



STEVE TSHWETE LOCAL MUNICIPALITY

MINUTES

OF THE SPECIAL

COUNCIL

MEETING HELD ON

06 November 2017

10:10 am



**MINUTES OF THE SPECIAL COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, MUNICIPAL
BUILDINGS ON MONDAY, 06 NOVEMBER 2017 AT
10:10**

PRESENT

Councillors

Ald M A Masina – Executive Mayor
Cllr A M Mabena
Cllr M I Kgalema
Cllr J Matshiane
Cllr J M Mitchell
Cllr D J Motsepe
Cllr S D Nkadimeng
Cllr A M Mahlangu
Cllr L K Mahlangu
Cllr R G Mamogale
Cllr A B Marumo
Cllr Musa Masina [Entered at 10:14]
Cllr M N Mathibela
Cllr M Mbatiwe
Cllr T P Mnisi
Cllr T N Morufane
Cllr T P Motau
Cllr T S Motloung [Entered at 10:22]
Cllr T E Motsepe
Cllr M C Mphego
Cllr D L Paul
Cllr M J Sekgwele
Cllr D J Skhosana
Cllr M M Skhosana
Cllr J Skosana

Cllr T R Vilakazi
Ald R M Xaba
Cllr L J N Zondo
Cllr E M Bruiners
Cllr H G De Klerk
Ald E A Du Toit
Cllr J Dyason
Cllr P Mobango
Cllr H F Niemann
Cllr K J Phasha
Cllr G H E Romijn
Cllr S J Roos
Cllr A O Thabatha
Cllr A Struwig
Cllr D A Stuurman
Cllr T N Van Zyl
Cllr S Wait
Cllr M Hadebe
Cllr P Mailola [Entered at 10:14]
Cllr L C Masemula
Cllr N J Mthombeni
Cllr E Sebesho
Cllr J P Duvenage
Cllr K P J Uys

Absent

Cllr A Mangcotywa

Officials

Mr S M Mnguni
Ms E Wassermann
Mr S Mothiba
Mr M T Lelaka
Ms C Hlatshwayo

(Acting Municipal Manager)
(Executive Director: Financial Services)
(Acting Executive Director: Corporate Services)
(Executive Director: Infrastructure Services)
(Executive Director: Community Services)

RM

Mr M Masilela
Mr J Zulu
Ms M Komane
Ms D Pillay

(Director: Legal & Administration)
(Chief Administrative Officer)
(Chief Administrative Officer)
(Clerk Grade 2)

Temporary absence from the meeting in terms of Section 45(2)(c)

Name of Cllr	1		
	From	To	Item
Cllr Musa Masina	10:57	10:58	SC01/11/2017
Cllr M M Skhosana	10:57	10:58	SC01/11/2017
Cllr L J N Zondo	10:35	10:37	SC01/11/2017
Cllr M M Skhosana	10:57	10:58	SC01/11/2017
Cllr A B Marumo	10:35	10:36	SC01/11/2017
Cllr M E Bruiners	10:40	10:43	SC01/11/2017
Cllr D A Stuurman	10:58	10:59	SC01/11/2017

1 OPENING

The Speaker welcomed everyone present and declared the meeting open.

2 APPLICATIONS FOR LEAVE OF ABSENCE

2.1 Application for leave of absence in terms of Section 13 (1) of the Rules of Order

Resolved

2.1.1 **THAT** note be taken that Cllrs M C Mkhuma, M C Mosoma, A Grobler, S Mogola and J P Pretorius have applied for leave of absence and their leave were approved due to other obligations.

2.2 Application for leave of absence in terms of Section 13 (2) of the Rules of Order

- 2.2.1 Cllr M T E Mnguni
- 2.2.2 Cllr S M Malepeng
- 2.2.3 Cllr P M Masilela

3 DISCLOSURE OF INTEREST

3.1 None

4 CONSIDERATION OF THE ATTACHED REPORTS

AM

3 DISCLOSURE OF INTEREST

3.1 None

4 CONSIDERATION OF THE ATTACHED REPORTS

REPORT OF THE SPECIAL MAYORAL COMMITTEE HELD
ON 03 NOVEMBER 2017

NON DELEGATED POWERS

Upon request by the Executive Mayor, it was

RESOLVED BY COUNCIL

THAT the report by the Executive Mayor in respect of item SC01/11/2017 be considered.

