

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, 14 SEPTEMBER 2009** at **15h00**

PRESENT

Executive Committee:

Cllr Ms W N Mbatha (Chairperson – 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 J B Maltman	Manager Technical Services
Mr I Grisdale	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**

Cllr S E Ndimba opened the meeting with prayer.



2. **Applications for Leave of Absence**

RESOLVED

THAT the apology received from Cllr A M Raubenheimer be noted



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

The Municipal Manager requested that Councillors only identify individuals if they know the persons personally.

Cllr P G Mabilisa requested that the IFP be permitted to caucus with the ANC. The meeting was suspended for five minutes to accede to Cllr P G Mabilisa's request.



4. **Minutes of the Previous Meeting**

RESOLVED

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

Special Meeting:	30 July 2009
Ordinary Monthly Meeting:	24 August 2009



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

Nil



6. **Reports of the Executive Committee**

Nil



7. **Petitions**

Nil



8. **Motions**

See Items D 01/14/09/09 and D 05/14/09/09



9. **Presentations**



Part A

MATTERS FOR INFORMATION ONLY

A 01/14/09/09 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 02/14/09/09 Monthly Reports

A 02/14/09/09-1 MONTHLY REPORT: TRAFFIC (T4/6)

RESOLVED

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



A 02/14/09/09-2 MONTHLY REPORT: TESTING STATION (T4/1)

Cllr P M Bisram was concerned that persons from other towns were using the Testing Station which resulted in same being fully booked thus making it difficult for local persons to make use of the facility.

He further requested that a report regarding the possibility of purchasing equipment for R200 000 for emission testing should same become compulsory be reported on.

RESOLVED

THAT

1. The monthly report in respect of the Testing Station for the month of August 2009 be noted;
2. The possibility of non-residence being barred to use the Testing Station be reported on;
3. The possibility of purchasing equipment for R200 000 for emission testing should same become compulsory be reported on.



A 02/14/09/09-3 **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 August 2009 be noted.



A 02/14/09/09-4 **MONTHLY REPORT: TALANA MUSEUM** (M4/4)

RESOLVED

THAT

1. The monthly report in respect of Talana Museum for the month of August 2009 as well as the Minutes of the meeting of the Board of Trustees of Talana Museum held on 3 September 2009 be noted;
2. Mr C J Retief be withdrawn from representing Council at the Board of Trustees meetings.



A 02/14/09/09-5 **MONTHLY REPORT: DUNDEE PUBLIC LIBRARY** (L4/2/1)

RESOLVED

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



A 02/14/09/09-6 **MONTHLY REPORT: SIBONGILE LIBRARY** (L4/4)

RESOLVED

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



A 02/14/09/09-7 **MONTHLY REPORT: GLENCOE PUBLIC LIBRARY** (17/4/6)

RESOLVED

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



A 02/14/09/09-8 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 August 2009 be noted.



A 02/14/09/09-9 MONTHLY REPORT: MANAGER TECHNICAL SERVICES (R3/8)

RESOLVED

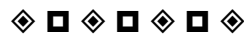
THAT the monthly report in respect of the Manager Technical Services for the month of August 2009 be noted.



A 03/14/09/09 STAFF OVERTIME (S7/7/1)

RESOLVED

THAT the overtime for the month of August 2009 as approved by the respective Heads of Departments under delegated power, be noted.



A 04/14/09/09 WARDS 1 AND 2 WARD COMMITTEES MEETING (B3/4)

RESOLVED

THAT

1. The minutes of the Wards 1 and 2 Ward Committees meeting held in the Main Committee Room, Victoria Street, Dundee on Tuesday, 18 August 2009 at 10:00, be noted;
2. The Manager Technical Services invite the Department of Housing and the Umzinyathi District Municipality to address the Council on their plans to construct houses in the Endumeni area.



A 05/14/09/09 WARD 3 WARD COMMITTEE MEETING (B3/4)

RESOLVED

THAT the Minutes of the Ward 3 Ward Committee meeting held in the Main Committee Room, 64 Victoria Street, Dundee on Tuesday, 4 August 2009 at 14:00, be noted.



