

MINUTES OF THE ORDINARY COUNCIL MEETING OF BITOU LOCAL MUNICIPALITY HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON MONDAY, 31 JANUARY 202 AT 12H00

1. OPENING

The Speaker, Councillor C N-J Terblanche welcomed everyone present at 12h00 and requested everyone to observe a moment of silence prayer out of respect for the different religions.

2. ATTENDANCE

The attendance registers of members of the Municipal Council Officers are attached hereto as annexures was circulated.

The meeting was held at the Council Chambers as well as virtually via skype

3. APPLICATION FOR LEAVE OF ABSENCE

None received

4. DECLARATION OF INTERESTS

None received

5. CONFIRMATION OF MINUTES FOR PREVIOUS MEETINGS (OPEN)

5.1 Resolution C/5/02/11/21 from the Minutes of the Ordinary Council Meeting dated 30 November 2021

Resolved:

That Resolution C/5/02/11/21: STATUS REPORT (NO. 2) OF THE IMPLEMENTATION OF THE WATER MANAGEMENT DEVICES AS A WATER DEMAND MANAGEMENT AND CONSERVATION INTERVENTION from the Minutes of the Ordinary Council Meeting held on 30 November be, and are hereby, **CONFIRMED & SIGNED.**

Proposed: Councillor T Mhlana

Seconded: Councillor D J Swart

OS

5.2 Minutes of the Ordinary Council Meeting dated 15 December 2021**Resolved:**

That the Minutes of the Ordinary Council Meeting held on 15 December 2021, be, and are hereby, **CONFIRMED & SIGNED.**

Proposed: Councillor W J Nel
Seconded: Councillor N Ndayi

6. STATEMENTS AND COMMUNICATIONS BY:**6.1 The Executive Mayor**

The Executive Mayor mentioned that it was the first Council meeting for 2022 and that he was pleased to see that Plett had a very busy festive season, and that businesses were experiencing a large influx of visitors.

He noticed that Bitou was exceptionally busy, not only with tourists but that a lot of locals enjoyed the facilities offered in Bitou, and that it was good to see a sense of normality even if the country was still under Lockdown level regulations.

The Mayor thanked the law enforcement unit and all other role players for ensuring that operations ran smoothly, service delivery was maintained, and that incidents were attended to swiftly.

He stated that during November 2021 it was realized that the financial position was precarious, which was also confirmed by a report received from the Western Cape Provincial Government. Various precautionary measures were then put in place, to reduce spending, which had exceeded income in the previous months, staff appointments were controlled to reduce personnel costs, which accounted for 40% of expenditure.

The report provided recommendations that needed to be followed, of which some have already been implemented. The Executive Mayor indicated that the excessive legal cost is still a matter of concern, but controls are in place to reduce the recurrence of new costs. There are existing legal fees that are still outstanding, which will be attended to.

As a result of the measures being put in place after 18 November 2021, Bitou Municipality is in a position as at 31 December 2021, where it is slightly ahead of the budget for the mid-year, but it is still a long road to go and careful budgeting is required to ensure financial sustainability.

Councillor Swart also thanked the staff for their efforts and cooperation, which assisted with the stabilization of the current situation, and for ensuring prompt service delivery and their assistance to the Bitou public. Positive comments were received from the public.

The Executive Mayor notified council that the acting Municipal Manager, Mr. Richard Bosman resigned unexpectedly and was not contactable since then, but that an acting Municipal Manager has been appointed in the interim.

He informed all that the Auditor General announced that Bitou Municipality has maintained its unqualified audit status with findings for the 2020/21 year under review and congratulated the staff for their hard work which helped Bitou maintain its status.

The Mayor reminded all that the country is still under Lock down 1 restrictions and requested all to adhere to the protocols.

6.2 The Speaker

The Speaker thanked everyone for taking care of themselves and their families during the festive season and mentioned that he was pleased to see that there was a full house. He further thanked everyone for their contribution in ensuring a successful festive season and for upholding the high standards of Plettenberg Bay as a tourist and holiday destination.

7. PRESENTATIONS

That it be noted that the officer from the Department of Minerals and Energy was not able to make a presentation and will do so at the next meeting of Council.

8. ITEMS FOR INFORMATION, WHICH HAVE BEEN DEALT WITH BY THE EXECUTIVE MAYOR IN TERMS OF DELEGATED AUTHORITY

No items for information

9. NOTING OF OUTSTANDING / PARTIALLY IMPLEMENTED COUNCIL RESOLUTIONS

That the outstanding / partially implemented resolutions be NOTED.

