

**MINUTES OF A VIRTUAL SPECIAL COUNCIL MEETING OF KOUGA MUNICIPALITY HELD
ON TUESDAY, 6 SEPTEMBER 2021 AT 11:03**

PRESENT: Councillors

H Bornman	(Speaker)
H Hendricks	(Executive Mayor)
B Williams	
F Campher	
D Benson	
B Rheeder	
F Baxter	
B Dhludhlu	
L Vorster	
R Jantjies	
T Jantjies	
W Gertenbach	
C August	
M Biko	
M van Niekerk	
W Coenraad	
J Alexander	
S Makasi	
M Peters	
P Nkwalase	
C Matroos	
R Dennis	
M Dayimani	

**Officials &
Municipal Manager**

F Mabusela	(Acting Municipal Manager)
K Moodley	(Director: Corporate Services)
E Delpont	(Acting Director: I & E)
N Machelesi	(Director: Community Services)
R Lorgat	(CFO)
D De Jager	(HR Manager & Acting Deputy MM)
E Oosthuizen	(Manager: Technical Services)
T Madatt	(Manager: Electrical)
M Goduka	(Manager: ICT)
L Opperman	(Manager: Legal Services)
M Basson	(Senior Media Liaison Officer)
N Zode	(Acting Senior Committee Officer)
M Julius	(Committee Clerk)

1. NOTICE OF MEETING

The Speaker read the notice convening the meeting and advised that in terms of the amended Directions on Municipal Operations and Governance and in terms of Section 27(2) of the Disaster Management Act, 2002, that a virtual Ordinary Council Meeting will be held using the zoom platform.

2. **OPENING AND WELCOME**

The Speaker welcomed those present and asked Cllr Alexander to open with prayer. The Director: Planning, Development and Tourism would be the acting Municipal Manager.

3. **ABSENT WITH LEAVE**

Cllr P Oliphant
Cllr E Februarie

4. **ABSENT WITHOUT LEAVE**

The Speaker asked the Director: Corporate Services to remove the section as it was redundant as Absent and Absent Without Leave were the same.

Cllr S Jujwana
Cllr J Mayoni
Cllr A Mabukane
Cllr V Vumazonke

5. **PRESENTATIONS**

6. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

None

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

The Speaker asked that Council note that there would be an Ordinary Council meeting at the end of September. There would be an item in the Ordinary Council Agenda that would mention a month-long recess for Councillors. The recess period would be for one month from the end of September 2021.

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

None

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 OF COMMITTEES OF COUNCIL**

None

11. **REPORT BY THE OFFICE OF THE MUNICIPAL MANAGER**

12. **REPORTS BY THE EXECUTIVE MAYOR**

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

21/09/F1 **AMENDMENTS TO THE 2021/22 APPROVED CAPITAL BUDGET AND APPROVAL OF UNSPENT FUNDS AS AT 30 JUNE 2021 (CAPITAL PROJECTS)**

Cllr Williams greeted those present and stated that the Adjustment Budget was being tabled. The Acting Director: I&E would brief Council on the project aspect of the budget whilst the CFO would address financial implications.

The Acting Director: I&E stated that he had introductory remarks on the drought approach taken as well as why and how the budget had been revised to allocate funds on the capital budget for the drought project.

It had been determined that boreholes would be drilled, and the Municipality would ensure the borehole water was adequate. This water would be added to the system and used as the first line of defence. The revised budget allowed for additional boreholes, investigations for more boreholes as well as the fitting of pumps and pipes to boreholes to allow connection to the Municipal System and Reservoirs.

The second line of defence was the treatment of water to make it portable. The iron and manganese in the borehole water were the concern. There was a plan for containerised water treatment facilities that would remove these chemical elements. Although manganese and iron were not health threats it affected the taste and appearance of the water.

The third line of defence would be reverse osmosis and desalination. This was included in the budget towards the medium term. This was the strategy used when determining the projects. There were various plans for addressing water in the different areas of Kouga. The revised budget also allowed operational funds to be utilized to back up the system and defence lines for the carting of water and water tankers.

Cllr Williams asked that the CFO provide an overview of the projects' financial implications to Council.

The CFO stated that regarding the rollovers, all budgets from the prior year that had commitments attached had been considered as well as the projects that had to be rolled over. This was the basis for the information on page 7. All the commitments had been considered and rolled over accordingly.

Regarding the drought and the budget, the funds required for specific tenders had been determined and there were some savings. The budget was then reduced to reallocate it. He was thereafter inaudible. Over and above this, funding would be through the South African Local Government Association (SALGA) donation. He was inaudible thereafter.

The Speaker asked Cllr Williams to elaborate as the CFO had poor connectivity.

