

ENDUMENI MUNICIPALITY

MINUTES of an **ORDINARY MONTHLY** meeting of the **EXECUTIVE** Committee held in the Council Chamber, Civic Centre, 64 Victoria Street, DUNDEE on **MONDAY, 22 FEBRUARY 2010** at **15h00**

PRESENT

Executive Committee:

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

Councillors:

Cllr E M Adam
Cllr P M Bisram
Cllr P G Mabilisa
Cllr T B Mkhize
Cllr A M Mthembu
Cllr S E Ndim
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 I Grisdale	Chief Financial Officer
Mr C J Retief	Head: Legal & Estates
Ms B A Mbatha	Assistant Head: Admin - Dundee



1. **Opening**

The Deputy Mayor, Cllr A M Raubenheimer opened the meeting with prayer.



2. **Applications for Leave of Absence**

RESOLVED

THAT the apology received from the Manager Technical Services, Mr J B Maltman, be noted.



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

The Municipal Manager informed the meeting of the burning of the refuse truck by members of the Sibongile community during rioting and that members of staff were temporarily withdrawn from Sibongile for safety reasons.

He also informed the meeting that the agreement of lease with FET College for the Old Commando Offices has been drafted and requested the Mayor to be present during a signing ceremony thereof.

The Mayor referred to a letter received from the youth in Sithembile which requested the Ward Councillors and Municipal Manager to attend a meeting in Sibongile on Friday, 19 February 2010. At the meeting attended by the Mayor, Cllr A M Mthembu and Cllr Ms R T Nukani, the youth distributed an agenda containing a number of issues to be discussed. As no time was left for Councillors to prepare themselves to provide answers, the Mayor requested that the Councillors consider going to the communities as a Council to address the allegations and explain how monies are being spent. She further requested Councillors' views in the matter.

The Mayor then at length, explained the visit requested by the MEC in respect of the late submission of the financial statements.

Resulting hereof it was decided that a meeting be scheduled on Wednesday, 24 February 2010 at 15h00 with PriceWaterhouseCoopers to discuss all the problems relating to the submission of the financial statements.



4. **Minutes of the Previous Meeting**

RESOLVED

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

Ordinary Monthly Meeting: 25 January 2010



5. Questions of Which Notice Has Been Given

Nil



6. Reports of the Executive Committee

Nil



7. Petitions

Nil



8. Motions

See Item D 01/22/02/10



9. Presentations



Part A

MATTERS FOR INFORMATION ONLY

A 01/22/02/10 COUNCILLORS ATTENDANCE OF COUNCIL AND EXCO MEETINGS (C7/1)

RESOLVED

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



A 02/22/02/10 Monthly Reports

A 02/22/02/10-1 MONTHLY REPORT: TRAFFIC (T4/6)

RESOLVED

THAT the monthly report in respect of Traffic for the month January 2010 be noted.



A 02/22/02/10-2 MONTHLY REPORT: TESTING STATION (T4/1)

RESOLVED

THAT the monthly report in respect of the Testing Station for the month of January 2010 be noted.



A 02/22/02/10-3 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 January 2010 be noted.



A 02/22/02/10-4 MONTHLY REPORT: TALANA MUSEUM (M4/4)

RESOLVED

THAT the monthly report in respect of Talana Museum for the month of January 2010 together with the Minutes of the Board of Trustees of Talana Museum held on Thursday, 4 February 2010, be noted.



A 02/22/02/10-5 MONTHLY REPORT: DUNDEE PUBLIC LIBRARY (L4/2/1)

RESOLVED

THAT the monthly report in respect of the Dundee Public Library for the month of January 2010 be noted.



A 02/22/02/10-6 MONTHLY REPORT: SIBONGILE LIBRARY (L4/4)

RESOLVED

THAT the monthly report in respect of the Sibongile Library for the month of January 2010 be noted.



A 02/22/02/10-7 MONTHLY REPORT: GLENCOE PUBLIC LIBRARY (17/4/6)

RESOLVED

THAT the monthly report in respect of the Glencoe Public Library for the month of January 2010 be noted.



A 02/22/02/10-8 MONTHLY REPORT: WASBANK PUBLIC LIBRARY (L4/3/1)

RESOLVED

THAT the monthly report in respect of the Wasbank Public Library for the month of January 2010 be noted.



A 02/22/02/10-09 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 January 2010 be noted.



A 02/22/01/10-10 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 January 2010 be noted.