10. CONSIDERATION OF REPORTS (NON- DELEGATED MATTERS)

Section 1: Office of the Municipal Manager

Resolution 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

Resolved

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

Proposed: Councillor S E Gcabayi

Seconded: Councillor S A Mangxaba

FOR EXECUTION: Manager: Performance Management
cc. Senior Manager: Governance and Compliance

Resolution 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

Resolved

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 S E Gcabayi

Seconded: Councillor A R Olivier

FOR EXECUTION:
cc.

Manager: Performance Management
Senior Manager: Governance and Compliance

Resolution 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

Resolved:

1. That the Executive Mayor consider 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 N Ndayi

FOR EXECUTION:
cc.

Manager: Performance Management
Senior Manager: Governance and Compliance

Resolution C/1/24/01/22

APPROVAL OF THE AUDIT AND PERFORMANCE AUDIT COMMITTEE CHARTER

Department: Office of the Municipal Manager

Demarcation: All Wards

File Ref: 5/11/2/4

Delegation: Council

Resolved:

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 T Mhlana

Seconded: Councillor M P Busakwe

FOR EXECUTION: Chief Audit Executive
cc. Acting Municipal Manager

Resolution C/1/25/01/22

SCHEDULE OF MEETINGS FOR THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) FOR 2022

Directorate: Office of the Municipal Manager

Demarcation: All Wards

File Ref: 3/2/2/4

Delegation: Council

Resolved

That the following schedule of dates for the Municipal Public Accounts Committee for the year 2022 be considered.

MONTH	PORTFOLIO COMMITTEE	DATE	TASK
FEBRUARY	Municipal Public Accounts Committee	16/02/2022	Deal with outstanding Reports / Draft Annual Report
MARCH	Municipal Public Accounts Committee	16/03/2022	Quarterly meeting / Draft Annual Report
MAY	Municipal Public Accounts Committee	18/05.2022	Deal with any referrals from Council/ any other matter

JUNE	Municipal Public Accounts Committee	14/06.2022	Quarterly meeting
SEPTEMBER	Municipal Public Accounts Committee	14/09.2022	Quarterly meeting
OCTOBER	Municipal Public Accounts Committee	19/10.2022	Deal with any referral from council/any other matter
NOVEMBER	Municipal Public Accounts Committee	15/11/2022	Quarterly meeting / submit final report to Council

Proposed: Councillor S E Gcabayi
Seconded: Councillor J N Kamkam

FOR EXECUTION: MPAC Coordinator
cc. Manager: Office of the Speaker

Resolution C/1/26/01/22

TERMS OF REFERENCE FOR THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC)

Directorate: Office of the Municipal Manager

Demarcation: All Wards
Delegation: Council

File Ref: 3/2/2/2/4

Resolved:

That the Terms of Reference for the Municipal Public Accounts Committee be adopted.

Proposed: Councillor S E Gcabayi
Seconded: Councillor T Mhlana

FOR EXECUTION: MPAC Coordinator
cc. Manager: Office of the Speaker

Section 2: Directorate Financial Services

Resolution C/2/25/01/22

OUTSTANDING DEBT REPORT: NOVEMBER 2021

Directorate: Finance

Demarcation: All Wards

Delegation: Council

File Ref: 9/1/3/4

Resolved:

1. That the Credit Control & Debt Collection statistics for the month of November 2021 be noted.
2. That the municipality assess the performance of Ntindo for the next 6 months and make a recommendation based on their performance as at the end June 2022.
3. That Council approves the extension of the temporary relief granted in respect of blocking pre-paid electricity meters and restricted water supply till the end of this financial year, i.e., 30 June 2022.
4. That Council review its policies to make services more affordable for low-income households.
5. That Council embark on an extensive community participation process to explain to the community their responsibility as well as the relief efforts offered by the municipality.

Proposed: Councillor J N Kamkam

Seconded: Councillor N Ndayi

FOR EXECUTION:

cc.