A 06/14/09/09

WARDS 4 AND 5 WARD COMMITTEES MEETING

(B3/4)

RESOLVED

THAT the minutes of the Wards 4 and 5 Ward Committees meeting held in the main Committee Room, Victoria Street, Dundee on Tuesday, 18 August 2009 at 14:00, be noted.



A 07/14/09/09

WARD 6 WARD COMMITTEE MEETING

(B3/4)

RESOLVED

THAT the minutes of the Ward 6 Ward Committee meeting held in the Main Committee Room, 64 Victoria Street, Dundee on Tuesday, 7 August 2009 at 10:00, be noted.



Part B
MATTERS RESOLVED
BY COMMITTEE
UNDER DELEGATED POWERS

B 01/14/09/09 **ACCOUNTS PAID** (F1/4)

RESOLVED

CFO

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



B 02/14/09/09 **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 8 September 2009, be adopted as resolutions of the Executive Committee:

B 02/14/0909-1 **LEGAL OPINION: 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 meeting

RESOLVED

THAT

CFO
MM

1. The Chief Financial Officer report at the next Exco meeting to the amount that the one official would receive should the subsidy on vehicle loans be re-instated from 1 December 2008;
2. A report be tabled at the next Exco meeting on the legality of officials benefitting from the R1 000 allowance which was granted to the erstwhile Dundee TLC employees.



B 02/14/09/09-2 **REQUEST FOR EXTENSION OF
EMPLOYMENT FROM COUNCILS
SERVICE BY MR F L FERREIRA (S021610)**
(STAFF)

**HRO
CFO
MTS**

RESOLVED

THAT Mr F L Ferreira be granted extended employment with Council on a contractual basis for a period not exceeding 3 months ending on the 31st January 2010, thereafter his services will be terminated automatically and the said post be advertised internally/externally and filled accordingly.



B 02/14/09/09-3 **POST UPGRADING REQUEST TO SALARY
POST LEVEL 2: MRS I D KHUMALO**

CFO

RESOLVED

THAT this item be referred to the next Labour Forum meeting for a financial report by the Chief Financial Officer.



B 02/14/09/09-4 **REQUEST FOR REVIEW OF THE
PLACEMENT OF THE SUPERINTENDENT
DISASTER MANAGEMENT: MR B H ZULU:
SALARY NO: S004807**

CFO

RESOLVED

THAT this item be referred to the next Labour Forum meeting for a financial report by the Chief Financial Officer.



B 03/14/09/09

TRAFFIC TRAINING – EXAMINER OF DRIVER’S LICENCES COURSE, TRAFFIC TRAINING COLLEGE, PIETERMARITZBURG FROM 30 SEPTEMBER 2009 TO 15 DECEMBER 2009 (Staff)

RESOLVED

THAT

**HSS
CFO**

1. Approval be granted for Traffic Officer M Nel to attend an Examiner of Driver’s Licence Course at Traffic Training College Pietermaritzburg from 30 September 2009 to December 2009;
2. The training, accommodation and travelling and subsistence be paid by Council from Training Vote 169/260 290;
3. Mr M Nel comply with Council’s policy regarding external training which requires the Officer to sign a Contract with Council which makes him liable for the total expenses incurred by Council when leaving Council’s employment;
4. Mr M Nel be allowed to officially return home on every alternative weekend and utilize maximum allowable official kilometers of 1 200 km per month.



B 04/14/09/09

5 PENGUIN PLACE – LOT 3690, EXT 24 DUNDEE (L1/5/19/2)

RESOLVED

CFO

THAT this matter be referred to the Council’s legal advisors for a legal opinion.



B 05/14/09/09

PERSONAL ASSISTANT TO THE MAYOR

(C8/2/3)

RESOLVED

MM

THAT the report of the Municipal Manager where he advised the Committee that the Mayor’s powers to appoint a Personal Assistant could result in nepotism and that due to Mrs Jacobs being promoted to perform the duties for the Mayor, the appointment of a Personal Assistant for the Mayor could be regarded as wasteful by the Auditor General when taking into account that she is not working full time, be noted and that Resolution No. B 02/01/12/08-12 be upheld.



