

## UMZIMVUBU LOCAL MUNICIPALITY

**MINUTES** of the **Special Council Meeting** of **Umzimvubu Local Municipality** held on **Thursday, 27 June 2019** at the **Sophia Park Hall** in **KwaBhaca** at **10h59**.

### **PRESENT COUNCILLORS**

1. Cllr. N.G Mdzinwa : Chief Whip
2. Cllr. U.G. Makanda : Portfolio Head: Infrastructure and Planning
3. Cllr. M. Mataka : Portfolio Head: Corporate Services
4. Cllr. H.M. Ngqasa : Portfolio Head: Budget and Treasury
5. Cllr. A.N. Garane : Portfolio Head: SP & Communications
6. Cllr. N. Sonyabashi : Portfolio Head: Citizens and Community Services
7. Cllr V. Bulana : Member
8. Cllr. S.A.N. Cekeshe : Member
9. Cllr. N.H.Dandala : Member
10. Cllr. S. Dangisa : Member
11. Cllr. N. Gogela : Member
12. Cllr. S. Gqiza : Member
13. Cllr. F.J. Hem : Member
14. Cllr. T.V. Hlazo : Member
15. Cllr. X. Jona : Member
16. Cllr. N.H. Kolweni : Member
17. Cllr. G.V. Lugongolo : Member
18. Cllr. P. Makhinzi : Member
19. Cllr. M. Maliwa : Member
20. Cllr. N.A. Mantshongo : Member



21. Cllr. L.S. Maqhashalala : Member
22. Cllr. A.P. Mkhonto : Member
23. Cllr. M. Mqulwana : Member
24. Cllr. S.P. Myingwa : Member
25. Cllr. T. Ndara : Member
26. Cllr. T. Nomkuca : Member
27. Cllr. C.L. Noqhakala : Member
28. Cllr. T. Ntsalaze : Member
29. Cllr. M. Ntsevu : Member
30. Cllr. N. Ntshayisa : Member
31. Cllr. M. Ramabina : Member
32. Cllr. S. Sifolo : Member
33. Cllr. N.S. Soldat : Member
34. Cllr. T. Sokhanyile : Member
35. Cllr N.C. Tshayisa : Member
36. Cllr. A.N. Zongwana : Member

### **ABSENT COUNCILLORS**

1. Cllr. F.N. Ngonyolo : Speaker
2. Cllr. S.K. Mnukwa : Mayor
3. Cllr. P.K. Thingathinga : EXCO Member
4. Cllr. C.N. Mnyayiza : Portfolio Head: LED
5. Cllr. N.N.Gcadinja : Member
6. Cllr. M. Joloba : Member

7. Cllr. S.O. Madlanga : Member
8. Cllr. B. Majalamba : Member
9. Cllr. A. Mgangatho : Member
10. Cllr. N.E. Ngalonkulu : Member
11. Cllr. F.P. Sontsi : Member
12. Cllr. S. Mankanku : Member
13. Cllr. N.V. Nomaqaqa : Member
14. Cllr. M. Hlanekela : Member
15. Cllr. L.L. Nqatsha : Member
16. Cllr. T.A. Mambi : EXCO Member
17. Cllr. M. Tuku : Member

#### **PRESENT TRADITIONAL LEADERS**

1. Cllr. M. Nota : Member
2. Cllr N.G. Makaula : Member
3. Cllr N.G. Ncapai : Member
4. Cllr. N. Rholobile : Member

#### **ABSENT TRADITIONAL LEADERS**

1. Cllr. M. Sogoni : Member
2. Cllr M.E Gogela : Member
3. Cllr. D. Makaula : Member
4. Cllr M Mdutyana : Member
5. Cllr Z.D Sodladla : Member
6. Cllr. M Mpakumpaku : Member
7. Cllr. J.B. Makaula : Member

- 4 Mrs. N. Zembe : Manager: SP & Communications  
5 Mr. N.M. Sineke : Manager: Citizens and Community Services  
6 Mr. L. Moleko : Manager: Infrastructure and Planning  
7 Mr. M. Ngxekana : Assistant Manager: Sound Governance  
8 Miss W. Morlock : Senior Admin Officer Committees

**ABSENT OFFICIALS**

1. Mr. S. Ntinzi : Manager: LED and Environmental Management
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**MINUTES**

**1. OPENING/ WELCOME**

The meeting was declared open by the Municipal Manager: Mr G.P.T Nota at 10h18.

