

UGU DISTRICT MUNICIPALITY

MINUTES OF THE 50TH MEETING OF THE UGU DISTRICT MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, HIBISCUS COAST MUNICIPALITY, 10 CONNOR STREET, PORT SHEPSTONE, ON THURSDAY, 29 OCTOBER 2015, AT 11H00.

PRESENT:

Cllr SB Cele - Speaker

Cllrs IM Mavundla (Exco Member), JS Mbutuma (Exco Member), Dr SG Nyawuza (Exco Member), YL Duma, JM Ndlela, TN Dzingwa, GD Henderson, SA Khawula, MA Manyoni, ZA Mhlongo, MJ Mkhize, LN Myende, MP Mtheshane, JM Ndlela, DH Njoko, VL Ntanza, FB Shezi, J van Vuuren, SM Zuma.

ALSO PRESENT:

Inkosi TC Cele

IN ATTENDANCE:

Ms VP Tsako	-	Acting Municipal Manager
Ms L Cele	-	General Manager: Water Services
Ms Z Mbonane	-	General Manager: Infrastructure and Economic Development
Mr F Ngubane	-	Acting General Manager: Treasury
Mr F Zama	-	Senior Manager: Mayoralty and Communications
Ms Z Dlamini	-	Manager: Internal Audit
Mr VO Mazibuko	-	Manager: Human Resources
Ms N Surajbally	-	Administrative Officer

• **OPENING**

The Speaker requested Cllr Mhlongo to open the meeting in prayer. Thereafter, he welcomed all to the meeting.

C 252/10/15 NOTICE OF MEETING

The notice of meeting was taken as read.

C 253/10/15 APPLICATIONS FOR LEAVE OF ABSENCE

It was noted that Cllrs NH Gumede (*council business*), MA Chiliza (*council business*), NF Shusha (*indisposed*), MPL Zungu (*council business*), TM Cele (*council business*), NP Mpanza (*council business*), MB Gavu (*council business*), NA Madlala (*indisposed*), ST Gumede (*council business*), NY Mweshe (*council business*), Y Nair (*council business*), BE Machi

(*work commitment*) and D Snashall (*family responsibility*) had requested leave of absence from the meeting.

From the Management component, it was noted that the Municipal Manager and the Senior Manger: Corporate Strategy and Shared Services were away on municipal business.

It was further noted that Ms VP Tsako was the Acting Municipal Manager.

It was also noted that the General Manager: Treasury was indisposed and that Mr F Ngubane was representing the General Manager: Treasury.

Following which,

It was unanimously

RESOLVED:

- (a) That Cllrs NH Gumede (*council business*), MA Chiliza (*council business*), NF Shusha (*indisposed*), MPL Zungu (*council business*), TM Cele (*council business*), NP Mpanza (*council business*), MB Gavu (*council business*), NA Madlala (*indisposed*), ST Gumede (*council business*), NY Mweshe (*council business*), Y Nair (*council business*), BE Machi (*work commitment*) and D Snashall (*family responsibility*) be and are hereby granted leave of absence from the meeting.
- (b) That from the Management component, it was noted that the Municipal Manager and the Senior Manger: Corporate Strategy and Shared Services were away on municipal business and that the General Manager: Treasury was indisposed and that Mr F Ngubane was representing the General Manager: Treasury.

C 254/10/15 DECLARATION OF INTEREST

It was noted that there were none.

C 255/10/15 CONFIRMATION OF AGENDA

The Speaker took members through the confirmation of the agenda.

The Acting Municipal Manager advised Council that there was a First and Second Addendum.

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 items as listed on the First and Second Addendum.

CONFIRMATION OF MINUTES

C 256/10/15

Minutes of the 49th Meeting of the Ugu District Municipal Council held on 25 September 2015

The Speaker took members through the confirmation of the minutes.

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

Following which,

It was

RESOLVED:

That the Minutes of the 49th Meeting of the Ugu District Municipal Council held on 25 September 2015 be and are hereby **CONFIRMED**.

MATTERS ARISING

C 257/10/15

SALGA Monthly Report: Councillors Pension Fund

The Acting Municipal Manager took members through the item.

She mentioned that as per the resolution of the last meeting, the Office of the Municipal Manager had received responses from Councillors, which were then forwarded to SALGA.

She pointed out that an apology was received from SALGA; however, SALGA would be attending the next meeting.

Following which,

It was

RESOLVED:

- (a) That the report from the Municipal Manager on the Municipal Councillors Pension Fund be and is hereby **NOTED**.
- (b) That, it be noted that SALGA would be attending the next meeting.

C 258/10/15

Monthly Budget Statements: June 2015 (Report on how many Outstanding Consumer Accounts were still under investigation as a result of a Consumer Query or Dispute)

The Senior Manager: Mayoralty and Communications took members through a Powerpoint Presentation.

