

MAKANA MUNICIPALITY

**MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBER
ON WEDNESDAY, 02 DECEMBER 2015 AT 09H00**

PRESENT:

Clr. Y. Vara - Speaker
Clr. N. Gaga - Executive Mayor
Clr. L. May
Clr. T. Ngeleza
Clr. N. Masoma
Clr. M. Madinda
Clr. P. Ranchhod
Clr. P. Notyawa
Clr. B. Fargher
Clr. X. Madyo
Clr. B. Jackson
Clr. N. Tyantsula
Clr. N. Meti
Clr. M. Khubalo
Clr. M. Tame
Clr. V. Kolisi
Clr. M. Booysen
Clr. M. Phongolo
Clr. L. Reynolds
Clr. R. Plaatjie
Clr. B. Sali
Clr. M. Gojela
Clr. J. Wells
Clr. M. Matyumza
Clr. N. Magadaza

IN ATTENDANCE:

Administrator (Mr J. Gomomo)
Acting Municipal Manager (Ms R. Meiring)
Director: Public Safety Serv (Mr Planga)
Acting CFO (Ms. Khumalo)
Acting Director: E.I.Services (Mr. Mlenzana)
Acting Director: Corp. Services (Mr. Mager)
Manager: Legal Services (Mrs. Mbanjwa)
Manager: Speakers Office (Ms. Santi)
Manager:Human Resources (Mr. Kalashe)
Riebeeck East Unit Manager (Ms. Kulati)
Dep. Dir: Town Planning (Mr. van de Merwe)
Manager: Tourism (Mr. Sindane)
Town Planner (Ms. Jonas)
Town Planner (Ms. Pogodin)
Committees (Ms. Faltein)

ABSENT:

Clr. E. Louw
Clr. K. Jela – sick leave

C1

OPENING STATEMENT - SPEAKER

Madam Speaker welcomed and greeted everyone. Thereafter she asked Councillor M. Madinda to open with prayer. She thereafter made the following opening remarks:

“It is my pleasure to have this last meeting of the year 2015, which was not easy at all but we have managed to deliver services to our people thus far with support, dedication and commitment shown by all the role-players in our area of jurisdiction. I am not going to make a speech, the Executive Mayor will do the welcoming but there are some few things that I would like to highlight today. Deepest sympathy to Cllr Masoma and family for the death of her mother. May her soul rest in peace.

Our country have managed to launch the 16 Days of Activism and no violence to women and children. I am delighted to announce that this year 2015, we are marking the 15 years of its existence. I would like to thank the brave men and women who brought us this democracy we are celebrating. As I have said before, that 2015 was a challenging year. We have experienced the looting of foreign nationals’ businesses. I commend the good work done by the Executive Mayor, Councillors, the Acting Municipal Manager, the Directors, the officials and all the role-players that assisted in the process of bringing back peace in Makana, Grahamstown in particular- job well done.

As a Speaker, on the 19 - 20 November 2015 I have attended a Speakers’ Forum which was called by the Provincial Speaker, and was a fruitful exercise. A detailed report/ presentation will be forwarded to all Councillors from my office.

I have noticed with disappointment the poor participation of Councillors in the municipal activities or events especially PR Councillors, hence I have developed a deployment plan where all PR Councillors are going to be deployed at various wards to assist the ward Councillors.

As we all know that this is the last year of the current term, next year, 2016 we are going to have Local Elections. The Municipal Demarcation Board has already sent out a Government Gazette about the new ward delimitations in all the municipalities if there are Councillors that did not get the Gazette, they can get it from my office. Saying to the business of the day, I would like to remind all of us that the Councillors will soon be on recess, the dates will be announced in due course”.

C2

STATEMENT BY THE EXECUTIVE MAYOR

The Executive Mayor made the following statement:

“I greet you all in the spirit of 16 Days of Activism for No Violence against Women and Children. Madam Speaker, yesterday the SAPS was launching the beginning of 16 Days of

Activism for No Violence against Women and Children which this year coincided with World Aids Day. The ANC led government adopted the 16 Days Campaign in 1998 as one of the intervention strategies towards creating a society free of violence. The campaign has since grown and attracts people from all walks of life. We are all united by the objective of building safer communities for women and children.

