

MINUTES OF THE 1st MAYORAL COMMITTEE MEETING OF BITOU LOCAL MUNICIPALITY HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON WEDNESDAY, 26 JANUARY 2022 AT 9H00

1. OPENING

The Executive Mayor, Councillor D J Swart welcomed everyone present at the 1st Mayoral Committee meeting at 9h03 and requested a moment of silence out of respect for different denominations.

2. ATTENDANCE

As per the attached attendance register.

3. APPLICATION FOR LEAVE OF ABSENCE

None. All Mayoral Committee Members was present.

4. CONFIRMATION OF MINUTES

4.1 Minutes of the 133rd Mayoral Committee Meeting: 01 September 2022

The minutes of the 133rd Mayoral Committee Meeting held on 01 September 2021 could not be confirmed as none of the current Mayoral Committee Members was present at the meeting.

Therefore, the minutes was **NOTED**.

Councillor W J Nel placed on record that the legitimacy of the previous constituted Mayoral Committee be investigated.

5. COMMUNICATIONS BY THE EXECUTIVE MAYOR

"This is the first MAYCO meeting of the new local government term since the election of office bearers on 18 November 2021.

Seeing as we are still under level 1 restrictions, we need to ensure that the relevant protocols are adhered to. Adherence to the protocols is of paramount importance to ensure the safety of our in-office staff, as well as the members of the public who visits our offices.

Amid November 2021 it was realized that our financial position was precarious- this was confirmed by a report from the Western Cape Government.

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Various precautionary measures were put in place to reduce the spending that had exceeded the income in previous months- These measures also apply to the reduction of staff costs, which almost accounted for 40% of our expenditure.

The report received from the Western Cape Government provided recommendations that needed to be implemented by Bitou Municipality, some of which had already been implemented.

Our excessive legal costs are still worrying. While controls are in place to reduce the occurrence of new costs, there are existing fees, which are due and payable.

Thankfully by the 31st of December 2021, the execution of the abovementioned measures had ensured that we were slightly ahead of our expenses for the mid-year. There is still a long road to go, and careful budgeting will be needed to ensure financial sustainability.

I want to thank the staff of Bitou Municipality for their efforts and co-operation so far in helping stabilize our current situation. I also want to extend my thanks to the Bitou Municipality staff for their renewed vigour in ensuring prompt service- delivery and assistance to the Bitou public.

Although we still have some way to go, positive comments received by many members of the public are testament to the improved service that is being experienced."

6. **PRESENTATIONS**

None

APPROVED

7. **CONSIDERATION OF REPORTS (OPEN)**

Section 1: Office of the Municipal Manager

Recommendation C/1/21/01/22

2021/2022 FIRST QUARTER TOP LAYER SDBIP REPORT

Directorate: Office of the Municipal Manager

Demarcation: All Wards

Delegation: Council

File Ref: 5/1/1/4

Recommended by the Executive Mayor

That the Municipal Council take note of the performance report on the Service Delivery and Budget Implementation Plan for the first quarter, July to September 2021 of the current (2021/2022) financial year.

Proposed: Councillor W J Nel

Seconded: Councillor J N Kamkam

For Actioning refer to Council Resolution

Recommendation C/1/22/01/22

TABLING OF THE DRAFT 2020/2021 ANNUAL REPORT

Department: Office of the Municipal Manager

Demarcation: All Wards

Delegation: Council

File Ref: 5/11/1/1 & 9/1/1

Recommended by the Executive Mayor

1. That cognisance be taken of the tabling of the 2020/2021 Draft Annual Report and the timeframes related to the adoption and publication thereof.
2. That note be taken of the omissions in the report as well as the reasons for the omissions.
3. That the Annual Report be submitted to MPAC in order to consider and evaluate the 2020/2021 Draft Annual Report to provide a detailed analysis and review thereof, and to submit an Oversight Report to Council by 31 May 2022.

4. That the 2020/2021 Draft Annual Report be submitted to the Office of the Auditor General, Provincial Treasury and the relevant Provincial Department responsible for Local Government.
5. That the Acting Accounting Officer publishes the 2020/2021 Draft Annual Report for public comments and recommendations.

Proposed: Councillor J N Kamkam

Seconded: Councillor W J Nel

For Actioning refer to Council Resolution

Recommendation C/1/23/01/22

TABLING OF THE 2021/2022 MFMA SECTION 72 (MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT REPORT

Directorate: Office of the Municipal Manager

Demarcation: All Wards

Delegation: Council

File Ref: 5/1/1/4

Recommended by the Executive Mayor

1. That the Executive Mayor considers the 2021/2022 MFMA Section 72 (Mid-Year budget and performance assessment) report.
2. That the report be tabled in Council for information.
3. That the report be submitted to National Treasury and Provincial Treasury.
4. That the report be placed on the municipal website within 5 days as contemplated by Section 75 (2) of the MFMA.
5. That the Adjustment Budget be submitted to Council in February 2022.