An apology was tendered by the Municipal Manager on behalf of the Speaker who was attending a training and could not be part of the Special Council meeting.

An apology was also tendered by the Municipal Manager on behalf of the Mayor who was attending an event that was conducted by Public Works with the MEC Babalo Madikizela.

The Council nominated Councillor S.A.N Cekeshe to be the Acting Speaker of the day.

***It was thereafter with Councillor N. Mdzinwa and Councillor A.N Garane proposing and seconding respectively;***

**2. READING OF THE OFFICIAL NOTICE**

The Municipal Manager: Mr. G.P.T Nota read the official notice.

**3. LEAVE OF ABSENCE**

There were no applications for leave of absence.

**4. APOLOGIES**

An apology was tendered for the Speaker: Councillor N.F Ngonyolo who was attending a training.

An apology was tendered for the Mayor: Councillor S.K Mnukwa who was attending an event with the Public Works MEC.

An apology was tendered for Councillor T. Mambi who was bereaved.

An apology was tendered for Councillor P.K Thingathinga who had personal

commitments.

An apology was tendered for Councillor M. Hlanekela who had a doctor's appointment.

An apology was tendered for Councillor M. Tuku who had a family commitment.

An apology was tendered for Councillor N. Nomaqaqa who had a doctor's appointment.

An apology was tendered for Councillor F. Sontsi who was bereaved.

An apology was tendered for Councillor T. Mambi who was bereaved.

An apology was tendered for Councillor S. Madlanga who was admitted in hospital.

An apology was tendered for Councillor N. Gcadinja who had a doctor's appointment.

***It was thereafter with Councillor U.G Makanda and Councillor S. Myingwa proposing and seconding respectively;***

#### **RESOLVED**

An apology was tendered for the Speaker: Councillor N.F Ngonyolo who was attending a training.

An apology was tendered for the Mayor: Councillor S.K Mnukwa who was attending an event with the Public Works MEC.

An apology was tendered for Councillor T. Mambi who was bereaved.

An apology was tendered for Councillor P.K Thingathinga who had personal commitments.

An apology was tendered for Councillor M. Hlanekela who had a doctor's appointment.

An apology was tendered for Councillor M. Tuku who had a family commitment.

An apology was tendered for Councillor N. Nomaqaqa who had a doctor's appointment.

An apology was tendered for Councillor F. Sontsi who was bereaved.

An apology was tendered for Councillor T. Mambi who was bereaved.

An apology was tendered for Councillor S. Madlanga who was admitted in hospital.

An apology was tendered for Councillor N. Gcadinja who had a doctor's appointment.

***This was carried unanimously.***

#### **5. PECUNIARY INTERESTS**

There were no pecuniary interest.

#### **6. COMMUNICATION STATEMENT BY THE SPEAKER**

There was no communication statement delivered.

**7. DEPUTATIONS**

**CANCER SOUTH AFRICA**

Miss V Ndata made a presentation on Beat Cancer Foundation on how it was founded. It was mentioned that there are various ways of diagnosing Cancer. It was added that the Beat Cancer Foundation will be working around Umzimvubu Community to conduct awareness on cancer.

Miss Ndata and her team complimented the Cleanliness of KwaBhaca Streets.

**COMMENTS**

It was advised that Miss Ndata should meet with Manager Corporate Services: Mrs N Kubone to arrange a slot for presentation on the Wellness Day that will be held tomorrow being 27 June 2019.

**8. OFFICIAL ANNOUNCEMENTS**

- 8.1 An announcement was made that on 27 June 2019, there will be a Wellness Day in KwaBhaca Town Hall at 09h30.
- 8.2 An announcement was tendered that there will be a Gospel Extravaganza that will be held in EmaXesibeni Town Hall on the 29 June 2019.
- 8.3 It was announced that Councillors should submit their disclosure forms to the Speaker's Office by the 27<sup>th</sup> June 2019.

