

MAKANA MUNICIPALITY

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBER
ON WEDNESDAY, 25 JANUARY 2017 AT 09H00

PRESENT:

Clr. N. Gaga - Executive Mayor
Clr. Y. Vara - Speaker
Clr. T. F Bruintjies
Clr. C. Clark
Clr. B. Fargher
Clr. M. Fatyi
Clr. T. Gaushe
Clr. M. Gojela
Clr. D. B. Holm
Clr. B. Jackson
Clr. M. Khubalo
Clr. E. Louw
Clr. N. Masoma
Clr. M. Matyumza
Clr. P. Matyumza
Clr. A. J. Meyer
Clr. M. Moya
Clr. M. A. Nhanha
Clr. L. Sakata
Clr. T. Seyisi
Clr. S. Sodladla
Clr. M. R. Xonxa
Clr. N. Pieters

IN ATTENDANCE:

Acting Municipal Manager (Ms. R. Meiring)
Chief Financial Officer (Ms N. Siwahla)
Act Dir. Corp & Shared. Serv. (Mr. X. Kalashe)
Dir: Eng & Infr. Serv. (Mr. D. Mlenzana)
Dir: Pub. Saf. & Comm. Serv. (Mr. M. Planga)
Legal Manager (Mrs. Mbanjwa)
Manager: Administration (Mr. E. Mager)
Manager: Risk & Compliance (Mrs.Kosi)
Manager: Support Services (Mr. Ganza)
Manager: Speaker's Office (Ms. N. Santi)
Special Programmes Unit (Mr. Wali)
Town Planner: (Ms. G. Pogodin)
Communications Officer (Mrs. Ramakolo)
Senior Internal Auditor (Ms. A. Njomeni)
Committees: (Ms. L. Faltein)

ABSENT

Clr. X. G. Madyo – Apology

Clr. M. Qotoyi

Clr. N. Mthwa

Clr. L. Nase

C 1

OPENING

The Speaker made the following statement

“Executive Mayor,

Members of the Mayoral committee,

Councillors,

Acting Municipal Manager,

Officials,

Members of the Public and

Members of the Media present,

“Good morning to you all on this the 25 January 2017. All ward Councillors should be having offices by now, I would also like to make it clear that the municipality does not have building – in the form of offices in all the wards and yet we are not in a position to build any buildings nor to rent any. Wards 8 and 12 are going to use offices in Hill Street, ward 13 will be working at Luvuyo Hall but must take home all the tools that would be used except the furniture until the hall is renovated. There are still few things that need to be done in all the offices, e.g. cleaning and installation of internet for the emails, which my office is taking care of.

Ward committees have been established and have started working. I would like to appeal to all the departments to respond to the issues raised by the ward committees through my office. There is also a problem of proof of address which was done in the Speakers office but now is going to be done in the respective wards and it must be signed by the Ward Councillor only not ward committees or CDW’s.

Councillors, I am appealing to you that you educate your communities about the importance of municipal properties and that they must own these properties as they are for their own use and to enhance service delivery (vandalism).

There is going to be an addition working force, as we are implementing Masiphathisane programme, that requires the presence of all government departments, all stakeholders and civil organisations in the ward and CDW’. May I remind Cllrs that the Masiphathisane Programme is not replacing Back to Basic instead it enhances B2B.

Lastly my fellow Councillors, I am reminding all the Ward Councillors and PR Councillors to convene meetings to give report back to your respective constituencies about the progress made within the first 100 days in office. The same reports should be provided to my office.” She thereafter declared the meeting open.

C 2

STATEMENT BY THE EXECUTIVE MAYOR

The Executive Mayor welcome everyone in the meeting and made the following statement:

- “Madam Speaker, Cllr Yandiswa Vara
- Mayoral Committee Members
- Fellow Councillors
- Chief Whip of the ruling party, Cllr M Matyumza
- Whip of the opposition party
- Acting Municipal Manager
- All Directors present and Acting Directors
- Media
- Ladies and gentlemen,

Greetings of the New Season

Madam Speaker, fellow Councillors it is a great honour to once more welcome everybody present in this first ordinary Council meeting for this New Year wishing all the best going forward.