A 03/22/02/10 STAFF OVERTIME (S7/7/1)

RESOLVED

THAT the overtime for the month of January 2010 as approved by the respective Heads of Departments under delegated powers be noted.



Part B
MATTERS RESOLVED
BY COMMITTEE
UNDER DELEGATED POWERS

B 01/22/02/10

ACCOUNTS PAID

(F1/4)

RESOLVED

CFO

THAT the bank reconciliation for the month of January 2010 together with the schedule of accounts paid for the month of January 2010, as well as the reports submitted in terms of Government Gazette No. 18435 be approved and confirmed.



B 02/22/02/10

LABOUR FORUM COMMITTEE MEETING

{P3/16(a)}

RESOLVED

THAT the following recommendations as contained in the minutes of the Local Labour Forum meeting held on 1 February 2010, be adopted as resolutions of the Executive Committee:

B 02/22/02/10-1

DATES FOR THE LOCAL LABOUR FORUM MEETING

RESOLVED

THAT

HRO
CFO

1. The dates that the Local Labour Forum meetings will take place be noted;
2. Through a process of consensus four dates for the year be determined in which General Meetings of the Union can be held;
3. A list of all members of unions be provided by the Finance department to the union chairpersons on a monthly basis.



B 02/22/02/10-2

**APPOINTMENT OF HUMAN RESOURCE
MANAGER**

RESOLVED

THAT

**HRO
CFO**

1. The Human Resources Officer, Mr M B H Nakooda, be appointed with effect from 01st March 2010, to the post of Assistant Manager: Human Resources, on the commencement notch of post level 3 of the Endumeni salary scales, and that funding for this appointment be obtained from savings on the salary vote 160/200 001 accrued by the late appointment of the Admin Officer – Estates;
2. The post Manager Human Resources be amended to read Assistant Manager: Human Resources on the organogram on post level 3.

B 02/22/02/10-3

**FIXED TRAVELLING ALLOWANCE: SUPPLY
CHAIN MANAGEMENT OFFICER.**

RESOLVED

CFO

THAT the Supply Chain Management Officer, Mr V G Sonpal provide proof that he travels 450 official kilometres per month.

B 02/22/02/10-4

**TEMPORARY WORKERS MEMORANDUM OF
AGREEMENT**

RESOLVED

MCS

THAT the Manager Corporate Services in consultation with the Unions determine a date for a workshop regarding the employment of temporary workers to be held.

B 02/22/02/10-5

PROMOTION OF MRS M S CARELSE

RESOLVED

THAT

HRO
CFO

1. The Council resolution in which Mrs M S Carelse is to be promoted be implemented;
2. The memorandum written by the Chief Financial Officer dated 18/01/2010 and in particular item 5 be noted;
3. It be recorded that Mrs P E Ndlovu from IMATU in her personal capacity objects to the manner in which Mrs. Carelse was promoted.



B 02/22/02/10-6

CREATION OF POST OF HANDYMAN ASSISTANT (P3/16)

RESOLVED

THAT

HRO
MTS
CFO

1. The post of Handyman Assistant be approved and added to the existing organogram on post level 12;
2. The post of Handyman Assistant be advertised internally and if no suitable candidate is found then the post be advertised externally.



B 03/22/02/10

MINUTES OF THE MUSEUM SUB-COMMITTEE MEETING (M4/2)

RESOLVED

THAT

HA
AHL&E

1. The recommendations of the Museum Sub-Committee be approved by the Council;
2. The Conditions of Lease for the tender for the Kwakunje Cultural Village, as attached to the Minutes, be approved.



B 04/22/02/10

MUNICIPAL INFRASTRUCTURE FOR THE ERADICATION OF HOUSING BACKLOG 2009/10 ENDUMENI MUNICIPALITY (B3/4)

RESOLVED

THAT

**MM
MTS**

1. The Province, in the form of Mr. Mbonane: Human Settlements and Mr K K Nkosi MPP: KZN Parliament Legislature contact all relevant authorities to encourage Umzinyathi District Municipality to provide water infrastructure at Endumeni Municipality;
2. Umzinyathi be encouraged by the Province to attend future meetings to give feed-back and updates to the Municipality and joint Ward Committees.



B 05/22/02/10

WARD 1 WARD COMMITTEE MEETING

(B3/4)

RESOLVED

THAT

**MM
CFO**

1. R100 000.00 be allocated towards the hiring of temporary workers for Ward 1 for the cutting of grass;
2. A meeting be held with the Ward Committee to determine expenditure of the remaining amount allocated.