One of the key achievements of freedom and democracy is the Constitution of the Republic. The Constitution contains a Bill of Rights which promotes human dignity and equality, including gender equality, and the advancement of human rights and freedoms. The constitutional vision of equality, which incorporates redressing gender and other imbalances, is taken forward in the legislation that promotes equality. This country has the right policies and legal framework to protect women and children. However, despite this wonderful Constitution and very good laws, the scourge of violence against women and children continues in different forms.

We have had tragic cases of women being brutally killed by their partners which in the case of Makana resulted in false rumours that created attacks on foreign nationals. This unacceptable behavior must stop, we need to have a violence free society where everybody is safe to go wherever and whenever. In such campaigns Madam Speaker, we encourage the participation of men as well so that we all work together to find a solution.

Fellow Councillors, this is our last Council meeting that concludes 2015. This has been a very strenuous and challenging year which saw so many incidents and changes taking place in this Council. As Makana the death of Cllr Nomhle Ngoqo came as a shock to us all. Along the way we also lost administrative staff members and one citizen who was a service provider trying to assist in this institution.

We have also witness the resignations of the Executive Mayor, Cllr Peter and Speaker Cllr Rachel Madinda-Isaac, of which their positions have since been filled by three new Cllrs amongst us today.

Madam Speaker, fellow Councillors it is with great sadness to see one of our pillars who gathered this municipality from the dust it was in and brought it to a standstill, leaving this institution. Ms. Busi Khumalo is one of the most important possessions this municipality has ever had, but IsiXhosa sithi, "Inkomo yenqoma yintsengw'ibheka," meaning what you have borrowed can be taken from you when you least expect it. Mamntungwa with you we have built a meaningful relationship and you are like a sister to us all. Councillors and staff members, we would not want to see you leaving. We need to fastrack the employment of the CFO and other critical posts that would assist in the development of this institution. This has been a long and eventful year for us all which saw many changes happening in our financial status as well. We are not out of the woods yet but if we emphasize the payment of service charges to our citizens I believe we would see a huge difference in our revenue collection.

On that note Madam Speaker, I would like to thank everybody who made it possible for this municipality to perform to its best given the circumstances.

As we end this year, I wish all of you a happy and joyous Christmas and a year full of good luck, blessings and happiness".

C3

OFFICIAL ANNOUNCEMENTS - ADMINISTRATOR

Nil.

C4

OFFICIAL ANNOUNCEMENTS BY THE ACTING MUNICIPAL MANAGER (MM)

The acting Municipal Manager wished everyone a blessed Christmas and a wonderful New Year. She said she wished that everyone will come back with fresh ideas. Lastly the acting MM bided Ms. B. Khumalo farewell.

C 5

APPLICATION FOR LEAVE OF ABSENCE (WRITTEN APOLOGIES)

Clr. P. Ranchhod – 14 – 18 December 2015.

C 6

DISCLOSURES OF INTEREST (BY ANY MEMBER ON ANY ITEM THAT FORMS PART OF THE AGENDA)

Clr. P. Notyawa on item CC4 (Confidential). Report on the matter of Notyawa vs Makana Municipality.

C 7

MINUTES OF PREVIOUS COUNCIL MEETINGS:

C 7.1

MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 15 SEPTEMBER 2015

The Council **RESOLVED** THAT the minutes of the Special Council meeting held on 15 September 2015 be CONFIRMED subject to the following correction:

- a) Item SC 7.2 (d), election of new Executive Mayor. Councillor N. Plaatjie's name should appear under "abstained".

C 7.2

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 15 SEPTEMBER 2015

The Council **RESOLVED** THAT the minutes of the Ordinary Council meeting held on 15 September 2015 be CONFIRMED subject to the following correction:

- a) Item C 9.15, lease out of Council property situated on erf 5247, 10 Ilchester Road to ex-Mayor Mr. Z. Peter. The Resolution in item C9.15 be rephrased to read as follows: "The council **RESOLVED** THAT the property situated in 10 Ilchester Road, erf 5274, be made available to Mr. Z. Peter for a period of one month as per the Mayoral Handbook.