Cllr Williams stated that the following water projects had been identified and some would be funded. The biggest ones would be the connection of Humansdorp boreholes to the treatment works for R11 million, ground water investigations in St Francis Bay for R900 000. The sale of property to Woodlands amounted to R10.5 million and a R700 000 donation from SALGA, would be used to fund the adjustment budget. The further projects and plan for drought mitigation were included in the confidential agenda.

The Speaker called on Cllr Dennis but there was no response.

The Speaker put the matter to the vote by a show of hands.

In favour = 18

Not in favour = 0

Resolved (6 September 2021)

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 No 56 of 2003, approves the following amendments to the 2021/22 Capital Budget.

Ukey Nr	Directorate	Project Name	Approved Budget 2020/21	Actuals as at 30 June 2021	2021/22 Approved Rollover Amount
20201002061412	Executive & Council	Vehicle	700 000	-	700 000
20190710991626	Corporate Services	EDMS	835 852	668 898	166 954
20200711023532	Corporate Services	Computer Equipment-Skills	223 603	190 260	33 343
20200711023624	Corporate Services	Fencing of Municipal Buildings	469 309	445 986	23 323
20190710991853	Finance	Computer Equipment	1 165 426	251 182	914 244
20210113033013	Planning, Development and Tourism	Computer Equipment	83 898	-	83 898
20210304980945	Planning, Development and Tourism	Office furniture	251 528		251 528
20200711023610	Planning, Development and Tourism	Ocean View Business Support Centre	300 000	-	300 000
20200711023565	Planning, Development and Tourism	Restoration of the fishermen grave site	100 000	-	100 000
20190710991692	Infrastructure & Engineering	New overheadlines 66kv overheadlines(Jbay to Melk	3 043 086	2 295 767	747 319
20210304980948	Infrastructure & Engineering	Mini Fresh Food and Craft Markets in Jbay & Hankey	400 000		400 000
		Total	7 572 702	3 852 095	3 720 607

ADJUSTMENTS TO THE 2021/22 APPROVED ANNUAL BUDGET					
UKEY NR	DIRECTORATE	PROJECT DESCRIPTION	Approved Budget 2021/22	Adjustments	Adjusted Budget 2021/22
New Ukey Nr	Finance	Operational Revenue:Donation	-	722 000	722 000
20200711024804	Finance	Operational Revenue:Sale of Property	-	10 524 761	10 524 761
20200711023312	Infrastructure & Engineering	Replace 250mm Water Main Canal Road St Francis Bay	350 000	187 000	163 000
20200711023323	Infrastructure & Engineering	Replace Main Waterline Sout Rivier Bridge Crossing	700 000	405 000	295 000
20200711023326	Infrastructure & Engineering	Replace 250mm Water Main Mimosa Street Jbay	205 000	101 000	104 000
20200711023341	Infrastructure & Engineering	New bypass Sewer Rising Main and Pump Stations Jbay	1 430 000	438 000	992 000
20200711023344	Infrastructure & Engineering	Fencing Kruisfontein Waste Water Treatment Plant	1 500 000	1 500 000	-
20200711023347	Infrastructure & Engineering	Upgrade Sewer Rising Mains Jbay (La Mer-4A-4B) Pre	600 000	274 000	326 000
20200711023350	Infrastructure & Engineering	Piped Reticulation - St Francis Bay	500 000	205 000	295 000
20210710000783	Infrastructure & Engineering	High Mast Lights	600 000	600 000	-
20190710991734	Infrastructure & Engineering	Upgrade Sanitation System Old Hankey	9 230 435	3 636 957	12 867 392
20210710000836	Infrastructure & Engineering	Fencing Sea Vista Reservoir	500 000	500 000	-
20200711023491	Infrastructure & Engineering	Upgrade Loerie sewer pump station	850 000	703 000	147 000
20210710000896	Infrastructure & Engineering	Walk Behind Persestrian Roller	200 000	200 000	-
20200304025410	Infrastructure & Engineering	Upgrading of Sports Facilities	4 136 957	3 636 957	500 000
20210710001123	Infrastructure & Engineering	Construct emergency overflow pond Koraal Sewer	520 000	420 000	100 000
New Ukey Nr	Infrastructure & Engineering	Connect up 3 x boreholes Soetkloof Hankey	-	2 875 000	2 875 000
New Ukey Nr	Infrastructure & Engineering	Connect 4 x drilled boreholes to treatment works	-	11 356 000	11 356 000
New Ukey Nr	Infrastructure & Engineering	Groundwater investigation for additional boreholes - St Francis	-	923 000	923 000
New Ukey Nr	Infrastructure & Engineering	Investigate additional groundwater sources (PSP) - Thornhill	-	276 000	276 000
New Ukey Nr	Infrastructure & Engineering	Investigate additional groundwater sources (PSP) - Loerie	-	346 000	346 000
20190710991659	Community Services	Vehicle	-	565 000	565 000
New Ukey Nr	Planning, Development and Tourism	LED Strategy	-	322 000	322 000
		Total	21 322 392	116 761	21 205 631

21/09/F2 CORPORATE GOVERNANCE OF ICT POLICY

Cllr Williams introduced the item and asked that Council approve the policy.

