

ENDUMENI MUNICIPALITY

MINUTES of an **ORDINARY MONTHLY** meeting of the **EXECUTIVE** Committee held in the Council Chamber, Civic Centre, 64 Victoria Street, DUNDEE, which was scheduled to be held on **MONDAY, 26 OCTOBER 2009** but was postponed to **WEDNESDAY, 28 OCTOBER 2009** at **15h00**

PRESENT

Executive Committee:

Cllr Ms W N Mbatha (Chairperson – Mayor)
Cllr A M Raubenheimer (Deputy Mayor)

Councillors:

Cllr P M Bisram
Cllr P G Mabilisa
Cllr T B Mkhize
Cllr A M Mthembu
Cllr S E Ndimba
Cllr Ms D P Nkosi
Cllr D Singh
Cllr Ms J A Tshabalala

In Attendance:

Mr D B Cebekhulu	Municipal Manager
Mr S Perumall	Manager Corporate Services
Mr J B Maltman	Manager Technical Services
Mr I Gridsale	Chief Financial Officer
Mr A J van Wyk	Head: Administration
Mr C J Retief	Head: Legal & Estates
Ms B A Mbatha	Assistant Head: Admin - Dundee



1. **Opening**

The Mayor, Cllr P G Mabilisa opened the meeting with prayer.



2. **Applications for Leave of Absence**

RESOLVED

THAT the apology received from Cllr E M Adam be noted.



3. **Official Announcements by Speaker/Chairperson/Municipal Manager**

Nil



4. **Minutes of the Previous Meeting**

RESOLVED

THAT the minutes of the following meeting of Exco be approved:

Ordinary Monthly Meeting:	14 September 2009
Special Meeting:	23 September 2009



5. **Questions of Which Notice Has Been Given**

1. In reply to a question by Cllr P G Mabilisa regarding the salary increases of the Section 57 Managers, the Chief Financial Officer advised that the increases were CPI + 1f% = 8.5%;
2. In reply to a question by Cllr P M Bisram regarding the development at the Golf Club, the Manager Technical Services advised that the housing project had been approved in principle by the Council and that further discussions with the Golf Club were to take place.



6. **Reports of the Executive Committee**

Nil



7. **Petitions**

Nil



8. Motions

Nil



9. Presentations



Part A

MATTERS FOR INFORMATION ONLY

A 01/26/10/09 COUNCILLORS ATTENDANCE OF COUNCIL AND EXCO MEETINGS (C7/1)

RESOLVED

THAT the report regarding the Councillors attendance of Council and Exco meetings be noted.



A 02/26/10/09 Monthly Reports

A 02/26/10/09-1 MONTHLY REPORT: TRAFFIC (T4/6)

RESOLVED

THAT the monthly report in respect of Traffic for the month September 2009 be noted.



A 02/26/10/09-2 MONTHLY REPORT: TESTING STATION (T4/1)

RESOLVED

THAT the monthly report in respect of the Testing Station for the month of September 2009 be noted.



A 02/26/10/09-3 MONTHLY REPORT: RURAL METRO (F2/6)

RESOLVED

THAT the monthly report, received from Rural Metro, in respect of Fire and Disaster Management for the month of September 2009 be noted.



A 02/26/10/09-4 MONTHLY REPORT: TALANA MUSEUM (M4/4)

RESOLVED

THAT the monthly report in respect of Talana Museum for the month of September 2009 be noted.



A 02/26/10/09-5 MONTHLY REPORT: DUNDEE PUBLIC LIBRARY (L4/2/1)

RESOLVED

THAT the monthly report in respect of the Dundee Public Library for the month of September 2009 be noted.



A 02/26/10/09-6 MONTHLY REPORT: SIBONGILE LIBRARY (L4/4)

RESOLVED

THAT the monthly report in respect of the Sibongile Library for the month of September 2009 be noted.



A 02/26/10/09-7 MONTHLY REPORT: GLENCOE PUBLIC LIBRARY (17/4/6)

RESOLVED

THAT the monthly report in respect of the Glencoe Public Library for the month of September 2009 be noted.



A 02/26/10/09-8 MONTHLY REPORT: WASBANK PUBLIC LIBRARY (L4/3/1)

RESOLVED

THAT the monthly reports in respect of the Wasbank Public Library for the months of August and September 2009 be noted.