Madam Speaker this Council meeting more than other items listed, is in response to:

Sec 72 (1) (a) of the MFMA which states: The accounting officer of a municipality must by 25 January of each year assess the performance of the municipality during the first half of the financial year taking into account–

- The monthly budget statements referred to as section 71 for the first half of financial year,
- Whether the municipality’s approved budget is implemented in accordance with the service delivery and budget implementation plan.
- The past year’s annual report, and progress on resolving problems identified in the report.

In terms of Section 72 (3) of the Municipal Finance Management Act, the Accounting Officer needs to make recommendations as to whether the SDBIP and both capital and operating budgets need to be adjusted and recommend revised projections for revenue and expenditure to the extent that this may be necessary.

Such assessment report must be in terms of Section 72(1) (b) of the MFMA and be submitted to the Mayor, Provincial Treasury and National Treasury.

Such report has been submitted to me in a formal meeting we had with acting MM, CFO and other Directors on the 15 of January 2017.

Once the Mayor has considered the report, it must be submitted to the Council by the 31st of January in terms of Section 54 and this is what we are doing today.

❖ **HIGHLIGHTS OF MID-YEAR NONE FINANCIAL AND FINANCIAL PERFORMANCE ASSESSMENT OF THE MUNICIPALITY**

Madam speaker for the period starting 1st July 2016 until 31 December 2016 the municipality's performance as per the approved SDBIP has dropped as compare to the previous year by 22%. In 2015/16 we had achieved 56% of 126 Key Performance Indicator (KPI), for 2016/17 we have achieved 34% of 66 Key Performance indicators (KPI)

Challenges: None financial performance assessment

Cash flow Challenges

- None availability of funds when we have to procure due to cash flow constrains
- Most of 2016/17 financial year procurements were prioritised based on the urgency and its impact on service delivery and payments of long outstanding debts that leads to litigations.

Auditing of the Performance Information

- Validation of the performance information by internal audit resulting in low percentage achievement due to inadequacy POE
- Valid evidence not available(e.g. Reports not signed off)
- Valid prove that the service was provided
- Reliability of the performance information
- Usefulness of the performance information

NB: Service has been performed however evidence is not collected or not produce at the time the service is done and in this case the auditor will conclude that the KPI was not achieved due to inadequate evidence.

HIGHLIGHTS OF MID-YEAR FINANCIAL PERFORMANCE OF THE MUNICIPALITY

Challenges:

Makana Municipality's crisis in governance, infrastructure delivery, and finance were detected in 2014.

In response to this and other financial challenges Makana Municipality adopted a revenue enhancement strategy in 2014/2015 which sought to address the challenge of low revenue collection rate in addition to other financial challenges.

In 2016/17 a new financial system and meter reading system was procured to improve credibility of debtors account and accurate reporting. Data cleansing and indigent campaign exercise is in progress as an initiative to improve our revenue collection.

Expenditure Management

The municipality was able to reduce creditors age analysis from R103 million to R86 million, of which R78 million relates to long outstanding debts from previous years. Internal control is in place and Council has embarked on R110 million fundraising to pay creditors.

Expenditure and Payroll reconciliation are performed on a monthly basis.

HIGHLIGHTS OF MID- YEAR PERFORMAMCE

- Revenue generated amounts to **R310 732** million inclusive of grants and subsidies from a budget provision of **R486 191** million.
- Expenditure incurred to date amounts to **R245 410** million.
- Expenditure incurred from the **R57 755** million received from Equitable Share is as follow:
 - ✓ Eskom Payments – R44 500 million
 - ✓ Indigent Subsidy – R10 544 million
 - ✓ Long Outstanding Debts – R2 711 million
- **R78 867** million still remains for the repayment of long outstanding debts
- Outstanding Debtors of the Municipality amounts to **R343 592** million.
- Capital Budget will be adjusted downwards – Revised Bill Allocations.

APPOINTMENTS

- Municipal Manager post advertised, and interviews done in December 2016, awaiting assessment results and will be brought to Council soon
- CFO appointed in May 2016
- Director Corporate re advertised
- SCM and internal audit unit appointments

AUDIT OPINION

- The municipality has received a Qualifying Audit opinion. An Audit Turn-Around Strategy has been developed. Let us strive for Unqualified Audit for 2016/17

CONCLUSION

Madam Speaker, in conclusion, before the end of last year (between October and December) my office and yours embarked on the IDP Roadshows and the Launch of Masiphathisane Programme. During Mayoral Imbizo - Illegal Dumping, stray animals, cleaning of the Makana, unemployment, youth development , SMME development, state of our roads were raised by our communities.