B 06/14/09/09

MEMORANDUM: SIBONGILE COMMUNITY YOUTH GROUP

[T4/1(a)]

RESOLVED

MM

THAT the whips of each political party and the Municipal Manager meet to answer the concerns of the youth.



B 07/14/09/09 **COMPLAINT: SEVERE DAMAGE TO ROAD INFRASTRUCTURE AND DUST POLLUTION** **[P3/15(a)]**

RESOLVED

MTS **THAT** the Endumeni Executive Committee note the complaint of Endumeni Ratepayers Association pertaining Coal Transportation routes and dust pollution. The Committee further note the Municipal reply and in the foregoing regard and request complaint be forwarded to Department of Mineral and Energy Affairs.



B 08/14/09/09 **COMPLAINT: SEVERE POLLUTION WATER COURSE AND STEENKOOL SPRUIT** **[P3/15a]**

RESOLVED

MTS **THAT** the complaint received from Endumeni Ratepayers Association pertaining severe pollution water course and Steenkoolspruit be noted. The complaint be further forwarded to the competent authority Umzinaythi District Municipality.



B 09/14/09/09 **DUNDEE AIRFIELD: COMPLAINT - CRAIG COX** **(A3/1)**

RESOLVED

THAT

- MTS**
1. The Endumeni Executive Committee notes the following Annexures, as attached to the agenda, in respect of the Dundee Airport a facility that serves the Greater Umzinyathi area of Jurisdiction as defined in Section 84 of Municipal Structures Act No. 117 of 1998.
 - 1.1 Annexure "A1" Costing as per Annexure "A1" per tender 16/2009 R853 300.26
 - 1.2 Annexure "A" Request for support directed to the Umzinyathi District Municipality by the Department of Health
 - 1.3 Annexure "B" Correspondence: Department of Health
 - 1.4 Annexure "C" Correspondence, Item and Business Plan: Dundee Ratepayers
 - 1.5 Annexure "D" Correspondence and item Department of Local Government and Traditional Affairs

1.6 Annexure “E” Correspondence to Department of
Local Government and Traditional
Affairs

2. The Endumeni Municipality further note the Dundee Airfield has been a prioritized project identified on the Endumeni IDP and Umzinyathi District IDP. The project was in the past prioritized for MIG Funding by the District Council but to date no project approval has been received by the Umzinyathi District Municipality;

3. The Endumeni Municipality further notes correspondence received from the following institutions in respect of the Dundee Airfield:

Endumeni Tourism
Department of Health Emergency Services
Endumeni Ratepayers Association
Talana Museum
Fugituves Drift Lodge

4. The Endumeni Executive Committee further notes the Endumeni Municipality currently as a duty of good faith expends an amount of R10 659.00 per month on three security guards on a twenty four hour basis in order to protect the Airport from stray cattle and children;

5. The Endumeni Executive Committee further notes the Endumeni Municipality has expended an amount of R9000 monitoring an electric fence since 2006 to protect the Airport. Unfortunately the fence has now been totally vandalized;

6. The Municipal Manager and the Manager Technical Services convene a meeting with Umzinyathi District Municipality, Dundee Tourism, the Department of Health, Mr C Cox and a representative of the pilots to discuss possible solutions to the safety problem and maintenance issue encountered at the Airfield. The parties however be informed of the issues raised in 1 – 5 prior to such meeting and parties further informed of the Municipalities intention to close the Airport should an acceptable solution not be found in respect to the above issues, within a period of 180 days of receipt of correspondence received from Mr C Cox in order to avert possible civil action against the Endumeni Municipality.



B 10/14/09/09

MUNICIPAL INFRASTRUCTURE GRANT PRIORITIZATION MODEL [T3/1(b)]

RESOLVED

THAT

MTS

1. The Endumeni Municipality note the approval of MIG Project 2009 MIG K241175041 Sibongile Roads R4 906 460.00 as per Annexure "A" attached to the Agenda;
2. The Project tabled by Cllr Bislam as per Annexure "B", as per attached to the Agenda, be in the amount of R940 000 be noted. The Chief Financial Officer to prepare a report as to the possible funding of such project to rehabilitate drainage at 49 houses Glenridge;
3. Councillors are urged to submit capital projects for consideration.