A 02/26/10/09-9 MONTHLY REPORT: MANAGER CORPORATE SERVICES – GLENCOE TOWN HALL & ACTIVITY ROOM (9/1/2/1)

RESOLVED

THAT the monthly report from the Manager Corporate Services in respect of the Glencoe Town Hall and Activity Room, for the month of September 2009 be noted.



A 02/26/10/09-10 MONTHLY REPORT: MANAGER CORPORATE SERVICES – CLINIC (P4/5)

RESOLVED

THAT the monthly report in respect of the Manager Corporate Services – Clinic Services for the month of September 2009 be noted.



A 02/26/10/09-11 MONTHLY REPORT: MANAGER TECHNICAL SERVICES (R3/8)

RESOLVED

THAT the monthly report in respect of the Manager Technical Services for the month of September 2009 be noted.



A 03/26/10/09 STAFF OVERTIME (S7/7/1)

RESOLVED

THAT the overtime for the month of September 2009 as approved by the respective Heads of Departments under delegated powers be noted.



A 04/26/10/09 DUNDEE TAXI ASSOCIATION (N1/3/4)

RESOLVED

THAT the minutes of the Dundee Taxi Association, Department of Transport, Endumeni Municipality and the South African Police Services meeting held in the Main Committee Room, Civic Centre, 64 Victoria Street, Dundee on Wednesday, 9 September 2009 at 10:00, be noted.



A 05/26/10/09 IMFO CONFERENCE (C4/4)

RESOLVED

THAT the speakers presentations as attached to the Agenda and handed out at the 2009 IMFO Conference which were attended by the Chief Financial Officer and the Senior Financial Officer from 5 to 7 October 2009 at Caesars Palace and which was hosted by Ehurhuleni Municipality, be noted.



Part B
MATTERS RESOLVED
BY COMMITTEE
UNDER DELEGATED POWERS

B 01/26/10/09 **ACCOUNTS PAID** (F1/4)

RESOLVED

CFO **THAT** the bank reconciliation for the month of September 2009 together with the schedule of accounts paid for the month of September 2009, as well as the reports submitted in terms of Government Gazette No. 18435 be approved and confirmed.



B 02/26/10/09 **KWANALOGA STRIKE ACTION WORKSHOP REPORT** (C4/8)

RESOLVED

THAT

MCS
MM

1. The report back on the Workshop held on 15 September 2009 on the recent strike action, and Council's future role in this regard, be noted and adhered to as suggested by Kwanaloga;
2. A Strike Action Committee consisting out of the following members be established:
 - 2.1 Management;
 - 2.2 Cllr Ms D P Nkosi;
 - 2.3 Cllr S E Ndimba;
 - 2.4 Cllr P G Mabilisa.



B 03/26/10/09 **ENDUMENI LOCAL MUNICIPALITY IDP REVIEW PROCESS PLAN 2010/2011** (P3/17)

RESOLVED

MTS **THAT** Endumeni Committee note correspondence recently received from the Department of Local Government and Traditional Affairs pertaining the Endumeni Local Municipality: IDP Review Process Plan 2010/2011.



B 04/26/10/09

GLENCOE ABATTOIR: CONDEMNS

(S2/1)

RESOLVED

THAT

MTS

1. Permission not be granted to the Glencoe Abattoir to dispose condemned meat on the Glencoe Landfill Site as this will open the possibility of legal action being taken against the Municipality by Department of Environmental Affairs and Tourism;
2. The Abattoir be notified accordingly.



B 05/26/10/09

**PROPOSED REFURBISHMENT OF THE GLENCOE SIDING:
MINUTES OF PUBLIC MEETING**

(M7/1)

RESOLVED

MTS

THAT the Council subject to, an environmental impact study being received and considered, object to the refurbishment of the Glencoe Coal Siding by Miranda Minerals (Pty) Limited.



B 06/26/10/09

LOT NO. 2273 NEXT TO POMEROY ROAD 360 BOYS CLUB

(L1/7)

RESOLVED

MTS

THAT the Manager Technical Services in consultation with the 360 Boys Club identify land on the Farm Coalfields where a car track could be established and report back to the Council for consideration.