B 06/22/02/10

WARD 5 WARD COMMITTEE MEETING

(B3/4)

RESOLVED

THAT

**MM
CFO
MTS**

1. The fencing of the recreational park and the upgrading of the ablution block be the prioritized project for Ward 5;
2. If there is any money left, it be utilized on any of the projects as prioritized by the Ward 5 community;
3. It be costed and implemented with immediate effect.



B 07/22/02/10

WARD 6 WARD COMMITTEE MEETING

(B3/4)

RESOLVED

THAT

**MM
MTS**

1. The peg-list as submitted by Forestdale which is attached to the Minutes of the Ward 6 Ward Committee meeting dated 19 January 2010 as Annexure "A", be attended to;
2. The minutes be noted.



B 08/22/02/10

UMZINYATHI FAMILY OF MUNICIPALITIES

(G1/1)

RESOLVED

MM

THAT Endumeni Municipality approves the concept of Development Planning shared services between Endumeni Municipality and Umzinyathi District Municipality and that the Municipal Manager be authorized to sign the Memorandum of Agreement on behalf of Endumeni Municipality.



B 09/22/02/10

LETTER OF COMPLAINT: CORONATION PARK

[P3/15(a)]

RESOLVED

THAT

MM
MTS
MCS
CFO

1. Additional refuse bins be placed in park;
2. The South African Police Services be requested to increase patrolling of the area;
3. The provision of additional toilet facilities in the park be investigated.



B 10/22/02/10

MINUTES OF WATT ROAD/COAL TRANSPORTATION ROUTE MEETING

(R3/1)

RESOLVED

MTS

THAT the Minutes of a Watt Road/Coal Transportation Route Meeting that took place in the Main Committee Room, Civic Centre, 64 Victoria Street, Dundee on Wednesday 10 February 2010 at 09h00 be noted.



B 11/22/02/10

APPLICATION FOR EXHUMATION: LATE A J GOODCHILD

(W1/5)

RESOLVED

THAT

MTS

1. Council recommends to the Minister of Local Government that it is in support of the Exhumation of the Late A J Goodchild;
2. The necessary arrangements be made by the family with the Environmental Health Section of Umzinyathi District Municipality for arrangements to be present at the exhumation once the Minister has given approval.



B 12/22/02/10

LETTER RECEIVED: COMPLAINT OF KWAKUNJE VILLAGE

(M4/7)

RESOLVED

THAT

HA
CFO

1. The contents of the letter, dated 15 February 2010, received from Ms N F T Sithole, be noted;
2. Normal tender procedures be followed for the lease of Kwakunje Village.



Part C
MATTERS REFERRED
TO COUNCIL FOR
CONSIDERATION

C 01/22/02/10

GRANTS-IN-AID 2008/2009, 2009/2010

(G2/1)

RESOLVED TO RECOMMEND

THAT

CFO

1. Council notes the minutes of the 2008/2009, 2009/2010 Grants-in-Aid Sub-Committee;
2. Council approves the grants as stipulated in the minutes together with the provisos indicated with the addition of Endumeni Dance Club in the amount of R10 000,00;
3. The 2008/2009 Grants be funded ex accumulated surplus / deficit account;
4. The 2009/2010 Grants be funded ex vote 116 255001.



C 02/22/02/10

SALE OF VACANT IMMOVABLE MUNICIPAL PROPERTIES

(L1/7)

RESOLVED TO RECOMMEND

THAT

AHL&E

1. In response to the increased demand for vacant immovable properties from the general public, the vacant immovable properties as reflected on the schedules as attached to the agenda be approved for sale, in principle, 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. The Council's valuers, being Messrs H S K Simpson & Partners of Dundee, be requested to provide the Council with estimated fair market related sales prices in respect of these properties, upon which the Council is to further consider the sales thereof in terms of Section 14 of the Municipal Finance Management Act No. 56 of 2003.



C 03/22/02/10 5 PENGUIN PLACE, LOT 3690, EXT 24 DUNDEE (L1/5/19/2)

RESOLVED TO RECOMMEND

CFO **THAT** a Sub-Committee comprising of Cllrs T B Mkhize, P M Bisram and E M Adam be delegated to investigate the circumstances relating to occupation and allocation of the property and to report back at the next Council meeting.



