthday wishes to Mrs B de Groot  
Cllr Vumazonke – well wish as a COVID-19 survivor

6. **STATEMENTS AND COMMUNICATIONS BY THE SPEAKER**

The Speaker expressed his dismay in that the Ward Councillors meeting held on 28 July 2020 was not well attended. The Speaker stated that all Ward Committees are to operational as from 1 August 2020 adhering to the safety and health regulations as well as social distancing is to be maintained in such meetings. Ward Offices need to be re-opened and manned by the Ward Assistant.

The Speaker officially tendered his apology for wearing a politically branded mask at public event and sincere apology which was not done intentionally.

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

The Executive Mayor reported that the Kouga Dam is 7,09% full which is of great concern as the dam level only increased by 1% with the current rainfall. It was also pointed out the dam will be empty by September 2020 if measures are not in place and monitored. If no inflow, a serious problem will exist in not being able to extract from the dam therefore the community is urged to use water sparingly. Water Trucks have been sent to Hankey and Patensie to assist the community during this period.

The Executive Mayor advised that the appointment of a Legal Panel tender has finally been awarded by Bid Adjudication Committee and will be appointed shortly.

Thus far there has been over 80% recovery rate in Kouga - 60 volunteers health officers will be appointed over next 3 months and will be active in areas to maintain all safety & health measures in all communities.

A 6,25% wage increase for Kouga employees was implemented. The Work Study has been completed and will be implemented to perform optimally. Over 70 new service delivery vehicles had been procured to service all Wards.

The Executive Mayor expressed his gratitude to all Directorates especially Directorate Planning, Development & Tourism during this challenging trying period regarding COVID-19 and believes that any challenge the municipality is faced with in future will be overcome.

7. **DECLARATION OF INTEREST**

None

8. **STATUTORY MATTERS**

9. **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).***

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

11. **REPORTS BY THE EXECUTIVE MAYOR**

11.1 **REPORT BY THE PORTFOLIO CHAIRPERSON: FINANCE**

**20/07/F10 MONTHLY BUDGET STATEMENTS FOR THE PERIOD JULY 2019 TO JUNE 2020 AND FINANCIAL STATE OF AFFAIRS OF THE MUNICIPALITY AS AT 30 JUNE 2020 (2019/20 FINANCIAL YEAR)**

Cllr Williams raised concern the under expenditure on building maintenance, biometrics system, and collection rate

The CFO advised that under expenditure was to due contractors not being able to work during the lockdown period. An application for a roll over in respect of the WTW will be made. The software licenses and maintenance of the financial system will ensure management of financial operations. Debt impairment is directly linked to under collection. The Adjustments Budget will be submitted to Council in August 2020

Director: Infrastructure & Engineering advised that the WTW project was stalled due to the lockdown but contractor is back on site to continue with the project. Approval will be granted for rollover of funds for the project and all municipalities were affected by the National Lockdown.

In terms of the biometric system, a 3year tender had already been awarded but due to the COVID-19 situation, it had to be suspended and the funds were rolled over to the new financial year as the tender has to be honoured.

**Resolved (30 July 2020)**

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. That the Executive Mayor's report on the implementation of the budget and the financial state of affairs of the municipality, in accordance with Section 52(d) of the MFMA be noted.
3. That the monthly budget statements accordingly be submitted to Provincial Treasury as stipulated in Section 71(1) of the MFMA.

**20/07/F11 BUDGET AND TREASURY: WITHDRAWALS FROM MUNICIPAL BANK ACCOUNT FOR THE QUARTER ENDED 30 JUNE 2020**

**Resolved (30 July 2020)**

1. That the Council notes the withdrawals that were made in terms of section 11(1) (b) to (j) of the MFMA for the quarter ended 30 June 2020; and
2. That the report accordingly be submitted to the Provincial treasury and Auditor-General as determined by section 11(4) (b) of the MFMA.

**20/07/F12 WRITE-OFF IN RESPECT OF IRRECOVERABLE ARREAR DEBTS – EQUITABLE SHARE**

Cllr Februarie stated that he understands the write-offs but does not see any in Ward 7. Annual applications by the community did not take place and therefore Ward 7 does not benefit. The community could qualify but this is not addressed and can result in huge outstanding bills. The CFO advised that the benefit lapses and the community must therefore re-apply but for the community to re-apply they must be informed of the process.

Cllr Oliphant requested that the relevant department to arrange a ward based initiative to liaise with the community advising of the process for all Wards to benefit. Many residents do qualify and they must be identified and advised thereof.

The CFO advised the reports indicating beneficiaries are submitted to Portfolio Committee meetings.