C 7.3

MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 06 OCTOBER 2015

The Council **RESOLVED** THAT the minutes of the Special Council meeting held on 06 October 2015 be CONFIRMED subject to the following corrections:

- a) Under attendance, Councillor B. Fargher was on sick leave and Concillor Plaatjie was present in the meeting.
- b) Item SC1, opening. Councillor B. Jackson not Councillor B. Fargher opened with prayer.

C 7.4

MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 06 NOVEMBER 2015

The Council **RESOLVED** THAT the minutes of the Special Council meeting held on 06 November 2015 be CONFIRMED subject to the following corrections:

- a) Item SC1, opening. Councillor M. Madinda not Councillor Madinda-Isaac opened with prayer.
- b) Item SC 7.1 (c) the name of Noncedo Magadaza be corrected to Noluncedo Magadaza.
- c) Item SC 7.5 (d) under **NOTED** the sentence should be rephrased to read as follows "Portfolio Councillors should ensure that Directors evaluate junior officials quarterly.

C 7.5

MINUTES OF THE MAYORAL COMMITTEE MEETING HELD ON 29 SEPTEMBER 2015

The Council **NOTED**:

- a) The Mayoral Committee set on the 29 November 2015 and some corrections for the Mayoral Committee minutes of 29 September 2015 were made in that meeting.
- b) There was no report on the laptops issued for the late Councillor Ngoqo and former Councillor Waldick. The Manager in the office of the Speaker is dealing with the 3G cards matter.
- c) Stormwater problems in Scotsfarm were still not attended to.
- d) The Construction of 11 High Mast Light in Mayfield Housing project is still in the procurement processes.
- e) A site visit to all projects for Councillors and Officials has still not being organized.

The Council **RESOLVED** THAT the minutes of the Mayoral Committee meeting held on 29 September 2015 be CONFIRMED subject to the following correction:

- a)
 - i. Councillor J. Wells's name should be removed under "application for leave of absence (written apologies)" as she is not a Mayoral Committee member.
 - ii. Item E6.2.2, minutes of the previous meeting. Correction (c), the sentence be rephrased to read as follows: "The word "**National Assembly**" be corrected to "**Tourism Portfolio National Assembly**".
 - iii. Item E6.8.5 (a) monthly report for Fire & Rescue Services for the month of June 2015 the word "**approved**" be corrected to "**approached**".
- b) THAT the report on the laptops issued to the late Councillor Ngoqo and former Councillor Waldick be submitted to the next Council meeting.
- c) THAT Councillor Matyumza and Councillor Ranchhod go to Scotsfam for a site visit to inspect the progress in the stormwater problems in the Ward.
- d) THAT the acting Director: Engineering and Infrastructural Service organize the site visit to all projects for all Councillors and officials as resolved by the Mayoral Committee on 29 September 2015.

C 8

REPORTS BY THE ACTING MUNICIPAL MANAGER (AS PER THE AGENDA)

C 8.1

ACTION SHEET OF THE SPECIAL COUNCIL MEETING HELD ON 15 SEPTEMBER 2015

CONSIDERED:

Undated report from the acting Municipal Manager.

The Council **RESOLVED** THAT the Action Sheet of the Special Council meeting held on 15 September 2015 be APPROVED.

C 8.2

ACTION SHEET OF THE ORDINARY COUNCIL MEETING HELD ON 15 SEPTEMBER 2015

CONSIDERED:

Undated report from the acting Municipal Manager.

The Council **NOTED:**

- a) Item C8.6, report on leaking of confidential information. The status that the “initial findings revealed that very little can be done to prevent the leaking of information as it is an “obscure offence”.
- b) Item C9.1.1, litigation workshop. The workshop will not be able to be conducted during December 2015 because of many activities of the Council.
- c) Item C9.2, progress report on the establishment of an airport in Makana. There are interactions between CemAir and Makana Municipality and the discussions will resume at the beginning of 2016 with the CFO of CemAir.
- d) Item C9.5, election of MPAC Chairperson and a representative on the Sarah Baartman District Municipal Council. The acting Municipal Manager delegated the task of informing the Sarah Baartman District to an official, but later the acting MM did inform Sarah Baartman about the new members.

