

STEVE TSHWETE LOCAL MUNICIPALITY

# MINUTES

OF THE

## SPECIAL COUNCIL

MEETING HELD ON

16 February 2024

11:34 am



MINUTES OF THE SPECIAL COUNCIL MEETING HELD AT  
THE SYDNEY CHOMA BANQUET HALL ON FRIDAY  
16 FEBRUARY 2024 AT 11:34

PRESENT

Cllr PM Masilela (Executive Mayor)  
Cllr ST Mathunyane  
Cllr CS Mashiloane  
Cllr BC Shabangu  
Ald MJ Sekgwele  
Cllr GNB Mathibela  
Cllr MC Mphego  
Cllr LE Nkwana  
Cllr MG Amigo  
Cllr I Mahlangu  
Cllr PV Malinga  
Cllr ME Nyambi  
Cllr WMM Phetla  
Cllr LN Sibanda  
Cllr ML Shabangu  
Cllr JM Shongwe  
Ald J Skosana  
Cllr PE Williams  
Cllr LJJ Zondo  
Cllr SW Zulu  
Cllr EM Bruiners  
Cllr HG De Klerk  
Ald J Dyason  
Ald AS Grobler  
Cllr DD Klopper  
Ald H F Niemann  
Ald P Mobango

Ald SM Mogola  
Cllr LS Qoka  
Ald GHE Romijn  
Ald A Struwig  
Cllr CM Soko  
Cllr DA Stuurman  
Cllr AO Thabatha  
Cllr DJ van der Merwe  
Cllr EW Vermooten - left at 16.00  
Ald S Wait  
Cllr N Bottoman  
Cllr A Chego  
Cllr AO Cossa  
Cllr EP Mahlangu  
Cllr P Malinga  
Cllr MJ Mapheto  
Cllr JN Mthombeni  
Cllr ZJ Ngubeni  
Cllr BC Mashabela  
Cllr MP Mogola  
Cllr NZO Motla  
Cllr H Pilodia  
Cllr MC Skosana  
Cllr JC Haarhoff  
Cllr CJ Wolmarans  
Cllr TR Mpye

ABSENT

Cllr JF Sithole  
Cllr NT Tshoane

57

## Officials

Mr SM Mnguni	(Municipal Manager)
Mr M Masilela	(Director Governance and Council Support)
Mr J Zulu	(Chief Administrative Officer)
Ms D Philip	(Administrative Officer Grade 2)
Ms P Stuurman	(Clerk Grade 1)
Mr M Matlala	(Admin Aid)

### 1. OPENING

The Speaker welcomed everyone 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

2.1.1 THAT note be taken that Cllr J Mentz and Cllr MG Maseko have applied for leave of absence due to other obligations and the applications were approved

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

2.2.1 THAT note be taken that Cllr J Segage have applied for leave of absence due to other obligations and the application was approved

### 3. DISCLOSURE OF INTEREST

None

### 4. REPORT OF THE MUNICIPAL MANAGER

ST

## URGENT REPORT BY THE MUNICIPAL MANAGER

With the consideration of the following report SC03/02/2024 distributed to Councillors by the Municipal Manager for consideration and after Councillors have debated the legality of the meeting, Cllr ST Mathunyane informed the meeting that the report be dealt with in closed session in terms of Section 91(1) of the Rules of Order. In terms of Section 91(6) of the Rules of Order, Council Attorneys and Officials of the municipality were requested to leave the meeting.

## NON DELEGATED POWERS

SC03/02/2024

### FEEDBACK ON PRECAUTIONARY SUSPENSION OF THE CHIEF FINANCIAL OFFICER AND EXECUTIVE DIRECTOR: TECHNICAL & INFRASTRUCTURE SERVICES

5/14/2/5 (K)

A verbal presentation by Mr Tapiwa Diamond from NextFlex Business Advisory Services was made on the above matter, whereafter Ald P Mobango submitted the following proposal which was seconded by Ald HF Niemann:

1. *That the Municipal Manager charge the CFO in accordance with the outcome of the forensic investigation.*
2. *That the CFO be placed under suspension and charges and consequence management be put in place.*
3. *That the Municipal Manager deals within a 6 months period with all the implicated employees and consequence management be effected.*
4. *That applicable criminal charges be laid against all relevant and implicated officials and officials that are no longer in the employment of the municipality.*
5. *That the Municipal Manager submits the report to the SIU for further investigations and that justice takes its course in respect to the alleged corruption and allegations made by the report."*

ST

Ald MJ Sekgwele then submitted the following counter proposal which was seconded by Cllr WMM Phetla:

"That based on regulation 5 and 6 Disciplinary Procedures and Precautionary Suspensions of Local Government: Disciplinary Regulations for Senior Managers 2010. We distance ourselves from the submitted proposal which violates the legislation and we distance ourselves from any cost incurred during this irregular process"

The proposal by Ald P Mobango was therefore put to vote and the results were as follows:

In favour of the Proposal by Ald P Mobango	=	30
Against the Proposal by Ald P Mobango	=	20
Abstain	=	2

The proposal by Ald MJ Sekgwele was then put to vote and the results were as follows:

In favour of the Proposal by Ald MJ Sekgwele	=	20
Against the Proposal by Ald MJ Sekgwele	=	30
Abstain	=	2

Ald MJ Sekgwele then requested a division on the vote and the results were as follows:

In favour of the proposal by Ald P Mobango	Against the proposal by Ald P Mobango
Cllr E M Bruiners	Cllr P M Masilela
Cllr H G Klerk	Cllr CS Mashiloane
Ald J Dyason	Cllr C B Shabangu
Ald A S Grobler	Ald MJ Sekgwele
Cllr D D Klopper	Cllr G N B Mathibela
Ald H F Niemann	Cllr M C Mphego
Ald P Mobango	Cllr L E Nkwana
Ald S M Mogola	Cllr MG Amigo
Cllr L S Qoka	Cllr I Mahlangu
Ald G H E Romijn	Cllr P V Malinga
Cllr CM Soko	Cllr M E Nyambi
Ald A Struwig	Cllr W M Phetla
Cllr DA Stuurman	Cllr I N Sibanda
Cllr AO Thabatha	Cllr J F Sithole
Cllr DJ van der Merwe	Cllr M L Shabangu
Ald S Wait	Cllr J M Shongwe
Cllr N Bottoman	Cllr J Skosana
Cllr A Chego	Cllr P E Williams
Cllr OA Cossa	Cllr L J N Zondo
Cllr EP Mahlangu	Cllr S W Zulu
Cllr P Malinga	Cllr TR Mpye
Cllr MJ Mapheto	
Cllr JN Mthombeni	

Cllr ZJ Ngubeni	
Cllr BC Mashabela	
Cllr MP Mogola	
Cllr NZO Motla	
Cllr H Pilodia	
Cllr MC Skosana	
Cllr JC Haarhoff	
Cllr CJ Wolmarans	
Total = 31	Total = 21

The proposal by Ald MJ Sekgwele was therefore not accepted.

The proposal by Ald P Mobango was accepted.

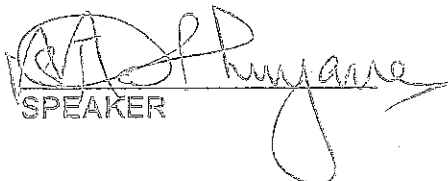
#### RESOLVED BY COUNCIL

1. THAT the Municipal Manager charge the CFO in accordance with the outcome of the forensic investigation.
2. THAT the CFO be placed under suspension and charges and consequence management be put in place.
3. THAT the Municipal Manager deals within a 6 months period with all the implicated employees and consequence management be effected.
4. THAT applicable criminal charges be laid against all relevant and implicated officials and officials that are no longer in the employment of the municipality.
5. THAT the Municipal Manager submits the report to the Special Investigation Unit for further investigations and that justice takes its course in respect to the alleged corruption and allegations made by the report.

#### 5. CLOSURE

The meeting adjourned at 17:40

SIGNED AT MIDDELBURG ON 26/03/2024

  
SPEAKER