

KWADUKUZA MUNICIPALITY

MINUTES OF THE SPECIAL COUNCIL MEETING HELD AT THE COUNCIL CHAMBERS, KWADUKUZA ON TUESDAY, 06 FEBRUARY 2019 AT 09H00

Present:

Councillors: RZP Zulu (Speaker), Dr. NR Mthembu (Mayor), G Govender (Deputy Mayor), DW Ndimande, NR Khumalo, JA Vallan, JS Phahla, TV Ntuli, V Govender, ME Ngidi, IP Dube, GZ Mngomezulu, NJ Mpanza, H Mbatha, R Singh, ME Zungu, M Suleman, MS Mhlongo, TT Dube, CD Mthembu, VV Shezi, IT Nxumalo, M Ndlela, NR Shezi, TS Ngidi, PB Mabaso, SMR Mfeka, BI Dindi, SL Cele, N Qwabe, MS Sing, MW Hubner, TK Gumede, T Colley, V Pillay, TP Du Toit, S Naidoo, M Naidoo, AL Nzama, P Naidoo, Dr. JLT Sibiya, MSCM Motala, N Dasrath, AM Baardman, AK Dawood, DH Mthembu, LI Mthembu, T Nkosi and CM Ntleko

Officials: NJ Mdakane, AM Manzini, SV Hlongwane, SM Khanyile, EM Sithole, SM Rajcoomar, SC Viramuthu, SM Jali, P Govender, Y Pillay, A Nunkumar, D Pillay, NC Dlamini, TG Dube, N Gumbi, N Mkhwanazi, SE Zungu, SW Cele, MW Ngcamu, MT Pitso, MJ Zondi, MR Mahlalela, S Xaba, T Yengwa, SS Mkhize and LM Ntuli (Secretariat)

Traditional Leaders: None

1. Prayer

The meeting opened with a silent prayer at 09h06 and chairperson welcomed all present.

2. Notice of Meeting

The notice of meeting which had been circulated was taken as read and the meeting declared to be properly constituted.

3. Signing of Attendance Register

The attendance register was noted by the meeting and was circulated for all present to sign.

4. Declarations of Pecuniary Interest/ Other Forms of Interest

a. **Councillors:** None

b. **Staff:** All ED's and MM on item C 78

5. Apologies:

- i. Deputy Mayor was to join the meeting late
- ii. Cllr TT Dube was to join the meeting late
- iii. Dir: Civil was to join the meeting late

- iv. Dir: Dev Planning was on annual leave
- v. The following officials were on CB: ED: CS, Dir: Admin& PM, Dir: Rev, Dir: Com Serv, Project Executive, Dir: Elect

6. Councillor's Leave of Absence:

a. Granted: None

b. Applications:

- Cllr GJ Van Whye – 06/02/2019 only (not well)
- Cllr OL Nhaca – 06/02/2019 only (doctor's appointment)
- Cllr SW Ntuli – 06/02/2019 only (CB)
- Cllr A Sahadew – 06/02/2019 only (work commitments)

RESOLVED:

- 1. That official leave of absence be granted to the following Councillors:-

- Cllr GJ Van Whye – 06/02/2019 only (not well)
- Cllr OL Nhaca – 06/02/2019 only (doctor's appointment)
- Cllr SW Ntuli – 06/02/2019 only (CB)
- Cllr A Sahadew – 06/02/2019 only (work commitments)

7. Official Announcements

a. Matters for information from Cllrs and Officials:

TABLED ITEM:

C 79

OTHER:

- i. CFO informed Council that about 25 Cllrs are still outstanding in finalizing their forms Sasria cover. The list of the names were to be forwarded to the Speaker's Office
- ii. There was an EPWP workshop for the entire ILembe District which was to be held on 20/02/2019 commencing at 08h00 at the Town Hall
- iii. There was a sod turning event to take place on 12/02/2019 in Ward 25
- iv. MM introduced new appointees in the Office of the Mayor, Snenkosi Xaba, the new Manager: IGR and Themba Yengwa, the new Hear: IGR & Protocol
- v. Speaker pleaded with Cllrs to act with caution in respect of issuing of proof residents.

b. Presentations: None

8. Business of the day:

C 75

SPEC COUNCIL: 06/02/2019

REPORT ON INTER – GOVERNMENTAL RELATIONS: SALGA FORUMS

RESOLVED:

1. That the report be noted.
2. That Council notes and accepts the Job Evaluation Symposium resolutions contained in the SALGA Circular 61 of 2018.
3. That Council notes and accepts the resolutions of the SALGA Capacity and Resilience Working Group as contained in the SALGA Circular 63 of 2018 relating to payment of Danger Allowances, Full Time Shopstewards, Wage Curve and Categorization, Divisional Conditions of Service, Job Evaluation Progress, Minority Unions, and SAMWU Leadership.

