

AGENDA: EXECUTIVE COMMITTEE MEETING: 19 MARCH 2019
STRICTLY CONFIDENTIAL

28. Cllr. S. Sifolo : Member
29. Cllr. N.S. Soldat : Member
30. Cllr. F.P. Sontsi : Member
31. Cllr N.C. Tshayisa : Member
32. Cllr. A.N. Zongwana : Member
33. Cllr. T.A. Mambi : EXCO Member
34. Cllr. M. Ramabina : Member
35. Cllr. M. Tuku : Member
36. Cllr. N.H. Kolweni : Member
37. Cllr. G.V. Lugongolo : Member
38. Cllr. N.V. Nomaqaqa : Member
39. Cllr. M. Hlanekele : Member
40. Cllr. T. Sokhanyile : Member

ABSENT COUNCILLORS

1. Cllr. A.N. Garane : Portfolio Head: LED
2. Cllr. N. Sonyabashi : Portfolio Head: Citizens and Community Services
3. Cllr. S.A.N. Cekeshe : Member
4. Cllr. N.H. Dandala : Member
5. Cllr. S. Dangisa : Member
6. Cllr. N.N. Gcadinja : Member
7. Cllr. S. Gqiza : Member
8. Cllr. L.S. Maqhashalala : Member
9. Cllr. L.L. Nqatsha : Member
10. Cllr. N.E. Ngalonkulu : Member
11. Cllr. T. Ntsalaze : Member
12. Cllr. N. Ntshayisa : Member
13. Cllr. S. Mankanku : Member

PRESENT TRADITIONAL LEADERS

1. Cllr. D. Makaula : Member
2. Cllr N.G. Makaula : Member
3. Cllr. N. Rholobile : Member
4. Cllr N.G. Ncapai : Member
5. Cllr M Mdutyana : Member
6. Cllr Z.D Sodladla : Member

ABSENT TRADITIONAL LEADERS

1. Cllr. J.B. Makaula : Member
2. Cllr. M Mpakumpaku : Member
3. Cllr. M. Nota : Member
4. Cllr. M. Sogoni : Member
5. Cllr M.E Gogela : Member

PRESENT OFFICIALS

1. Mr. G.P.T. Nota : Municipal Manager
2. Mrs. N. Kubone : Manager: Corporate Services
3. Mr. L. Moleko : Manager: Infrastructure and Planning
4. Mr. S Ntinzi : Manager: LED and Environmental Management
5. Mr. T Fundira : CFO
6. Mrs. N. Zembe : Manager: Special Programmes and Communications
7. Mr. N.M. Sineke : Manager: Citizens and Community Services
8. Mr. M Ngxekana : Assistant Manager: Sound Governance
9. Miss W Morlock : Senior Admin Officer: Committees

ABSENT OFFICIALS

None

MINUTES

1. **OPENING/ WELCOME**

The meeting was declared open by the Speaker; Councillor S.K. Mnukwa after a short prayer by Pastor Gaty'a at 09h40.

2. READING OF THE OFFICIAL NOTICE

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

3. LEAVE OF ABSENCE

An application for leave of absence was tendered for Councillor N. Sonyabashi who attended a municipal business.

An application for leave of absence was tendered for Councillor A.N Garane who was also attending a municipal business.

An application for leave of absence was tendered for Councillor N. Dandala who was attending a District Strategic Planning Session in Durban.

An application for leave of absence was tendered for Councillor S.A.N Cekeshe who was also attending a District Strategic Planning Session in Durban.

An application for leave of absence was tendered for Councillor L.L Nqatsha who was also attending a District Strategic Planning Session in Durban.

An application for leave of absence was tendered for Councillor S.S Dangisa who was also attending a District Strategic Planning Session in Durban.

An application for leave of absence was tendered for Councillor M. Sogoni who had other commitments.

It was thereafter with Councillor M. Hlanekela and Councillor T. Nomkuca proposing and seconding respectively;

RESOLVED

That an application for leave of absence tendered for Councillor N. Sonyabashi is accepted.

That an application for leave of absence tendered for Councillor A.N Garane is accepted.

That an application for leave of absence tendered for Councillor N. Dandala is accepted.

That an application for leave of absence tendered for Councillor S.A.N Cekeshe is accepted.