The Speaker stated that the policy had been workshopped two weeks prior.

Cllr M Dayimani stated that if the policy had been workshopped as per the standard procedure, the ANC caucus supported it.

The Speaker responded that the policy had been workshopped and minor amendments had been made. The ANC caucus was in agreement at the Policy Workshop.

The policy was uniamously adopted.

Resolved (6 September 2021)

1. That the Corporate Governance of ICT Policy be approved by Council.
2. That the Corporate Governance of ICT Policy be published on the Kouga Website.

12.2 **REPORTS BY THE CHAIRPERSON: LOCAL ECONOMIC DEVELOPMENT AND TOURISM**

21/09/LED&T1 AMENDMENT OF GRANT IN AID POLICY - GRANT IN AID COMMITTEE

The Executive Mayor called on Cllr Baxter to present the item but there was no response. He thereafter asked that Alderman Rheeder present the item.

Alderman Rheeder introduced the item. He asked that the Legal Manager advise if it was cast in stone that Councillors were not allowed to be members of the committee.

The Speaker asked if it would be allowed as an oversight role. A politician was currently the chairperson of the committee, and the amendment would affect this.

The Manager: Legal Services stated that it was an MFMA structure that was being established and it was not cast in stone. She asked that the Acting Municipal Manager comment and provide the reason for the required amendment.

The Speaker asked that the Acting Municipal Manager comment on the possibility of having a politician in an oversight role on the committee.

The Acting Municipal Manager stated that a Councillor could play an oversight role. It was an MFMA structure and the MFMA did not support the direct participation of Councillors in committees established under it. She asked the CFO to comment on the matter.

She further continued that the committee was not a decision making committee but one that made recommendations to a committee of Council which was the Mayoral Committee, and thereafter referred to Council for final approval.

Alderman Rheeder stated that considering that the committees' recommendations went through the Mayoral Committee, oversight could be exercised at the Mayoral Committee.

Cllr Dayimani stated that Cllr Dennis was perhaps muted and asked that it be addressed.

The Speaker indicated that the issue was on Cllr Dennis's side as he could not unmute participants.

Cllr Peters stated that she had been concerned about the Portfolio Chairperson but was covered by the explanations provided.

The amendment to the policy was unanimously adopted.

Resolved (6 September 2021)

1. That Council approves the amendment of section 3.2 of the Grant in Aid Policy to read as follows:

"3.2 Application Process

Applications are received and processed within the relevant Directorate. The applications are verified and all relevant information is considered. A list of potential successful applications is then sent to a Grant-in-aid Committee of Council for the screening and recommendation of applications. A report is then compiled by the relevant Director with the proposed allocations as a recommendation.

The Grant-in-aid Committee shall comprise of the:

- Chief Financial Officer (Chairperson)
- All Directors
- Relevant Manager of Section within the Directorate
- Manager Mayor's Office
- Manager: Legal Services"

12.3 **REPORTS BY THE CHAIRPERSON: PLANNING AND DEVELOPMENT**

21/09/PD1 APPLICATION TO PURCHASE ERF 2896 - SEA VISTA – INDUSTRIAL AREA (NEXUS YACHTS)

Alderman Rheeder introduced the item. He stated that he would provide background information on the item as it had not been discussed at any Portfolio Committee.

Nexus Yachts provided job opportunities to the people of Sea Vista but the business had been destroyed by a huge fire. The company had requested to buy the land as it wanted to extend its business.

The recommendations were unanimously accepted.

Resolved (6 September 2021)

1. That Council grant in-principle approval for the disposal of Erf 2896 (POS) - Sea Vista situated in the Industrial Area through an open tender process.
2. That Council grant authorization to the Accounting Officer to publish a public advertisement on the intention to dispose and alienate the immovable property herein for public participation.
3. That Council determine the market related valuation of the immovable property contemplated herein.
4. That the relevant department rezones and closes the public open space prior to disposal of Erf 2896, through an open tender process.
5. That the newly created Erf be transferred only once the formal closure, consolidation and rezoning has been concluded, and the conveyance cost be carried by the applicant.

13. **CLOSURE**

The Speaker thanked all present for their valuable input and moved onto the confidential section of the agenda.

The meeting closed at 11:34



H BORNMAN
SPEAKER

01 October 2021

DATE
