

RUSTENBURG
LOCAL MUNICIPALITY

M I N U T E S OF THE (08S/2019) ***SPECIAL COUNCIL*** MEETING OF THE
RUSTENBURG LOCAL MUNICIPALITY HELD ON FRIDAY **01st NOVEMBER 2019**
AT 10:15 IN THE COUNCIL CHAMBER, UPPER LEVEL, CIVIC CENTRE,
RUSTENBURG.

PRESENT

Cllr Mabale-Huma S S K

- **Speaker**

Cllr Khunou M E

- **Executive Mayor**

Cllr Babe N B

Cllr Bothomane P

Cllr Coetzee M

Cllr Cronje J C

Cllr du Plessis G

Cllr Edwards I

Cllr Fetmani E M

Cllr Gegula D

Cllr Habi A S

Cllr Jikeka P

Cllr Jongela S

Cllr Kgaladi P

SSK

Cllr Kombe O

Cllr Kwanaite A M

Cllr Legopelo J B

Cllr Lekoro B F

Cllr Lerm MFE

Cllr Mafoko S D

Cllr Magadane G L

Cllr Magadla E B

Cllr Majolo W L

Cllr Makhaula V N

Cllr Malan P A

Cllr Malinga M

Cllr Malla AD

Cllr Mashishi-Ntsime J I

Cllr Masilo T I

Cllr Masondo N G

Cllr Mataboge A L

Cllr Matlhoko A M

Cllr Megalanyane S T

Cllr Mhlungu S B M

Cllr Miny C

Cllr Mjekula E

Cllr Mmolotsi C N

Cllr Mnisi B P

Cllr Mntombi S P

Cllr Moatshe F S

Cllr Mogotsi H B

Cllr Mohube M

Cllr Mokgatle O O

Cllr Mokotedi K G

Cllr Mokwele L P

Cllr Molatlhegi P R

Cllr Moleme K G

Cllr Molotsane D M

Cllr Molubi J N

Cllr Monageng V N

Cllr Monaise K I

Cllr Morei K B

Cllr Mosoeu S M S

Cllr Motshwane J

Cllr Mpolokeng B J

Cllr Mqanqeni N V

Cllr Mvula P

Cllr Ngwato J D

Cllr Nchaugue N

Cllr Njikelane M

Cllr Nkgoang L I

Cllr Nkgwang V K

Cllr Nkosi L M

Cllr Nongqoqo M I

Cllr Ntimba M S

Cllr Pelesi K L

Cllr Radebe M W

Cllr Rantho M R

Cllr Rootman A P

Cllr Seleka A

Cllr Sephai J L

Cllr Sikwane C K

Cllr Tjie P

Cllr Tlhapi P A

Cllr Tsienyanane P

Cllr Venter P A G

Cllr Wolf J

Cllr Wolmarans S

Cllr Xatasi N S

Cllr Xhinela Z

55K

OFFICIALS

Mr Komane E	-	Acting Municipal Manager
Mr Ditsele G	-	Chief Financial Officer
Mr Boikanyo K	-	Director: Public Safety
Ms Halenyane M	-	Director: Planning and Human Settlement
Mr Masilo O	-	Director: Technical & Infrastructure Service
Ms Roboji Y	-	Director: Corporate Support Services
Ms Rampete N	-	Director: Community Development
Ms Mantswe N	-	Acting Director: Local Economic Development
Mr Moleele O	-	Acting Director: Roads and Transport
Ms Hlatswayo L	-	Manager: Office of the Speaker
Mr Kgosimore P	-	Manager: Office of the Executive Mayor
Mr Makinita RJ	-	Acting Sergeant-at-arms: Public Safety
Mr Magae D	-	Manager: Communication
Mr Molotsane L	-	Head: Legal & Valuation
Mr Pholose A	-	Unit Manager: Administrative Support Services
Ms Makona P	-	Section Manager: Committee Work Administrative Support Services
Mr J van Vuuren	-	Section Manager: Administration Administrative Support Services
Ms Manthata J	-	Supervisory Typist: Administrative Support Services
Ms Khunou B	-	Administrative Assistant: Administrative Support Services
Ms Makonye T	-	Typist Administrative Support Service
Ms Dintwe T	-	Administrative Assistant: Administrative Support Services
Ms Rapelego M	-	Acting Administrative Assistant: Administrative Support Services