C 04/22/02/10 ENDUMENI MUNICIPALITY RECORDS MANAGEMENT POLICY (A7/1)

RESOLVED TO RECOMMEND

MCS **THAT** Council approves and adopts the Endumeni Municipality Records Management Policy so as to be in compliance with the National Archives & Records Service of South Africa Act, No. 43 of 1996.



C 05/22/02/10 PROPOSED SALE OF ERF 1946, GLENCOE BY PUBLIC BID PROCESS (1946; L1/7)

RESOLVED TO RECOMMEND

THAT

- AHL&E** 1. In response to an expressed interest in Erf 1946, Glencoe, the said property be advertised for sale by public bid in terms of the general principles of Section 14 of the Municipal Finance Management Act No 56 of 2003, and the Council’s approved Supply Chain Management Policy;
- 2. It be recorded that this immovable property is not needed to provide the minimum level of basic municipal services, as it is zoned for General Industrial purposes, and service infrastructure in the area is well established;
- 3. It be noted that the anticipated cost to the municipality in disposing of this immovable property will be approximately R 3 500,00, which amount includes the anticipated advertising costs and the Valuer’s fees for the preparation of a market related valuation of the property;
- 4. It further be recorded that the Council is of the opinion that the sale of this property to private owners, and the returns Council will receive in the form of rates and service charges there from, will be beneficial as it will cause an otherwise inactive asset to generate revenue for Council;

5. The estimated fair current market values of this property, as determined by the Council's valuers, Messrs H S K Simpson & Partners, as expressed in their report dated November 2009, which was enclosed with the agenda of the meeting, be noted, and that the estimated current market values of R33 000.00 be utilized as upset prices for such immovable property when it is advertised for sale by public bid;
6. It be noted that this property will not be suitable for general development purposes as a result of the historical burial of animal waste in trenches thereon, and the cumulative effect that the decomposition of these remains has on the soil thereof, and that these detrimental factors affecting the general suitability of the property for development purposes be made known to the general public whenever the property is advertised for sale by public bid process;
7. Any successful bidder 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. Should the successful bidder 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, and the property then be offered to the next highest qualifying bidder;
9. Should the successful bidder 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;
10. 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;
11. 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 06/22/02/10

MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT

(F1/1)

RESOLVED TO RECOMMEND

CFO

THAT a workshop with the Chief Financial Officer and all Councillors be arranged for 1 March 2010 in order for the Chief Financial Officer to explain the contents of the Mid-Year Budget and Performance Assessment.



C 07/22/02/10

INFORMATION ON ADJUSTMENTS BUDGETS

(F1/1)

RESOLVED TO RECOMMEND

CFO

THAT Council note the information contained in the report on Adjustments Budgets submitted by the Chief Financial Officer



C 08/22/02/10

REQUEST FOR BUYING BACK PROPERTY REPOSESSED BY COUNCIL: 1821 LINDELANI - SIBONGILE

(H1/4/3)

RESOLVED TO RECOMMEND

THAT

**MM
MTS
CFO**

1. The request from Mr Siphon Stanley Langa that House No. 1821, Lindelani, Sibongile be transferred to him be acceded to;
2. Prior to registration of transfer the arrear amounts in terms of rates and services be paid by Mr Langa;
3. A housing audit of RDP housing be done to determine ownership of these houses.



C 09/22/02/10

APPLICATION FOR LAND IN INDUSTRIAL AREA: IMPELA TRADING CC

(L1/7)

RESOLVED TO RECOMMEND

AHL&E

THAT Impela Trading CC be invited to make a presentation to Council.



C 10/22/02/10

APPLICATION TO PURCHASE VACANT LAND: SAREL CILLIERS HIGH SCHOOL: ERF 1637/REM, GLENCOE (L1/7)

RESOLVED TO RECOMMEND

AHL&E

THAT this item be referred to Council’s next meeting and that officials in the meantime enquire what purpose the School wishes to utilize the property for.



C 11/22/02/10

REMOVAL OF COUNCILLORS FOR NON-ATTENDANCE OF THREE CONSECUTIVE MEETINGS (C7/1)

RESOLVED TO RECOMMEND

MM

THAT the report submitted by the Speaker on the removal of Councillors for non-attendance of three consecutive meetings, be noted and that the apologies received from Cllr Ms R T Nukani for her non-attendance of three consecutive Exco meetings, be accepted.