B 11/14/09/09

PROMOTION OF ENDUMENI

(F1/1)

RESOLVED

HA

THAT a Sub-Committee consisting of the Mayor, Cllr Ms W N Mbatha, Cllr Ms D P Nkosi and Cllr S E Ndima be established to discuss and plan for the Promotion of Endumeni for the current 2009/2010 financial year.



B 12/14/09/09

CIRCULAR 3/2009: DETERMINATION OF WARD BOUNDARIES DURING 2009/2010 FOR THE 2011 LOCAL ELECTIONS. CIRCULAR 2/2009: HEREBY WITHDRAWN

(C7/8)

RESOLVED

MM

THAT the content of Circular 3/2009 received from the Municipal Demarcation Board, be noted.



Cllr S E Ndimba mentioned that the Unions vented their concern that one of the barriers mentioned in the Employment Equity Act is the lack of accommodation and this must be looked into in the future.

RESOLVED

THAT the following recommendations as contained in the minutes of the Employment Equity Forum meeting held on 9 September 2009, be adopted as resolutions of the Executive Committee:

B 13/14/09/09-1 **MATTERS ARISING**

(a) **RESOLVED**

HRO

THAT a majority of members of the Employment Equity Forum would constitute a quorum i.e. 50% + 1

(b) **RESOLVED**

HRO

THAT Ms H B Msane be co-opted as a member of the Employment Equity Forum.

B 13/14/09/09-2 **EMPLOYMENT EQUITY PLAN**

RESOLVED

THAT

**HA
HRO**

- 4.1 Page 1 of 12 of the EEA 2 form, on the information about the organization was incorrectly reflected as “No” that the municipality is not an organ of state and surinneeds to be amended to “Yes” since it is an organ of state.
- 4.2 Page 3 of 12 of the EEA2 form, the total permanent staff of 304 will be amended and updated to reflect all new entrants in the final plan.
- 4.3 Page 11 of 12 of the EEA2 Form, there are no barriers for the following: work environment and facilities, reasonable accommodation and time off for employment equity consultative committee.
- 4.4 Page 12 of 12 the Municipal Manager be authorized to sign the document for timeous submission to the Department of Labour.

5. The Human Resources Officer provides more details and more information on what monies are available on the skills development budget.

RESOLVED

THAT

5.1 The Human Resources Officer provides a report on all training that had occurred in the reporting period 1 October 2008 to 30th September 2009.

5.2 The Human Resources Officer obtains details from the finance department on the skills development budget.

6. After detailed deliberation on the draft Employment Equity Plan it was

RESOLVED

THAT The employment equity plan/report be adopted and submitted to the Department of Labour.

7. **RESOLVED**

THAT the Employment Equity forum be extended to form the Skills Development Forum.

HRO



B 14/14/09/09

TEMPORARY WORKERS: BRUSH CUTTER OPERATORS

(S7/6)

RESOLVED

THAT

**HRO
MTS
CFO**

1. The remuneration of temporary brush cutter operators be increased to R192,00 per day;
2. The Manager Technical Services and the Chief Financial Officer be mandated to source the money for the above and that the LED money available not be utilized for same.



B 15/14/09/09

SIBONGILE/SITHEMBILE CLEAN-UP CAMPAIGN

(C2/3/4)

RESOLVED

MTS

THAT the Endumeni Municipality authorize the Municipal Manager to employ 20 Contract Employees for a period of ten days each in terms of Endumeni Contract Workers Policy in order to conduct a Clean-up Campaign in Sibongile and Sithembile from Vote 111/260495.