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Ms Mogakwe K - Typist
Administrative Support Services

Mr Mkhuzangwe S - Council Interpreter

SSK

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1. OPENING AND WELCOME:

- 1.1. It be noted that the meeting was opened with a prayer by Cllr Molatlhegi P R whereafter the Honourable Speaker welcomed all members present and further welcomed the community in the Public Gallery.
- 1.2 The Honourable Speaker thanked all Councillors who adhered to the call from the President for the request he made of supporting the South African National Rugby Team "Die Bokke"

2. APPLICATION FOR LEAVE OF ABSENCE:

- 2.1.1. That leave of absence be granted to the following Councillors: Chauke O, Makgala T A , Synder L; Tshabalala T E and Motlhamme G S
- 2.1.2. It be noted that the following Councillors requested to be recused as follows: Lerm F at 12h00; Cllr Mohube M M at 13h00 and Mmolotsi N at 14h00 and Ntimba M S at 12h00
- 2.1.3. It be noted that Councillor Jikeka P will arrive late.
- 2.1.4. That Councillor Kombe O J requested that a moment of silence be observed for the following: Khanyisile Ntanga and Basetsana Kgaole who were murdered in separate incidents in Boitekong and a child who was also brutally murdered and buried in Tlhabane

3. REPORTS: (ATTACHED)

- 3.1 It be noted that Councillor Matlhoko A requested to be recused during the deliberations on Item 214.
- 3.2 It be noted that Councillor Mpolokeng B J requested that all Councillors of Economic Freedom Fighters be recused the deliberations on Item 214.
- 3.3 It be noted that Councillor Bothomane P requested to be advised whether or not to recuse himself during the deliberations on Item 216 and 217 as he had a pending Litigation against the appointment of the two Directors.
- 3.4 The advice the Speaker received from Legal was for Cllr Bothomane P to recuse himself.
- 3.5 It be noted that Councillor Du Plessis G raised the concern that the Section 71 reports were not included in the agenda despite the promise that was made during the Ordinary Council to include them.

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- 3.6 It be noted that the Executive Mayor responded by indicating that he had viewed the reports and had concluded that they were not ready to be included in the Agenda of the Special Council and that he shall engage with whips of political parties on the possibility of convening another Special Council meeting prior to the Ordinary Council meeting.

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ITEM	HEADING	CC
214.	Report on Litigation Cases that Arose as a Result of Contested Tenders	CC
215.	Report of the Selection Panel for the Municipal Manager Position	CC
216.	Evaluation Report: Director Public Safety	CC
217.	Evaluation Report: Director: Corporate Support Services BSK	CC

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214. **REPORT ON LITIGATION CASES THAT AROSE AS A RESULT OF CONTESTED TENDERS**

(Office of the Municipal Manager) (Unit Legal & Valuation Services) (SLM/pms)

PURPOSE OF THE REPORT

“To drive and promote good governance and legislative compliance in municipal processes.”

RESOLVED:

ACTION

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| 1. That the report be referred back and be submitted to the next ordinary Council meeting; | CC |
| 2. That a detailed report be submitted including the following information: | CC |
| 2.1 Complete list of all tenders in respect of which there is litigation; | |
| 2.2 Disciplinary action taken in relation to these cases; | |
| 2.3 Full financial implications; | |
| 3. That a criminal case number be obtained from the South African Police Services. | CC |

IT BE NOTED THAT THE ECONOMIC FREEDOM FIGHTERS REQUESTED TO BE RECUSED DURING THE DISCUSSIONS ON ITEM 214

215. **REPORT OF THE SELECTION PANEL FOR THE MUNICIPAL MANAGER POSITION**

(Directorate: Corporate Support Services)

(YR/yr)

PURPOSE OF THE REPORT

The purpose of the report is to provide Council with a report on the recruitment and selection process of the Municipal Manager.