He highlighted the following aspects namely:

- What were the simplest yet ultimate expectations Ugu Customers held on a daily basis; which the Municipalities relations were based on:
 - Clean water flowing from the tap without fail;
 - An accurate bill showing what was due to the Municipality based on what had been consumed;
 - A convenient pay point;
 - A responsive complaints handling system when any of the above services were not delivered.
- Categories of Queries and Complaints
 - Water Supply Related;
 - Sanitation Related; and
 - Account Related
- Interfaces
 - Call;
 - E-Mail;
 - Walk In; and
 - SMS

He then highlighted a three (3) Month comparison.

He also took members through the challenges and the proposed solutions.

Members pointed out with serious concern that there was a lack of monitoring of the service provider.

Council sought clarity if the service provider was actually reading meters on a monthly basis.

Members were well aware of meters that were not read for the past six (6) months.

Members pointed out that if meters were being read on a monthly basis then the Municipality would not have 40% of the accounts in query.

Members raised concerns with regard to the presentation given that the presentation did not provide information that they were looking for.

Council indicated that it was resolved that a report on how many outstanding consumer accounts were still under investigation as a result of a consumer query or dispute and that the said presentation did not reflect same.

It was noted that burst pipes and water leaks were reported to the Call Centre; but there were no response to same.

Members stressed that another challenge was that the Plumbers did not know the areas within the Ugu District well.

In addition, members pointed out that when the Municipality did repairs, they would leave the site as work in progress and in most instances there were no danger tapes used and that the said site remained like that for months, which was absolutely dangerous.

Council suggested that the Municipality should have a database of service providers so that when there were burst pipes and water leaks, the service providers could be used immediately. Members indicated that the service providers should be used on a rotational basis.

With regard to the accounts that were in query, members suggested that an sms should be sent out to the consumers advising them to take a photo of their meter reading and to submit same to the Municipality.

Members further proposed that an sms should be sent out to all consumers advising that if they had an unusual meter reading or a huge bill, then they should come forward in order for the Municipality to assist them.

Crafting a way forward, the Speaker informed Council that the same sentiments were echoed by the Executive Committee and that the said Committee resolved that a workshop be held with the service provider in order to address all the concerns that were raised.

Following much discussion and deliberations,

It was unanimously

RESOLVED:

- (a) That the Presentation regarding the Monthly Budget Statements: June 2015 (Report on how many Outstanding Consumer Accounts were still under investigation as a result of a Consumer Query or Dispute be and is hereby **NOTED**.

- (b) That, it be noted that the same sentiments were echoed by the Executive Committee and that the said Committee resolved that a workshop be held with the service provider in order to address all the concerns that were raised.

C 259/10/15 OUTSTANDING MATTERS

It was noted that there were none.

C 260/10/15 STANDING ITEMS

It was noted that there were none.

MATTERS FOR DISCUSSION

C 261/10/15 Monthly Budget Statements: August 2015

The Speaker took members through the item.

Members pointed out with concern that R100, 000, 000 was over a year old, which was a serious cause for concern.

The Speaker advised Council that the issue was raised strongly at the Executive Committee meeting held on 28 October 2015.

He pointed out that the Executive Committee requested a workshop as soon as possible whereby the issues raised would be dealt with.

Pursuant to a brief discussion,

It was unanimously

RESOLVED:

- (a) That the Monthly Budget Statements: August 2015 be and is hereby **NOTED**.
- (b) That the Monthly Budget Statements: August 2015 and the supporting documents as presented be and is hereby **APPROVED**.
- (c) That the Monthly Budget Statements for the month of August 2015 and the supporting documents be submitted to both Provincial and National Treasury in both electronic and hard copies.

C 262/10/15 ICT Governance Report

The Acting Municipal Manager took members through the item.

She briefly explained to Council that the purpose of the report was to submit the strategic frameworks and planning in respect of ICT Governance for approval and implementation.

Following which,

It was unanimously

RESOLVED:

(a) That the ICT Governance Report be and is hereby **NOTED**.

(b) That the following be and are hereby **ADOPTED**:

- ICT Governance Framework;
- ICT Charter;
- ICT Strategy;
- ICT Budget 2015/16;
- ICT Risk Assessment 2015/16;
- ICT Steering Committee: Terms of Reference; and
- Risk Management Committee: Terms of Reference

C 263/10/15

ITEMS FROM AMAKHOSI

It was noted that there were none.

EXTRACTS FROM THE EXECUTIVE COMMITTEE

Extracts from the Minutes of the Meeting of the Executive Committee held on 01 October 2015

C 264/10/15

Ratification of the Variation on the Payment – Disaster Management Centre

The Speaker took members through the item.