Part C
MATTERS REFERRED
TO COUNCIL FOR
CONSIDERATION

C 01/14/09/09

REVENUE CLEARANCE CERTIFICATES FOR TRANSFER OF RIGHTS REGISTERED AGAINST IMMOVABLE PROPERTY

(V1/6)

RESOLVED TO RECOMMEND

THAT

AHL&E

1. The Council of the Endumeni Municipality, in terms of Section 7(2) of the Local Government Municipal Property Rates Act No. 6 of 2004, reaffirms its decision not to levy rates on property as defined in paragraph (b) of the definition of “property” in Section 1 of the said Act, and as defined in paragraph (b) of the definition of “property” in the Local Government Municipal Systems Act No. 32 of 2000; subject thereto that Real Rights to Extend in the case of sectional title schemes will be valued and rated;
2. A blanket certificate in terms of Section 118 of the Local Government Municipal Systems Act No. 32 of 2000 be issued to the Registrar of Deeds in pursuance of the above.



C 02/14/09/09

PROPOSED SALE OF ERVEN 4057 AND 4058, DUNDEE FOR WORSHIP PURPOSES

(T3/1/3/56)

RESOLVED TO RECOMMEND

THAT

AHL&E

1. In response to the interest expressed by members of the Forestdale community for sites for worship purposes, and in view of the Council’s commitment to rezone Erven 4057 and 4058, Dundee from “Special Residential” to “Worship” for this purpose, it be noted that the rezoning procedures have now successfully been completed in terms of Section 47bis of the Town Planning Ordinance No. 27 of 1949;
2. It be recorded that the immovable properties described as Erven 4057 and 4058, Dundee is not needed to provide the minimum level of basic municipal services, as all basic municipal services are already provided for in this area known as Extension 27, Dundee;

3. It be noted that the anticipated cost to the municipality in disposing of this immovable property will be approximately R3 000,00, which amount includes the valuers fees for attending to the valuation, as well as the anticipated advertising costs;
4. It further be recorded that the Council is of the opinion that the development of these properties by religious communities, and the returns Council will receive in the form of service charges from these properties, will be beneficial to the local community who have expressed the desire for such sites for worship purposes;
5. The estimated fair current market value of the properties, as determined by the Council's valuers, Messrs H S K Simpson & Partners, as contained in their report dated July 2009, which was enclosed with the agenda of the meeting, be noted, and that the estimated current fair market values of R34 000 for Erf 4057, and R32 000 for Erf 4058, be utilized as upset price for such immovable properties when it is advertised for sale by public tender in terms of the Council's approved Procurement Policy;
6. 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;
7. 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, and the property then be offered to the next highest qualifying tenderer;
8. 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 the Municipal Asset Transfer Regulations of 2008, the relevant information be submitted to the National and Provincial Treasury for their views and recommendations thereon;
11. Once the responses from the above have been received, the said erven be advertised for 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.



COMPILATION OF BY-LAWS AND PROMULGATION OF COUNCIL'S STANDING ORDERS AND DELEGATION OF POWERS (C7/1)

RESOLVED TO RECOMMEND

THAT

HL&E

1. The Refuse By-Laws be removed from the attachment it being noted that same will be replaced by an updated set;
2. It be noted that the following By-Laws have been tabled:
 - Pounds By-Law
 - By-Law relating to the Control of Public Nuisance
 - By-Law relating to Electricity Supply
 - Property Encroachment By-Law
 - Parking By-Laws
 - Keeping of Animals By-Law
 - Cemeteries By-Law
 - Trading By-Law
 - By-Law relating to Municipal Facilities and Public Amenities
 - Delegation of Powers
 - Standing Orders;
3. The Head: Legal & Estates workshop the By-Laws mentioned in item 2 above with the Council and management;
4. The Council's intention to promulgate the By-Laws be advertised for comment and public participation.



