

MAKANA MUNICIPALITY

**MINUTES OF THE SPECIAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBER
ON FRIDAY, 29 JULY 2016 AT 09H00**

PRESENT:

Clr. N. Gaga - Executive Mayor
Clr. Y. Vara - Speaker
Clr. P. Ranchhod
Clr. J. Wells
Clr. L. Reynolds
Clr. E. Louw
Clr. N. Meti
Clr. N. Masoma
Clr. M. Madinda
Clr. X. Madyo
Clr. B. Jackson
Clr. N. Tyantsula
Clr. T. Ngeleza
Clr. B. Fargher
Clr. M. Booysen
Clr. M. Gojela
Clr. B. Bonani-Sali
Clr. P. Notyawa
Clr. M. Matyumza
Clr. N. Magadaza
Clr. K. Jela

IN ATTENDANCE:

Acting Municipal Manager (Mr. D. Mlenzana)
Chief Financial Officer (Ms N. Siwahla)
Acting Director: Corp Serv: (Mr. E. Mager)
Legal Manager (Mrs. N. Mbanjwa)
Communications Officer (Mrs. Y. Ramokolo)
Committees (Mrs. P. Liwani)

ABSENT:

Clr. R. Plaatjie
Clr. M. Phongolo
Clr. M. Tame
Ms R. Meiring – acting MM - on Council Business
Dir: M. Planga - on sick leave

SC 1

OPENING

The Speaker opened the meeting and welcomed everyone present in the meeting. She forwarded an apology for the acting MM who attended an urgent meeting for the Municipal Managers of the district. Madam Speaker called for nominations for acting MM, Mr. Mlenzana was appointed as acting, proposal by Councillor Wells and seconded by Clr. Matyumza. She thereafter requested Ms May to excuse herself from participating in the meeting.

SC 2

APPLICATIONS FOR LEAVE OF ABSENCE (WRITTEN APOLOGIES)

Nil.

SC 3

STATEMENT BY THE EXECUTIVE MAYOR

The Executive Mayor opened the meeting and welcomed everyone. She thanked all Councillors who have participated in all Council's business until the end of the term, she said that they have shown commitment. She mentioned that it was fortunate that the handing over was done which would enabled the incoming council to move forward.

SC 4

OFFICIAL ANNOUNCEMENTS BY THE ACTING MUNICIPAL MANAGER (MM)

Nil.

SC 5

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

Nil.

SC 6

ANY PRESENTATION BY OUTSIDE BODIES/INSTITUTIONS

Nil.

SC 7

MINUTES OF PREVIOUS COUNCIL MINUTES

NIL.

SC 8

REPORTS BY THE ACTING MUNICIPAL MANAGER (AS PER AGENDA)

SC 8.1

PRIOR YEAR INVENTORY TO BE WRITTEN OFF

CONSIDERED:

Undated report from the acting Municipal Manager.

The Council **RESOLVED** THAT the writing off of the overstated inventory figure amounting to R3, 687,545.04 be APPROVED.

SC 8.2

DISPOSAL OF ELECTRICAL INVENTORY ITEMS

CONSIDERED:

Undated report from the acting Municipal Manager.

The Council **RESOLVED:**

- a) THAT the disposal of steel and wooden poles to ECDC be APPROVED.
- b) THAT the disposal of obsolete items through auction be APPROVED.
- c) THAT the damaged and unusable stock items be disposed by way of writing off.
- d) THAT the disposal of some electrical items to nominated registered professional bodies be APPROVED.

SC 8.3

APPLICATION TO WRITE OFF INTEREST ON WIMPY ACCOUNT NO. 638246

CONSIDERED:

Undated report from the acting Municipal Manager.

The Council **NOTED** each case will be treated differently based on its merits.

The Council **RESOLVED** THAT the writing off of interest on Wimpy account, No: 638246 be APPROVED.

SC 8.4

DECLARING A VACANCY ON COUNCIL

CONSIDERED:

Undated report from the acting Municipal Manager.

The Council **NOTED:**

- a) It is was an error to request IEC to ensure that Clr. May does not earn any salary or any payments beyond the termination date as that was the Municipality's function to do.
- b) The letter that declares the vacancy by the IEC should have been part of the item to Council.
- c) According to the Legal Officer, the Council took the right decision to terminate Cllr. May's services. Cllr May by standing as an independent candidate has fulfilled the requirements of removal from office of councillor and loses rights, duties and privileges including her salary. She quoted the following:

"Section 10 of the General Laws (Loss of Membership of National Assembly. Provincial Legislature OR Municipal Council) Amendment Act 55 of 2008 amends section 27 of the Municipal Structures Act by adding section (f) and in Cllr May's case (f) (i) and (ii) that –

A Councillor vacates office during a term of office if that Councillor-

"f) was elected to represent a ward and who –

- (ii) Was not nominated by a party as a candidate in the ward election and ceases to be a member of a party."*

The Council **RESOLVED** to **NOTE** that Councillor L. May ceased to be a Councillor on the 8 July 2016.

SC 9

CLOSURE

The acting Speaker thanked everyone who attended and participated in the meeting and reminded about the prayer service for the upcoming elections which was to be held at Noluthando Hall after the meeting.

The meeting terminated at 11h00

SPEAKER

DATE