DIR: HR

C 76

SPEC COUNCIL: 06/02/2019

WARD DELAMINATION EDUCATION AND AWARENESS PROGRAMME

RESOLVED:

1. That the report submitted by the Municipal Manager regarding the MDB request to have a meeting to deal with 2021 Ward Delamination Process be hereby received and CONSIDERED,
2. That Council approves the hosting of the Ward Delamination Education and Awareness Programme on the 1st of March 2019.
3. That the following stakeholders be invited and encouraged to participate in this meeting;
 - (i) *All Councillors,*
 - (ii) *Members of both KDM Municipal Demarcation Board Processes Political Oversight Committee and Technical Members.*
 - (iii) *AMakhosi,*
 - (iv) *COGTA*
 - (v) *Ward Committees members,*
 - (vi) *Ward Youth Forums members,*
 - (vii) *Independent Electoral Commission (IEC),*
 - (viii) *KDM Public Participation Unit,*
 - (ix) *Director: IDP and Public Participation,*
 - (x) *Director: Special Projects,*
 - (xi) *Director: Development Planning,*
 - (xii) *GIS Officers,*
 - (xiii) *Chief Town and Regional Planner,*
 - (xiv) *Office of the Speaker (Manager),*
 - (xv) *Communications unit,*
 - (xvi) *Youth Development Unit representatives,*
 - (xvii) *All executive directors,*
4. That the Municipal Manager use his discretion in line with the cost cutting measures to provide catering depending on the duration of the workshop.
5. That KDM MDB Technical Team be responsible for ensuring the success of this session.
6. That a close out report be submitted to EXCO/Council after this engagement session.

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SPEC COUNCIL: 06/02/2019

APPOINTMENT OF CHAIRPERSONS TO THE AUDIT COMMITTEE AND PERFORMANCE AUDIT COMMITTEE

RESOLVED:

1. That Council notes the report;
2. That Council appoints Wendy Oelofse as the Chairperson of the Audit Committee in line with National Treasury Circular 65 and the MFMA;
3. That Council appoints Zweli Zulu as the Chairperson of the Performance Audit Committee in line with National Treasury Circular 65 and the Municipal Performance Regulations.
4. That the appointed Chairpersons will be paid an amount of R7500 per day, not per meeting;
5. That ordinary members will be paid an amount of R6500 per day, not per meeting;
6. That a maximum of 200 kilometres(return) will be paid at Department of Transport rates for travel;
7. Actual travel rates are paid at the Department of Transport rates as prescribed monthly;
8. Actual cost of toll fees and slips to be provided;
9. No additional payments will be made for travel time, for preparation, accommodation and printing.

HEAD: IA

C 78

SPEC COUNCIL: 06/02/2019

PAYMENT OF PERFORMANCE BONUSES TO SECTION 56/57

RESOLVED:

- 1) That the Municipal Council and mayor ensure incorporation of the requirement for an unqualified audit outcome as minimum standard in the performance agreements of the accounting officer and senior management of the municipality

in accordance with the municipality's performance management system and that in the event that these are already signed, an addendum to the performance agreements for the 2018/2019 year is incorporated,

- 2) That the Municipal council and accounting officer immediately investigate and institute consequence management in respect of the reported unauthorised, irregular, fruitfulness and wasteful expenditure in accordance with section 32 of as reported in the 2016/2017 annual financial statement of the Municipality,
- 3) That the Accounting officer is to report within 30 days from the date of the letter and quarterly thereafter on the implementation of consequence management in this regard in respect of senior municipal officials and relevant officials in the Municipality in accordance with section 32(4) of the MFMA to the MEC responsible for local government in the required format.
- 4) That the Mayor in conjunction with the speaker to table this directive together with the report required in paragraph (3) above, at a full council meeting or special council meeting as may be required prior to submission to the MEC responsible for local government.
- 5) That a senior official from COGTA/SALGA be invited for a presentation in this regard.

DIR: PM&E

C 79

SPEC COUNCIL: 06/02/2019

VIREMENT OF FUNDS WITHIN BUSINESS UNIT BUDGET VOTES

RESOLVED:

1. **THAT** Council **APPROVE** the transfer of funds from various votes to Mains Repairs

	TRANSFER FROM	AMOUNT	TRANSFER TO
1	171235180 Street lights maintenance	R800 000,00	430235480 Mains repairs Rural
2	4002600540 Professional services	R500 000,00	430235480 Mains repairs Rural
3	400260280 Security services	R50 000,00	490235480 Mains repairs Urban
4	400261620 Replacement of faulty meters	R50 000,00	490235480 Mains repairs Urban
5	400261620 Replacement of faulty meters	R800 000,00	450235480 Mains repairs urban
6	400261750 Revenue protection programme	R1 600 000,00	450235480 Mains repairs urban

2. **THAT** it be **NOTED** that the budget for Mains Repairs Votes is partially funded from vote 400000700 (Insurance Proceeds).
3. **THAT** additional insurance proceeds will be allocated during the Adjustment Budget to the Main Repairs votes
4. **THAT** the vote **171235180** Streetlight maintenance to be readjusted to **R1 235 804,00** during adjustment budget
5. **THAT** the vote **400260280** Security services to be readjusted to **R7 002 172,00** during adjustment budget
6. **THAT** the vote **400261750** Revenue protection programme to be readjusted to **R2 542 913,00** during adjustment budget
7. **THAT** the vote **400261620** Replacement of faulty meters to be readjusted to **R1 390 000,00** during adjustment budget

ED: ELECT

There being no further matters for discussion the meeting terminated at 10h42

**SIGNED AT KWADUKUZA ON THIS _____ DAY OF _____
2019**

SPEAKER