

**UGU DISTRICT MUNICIPALITY**

**MINUTES OF THE 8<sup>TH</sup> MEETING OF THE UGU DISTRICT MUNICIPAL COUNCIL  
HELD IN THE COUNCIL CHAMBERS, RAY NKONYENI MUNICIPALITY,  
28 CONNOR STREET, PORT SHEPSTONE, ON THURSDAY, 20 APRIL 2017, AT 11H17.**

**PRESENT:**

Cllr NH Gumede - Speaker

PH Mthiyane (Exco Member), IM Mavundla (Exco Member), SP Mthethwa (Exco Member), LMR Ngcobo (Exco Member), SN Caluza, TB Cele, TW Dube, TA Disane, JJ East, M Gcwabe, GD Henderson, DMM Hlengwa, M Lubanyana, SE Khawula, BE Machi, MA Manyoni, H Mbatha, NY Mweshe, D Nciki, SR Ngcobo, , HJ Ngubelanga, PT Naude, R Nair, B Ntusi, ZZ Msani and MPL Zungu.

**ALSO PRESENT:**

Inkosi ZR Qwabe  
Inkosi ZGB Msomi  
Inkosi ZE Ngcobo

**IN ATTENDANCE:**

|                 |   |  |
|-----------------|---|--|
| Mr DD Naidoo    | - | Municipal Manager  |
| Ms VP Tsako     | - | General Manager: Corporate Services                            |
| Ms L Cele       | - | General Manager: Water Services                                |
| Ms Z Mbonane    | - | General Manager: Infrastructure and Economic Development (IED) |
| Ms SP Ngilande  | - | General Manager: Treasury                                      |
| Ms Z Mpurwana   | - | Acting Senior Manager: Mayoralty and Communications            |
| Ms F Mbili      | - | Senior Manager: Corporate Strategy and Shared Services         |
| Ms MS Olivier   | - | Manager: Legal Services  |
| Mr M Sakha      | - | Manager: mSCOA Project Management                              |
| Mr A Mbhele     | - | Manager: Administration and Auxiliary Services                 |
| Ms M Makiwane   | - | Acting Manager: Risk and Internal Audit                        |
| Ms N Surajbally | - | Administration Officer   |
| Ms B Malishe    | - | Committee Co-ordinator   |

• **OPENING**

The Speaker welcomed all to the meeting.

She then requested Cllr Machi to open the meeting in prayer. Thereafter, a moment of silence was observed for all who had passed on during the Easter long weekend.

**C 111/04/17 NOTICE OF MEETING**

The notice of meeting was taken as read.

**C 112/04/17 APPLICATIONS FOR LEAVE OF ABSENCE**

It was noted that Cllrs MA Chiliza (*council business*), NCP Mqwebu (*indisposed*), NT Zwane (*council business*), GS Mngomezulu (*council business*) and A Rajaram (*indisposed*) had requested leave of absence from the meeting.

It was also noted that Cllrs DMM Hlengwa, D Nciki, and SR Ngcobo had requested to be excused from the meeting at 12h30.

Following which,

It was unanimously

**RESOLVED:**

- (a) That Cllrs MA Chiliza (*council business*), NCP Mqwebu (*indisposed*), NT Zwane (*council business*), GS Mngomezulu (*council business*) and A Rajaram (*indisposed*) be and are hereby granted leave of absence from the meeting.
- (b) That Cllrs DMM Hlengwa, D Nciki and SR Ngcobo be and are hereby granted leave of absence from the meeting at 12h30.

**C 113/04/17 DECLARATION OF INTEREST**

It was noted that there were none.

**C 114/4/17 CONFIRMATION OF AGENDA**

The Speaker took members through the confirmation of the agenda.

The Municipal Manager requested that the following items should be included in the agenda, which were discussed at the Executive Committee meeting held on Wednesday 19 April 2017:

- Item 10.1.1 Cost Escalation for Financial System Implementation
- Item 13.3 Appointment of Senior Managers (S56/57) Directly Accountable to Municipal Manager
- Item 13.5 Alleged Breach of Code of Conduct for Councillors

Following which,

It was unanimously

**RESOLVED:**

That the agenda convening the Ugu District Municipal Council meeting be and is hereby **CONFIRMED**, subject to the inclusion of the following items:

- Item 10.1.1 Cost Escalation for Financial System Implementation
- Item 13.3 Appointment of Senior Managers (S56/57) Directly Accountable to Municipal Manager
- Item 13.5 Alleged Breach of Code of Conduct for Councillors

**CONFIRMATION OF MINUTES**

C 115/04/17

**Minutes of the 7<sup>th</sup> Meeting of the Ugu District Municipal Council held on 23 March 2017**

The Speaker took members through the confirmation of the minutes for the meeting held on 23 March 2017.

