

UMZIMVUBU LOCAL MUNICIPALITY

MINUTES of the **Special Council Meeting** of **Umzimvubu Local Municipality** held on **Friday, 29 June 2018** at the **Municipal Town Hall** in **EmaXesibeni** at **10h00**.

COUNCILLORS PRESENT

1. Cllr. B.P. Mabhengu : Mayor
2. Cllr. N.G Mdzinwa : Chief Whip
3. Cllr. U.G. Makanda : Portfolio Head: Infrastructure and Planning
4. Cllr. M. Mataka : Portfolio Head: Corporate Services
5. Cllr. H. Nggasa : Portfolio Head: Budget and Treasury
6. Cllr. A.N. Garane : Portfolio Head: LED
7. Cllr. S.A.N. Cekeshe : Member
8. Cllr. N.H.Dandala : Member
9. Cllr. S. Dangisa : Member
10. Cllr. N. Gogela : Member
11. Cllr. F.J. Hem : Member
12. Cllr. X. Jona : Member
13. Cllr. S.O. Madlanga : Member
14. Cllr. P. Makhinzi : Member
15. Cllr. B. Majalamba : Member
16. Cllr. N.A. Mantshongo : Member
17. Cllr. L.S. Maqhashalala : Member
18. Cllr. A. Mgangatho : Member
19. Cllr. A.P. Mkhonto : Member
20. Cllr. M. Mqulwane : Member
21. Cllr. S.P. Myingwa : Member
22. Cllr. C.L. Noqhakala : Member
23. Cllr. L.L. Nqatsha : Member
24. Cllr. N.E. Ngalonkulu : Member
25. Cllr. T. Ndara : Member
26. Cllr. S. Sifolo : Member



27. Cllr. N.S. Soldat : Member
28. Cllr. F.P. Sontsi : Member
29. Cllr N.C. Tshayisa : Member
30. Cllr. A.N. Zongwana : Member
31. Cllr. T.A. Mambi : EXCO Member
32. Cllr. G.V. Lugongolo : Member

ABSENT COUNCILLORS

1. Cllr. S.K. Mnukwa : Speaker
2. Cllr. N. Sonyabashi : Portfolio Head: Citizens and Community Services
3. Cllr. P.K. Thingathinga : EXCO Member
4. Cllr. F.N. Ngonyolo : Portfolio Head: SP and Communication
5. Cllr. N.N.Gcadinja : Member
6. Cllr. S. Gqiza : Member
7. Cllr. C.N. Mnyayiza : Member
8. Cllr. T.V. Hlazo : Member
9. Cllr. M. Joloba : Member
10. Cllr. M. Maliwa : Member
11. Cllr. T. Ntsalaze : Member
12. Cllr. M. Ntsevu : Member
13. Cllr. N. Ntshayisa : Member
14. Cllr. T. Nomkuca : Member
15. Cllr. M. Ramabina : Member
16. Cllr. M. Tuku : Member
17. Cllr. S. Mankanku : Member
18. Cllr. N.H. Kolweni : Member
19. Cllr. N.V. Nomaqaqa : Member
20. Cllr. M. Hlanekela : Member
21. Cllr. T. Sokhanyile : Member



PRESENT TRADITIONAL LEADERS

1. Cllr. M. Nota : Member
2. Cllr. D. Makaula : Member
3. Cllr N.G. Makaula : Member
4. Cllr. N. Rholobile : Member
5. Cllr N.G. Ncapayi : Member
6. Cllr. M. Sogoni : Member
7. Cllr M.E Gogela : Member
8. Cllr M Mdutyana : Member
9. Cllr Z.D Sodiadla : Member
10. Cllr. M Mpakumpaku : Member

ABSENT TRADITIONAL LEADERS

1. Cllr. J.B. Makaula : Member

PRESENT OFFICIALS

1. Mr. G.P.T. Nota : Municipal Manager
2. Mrs. X. Venn : CFO
3. Mrs. N. Zembe : Manager; Special Programmes and Communications
4. Mr. T. Funani : Assistant Manager : ICT
5. Ms. W. Morlock : Admin Assistant: Committees
6. Ms. N. Boyce : Admin Assistant: Committees

MINUTES

1. OPENING/ WELCOME

The meeting was declared open after a moment of silence was observed at 10h23.

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 the Senior Management that was attending the Audit Committee meeting.

It was thereafter with Councillor T. Mambi and Councillor S.A.N Cekeshe proposing and seconding respectively;

RESOLVED

That the application for leave of absence tendered for the Senior Management is accepted.

4.APOLOGIES

An apology was tendered for the Speaker, Councillor S.K. Mnukwa who was not going to be part of the meeting.

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

An apology was tendered for Councillor T. Sokhanyile who was attending doctor's appointment.

An apology was tendered for Councillor N.C. Tshayisa who was attending doctor's appointment.