B 07/26/10/09

MINUTES OF SUB-COMMITTEE MEETING REGARDING THE PROMOTION OF ENDUMENI VOTE (P5/1; G2/1; S6/1)

RESOLVED

THAT the following recommendations as contained in the minutes of the Sub-Committee meeting regarding the Promotion of Endumeni Vote held on 21 September 2009, be adopted as resolutions of the Executive Committee:

B 07/26/10/09-1 PROMOTION OF ENDUMENI

RESOLVED

MM

THAT the following options be investigated to promote Endumeni:

- (a) The possibility of compiling a newsletter in languages represented in Endumeni;
- (b) The possibility of obtaining radio slot to advertise Endumeni;
- (c) The possibility of advertising on television;
- (d) The possibility of using agents to promote Endumeni;
- (e) The possibility of redesigning scarves and ties as gifts to dignitaries visiting Endumeni;
- (f) The possibility of erecting an event board depicting the activities in Endumeni;
- (g) The possibility of entrance boards being erected at the entrances to Endumeni;
- (h) The possibility of creating a one-stop shop where all information regarding Endumeni can be obtained.



B 07/26/10/09-2 CELEBRATING HERITAGE DAY

RESOLVED

THAT it be noted that this item has already been considered by the Council.



B 08/26/10/09

MINUTES OF A PRESENTATION MEETING

(G1/1)

RESOLVED

THAT the following recommendation as contained in the minutes of a Presentation meeting held on 21 September 2009, be adopted as a resolution of the Executive Committee:

B 08/26/10/09-1

SHARED SERVICES PERSONNEL COSTS DEVELOPMENT PLANNING

RESOLVED

MM

THAT the Shared Services Personnel Costs Development Planning concept be submitted to the Council, with all the facts, for consideration.



B 09/26/10/09

PROPOSED CONSTRUCTION OF FREE STANDING CELLULAR COMMUNICATION BASE STATION WITH 35M MONOPOLE MAST, AT ENDUMENI PRIMARY SCHOOL, SIBISI STREET, SIBONGILE TOWNSHIP, DUNDEE, ERF 1339 SIBONGILE, DUNDEE (L1/7)

RESOLVED

MTS

THAT the Council have no objection to the proposed construction of a free standing cellular communication base station with 35m monopole mast, at Endumeni Primary School, Erf 1339, Sibisi Street, Sibongile Township, Dundee.



B 10/26/10/09

STEEL FRAME MANUFACTURING: LOT 1893 14 FIRST STREET: GLENCOE (L3/3/15)

RESOLVED

THAT

MTS

1. Council give permission that legal advice be sought and a Court Interdict be obtained by attorneys to stop steel frame manufacturing by the owners of Lot 1893 Glencoe;
2. The Ward Councillor assist Mrs B B Desai to find an alternative site to conduct her business.



B 11/26/10/09

REQUEST FOR USE OF ERF 4313, FORESTDALE FOR A NURSERY: SISONKE CO-OPERATIVE (L1/7; P3/17/1; L1/5/22)

RESOLVED

AHL&E

THAT the application from the Sisonke Co-Operative for the use of the portion of land in Forestdale, being a portion of Erf 4313, Dundee as identified on the sketch plan enclosed with the agenda, for a nursery project as part of a local economic development initiative, be approved subject to the following conditions:

1. The area so identified be used at the own risk of the applicants;
2. No permanent structures be erected on the portion of land;
3. The area only be used for the purposes as specified, i.e. a nursery;
4. The area be fenced at the own expense of the applicants;
5. The applicants apply from uThukela Water (Pty) Limited for water supply at their own accord and risk;
6. Should the Council require the land for any other purposes, the applicants shall be given reasonable notice thereof, and the applicants accept that the Council shall not be obliged to pay any compensation for the loss of usage thereof by the applicants;



B 12/26/10/09

REQUEST TO USE DUNDEE AIRFIELD FOR A WEDDING CEREMONY: S G XABA (A3/1)

RESOLVED

THAT

AHL&E

1. The approval of an application from a Mr S G Xaba, for the use of an area adjacent to the Dundee Airfield on 8 November 2009 for the purposes of a wedding ceremony, by the available members of the Executive Committee prior to the official meeting of the said Committee, be condoned;
2. During the next financial year, a tariff be determined for the hire of the area adjacent to the Dundee Airfield;
3. The approval be subject thereto that:
 - 3.1 The applicants indemnify the Council from liability in respect of any damages to property and/or injuries to persons stemming from their use of the facilities;
 - 3.2 The applicants accept full responsibility for the removal of all refuse from the facilities, and the cleaning up of the area following completion of the activities;
 - 3.3 The area shall be used at their own risk;

- 3.4 The applicants shall ensure that no persons and/or vehicles cause an obstruction to or on the airfield runway and its associated amenities;
- 3.5 The applicants undertake to be responsible for payment of all electricity consumption at the facilities on the weekend of the ceremony.