Cllr Cele referred members to page 1, "Members Present" and requested that his name be amended to read as TB Cele.

Thereafter, Cllr Caluza moved for the acceptance of the minutes and was seconded by Cllr Lubanyana.

Following which,

It was unanimously,

**RESOLVED:**

That the minutes of the 7<sup>th</sup> Meeting of the Ugu District Municipal Council held on 23 March 2017, be and are hereby **CONFIRMED**; subject to the following amendment being effected to the minutes:

- Page 1, the name of Cllr BT Cele be amended to Cllr TB Cele

C 116/04/17

**Minutes of the Special Meeting of the Ugu District Municipal Council held on 29 March 2017**

The Speaker took members through the confirmation of the minutes for the special meeting held on 29 March 2017.

Thereafter, Cllr Henderson moved for the acceptance of the minutes and was seconded by Cllr Mbatha.

Following which,

It was

**RESOLVED:**

That the minutes of the Special Meeting of the Ugu District Municipal Council held on 29 March 2017, be and are hereby **CONFIRMED**.

**RESOLUTION REGISTER**

**C 117/04/17 Resolution Register for the 6<sup>th</sup> Meeting of the Ugu District Municipal Council held on 23 March 2017**

The Speaker took members through the Resolution Register for the 7<sup>th</sup> Meeting of the Ugu District Municipal Council held on 23 March 2017.

Cllr Lubanyana referred members to page 39 of the agenda and sought clarity on what challenges were that caused a delay in the implementation of the representation of the Traditional Leaders in the Board of the Ugu South Coast Development Agency and the Ugu South Coast Tourism Entities.

Responding, the Municipal Manager stated that the Mayor had written to the House of Traditional Leaders and was waiting for a response.

Thereafter, the Speaker requested the Municipal Manager to make a follow up on the said matter.

Cllr Mthethwa referred members to page 46 of the agenda, Resolution No. C 88/03/17 and highlighted that the "Name of the Item was different from the "Resolution" taken and sought clarity on whether there was a misprint.

The Speaker assured the Council that the said misprint would be corrected accordingly.

Cllr Machi referred members to page 36 of the agenda and sought clarity on the resignation letters from the Councillors, and if same were available for the members.

The Municipal Manager stated that it was resolved that the said letters would be given to members on request.

Following which,

It was unanimously

**RESOLVED:**

(a) That the Resolution Register for the 7<sup>th</sup> Meeting of the Ugu District Municipal Council held on 23 March 2017, be and is hereby **NOTED**.

- (b) That the Municipal Manager be and is hereby tasked to do a follow-up on the letter written to the House of Traditional Leaders for Amakhosi to be represented in the Ugu South Coast Development Agency and the Ugu South Coast Tourism Agency Boards.
- (c) That the resolution on page 46 of the agenda, Resolution No. C 88/03/17 be corrected accordingly.
- (d) That Cllr Machi be provided with the resignation letters for Cllr Janse Van Vuuren, and Cllr Thozu Maureen Cele.

#### **RESOLUTION REGISTER**

#### **C 118/04/17 Resolution Register for the Special Meeting of the Ugu District Municipal Council held on 29 March 2017**

The Speaker took members through the Resolution Register for the special meeting of the Ugu District Municipal Council held on 29 March 2017.

Following which,

It was unanimously

#### **RESOLVED:**

That the Resolution Register for the Special Meeting of the Ugu District Municipal Council held on 29 March 2017 be and is hereby **NOTED**.

#### **C 119/04/17 OUTSTANDING MATTERS**

It was noted that there were none.

#### **STANDING ITEMS**

#### **C 120/04/17**

It was noted that there were none.

#### **MATTERS FOR DISCUSSION**

#### **C 121/04/17 Monthly Budget Statements: January 2017**

The General Manager: Treasury took members through the item.

Following which,

It was unanimously

**RESOLVED:**

- (a) That the report on the Monthly Budget Statements for the month of January 2017, and the supporting documents as presented be and is hereby **NOTED**.
- (b) That the report on the Monthly Budget Statements for the month of January 2017 and the supporting documents as presented be submitted to both Provincial and National Treasury in both electronic and hard copies.

**C 122/04/17 Monthly Budget Statements: February 2017**

The General Manager: Treasury took members through the item.

Cllr East referred members to page 92 of the agenda and sought clarity on the Sanitation Charges.

Responding, the General Manager: Treasury stated that the cashflow statement that the Ugu District Municipality had received was from July 2016 to November 2016. She clarified that the system was not able to split the receipts monthly and assured members that money had been received.

Following discussions,

It was unanimously

**RESOLVED:**

- (a) That the report on the Monthly Budget Statements for the month of February 2017, and the supporting documents as presented be and is hereby **NOTED**.
- (b) That the Monthly Budget Statements for the month of February 2017, and the supporting documents as presented be submitted to both Provincial and National Treasury in both electronic and hard copies.