That an application for leave of absence tendered for Councillor L.L Nqatsha is accepted.

That an application for leave of absence tendered for Councillor S.S Dangisa is accepted.

That an application for leave of absence was tendered for Councillor M. Sogoni is accepted.

It was thus agreed that the clutching of district events with Umzimvubu events be rectified and prevented. It was also mentioned that prioritisation of municipal business is core.

4. **APOLOGIES**

An apology was tendered for Councillor T Ntsalaze who had a family problem.

An apology was tendered for Councillor N. Ntshayisa who had a family problem to attend.

An apology was tendered for Councillor L. Nota who was not feeling well.

An apology was tendered for Councillor S. Gqiza whose grandmother was sick, therefore had to take her to hospital in Umtata.

An apology was tendered for Councillor N. Gcadinja who was ill.

It was thereafter with Councillor P.K Thingathinga and Councillor X. Jona proposing and seconding respectively;

RESOLVED

That an apology tendered for Councillor T Ntsalaze is accepted.

That an apology tendered for Councillor Ntshayisa is accepted.

That an apology tendered for Councillor L. Nota is accepted.

That an apology tendered for Councillor Gqiza is accepted.

That an apology tendered for Councillor N. Gcadinja is accepted.

It was emphasised that the apologies and applications for leave of absence be submitted to the Speaker 24 hours before the sitting of the Council meeting as per the Standing Rules of Order.

This was carried unanimously.

5. **PECUNIARY INTERESTS**

There were no pecuniary interest.

6. **COMMUNICATION STATEMENT BY THE SPEAKER**

HER WORSHIP, CLLR NGONYOLO

CHIEF WHIP, CLLR MDZINWA

MAYORAL COMMITTEE MEMBERS

COUNCILORS

MANAGEMENT AND STAFF AS LED BY THE MUNICIPAL MANAGER

ESTEEMED TRADITIONAL LEADERS

GUESTS IN THE GALLERY

Let me take this special opportunity to greet you all in this Council meeting. We thank God for being with to and from Durban Council Strategic Planning where we enjoyed and overjoyed ourselves. I believe that was caused by the immensity of the city. Bearing in mind the South Africa is a constitutional state and a developmental state.

Today we received a divine welcome by our Pastor Gatya who have guided us with the word of God. It surely states that there is indeed a challenge in our Municipality and the Country at large. We are living as guided by rules and regulations. We thus will be considering the municipal policies as per the constitution guidelines.

On the mandate given by the Chief Whip, I would plead to take a different approach and consider sessions to address the matter to prevent time consumption.

Let us proceed to the next item.

7. DEPUTATIONS

There were no deputations.

8. OFFICIAL ANNOUNCEMENTS

8.1 An announcement was made that on 07 February 2019 there will be a Municipal Prayer Day in KwaBhaca Town Hall.

8.2 An announcement was made that on 26-27 January 2019 there will be a national voter's registration. Councillors are urged to mobiles communities to register on their nearby voting stations.

9. CONFIRMATION OF MINUTES

9.1 CORRECTION

ON ITEM NO 4- APOLOGIES

That on the issue of non-attendance of Councillor S. Gqiza, it be reported to the political whipper respectively.

1.1 MINUTES FOR COUNCIL MEETING HELD ON THE 13 DECEMBER 2019

It was thereafter with Councillor G.U Makanda and Councillor M. Tuku proposing and seconding respectively,

RESOLVED

1. That the minutes of the Council meeting held on 13 December 2018 be adopted as a true reflection of the meeting's proceedings.

This was carried unanimously.

1.2 MINUTES FOR SPECIAL COUNCIL MEETING HELD ON THE 19 DECEMBER 2019

It was thereafter with Councillor A.T Mambi and Councillor T. Nomkuca proposing and seconding respectively,

RESOLVED

1. That the minutes of the Council meeting held on 19 December 2018 be adopted as a true reflection of the meeting's proceedings.

This was carried unanimously.

10. CONSIDERATION OF REPORTS FROM COUNCIL STRATEGIC PLANNING

ULMC 125

10.1 ADOPTION OF NEWLY DEVELOPED POLICIES, REVIEWED POLICIES AND BY-LAWS FOR UMZIMVUBU LOCAL MUNICIPALITY

PURPOSE

To table reviewed policies for adoption by the Council.