He mentioned that the objective of the report was to acquire authority from Council for the payment of the variation, which fell outside the budget for the Disaster Management Centre.

Following discussion,

It was

RESOLVED:

(a) That the report on the Ratification of the Variation on the Payment – Disaster Management Centre be and is hereby **NOTED**.

- (b) That payment for the outstanding amount of R405, 909.40 be and is hereby **APPROVED**.
- (c) That the amount of R405, 909.40 be sourced from the Disaster Management Budget for the 2015/2016 financial year.

C 265/10/15 Replacement of the Councillor on the Executive Committee

The Speaker took members through the item.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Replacement of the Councillor of the Executive Committee be and is hereby **NOTED**.
- (a) That, it be **NOTED** that Cllr Moosa Agrippa Manyoni would replace Cllr S Mahomed on the Executive Committee with effect from 01 October 2015.
- (c) That as agreed by the Ugu District Municipal Council, on 25 September 2015, the said decision with effect from 01 October 2015 be and is hereby **RATIFIED**.
- (d) That, it be noted that the Committee needed to thank Cllr Mahomed given that she had done her best to serve the Executive Committee and also to wish her well.
- (e) That pursuant to (d) above, that same be done from the Executive Committee, Council and the African National Congress (ANC).

C 266/10/15 Waste Water Risk Abatement Plan

The Speaker took members through the item.

He pointed out that the Waste Water Risk Abatement Plan should be adopted; but if Councillors had concerns then same could be raised through the Office of the Municipal Manager.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Waste Water Risk Abatement Plan be and is hereby **NOTED**.
- (b) That the Waste Water Risk Abatement Plan for the five (5) Water Treatment Plants be and is hereby **APPROVED**.

C 267/10/15

PAIA Manual Translations

The Speaker succinctly informed Council that legislation required that the PAIA (Promotion of Access to Information) Manual to be made available in three official languages; hence the PAIA Manual was then translated from English into isiZulu and isiXhosa.

He indicated that a benchmark was done and according to Statistics SA, the third official language for the Ugu District was isiXhosa.

He pointed out that the translated manuals needed to be first adopted prior to publication.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the PAIA Manual Translations be and is hereby **NOTED**.
- (b) That the Translated PAIA Manual be and is hereby **ADOPTED** for publication.

Extracts from the Minutes of the Meeting of the Executive Committee held on 14 October 2015

C 268/10/15

Car Allowance Policy Amendments

The Acting Municipal Manager took members through the amendment of the Car Allowance Policy.

It was noted that some Councillors still had outstanding claims given that they were busy with other council business, which were their priority at this point in time.

Members proposed that the Amended Car Allowance Policy should be approved subject to the outstanding claims being dealt with.

Following which,

It was unanimously

RESOLVED:

- (a) That the Car Allowance Policy Amendment be and is hereby **NOTED**.
- (b) That the Amended Car Allowance Policy be and is hereby **APPROVED** subject to the outstanding claims being dealt with.

C 269/10/15

Employment Equity Plan 2015-2018

The Manager: Human Resources informed Council that the Municipality did not have an Employment Equity Plan; same had expired in August 2015. He reported that the Human Resources Section was currently in the process of drafting a new Employment Equity Plan working in collaboration with the Department of Labour and that a draft Employment Equity Plan had been developed, which needed to be adopted.

He then took members through a Power Point Presentation and highlighted the following aspects namely:

- Background;
- Introduction;
- Employment Equity Objectives;
- Elements of the Plan;
- Affirmative Action Measures;
- Workforce Profile;
- Numerical Goals; and
- Roles and Responsibilities

It was noted that Council shared the same sentiments as the Executive Committee with regard to the disabled employees.

Council tasked the Manager: Human Resources to look at the number of disabled employees, which should be 2%; whilst the current was 1%.

Following discussion and after questions of clarity had been answered,

It was unanimously

RESOLVED:

- (a) That the report on the Employment Equity Plan 2015-2018 be and is hereby **NOTED**.

- (b) That the Employment Equity Plan 2015-2018 be and is hereby **APPROVED**.
- (c) That Management be tasked to look at the number of disabled employees, which should be 2%; whilst the current was 1%.
- (d) That the Municipal Manager be tasked to look into the legal implications of the Maternity Leave Policy with respect to new employees.

Extracts from the Minutes of the Executive Committee Meeting held on 28 October 2015

C 270/10/15

Internship Policy Review

The Speaker took members through the item.

At that stage of the proceedings, Cllr Dr Nyawuza raised a concern that the items on the Second Addendum were received 45 minutes before the meeting.

The Speaker informed members that the items reflected from pages 1 to 193 of the Second Addendum were from the meeting of the Executive Committee that was held on 28 October 2015; therefore Councillors had received the second Addendum quite late.

He apologised for same and advised that if Councillors had any concerns then same could be raised through the Office of the Municipal Manager.