Proposed: Councillor W J Nel

Seconded: Councillor J N Kamkam

For Actioning refer to Council Resolution

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Recommendation C/1/24/01/22

APPROVAL OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE CHARTER

Department: Office of the Municipal Manager

Demarcation: All Wards

Delegation: Council

File Ref: 5/11/2/4

Recommended by the Executive Mayor

1. That Council approves the Audit and Performance Audit Committee Charter.
2. That the Charter be published on the Municipal Website to promote awareness to all stakeholders

Proposed: Councillor W J Nel

Seconded: Councillor M P Busakwe

For Actioning refer to Council Resolution

Section 2: Directorate Financial Services

Recommendation C/2/25/01/22

OUTSTANDING DEBT REPORT: NOVEMBER 2021

Directorate: Finance

Demarcation: All Wards

Delegation: Council

File Ref: 9/1/3/4

Recommended by the Executive Mayor

1. That the Credit Control & Debt Collection statistics for the month of November 2021 be noted.
2. That the municipality assess the performance of Ntiyiso for the next 6 months and make a recommendation based on their performance as at the end June 2022.

Proposed: Councillor J N Kamkam

Seconded: Councillor M P Busakwe

For Actioning refer to Council Resolution

Recommendation C/2/26/01/22

**REPORT ON THE IMPLEMENTATION OF THE SUPPLY CHAIN
MANAGEMENT POLICY FOR THE 2nd QUARTER 01 OCTOBER TO 31**

Directorate: Finance
Portfolio Comm: Finance & Engineering

Demarcation: All Wards
Delegation: Council

File Ref: 8/1/5/5/2

Recommended by the Executive Mayor

1. That the Supply Chain Management Implementation Report for the 2nd Quarter, 01 October to 31 December 2021, of the 2021/22 financial year in terms of Section 6(3) of the SCM Policy be noted.
2. That the Potential Irregular Expenditure for the period 01 October to 31 December 2021, be referred to the Municipal Accounts Committee (MPAC) for further investigation and appropriate action.

Proposed: Councillor J N Kamkam
Seconded: Councillor W J Nel

For Actioning refer to Council Resolution

Recommendation C/2/27/01/22

**MID-TERM BUDGET PERFORMANCE ASSESSMENT REPORT (SECTION 72)
AS AT 31 DECEMBER 2021**

Directorate: Finance
Portfolio Comm: Finance and Corporate Services

Demarcation: All Wards
Delegation: Council

File Ref: 9/1/3/4

Recommended by the Executive Mayor

That note be taken of the mid-term budget performance report as at 31 December 2021.

Proposed: Councillor W J Nel
Seconded: Councillor J N Kamkam

For Actioning refer to Council Resolution

Recommendation C2/28/01/22

SECTION 71 REPORT FOR THE MONTH OF DECEMBER 2021

Directorate: Finance
Portfolio Comm: Finance and Corporate Services

Demarcation: All Wards
Delegation: Council

File Ref: 9/1/3/4

Recommended by the Executive Mayor

That the Section 71 report for the month ending 31 December 2021 be noted.

Proposed: Councillor W J Nel
Seconded: Councillor J N Kamkam

For Actioning refer to Council Resolution

Recommendation C2/29/01/22

COST CONTAINMENT REPORT FOR THE QUARTER ENDING 31 DECEMBER 2021

Directorate: Finance
Portfolio Comm: Finance and Corporate Services

Demarcation: All Wards
Delegation: Council

File Ref: 9/1/3/4

Recommended by the Executive Mayor

That the Cost containment report for the quarter ending 31 December 2021 be noted.