*A comment was made on the issue of Councillor's who did not wear as per the expected dress code for the Council meeting.*

*It was agreed that Councillor S. Gqiza and Councillor L Maqhashalala should excuse the Council due to improper dress code.*

*Councillor L Maqhashalala left the Council meeting at 10h46.*

**9. CONFIRMATION OF MINUTES**

- 9.1 There were no minutes to be confirmed.

10. **BUSINESS OF THE DAY**

**CONSIDERATION OF REPORTS FROM EXECUTIVE COMMITTEE**

10.1 **BUDGET AND TREASURY DEPARTMENT**

ULMC: 181

10.1.1 **BUDGET AND TREASURY DEPARTMENT: UNATHORISED, IRREGULAR FRUITLESS & WASTEFULL EXPENDITURE AS AT 18 JUNE 2019**

**PURPOSE**

To report to the Committee about unauthorised, irregular, fruitless & wasteful expenditure incurred by the municipality during 2017 /2018 and 2018/19 financial year.

*It was thereafter with Councillor S.S Dangisa and Councillor L. Maqhashalala proposing and seconding respectively;*

**RESOLVED**

1. That the Budget and Treasury Unauthorized, Irregular, Fruitless & wasteful expenditure report for the month of June 2019 is noted by the Council.
2. That all tenders awarded by the bid committees appointed from 1<sup>st</sup> July to 15 January be regularized by Council and the Irregular expenditure incurred thereof be written off through condonation by Council.
3. That Treasury, Office of the Auditor General and MEC for Local government be written to advise them about the irregular expenditure incurred and written off by Council.

**COUNCIL/181/2018/2019**

*This was carried unanimously.*

ULMC: 182

10.1.2 **BUDGET AND TREASURY DEPARTMENT: VIREMENT REPORT AS AT 30 JUNE 2019**

**PURPOSE**

To table the report on Virements as at 30 June 2019 for compliance purposes with the legislation governing municipal finances.

*It was thereafter with Councillor M. Ntsevu and Councillor N. Soldat proposing and seconding respectively;*



**RESOLVED**

1. That the report on Virements for the entire municipality as at 30 June 2019 is noted by Council.
2. That the Virements as at 30 June 2019 is approved by the Council.

**COUNCIL/182/2018/2019**

***This was carried unanimously.***

**ULMC: 183**

**10.1.3 BUDGET AND TREASURY DEPARTMENT: LEVYING OF RATES**

**PURPOSE**

To solicit Council resolution for levying of rates for the period 1<sup>st</sup> July 2019 to 30<sup>th</sup> June 2020.

***It was thereafter with Councillor N. Mdzinwa and Councillor T. Nomkuca proposing and seconding respectively;***

**RESOLVED**

1. That the Council passes the resolution to levy rates.

**COUNCIL/183/2018/2019**

***This was carried unanimously.***

**ULMC: 184**

**10.1.4 BUDGET AND TREASURY DEPARTMENT: ASSET DISPOSAL**

**PURPOSE**

To seek an approval for asset disposal to the Council for all the assets that do not provide the minimum level of basic Municipal Services.

***It was thereafter with Councillor N. Gogela and Councillor T.V Hlazo proposing and seconding respectively;***

**RESOLVED**

1. That Council approves the list of all the assets attached on the annexure to be disposed as they no longer meet the minimum level of basic municipal services.
2. That the Council approves the list of all obsolete assets attached on the annexure to be written off as they no longer meet the minimum level of basic municipal services.

**COUNCIL/184/2018/2019**

***This was carried unanimously.***

ULMC: 185

**10.1.5 BUDGET AND TREASURY DEPARTMENT: UNAUTHORISED, UNFORESEEN AND UNAVOIDABLE EXPENDITURE REPORT AS AT 30 JUNE 2019**

**PURPOSE**

To report to the Council about Unauthorised Expenditure incurred by the municipality during 2018 /2019 financial year.