Madam Speaker between December and January the Institution is conducting institutional analysis through Mayoral Lekgotla, followed by directorate strategic planning sessions and the last one is on Thursday and Friday as proposed for Infrastructure. These sessions are part of processes of reviewing the IDP. An Institutional Strategic plan session is planned for 16 February 2017. Some of the challenges noted during these sessions are issues we know, bad organisational culture. These challenges, Madam Speaker, will only be solved by Makana leadership, management and employees in general. Let's all work together and I am sure we can achieve more than we set ourselves to achieve.

I hereby table the Second and Mid In year performance Assessment report for 2016/17 for adoption”.

C 3

OFFICIAL ANNOUNCEMENTS BY THE ACTING MUNICIPAL MANAGER (MM)

Nil.

C 4

ANY PRESENTATION BY OUTSIDE BODIES

The Council **NOTED:**

- i. Input by the Office of the Auditor General

The following were the concerns from the Office of the Auditor General:

- a) For the past three years there were no documents made available to the Office of the Auditor General to give an opinion.
- b) There is non accountability on assets and Municipal Grants i.e. MIG
- c) There are no controls or proper systems used to monitor Procurement processes.
- d) There are no proper systems in place to monitor compliance.
- e) Directorates are working in isolation.
- f) Internal Audit Unit need to be capacitated.

The Office of the Auditor General **RECOMMENDED** to the Council THAT an action plan that seeks to address these gaps be developed and be monitored by Audit Committee that will submit quarterly reports to Council.

ii. Input by the Audit Committee – 2015/16 Financial Year report

The following were the concerns from the Audit Committee:

- a) The Audit Committee does not receive quarterly financial statements on time to prepare a quarterly report.
- b) Quarterly reports are not submitted on time to the Internal Audit and that delays the work of the Audit Committee.
- c) Acknowledge the speed process on filling the Senior Management positions.
- d) Acknowledge the establishment of the Revenue Enhancement Committee.
- e) There is no proper systems to manage the Supply Chain Management processes.

The Audit Committee **RECOMMENDED** to the Council:

- a) THAT the concerns raised by the Audit Committee be adequately addressed by the Management.
- b) THAT the Management attend the Audit Committee meetings.
- c) THAT quarterly reports be submitted on time to the Audit Committee in order for the Committee to provide better advice before the Office of the Auditor General identify the shortcomings.

The Council **NOTED**:

- iii. Input by Makana Municipality (Chief Financial Officer)
 - a) The Chief Financial Officer has developed a turn-around strategy for the Finance Directorate.
 - b) The Asset Committee has been established to address all asset related issues.
 - c) There is a new financial system that is used at the Finance Directorate.
 - d) Finance Directorate is busy correcting the debtor's incorrect accounts.
 - e) The Internal Auditor should name all Directorates that do not submit quarterly reports on time.

- f) The Fruitless and Wasteful Expenditure draft policy has been submitted to Council.
- g) The Executive Mayor thanked the Office of the Auditor General and Audit Committee for their work, as the reports are eye openers to the Councillors.
- h) The Executive Mayor highlighted that the processes of appointing a Municipal Manager has commenced and interviews were conducted.
- i) The Audit Committee cannot comment on the Performance of the Senior Managers because the Senior Managers do not report to the Audit Committee. The Audit Committee can only comment on the fairness of the evaluation process.

The Council **RESOLVED:**

- a) THAT the Fruitless and Wasteful Expenditure quarterly report be submitted to the Office of the Auditor General, Audit Committee and Council.
- b) THAT the implementation of Performance Management System (PMS) be implemented and cascaded to lower levels of staff.
- c) THAT the Office of the Auditor General and Audit Committee distribute a written report on their presentations to the Councillors.

C 5

APPLICATIONS FOR LEAVE OF ABSENCE (WRITTEN APOLOGIES)

Nil.

C 6

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

Nil.