An apology was tendered for Councillor N. Mnyayiza who had a personal commitment.

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

An apology was tendered for Councillor M. Ntsevu who had a personal commitment.

An apology was tendered for Councillor F.N. Ngonyolo who had a personal commitment.

An apology was tendered for Councillor P.K. Thingathinga who was not feeling well.

An apology was tendered for Councillor N. Sonyabashi who was attending Provincial matters at Ward level.

An apology was tendered for Councillor T. Nomkuca who had a personal commitment

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

It was thereafter with Councillor N. Mdzinwa and Councillor S.A.N Cekeshe proposing and seconding respectively;

RESOLVED



1. That an apology tendered for the Speaker, Councillor S.K Mnukwa is accepted.
2. That an apology tendered for Councillor V. N. Nomaqaqa is accepted.
3. That an apology tendered for Councillor T. Sokhanyile is accepted.
4. That an apology tendered for Councillor T. Tshayisa is accepted.
5. That an apology tendered for Councillor N. Mnyayiza is accepted.
6. That an apology tendered for Councillor N.N. Gcadinja is accepted.
7. That an apology tendered for Councillor M. Ntsevu is accepted.
8. That an apology tendered for Councillor F.N. Ngonyolo is accepted.
9. That an apology tendered for Councillor P.K. Thingathinga is accepted.
10. That an apology tendered for Councillor N. Sonyabashi is accepted.
11. That an apology tendered for Councillor T. Nomkuca is accepted.
12. That an apology tendered for Councillor M. Tuku is accepted.

After apologies were read and accepted It was noticed that the Council needed to nominate the Speaker of the day. Councillor U.G Makanda moved a motion that Councillor S.S. Dangisa be the Acting Speaker for the duration of the Council meeting. The motion was duly seconded by Councillor S.A.Cekeshe.

Councillor S.S. Dangisa took the seat as the Speaker for the duration of the Council Meeting.

Councillor S.A.N Cekeshe raised a concern with regards non-attendance by Councillors, which was becoming a norm in Council meetings. It was agreed that the matter should be discussed during an ordinary Council meeting which would be held on 31st July 2018.

5. PECUNIARY INTERESTS

The Municipal Manager: Mr. GPT. Nota declared a pecuniary interest on item 10.4 That deals with **"SALARY INCREASES FOR MUNICIPAL MANAGER AND MANAGERS DIRECTLY REPORTING TO THE MUNICIPAL MANAGER: 1 JULY 2017 – 30 JUNE 2018"**

6. COMMUNICATION STATEMENT

There was no Communication Statement.

7. DEPUTATIONS

There were no deputations.

8. OFFICIAL ANNOUNCEMENTS

There were no announcements to be made.

9. CONFIRMATION OF MINUTES

9.1 There were no minutes to be confirmed.



10. **BUSINESS OF THE DAY**

ULMC: 85

10.1 **ADVERTISEMENT AND OCCUPATION OF EMAXESIBENI MUNICIPAL STAFF HOUSING**

PURPOSE

To table a report on the advertisement of municipal staff housing
To table status quo on the staff housing at EmaXesibeni
To table proposed rent for the staff housing

It was thereafter with Councillor SA.N Cekeshe and Councillor N.Soldat proposing and seconding respectively;

RESOLVED

1. That the Council approves the extension of staff housing advert to external employees.
2. That the Council permit the Municipal Manager to allocate the external employees/people to two Bachelor Flats and a three bedroom house in EmaXesibeni.
3. That the proposed rent of R1000 for the Bachelor Flats and R 3000 for three bedroom house is approved, and an amount of R 2000.00 be paid in advance for deposit.

COUNCIL/85/2017/2018

ULMC: 86

10.2 **BUDGET AND TREASURY DEPARTMENT: REQUEST TO COUNCIL TO ADD AN ADDITIONAL USER ON THE MUNICIPAL BANK ACCOUNT**
PURPOSE

To seek an approval for adding a Senior Manager to be an additional signatory to authorise payments in the Municipal Primary Bank Account.

It was thereafter with Councillor A. Mgangato and Councillor N.H. Dandala proposing and seconding respectively;

RESOLVED

1. That the Council approves the appointment of Mr M.N Sineke as an additional person to access the municipal FNB Account.
2. That Mr M.N Sineke is authorised to pay municipal Creditors through Municipal FNB account.

COUNCIL/86/2017/2018

ULMC: 87

10.3 ICT STRATEGY FOR UMZIMVUBU LOCAL MUNICIPALITY: CORPORATE SERVICES

PURPOSE

To table the newly developed ICT Strategy for adoption by Council.

It was thereafter with Councillor S A N. Cekeshe and Councillor E.N Ngalonkulu proposing and seconding respectively;

RESOLVED

1. That the report on the ICT Strategy is noted by the Council.
2. That the ICT Strategy from Corporate Services is approved by the Council.