To table the newly developed policies for adoption by the Council.

To table the reviewed by-laws for adoption by the Council.

To table the developed by-laws for adoption by the Council.

It was thereafter with Councillor B. Majalamba and Councillor T. Sokhanyile proposing and seconding respectively,

RESOLVED

1. That the report on the new and amended policies is noted by the Council.
2. That the following new and amended policies from Budget and Treasury is approved by the Council:

Budget, Reporting and Asset Management Policies

- Budget Policy (Review)
- Virement Policy (Review)
- Asset Management Policy (Review)
- Asset Disposal Policy (New policy)

Expenditure Management Policies

- Petty Cash Policy (Review)
- Travel & Subsistence Policy (Review)
- Cash Management & Investment Policy (Review)
- Value Added Tax Policy (Review)

Revenue Policies

- Rates Policy (Review)
- Credit Control and Debt Collection Policy (Review)
- Indigent Policy (Review)
- Tariff Policy (Review)
- Customer Care Policy. (Review)
- Debt Management Policy (Review).
- Unknown & Unclaimed deposits Policy (Review)
- Cash Management and Investment policy (Review)

Supply Chain Management Policies

- SCM Policy (Review)
- Fleet Management Policy (Review)
- Garage Card Policy (Review)
- Infrastructure Procurement Policy (Review)
- Inventory Management Policy (Review)
- Mayoral Vehicle Policy (Review)
- Contractor Development Programme (New policy)

3. That the following amended policies from Corporate Services is approved by Council:

Human Resources Section

- Experiential Training Policy (Amendment)
- Bursary on Student Trainees in Rare Skills Policy (Amendment)
- Employment Policy (Amendment)
- Leave Policy (Amendment)
- Leave Encashment Policy (Amendment)
- Remuneration Policy (Amendment)
- Employee Relocation Policy (Amendment)
- Training & Development Policy (Amendment)
- Capacity Building & Training For Councillors Policy (Amendment)
- Municipal Health & Safety Policy (Amendment)
- Dress Code, Uniforms and Protective Clothing (Amendment)
- Inclement Weather Policy (Amendment)
- Municipal HIV & AIDS Policy (Amendment)
- Labour Relations Policy (Amendment)
- Employment Equity & Affirmative Action Policy (Amendment)
- Organizational Development Policy (Amendment)
- Retention Strategy (Amendment)
- Termination Policy (Amendment)
- Overtime Policy (Amendment)
- Municipal Stand-by Policy (Amendment)
- Municipal Night Work and Shift Allowance Policy (Amendment)

Sound Governance Section

- Records Management Policy (Amendment)
- File Plan (Amendment)
- Records Management Procedure Manual (Amendment)
- Section 14 Manual (Amendment)
- Customer Care Policy (Amendment)
- Rules and Order (Amendment)

ICT Section

- Cellphone Policy (Amendment)
- Password Management Policy (Amendment)
- Disaster recovery Plan (Amendment)
- Umzimvubu Landline policy (Amendment)

4. That the following By-laws and policy from Citizen and Community Services is approved by Council:

- Parking Meter Draft by-law (Amendment)
- Liquor Trading Hours By Laws (Amendment)
- Cemeteries And Crematoria By Law (Amendment)
- Social Relief Of Distress Policy (Amendment)
- Noise Control By-Laws (Amendment)

- Public Roads and Miscellaneous Draft by –law (Amendment)
5. That the following new policy from Infrastructure and Planning Department is approved by Council:-
- Building Regulations Policy
 - Housing Policy
 - Outdoor Facilities & Municipal Buildings By law
 - Housing Code NHBRC
 - Property Encroachment By law
 - Unsightly & Neglected Buildings & Premises Bylaw
 - Housing Sector Plan
 - Draft Policy On Footways Implementation
 - Policy on Street Naming/Renaming and House Numbering
 - Maintenance Plan
 - Noise & Air Pollution By law
 - Spatial Development Frameworks
 - Town Planning Scheme
 - Precincts Plans
 - Rural Settlement Development Plan
 - SPLUMA
7. That the following amended policies from Local Economic Development and Environment Management is approved by Council:
- Agrarian Policy (Amendment)
 - Permanent / Temporary Waiver Of This Policy (Amendment)
 - Suspension Of This Policy (Amendment)
8. That the following New Policy from Special Programme & Communications Department is approved by Council:
- Communication Policy (New)

COUNCIL/125//2018/2019

This was carried unanimously.