C 7

MINUTES OF THE PREVIOUS COUNCIL MEETINGS:

C7.1

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 02 NOVEMBER 2016

The Council **NOTED** the resolutions on the statement of the Executive Mayor and Madam Speaker should form part of the action sheet.

The Council **RESOLVED** THAT the minutes of the Ordinary Council meeting held on 02 November 2016 be CONFIRMED subject to the following corrections:

- a) Under C8.1 (Action sheet) an amount R106 million be corrected to R1.6 million”.
- b) Under C9.9 (Shortlisting and interview panels for the positions of the Municipal Manager and the Director: Corporate and Shared Services.) Opposing of the establishment of the panels is 08 not 07.
- c) The following sentences under NOTED (d) “motion 01 not to establish the panel. Motion 02 to establish the panel” be rephrased to read as follows: “Motion 01 not to establish the panel for the Municipal Manager. Motion 02 to establish the panel of the Municipal Manager”.

The Council **RESOLVED**:

- a) THAT the Speaker make a follow up on whether the resolutions emanating from on the Statements of the Executive Mayor the Madam should from part of the action sheet.
- b) THAT a breakdown by each Directorate and Unit on overtime expenditure be submitted to the next Council meeting.

C7.2

MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 01 December 2016

The Council **RESOLVED** THAT the minutes of the Special Council meeting held on 01 December 2016 be CONFIRMED.

C7.3

ACTION SHEET OF THE ORDINARY COUNCIL MEETING HELD ON 02 NOVEMBER 2016

CONSIDERED:

Report dated 17 January 2017 from the acting Municipal Manager.

The Council **NOTED**:

- a) Item C 8.2. Progress report in implementation of the Kabuso Internal Audit Investigation report. The Council noted that Mrs. N. Mbanjwa is not the person who is responsible for the execution of the Kabuso Report resolutions.
- b) Item C9.2. Overtime paid out for the period 1 July 2016 to 30 September 2016. The acting Municipal Manager will conclude the overtime report on Service Delivery Directorates by 02 February 2017.

The Council **RESOLVED:**

- a) THAT the action sheet of the Ordinary Council meeting held on 02 November 2016 be APPROVED.
- b) THAT the overtime report be submitted to the next Special Council meeting.

C7.4

ACTION SHEET OF THE SPECIAL COUNCIL MEETING HELD ON 01 DECEMBER 2016

CONSIDERED:

Report dated 17 January 2017 from the acting Municipal Manager.

The Council **RESOLVED:**

- a) THAT the action sheet of the Special Council meeting held on 01 December 2016 be APPROVED.
- b) THAT the Chief Financial Officer make a follow up on who is liable for the extra bank charges incurred by Council on the processing of salaries on 24 November 2016 and submit a report to the next Council meeting.

C8

MINUTES OF THE MAYORAL COMMITTEE MEETING HELD ON 09 December 2016 (FOR NOTING)

The Council **NOTED:**

- a) The minutes of the Mayoral Committee meeting held on 09 December 2016.
- b) On E8.3.10 Progress Report: Wind Farm – October 2016. The delays are on the Operational Notification and Auxiliary Supply Agreement and not on the MOU.
- c) A meeting on how the Wind Farm should be charged on the electricity that they are using was held on the 19 January 2017.

- d) On E8.3.15. Report on theft and vandalism of Municipal Infrastructure and assets. The community should be cautioned not to vandalize Municipal property. The acting Municipal Manager should implement the resolution on hiring Security Guards in the areas that are being vandalized.
- e) On E8.3.19. Report on water losses for the months August and September 2016. Director: Engineering and Infrastructural Services need to implement the Resolution on utilizing the two teams of semi-skilled plumbers.

The Council **RESOLVED**:

- a) THAT an investigation be undertaken into the cost efficiency of water deliveries to farms and a report be submitted to the next Council meeting.
- b) THAT an action sheet on fixing bore holes in rural areas be submitted to the next Council meeting.

C 9.1

QUESTION OF WHICH NOTICE HAS BEEN GIVEN

CONSIDERED:

Undated report from the acting Municipal Manager.

The Council **NOTED** the question was submitted by Councillor B. Fargher.

The Council **RESOLVED**:

- a) THAT the item be referred to the Section 32 Committee for consideration.
- b) THAT individual Councillors implicated in the matter in question not be part of the Section 32 Committee when the matter will be considered.