SC01/11/2017

PERSONNEL: SECONDMENT OF ACTING MUNICIPAL MANAGER

4/3/1/2 (L)

With the consideration of this matter the Acting Municipal Manager, Mr S M Mnguni recused himself from the meeting, then Cllr H F Niemann submitted the following proposal which was seconded by Cllr G H E Romijn:

- “1. **That** recommendations 1 to 6 by the Executive Mayor not be approved.
2. **That** a due process be followed with the appointment of the Acting Municipal Manager (Advertise, shortlist, interview and appoint by Council).
3. **That** the MEC for COGTA be requested to approve that Mr M Mnguni be appointed as Acting MM until the post of MM has been filled.”

The proposal by Cllr H F Niemann was put to vote and the results were as follows:

In Favour of the proposal by Cllr H F Niemann	= 21
Against the proposal by Cllr H F Niemann	= 28

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The proposal was therefore not accepted.

The recommendation by the Executive Mayor as contained in the Agenda was then put to vote. The results were as follows:

In favour of the recommendation by the Executive Mayor = 28

Against the recommendation by the Executive Mayor = 21

Cllr P Mobango then requested a division on the vote and the results were as follows:

<i>In favour of the recommendation by the Executive Mayor</i>	<i>Against the recommendation by the Executive Mayor</i>
Ald M A Masina – Executive Mayor	Cllr E M Bruiners
Cllr A M Mabena	Cllr H G De Klerk
Cllr M I Kgalema	Ald E A Du Toit
Cllr J Matshiane	Cllr J Dyason
Cllr J M Mitchell	Cllr P Mobango
Cllr D J Motsepe	Cllr H F Niemann
Cllr S D Nkadimeng	Cllr K J Phasha
Cllr A M Mahlangu	Cllr G H E Romijn
Cllr L K Mahlangu	Cllr S J Roos
Cllr R G Mamogale	Cllr A O Thabatha
Cllr A B Marumo	Cllr A Struwig
Cllr Musa Masina	Cllr D A Stuurman
Cllr M N Mathibela	Cllr T N Van Zyl
Cllr M Mbatwe	Cllr S Wait
Cllr T P Mnisi	Cllr M Hadebe
Cllr T N Morufane	Cllr P Mailola
Cllr T P Motau	Cllr L C Masemula
Cllr T S Motloung	Cllr N J Mthombeni
Cllr T E Motsepe	Cllr E Sebesho
Cllr M C Mphago	Cllr J P Duvenage
Cllr D L Paul	Cllr K P J Uys
Cllr M J Sekgwele	
Cllr D J Skhosana	
Cllr M M Skhosana	
Cllr J Skosana	
Cllr T R Vilakazi	
Ald R M Xaba	
Cllr L J N Zondo	
Total = 28	Total = 21

The recommendation by the Executive Mayor as contained in the Agenda was therefore accepted.

RESOLVED BY COUNCIL

- 1 **THAT** the content of the report by the Acting Executive Director: Corporate Services on the response by the MEC for Corporate Governance and Traditional Affairs (COGTA), be noted.
- 2 **THAT** as per the directive of the MEC for Co-operative Governance and Traditional Affairs, Mr B. Khenisa be appointed as the Acting Municipal Manager from 1 November 2017 for a period of 12 (twelve) months or until the post is properly filled, whichever comes first.
- 3 **THAT** Mr B. Khenisa enter into a contract with the Department of Co-operative Governance and Traditional Affairs and his remuneration be borne by Council to the post of Acting Municipal Manager.
- 4 **THAT** Mr B. Khenisa be remunerated as per the Local Government, Upper Limits of Total Remuneration packages payable to Municipal Managers and Managers directly accountable to Municipal Manager, 206, benefits/allowance, conditions of services.
- 5 **THAT** as per the directive of the MEC, the title of the post of Deputy Municipal Manager be re-instated.
- 6 **THAT** Council further confirms the delegations of powers of the Municipal Manager to the appointed Acting Municipal Manager and the Deputy Municipal Manager.

5 CLOSURE

Meeting adjourned at 11:00

SIGNED AT MIDDELBURG ON 28/11/17

S P E A K E R  _____