Following which,

It was unanimously

RESOLVED:

It was unanimously

RESOLVED:

- (a) That the Internship Policy Review be and is hereby **NOTED**.
- (b) That the Reviewed Internship Policy be and is hereby **APPROVED**.

C 271/10/15

Risk Register and Fraud Risk Register 2015/16

The Speaker took members through the item.

Following which,

It was unanimously

RESOLVED:

- (a) That the Risk Register and Fraud Risk Register 2015/16 be and is hereby **NOTED**.
- (b) That the Risk Register and Fraud Risk Register 2015/16 be and is hereby **ADOPTED**.

C 272/10/15 Audit Committee Charter, Internal Audit Charter and Internal Audit Methodology 2015/16

The Speaker took members through the item.

Following which,

It was unanimously

RESOLVED:

- (a) That the Audit Committee Charter, Internal Audit Charter and Internal Audit Methodology 2015/16 be and is hereby **NOTED**.
- (b) That the Audit Committee Charter, Internal Audit Charter and Internal Audit Methodology 2015/16 be and is hereby **ADOPTED**.

C 273/10/15 Amendments to the Organogram – Systems Engineers

The Speaker took members through the item.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Amendments to the Organogram – Systems Engineers be and is hereby **NOTED**.
- (b) That the positions of Systems Engineers in the new organogram be changed to Systems Technicians (Post Level 5).

MINUTES FROM COMMITTEES

Minutes from the Executive Committee

C 274/10/15 Confirmed Minutes of the Meeting of the Executive Committee held on 02 September 2015

The Speaker took members through the noting of the minutes of the Executive Committee held on 02 September 2015.

Following which,

It was unanimously

RESOLVED:

That the Confirmed Minutes of the Meeting of the Executive Committee held on 02 September 2015 be and is hereby **NOTED**.

C 275/10/15 Confirmed Minutes of the Meeting of the Executive Committee held on 01 October 2015

The Speaker took members through the noting of the minutes of the Executive Committee held on 01 October 2015.

Following which,

It was unanimously

RESOLVED:

That the Confirmed Minutes of the Meeting of the Executive Committee held on 01 October 2015 be and is hereby **NOTED**.

C 276/10/15 URGENT MATTERS

It was noted that there were none.

**C 277/10/15 IN-COMMITTEE MATTERS
In-Committee Minutes of the 49th meeting of the Ugu District Municipal Council held on 25 September 2015**

[At that stage of the proceedings, Cllr Ntanza proposed that the meeting move in-committee and was seconded by Cllr Njoko.]

The Speaker took members through the minutes.

Following which,

It was unanimously

RESOLVED:

That the In-Committee Minutes of the 49th meeting of the Ugu District Municipal Council held on 25 September 2015 be and is hereby **CONFIRMED**.

C 278/10/15 In-Committee Minutes of the 65th meeting of the Executive Committee held on 02 September 2015

The Speaker took members through the noting of the minutes.

Following which,

It was unanimously

RESOLVED:

That the In-Committee Minutes of the 65th meeting of the Executive Committee held on 02 September 2015 be and is hereby **NOTED**.

C 279/10/15 In-Committee Minutes of the 66th meeting of the Executive Committee held on 01 October 2015

The Speaker took members through the noting of the minutes.

Following which,

It was unanimously

RESOLVED:

That the In-Committee Minutes of the 66th meeting of the Executive Committee held on 01 October 2015 be and is hereby **NOTED**.

C 280/10/15 Annual Salary Increases: 2015/2016 – Section 56/57

The Speaker took members through the item.

Following which,

It was unanimously

RESOLVED:

- (a) That the report regarding the Annual Salary Increases 2015/2016 be and is hereby **NOTED**.
- (b) That the Annual Salary Increases be resolved on after the Audit Outcome.

C 281/10/15 Resignation of Audit Committee Member

The Speaker took members through the item.

Following which,

It was unanimously

RESOLVED:

- (a) That the report regarding the Resignation of Audit Committee Member be and is hereby **NOTED**.
- (b) That Mr I Lockhat be removed as a member of the Audit Committee with effect from 31st December 2015.
- (c) That Mr I Lockhat be removed from the HR and Payroll database with effect from 31st December 2015.
- (d) That the Municipal Manager implements procedures to obtain a replacement member which includes publicising an advert calling for interested suitable individuals to serve as a member of the Audit Committee.

[At that stage of the proceedings, Cllr Moosa Bux proposed that the meeting move out of committee and was seconded by Cllr Manyoni.]

C 282/10/15

DATE OF NEXT MEETING

It was noted that the date of the next meeting was scheduled for Thursday, 26 November 2015.

C 283/10/15

CLOSURE

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

CHAIRPERSON: -----

DATE : -----