C 9.2

SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN SECOND QUARTER PERFORMANCE REPORT 2016/1017 FINANCIAL YEAR

CONSIDERED:

Report dated 17 January 2017 from the acting Municipal Manager.

The Council **NOTED:**

- a) This is the audited report.
- b) The appointment of Ms. Alude Njomeni as Senior Internal Auditor.
- c) The acting Municipal Manager should name all the non performing Directorates.

The Council **RESOLVED** THAT the Second Quarter Performance Report for the 2016/2017 financial year Service Delivery and Budget and Implementation Plan be APPROVED.

C 9.3

SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN MID IN YEAR PERFORMANCE ASSESSMENT REPORT: 2016/2017 FINANCIAL YEAR

CONSIDERED:

Report dated 17 January 2017 from the acting Municipal Manager.

The Council **RESOLVED:**

- a) THAT the Mid In Year Performance Assessment Report for 2016/2017 Service Delivery and Budget Implementation Plan be APPROVED.
- b) THAT the review of Key Performance Indicators for the 2016/17 SDBIP and targets to address the Auditor General findings be APPROVED.

C 9.4

MID-YEAR BUDGET AND PERFORMANCE REPORT

CONSIDERED:

Report dated 12 January 2017 from the Executive Mayor to the Ordinary Council meeting.

The Council **NOTED:**

- a) The amount of R86 000 million under item 3.1.1 of the report to be corrected to R86 million (R86 000 000.00) and of R24534 million to be corrected to R245 34 000.00
- b) On page 47 under Capital Budget, there is a missing amount in Capital Projects funded.
- c) An implementation plan on how the roll over will be spent has been submitted to COGTA.
- d) An action plan will be submitted to COGTA by 27 February 2017.

The Council **RESOLVED:**

- a) THAT the Mid-Year Budget and Performance Assessment report for the 2016/17 Financial Year in terms of S72 of the MFMA be APPROVED.
- b) THAT the Implementation Plan submitted to COGTA on how the roll over will be spent be submitted to the next Council meeting.
- c) THAT an Adjustment Budget be tabled to Council not later than 28 February 2017.

C 9.5

PAYMENT PLAN ESKOM

CONSIDERED:

Report dated 17 January 2017 from the acting Municipal Manager.

The Council **NOTED:**

- a) The Executive Mayor and the team were commended for a job well done regarding her initiative on the dealings with Eskom.

- b) Eskom has accepted the payment plan.
- c) Eskom payment plan will require a lot of work by increasing revenue and reducing expenditure. The staff account is already on R12 million.
- d) The implementing of paperless agendas should be considered.

The Council **RESOLVED**:

- a) THAT the signing of the payment plan with ESKOM by the acting Municipal Manager be **CONDONED**.
- b) THAT the ESKOM current account be **PAID** on time every month.
- c) THAT an implementation plan to give effect to the proposed actions in terms of increased revenue and reduction in expenditure be drafted and presented to the next Council meeting.

C 9.6

PROCURED GOODS REPORT FOR THE 2ND QUARTER

CONSIDERED:

Undated report from the acting Municipal Manager.

The Council **NOTED** the following second quarter reports:

- I. Procured goods report
- II. Fleet Management fuel usage report
- III. Asset Management and Inventory Management report
- IV. Deviations report

C 9.7

MEMORANDUM OF UNDERSTANDING BETWEEN MAKANA MUNICIPALITY AND GRAHAMSTOWN BUSINESS FORUM

CONSIDERED:

Report dated 16 January 2017 from the acting Municipal Manager.

The Council **NOTED** the forum is the group of people who raised concerns and approached the Executive Mayors' and Premiers Office and is one of the groups who are coming with solutions and want to assist Makana Municipality. The forum will form part of the Codesa (Strategic Planning Session) on the 16 February 2017.

The Council **RESOLVED** THAT the Memorandum of Understanding be APPROVED and signed.

C 9.8

MEMORANDUM OF UNDERSTANDING IN RESPECT TO TURNING WASTE TO ENERGY

CONSIDERED:

Report dated 16 January 2017 from the acting Municipal Manager.

The Council RESOLVED THAT the Memorandum of Understanding in respect to turning Waste to Energy be APPROVED.