APPLICATION FOR THE USE OF A PORTION OF LAND IN AVON INDUSTRIAL AREA: SGANANDA TRADING CO-OPERATIVE (L1/7)

RESOLVED TO RECOMMEND

THAT

AHL&E

1. The application from Sgananda Trading Co-Operative for the placement of a container on a portion of land, identified as a part of Erf 1587, Dundee, commonly known as a portion of Kabel Road, in the Avon Industrial as depicted on the sketch plan enclosed with the agenda of meeting, be noted;
2. In the absence of a formally adopted Council policy on the placement of such containers, but in the interest of the promotion of small enterprises, job creation and local economic development, the application be approved subject to the following conditions:

- 2.1 The approval so granted shall be at the leisure of the Council, provided that no adverse complaints regarding the activities of the Co-Operative at the site so allocated is received;
 - 2.2 Should any adverse complaints be received, the Co-Operative shall be advised in writing thereof, and be requested to remedy any breach of any applicable by-law and/or other applicable statutory provisions within thirty (30) days, failing which, the Council reserves the right to summarily withdraw the approval so granted and demand immediate vacation of the site;
 - 2.3 The placement of the container shall be done in such manner that it does not hinder or obstruct the normal traffic flow, or access to adjacent properties;
 - 2.4 Should the applicants require any electricity supply, they shall apply for such service in accordance with the standard by-laws and tariffs applicable;
 - 2.5 Should the applicants require any water supply, they shall apply for such service from uThukela Water (Pty) Limited;
 - 2.6 The applicants shall make satisfactory arrangements with the Technical Services Department for refuse removal services;
 - 2.7 The applicants shall make satisfactory arrangements for ablution facilities;
 - 2.8 In the event of the applicants conducting any preparation of foodstuffs from the premises, they shall cause the necessary approval to be obtained from the Environmental Health Officers of Umzinyathi District Municipality and obtain an Item 1 Licence in terms of the Business Act. Proof thereof to be submitted to these offices;
 - 2.9 It being noted that the applicants have submitted letters of support for their venture from two businesses in the immediate vicinity of the proposed location of this venture, the applicants attempt to obtain further letters of support from other businesses in the area, stating that they have no objection;
3. The approval of the application from Sgananda Trading Co-Operative for the placement of a container on Council property for business purposes not be regarded as the setting of a precedent in this regard, but that each application to be received be adjudged on its merits, taking into consideration *inter alia* the impact thereof on the amenities of the area applied for, the availability of services, etcetera;
 4. Consultants be appointed to assist the Council to identify property where containers can be erected.



RESOLVED TO RECOMMEND

THAT the following recommendations as contained in the minutes of the Council Workshop held on 7 September 2009, be adopted as resolutions of the Executive Committee:

C 05/14/09/09-1 SHARED SERVICES PERSONNEL COSTS DEVELOPMENT PLANNING

RESOLVED TO RECOMMEND

MM

THAT it be noted that due to representatives of Isikhungusethu (Pty) Limited not being able to attend the meeting, a meeting will be arranged for a future date to take place.

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C 05/14/09/09-2 RISK MANAGEMENT POLICY

RESOLVED TO RECOMMEND

MM

THAT the Provincial Administration be requested to address the Council on a Risk Management Policy.

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C 05/14/09/09-3 FRAUD PREVENTION STRATEGY AND PLAN

RESOLVED TO RECOMMEND

THAT

**MM
CFO**

1. The Provincial Administration be requested to address the Council on a Fraud Prevention Strategy and Plan;
2. Once the above has taken place, the Council workshop the proposals for a Fraud Prevention Strategy and Plan with the Ward Committees and the Unions.

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C 05/14/09/09-4 DELEGATION OF POWERS TO CHIEF FINANCIAL OFFICER

RESOLVED TO RECOMMEND

CFO

THAT the proposed Credit Control and Debt Collection By-Laws be workshopped with the Ward Committees.