**Manager Revenue Services
Director Financial Services (CFO)**

Resolution 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

Resolved

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 W J Nel
Seconded: Councillor T Mhlana

FOR EXECUTION: Manager Supply chain Management
cc. Senior Manager Expenditure and SCM

Resolution 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

Resolved

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

Proposed: Councillor W J Nel
Seconded: Councillor N Ndayi

FOR EXECUTION: Manager Budget and Financial Reporting
cc. Director Financial Services (CFO)

Resolution C/2/28/01/22

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

Resolved

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

Proposed: Councillor A R Olivier
Seconded: Councillor W J Nel

FOR EXECUTION: Manager Budget and Financial Reporting
cc. Director Financial Services (CFO)

Resolution C/2/29/01/22

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

Resolved

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

Proposed: Councillor N Ndayi
Seconded: Councillor W J Nel

FOR EXECUTION: Manager Budget and Financial Reporting
cc. Director Financial Services (CFO)

Resolution 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

Resolved

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 V Ndayi

Seconded: Councillor W J Ne

FOR EXECUTION: Manager Budget and Financial Reporting
cc. Director Financial Services (CFO)

Resolution 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

Resolved

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 EXECUTION: Manager Budget and Financial Reporting
cc. Director Financial Services (CFO)

Resolution 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: 1/3/4

Resolved

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 W J Nel
Seconded: Councillor N Ndayi

FOR EXECUTION: Manager Budget and Financial Reporting
cc. Director Financial Services (CFO)

CNS

Section 3: Directorate Corporate Services

Resolution 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

Resolved

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

Proposed: Councillor N Ndayi
Seconded: Councillor W J Nel

FOR EXECUTION: Manager Communications and Customer Care
cc. Director Corporate Services

Resolution C/3/26/01/22

ELECTION OF A WHIP OF COUNCIL

Directorate: Corporate Services

Demarcation: All Wards
Delegation: Council

File Reference: 3/1/10

Resolved

That Councillor A R Olivier be elected as Whip of Councillor in terms of Schedule 3 of the Municipal Structures Act, Act no 117 of 1998.

Proposed: Councillor D J Swart
Seconded: Councillor J N Kamkam

FOR EXECUTION: Senior Manager Human Resources Management
cc. Director Corporate Services

Section 4: Directorate Community Services

No reports were tabled for consideration.

Section 5: Directorate Engineering Services

Resolution C/5/12/01/22

**MUNICIPAL INFRASTRUCTURE PROJECTS (MIG): REVISION OF DETAILED
PROJECT IMPLEMENTATION PLAN (DPIP)**

Directorate: Engineering Services

Delegation: All Wards
Delegation: Council

File Ref: 5/7/1/12

Resolved

1. That the Council approve the revision of the DPIP for prioritization 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	Boschhof, Qutheni: Upgrade Sports Facility Ph1	1 475 778,00	1 475 778,00
372631-	Ebenhaezel: Extension to Bulk Water Services	6 116 004,24	6 358 576,66
372278-	Ebenhaezel: New Access Roads	6 769 647,50	7 116 466,61

Proposed: Councillor W J Nel

Seconded: Councillor A R Olivier

FOR EXECUTION:
cc.

Manager: Project Management
Acting Director Engineering Services

Section 6: Directorate Economic Development and Planning

Resolution 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

Demarcation: All Wards

Portfolio Committee: Strategic Services & Office of the MM

Delegation: Council

File Ref: 1/3/1

Resolved

1. That the Item to be REFERRED BACK.
2. That a public participation process be conducted with the residents of Natures Valley to address the objections raised and to provide them with explanation and once concluded the Item be re-submitted to Council.

Proposed: Councillor S E Gcabayi

Seconded: Councillor W J Nel

FOR EXECUTION:

cc.

Senior Manager: Land Use Planning

Director Economic Development and Planning

Resolution C/6/11/01/22

BUILDING CONTROL: MONTHLY REPORTS: APRIL 2021 – NOVEMBER 2021

**Directorate:
Portfolio Committee:**

**Economic Development & Planning
Strategic Services & Office of the MM**

**Demarcation: All Wards
Delegation: Council**

File Ref: 9/1/3/7

Resolved

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

Proposed: Councillor W J Nel

Seconded: Councillor M P Busakwe

FOR EXECUTION:

cc.