C 9.9

STATUTORY SUBMISSION OF THE EMPLOYMENT EQUITY REPORT IN TERMS OF SECTION 21 OF THE EMPLOYMENT EQUITY ACT

CONSIDERED:

Report dated 13 January 2017 from the acting Municipal Manager.

The Council **NOTED:**

- a) The Employment Equity report for 2015/16 financial year.
- b) Certain groups are under represented in the report.
- c) A workshop on Employment Equity for all Managers will be held on 01 February 2017 and will also be organized for Councillors.
- d) Coloured people are not applying to Makana Municipality hence there is a gap in the Employment Equity Plan report.

The Council **RESOLVED** THAT the Employment Equity Report for 2015/2016 reporting be ADOPTED.

C 9.10

CORRECTION OF ANOMALIES IN THE ORGANISATIONAL STRUCTURE

CONSIDERED:

Report dated 13 January 2017 from the acting Municipal Manager.

The Council **RESOLVED** THAT the proposed corrections to the approved organizational structure be APPROVED.

C 9.11

WARD COMMITTEE ELECTION REPORT: OCTOBER - NOVEMBER 2016

CONSIDERED:

Report dated 23 January 2017 from the acting Municipal Manager.

The Council **NOTED:**

- a) Ward four will not be discussed in the report as it is the Ward that submitted the objection.
- b) A committee should be established to discuss the report.

The Council **RESOLVED:**

- a) THAT a Committee of 8 people representing all the political parties be established to discuss the report.
- b) THAT three Councillors from the African National Congress, two Councillors from the Democratic Alliance and one Councillor from the Economic Freedom Fighters and one representative each from SALGA and from COGTA constitute the Committee.
- c) THAT the Committee discuss the report, the objection from Ward 4 and the gaps within the report and submit a report to the next Ordinary Council meeting.

- d) THAT all political parties submit the names of Councillors who will serve on the Committee to the Office of the Speaker not later than 26 January 2017 at 13:00.
- e) THAT the Committee adhere to the time lines and the assignment should not exceed 60 days from date of appointment.
- f) THAT individual Councillors implicated in the report not be part of the Committee.

C 9.12

LAND FOR IMMEDIATE DISPOSAL

CONSIDERED:

Report dated 13 January 2017 from the acting Municipal Manager.

The Council **RESOLVED:**

- a) THAT the following erven be alienated in line with the Makana Municipality Land Disposal Policy
 - i. Erf 1607 Grahamstown and Erf 6686 Grahamstown
 - ii. Erf 8639 Grahamstown (consisting of Erf 9508-9536 Grahamstown)
 - iii. Erven 8688-8769 Grahamstown, and Erven 8722-8885 Grahamstown
 - iv. Erf 4734 Grahamstown
 - v. Erven 7118-7121 Rini
 - vi. Erf 4710 Grahamstown
 - vii. Erf 1366 Grahamstown
 - viii. Erven 637-639 Rini, and Erf 644 Rini
 - ix. Erf 7657 Grahamstown and Erf 9481 Grahamstown
 - x. Erf 7641 Grahamstown and Erf 9480 Grahamstown
 - xi. Erf 4712 Grahamstown
 - xii. Erf 8064 Grahamstown and Erf 8068 Grahamstown
 - xiii. Erf 328 Rini
 - xiv. Erf 325 Rini
 - xv. Erf 8770 Grahamstown
 - xvi. Erf 1658 Rini
 - xvii. Erf 5913 Rini and Erf 8018 Rini
 - xviii. Erf 5386 Rini
 - xix. Erf 7570 and Erf 7571 Grahamstown
- b) THAT all resolutions relating to Erven 637, 638, 639 and 644 Rini be RISCINDED.
- c) THAT the municipality undertake additional measures than the norm to ensure that the maximum number of community members are informed about the sale of land.

- d) THAT the land disposal reaches everybody and should comply with Makana Municipality Land Disposal Policy.
- e) THAT the land be disposed of within the prescript of relevant legislation.

C 9.13

PROGRESS REPORT ON THE LANDFILL SITE

CONSIDERED:

Report dated 25 January 2017 from the acting Municipal Manager.