ULMC 126

**10.2 2018/2019 REVISED SERVICE DELIVERY BUDGET IMPLEMENTATION PLAN-:
OFFICE OF THE MUNICIPAL MANAGER**

PURPOSE

To request the Umzimvubu Local Municipality Executive Committee to approve the revised 2018/2019 Service Delivery Budget Implementation Plan (SDBIP)

It was thereafter with Councillor T. Nomkuca and Councillor C.L Noqhakala proposing and seconding respectively,

RESOLVED

1. That the revised 2018-2019 Service Delivery and Budget Implementation Plan (SDBIP) is approved by the Council.

COUNCIL/126//2018/2019

This was carried unanimously.

ULMC 127

10.3 MID-TERM PERFORMANCE ASSESSMENT REPORT IN ACCORDANCE WITH SECTION 72 OF THE MFMA: OFFICE OF THE MUNICIPAL MANAGER

PURPOSE

To table the Mid-term Performance Assessment Report (half year report for 2018/2019) to Council for consideration and approval.

To obtain approval for the submission of the Mid-Year Assessment report to both the National and Provincial Treasuries as required by Section 72 of the Municipal Finance Management Act No. 56 of 2003.

It was thereafter with Councillor T. Nomkuca and Councillor M. Tuku proposing and seconding respectively,

RESOLVED

1. That the Mid-Year Performance Report (Section 72 report) on the assessment of the municipality's performance for the first half of 2018/2019 financial year is noted by Council.
2. That the Mid-Year Performance Report for 2018/2019 is approved by Council and subsequently that any essential amendments be effected to the Strategic Objectives and Indicators Chapter of the IDP and the revised SDBIP for the period January – June 2019.
3. That the Council notes that upon approval of the Mid-Year Performance Report as per Section 72, the report will be submitted by the Accounting Officer to both the National and Provincial Treasuries as required by the Municipal Finance Management Act No 56 of 2003.
4. That the Council notes that upon approval of the Mid-Year Performance Report for 2019-2019, the report will be submitted to Internal Audit and MPAC for further scrutiny.

COUNCIL/127//2018/2019

This was carried unanimously.

ULMC 128

10.4 REPORT ON DRAFT ANNUAL REPORT - FOR 2017/ 2018: OFFICE OF THE MUNICIPAL MANAGER

PURPOSE

To table to Council the Draft Annual Report for 2017/2018 for noting.

It was;

RESOLVED

1. That the Draft Annual Report for 2017/2018 is noted by Council.

COUNCIL/128//2018/2019

This was carried unanimously.

ULMC: 129

10.5 BUDGET AND TREASURY DEPARTMENT: 2018/2019 ADJUSTMENT OPERATING AND CAPITAL BUDGET

PURPOSE

- To advise Council about the adjustment budget process for 2018/2019 MTREF (Medium Term Revenue and Expenditure Framework).
- To submit the 2018/2019 Adjustment Capital and Operating budget for Council approval.
- To advise council about items affecting adjustment budget and service delivery.
- To provide adjustment budget information to council for more discussion to achieve approved budget on time.

It was thereafter with Councillor N. Mnyayiza and Councillor M. Tuku proposing and seconding respectively,

RESOLVED

1. Council resolves that the adjustment budget of the municipality for the financial year 2018/2019 is approved.
2. Council resolves that the submission of the adjustment budget by the Municipal Manager within ten working days after the Council approval to National and Provincial Treasuries.
3. Council resolves to note the publication of approved adjustment budget within five working days after the Council has approved the adjustment budget.

COUNCIL/128//2018/2019

This was carried unanimously.

12. **DATE OF THE NEXT MEETING**

The date of the next Ordinary Council Meeting is 27 March 2019.

13. **CLOSURE**

THERE BEING NO FURTHER BUSINESS TO BE DISCUSSED THE COUNCIL
ADJOURNED AT 11H27.

CONFIRMED BY



CLLR. S.K. MNUKWA
SPEAKER OF THE COUNCIL



DATE