B 13/26/10/09 **SKILLS DEVELOPMENT PROJECT: PARTNERSHIP WITH PRIVATE SECTOR: LED INITIATIVE** **(S7/3/16/4)**

RESOLVED

THAT

MM

1. The Municipal Manager determine the criteria used to determine which students qualify to be trained;
2. Confirmation be obtained that the KZN Department of Treasury will be financing the training.



B 14/26/10/09 **MINUTES OF THE BOARD OF TRUSTEES OF TALANA MUSEUM** **(M4/2)**

RESOLVED

HA

THAT this item be dealt with under C 13/26/10/09 of these minutes.



B 15/26/10/09 **NON-SUBMISSION OF FINANCIAL STATEMENTS BY ENDUMENI MUNICIPALITY FOR THE FINANCIAL YEAR ENDED 2009** **(F1/1)**

The Chief Financial Officer advised that a meeting was held with officials from the Auditor-General and that the financial statements would be submitted to the Auditor-General by 31 November 2009.

RESOLVED

MM

THAT it be noted that the Council's financial statements will be submitted to the Auditor-General by not later than 31 November 2009.



B 16/26/10/09 **PROVINCIALISATION OF PERSONAL HEALTH CARE SERVICES** **(P3/16)**

RESOLVED

HHS

THAT the Council opt for Option 1 namely that the Personal Health Services (Clinics) be transferred to the Province and that Kwanaloga be advised accordingly.



B 17/26/10/09 **CLOSING OF MUNICIPAL OFFICES: DECEMBER 2009** **(M3/6)**

RESOLVED

MM **THAT** the municipal offices be closed at 12h00 on 24 and 31 December 2009.



B 18/26/10/09 **PAYMENT OF SALARIES: DECEMBER 2009** **(S7/2)**

RESOLVED

CFO **THAT** salaries for December 2009 be paid on Friday, 18 December 2009.



B 19/26/10/09 **GLENCOE LANDFILL SITE: FENCING** **(S2/1)**

RESOLVED

MTS **THAT** subject to savings on the Landfill Site vote, the Council call for bids to fence the Glencoe Landfill Site.



B 20/26/10/09 **KWAZULU-NATAL 2009/10 IDP ASSESSMENT REPORT:
MUNICIPAL STRATEGIC PLANNING UNIT DEPARTMENT OF
LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS** **(P3/17)**

RESOLVED

MTS **THAT** the Endumeni Municipality note KwaZulu-Natal 2009/10 IDP Assessment Report compiled by Municipal Strategic Planning Unit Department of Local Government and Traditional Affairs of 22 September 2009.



B 21/26/10/09 **ENVIRONMENTAL AUTHORIZATION EIA/DC24/0010/07
ENDUMENI FET COLLEGE PROPOSED PORTIONS 18, 19 AND
REM 1503 DUNDEE** **(L1/4)**

RESOLVED

MTS **THAT** the Endumeni Municipality note the approval of Endumeni FET College Proposed Portions 18, 19 and Rem 1503 Dundee.



B 22/26/10/09

ILGM 13TH ANNUAL NATIONAL CONFERENCE AND BUSINESS EXHIBITION (C4/2)

RESOLVED

CFO

THAT in addition to the Municipal Manager, the Mayor be delegated to attend the ILGM 13th Annual National Conference and Business Exhibition on 18-20 November 2009 at Silverton Casino, Muldersdrift, and that the registration fee of R3 400.00 and the normal subsistence and travelling allowance be paid.



B 23/26/10/09

CUTTING DOWN OF PINE TREES 71 KARELLANDMAN STREET (P1/4)

RESOLVED

MTS

THAT the request from the Department of Public Works for the Council to fell pine trees in front of their property, 71 Karellandman Street, Dundee, be approved and that the trees be replaced with indigenous trees, if possible.