The Council **NOTED:**

- a) The progress report on the landfill site.
- b) The Executive Mayor will check with MEC Marawu if there is no redundant equipment that they can assist the Municipality with.
- c) There is work that is taking place at the landfill site.
- d) The word “bump” (discussion point (v)) be corrected to “pump”.
- e) The word cerate in the second last paragraph be corrected to “create”.
- f) The Executive Mayor will be given an update report on the landfill site on regular basis.

C 9.14

MUNICIPAL REGULATIONS ON A STANDARD CHART OF ACCOUNTS (mSCOA): STATUS OF IMPLEMENTATION

CONSIDERED:

Report dated 25 January 2017 from the acting Municipal Manager.

The Council **NOTED** the mSCOA progress report for the implementation of the mSCOA regulations.

C 9.15

SECOND QUARTER OVERSIGHT REPORT OF THE SECTION 79 STANDING COMMITTEE:
MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC)

CONSIDERED:

Report dated 11 January 2017 from the MPAC Chairperson.

The Council **RESOLVED:**

- a) THAT cognisance be taken of this report.
- b) THAT the Performance Management System (PMS) be cascaded to the lower levels of the Management.
- c) THAT the Council advise the committee on steps that should be taken against officials who do not submit expected reports.
- d) THAT the MPAC submit a written report as an attachment to the item when reporting to Council.

C 9.16

PROCEDURE FOR THE TREATMENT OF SECTION 32 MATTERS

CONSIDERED:

Report dated 25 January 2017 from the acting Municipal Manager.

The Council **NOTED** the Internal Auditor will form part of Section 32 Committee.

The Council **RESOLVED:**

- a) THAT the draft Makana Municipality Unauthorised, Irregular, Fruitless and Wasteful Expenditure Policy be APPROVED.
- b) THAT the draft Section 32 Committee Terms of Reference be APPROVED.
- c) THAT comments on both the draft policy and Terms of Reference be submitted to the Internal Audit Unit not later than the 28 February 2017.
- d) THAT a Section 32 Committee comprising of five (5) members be established.

- e) THAT the ANC submit three (3) names of Councillors, DA and EFF submit one (1) name each to the office of the acting Municipal Manager of all Councillors who will serve on the Section 32 Committee.

C9.17

TURNAROUND STRATEGY FOR MAKANA MUNICIPALITY

CONSIDERED:

Report dated 17 January 2017 from the acting Municipal Manager.

The Council **NOTED** the Turnaround Strategy as compiled from the 2015/16 audit report.

The Council **RESOLVED:**

- a) THAT a progress report be submitted to the next Council meeting.
- b) THAT the report be circulated to all Portfolio Committees.

C 9.18

DETERMINATION OF THE UPPER LIMITS OF THE SALARIES, ALLOWANCES AND BENEFITS OF THE DIFFERENT MEMBERS OF MUNICIPAL COUNCILS FOR THE 2016/2017 FINANCIAL YEAR

CONSIDERED:

Report dated 10 January 2017 from the acting Municipal Manager to the Ordinary Council meeting.

The Council **NOTED** that adequate provision was made on the 2016/2017 budget to implement this increase in upper limits.

The Council **RESOLVED:**

- a) THAT the following proposed determination of the upper limits of the salaries, allowances and benefits of the different members of municipal councils for the 2016/2017 financial year be APPROVED:

<u>PROPOSED COUNCILLOR'S ALLOWANCES - 2016 / 2017</u>						
CATEGORY	SALARY (PA)	TRAVEL ALLOWANCE (PA) - % TO BE DECIDED	PENSION CONTRIBUTION @ 15% OF BASIC SALARY	CELLPHONE ALLOWANCE (PA) - ADDITIONAL TO PACKAGE	REIMBURSIVE DATACARD (PA) - ADDITIONAL TO PACKAGE	TOTAL (PA)
1 x Executive Mayor (Full-time)	483 233	189 503	85 276	22 800	3 600	784 412
CATEGORY TOTAL	483 233	189 503	85 276	22 800	3 600	784 412
1 x Speaker (Full-time)	386 586	151 603	68 221	22 800	3 600	632 810
5 x Portfolio Chairpersons (Full-time)	1 812 126	710 638	319 787	114 000	18 000	2 974 550
1 x MPAC Chairperson (Part-time)	194 402	76 236	34 306	22 800	3 600	331 345
19x Other Councillors (Part-time)	2 878 172.25	1 128 695	507 913	433 200	68 400	5 016 380
CATEGORY TOTAL	5 271 287	2 067 171	930 227	592 800	93 600	8 955 085
GRAND TOTAL	5 754 519	2 256 674	1 015 503	615 600	97 200	9 739 497

