



STEVE TSHWETE LOCAL MUNICIPALITY

# MINUTES

OF THE

## SPECIAL COUNCIL

MEETING HELD ON

**31 January 2022**

10:07 am



*T.R.*

MINUTES OF THE SPECIAL COUNCIL MEETING HELD IN THE  
COUNCIL CHAMBER, MUNICIPAL BUILDINGS, MIDDELBURG,  
MPUMALANGA ON  
MONDAY, 31 JANUARY 2022 AT 10:07

**PRESENT**

Cllr PM Masilela (Executive Mayor)  
Cllr TR Mpye  
Cllr CS Mashiloane  
Cllr BC Shabangu  
Cllr MJ Sekgwele  
Cllr GNB Mathibela  
Cllr MG Maseko  
Cllr MC Mphego  
Cllr LE Nkwana  
Cllr H F Niemann  
Cllr MG Amigo  
Cllr I Mahlangu  
Cllr PV Malinga  
Cllr ME Nyambi  
Cllr W MM Phetla  
Cllr LN Sibanda  
Cllr JF Sithole  
Cllr ML Shabangu  
Cllr JM Shongwe  
Cllr J Skosana  
Cllr PE Williams  
Cllr SW Zulu  
Cllr LJJ Zondo  
Cllr E M Bruiners  
Cllr HG de Klerk  
Cllr J Dyason  
Cllr AS Grobler

Cllr P Mobango  
Cllr SM Mogola  
Ald JP Pretorius  
Cllr LS Qoka  
Cllr GHE Romijn  
Cllr CM Soko  
Cllr A Struwig  
Cllr DA Stuurman  
Cllr AO Thabatha  
Cllr DJ van der Merwe  
Cllr S Wait  
Cllr N Bottoman  
Cllr A Chego  
Cllr OA Cossa  
Cllr EP Mahlangu  
Cllr P Malinga  
Cllr MJ Mapheto  
Cllr ZJ Ngubeni  
Cllr ST Mathunyane  
Cllr BC Mashabela  
Cllr MP Mogola  
Cllr NZO Motla  
Cllr BH Mokoena  
Cllr J Segage  
Cllr JC Haarhoff  
Cllr J Mentz  
Cllr CJ Wolmarans

**Absent**

Cllr JN Mthombeni  
Cllr NT Tshoane  
Cllr H Pilodia



## Officials

Mr B Khenisa	(Municipal Manager)
Mr M Mogofe	(Executive Director: Financial Services)
Ms R Makgata	(Executive Director: Infrastructure Services)
Mr M Khumalo	(Executive Director: Corporate Services)
Ms T Zulu	(Executive Director: Community Services)
Mr M Masilela	(Director: Governance and Council Support)
Ms B Mabena	(Acting Chief Administrative Officer)
Ms P Stuurman	(Clerk Grade 1)
Mrs D Phillip	(Clerk Grade 2)

### 1 OPENING

1.1 The Speaker welcomed all present and declared the meeting opened.

### 2. APPLICATIONS FOR LEAVE OF ABSENCE

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

2.1.1 THAT note be taken that Cllr DD Klopper has applied for leave of absence due to other obligations and the application was approved.

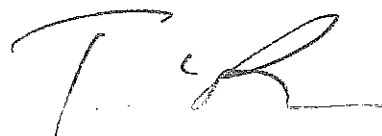
2.2 Application for leave of absence in terms of Section 13 (2) of the Rules of Order

None

### 3. DISCLOSURE OF INTEREST

None

### 4. REPORT OF THE MUNICIPAL MANAGER

A handwritten signature in black ink, appearing to be 'T. R.', is located at the bottom center of the page.

REPORT OF THE SPECIAL MAYORAL COMMITTEE MEETING HELD ON  
FRIDAY, 28 JANUARY 2022 AT 10:00

**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 SC22/01/2022, be considered.*

**SC22/01/2022**

**PERSONNEL: REPORT ON IMPLEMENTATION OF THE SETTLEMENT AGREEMENT  
REACHED BETWEEN MANAGEMENT, LABOUR AND PROVINCIAL COGTA (THE  
BENCHMARKING AND PROPOSED MIGRATION FROM OLD VAN DER MERWE  
SALARY SCALES TO TASK GRADE SALARY SCALE FOR THE MUNICIPALITY)**

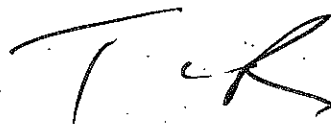
4/6/7 (K)

With the consideration of this matter Cllr P Mobango submitted the following proposal:

The following paragraphs be added to the recommendation of the Executive Mayor.

- " 8. *That Council further notes that this item (SC22/01/2022) is the final conclusion of item SC33/12/2021 regarding benchmarking of salaries of employees.*
9. *That the resolution taken under items SC33/12/2021 and SC22/01/2022 be submitted to SALGA, COGTA, and the Auditor General for their comments on the legality of these resolutions and the possibility of fruitless and wasteful expenditure.*
10. *That should these resolutions taken on recommendation by the Accounting Officer be identified as fruitless and wasteful expenditure, he personally be held liable for this expenditure.*
11. *That should any further work stoppage, without the legally mandated process being followed, occur due to this resolution SC22/01/22, the Accounting Officer be instructed to take the necessary action in terms of Labour laws.*
12. *That should any illegal actions be taken by employees, or any equipment or infrastructure be vandalized as a result of this item, the Accounting Officer be instructed to lay criminal charges and these charges may not be withdrawn without approval from Council. "*

The proposal was seconded by Cllr HF Niemann.



After deliberation on the matter, Cllr SC Mashiloane requested a 5 minutes caucus at 10:35. The Speaker allowed the caucus. The meeting resumed at 10:57. After the said caucus Cllr P Mobango then withdrew the proposal and the Recommendation by the Executive Mayor was accepted.

### **RESOLVED BY COUNCIL**

1. **THAT** Council take note that this report is intended to address Council Resolution SC33/12/2021.
2. **THAT** Council consider the report by the Task Team on Benchmarking of employee salaries and its Annexures.
3. **THAT** Council approve the benchmarking report attached as **ANNEXURE A** proposed by the task team.
4. **THAT** the Accounting Officer be authorized to appoint a five-member Dispute Resolution Committee to deal with any appeal arising as a result of implementing the settlement agreement.
5. **THAT** the migration from Van der Merwe salary structure to Task Grade salary structure be approved as per outcome of task team benchmarking report.
6. **THAT** employees with a service lesser than 24 months should be paid on a pro-rata basis.
7. **THAT** the adjustment of salaries will be effective from 01 November 2021 and will be paid as from the end of January 2022.
8. **THAT** as per Clause 2.3 of the Settlement Agreement; a retrospective payment calculated on the difference in salary after the adjustment for a period of 24 months shall be paid to eligible employees as follows:
  - March 2022 - payment of first eight months' difference
  - April 2022 - payment of second eight months' difference
  - May 2022 - payment of third eight months' difference

### 5. **CLOSURE**

The meeting adjourned at 11:36

SIGNED AT MIDDELBURG ON

30/05/22

  
S P E A K E R