B 24/26/10/09

FELLING OF TREES: TENDER NO. 21/2009 (P1/4)

RESOLVED

THAT

MTS

1. The minutes of the meeting that took place on 15 October 2009 be approved;
2. Council note the trees being cut so far being Gum trees in Karellandman Street Glencoe and a portion of the Pine trees apposite the Testing Station Dundee;
3. Permission be given to Mr Nuss to cut trees as per items 1-3 as according to the approved list;
4. The decision to give approval for the cutting of the trees under item 1-3 of the approved list by the Committee be condoned and approved as these are dangerous and problem trees.



B 25/26/10/09

APPLICATION TO USE DUNDEE HORSERACING TRACK FOR WEDDING CEREMONY PURPOSES: 28 NOVEMBER 2009: TP MSOMI (A3/1)

RESOLVED

THAT

AHL&E

1. The application from a Mr T P Msomi, for the use of the horseracing track facilities at the Dundee Airfield for the purposes of a wedding ceremony on 28 November 2009, be approved;
2. During the next financial year, a tariff be determined for the hire of the area adjacent to the Dundee Airfield;
3. The approval be subject thereto that:
 - 3.1 The applicants indemnify the Council from liability in respect of any damages to property and/or injuries to persons stemming from their use of the facilities;
 - 3.2 The applicants accept full responsibility for the removal of all refuse from the facilities, and the cleaning up of the area following completion of the activities;
 - 3.3 The area shall be used at their own risk;
 - 3.4 The applicants shall ensure that no persons and/or vehicles cause an obstruction to or on the airfield runway and its associated amenities;
 - 3.5 The applicants undertake to be responsible for payment of all electricity consumption at the facilities on the weekend of the ceremony.



B 26/26/10/09

DIRECTOSIGN: PROVISION OF STREET REFUSE BINS (A2/2)

RESOLVED

THAT

MTS

1. Council allow Directosign (North) (Pty) Limited to place street refuse bins on the pavements of our streets in the Endumeni Municipal area;
2. The contract between the two parties be approved and signed by the Municipal Manager (as attached to the agenda);
3. Sole permission to provide street litter bins not be given to Directosign only and any other applicant who also wishes to provide such service be considered in future as well.



B 27/26/10/09

ROADS CAPITAL

(F1/1)

RESOLVED

THAT

MTS

1. The Roads listed as per Annexure "A" as attached to the minutes be approved for slurry seal in terms of BID No.16/2009;
2. The Endumeni Municipality proceeds with MIG project 2009 MIG GFK 241175041 Dundee Buffer Strip Roads and Stormwater and Karellandman Street as per Annexure "B" attached to the agenda. However, tenders for the projects be placed in order that any municipal counter funding requirements be budgeted for in 2010/2011 fiscal year.



B 28/26/10/09

FUNDING AGREEMENT FOR RENDERING FREE BASIC ELECTRICITY

(A1/4)

RESOLVED

MM

THAT the Municipal Manager be authorized to sign the Funding Agreement for Rendering Free Basic Electricity to low income households between Eskom and the Municipality.



B 29/26/10/09

COUNCIL'S YEAR-END FUNCTION

(C7/1)

RESOLVED

MM

THAT the Council's Year-End Function be held at Glencoe after the last Council meeting of the year.



B 30/26/10/09

LOCAL GOVERNMENT CIRCULAR 14/2009

[C2/1(a)]

RESOLVED

**MM
MTS
MCS
CFO**

THAT the Council establish the following Committees with the following members to assess Section 56 Managers [Section 24(4)(d) and (e)] of the Regulations:

1. Assessing Committee for the Municipal Manager:
 - (a) Cllr Ms W N Mbatha (Mayor);
 - (b) Mr N U Rajkumar;
 - (c) Cllr A M Raubenheimer;
 - (d) Name and designation of Ward Committee member nominated by the Mayor;
 - (e) Secretariat: Mr A J van Wyk

2. Assessing Committee for the Section 57 Managers reporting to the Municipal Manager:

- (a) Mr D B Cebekhulu;
- (b) Chairperson: Audit Committee
- (c) Cllr Ms W N Mbatha (Mayor);
- (d) A Municipal Manager of another Municipality
- (e) Mr M B H Nakooda
- (f) Secretariat: Mr A J van Wyk



B 31/26/10/09

MINISTRY: LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS - ASSESSMENT OF THE ENDUMENI MUNICIPALITY 2009/2010 INTEGRATED DEVELOPMENT PLAN (P3/17)

RESOLVED

MTS

THAT the report received from the Ministry: Local Government & Traditional Affairs dated 27 September 2009, be noted.