Proposed: Councillor J N Kamkam
Seconded: Councillor W J Nel

For Actioning refer to Council Resolution

Recommendation C/2/30/01/22

REPORT ON UNAUTHORIZED EXPENDITURE FOR THE SECOND QUARTER

Directorate: Finance
Portfolio Comm: Finance and Corporate Services

Demarcation: All Wards
Delegation: Council

File Ref: 5/15/5/1

Recommended by the Executive Mayor

1. That the total of unauthorised expenditure as indicated in the report as follows be noted:
 - Capital expenditure amounting to **R6 319 638.30**
 - Operational expenditure amounting **R7 797 767.10**
2. That the report be tabled before Council for further processing in terms of section 32 (2) (a) (i) and (ii) which state the following :

A municipality must recover unauthorized, irregular or fruitless and wasteful Expenditure from the person liable for that expenditure unless the expenditure

 - a) in the case of unauthorised expenditure, is
 - i) authorized in an adjustments budget; or
 - ii) certified by the municipal council, after investigation by a council committee, as irrecoverable and written off by the council; and
 - b) in the case of irregular or fruitless and wasteful expenditure is after investigation by a council committee, certified by the council as irrecoverable and written off by council.
3. That the report be referred to the Municipal Public Accounts committee (MPAC) for further investigation and recommendations

Proposed: Councillor W J Nel
Seconded: Councillor J N Kamkam

For Actioning refer to Council Resolution

Recommendation C/2/31/01/22

**LIST OF WITHDRAWALS FROM MUNICIPAL BANK ACCOUNT FOR THE
QUARTER ENDED 31 DECEMBER 2021**

Directorate: Finance
Portfolio Comm: Finance and Corporate Services

Demarcation: All Wards
Delegation: Council

File Ref: 5/15/6

Recommended by the Executive Mayor

1. That the Municipal Council confirms the withdrawals that were made in terms of Section 11 (1) (b) to (j) of the Local Government: Municipal Financial Management Act, 2003 for the quarter October 2021 to December 2021.
2. That the report accordingly be presented to the Provincial Treasury: Western Cape and Auditor – General, as determined by Section 11(4) (b) of the Local Government: Municipal Finance Management Act, 2003.

Proposed: Councillor W J Nel
Seconded: Councillor M P Busakwe

For Actioning refer to Council Resolution

Recommendation C/2/32/01/22

VIREMENT REPORT FOR THE QUARTER ENDING 31 DECEMBER 2021

Directorate: Finance
Portfolio Comm: Finance and Corporate Services

Demarcation: All Wards
Delegation: Council

File Ref: 9/1/3/4

Recommended by the Executive Mayor

That cognisance be taken of the virements that have been considered or processed during the second quarter of the 2021/2022 financial year.

Proposed: Councillor J N Kamkam
Seconded: Councillor W J Nel

For Actioning refer to Council Resolution

Section 3: Directorate Corporate Services

Recommendation C/3/23/01/22

CUSTOMER CARE SECTION: REPORT FOR DECEMBER 2021

Directorate: Corporate Services
Portfolio Comm: Finance and Corporate Services

Demarcation: All Wards
Delegation: Council

File Ref: 9/1/3/3

Recommended by the Executive Mayor

That the report of the Customer Care Section for the month of December 2021 be noted.

Proposed: Councillor J N Kamkam
Seconded: Councillor M P Busakwe

For Actioning refer to Council Resolution

Section 4: Community Services

No Items for consideration

Section 5: Engineering Services

Recommendation C/5/12/01/22

Tabled as Addendum 1 at the MayCo meeting

MUNICIPAL INFRASTRUCTURE PROJECTS (MIG): REVISION OF DETAILED PROJECT IMPLEMENTATION PLAN (DPIP)
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Directorate: Engineering Services

Demarcation: All Wards
Delegation: Council

File Ref: 5/7/1/12

Recommended by the Executive Mayor

1. That the Council approve the revision of the DPIP for reprioritization of funding.
2. That Council approve the movement of projected funds between MIG projects to ensure 100% commitment on Municipal MIG DPIP as indicated below.

MIG Project No.	Project Description	Current Budget	Revised Budget
249370	Plettenberg Bay: New Clear Water Pump Station: WTW	843 829,80	0

231917	Kranshoek: Upgrade Gravel Roads	3 146 045,00	3 400 482,82
250398	Bossiesgif, Qolweni: Upgrade Sports Facility Ph1	1 475 778,00	1 475 778,00
372631-	Ebenhaezer: Extension to Bulk Water Services	6 116 004,24	6 358 576,66
372278-	Ebenhaezer: New Access Roads	6 769 647,50	7 116 466,61

Proposed: Councillor J N Kamkam

Seconded: Councillor W J Nel

For Actioning refer to Council Resolution

Section 6: Economic Development & Planning

Recommendation C/6/10/01/22

**AMENDMENT OF BITOU BY-LAW ON MUNICIPAL LAND USE PLANNING
2015: CONSIDERATION OF PUBLIC COMMENTS AND FINAL AMENDED BY-
LAW**

Directorate: Economic Development & Planning

Portfolio Committee: Strategic Services & Office of the MM

Demarcation: All Wards

Delegation: Council

File Ref: 1/3/1

Recommended by the Executive Mayor

1. That Council accepts the recommendations of the public participation report.
2. That Council approves the Bitou By-law on Municipal Land Use Planning 2022, to replace the 2015 version.