Manager: Building Control

Director Economic Development and Planning

CNS

11. URGENT MATTERS SUBMITTED BY THE MUNICIPAL MANAGER

None received

12. CONSIDERATION OF NOTICES OF MOTION

12.1 A notice of motion was received from Councillor W J Nel dated

The following Notice of Motion was submitted in terms of Rule 36(2) of the Rules of Order:

Notice of Motion dated 24 January 2022, received from Councillor W J Nel and seconded by Councillor D J Swart, titled “ **NOTICE IN TERMS OF RULE 36 (2) OF THE RULES OF ORDER OF BITOU MUNICIPAL COUNCIL OF THE INTENTION TO MOVE A MOTION AT THE COUNCIL MEETING OF 31 JANUARY 2022 IN ORDER TO REVIEW AND REVOKE THE DECISION BY FORMER ACTING EXECUTIVE MAYOR, S GCABAYI BY PERMITTING THE CONSTRUCTION OF A BOUTIQUE HOTEL ON ERF 156, PLETTENBERG BAY**” circulated herewith.

Councillor W J Nel read the notice of motion into the record.

Be please to take note that I Councillor W H Nel supported by the undersigned Councillors D Swart, C Terblanche, M Busakwe, A Olivier, J Kamkam and N Ndayi hereby give notice of our intention to request council to revoke and review the decision taken by Councillor S Gcabayi on 21 June 2021 in terms of a delegated power conferred on him while acting as Executive Mayor to permit the construction of a boutique hotel on erf 156, Signal Hill, Plettenberg Bay.

Matters came to a head in November 2016 when Bitou Local Municipality applied to the Western Cape Division of the High Court for a demolition order under case number 21091/15. The parties were as follows:- Bitou Municipality as only applicant and Cyco Sales (Pty) Ltd, Masen Eben Lecuona, Leon John Lecuona, Carrara And Lecuona and ABSA Trust as respondents one to five.

Councillor S E Gcabayi placed on record that he is against the decision and will not partake in voting in favour of the decision:

The following Councillors recorded their vote against the decision.

Councillor S E Gcabayi, Councillor T Mhlana, Councillor N T Seti, Councillor S A Mangxaba, Councillor M P Kolwaji.

The following Councillors recorded their vote in favour of the decision.

Councillor M A M Botha, Councillor W J Nel, Councillor N Ndayi, Councillor D J Swart, Councillor A R Olivier, Councillor J N Kamkam, Councillor M P Busakwe, Councillor C N-J Terblanche.

Number of votes against the decision: 5

Number of votes in favour of the decision 8

Resolved

1. That Council revoke the decision taken by Councillor Gcabayi on 21 June 2021 to permit the construction of a boutique hotel on Erf 156, Plettenberg Bay
2. That the demolition order granted under Western Cape High court case number 21091/15 be executed with immediate effect failing which Bitou Municipality may affect the demolition and recover its cost from Cyco Sales (Pty) as originally ordered by the court.

Proposed: Councillor W J Nel
Seconded: Councillor D J Swart

EXECUTION: Acting Municipal Manager

13. CONSIDERATION OF NOTICE OF QUESTION

- 13.1** Notice of Questions received from Councillor S E Gcabayi dated 18 December 2021 in terms of Section 37 read with Section 41 of the Rules of Order for submission to the Ordinary Council Meeting to be held on the 15th December 2021.

It was resolved at the meeting of 18 December 2021 that the matter be postponed and that the Executive Mayor/Councillor D J Swart respond to the motion of questions at the next meeting of Council.

Below the response of the Executive Mayor/Councillor D J Swart.

“NOTICE OF QUESTIONS IN TERMS OF SECTION 37 READ WITH SECTION 41 OF THE RULES OF ORDER FOR SUBMISSION TO THE ORDINARY COUNCIL MEETING TO BE HELD ON THE 15TH OF DECEMBER 2021

1. *Is the resigned Municipal Manager Advocate Lonwabo Ngoqo still on Bitou payroll for the month of December 2021 serving his notice in terms of his employment contract?*
 Yes
2. *Was the resignation of the then Municipal Manager Adv. Lonwabo Ngoqo tabled to Council for acceptance of his resignation, if yes, please provide a Council Resolution to that effect?*
 Was notified at the in-committee meeting on 26 January 2022. Council resolution C/1/01/11/21.
3. *Is the Acting Municipal Mr. Richard Bosman appointed by Council Resolution or seconded by the Provincial Government?*
 Mr. Bosman was recommended by the MEC office as being capable and available, but not seconded.
4. *What was the process followed in the appointment or secondment of Mr. Bosman which applicable legislation was followed?*

Council resolution C/1/01/11/21

5. *Is it correct that the qualifications or CV of Mr. Bosman was not tabled to Council for consideration and was only considered by the DA caucus?*

The CV was available for scrutiny at council meeting and was considered by the Joint Caucus of DA/AUF/PDC.

6. *If so, what legislation gives sole powers to a political party to recruit and appoint a Municipal Manager, and what capacity does the DA caucus possess to undertake such responsibility?*

It was not a decision by one political party, but by the 3 parties in a coalition government – ie majority of council.

7. *Can Council afford to pay two salaries to the two Municipal Managers who are employed by Bitou Municipality considering the state of finance of Bitou Municipality?*

It was only for the month of December 2021 that 2 salaries needed to be paid. Too often in past years burden has been added to current Section 56 managers expecting them to act for another position in addition to their duties, rendering them partially ineffective. It was deemed that the skills of Mr Bosman would serve to benefit Bitou Municipality during this transitional phase since the election of new office bearers on 18 November 2021.

8. *Is the Executive Mayor empowered to stop disciplinary processes in order to re-employ a so called lawyer that was found unethical by the law society and his practice license being suspended for indefinite period, a so called Allan Croutz, who was also found guilty of maladministration during his tenure as Bitou Municipality?*

No process was stopped, however the labour court did find the dismissal of Mr. Croutz to be unfair.

9. *Is the Executive Mayor empowered to instruct the administration to stop payment for the services rendered by service providers as evident in his letters to the resigned Municipal Manager?*

The monitoring of payments was necessary to bring financial stability to Bitou Municipality as for previous months the expenses had exceeded income. This was also subsequent recommendation from the Western Cape Government to arrest the financial decline in Bitou Municipality.

FOR INFORMATION

14. CONSIDERATION OF MOTIONS OF EXIGENCY

None received

15. IN-COMMITTEE MATTERS

15.1 CONFIRMATION OF MINUTES: (IN-COMMITTEE)

15.1.1 Minutes of the Ordinary Council In-Committee meeting dated 30 November 2021

In-Committee Minutes circulated separately as part of the In-Committee Addendum.

15.1.2 Minutes of the Special Council In-Committee meeting dated 9 December 2021

In-Committee Minutes circulated separately as part of the In-Committee Addendum.

15.2 CONSIDERATION OF IN-COMMITTEE REPORTS (NON- DELEGATED MATTERS)

In-Committee Reports circulated separately as part of the In-Committee Addendum.

16. CLOSURE

The Speaker adjourned the Ordinary Council meeting where OPEN items were discussed at 13h46.

CONFIRMED AND SIGNED

SIGNATURE:

The Speaker, Councillor C N-J TERBLANCHE

DATE:



ATTENDANCE REGISTER

**ORDINARY COUNCIL MEETING OF BITOU LOCAL MUNICIPALITY HELD
IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET,
PLETTENBERG BAY ON MONDAY, 31 JANUARY 2022 AT 12H00**

<u>NAME</u>	<u>SIGNATURE</u>
COUNCILLOR M A M BOTHA	
COUNCILLOR M P BUSAKWE (Deputy Executive Mayor)	
COUNCILLOR S E GCABAYI	
COUNCILLOR J N KAMKAM	
COUNCILLOR N P KOLWAPI	
COUNCILLOR S A MANGXABA	
COUNCILLOR T MHLANA	
COUNCILLOR N NDAYI	
COUNCILLOR W J NEL	
COUNCILLOR A R OLIVIER	
COUNCILLOR N T SETI	
COUNCILLOR D J SWART (Executive Mayor)	
COUNCILLOR C N-J TERBLANCHE (Speaker)	

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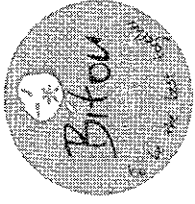
ATTENDANCE REGISTER

BITOU LOCAL MUNICIPALITY

ORDINARY COUNCIL MEETING OF BITOU LOCAL MUNICIPALITY HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET, PLETTENBERG BAY ON MONDAY, 31 JANUARY 2022 AT 12H00

OFFICIALS

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



ATTENDANCE REGISTER

Interested members of the Public

Thank you for attending

[illegible]

ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, MUNICIPAL OFFICES, SEWELL STREET,
PLETTENBERG BAY ON MONDAY, 31 JANUARY 2022 AT 12H00

CNS.