The Council **RESOLVED:**

- a) THAT the Action Sheet of the Ordinary Council meeting held on 15 September 2015 be APPROVED.

- b) THAT a review on how the confidential information is kept be conducted.
- c) THAT the leaking of confidential information be an item in the risk register.
- d) THAT the litigation workshop be organize in January 2016 after the recess.
- e) THAT the status report on the establishment of an airport in Makana be submitted to the Social Development Portfolio Committee, to Mayoral Committee and Council meeting.

C 8.3

ACTION SHEET OF THE SPECIAL COUNCIL MEETING HELD ON 06 OCTOBER 2015

CONSIDERED:

Undated report from the acting Municipal Manager.

The Council **NOTED:**

- a) Item SC 7.7, report on the litigation by Makana Municipality Unity League. The progress that the first report prepared by Mr. Planga has been filed in court by Messrs Smith Tabata and Associates.
- b) Item SC7.10, membership changes to Portfolio and other Committees and Councillors serving on outside bodies. Some Councillors are left out in the list and the Executive Mayor will submit a revised list to Corporate Services Directorate.

The Council **RESOLVED:**

- a) THAT the Action Sheet of the Special Council meeting held on 06 October 2015 be APPROVED.
- b) THAT the report on the litigation by Makana Municipality Unity League with the court report be submitted to the next Council meeting.
- c) THAT Councillors L May and N. Magadaza be part of the Infrastructural Development Portfolio Committee.

C 8.4

ACTION SHEET OF THE SPECIAL COUNCIL MEETING HELD ON 06 NOVEMBER 2015

CONSIDERED:

Undated report from the acting Municipal Manager.

The Council **NOTED:**

- a) Item SC 7.3, adoption of Back to Basics action plan by Makana Municipality. The Executive Mayor, Ward Committees and Community Development Workers should conduct a door-door campaign and a report will be submitted to the Council
- b) The priority main focus of the door to door campaign of Back to Basics will focus on priority 1 and 4 (Putting people first and Sound Financial Viability).
- c) Item SCC2, appointment of Chief Financial Officer: Mr. S. Ndakisa. The Administrator has already advertised the post of the CFO and listed the CPMD course as an added advantage.
- d) The Administrator will consult the office of the MEC to establish if the advert was crafted correctly before the recruitment processes.
- e) Item SCC2 (c), appointment of Chief Financial Officer: Mr. S. Ndakisa. The Administrator is still waiting for the response from the office of the MEC on who is going to replace Ms. B. Khumalo as her contract ends on 31 December 2015. The Executive Mayor will also make a follow up on the secondment from the office of the MEC.
- f) Item SC7.11, public gathering and petitions. The report has not yet been submitted to Council.

The Council **RESOLVED:**

- a) THAT the acting Municipal Manager together with the Administrator write a letter to the office of the MEC for exemption from the CPMD course for the CFO position.
- b) THAT the terms of reference of the Gatherings and Petitions Committee be submitted to the next Council meeting in January 2016.

C 9

1ST QUARTER PERFORMANCE REPORT

CONSIDERED:

Report dated 30 November 2015 from the acting Municipal Manager.

The Council **NOTED:**

- a) The 1st Quarter Performance report.
- b) The format should be corrected for a clear reading.
- c) Councillors should be taken through the SDBIP and SDBIP should be reviewed before the budget adjustment in order to be in line with the budget adjustment.
- d) The SDBIP does not respond to the wish list of the Council and it does not present the current situation of the Council.

The Council **RESOLVED:**

- a) THAT the SDBIP be reviewed and the budget adjustment report be submitted on the 29 January 2016.
- b) THAT the Executive Mayor interrogate the SDBIP so that it can be aligned with budget adjustment which will be presented by the Executive Mayor to the Council.
- c) THAT the Portfolio Chairpersons and the Directors review their SDBIP's and re-align the SDBIP's with the Financial Recovery Plan before second week of January 2016.

[Part B]

C10 (7.1)

REPORT ON SEC 52 (d) OF THE MFMA ON THE IMPLEMENTATION OF THE 2015/16 BUDGET.