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- IT BE NOTED THAT THE ECONOMIC FREEDOM FIGHTERS DO NOT SUPPORT THE APPOINTMENT;
- IT BE NOTED THAT THE DEMOCRATIC ALLIANCE REQUESTED A 5 MINUTES CAUCUS, WHICH THE SPEAKER GRANTED;
- IT BE NOTED THAT THE DEMOCRATIC ALLIANCE DO NOT SUPPORT THE APPOINTMENT OF THE MUNICIPAL MANAGER, AND
- IT BE NOTED THAT THE FREEDOM FRONT PLUS DO NOT SUPPORT THE APPOINTMENT OF THE MUNICIPAL MANAGER.

RESOLVED:

ACTION

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| 1. That the report be noted; | CC |
| 2. That Mr S. V. Makona as the highest scoring candidate be appointed as the Municipal Manager on a 3-year fixed term contract commencing on 02 December 2019; | CC |
| 3. That the appointment be subjected to a six (6) months' probation period; | CC |
| 4. That the salary scale be set on the first notch and be reviewed at the end of the probation period; | CC |
| 5. That Mr Komane E be thanked for his services as the Acting Municipal Manager for the past six (6) months; and | DCS |
| 6. That for future appointments of senior managers, a list of all applicants be submitted to Council as an annexure to the report of the selection panel. | CC |

IT BE NOTED THAT CLLR BOTHOMANE P WAS RECUSED BEFORE THE DISCUSSIONS ON ITEMS 216 AND 217

216. EVALUATION REPORT: DIRECTOR PUBLIC SAFETY

(Office of the Municipal Manager)

OMM

PURPOSE OF THE REPORT

The purpose of the report is to submit to Council an evaluation report pertaining to the performance of the Director Public Safety (Mr. Keabaka I Boikanyo) for the probation period of six (6) months that ended on the 08th October 2019.

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RESOLVED:

ACTION

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| 1. That the evaluation report on the Director Public Safety's probation period be noted; | CC |
| 2. That the probation period for the Director: Public Safety be extended from 09 th October 2019 for and additional period of three (3) months; | CC |
| 3. That the performance improvement plan be developed and be implemented by the Municipal Manager; and | MM |
| 4. That the progress report with regards to resolution 3 be submitted to Council on a bi-monthly basis. | MM |
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217. **EVALUATION REPORT: DIRECTOR: CORPORATE SUPPORT SERVICES**

(Office of the Municipal Manager)

OMM

PURPOSE OF THE REPORT

The purpose of the report is to submit to Council an evaluation report pertaining to the performance of the Director: Corporate Support Services (Ms. Yondela Roboji) for the probation period of six (6) months that ended on 14 October 2019.

RESOLVED:

ACTION

- | | |
|--|----|
| 1. That the evaluation report on the probation period of the Director: Corporate Support Services as at 14 October 2019 be noted; | CC |
| 2. That the Director: Corporate Support Services be considered to have successfully completed her probation period; | CC |
| 3. That the remuneration of the Director: Corporate Support Services be reviewed as at the end of the probation period in line with the Council resolution of 28 March 2019; and | CC |
| 4. That the Director: Corporate Support Services be placed on the second notch with effect from 15 October 2019 when her probation period ended. | CC |
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4. **ADOPTION OF MINUTES:**

Minutes of the (08S/2019) Special Council Meeting of the Rustenburg Local Municipality, held on **01 November 2019**.

5. **CLOSURE:**

The business of the meeting was concluded at 13h47.

SPEAKER: _____



DATE APPROVED: 15/11/2019