

**COUNCIL RESOLUTION FOR SPECIAL COUNCIL MEETING HELD ON
THE 27TH NOVEMBER 2020 AT CIVIC CENTRE HALL AT 09H00.**

SC 05/2020-2021/5.1.1. PROGRESS ON RECRUITMENT – MUNICIPAL
MANAGER

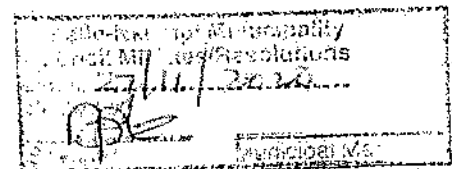
**COUNCIL RESOLUTION NO. SC 05/2020-2021/5.1.1. PROGRESS ON
RECRUITMENT – MUNICIPAL MANAGER**

Council resolved:

- That the progress of the recruitment process for the position of Municipal Manager be noted.
- Permission be granted to re-advertise the position of Municipal Manager in line with Local Government Municipal System Act (32/2000); Section 57(6)(a) which stipulates that the employment contract for a municipal manager must-
 - (a) “be for a fixed term of employment for up to a maximum of five years, not exceeding a period ending one year after the election of the next council of the municipality.”
- That the position of Municipal Manager be re-advertised for a period not exceeding 12 months and the Mayor seek legal advice in terms of Acting Municipal Manager and further consult with COGHSTA.
- Council appoints a selection panel for the position of municipal manager in terms of Clause 12 of the Local Government Municipal System Act (32/2000); Local Government Regulation on Appointment and Conditions of employment of Senior Managers and the Municipality’s Recruitment Policy as mentioned here-under:

Municipal Manager Position (Level 0)

- a) Mayor (Chairperson)
- b) Councillor designated by Municipal Council
- c) Municipal Manager from other Municipality and officials from Provincial Departments & SALGA
- c) Secretariat (FIR)
- d) Representative from Labour shall be invited as observers



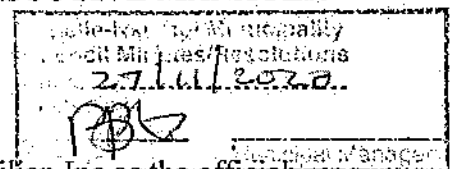


**COUNCIL RESOLUTION FOR SPECIAL COUNCIL MEETING HELD ON
THE 27TH NOVEMBER 2020 AT CIVIC CENTRE HALL AT 09H00.**

SC 05/2020-2021/5.2.1. REPORT ON ALLEGATIONS OF MISCONDUCT
AGAINST EXECUTIVE MANAGER COMMUNITY SERVICES

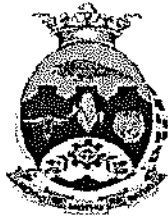
**COUNCIL RESOLUTION NO. SC 05/2020-2021/5.2.1. REPORT ON
ALLEGATIONS OF MISCONDUCT AGAINST EXECUTIVE MANAGER
COMMUNITY SERVICES.**

Council resolved:



- To accept and adopt the report by Bowmans Gilfillan Inc as the official investigations report on the allegations of misconduct against the Executive Manager Community Services. Council accepts the findings and recommendations in the report that the Executive Manager Community Services committed serious misconduct which warrant that disciplinary proceedings be instituted against him.
- That disciplinary proceedings be instituted against the Executive Manager Community Services Mr T.S Moroaswi.
- To authorise the Acting Municipal Manager to appoint and sign letters of appointments of an external Chairperson and Prosecutor/Officer to lead evidence for the said disciplinary proceedings.
- To authorise the Municipal Manager to take appropriate action against the junior employees who are implicated in the report, in line with the applicable disciplinary code.
- That any litigation which may be instituted to challenge this Resolution or the implementation thereof should be defended.
- To authorise the Acting Municipal Manager to take all steps necessary to ensure that any litigation which may arise regarding this Council Resolution or implementation thereof be defended and interests of Council be protected including but not limited to obtaining legal advice, instructing administration to appoint attorneys and advocates to represent Council, deposing to affidavits on behalf of Council, instructing any employees of the Municipal Council and

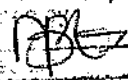




COUNCIL RESOLUTION FOR SPECIAL COUNCIL MEETING

HELD ON THE 27TH NOVEMBER 2020 AT CIVIC CENTRE HALL AT 09H00.

- Councillors to do anything he considers necessary to protect the interests of the Municipal Council regarding this resolution and possible litigation.
- That the Acting Municipal Manager should provide Council with progress report on a regular basis regarding the implementation of this Council Resolution.

Approved for the Municipality
Council Minutes/Resolutions
27.11.2020

Acting Municipal Manager