CONSIDERED:

Report dated 03 December 2015 from the acting Municipal Manager.

The Council **NOTED:**

- a) The contents of the report and supporting documents for the 1st quarter of 2015/16 financial year.

- b) On the In-Year Budget Statement, the R8 million referred to in the report relates to conditional and non-conditional grants. The Municipality has not received that MIG grant yet.
- c) On the major revenue variances against the original budget, the acting CFO will meet with SEBATA and discuss the property rates collection.
- d) On the major operating expenditure variances against adjusted budget. The Municipality is still under collecting when it comes to water because the community is still not paying for water.
- e) Ms. B. Khumalo and Mr. D. Mlenzana will meet with SALGA, COGTA and ESKOM to discuss water bulk payment.
- f) REVCO is still going to come and conduct a workshop on Revenue Enhancement.
- g) On the financial position report, the budget is only for in payment. Creditors are being paid with the monies that are coming into the institution.
- h) On the debtors by customer type, data cleansing needs to be done.
- i) On the REVCO performance report. REVCO is collecting 4.29 % and is over performing as they are collecting more than 2% in debt collection.
- j) On the credit age analysis report Eskom debt was at R49 million in September 2015 it should be less than R59 156 679.75 as payments were made after September 2015.
- k) The internal meetings between BTO and PMU was starting to sit to reconcile 60% MIG fund that PMU claimed they have spent.

The Council **RESOLVED** THAT the Senior Management Team (SMT) look and strategies on how to address the data cleansing and submit the recommendations to Council.

C 11 (7.2)

3/2/3/3

UNAUTHORISED, IRREGULAR, FRUITLESS AND WASTEFULL EXPENDITURE – 2015/2016.

CONSIDERED:

Report dated 08 December 2015 from the acting Municipal Manager.

The Council **NOTED:**

- a) The irregular, unauthorized, fruitless and wasteful expenditure report for 2015/16.

- b) Travelling arrangements should be made internally to reduce paying a lot of money to Sure Go Travel.
- c) The acting Chief Financial Officer should consider filling vacancies in the Supply Chain Section as part of the Organogram review.

The Council **RESOLVED**:

- a) THAT a progress report of all those employees and Councillors for when the Council is paying for their studies be submitted to the next Council meeting.
- b) THAT all the cases on irregular, unauthorized, fruitless and wasteful expenditure that are under investigation be concluded and a report be submitted to Council.

C 12 (7.3)

3/2/3/3

1ST QUARTER REPORT FROM SUPPLY CHAIN MANAGEMENT

CONSIDERED:

Report dated 02 December 2015 from the acting Municipal Manager.

The Council **NOTED**:

- a) The 1st Quarterly Supply Chain Management report for July 2015 to September 2015.
- b) The changes made to the Bid Committees by the Accounting Officer.

C 13 (7.4)

3/2/3/3

DISPOSAL OF UNSERVICABLE, REDUNDANT OR OBSOLETE ASSETS

CONSIDERED:

Report dated 08 December 2015 from the acting Municipal Manager.

The Council **RESOLVED** THAT the disposal of the unserviceable, redundant and/or obsolete articles as per the list submitted to Council be APPROVED.

C 14 (7.5)

3/2/3/3

FOR COUNCIL TO APPROVE BY-LAWS IN TERMS OF SPATIAL PLANNING AND LAND USE MANAGEMENT.

CONSIDERED:

Undated report from the acting Municipal Manager.

The Council **RESOLVED** THAT the draft by-laws in terms of Spatial Planning and Land Use Management be APPROVED.

C 15 (7.6)

APPROVAL OF 2015 WATER SERVICES DEVELOPMENT PLAN (WSDP)

CONSIDERED:

Report dated 24 November 2015 from the acting Municipal Manager.

The Council **NOTED** the financial years for the development should be 2014/15 and 2015/16.

The Council **RESOLVED** THAT the Water Services Development Plan for 2014/15 and 2015/16 financial years be APPROVED.