It was;

**RESOLVED**

1. That the unforeseen and unavoidable expenditure report for 2018/2019 is noted by Council.

**COUNCIL/185/2018/2019**

*This was carried unanimously.*

**10.2 INFRASTRUCTURE AND PLANNING DEPARTMENT**

ULMC: 186

**10.2.1 INFRASTRUCTURE DEVELOPMENT AND PLANNING DEPARTMENT: 2018/19 FY ANTICIPATED ROLLOVER PROJECTS**

**PURPOSE**

To table 2018/19 FY projects that the department is anticipating rollover for noting by the Council.

It was;

**RESOLVED**

1. That the anticipated rollover project for 2018/19 FY is noted by the Council.

**COUNCIL/186/2018/2019**

*This was carried unanimously.*

**10.3. OFFICE OF THE MUNICIPAL MANAGER-INTERNAL AUDIT**

**ULMC: 187**

**10.3.1 OFFICE OF THE MUNICIPAL MANAGER – INTERNAL AUDIT: REPORT ON ASSET MANAGEMENT**

**PURPOSE**

To report on Asset Management Review to the Council.

To recommend noting and acceptance of the contents of this report by the Council.

It was;

**RESOLVED**

1. That the Internal Audit Review on Asset Management is noted by the Council.

***COUNCIL/187/2018/2019***

***This was carried unanimously.***

**ULMC: 188**

**10.3.2 OFFICE OF THE MUNICIPAL MANAGER – INTERNAL AUDIT: REPORT ON INTERIM FINANCIAL STATEMENTS REVIEW AS AT MAY 2019**

**PURPOSE**

To report on Interim Financial Statements Review to the Council.

To recommend noting and acceptance of the contents of this report by the Council.

It was;

**RESOLVED**

1. That the Internal Audit Review on Interim Financial Statements is noted by the Council.

***COUNCIL/188/2018/2019***

***This was carried unanimously.***

ULMC: 189

10.3.3 **OFFICE OF THE MUNICIPAL MANAGER – INTERNAL AUDIT: REPORT ON 2019/2020 AUDIT AND PERFORMANCE COMMITTEE CHARTER**

**PURPOSE**

To table the 2019/2020 Audit & Performance Committee Charter to the Audit Committee to review; accept and recommend to Council to approve the Audit & Performance Committee Charter.

***It was thereafter with Councillor V. Bulana and Councillor S. Sifolo proposing and seconding respectively;***

**RESOLVED**

1. That the 2019/2020 Audit and Performance Committee Charter review is adopted by the Council.
2. That the 2019/2020 Audit and Performance Committee Charter for review is approved by the Council.

**COUNCIL/189/2018/2019**

***This was carried unanimously.***

ULME: 190

10.3.4 **OFFICE OF THE MUNICIPAL MANAGER – INTERNAL AUDIT: REPORT ON 2019/2020 INTERNAL AUDIT CHARTER**

**PURPOSE**

To table the Internal Audit Charter for 2019/2020 to the Council.

To recommend to the Council to review and approve the Internal Audit Charter for 2019/2020.

***It was thereafter with Councillor N. Dandala and Councillor S. S Dangisa proposing and seconding respectively;***

**RESOLVED**

1. That the 2019/2020 Internal Audit Charter review be recommended for approval by the Council.
2. That the 2019/2020 Internal Audit Charter review be noted by the Council.

**COUNCIL/190/2018/2019**

***This was carried unanimously.***

**ULMC: 191**

**10.3.5 OFFICE OF THE MUNICIPAL MANAGER – INTERNAL AUDIT ANNUAL RISK  
BASED INTERNAL AUDIT PLAN 2019/2020**

**PURPOSE**

To report on annual risk based internal audit plan for 2019/2020 for review and approval by the Council.

*It was thereafter with Councillor M. Ntsevu and Councillor F.J Hem proposing and seconding respectively;*

**RESOLVED**

1. That the Council reviews and approves the Umzimvubu Local Municipality annual risk based internal audit plan for 2019/2020.

**COUNCIL/191/2018/2019**

*This was carried unanimously.*

**ULMC: 192**

**10.3.6 OFFICE OF THE MUNICIPAL MANAGER – INTERNAL AUDIT: REPORT ON  
2019/2020 RISK COMMITTEE CHARTER**

**PURPOSE**

To table the Risk Committee Charter for 2019/2020 to the Council.