**Resolved (30 July 2020)**

1. That the Equitable Share write-offs for the period June 2020, amounting to R275 369.19, be approved.

**20/07/F13 ELECTRICITY TARIFF INCREASES: 2020/21 FINANCIAL YEAR**

**Resolved (30 July 2020)**

1. That the Council, by resolution taken by majority of its full number, and in terms of Sections 30(2) and 93(4) of the Local Government: Municipal Structures Act, Act 117 of 1998 (as amended), read in conjunction with Chapter 4 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, approved the electricity tariffs as reflected in **Annexure A, B & C** with effect from 1 July 2020.
2. That the relevant Directorate advertise the Electricity Tariff Increases for the 2020/21 Financial Year in the media as contemplated in (1) above.

11.2 **REPORT BY THE PORTFOLIO CHAIRPERSON: COMMUNITY SERVICES**

**20/07/CS7 LONG TERM LEASE FOR ENVIRONMENTAL AND CLIMATE MITIGATION PROJECT - HUMANSDORP LANDFILL SITE**

Cllr Benson proposed that the long term lease with Cape Carbon be amended and should read for a period not exceeding 9 years and 11 months.

Proposed: D Benson

Seconded: C August

**Resolved (30 July 2020)**

1. That Council endorses the environmental and climate mitigation project (The Kouga Combined Waste to Energy and Carbon Generation Project) in collaboration with Cape Carbon on a portion of Farm 347, Zwartenbosch.
2. That Council endorses the project in alignment to Kouga Municipality's Integrated Development Plan.
3. That Community Services accept oversight / monitoring role.
4. That Council authorises the Accounting Officer to enter into a long term lease with Cape Carbon for a period not exceeding 9 years and 11 months.
5. That Council endorses the Accounting Officer to finalise a Land Availability Agreement with Cape Carbon.
6. That the proposed lease be advertised in terms of paragraphs 5.13.1 and 5.13.2 of the Policy and Procedures for the Disposal of Immovable Property.

**20/07/CS8 DECLARATION OF A LOCAL STATE OF DISASTER IN THE KOUGA MUNICIPAL AREA DUE TO THE BREACHING AND IMMINENT FURTHER BREACHING OF THE ST. FRANCIS BAY BEACH SPIT IN TERMS OF SECTION 55(1) OF THE DISASTER MANAGEMENT ACT NO. 57 OF 2002**

Proposal 1

That the recommendations, as amended, be accepted.

Proposed: D Benson

Seconded: B Rheeder

Proposal 2

That the matter be kept in abeyance until an urgent on-site inspection has been arranged for all councillors to au fait themselves with the conditions of the St Francis Bay Beach Spit area and to reconvene to make an informed decision on the matter.

Proposed: P Oliphant

Seconded: E Februarie

That it be recorded that the ANC component called for a Division of Vote on the item.

Voting procedure followed as reflected below:-

F Baxter	in favour
D Benson	in favour
B Dhludhlu	in favour
B Williams	in favour
N Botha	in favour
R Jantjies	in favour
M van Niekerk	in favour
M Biko	in favour
T Jantjes	in favour
C August	in favour
W Gertenbach	in favour
F Campher	in favour
W Coenraad	in favour
L Vorster	in favour
B Rheeder	in favour
H Hendricks	in favour
H Bornman	in favour
P Oliphant	not in favour
P Nkwalase	not in favour
C Matroos	not in favour
Z Mayoni	not in favour
L Vumazonke	not in favour
E Februarie	not in favour
S Jujwana	not in favour
M Peters	not in favour
C Makasi	not in favour

In favour of the recommendation = 17  
Not in favour of the recommendation = 9

**Resolved (30 July 2020)**

1. That Council, in terms of Section 55(1) of the Disaster Management Act No 57 of 2002, declare a local state of disaster.
2. That Administration arrange that the declaration be advertised in the Provincial Gazette.
3. That Council release, personnel and funds be allocated for immediate action to mitigate the risks associated with the breach of the St Francis Bay Beach Spit and immediate measures to prevent the imminent further breaching of the St Francis Bay Beach Spit.
4. That the Community Services Directorate implement its emergency Action Plan.
5. That application be made to Provincial and National Government for additional funds to assist the Kouga Municipality with the implementation of emergency measures.
6. That the relevant Directorate arrange an urgent on-site meeting for all Councillors to familiarize themselves with the St Francis Bay Beach Spit disaster area.

Proposed: D Benson

Seconded: B Rheeder

12. **CLOSURE**

The Speaker thanked all Councillors for participating in the meeting and declared the meeting closed.

The meeting adjourned at 12:15



**H BORNMAN**  
**SPEAKER**

**28 August 2020**

**DATE**