**EXTRACT FROM COMMITTEES**

**C 123/04/2017 Cost Escalation for Financial System Implementation**

The Manager: mSCOA Project Management took members through the item.

He stated that the rationale of the report was to apprise members on the Cost Escalation for Financial Implementation in the mSCOA Project. He then referred members to page 3 of the First Addendum and advised on the cost increase of the mSCOA Project.

The Speaker commended the Ugu District Municipality on the success of the mSCOA Project and stated that the Councillors also had to undergo the basic training.

Following discussions,

It was unanimously

**RESOLVED:**

(a) That the report on the Cost Escalation for Financial System Implementation be and is hereby **NOTED**.

(b) That the adjustment of the budget to cater for the identified disparities be and is hereby **APPROVED**.

*(At that stage of the proceedings (12h04), Cllrs Nciki and Hlengwa left the meeting.)*

**C 124/04/17 MINUTES FROM COMMITTEES**

It was noted that there were none.

**C 125/04/17 URGENT MATTERS**

It was noted that there were none.

**IN-COMMITTEE MATTERS**

**C 126/04/17 Performance Bonus for S56 Managers FY 2015/16**

*[At that stage of the proceedings, Cllr Manyoni moved for the proceedings to move in-committee and was seconded by Cllr Mthethwa.]*

The Speaker took members through the item.

Following which,

It was

**RESOLVED:**

(a) That the report on the Performance Bonus for S56 Managers FY 2015/16 be and is hereby **NOTED**.

(b) That the bonus be and is hereby **APPROVED** as follows:

- General Manager: IED - 8%

- General Manager: Treasury - 9%
- General Manager: Corporate Services - 9%
- General Manager: Water Services - 8%

**C 127/04/17 Performance Bonus for Municipal Manager FY 2015/16**

The Speaker took members through the item.

Following discussion,

It was unanimously

**RESOLVED:**

- (a) That the report on the Performance Bonus for Municipal Manager FY 2015/16 be and is hereby **NOTED**.
- (b) That the bonus for the Municipal Manager be and is hereby **APPROVED** at 10%.

**C128/04/17 Appointment of Senior Managers (S56/57) Directly Accountable to Municipal Manager**

The Speaker took members through the item.

Following which,

It was unanimously

**RESOLVED:**

- (a) That the report on the Appointment of Senior Managers (S56/57) Directly Accountable to Municipal Manager be and is hereby **NOTED**.
- (b) That the Office of the Municipal Manager be and is hereby requested to commence with the Recruitment and Selection process for the following:
  - General Manager: Treasury
  - General Manager: Corporate Services
  - General Manager: Infrastructure and Economic Development
- (c) That pursuant to (b) above, the following constitute the Interviewing Committee (minimum 3; maximum 5):
  - Municipal Manager: Chairperson
  - Municipal Manager (External)
  - Councillor



- (d) That regarding the Appointment of the Municipal Manager, the Office of the Mayor be requested to commence the Selection and Recruitment of the Municipal Manager.
- (e) That pursuant to (c) above, the following constitute the Interviewing Committee (minimum 3; maximum 5):
  - Mayor: Chairperson
  - Mayor / Municipal Manager (External)
  - Councillor
- (f) That with regard to (c) above, the recommendation of a suitable candidate be tabled at Council by no later than 30 June 2017.

**C 129/04/17 Alleged Breach Code of Conduct by Cllr Henderson**

The Municipal Manager took members through the item.

Following discussion and deliberations,

It was unanimously

**RESOLVED:**

- (a) That the report on Alleged Breach Code of Conduct by Cllr Henderson be and is hereby **NOTED**.
- (b) That a formal written warning be issued to Cllr GD Henderson and that Cllr GD Henderson be given fourteen (14) days to respond.

**C 130/04/17 Alleged Breach of Conduct for Councillors**

The Municipal Manager took members through the item.

Following discussion and deliberations,

It was unanimously

**RESOLVED:**

- (a) That the report regarding the Alleged Breach of Conduct for Councillors be and is hereby **NOTED**.
- (b) That the Investigating Committee consist of Cllr PH Mthiyane, Cllr MA Manyoni and Cllr IM Mavundla; Cllr SP Mthethwa and Cllr M Gcwabe.
- (c) That the Committee meet and nominate a Chairperson from amongst its members.

(d) That the Municipal Manager be and is hereby given six (6) weeks to finalise the said investigation.

(e) That the General Manager: Corporate Services and the Manager: Legal Services be included in the Special Committee.

**C 131/04/17 DATE OF NEXT MEETING**

It was noted that the date of the next meeting was scheduled for 25 May 2017.

**C 132/04/17 CLOSURE**

There being no further items for discussion, the Speaker declared the meeting closed at 12h40.

**CHAIRPERSON:**       -----       **DATE :**       -----