Proposed: Councillor W J Nel

Seconded: Councillor J N Kamkam

For Actioning refer to Council Resolution

Recommendation C/6/11/01/22

BUILDING CONTROL: MONTHLY REPORTS: APRIL 2021 – NOVEMBER 2021

Directorate:
Portfolio Comm:

Economic Development & Planning
Strategic Services & Office of the MM

Demarcation: All Wards
Delegation: Council

File Ref:

9/1/3/7

Recommended by the Executive Mayor

That Council notes the monthly reports of the Building Control section for the period April 2021 – November 2021.

Proposed: Councillor W J Nel
Seconded: Councillor J N Kamkam

For Actioning refer to Council Resolution

8. IN – COMMITTEE ITEMS

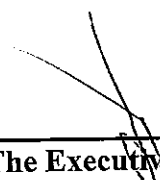
Please refer to the In-Committee Agenda of even date circulated separately.

9. CLOSURE

The Executive Mayor declared the Open Meeting closed at 10h00

CONFIRMED AND SIGNED

SIGNATURE:


The Executive Mayor: Councillor D J Swart

DATE:

14/3/22

ATTENDANCE REGISTER: MAYORAL COMMITTEE

BITOU LOCAL MUNICIPALITY

MAYORAL COMMITTEE MEETING HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON WEDNESDAY, 26 JANUARY 2022 AT 9H00

<u>NAME</u>	<u>SIGNATURE</u>
COUNCILLOR M P BUSAKWE (DEPUTY EXECUTIVE MAYOR)	<i>M. Busakwe</i>
COUNCILLOR J N KAMKAM	<i>J. Kamkam.</i>
COUNCILLOR W J NEL	<i>W. J. Nel</i>
COUNCILLOR D J SWART (EXECUTIVE MAYOR)	<i>D. J. Swart</i>
NON - MEMBERS	SIGNATURE
COUNCILLOR M A M BOTHA	
COUNCILLOR S E GCABAYI	
COUNCILLOR N P KOLWAPI	
COUNCILLOR S A MANGXABA	
COUNCILLOR T MHLANA	<i>T. Mhlana</i>
COUNCILLOR N NDAYI	
COUNCILLOR A R OLIVIER	
COUNCILLOR N T SETI	
COUNCILLOR C N J TERBLANCHE (SPEAKER)	

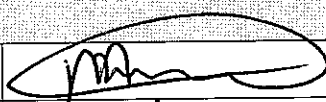
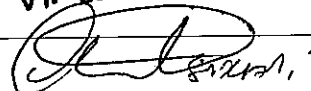
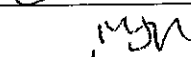
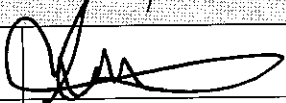

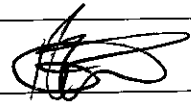
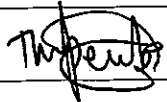
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ATTENDANCE REGISTER

BITOU LOCAL MUNICIPALITY

MAYORAL COMMITTEE MEETING HELD IN THE COUNCIL CHAMBER,
MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON
WEDNESDAY, 26 JANUARY 2022 AT 9H00

OFFICIALS

<u>DESIGNATION</u>	<u>NAME</u>	<u>SIGNATURE</u>
Acting Municipal Manager	R G Bosman	
DIRECTORS		
Director: Financial Services	Mr N Dyushu	
Director: Economic Development and Planning	Mr. L Gericke	Virtual
Acting Director: Community Services	Mr. A Sakati	
Acting Director: Engineering Services	Mr M Rhode	
Director: Corporate Services	Mrs M Mpahlwa	M.P. Mpahlwa
MANAGERS		
Manager: Administration	Ms T Wildeman	
Chief Executive Audit	Ms H Bester	Virtual
Chief Risk Officer	Mrs C V Staden	Virtual
Senior Manager: Governance & Compliance (Acting)	Mr G Groenewald	
Manager Legal Services	Mr L Loliwe	
Manager: Deputy Executive Mayor	Mr X Bangela	
Manager: Office of the Speaker	Mr R Plaatjies	
Manager: Communications	Mr A Namntu	
Principle Committee Office	Ms J Jansen	
Committee Clerk	Ms T Mpembe	
Senior Communications Officer	Mr R Kova	
Manager: PMS	Mr. A. Gungahle	