C 16 (7.7)

FOR COUNCIL TO APPROVE THE PROPOSED LAND DEVELOPMENT OFFICIAL IN TERMS OF SECTION 35 (3) OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT 16 OF 2013.

CONSIDERED:

Undated report from the acting Municipal Manager.

The Council **RESOLVED** THAT the Director: Local Economic Development and Planning be APPOINTED as the Land Development Official to approve all applications in Category 2 of land use applications.

C 17 (7.8)

ALIENATION OF 30 ERVEN OATLANDS ERVEN 6188 TO 6177, 6240,6242,6243,6250 TO 6259 AND 6261 TO 6267

CONSIDERED:

Report dated 24 November 2015 from the acting Municipal Manager.

The Council **RESOLVED:**

- a) THAT the alienation of erven 6188 to 6177, 6240, 6242, 6243, 6250 to 6259 and 6261 to 6267 be APPROVED.
- b) THAT the alienation of the land be done in two phases and first time Home Owners be prioritized in the process.

C 18 (7.9)

TRANSFER OF ESKOM LAND/ PROPERTY ERF 22 TO MAKANA MUNICIPALITY.

CONSIDERED:

Report dated 02 December 2015 from the acting Municipal Manager.

The Council **RESOLVED:**

- a) THAT the transfer of erf 22 from Eskom to Makana Municipality be APPROVED.
- b) THAT the transfer costs be for the account of Makana Municipality.
- c) THAT the lease between Eskom Holdings and Waainek Wind Power Proprietary Limited (RF) be also transferred to Council once transfer of the property has been finalized.

C19 (7.10)

INITIATION OF THE COMPILATION OF A NEW LAND USE MANAGEMENT SCHEME FOR MAKANA MUNICIPALITY.

CONSIDERED:

Report dated 20 November 2015 from the acting Municipal Manager.

The Council **RESOLVED**:

- a) THAT the process of compiling a new Land Use Management Scheme, in line with section 18(1) of the Draft Spatial Planning and Land Use Management By-Laws, be initiated.
- b) THAT the Land Use Scheme Committee be established and Sinaye Jonas, Gemma Pogodin and Renier van der Merwe be appointed to serve on that committee, in line with section 18(1)(a) of the Draft Spatial Planning and Land Use Management By-Laws.
- c) THAT the public participation plan outlined in Annexure A be confirmed, in line with section 18(1)(b) of the Draft Spatial Planning and Land Use Management By-Laws.
- d) THAT the Land Use Scheme include clauses, maps and a register, in line with section 18(1)(c) of the Draft Spatial Planning and Land Use Management By-Laws.
- e) THAT the scale of the Land Use Scheme maps be variable as appropriate for final approval by the Land Use Scheme Committee, in line with section 18(1)(d) of the Draft Spatial Planning and Land Use Management By-Laws.
- f) THAT the manner in which the Land Use Scheme set out the general provisions for land uses applicable to all land be determined by the Land Use Scheme Committee, in line with section 18(1)(f) of the Draft Spatial Planning and Land Use Management By-Laws.

C 20 (7.11)

PROVISION OF LAND USE MANAGEMENT APPLICATION FORM IN LINE WITH SPLUMA AND LAND USE MANAGEMENT BY-LAWS.

CONSIDERED:

Report dated 27 October 2015 from the acting Municipal Manager.

The Council **RESOLVED** THAT the proposed Land Use Application Form (Annexure A) be APPROVED.

C 21 (7.12)

LEASE OUT OF COUNCIL PROPERTY SITUATED ON ERF 5274; 10 ILLCHESTER ROAD.

CONSIDERED:

Report dated 02 December 2015 from the acting Municipal Manager.

The Council **RESOLVED:**

- a) THAT the property situated at Ilchester, erf 5274, be leased out at market related value obtained from Estate Agencies.
- b) THAT a leased agreement be entered into on an annual basis.
- c) THAT water, electricity and services be charged separately.
- d) THAT leasing out the property be managed by an estate agency.
- e) THAT the initial lease be for a period of six (6) months.

C 22 (7.13)

WARD COMMITTEE QUATERLY REPORT: AUGUST – OCTOBER 2015.

CONSIDERED:

Report dated 02 December 2015 from the acting Municipal Manager.