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C 05/14/09/09-5 STANDING RULES OF ORDERS, DELEGATION OF POWERS AND POUND BY-LAWS

RESOLVED TO RECOMMEND

HL&E

THAT the approval of the Standing Rules and Orders adopted by the Council under item C 01/31/03/03 be re-affirmed subject to the following amendments:

1. The figure “14” where it appears in rule 16.1(c) of the Standing Rules and Orders be substituted by the figure “7”;
2. Rule 16.3 be substituted by the following clause:

“16.3 Every motion shall be relevant to the administration of or conditions in the municipality or shall deal with a matter in respect of which the Council has jurisdiction and before any notice of motion is placed on the agenda it shall be submitted to the Speaker/ Chairperson who shall direct that such notice be placed on the agenda;”
3. The following rules be inserted after rule 33.4:

“33.5 The municipal council may by resolution of a majority of councillors establish a special committee to be known as the Rules Committee to investigate and make findings on any alleged breaches of the Code of Conduct, including sanctions for non-attendance at meetings and to make recommendations regarding any other matter concerning the Rules and Orders;

33.6 The Rules Committee shall consist of the Speaker, the Mayor and one representatives of each political party represented on the council, such representative to be nominated from time to time by each political party.”

4. The Council adopt the Explanatory manual on the Code of Conduct for Councillors and the procedural guidelines for the application of items 13 and 14 of the Code of Conduct for Councillors as published in Provincial Gazette No. 290 dated 12 June 2009 as its own;

5. The proposed Delegation of Powers as adopted by the Council under item C 01/15/05/06 be re-affirmed;

6. The proposed Pound By-Laws which was tabled at the meeting and which is attached to the minutes as an annexure, be accepted subject to the following amendments:

6.1 The word “Endumeni” be inserted before the word Municipality where it appears in the first paragraph of item 2;

6.2 Item 3 be re-numbered to read item 3.1 and that the following clause be inserted after the said clause:

“3.2 Notwithstanding the provisions of subsection 3.1, a municipality may, within a period of 12 months after the commencement of these by-laws, enter into a service delivery agreement with an institution or person mentioned in subsection 76(b) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) to provide for the establishment and operation of a pound to service its area of jurisdiction.”

6.3 Item 5(2)(d) be substituted by the following:

“(d) a member of the municipal traffic police”

6.4 The following words be inserted between the words “funds: Provided” where they appear in the second sentence of section 24:

“or to the service provider as contemplated in terms of section 3.2”

Part D MOTIONS

D 01/14/09/09

**MOTION: GLENCOE HOUSING DEVELOPMENT EXTENTION
13/19**

(C7/10)

RESOLVED TO RECOMMEND

MM

THAT a meeting be arranged with the following stakeholders to discuss the Housing Development Extension 13/19, Glencoe:

1. Department of Human Settlement;
2. Department of Water Affairs & Forestry;
3. Umzinyathi District Municipality;
4. uThukela Water Services;
5. Relevant members of Parliament;
6. Ward Committee and other interested groups.



MOTION: DEPARTMENT OF FINANCE AND DEPARTMENT OF TECHNICAL SERVICES (C7/10)

Cllr S E Ndimba requested that specific categories of consumers who could not pay for their services should be identified so that they would qualify for their arrears to be written off. Once these categories have been identified, submissions could be made to the MEC to assist the poor people.

The Committee was further advised that the services at Glencoe was not of a high standard as most of the queries submitted by the public had to be diverted to the Dundee office. It was further requested that an official be placed in Glencoe to undertake grave bookings.

The possibility of keeping the office open during lunch hours should also be investigated.

It was also requested that the Manager Technical Services report on the problems he is encountering to deliver an effective service in Glencoe and the proposed solution to such problems.

After further discussion, it was

RESOLVED TO RECOMMEND

THAT

MTS

1. The Chief Financial Officer identify specific categories of consumers who cannot afford to pay for their services so that they can qualify for their arrears to be written-off and to enabled the Council to make a submission to the MEC to assist such persons;
2. A report be submitted to the Council regarding the possibility of improving services at the Glencoe offices which report should include the possibility of the public being enable to book graves there and the possibility of the offices staying open during lunch hours;
3. The Manager Technical Services report on the problems his department is encountering to deliver services in Glencoe, i.e. grass cutting, maintenance of curbing, cleanliness of graveyard, potholes, refuse removal services, cleanliness of Sithembile and Sibongile, etc., and the possible solutions to these problems.



There being no further matters for consideration, the Chairperson declared the meeting closed at **17h45**

Mayor – Chairperson:

Date: