

MAKANA MUNICIPALITY

MINUTES OF THE SPECIAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBER ON WEDNESDAY, 31 AUGUST 2016 AT 14H00

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. X. G. Madyo
Clr. N. Masoma
Clr. M. Matyumza
Clr. P. Matyumza
Clr. A. J. Meyer
Clr. M. Moya
Clr. L. Nase
Clr. M.A. Nhanha
Clr. M. Qotoyi
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)
Acting Dir. Corp & Shared. Serv (Mr. E. Mager)
Dir: Eng & Infr. Serv. (Mr. D. Mlenzana)
Dir: Public Safety & Comm. (Mr. Planga)
Legal Manager (Mrs. Mbanjwa)
Manager: Expenditure (Mr. Crouse)
Acting Strategic Manager (Mr. Wali)
Manager: Speakers Office (Ms. Santi)
Manager: Budg.& Reporting (Ms. Mani)
Communications Officer (Mrs. Ramakolo)
Industrial Relations Officer (Mr. Mapaling)
Manager: IDP (Mr. Pasiya)
Acting Manager: Revenue (Ms. D. May)
Committees: (Ms. L. Faltein)

ABSENT

Clr. N. Mthwa

SC 1

OPENING

The Speaker opened the meeting and made the following statement:

“The Executive Mayor, Honourable Councillors, Officials, members of the community I greet you all in the name of our Creator Jesus Christ.

Honourable members this second gathering must instil in us the word Honourable. Members I want to state that honourable for us as Councillors in this chamber must mean ensuring that the Municipality functions harmoniously. It must mean we must at all times conduct ourselves in a manner beyond reproach championing the principles of good governance being Accountability, Transparency and Honesty. As honourable dear members must mean never forgetting the thousands who took time to follow queues to ensure that there is this Council. We must put their needs and wants on top of the agenda.

Today we look at the work done in previous year noting it for submission to the Auditor General. Equally today we shall adopt a process plan which will guide our planning and budgetary processes for the next financial year. The IDP that will emerge out of this process plan will be a 5 year plan and it must be a product of both effective and efficient community participation. It must reflect the hopes and desires of the people of Makana.

Honourable as we are, we must engage in the process of changing the landscape of our communities in an honourable manner.”

I thank you.”

SC 2

APPLICATION FOR LEAVE OF ABSENCE (WRITTEN APOLOGIES)

Nil.

SC 3

STATEMENT BY THE EXECUTIVE MAYOR

The Executive made the following statement:

- “Madam Speaker,
- Councillors,
- Acting Municipal Manager,
- Directors,
- Representatives from labour unions,
- Municipal officials
- Members of the media and
- Members of the public
- Good Afternoon to you all.

Madam Speaker, fellow Councillors, in my inauguration speech I said it will be an understatement to say it's going to be business unusual, I meant when I said things will be done differently. With unwavering dedication, commitment, professionalism and, most importantly, accountability will be the order of the day.

Today's Special Council meeting is evidence that we are accountable to the community of Makana through ensuring that we comply with laws and regulations that govern Municipality.

Fellow Councillors, the first quarter of the Municipal Calendar is time when Auditor General is conducting audit of the previous year and our officials will engage with this process. Auditor General has been within the municipality since 15 August 2016 hoping to finish the audit in Mid-October 2016 and issue a draft and final report in November 2016.

Prior to execution of the audit, Council must consider Annual Performance Report (APR), Annual Financial Statement (AFS) which both reports are the basis of the audit.

Annual Performance Report (APR) 2015/16:

- (1) This Annual Performance Report has been compiled in compliance with the requirements of section 46 (1) of the Local Government: Municipal System Act, 2000; which stipulates as follows:

“A municipality must prepare for each financial year a performance report reflecting-

- a) the performance of the municipality and each external service provider during that financial year against set targets for performance in the previous financial year; and measures taken to improve performance”.

This Annual Performance Report was prepared on the basis of revised Service Delivery and Budget Implementation Plan due to financial constraints that the municipality has experienced in previous years like cash flow challenges.

Annual Financial Statement (AFS) 2015/16

- (1) Annual Financial Statement has been compiled in compliance with the requirements of section 122 of the Municipal Finance Management Act 56, 2003 which stipulates as follows:

“Every municipality must for each financial year prepare annual financial statements which- (a) fairly presents the state of affairs of the municipality, its performance against budget, its management revenue, expenditure, assets and liabilities, its business activities, its financial results, and its financial position as at the end of financial year; and (b) disclose the information required in terms of intergovernmental and other allocations, Disclosures concerning councillors, directors and officials, Other compulsory disclosures.”

- (2) This Annual Financial Statement was prepared on an on-going concern basis that the municipality will continue operating and in compliance with GRAP using case system with assistance by PwC.

- (3) Comparative figures have restated mainly because previous years the municipality received disclaimer of opinion due to two (2) scopes of limitation.
- (4) Previous financial year (2014/15) Council received a qualified opinion. This was mainly because of internal control weaknesses around financial systems
- (5) Madam Speaker, it is safe to say a lot of work has been done in resolving prior year findings only recurring findings; Irregular & fruitless expenditure that are still challenges.

Acting Municipal Manager, we put our hope in your leadership and your team that you will cooperate with the auditors to ensure a smooth process.

The following are the coming events:

Induction of Councillors, ready
Lekgotla Strategic Plan deliberation
Administration closing report and exit plan.

Officials must make public and communities delighted so that Makana remains a great place to be. Attend to potholes, clean Makana and attend to the loitering of stray animals.”

I thank you.”

SC 4

OFFICIAL ANNOUNCEMENTS – ACTING MUNICIPAL MANAGER

The South African Local Government Association (SALGA) Council induction will be held on the 19 – 23 September 2016 but the acting Municipal Manager is still waiting for the confirmation of the venue.

SC 5

DISCLOSURE OF INTEREST

Nil.

SC 6

ANY PRESENTATION BY OUTSIDE BODIES/INSTITUTION

Nil

SC 7

REPORTS BY THE ACTING MUNICIPAL MANAGER (AS PER AGENDA)

SC 7.1

STANDING RULES AND ORDERS OF THE COUNCIL

CONSIDERED:

Report dated 23 August 2016 from the acting Municipal Manager.

The Council **RESOLVED:**

- a) THAT the Standing Rules and Orders of the Council be APPROVED.
- b) THAT a workshop on the Standing Rules and Orders of the Council be conducted for all Councillors.
- c) THAT the workshop also include all approved policies of the Council.

SC 7.2

SUBMISSION OF FOURTH QUARTER PERFORMANCE ASSESSMENT REPORT 2015/2016
SDBIP TO COUNCIL FOR CONSIDERATION AND ADOPTION

CONSIDERED:

Report dated 22 August 2016 from the acting Municipal Manager.

The Council **RESOLVED** THAT the Fourth Quarter Performance report 2015/16 Service Delivery and Budget Implementation Plan be ADOPTED.

SC 7.3

ESTABLISHMENT OF SECTION 80 COMMITTEES OF COUNCIL

CONSIDERED:

Report dated 24 August 2016 from the acting Municipal Manager.

The Council **NOTED** the following amendments effected by the Executive Mayor to the Section 80 Committees:

The Council **RESOLVED:**

a) THAT the following Councillors be nominated as Section 80 Committee members:

PORTFOLIO COMMITTEES	CHAIRPERSONS	MEMBERS
Social Development Portfolio Committee	Clr. P. Matyumza	Clr. B. Fargher Clr. C. Clark Clr. S. Sodladla Clr. L. Sakata Clr. N.M. Pieters Clr. M. Matyumza Clr N. Mtwá
Finance, Administration, Monitoring & Evaluation Portfolio Committee	Clr. N. Masoma	Clr. M.A. Nhanha Clr. L Nase Clr. D.B Holm Clr. T. Seyisi Clr. M. Fatyi Clr M. Qotoyi Clr. M. Moya
Infrastructural Development Portfolio Committee	Clr. M. Matyumza	Clr. X. Madyo Clr. M.R. Xonxa Clr. T Gawushe Clr. L. Sakatha Clr. M. Moya Clr. N.M. Pieters Clr. M. Gojela
Local Economic Development and Planning Portfolio Committee	Clr. E. Louw	Clr. B. Jackson Clr. N. Masoma Clr. M. Fatyi Clr. N. Mtwá Clr. M. Moya Clr M. Qotoyi Clr. M.R. Xonxa Clr. T. Gawushe Clr. T.F. Bruintjies
Tourism & Cultural Industries Portfolio Committee	Clr. M. Khubalo	Clr. A.J. Meyer Clr. M. Gojela Clr. E. Louw

		Clr. M. Moya Clr. T. Seyisi Clr. S. Sodladla Clr N. Mtw
--	--	--

- b) THAT the membership of the Portfolio Committees, Local Labour Forum and the Aesthetics Committee as proposed and amended by the Executive Mayor be ACCEPTED.

SC 7.4

COUNCILLORS SERVING ON OUTSIDE BODIES AND THE LIBRARY ADVISORY COMMITTEE

CONSIDERED:

The report dated 24 August 2016 from the acting Municipal Manager.

The Council **NOTED** amendments made by the Executive Mayor.

The Council **RESOLVED** THAT the following Councillors be nominated to represent Council on outside bodies:

1. Midlands College - Clr. M. Matyumza and Clr S. Sodladla
2. Makana Tourism - Clr E. Louw and Clr M. Khubalo
3. Grahamstown District War Memorial Association - Clr M. Moya and Clr A. J. Meyer
4. Albany Museum - Clr. B. Jackson and Clr. N.M. Pieters
5. Community Police Forum - Clr L Sakata and Clr A.J. Meyer
6. Grahamstown Foundation - Clr. M.A. Nhanha and Clr N. Gaga
7. Albany Hospital Board - Clr. N. Masoma and Clr M. Qotoyi
8. Health and Welfare Forum - Clr P Matyumza and Clr N. Mtw
9. Rhodes Council - Clr. B. Fargher and Clr M.R. Xonxa
10. Junior City Council - Clr. M Moya, Clr D.B Holm and Clr T. F. Bruintjies
11. Temba Santa Hospital - Clr. M. Gojela and Clr X. Madyo
12. Village Green Fair - Clr. E. Louw
13. Transport Forum - Clr P. Matyumza and Clr L. Nase
14. Fort England Hospital - Clr. C Clark and Clr N. Mtw
15. Radio Grahamstown - Clr. T Seyisi
16. Education Forum - Clr. P. Matyumza and Clr M Fatyi
17. Rhodes Institutional Forum - Clr. M.R Xonxa

SC 7.5

MEETING SCHEDULE: JULY 2016 – JUNE 2017

CONSIDERED:

Report dated 23 August 2016 from the acting Municipal Manager.

The Council **NOTED:**

- a) Items submitted after the due date for the submissions of items will not form part of the agenda.
- b) The Speaker will take note that Council meeting will sit at 09:00 not 14:00.

The Council **RESOLVED** THAT the draft meeting schedule for the period July 2016 to June 2017 be APPROVED.

SC 7.6

EXPIRY OF ACTING PERIOD FOR CURRENT ACTING MUNICIPAL MANAGER AND
ACTING DIRECTOR: CORPORATED AND SHARED SERVICES

CONSIDERED:

Report dated 23 August 2016 from the acting Municipal Manager.

The Council **RESOLVED:**

- a) THAT the item on the appointed of the acting Municipal Manager be WITHDRAWN because the acting period for Ms. R. Meiring has not yet expired.
- b) THAT Mr. E. Mager be appointed as acting Director: Corporate and Shared Services for a period not exceeding three months, commencing on 29 August 2016 subject to the appointment of Director Corporate and Shared Services.

SC 7.7

SUBMISSION OF ANNUAL FINANCIAL STATEMENTS FOR 2015/16

CONSIDERED:

Report dated 29 August 2016 from the acting Municipal Manger.

The Council **RESOLVED**:

- a) THAT the Annual Financial Statements for 2015/16 be APPROVED.
- b) THAT the Annual Financial Statements for 2015/16 be APPROVED and be submitted to the Auditor General on 31 August 2016, as is required by MFMA.

SC 7.8

4TH QUARTER FINANCIAL REPORT (2015/16)

CONSIDERED:

Report dated 29 August 2016 from the acting Municipal Manager.

The Council **NOTED** the Section 52 report for the 4th quarter of the 2015/16 financial year.

SC 7.9

SUBMISSION OF ANNUAL PERFORMANCE REPORT 2015/2016 SDBIP

CONSIDERED:

Report dated 29 July 2016 from the acting Municipal Manager.

The Council **RESOLVED** THAT the Annual Performance report 2015/2016 Service Delivery Budget Implementation Plan be ADOPTED.

SC 7.10

TABLING OF THE INTEGRATED DEVELOPMENT PLAN/BUDGET AND PERFORMANCE MANAGEMENT PROCESS PLAN 2016 – 2017 FINANCIAL YEAR

CONSIDERED:

Report dated 29 August 2016 from the acting Municipal Manager.

The Council **RESOLVED** THAT the Integrated Development Plan/Budget and Performance Management Process Plan 2016-2017 financial year be ADOPTED.

SC 7.11

TOOLS OF TRADE FOR COUNCILLORS

CONSIDERED:

Report dated 29 August 2016 from the acting Municipal Manager.

The Council **NOTED:**

- a) The acting Municipal Manager should find out from Councillors if they need laptops before distributing to the Councillors.
- b) The laptops will be insured.

The Council **RESOLVED:**

- a) THAT the Mayor, Speaker and Portfolio Chairpersons be provided with laptops from the fourteen (14) laptops available.
- b) THAT the seven (7) ward Councillors that do not have desktops in their offices be provided with laptops.
- c) THAT thirteen (13) laptops be acquired after the adjustment budget, provided that funding is available.
- d) THAT in cases where laptops are not available for Operation Masiphathisane, a request be submitted to Cooperative Governance and Traditional Affairs (COGTA) and the Office of the Premier to ensure that all Community Development Worker (CDW)'s that are going to assist in this project are in possession of a laptop.

The meeting terminated at 15:45

SPEAKER

DATE

CONFIDENTIAL

CONFIDENTIAL MINUTES OF THE SPECIAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBER ON WEDNESDAY, 31 AUGUST 2016 AT 14H00

SCC1

REPORT ON THE MATTER OF DR. PRAVINE NAIDOO VS MAKANA MUNICIPALITY

CONSIDERED:

Report dated 25 August 2016 from the acting Municipal Manager

The Council **NOTED** the Legal Manager is invited to attend the confidential part of the meeting because the issues discussed have legal implications.

The Council **RESOLVED** THAT after the final taxation of cost has been done, the total obligation of Dr Naidoo be determined. Makana also instruct Chris Baker and Associates to find out if Dr Naidoo is now gainfully employed or owns any property that can be attached to secure the costs owed to it.

SC 8

CLOSURE

The Speaker thanked everyone who attended and participated in the meeting. She apologized for calling the meeting at 14:00 but said as Councillors they could be called at any time and they must avail themselves at all times. The Speaker mentioned that the following day she would be visiting all Wards to see the condition and the state of the offices. She requested all Ward Councillors to avail themselves as she only had one day to do the visits.

The meeting terminated at 16:10

SPEAKER

DATE