The Council **NOTED:**

- a) Pages 242 – 246 should be ignored as it is not part of the report.
- b) The slow response on complaints but there is more money spend on overtime.
- c) Directors are not managing their Directorates hence there is no work done.
- d) Many complaints in the report are still not attended to.

The Council **RESOLVED:**

- a) THAT the Quarterly Ward Committee report be APPROVED.
- b) THAT the Directors have regular site visits in their Directorates for and Madam Speaker be part of the site visits.
- c) THAT the Directors report on progress on complaints raised in the report weekly to the office of the Speaker.

- d) THAT a detailed progress report from this date be submitted to the next Council meeting.
- e) THAT the acting Director: Engineering and Infrastructural Services validate the list and submit the current status report to the next Council meeting.

C 23 (7.14)

ACTION PLAN FOR THE IMPLEMENTATION OF KABUSO REPORT FINDINGS.

CONSIDERED:

Report dated 23 November 2015 from the acting Municipal Manager.

The Council **RESOLVED:**

- a) THAT the implementation plan be adopted and implemented.
- b) THAT the progress report on the Kabuso action plan be submitted to the next Council meeting on the 29 January 2016.
- c) THAT the Administration oversee the Kabuso implementation plan.

C 24 (7.15)

EXPIRY OF CONTRACT PERIOD FOR CURRENT ACTING MUNICIPAL MANAGER,
ACTING DIRECTOR: ENGINEERING AND INFRASTRUCTURAL SERVICES AND ACTING
DIRECTOR: CORPORATE AND SHARED SERVICES

CONSIDERED:

Report dated 23 November 2015 from the acting Municipal Manager.

The Council **RESOLVED:**

- a) THAT Ms. Meiring be appointed as acting Municipal Manager for a period not exceeding Three (3) months, commencing on 16 December 2015 and a letter of exemption be submitted to the office of the MEC as she is acting for more than three months.
- b) THAT Mr. D. Mlenzana be appointed as acting Director: Engineering and Infrastructural Services for a period not exceeding three months, commencing on 12 December 2015.

- c) THAT Mr. E. Mager be appointed as acting Director: Corporate and Shared Services for a period not exceeding three months, commencing on 28 November 2015.
- d) THAT Mr. M. Crouse be appointed as acting Chief Financial Officer as from 01 January 2016 if there is no Section 154 appointee confirmed at that time.

C 25 (7.16)

REPORT ON OVERTIME

CONSIDERED:

Report dated 25 November 2015 from the acting Municipal Manager.

The Council **NOTED** statutory overtime should not be included in the ordinary overtime as it increases the figures.

The Council **RESOLVED:**

- a) THAT the overtime report be APPROVED.
- b) THAT the complaints from the office of the Speaker and overtime schedule be submitted to the MPAC and Internal Auditors for auditing and investigation and a report be submitted to Council.
- c) THAT the information be submitted to MPAC before the Council meeting on January 2016 in order for MPAC to report on overtime to the January Council meeting.

C 26 (7.17)

WORK DONE BY THE JOINT OPERATION CENTRE ON THE LOOTING OF NON NATIONAL BUSINESSES

CONSIDERED:

Report dated 24 November 2015 from the acting Municipal Manager.

The Council **NOTED** looting of non-national businesses report.

C 27 (7.18)

MEETING SCHEDULE

CONSIDERED:

Report dated 23 November 2015 from the acting Municipal Manager.

The Council **NOTED** the calendar of events of the institution should also be part of the meeting schedule.

The Council **RESOLVED** THAT the draft meeting scheduled for January to December 2016. be APPROVED.

C 28 (7.19)

ONE STOP SEWAGE TREATMENT SOLUTION

CONSIDERED:

Report dated 26 November 2015 from the acting Municipal Manager.

The Council **NOTED:**

- a) The acting Director: Engineering and Infrastructural Services was instructed by the Administrator to re submit the item.
- b) The Administrator has applied for funding for this project to the office of the HOD.
- c) Many concerns and issues raised in the previous Council meeting on the item are still unresolved.