To recommend to the Council to review and approve the Internal Risk Committee Charter for 2019/2020.

*It was thereafter with Councillor N. Soldat and Councillor S. Sifolo proposing and seconding respectively;*

**RESOLVED**

1. That the 2019/2020 Risk Committee Charter review be noted by the Council.
2. That the 2019/2020 Risk Committee Charter review be recommended for approval by the Council.

**COUNCIL/192/2018/2019**

*This was carried unanimously.*

**ULMC: 193**

**10.3.7 OFFICE OF THE MUNICIPAL MANAGER – INTERNAL AUDIT: AUDITOR GENERAL  
PROGRESS REPORT ON 2017/2018 AUDITOR GENERAL FINDINGS**

**PURPOSE**

To present to the Council the action plan tracker on the Auditor-General's 2017/2018 management report findings for consideration.

To apprise the Council on the progress of actions as at end May 2019.

To present to the Council, the analysis of the audit findings for noting and comments.

It was;

**RESOLVED**

1. The Council notes the content of the Action plan tracker on the Auditor-General's report for 2017/2018 and Internal Audit Reports action tracker on the 2018/2019 financial year as at May 2019

**COUNCIL/193/2018/2019**

***This was carried unanimously.***

**ULMC: 194**

**10.3.8 OFFICE OF THE MUNICIPAL MANAGER – INTERNAL AUDIT 4<sup>th</sup> QUARTER  
DASHBOARD REPORT**

**PURPOSE**

To table Dashboard Report to the Council.

To recommend noting and acceptance of the contents of this report by the Council.

It was;

**RESOLVED**

1. That the Dashboard Report be noted and accepted by the Council.

**COUNCIL/194/2018/2019**

***This was carried unanimously.***

**ULMC: 195**

**10.1.6 BUDGET AND TREASURY DEPARTMENT: DEVIATION REGISTER AS AT MONTH END OF JUNE 2019**

**PURPOSE**

The purpose of the report is to inform Council on limited bidding procurements and gross deviations from the Supply Chain Management Policy as at June 2019, for notification.

It was;

**RESOLVED**

1. That the Council notes the Deviation register as at June 2019.

**COUNCIL/195/2018/2019**

***This was carried unanimously.***

**MPAC REPORT**

**ULMC: 196**

**10.4.1 MPAC REPORT ON WASTEFUL AND IRREGULAR EXPENDITURE**

**PURPOSE**

The purpose of this report is to report to Council on the results of the investigations conducted on the current financial years' fruitless and wasteful expenditure

***It was thereafter with Councillor N. Mdzinwa and Councillor S. S Dangisa proposing and seconding respectively;***

**RESOLVED**

1. That the employees exercise due professional care when dealing with the municipal business.
2. That the Consistency should be practiced when receiving invoices from suppliers.
3. That there should be a proper standard operating procedure in place that will enable the municipality to independently verify accuracy of service provider details and permits changes through a process of updating the Central Supplier Database. If a service provider requires amendments, the service provider must comply with the procedures of the municipality. Central Supplier Database must be enforced in order to verify banking details.
4. That controls in place must be strengthened to avoid the above mentioned weaknesses; the Assistant Manager Expenditure; Deputy Chief Financial Officer

and the Chief Financial Officer to physically verify the documents prior authorising the payments.

5. That a request for the office space and the MPAC co-ordinator in order to assist the MPAC to execute its mandatory Council work.
6. That the fruitless and wasteful expenditure to the amount of **R 811 048.94** be written off as the expenditure is recoverable

**COUNCIL/196/2018/2019**

*This was carried unanimously.*

**12. DATE OF THE NEXT MEETING**

The date of the next Ordinary Council Meeting is 31 July 2019.

**13. CLOSURE**

**THERE BEING NO FURTHER BUSINESS TO BE DISCUSSED THE COUNCIL ADJOURNED AT 12h14.**

**CONFIRMED BY**



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**CLLR. N.F NGONYOLO  
SPEAKER OF THE COUNCIL**

31-07-2019

**DATE**