COUNCIL/87/2017/2018

ULMC: 88

10.4 OFFICE OF THE MUNICIPAL MANAGER: SALARY INCREASES FOR MUNICIPAL MANAGER AND MANAGERS DIRECTLY REPORTING TO THE MUNICIPAL MANAGER: 1 JULY 2017 – 30 JUNE 2018

PURPOSE

To table to the Council the proposed salary increase for the year 2017/2018 financial year for the above mentioned category of employees.

To seek approval by Council on the salary increase for the Municipal Manager and Managers directly reporting to the Municipal Manager with effect from 1 July 2017 to 30 June 2018.

It was thereafter with Councillor X. Jona and Councillor A.P Mkhonto proposing and seconding respectively;

RESOLVED

1. That the report on the salary increases for the Municipal Manager and Managers directly reporting to the Municipal Manager as from 1 July 2017 to 30 June 2018 is noted by the Council.
2. It is noted that other fixed term contract employees reached an amicable agreement during negotiations with the Municipal Manager and have received their increment for the 17/18 financial year;
3. That Council approves the proposed 5% salary increment for the Manager: Corporate Services, Manager: Local Economic Development; Manager: Infrastructure; Manager: Citizen & Community Services and the Chief Financial Officer



4. That Council approves the proposed 7.36% salary increment for the Manager: Special Programmes and Communication plus a 2.9% negotiable percentage in order to address the salary disparity between her and other Senior Managers.
5. That Council approves the proposed 7.36% salary increment for the Municipal Manager plus a 2.9% negotiable percentage in order to address the salary disparity between him and the Senior Managers.
6. That Council notes that the increment will be with effect as from 01 July 2017.
7. That in the near future the salary negotiations for the Municipal Manager and Managers directly reporting to the Municipal Manager be done within the first quarter of a new financial year.

COUNCIL/88/2017/2018

ULMC: 89

10.5 LOCAL ECONOMIC DEVELOPMENT DEPARTMENT: PROPOSED CHANGES ON THE CATERING RATES THE MONTH OF MAY 2018

PURPOSE

To seek approval of the price changes in the catering rates paid to SMME's by the Council for the month of May 2018

To request noting and acceptance of this report to the Council.

It was thereafter with Councillor X. Jona and Councillor A.P Mkhonto proposing and seconding respectively;

RESOLVED

1. That the report on the proposed new catering rates paid to SMMEs is noted and accepted by the Council.
2. It is resolved that the proposed rates be accepted.
3. That the proposed rates be implemented with effect from the beginning of next financial year (01 July 2018).

COUNCIL/89/2017/2018

ULMC: 90

10.6 REPORT OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE OF IRREGULAR EXPENDITURE FOR THE YEAR ENDED 30 JUNE 2017 AND 30 JUNE 2018

PURPOSE OF REPORT



The purpose of this report is to present the MPAC investigation report of Irregular Expenditure for the year ended June 2017 and June 2018 to Council for deliberation and adoption.

It was thereafter with Councillor N. Mdzinwa and Councillor N. C. Tshayisa seconding respectively;

RESOLVED

1. That the Council notes the amount of irregular expenditure for 2016-2017 and 2017/2018 Financial Years
2. That the Council writes off all the irregular expenditure emanating from use of Regulation 29 as irrecoverable. Reason being, such irregular expenditure relates more on different interpretation and technicality of the Regulation with an amount of R 184 588 721, 66. (5;6;7)
3. That the Council notes the irregular expenditure emanating from use of Regulation 32 and Regulation 36 is deferred for further investigation with an amount of R 12 436 995,92. (8 & 9)
4. That the Council should request in writing to National Treasury with supporting documentation and propose for a write-off as the irregular expenditure emanating from use of Regulation 29 is irrecoverable.
5. That the Council should monitor compliance with relevant legislation, regulations and policies and enforce appropriate action where the municipality deviates.
6. That management should establish mechanisms to urgently identify the risks and weaknesses facing the Supply Chain Management environment with the aim of introducing improved mitigation strategies and internal processes to address these weaknesses.
7. That the Accounting officer should take all the reasonable steps to ensure that the municipality fully complies with the requirements of the Municipal Finance Management Act Regulations as cited above, to curb re-occurrence of the finding relating to irregular expenditure.

COUNCIL/90/20172018

11. CONSIDERATION OF REPORTS FROM THE DISTRICT MUNICIPALITY

There was no report tendered from the District Municipality.


12. DATE OF THE NEXT MEETING

The date of the next Ordinary Council Meeting is 31 July 2018.

13. CLOSURE

THERE BEING NO FURTHER BUSINESS TO BE DISCUSSED THE COUNCIL
ADJOURNED AT 12H17.

CONFIRMED BY



CLLR. S.K. MNUKWA
SPEAKER OF THE COUNCIL

31/07/2018
DATE