The Council **RESOLVED** THAT a letter of assurance from the office of the HOD that permits the Council to sign the MOU be submitted to Council.

C29 (7.20)

RESTRUCTURED DBSA LOAN AGREEMENT AND CESSION OF DEBT SERVICE ACCOUNT

CONSIDERED:

Report dated 02 November 2015 from the acting Municipal Manager.

The Council **NOTED:**

- a) The effective date should be 01 October 2015 not 31 October 2015.
- b) The interest holiday period of 15 months should be from 01 October 2015 not 31 October 2015.

The Council **RESOLVED:**

- a) THAT the revised DBSA loan restructuring agreement be APPROVED.
- b) THAT the cession of the three months Debt Service Account to DBSA in terms of Section 48 of the MFMA be APPROVED.
- c) THAT the acting Municipal Manager be delegated to sign the restructuring agreement on behalf of the municipality.

The meeting terminated at 14:00

SPEAKER

DATE

CONFIDENTIAL

CONFIDENTIAL MINUTES OF THE SPECIAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBER ON FRIDAY, 02 DECEMBER 2015 AT 09H00

CC.1

CONFIRMATION OF MINUTES

CC 1.1

MINUTES OF THE CONFIDENTIAL SPECIAL COUNCIL MEETING HELD ON 15 SEPTEMBER 2015

The Council **RESOLVED** THAT the minutes of the Confidential Special Council meeting held on 15 September 2015 be CONFIRMED.

CC 1.2

MINUTES OF THE CONFIDENTIAL ORDINARY COUNCIL MEETING HELD ON 15 SEPTEMBER 2015

The Council **RESOLVED** THAT the minutes of the Confidential Ordinary Council meeting held on 15 September 2015 be CONFIRMED.

CC 1.3

MINUTES OF THE CONFIDENTIAL SPECIAL COUNCIL MEETING HELD ON 06 NOVEMBER 2015

The Council **RESOLVED** THAT the minutes of the Confidential Special Council meeting held on 06 November 2015 be CONFIRMED.

CC.2

ACTION SHEETS

CC 2.1

ACTION SHEET OF THE CONFIDENTIAL SPECIAL COUNCIL MEETING HELD ON 15 SEPTEMBER 2015

The Council **RESOLVED** THAT the action sheet of the Confidential Special Council meeting held on 15 September 2015 be APPROVED.

CC 2.2

ACTION SHEET OF THE CONFIDENTIAL ORDINARY COUNCIL MEETING HELD ON 15 SEPTEMBER 2015

The Council **RESOLVED** THAT the action sheet of the Confidential Ordinary Council meeting held on 15 September 2015 be APPROVED.

CC 2.3

ACTION SHEET OF THE CONFIDENTIAL SPECIAL COUNCIL MEETING HELD ON 06 NOVEMBER 2015

The Council **RESOLVED** THAT the action sheet of the Confidential Special Council meeting held on 06 November 2015 be APPROVED.

CC.3

DISCIPLINARY ACTION AGAINST A SENIOR MANAGER

CONSIDERED:

Report dated 23 November 2015 from the acting Municipal Manager.

The Council **NOTED** the report on disciplinary action against a Senior Manager.

CC.4

REPORT ON THE MATTER OF NOTYAWA VS MAKANA MUNICIPALITY AND 2 OTHERS

CONSIDERED:

Report dated 23 November 2015 from the acting Municipal Manager.

The Council **NOTED** the report on the matter of Notyawa vs Makana Municipality and 2 others.

C10

CLOSURE

The Executive Mayor announced that Makana Municipality has received a Qualified Audit Opinion from the Auditor General. Councillor J. Wells thanked Ms. B. Khumalo with the Finance Directorate staff for a job well done by changing the status of Makana Municipality to a better place. Madam Speaker also thanked Ms. B. Khumalo for a job well done and the level in which she is leaving the institution as Ms. B. Khumalo's last date would be the end December 2015. She wished Ms. Khumalo all the best for the future.

Madam Speaker lastly thanked everyone who attended the meeting as the meeting was the last Council meeting in 2015 and wished everyone a happy festive holidays.

The meeting terminated at 14:30

SPEAKER

DATE