B 32/26/10/09

TEMPORARY WORKERS CLEANING SIBONGILE AND SITHEMBILE (S7/6)

RESOLVED

THAT

CFO

- 1. It be noted that 39 applications for temporary work was received of which 20 applicants were appointed until 23 October 2009;
- 2. The 19 applicants which were previously not appointed now be appointed for two weeks to clean Sibongile and Sithembile Townships.



B 33/26/10/09

ATTENDANCE OF A COURSE ON ESTABLISHING MUNICIPAL SCOPA (S7/3/16)

RESOLVED

THAT

CFO

- 1. The Speaker be authorized to attend the course on How to Establish Standing Committee on Municipal Accounts (Municipal SCOPA) hosted by Africa Governance Transformation (AGT) scheduled to be held on 9-10 November 2009 at Hillcrest;
- 2. The course fees of R3 200,00 together with S & T costs be paid by Council.



Part C
MATTERS REFERRED
TO COUNCIL FOR
CONSIDERATION

C 01/26/10/09

WORKLOAD ALLOWANCE

(P3/12; P 3/16)

RESOLVED TO RECOMMEND

MCS

THAT the report regarding the workload allowance be noted and that Kwanaloga be requested to speed up the process to implement job evaluations.



C 02/26/10/09

SALES AND LEASE AGREEMENTS: VARIOUS MUNICIPAL OWNED IMMOVABLE PROPERTIES

(L1/7)

RESOLVED TO RECOMMEND

THAT

AHL&E

1. The responses received from the Office of the Member of the Executive Committee (MEC) for Local Government in KwaZulu-Natal, the National and Provincial Treasury with regard to the disposal of various municipal owned immovable properties, be noted;
2. The pro-forma sales and lease agreements in respect of the sale and/or lease of various immovable properties, as enclosed with the agenda of meeting as Annexures "A"- "G", be approved.



USE OF GLENCOE COMMONAGES BY SITHEMBILE STOCK OWNERS
(C5/3; 7/2/3/1)

RESOLVED TO RECOMMEND

THAT

AHL&E

1. The letter from the Vusisizwe Farmer's Committee, representing the Sithembile stock owners, dated 2 October 2009, be noted;
2. The Committee, be granted consent to erect a crush pen and a temporary structure on the Dam Road camp of the Glencoe commonages for the purposes of dipping cattle and storing cattle feed;
3. The Committee be granted consent to reduce the number of tree on the Old Location Camp in order to free up grazing land, subject thereto that such reduction of the number of trees be done in consultation with the Technical Services department to prevent the total eradication of trees on this commonage;
4. The Remainder of Erf 915, Glencoe, also known as the Old Quarry camp, be made available to the Committee upon the same terms and conditions as other commonages for grazing purposes by Sithembile stock owners, at their own risk;
5. The Committee be advised that no provision has been made for fencing on the current budget, and that they should fence areas needed upon their own accord and cost in consultation with the Technical Service department;
6. The Committee, in consultation with the Ward Councillor identify possible portions of land suitable for gardening purposes, and such identified portions land be submitted at a future meeting for consideration thereof.



RESOLVED TO RECOMMEND

THAT

AHL&E

1. In pursuance of a previously declared intent of the Council to make available for sale to the general public several smallholdings, consisting of twenty five individual erven located in the Craigieburn area of Dundee, also known as Erven 2858 – 2882, Dundee, the Council resolves to dispose of these mentioned immovable properties by means of sale by public tender in terms of the Council's approved Supply Chain Management Policy, prepared in accordance with Section 111 of the Municipal Finance Management Act No. 56/2003;
2. It be recorded that the immovable properties described as Erven 2858 - 2882, Dundee, is not needed to provide the minimum level of basic municipal services, as the said erven consists of individual smallholdings located approximately six (6) kilometres from the Central Business District (CBD) of Dundee town, and is situated in an area already developed as smallholdings;
3. It be noted that the anticipated cost to the municipality in disposing of these immovable properties will be approximately R379 500.00, which amount includes the valuers fees for attending to the valuation, the estimated cost of R R372 117.15 as quoted by uThukela Water (Pty) Limited for installation of a water supply network to these smallholdings, as well as the anticipated advertisement costs;
4. It further be recorded that the Council is of the opinion that the development of these properties by private owners, and the returns Council will receive in the form of rates and service charges from these properties, will alleviate the burden on the Council to maintain the vacant land which at present does not return any revenue to Council;
5. The estimated fair current market sales values of the properties, as determined by the Council's valuers, Messrs H S K Simpson & Partners, as contained in their report dated September 2009, which was enclosed with the agenda of the meeting, be noted as being:

Erf No.	Extent (m²)	Estimated Market Value (R)
2858	27570	165 000
2859	28839	177 000
2860	34271	177 000
2861	21800	163 000
2862	28806	177 000
2863	25001	173 000
2864	30207	178 000
2865	32712	181 000
2866	26313	174 000
2867	27934	176 000
2868	30057	178 000
2869	26528	174 000
2870	20424	167 000
2871	39016	186 000
2872	46263	192 000
2873	31651	180 000
2874	20923	167 000
2875	20107	156 000
2876	21703	168 000
2877	28804	177 000
2878	28713	177 000
2879	25334	173 000
2880	21768	168 000
2881	35700	183 000
2882	23468	169 000
TOTAL		R 4 356 000

6. It be noted that the development costs of approximately R375 000.00 relating to the installation of a water supply network to these smallholdings, as quoted by uThukela Water (Pty) Limited, is, in pursuance of a resolution of the Council passed on 24 August 2009, still to be added to the above estimated fair current market sales values of the properties on a pro-rata basis;
7. That the estimated fair current market sales values, plus the pro-rata developments costs of R15 000.00 per smallholding added thereto, be utilized as upset price for such immovable properties when it is advertised for sale by public tender;
8. The sales of the above immovable properties be subject to the following conditions:
 - 8.1 In pursuance of Section 164(1)(c)(iii) of the Municipal Finance Management Act No 56 of 2003, payment of the purchase price for these properties shall only be by cash, bank guaranteed cheque, or deposit of the full purchase price with the transferring attorneys, before any transfer of ownership shall be commenced with;

- 8.2 Any successful tenderer shall be required to, immediately upon notification of the acceptance of the offer to purchase, sign the required sales agreement and pay a retaining fee of 10% of the purchase price so accepted, and thereafter be afforded a maximum of thirty (30) days within which to secure finance towards full payment of the purchase price;
 - 8.3 Should the successful tenderer fail to arrange finance towards the payment of the full purchase price within the said thirty days, or for whatever reason fail to honour its commitments towards the payment of such purchase price within such thirty day period, the 10% retaining fee so paid be forfeited as a penalty for the breach of contract established in the Council's acceptance of the offer to purchase, the acceptance of the offer to purchase be cancelled, and the property then be offered to the next highest qualifying tenderer;
 - 8.4 Should the successful tenderer however secure finance for the purchase within the thirty-day period, the 10% retaining fee so paid then be set off against the final purchase price;
9. In compliance with Provincial Notice No. 1369 dated 17 August 2006, as issued by the Member of the Executive Committee (MEC) of Kwazulu-Natal responsible for Local Government, the following information be submitted to the MEC for his comments: (a) the nature of the immovable property to be disposed of; (b) the fair market related values of the said immovable property; (c) the reasons for the disposal of the said immovable property; and (d) the anticipated cost to the municipality in disposing of the said immovable property;
10. In compliance with regulation 6(b) of the Municipal Asset Transfer Regulations, as promulgated in Government Gazette No. R.878 dated 22 August 2008, the matter be referred to the National and Provincial Treasury to solicit their views and recommendations thereon.



C 05/26/10/09

MUNICIPAL OWNED HOUSING

(H1/1)

RESOLVED TO RECOMMEND

CFO

THAT the Chief Financial Officer report on the amount to which officials residing in the municipal dwellings rentals are being subsidized by the Council.



C 06/26/10/09

REPORT ON BUDGET IMPLEMENTATION AND FINANCIAL STATUS FOR THE QUARTER ENDED 30 SEPTEMBER 2009

(F1/1)

RESOLVED TO RECOMMEND

CFO

THAT Council notes the report on budget implementation and the financial status for the period ended 30 September 2009.