- b) THAT the Data Allowance as a reimbursive allowance up to a maximum of R300 per month be APPROVED subject the proof of access to the internet being provided to qualify for the allowance.
- c) THAT the concurrence of the MEC responsible for Local Government in the province be sought before resolution (a) can be implemented.
- d) THAT a SALGA booklet that states the privileges and benefits that an Executive Mayor is supposed to enjoy be submitted to the next Council meeting.

C 9.19

SUBMISSION OF DRAFT ANNUAL REPORT 2015/16

CONSIDERED:

Report dated 12 January 2017 from the acting Municipal Manager to the Ordinary Council meeting.

The Council **NOTED** the incorrect Performance Plan submitted in the Draft Annual Report.

The Council **RESOLVED:**

- a) THAT the Draft Annual Report for the 2015/16 financial year be APPROVED.

- b) THAT the Draft Annual Report be REFERRED to Municipal Public Accounts Committee for further input.
- c) THAT the availability of the Annual Report be advertised on Municipal Notice Boards, the Website and in the local Media.
- d) THAT the Final Annual Report including the adjusted audited version of the Performance Plan be submitted to the next Special Council meeting in March 2017.

C 9.20

APPOINTMENT OF SHORTLISTING AND INTERVIEW PANEL FOR THE POSITIONS FOR THE POSITION OF DIRECTOR: CORPORATED AND SHARED SERVICES

CONSIDERED:

Report dated 18 January 2017 from the acting Municipal Manager.

The Council **RESOLVED:**

- a) THAT the shortlisting and interviewing panel for the position of Director: Corporate and Shared Services be constituted as follows:
 - The Municipal Manager or his/her delegate as Chairperson.
 - Councillor N. Masoma nominated by Council.
 - A person who is not a Councillor or a staff member of the Municipality to be nominated by Council (COGTA Representative and Municipal Manager Sarah Baartman District Municipality).

C 10

CLOSURE

The Speaker thanked members of the public for joining the first part of the meeting as they would not be joining the closed session.

The meeting terminated at 15:00

CONFIDENTIAL

CC.1

MINUTES OF THE CONFIDENTIAL ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBER ON WEDNESDAY, 02 NOVEMBER 2016 AT 09H00

The Council **RESOLVED** THAT the minutes of the Confidential Ordinary Council meeting held on 02 November 2016 be CONFIRMED.

CC.2

MINUTES OF THE CONFIDENTIAL SPECIAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBER ON THURSDAY, 01 DECEMBER 2016 AT 09H00

The Council **RESOLVED** THAT the minutes of the Confidential Special Council meeting held on 01 December 2016 be CONFIRMED.

CC.3

ACTION SHEET OF THE CONFIDENTIAL ORDINARY COUNCIL MEETING HELD IN COUNCIL CHAMBER ON WEDNESDAY, 02 NOVEMBER 2016 AT 09H00

The Council **RESOLVED** THAT the action sheets of the Confidential Ordinary Council meeting held on 02 November 2016 be APPROVED.

CC.4

ACTION SHEET OF THE CONFIDENTIAL SPECIAL COUNCIL MEETING HELD IN COUNCIL CHAMBER ON THURSDAY, 01 DECEMBER 2016 AT 09H00

The Council **RESOLVED** THAT the action sheets of the Confidential Special Council meeting held on 01 December 2016 be APPROVED.

CC 5

REPORT ON LITIGATION – ADV. M.P.G NOTYAWA VS MAKANA MUNICIPALITY AND MEC: COGTA EC

CONSIDERED

Report dated 23 January 2017 from the acting Municipal Manager.

The Council **NOTED:**

- a) The report on litigation – Adv. M.P.G. Notyawa vs Makana Municipality and MEC: COGTA EC.
- b) The Legal Officer gave the update on the case and highlighted that there is nothing that stops the Municipality to continue with the appointment of the Municipal Manager.

C10

CLOSURE

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

The meeting terminated at 15:03

SPEAKER

DATE