C 07/26/10/09

QUARTERLY REPORT ON WITHDRAWALS IN TERMS OF THE MFMA

(L3/3/22; 1/4/1/30)

RESOLVED TO RECOMMEND

CFO

THAT Council note the withdrawals for the quarter ended 30 September 2009 in terms of Section 11(4) of the Municipal Finance Management Act.



C 08/26/10/09

EXTERNAL AUDIT COMMITTEE

(A8/4)

RESOLVED TO RECOMMEND

CFO

THAT the Council appoint the following persons to serve on the External Audit Committee:

Mr N U Rajkumar (Chairperson)
Mr V Mseleku
Mr L Steenkamp



C 09/26/10/09

ELECTRICITY THIRD PARTY VENDING: COMMISSION

(E1/12)

RESOLVED TO RECOMMEND

CFO

THAT Council approve that a commission of 3.5% be paid to hosting vendors based on the total sales (electricity and arrears) as at the last day of every month.



C 10/26/10/09

**PROPOSED PURCHASE OF ERF 1946, GLENCOE: GLENCOE
ABATTOIR (PTY) LIMITED** (1946; L1/7)

RESOLVED TO RECOMMEND

THAT

MTS

1. The application from Messrs Hellberg, Thöle Incorporated, on behalf of their clients being Glencoe Abattoir (Pty) Limited, for the purchase of Erf 1946, Glencoe, be declined;
2. In terms of Section 14 of the Municipal Finance Management Act No. 56 of 2003, and the Council's Supply Chain Management Policy, Erf 1946, Glencoe be offered for sale by public tender process;
3. The Council's valuers, being Messrs H S K Simpson & Partners of Dundee, be requested to determine an estimated fair market related sales price for the property, and upon receipt thereof, same be submitted to Council for consideration in terms of the provisions of Section 114 of the Municipal Finance Management Act No. 56 of 2003.



C 11/26/10/09

**WITHDRAWAL OF INTEREST RATE SUBSIDY ON VEHICLE
LOANS** [P3/16(a)]

Messrs A J van Wyk, C J Retief and Ms B A Mbatha recused themselves during the discussion of this item.

RESOLVED TO RECOMMEND

THAT

CFO

1. The report of the Chief Financial Officer, be noted;
2. Resolution No. C 12/01/12/2008 quoted hereunder be repealed:

"The action of the Chief Financial Officer to implement the proposal of Kwanaloga as conveyed in their letter dated 5 November 2008 be ratified."
3. With effect from 1 December 2008 the Council pay an interest rate subsidy on vehicle as in the past;
4. It being noted that the payment of the subsidy is not a loan and therefore not in contravention of the MFMA.



C 12/26/10/09

APPLICATION FOR CONSENT TO TRANSFER: ERF 2081,
GLENCOE R & P POORAN (A5/1; 2081)

RECOMMENDED

THAT

AHL&E

- 1. The application from Messrs Hellberg, Thöle Incorporated, Dundee for consent to transfer Erf 2081, Glencoe from the current owners R & P Pooran to S S & G B Khuzwayo, be noted;
- 2. The Council opt not to enforce its pre-emptive right to re-purchase the said Erf 2081, Glencoe from the current owners thereof, as created in paragraph 4.2 of the title conditions contained in Title Deed No. T28869/1994;
- 3. Consent be granted to the transfer of Erf 2081, Glencoe from R & P Pooran to S S & G B Khuzwayo.



C 13/26/10/09

MINUTES OF THE BOARD OF TRUSTEES OF TALANA
MUSEUM (M4/2)

RESOLVED TO RECOMMEND

HA

THAT the request from the Helpmekaar Farmers' Association and Dutch Reformed Church to relocate the Judith Church to Talana Museum, be approved.



Part D MOTIONS

D 01/26/10/09

INTERNET & E-MAIL FOR COUNCILLORS

(C7/10)

RESOLVED TO RECOMMEND

MCS

THAT the quotation for internet and e-mail conditions for Councillors be obtained from local firms for their term of office only.



There being no further matters for consideration, the Chairperson declared the meeting closed at **18h15**

Mayor – Chairperson:

Date: