



EMADLANGENI LOCAL MUNICIPALITY

RECORD OF RESOLUTIONS

23 AUGUST 2016 TO 28 MAY 2019

Contents

MINUTES OF EMADLANGENI MUNICIPAL INAUGURAL MEETING HELD ON 23

AUGUST 2016 IN THE TOWN HALL.....	17
A152/2016 OATH OF OFFICE OR SOLEMN AFFIRMATION.....	18
<i>23/08/2016 Executed.....</i>	<i>18</i>
A153/2016 DISCLOSURE OF INTERESTS.....	18
<i>23/08/2016 Executed.....</i>	<i>18</i>
A154/2016 ELECTION OF SPEAKER	18
<i>23/08/2016 Executed.....</i>	<i>19</i>
A155/2016 ELECTION OF EXECUTIVE COMMITTEE.....	19
A156/2016 ELECTION OF MAYOR.....	19
A157/2016 ELECTION OF DEPUTY MAYOR.....	19
A158/2016 COUNCILLOR TO SERVE ON THE DISTRICT COUNCIL.....	19
MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING OF 23 AUGUST 2016 ..	21
CONTINUED ON 13 SEPTEMBER 2016.	21
A159/2016 ESTABLISHMENT OF COMMITTEES.....	22
A160/2016 ROLES & RESPONSIBILITIES OF COUNCILLORS	23
A161/2016 STANDING RULES AND ORDERS	23
B108/2016 CODE OF CONDUCT	23
B109/2016 DECLARATION OF INTEREST	23
B110/2016 COUNCILLOR REMUNERATION	23
B111/2016 MUNICIPAL POWERS AND FUNCTIONS.....	23
B112/2016 ANNURAL REPORT	23
A162/2016 REVIEW OF THE IDP AND BUDGET 2016/17	23
A163/2016 PARTICIPATION IN THE DISTRICT IGR FORUM.....	24
A164/2016 EMPLOYMENT CONTRACTS AND PERFORMANCE.....	24
A165/2016 ALLEGATIONS OF MISCONDUCT: MUNICIPAL MANAGER.....	24
MINUTES OF EMADLANGENI MUNICIPAL ADJOURNED COUNCIL MEETING OF 13	
SEPTEMBER 2016	25
CONTINUED ON 14 SEPTEMBER 2016.	25
MINUTES OF EMADLANGENI MUNICIPAL ADJOURNED COUNCIL MEETING OF 14	
SEPTEMBER 2016	26
CONTINUED ON 19 SEPTEMBER 2016.	26

MINUTES OF EMADLANGENI MUNICIPAL URGENT SPECIAL COUNCIL MEETING HELD ON 21 SEPTEMBER 2016.....	27
A165/2016 SUSPENSION OF MUNICIPAL MANAGER.....	28
A166/2016 APPOINTMENT OF ACTING MUNICIPAL MANAGER	28
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 24 NOVEMBER 2016 IN THE COUNCIL CHAMBER.....	29
A183/2016 SUSPENSION OF THE MUNICIPAL MANAGER	30
MINUTES OF EMADLANGENI MUNICIPAL URGENT SPECIAL COUNCIL MEETING HELD ON 05 OCTOBER 2016.....	31
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 31 OCTOBER 2016 IN THE COUNCIL CHAMBER.....	32
A167/2016 TABLING OF INVESTIGATORS REPORTS.....	33
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 09 JANUARY 2017 IN THE COUNCIL CHAMBER.....	33
A01/2017 SALARY INCREASE OF COUNCILLOURS.....	34
A02/2017 APPROVED OF MSCOA IMPLEMENTATION	34
A03/2017 APPOINTMENT OF ACTING MUNICIPAL MANAGER	34
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 24 JANUARY 2017 IN THE COUNCIL CHAMBER.....	35
A7/2017 AMENDMENT OF DELEGATION FRAMEWORK	36
A8/2017 COMPOSITION OF PORTFOLIO COMMITTEE.....	36
A9/2017 APPROVAL OF EMADLANGENI LOCAL MUNICIPALITY DRAFT POLICY ON AWARDING OF BUSARIES TO NEEDY PERSONS.....	37
A10/2017 NONTOBEKO NENE’S CASE.....	37
A11/2017 WRITTEN NOTICE OF INTERVENTION IN TERMS OF S139(1)(b) OF THE CONSTITUTION, 1996 AT EMADLANGENI LOCAL MUNICIPALITY	37
A12/2017 RESCIND THE COUNCIL RESOLUTION A155/2014	37
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 31 JANUARY 2017 ADJOURNED TO 08 FEBRUARY 2017 IN THE COUNCIL CHAMBER DUE TO MEC MEETING HELD ON 31 JANUARY 2017.....	38
A13/2017 MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT REPORT FOR 2016/2017 FINANCIAL YEAR	39
A14/2017 REPORT ON THE APPOINTMENT OF PORTFOLIO CHAIRPERSONS BY THE EXECUTIVE COMMITTEE	40
A15/2017 2015/2016 ANNUAL REPORT.....	40

A16/2017	NON COMPLIANCE-TABLING OF 2015/2016 ANNUAL REPORT.....	40
A17/2017	REPORT ON VALUATION ROLL.....	40
A18/2017	COMPOSITION OF SELECTION PANEL FOR THE ADVERTISED CHIEF FINANCIAL OFFICER AND DIRECTOR : CORPORATE SERVICES POSITIONS	40
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 28 FEBRUARY 2017.....		
A19/2017	ADJUSTMENT BUDGET 2016/2017	42
A20/2017	IDP/BUDGET PROCESS PLAN 2017/18.....	43
A21/2017	VACANT POSITION OF DIRECTOR : TECHNICAL SERVICES	43
A22/2017	VACANT POSITON OF DIRECTOR : COMMUNITY SERVICES	43
A23/2017	PROGRESS REPORT ON SHORTLISTING AND INTERVIEWS FOR THE POSITION CORPORATE SERVICES AND CHIEF FINANCIAL OFFICER.....	43
A24/2017	MUNICIPAL INTERNAL CALENDAR.....	43
MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING HELD ON 30 MARCH 2017 IN THE COUNCIL CHAMBER		
A25/2017	DRAFT IDP AND SDF 2017 / 2018	47
A26/2017	APPROVAL OF THE 2017 / 18 DRAFT BUDGET AND PROPOSED TARIFFS.....	47
A27/2017	ADJUSTED SDBIP	47
A28/2017	DRAFT ORGANOGRAM	47
A29/2017	REPORT ON IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY SEPTEMBER 2016.....	48
A30/2017	REPORT ON IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY AUGUST 2016	48
A31/2017	REPORT ON IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY OCTOBER 2016	48
A32/2017	REPORT ON GRAND HOTEL DEBT.....	48
A33/2017	REPORT ON WATERVAL PRISON INTEREST.....	49
A34/2017	REPORT ON EMRS INCORRECT BILLING.....	49
A35/2017	MR POTGIETER'S CLAIM AGAINST THE MUNICIPALITY.....	49
A36/2017	REPORT ON DRAFT TERMS OF REFERENCE	49
A37/2017	SHORTAGE OF OFFICES FOR STAFF.....	49
A38/2017	ESTABLISHMENT OF TRAINING COMMITTEES.....	49
A39/2017	MUNICIPAL PLANNING APPEAL AUTHORITY	50
A40/2017	AUTHORISED OFFICER.....	50
A41/2017	UPDATE ON AGRIVILLAGE.....	50
A42/2017	VACANT SITE DISPOSAL.....	50
A43/2017	SUBMISSION OF BUILDING PLANS.....	50

A44/2017	THE SUBDIVISION OF PRIVATE AND MUNICIPAL ERVEN.....	50
A45/2017	UPDATE IN HOUSING PROJECTS IN EMADLANGENI MUNICIPALITY	51
A46/2017	ADDITION OF MEMBERS TO THE EMADLANGENI MUNICIPAL PLANNING TRIBUNAL.....	51
A47/2017	REPORT ON AGRICULTURE MASTER PLAN.....	52
A48/2017	PROPOSAL OF PROJECT TO REGISTER MIG	52
A49/2017	STATUS OF ELECTRICITY PROJECT	52
A50/2017	PRIORITY PROJECTS FOR 2017/2018	52
A51/2017	MAINTENANCE PLAN FOR RURAL ROADS.....	53
A52/2017	SMALL TOWN REHABILITATION PROGRAMME.....	53
A53/2017	STATUS REPORT ON MIG PROJECTS.....	53
A54/2017	PROGRESS REPORT ON AGRIVILLAGE.....	53
A55/2017	BACK TO SCHOOL PROGRAMME.....	54
A56/2017	DISASTER MANAGEMENT SECTOR AND WINTER SEASON CONTINGENCY PLANS	54
A57/2017	MPAC REPORT TO COUNCIL.....	54
A58/2017	AUDIT COMMITTEE TERMS OF REFERENCE, ANNUAL PLAN AND SCHEDULE OF MEETINGS.....	54
A59/2017	REPORT ON THE THREE (3) MONTHS CONTRACT FOR ACTING DIRECTOR CORPORATE SERVICES AND ACTING CHIEF FINANCIAL OFFICER.....	56
A60/2017	EXPIRY OF CONTRACT FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT.....	56
A61/2017	REPORT ON THE THREE (3) MONTHS CONTRACT FOR ACTING MUNICIPAL MANAGER.....	56
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 21 APRIL 2017		57
A62/2017	FINAL REPORT ON DISCIPLINARY ENQUIRY OF MS GUGU PERTUNIAL NTSHANGASE.....	58
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 02 MAY 2017.....		58
A63/2017	INTEGRATED RURAL ELECTRIFICATION PROGRAMME (INEP).....	59
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 10 MAY 2017.....		59
A64/2017	EXTENSION OF POSITION OF ACTING CHIEF FINANCIAL OFFICER, ACTING DIRECTOR CORPORATE SERVICE AND ACTING MUNICIPAL MANAGER.....	60
A65/2017	REPORT ON COGTA CASE.....	61

A66/2017	APPOINTMENT OF DIRECTOR TECHNICAL SERVICES AND DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT.....	61
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 17 MAY 2017.....		
A67/2017	REPORT ON COGTA CASE.....	62
A68/2017	APPOINTMENT OF THE ACTING MUNICIPAL MANAGER.....	62
A69/2017	REPORT ON APPOINTMENT OF CHIEF FINANCIAL OFFICER , DIRECTOR CORPORATE SERVICES	62
A70/2017	APPOINTMENT OF DIRECTOR TECHNICAL AND DIRECTOR PLANNING 63	
A 71/2017	APPOINTMENT OF THE ACTING MUNICIPAL MANAGER.....	63
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 31 MAY 2017.....		
A73/2017	APPROVAL OF THE 2017/18 FINAL BUDGET AND PROPOSED TARIFFS....	65
A74/2017	APPROVAL OF REFUND CANCELLATION POLICY FOR GAME AND CARAVAN PARK.....	65
A75/2017	EXPIRY OF CONTRACT FOR DIRECTOR : PLANNING AND ECONOMIC DEVELOPMENT	65
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 22 JUNE 2017.....		
A76/2017	SELECTION PANEL FOR SENIOR MANAGERS	67
A77/2017	SELECTION PANEL FOR THE POSITION OF MUNICIPAL MANAGER.....	67
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 12 DECEMBER 2017 IN THE COUNCIL CHAMBER		
B22/2017	ALLEGED INTERFERENCE IN THE ADMINISTRATION BY..... COUNCILLORS.....	69 69
A212/2017	ACTING DIRECTOR TECHNICAL SERVICES	69
A213/2017	REPORT ON THE INEP PROGRAMME.....	70
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 29 JUNE 2017.....		
A78/2017	APPROVAL OF ORGANOGRAM	71
A79/2017	ADOPTION OF THE DRAFT HOUSING SECTOR PLAN 2015-2020.....	71
A80/2017	THE ADOPTION OF THE REVIEWED DRAFT SPATIAL DEVELOPMENT FRAMEWORK.....	72
A81/2017	INTEGRATED DEVELOPMENT PLAN (IDP) FOR 2017/2018 FINACIAL YEAR 72	

A82/2017	SDBIP FOR 2017/2018 FINANCIAL YEAR.....	72
B1/2017	OUTSTANDING DEBT BY TWO (2) COUNCILLORS.....	72
B2/2017	FEEDBACK ON THE NCOP MEETING.....	72
B3/2017	ALLEGATIONS AGAINST CLLR T.S.BUTHELEZI.....	72
B4/2017	PROGRESS ON APPOINTMENT OF SENIOR MANAGERS.....	72
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 13 JULY 2017.....		73
A83/2017	CONTRACTS OF SENIOR MANAGERS.....	74
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 21 JULY 2017.....		74
A84/2017	INTRODUCTION OF ADMINISTRATOR.....	75
A85/2017	UPDATE ON THE APPOINTMENT OF SENIOR MANAGERS.....	75
MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING HELD ON 26 JULY 2017 IN THE COUNCIL CHAMBER.....		76
A86/2017	REPORT ON SECTION 52 REPORT QUARTER 3 2016/17.....	77
A87/2017	REPORT ON SECTION 71 REPORT MARCH 2017.....	77
A88/2017	ADJUSTMENT BUDGET ADDITIONAL MIG ALLOCATION 2016/17.....	77
A89/2017	REPORT ON INDIGENT.....	77
A90/2017	ESTABLISHMENT OF A BUDGET STEERING COMMITTEE.....	78
A91/2017	APPROVAL OF REVIEWED SCM POLICY.....	78
A92/2017	APPROVAL OF REVIEWED ASSET MANGEMENT POLICY.....	78
A93/2017	APPROVAL OF REVIEWED FRAUD POLICY.....	78
A94/2017	REPORT ON IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY JANUARY, FEBRUARY MARCH.....	78
A95/2017	REPORT ON THE RURAL ELECTRIFICATION GRANT.....	78
A96/2017	COMMUNICATION STRATEGY AND POLICY.....	78
A97/2017	JOB EVALUATION UNIT.....	79
A98/2017	SALARY AND WAGE INCREASE FOR THE PERIOD 01 JULY 2017 TO 30 JUNE 2018	79
A99/2017	ADOPTION OF COST CUTTING CIRCULAR 82.....	79
A100/2017	REPORT ON MSCOA PROGRESS.....	79
A101/2017	APPROVAL OF THE 2017/2018 FINAL BUDGET AND PROPOSED TARIFFS	79
A102/2017	REPORT ON IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY	79
A103/2017	SECTION 71 REPORT APRIL 2017.....	80

A104/2017	REPORT ON TERMS OF REFERENCE FOR THE TRAINING COMMITTEE 80	
A105/2017	CONVERSION OF MUNICIPAL TEMPORARY STAFF TO PERMANENT EMPLOYMENT WITH THE EFFECT FROM 01 JULY 2017	80
A106/2017	TERMS OF REFERENCE FOR LOCAL LABOUR FORUM	80
A107/2017	REPORT ON IT AUDIT	80
A108/2017	WORKPLACE SKILLS PLAN FOR 2017/2018	81
A109/2017	COMMUNICATION STRATEGY AND POLICY.....	81
A110/2017	REPORT ON YEAR END PROCESS PLAN	81
A111/2017	REPORT ON MSCOA PROGRESS.....	81
A112/2017	FEEDBACK ON ELECTRIFICATION PROJECT IN GROENVLEI.....	81
A113/2017	THE SALE OF MUNICIPAL HOUSES	81
A114/2017	KHAYALETHU BENEFICIARIES LIST.....	82
A115/2017	EPWP REPORT	82
A116/2017	CUTTING OF GUM TREES.....	82
A117/2017	REPORT ON MANGOSUTHU ART & CRAFT PROJECT.....	82
A118/2017	THE RE-EVALUATION OF THE PROPOSED SHOPPING CENTRE DEVELOPMENT	82
A119/2017	REPORT ON BALELE GAME & CARAVAN PARK.....	82
A120/2017	RURAL ELECTRIFICATION PROJECT	83
A121/2017	PRIORITY PROJECTS FOR 2017/18	83
A122/2017	MERGING OF TECHNICAL SERVICES & PLANNING AND ECONOMIC DEPARTMENTS.....	83
A123/2017	THE ESTABLISHMENT OF A COMMONAGE SITE.....	83
	FOR GRAZING	83
A124/2017	ADOPTION OF THE REVIEWED DRAFT HOUSING SECTOR PLAN 2015/2020	83
A125/2017	PLANNING AND ECONOMIC DEVELOPMENT SCORE CARD.....	83
A126/2017	STATUS REPORT ON BENS DORP SPORTSFIELD	83
A127/2017	SMALL TOWN REHABILITATION PROGRAMME.....	84
A128/2017	MAINTENANCE PLAN OF RURAL ROADS.....	84
A129/2017	REPORT ON EPWP	84
A130/2017	RECOVERY PLAN FOR BALELE GAME AND CARAVAN PARK.....	84
A131/2017	PRESENTATIONS ON GOOD EARTH HERBS	84
A132/2017	THE ADOPTION OF THE REVIEWED DRAFT SPATIAL DEVELOPMENT FRAMEWORK.....	84
A133/2017	COMMUNITY SERVICES MONTHLY REPORT	85

A134/2017	POUND SERVICES	85
A135/2017	PUBLIC PARTICIPATION IMBIZO (IDP ROAD SHOWS)	85
A136/2017	PROGRESS REPORT ON THE INDUCTION AND LAUNCH OF EMADLANGENI FORUMS.....	85
A137/2017	SECTION 71 REPORTS APRIL AND MAY 2017	86
A138/2017	REPORTS ON IMPLEMENTTION OF SUPPLY CHAIN MANAGEMENT POLICY 86	
A139/2017	MUNICIPAL INTERNAL CALANDAR	87
A140/2017	REPORT ON SECTION 52 REPORT QUARTER 4 2016/2017.....	87
A141/2017	SECTION 71 REPORTS JUNE 2017	87
A142/2017	PAYMENT OF PRE- PAID ELECTRICITY	87
A143/2017	DECLARATION OF COUNCIL RESOLUTION A84/2016 AS NULL AND VOID 87	
A144/2017	EMADLANGENI MUNICIPALITY /MRS G.P.N.NTSHANGASE ARBITRATION	87
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 02 AUGUST 2017		88
A145/2017	RESOLUTION A83/2017 CONTRACTS OF SENIOR MANAGERS.....	88
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 17 AUGUST 2017.....		89
A146/2017	CONTRACT FOR ACTING DIRECTOR PLANNING & INFRASTRUCTURE 89	
A147/2017	RE-ADVERTISEMENT FOR SECTION 56 MANAGER'S DIRECTOR CORPORATE SERVICES, CHIEF FINANCIL OFFICER AND DIRECTOR PLANNING AND INFRASTRUCTURE.....	90
A148/2017	CONTRACT OF THE ACTING MUNICPAL MANAGER	90
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 31 AUGUST 2017		90
A149/2017	APPROVAL OF 2016/2017 ANNUAL FINANCIAL STATEMENTS.....	91
A150/2017	2018/2019 IDP/BUDGET PROCESS PLAN.....	91
A151/2017	2016/2017 ANNUAL PERFORMANCE REPORT	92
A152/2017	CORRECTION OF DATES FOR MEETINGS : MUNICIPAL.....	92
ANNUAL CALENDAR FOR 2017/2018 FINANCIAL YEAR.....		92
MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING HELD ON 28 SEPTEMBER 2017 IN THE COUNCIL CHAMBER.....		93
A153/2017	IN YEAR REPORT FOR JULY 2017	94
A154/2017	SENDING OF CUSTOMER STATEMENTS	94

A155/2017	SECTION 52 REPORT QUARTER 4 2016/2017	94
A156/2017	SECTION 71 REPORTS JUNE 2017	94
A157/2017	PROVINCIAL TREASURY HIGH LEVEL ASSESSMENT OF THE 2017/2018 TABLED BUDGET	95
A158/2017	REPORT ON IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY	95
A160/2017	REPORT ON THE IMPLEMENTATION OF THE AUDIT	95
	COMMITTEE RECOMMENDATION.....	95
A161/2017	REPORT ON THE IMPLEMENTATION OF	95
	AUDITOR-GENERAL ACTION PLAN	95
A162/2017	AMENDMENT OF COUNCIL RESOLUTION A131/2016: MUNICIPAL MANAGER'S AUTHORITY TO SIGN MUNICIPAL DOCUMENTS	96
A163/2017	INTERNAL AUDIT ANNUAL PLAN AND RISK MANAGEMENT PLAN	96
A164/2017	RISK MANAGEMENT COMMITTEE TERMS OF REFERENCE.....	96
A165/2017	AUDIT COMMITTEE TERMS OF REFERENCE, ANNUAL PLAN AND SCHEDULE OF MEETINGS.....	96
A166/2017	THE ESTABLISHMENT OF A COMMONAGE SITE FOR GRAZING.....	96
A167/2017	TELEPHONE SERVICES AND INTERNET AT GAME PARK OFFICE	96
A168/2017	OVER STOCKING OF GAME IN THE BALELE GAME PARK.....	96
A169/2017	PURCHASE OF PROTECTIVE CLOTHING FOR GAME AND CARAVAN PARK	97
A170/2017	RECOVERY PLAN FOR GAME AND CARAVAN PARK	97
A171/2017	MAINTENANCE / REPAIR OF ROADS IN THE GAME PARK.....	97
A172/2017	STATUS ELECTRICITY PROJECT.....	97
A173/2017	MAINTENANCE PLAN FOR RURAL ROADS	97
A174/2017	PROGRESS REPORT ON BENS DORP SPORTS FIELD	97
A175/2017	PROGRESS BACK ON PROPOSAL BY GOOD EARTH HERBS	97
A176/2017	PURCHASE OF PROTECTIVE CLOTHING FOR GAME AND CARAVAN PARK	98
A177/2017	UTILIZATION OF FUNDING FROM EKZN WILDLIFE FOR THE ERECTION OF THE GAME FENCE	98
A178/2017	PRIORITISATION OF RURAL ELECTRICITY PROJECT FOR 2017/2018	98
A179/2017	STATUS OF ELECTRIFICATION PROJECT	98
A180/2017	STATUS OF MIG PROJECT	99
A181/2017	STATUS OF BENS DORP SPORTS FIELD PROJECT	99
A182/2017	REPLACEMENT OF CERTAIN VEHICLES IN THE MUNICIPAL FLEET....	99
A183/2017	RECISION OF COUNCIL RESOLUTION A113/2017 : THE SALE OF MUNICIPAL HOUSES.....	100

A184/2017	CIRCULAR 25 OF 2017 IN RESPECT OF PERSONAL SECURITY FOR COUNCILLORS.....	100
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 31 OCTOBER 2017.....		
A185/2017	REPORT FROM THE ADMINISTRATION.....	101
A186/2017	INEP & MIG.....	101
A187/2017	IN-COMMITTEE REPORT (APPOINTMENT OF MUNICIPAL MANAGER) 102	
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 06 NOVEMBER 2017.....		
A188/2017	EXTENSION OF THE CONTRACTS OF THE ACTING CHIEF FINANCIAL OFFICER AND THE ACTING DIRECTOR CORPORATE SERVICES.....	102
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 21 NOVEMBER 2017.....		
A189/2017	TABLING OF THE REPORT OF THE FORMER MINISTERIAL REPRESENTATIVE.....	104
A190/2017	REQUEST FOR THE SECONDMENT OF THE ACTING MUNICIPAL MANAGER 104	
A191/2017	REPORT ON THE PROGRESS OF SENIOR MANAGER'S POSITIONS.....	104
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 24 NOVEMBER 2017.....		
A192/2017	APPROVAL OF SMALL REHABILITATION GRANT FUNDED PROJECTS EMADLANGENI MUNICIPALITY.....	105
MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING HELD ON 06 DECEMBER 2017 IN THE COUNCIL CHAMBER.....		
A193/2017	RECRUITMENT OF MUNICIPAL ELECTORAL COMMISSION.....	107
A194/2017	OVERTIME MANAGEMENT.....	107
A195/2017	IN YEAR REPORT FOR MONTH AND QUARTER OF SEPTEMBER 2017	107
A196/2017	BUDGET & TREASURY POLICIES.....	108
A197/2017	CONTRACT MANAGEMENT POLICY FRAMEWORK AND PROCEDURE MANUAL 108	
A198/2017	INTEGRATED NATIONAL ELECTRIFICATION PROGRAMME.....	108
A199/2017	BUDGET FOR FENCING MATERIAL FROM KZN WILDLIFE.....	108
A200/2017	EMADLANGENI SUMMER SEASON CONTINGENCY PLAN.....	108
A201/2017	WARD COMMITTEE QUARTERLY PROGRESS REPORT.....	108
APRIL - JUNE 2017.....		
A202/2017	MPAC WORK PLAN FOR 2017/18 FINANCIAL YEAR.....	108

A203/2017	AUDIT COMMITTEE REPORT 2017/18 Q1.....	109
A204/2017	IN YEAR REPORT FOR MONTH AND QUARTER OF SEPTEMBER 2017	109
A205/2017	AUDIT COMMITTEE TERMS OF REFERENCE, ANNUAL PLAN AND SCHEDULE OF MEETINGS.....	109
A206/2017	AUDIT COMMITTEE REPORT 2017/18 Q2.....	109
A207/2017	COST CONTAINMENT MEASURES FOR THE SALGA KZN DSR GAMES 109	
A208/2017	SALARY ADJUSTMENT FOR SENIOR MANAGERS.....	110
A209/2017	DISTRICT HEALTH COUNCIL	110
A210/2017	MUNICIPAL FINANCIAL CONTRIBUTION TOWARD SALGA GAMES 2017 110	
A211/2017	STATUS OF ELECTRICITY PROJECT	111
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 18 JANUARY 2018 IN THE COUNCIL CHAMBER		111
A1/2018	DELEGATION FRAMEWORK	112
A2/2018	MIG REPORT.....	112
A3/2018	INEP REPORT	112
A4/2018	APPOINTMENT OF SENIOR MANAGERS.....	113
A5/2018	APPOINTMENT OF MUNICIPAL MANAGER.....	113
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 24 JANUARY 2018 IN THE COUNCIL CHAMBER		114
A6/2018	MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT FOR 2017/2018	114
A7/2018	REPORT ON VALUATION ROLL.....	115
A8/2018	IN-YEAR REPORT FOR NOVEMBER 2017	115
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 30 JANUARY 2018 IN THE COUNCIL CHAMBER		115
B1/2017	PRESENTATION BY THE AUDITOR GENERAL	116
A9/2018	2016/2017 DRAFT ANNUAL REPORT	116
A10/2018	REVISED AGREEMENT FOR PERFORMANCE OF DRIVING LICENCE TESING CENTRE FUNCTION, REGISTRATION, LICENSING AND EXAMINATION OF MOTOR VEHICLE FUNCTION AT EMADLANGENI MUNICIPALITY	117
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 28 FEBRUARY 2018 IN THE COUNCIL CHAMBER		117
A11/2018	ADJUSTMENT BUDGET.....	118
A12/2018	DISASTER MANAGEMENT CENTRE.....	118

**MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING HELD ON 28 MARCH
2018 IN THE COUNCIL CHAMBER 118**

A13/2018	PRESENTATION BY THE DEPARTMENT OF TRANSPORT.....	120
A14/2018	POSITION OF MEO	120
A15/2018	OCCUPATIONAL HEALTH AND SAFETY AND PAYROLL POLICIES	121
A16/2018	APPROVAL OF AN OCCUPATIONAL RENT.....	121
A17/2018	MEMBERS TO THE EMADLANGENI MUNICIPAL PLANNING TRIBUNAL 121	
A18/2018	SECTION 71 REPORTS QUARTER 2 2017/2018.....	122
A19/2018	ANNUAL REPORT.....	122
A20/2018	MID-YEAR ASSESSMENT PERFORMANCE REPORT	122
A21/2018	REPORT ON THE IMPLEMENTATION OF THE AUDITOR GENERAL ACTION PLAN	123
A23/2018	INPUT BY THE TRADITIONAL LEADERS	123
A24/2018	APPROVAL OF THE DRAFT BUDGET	124
A25/2018	APPROVAL OF THE DRAFT 2018/2019 IDP.....	124
A26/2018	COUNCILLORS REMUNERATION DETERMINATION : INCREASES IN RESPECT OF THE 2017/2018 FINANCIAL YEAR IN TERMS OF GOVERNMENT GAZETTE NOTICE NO. 41335 DATED 15 DECEMBER 2017	125
A27/2018	APPOINTMENT FOR SENIOR MANAGERS (CHIEF FINANCIAL OFFICER	125
A28 /2018	OVERSIGHT REPORT	126

**MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 06
APRIL 2018 IN THE COUNCIL CHAMBER..... 126**

A29/2018	HORSE RACING	127
A30/2018	BUDGET.....	127
A31/2018	IDP.....	128
B9/2018	INEP	128
B10/2018	COURT-CASE.....	128
B11/2018	APPOINTMENT OF CHIEF FINANCIAL OFFICER	128

**MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 02
MAY 2018 IN THE COUNCIL CHAMBER 129**

A32/2018	CUTTING OF GUM TREES.....	130
A33/2018	REQUEST FOR MANDATE BY SALGA REGARDING SALARY AND WAGE NEGOTIATIONS FOR 2018 AND BEYOND	130
A34/2018	ACCEPTANCE OF 2018/19 GRANT FUNDING FOR SCHEME	130
	SUPPORT - EMADLANGENI LOCAL MUNICIPALITY	130

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 15 MAY 2018 IN THE COUNCIL CHAMBER	131
A35/2018 FINANCIAL ASSISTANCE FOR PROJECTS AT EMADLANGENI MUNICIPALITY	132
A36/2018 CUTTING OF GUM TREES.....	132
MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING HELD ON 30 MAY 2018 IN THE COUNCIL CHAMBER	132
A37/2018 REPORT ON SECTION 52 REPORT QUARTER 3 2017/2018 POLICY	134
A38/2018 SUPPORT IN RESPECT OF MUNICIPAL COUNCIL REMUNERATION POLICY	134
A39/2018 MAINTENANCE OF RURAL ROADS USING THE GRADER.....	134
A40/2018 ADOPTION OF THE REVIEWED DRAFT HOUSING SECTOR PLAN 2018/19	134
A41/2018 PRIORITIZATION OF MIG PROJECTS FOR 2018/2019 FINANCIAL YEAR ..	134
A42/2018 PRIORITIZATION OF PROJECTS 2018/2019 TO FORM PART OF THE SOCIAL LABOUR PLAN (18 500 000 00) MILLION RAND.....	134
A43/2018 EMADLANGENI MUNICIPAL DISASTER MANAGEMENT PLAN.....	135
A44/2018 APPROVAL OF THE 2018/2019 FINAL BUDGET AND PROPOSED TARIFFS	135
A45/2018 APPOINTMENT OF AUDIT COMMITTEE MEMBERS	135
MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING HELD ON 27 JUNE 2018 IN THE COUNCIL CHAMBER	137
A46/2018 COST CONTAINMENT POLICY	138
A47/2018 DRAFT REVENUE ENHANCEMENT STRATEGY.....	138
A48/2018 CONTRACT MANAGEMENT POLICY FRAMEWORK, PROCEDURE AND CONTRACT MANAGEMENT POLICY	138
A49/2018 REVIEWED ORGANOGRAM FOR 2018/2019.....	138
A50/2018 MUNICIPAL INTERNAL CALENDAR.....	138
A51/2018 OBJECTS OF SCM POLICY.....	139
A52/2018 SALE OF MUNICIPAL RESIDENTIAL SITES	139
A53/2018 SDBIP	139
A54/2018 APPROVAL OF THE FINAL 2018/19 IDP	139
A55/2018 THE ADOPTION OF THE REVIEWED DRAFT SPATIAL DEVELOPMENT FRAMEWORK 2018/2019	139
A56/2018 UNAUTHORISED, IRREGULAR, FRUITLESS AND WASTEFUL EXPENDITURE.....	140
A57/2018 GUM TREES.....	140

A59/2018	SEEKING APPROVAL TO APPOINT MANAGER: FINANCIAL SERVICES ...	141
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 30 JULY 2018 IN THE COUNCIL CHAMBER.....		
A60/2018	MARLOTTI RENTALS	142
A61/2018	IN-YEAR MONTHLY REPORT AND QUARTERLY REPORT FOR JUNE 2018 142	
A62/2018	IN-YEAR REPORT FOR MAY 2018.....	142
A63/2018	REPORT TO COUNCIL ON THE INTERVIEWS OF AUDIT COMMITTEE MEMBERS 143	
A64/2018	IN-YEAR REPORT FOR APRIL 2018	143
A65/2018	LEVYING RATES	143
A66/2018	AMENDMENT OF MUNICIPAL ANNUAL CALENDAR FOR 2018/2019 FINANCIAL YEAR	144
B19/2018	RESPONSE FROM THE MEC REGARDING APPLICATION FOR INCREASE ON 2017/2018 REMUNERATION PACKAGE FOR COUNCILLORS.....	144
A68/2018	EMPLOYMENT PERIOD OF : THE DIRECTOR COMMUNITY SERVICES .144	
MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING HELD ON 30 AUGUST 2018 IN THE COUNCIL CHAMBER		
A70/2018	THE EXTENSION OF KLOPPER STREET.....	146
A71/2018	ROAD MAINTENANCE PLAN	146
A72/2018	OVERSIGHT REPORT	147
ITEM 12	REPORTS FROM MPAC.....	147
A73/2018	UNAUTHORISED, IRREGULAR, FRUITLESS AND WASTEFUL EXPENDITURE.....	147
A74/2018	GUM TREES.....	147
A75/2018	REPORT ON THE TRAFFIC INVESTIGATION	147
A76/2018	UNAUTHORIZED, IRREGULAR, FRUITLESS AND WASTEFUL EXPENDITURE.....	147
A77/20185	DRAFT MPAC TERMS OF REFERENCE.....	148
A78/2018	ANNUAL FINANCIAL STATEMENTS	148
A79/2018	DISPOSAL AND WRITE OFF OF FIXED ASSETS.....	148
A80/2018	ANNUAL PERFORMANCE REPORT.....	148
A81/2018	REPORT OF THE AUDIT COMMITTEE FOR FOURTH QUARTER	148
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 19 SEPTEMBER 2018 IN THE COUNCIL CHAMBER.....		
A82/2018	MSCOA STATUS ASSESSMENT REPORT	150
A83/2018	IDP & BUDGET PROCESS PLAN	150

MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING HELD ON 31

OCTOBER 2018 IN THE COUNCIL CHAMBER..... 151

A84/2018	ACKNOWLEDGMENT OF RECEIPT OF GRANT FUNDING TO THE VALUE OF FIVE HUNDRED THOUSAND (R500 000 00) RAND FOR THE LAND USE SCHEME SUPPORT	153
A85/2018	ERF 739 PROJECT NAMING	153
A86/2018	RE-ADVERTISEMENT OF THE PROPOSED SHOPPING CENTRE DEVELOPMENT	153
A87/2018	PROPOSALS FOR RECREATIONAL ACTIVITIES IN THE GAME PARK.....	153
A88/2018	HOSTING OF BALELE SPRING FEST	153
A89/2018	MAINTENANCE OF MUNICIPAL HOUSES (MARLOTHII WHITE CITY, UTRECHT TOWN).....	154
A90/2018	PMU TOP SLICE	154
A91/2018	STATUS REPORT ON ALL ELECTRICITY PROJECTS.....	154
A92/2018	STATUS REPORT ON MIG PROJECTS.....	154
A93/2018	REPORT ON ENTERPRISE DEVELOPMENT PROGRAMME.....	154
A94/2018	REPORT ON EMADLANGENI ECONOMIC DEVELOPMENT SUMMIT	154
A95/2018	REPORT ON EPWP	155
A96/2018	IN-YEAR REPORT FOR JULY 2018.....	155
A97/2018	IN-YEAR REPORT FOR AUGUST 2018	155
A98/2018	IN-YEAR REPORT FOR SEPTEMBER 2018.....	155
A99/2018	REPORT ON EMADLANGENI LOCAL YOUTH COUNCIL.....	155
A100/2018	PRIORITISATION OF MUNICIPAL INFRASTRUCTURE GRANT PROJECTS FOR 2019/2020 FINANCIAL YEAR	156
A101/2018	REPRIORITISATION OF BEROUW ELECTRIFICATION PROJECT	156
A102/2018	MAINTENANCE OF RURAL ROADS USING THE GRADER.....	156
A103/2018	MEMORANDUM OF AGREEMENT EMADLANGENI MUNICIPALITY AND UITKOMST MINE	156
A104/2018	REQUEST TO INVITE PROPOSALS ON THE RUNNING OF BALELE GAME PARK	156
A105/2018	AMENDMENT OF EMADLANGENI SUPPLY CHAIN MANAGEMENT POLICY	157
A106/2018	DIRECTIVE IN TERMS OF SECTION 139 (1) (A) OF THE CONSTITUTION	157
A107/2018	POSITION OF DIRECTOR: COMMUNITY SERVICES.....	157

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 13

DECEMBER 2018 IN THE COUNCIL CHAMBER 159

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 09 JANUARY 2019 IN THE COUNCIL CHAMBER	162
A1/2019 AMENDMENT OF THE STANDING RULES AND ORDERS OF COUNCIL..	163
A2/2019 DETERMINATION OF UPPERLIMITS FOR COUNCILLORS FOR 2018/2019 FINANCIAL YEAR	164
A3/2019 ALLEGATION OF MISCONDUCT AGAINST THE DIRECTOR INFRASTRUCTURE AND PLANNING DEVELOPMENT	164
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 18 JANUARY 2019 IN THE COUNCIL CHAMBER	165
A4/2019 REPORT ON COUNCIL RESOLUTION A3/2019 DATED 09 JANUARY	166
2019.....	166
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 29 JANUARY 2019 IN THE COUNCIL CHAMBER	166
A5/2019 INDIGENT REGISTER FOR 2018/2019	168
A6/2019 IN-YEAR REPORT FOR DECEMBER 2018.....	168
A7/2019 MID-YEAR ASSESSMENT REPORT FOR 2017/ 2018.....	168
A8/2019 2017/2018 DRAFT ANNUAL REPORT	168
A9/2019 ESTABLISHMENT OF A MODULAR LIBRARY AT WARD (5)	169
A10/2019 REPORT ON COUNCIL RESOLUTION A4/2019 DATED 18 JANUARY 2019	169
MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING HELD ON 28 FEBRUARY 2019 IN THE COUNCIL CHAMBER	170
A11/2019 IN-YEAR REPORT FOR DECEMBER 2018.....	171
A12/2019 MID-YEAR ASSESSMENT REPORT FOR 2018/ 2019.....	171
A13/2019 ADJUSTMENT BUDGET.....	172
A14/2019 ESTABLISHMENT OF A MODULAR LIBRARY AT WARD (5)	172
A15/2019 DRAFT ANNUAL REPORT	172
A16/2019 ADJUSTMENT BUDGET.....	173
A17/2019 REQUEST FOR AMENDMENT OF 2018/2019 IDP & CONDITION.....	174
53 OF NON-COMPLIANCE WITH LOCAL GOVERNMENT:	174
MUNICIPAL PLANNING & PERFORMANCE MANAGEMENT REGULATION, 2001	174
A18/2019 ALLEGATIONS OF SUBSISTENCE AND TRAVELLING ALLOWANCE POLICY	174
A19/2019 REPORT ON INVESTIGATION AGAINST DIRECTOR INFRASTRUCTURE AND PLANNING DEVELOPMENT	175
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 01 APRIL 2019 IN THE COUNCIL CHAMBER.....	175

A20/2019	DRAFT BUDGET	177
A21/2019	DRAFT IDP 2019/2020.....	177
A22/2019	ADJUSTED SDBIP	178
A23/2019	OVERSIGHT REPORT ON THE ANNUAL REPORT	178
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 08 APRIL 2019 IN THE COUNCIL CHAMBER.....		
A23/2019	REPORT ON ALLEGATIONS AGAINST THEMBA PHILIP ZONDI MANAGER: LOCAL ECONOMIC DEVELOPMENT	180
A24/2019	ACTING POSITION FOR DIRECTOR: INFRASTRUCTURE AND DEVELOPMENT PLANNING.....	181
A25/2019	REPORTING GROSS MISCONDUCT: MR L.C.T.NKOSI	181
MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 28 MAY 2019 IN THE COUNCIL CHAMBER		
A27/2019	FINAL BUDGET FOR 2019 /2020.....	183
A28/2019	DELEGATION OF AUTHORITY (MUNICIPAL MANAGER)	184
A29/2019	RECRUITMENT AND SELECTION POLICY	184
A30/2019	INDIGENT REGISTER.....	184

<h2 style="margin: 0;">MINUTES OF EMADLANGENI MUNICIPAL INAUGURAL MEETING HELD ON 23 AUGUST 2016 IN THE TOWN HALL</h2>
--

PRESENT:

Cllr N A Madida
Cllr N Ndlovu
Cllr V C Ndlovu
Cllr Z H Madi
Cllr L Y Mhlungu
Cllr T S Buthelezi
Cllr F G S Smook

Cllr F Mlambo
Cllr H M Mthethwa
Cllr M J Mthethwa
Cllr M M Booysen
Inkosi P S S Khumalo
Inkosi Z G Mabaso

OFFICIALS:

Mrs G P N Ntshangase
Mr S B Sikhakhane
Mr W Mtusva
Mr S F Mtshali
Ms Z E Sithebe
Ms C Lens

Municipal Manager
Director : Corporate Services
Chief Financial Officer
Director : Planning and Economic Development
Acting Director : Community Services
Secretary

ALSO PRESENT: Mr M M Radebe Magistrate : Utrecht

1. **OPENING AND WELCOME**

The meeting was opened at 10:30 and the Municipal Manager welcomed all present and thanked everyone for the support shown towards Emadlangeni Municipality.

2. **PUBLIC ACKNOWLEDGEMENT, THANKS AND FAREWELL TO NON-RETURNING COUNCILLORS**

The Municipal Manager stated that a lot had been achieved and that the journey is still continuing at the close of chapter 1 of the book.

There was a minute of silence in memory of Cllr J G Zikhali and Cllr P Collins.

The Municipal Manager then handed over certificates of appreciation to the outgoing Councillors.

3. **SIGNING OF THE ATTENDANCE REGISTER AND APPLICATION FOR LEAVE OF ABSENCE**

The Municipal Manager brought the Councillors attention to Item 2 of the Standing Rules & Orders.

The Municipal Manager requested that the Standing Rules & Orders be adopted.

Cllr H M Mthethwa moved that the Standing Rules & Orders be adopted and this was seconded by Cllr V C Ndlovu.

4. **INTRODUCTION OF COUNCILLORS, TRADITIONAL LEADERS AND OFFICIALS**

The Municipal Manger introduced the Councillors, Traditional Leaders and Officials to the members of the meeting.

5. **ITEMS FOR CONSIDERATION**

A152/2016 OATH OF OFFICE OR SOLEMN AFFIRMATION

The Magistrate, Mr M M Radebe swore in the new Councillors.

The Municipal Manager thanked the Magistrate and welcomed the Councillors that were sworn in.

RESOLVED

That all Councillors made an oath or solemn affirmation before the presiding Commissioner of Oaths.

23/08/2019 Executed

A153/2016 DISCLOSURE OF INTERESTS

The Municipal Manager stated that Councillors attention should be drawn to Item 5 of the Code of Conduct for Councillors with regards to disclosure of any interest at full Council and Committees.

RESOLVED

That Councillors note the content of Item 5 of the Code of Conduct for Councillors.

23/08/2019 Executed

A154/2016 ELECTION OF SPEAKER

The Municipal Manager explained the procedure for the election of the Speaker.
Cllr N A Madida nominated Cllr Z H Madi for the Speaker and this was seconded by Cllr V C Ndlovu. Cllr Z H Madi accepted the nomination.
Cllr M J Mthethwa nominated Cllr H M Methethwa for the Speaker and this was seconded by Cllr FG S Smook. Cllr H M Mthethwa accepted the nomination.
After voting took place the outcome was 5 votes for Cllr H M Mthethwa and 6 votes for Cllr Z H Madi.

RESOLVED

That Cllr Z H Madi be appointed as Speaker of Emadlangeni Council in terms of Section 36 of the Local Government : Municipal Structures Act, 1998.

5.4 MUNICIPAL MANAGER OFFICIALLY HANDS THE CHAIRING OF THE MEETING TO THE SPEAKER

The Municipal Manager officially handed the chairing of the meeting over to the Speaker.

23/08/2016 Executed

A155/2016 ELECTION OF EXECUTIVE COMMITTEE

The Municipal Manager explained the process of the election for the Executive Committee.
Cllr N A Madida nominated Cllr LY Mhlungu as a member of the Executive Committee and this was seconded by Cllr T S Buthelezi. Cllr LY Mhlungu accepted the nomination.

Cllr T S Buthelezi nominated Cllr N Ndlovu as a member of the Executive Committee and this was seconded by Cllr V C Ndlovu. Cllr N Ndlovu accepted the nomination.

Cllr F Mlambo nominated Cllr H M Mthethwa as a member of the Executive Committee and this was seconded by Cllr M J Mthethwa. Cllr H M Mthethwa accepted the nomination.

RESOLVED

That Cllr L H Mhlungu, Cllr N Ndlovu and Cllr H M Mthethwa be appointed as members as the Executive Committee.

A156/2016 ELECTION OF MAYOR

Cllr T S Buthelezi nominated Cllr L Y Mhlungu as Mayor and this was seconded by Cllr N A Madida. Cllr L Y Mhlungu accepted the nomination.

There were no other nominations for Mayor.

RESOLVED

That Cllr L Y Mhlungu be appointed as the Mayor in terms of Section 48 read with Schedule 3 to the Municipal Structures Act, 1998.

A157/2016 ELECTION OF DEPUTY MAYOR

N A Madida nominated N Ndlovu as Deputy Mayor and this was seconded by L Y Mhlungu. N Ndlovu accepted the nomination.

There were no other nominations for Deputy Mayor.

RESOLVED

That Cllr N Ndlovu be appointed as the Deputy Mayor in terms of Section 48 read with Schedule 3 to the Municipal Structures Act, 1998.

A158/2016 COUNCILLOR TO SERVE ON THE DISTRICT COUNCIL

The election of Councillors to serve on the District Council was conducted by IEC staff members.

Cllr N Ndlovu nominated Cllr V C Ndlovu to serve on the District Council.

Cllr H M Mthethwa nominated Cllr F G S Smook to serve on the District Council.

The nominees were nominated under the ANC and IFP respectively.

The outcome of the voting was as follows:

11 votes were cast.

DA 5 votes

ANC 6 votes

RESOLVED

That Cllr V C Ndlovu be appointed to serve on the District Council.

The Mayor then expressed her wish to work with the Municipality to provide service delivery to the community.

The meeting was adjourned at 12:30.

MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING OF 23 AUGUST 2016

CONTINUED ON 13 SEPTEMBER 2016.

PRESENT:

Cllr Z H Madi	Speaker	Cllr H M Mthethwa
Cllr L Y Mhlungu	Mayor	Cllr M M Booyesen
Cllr N Ndlovu	Deputy Mayor	Cllr M J Mthethwa
Cllr V C Ndlovu		Cllr F G S Smook
Cllr N A Madida		Cllr F Mlambo
Cllr T S Buthelezi		

OFFICIALS:

Mrs G P N Ntshangase	Municipal Manager
Mr S B Sikhakhane	Director : Corporate Services
Mr W Mtusva	Chief Financial Officer
Mr S F Mtshali	Director : Planning and Economic Development
Ms Z E Sithebe	Special Programmes Manager
Ms N P Ndaba	IDP & PMS Manager
Ms C Lens	Secretary

ALSO PRESENT: As per attendance register

1. **OPENING**

The meeting was opened at 10:03 with a prayer by the Municipal Manager.

2. **NOTICE OF THE MEETING**

The notice of the meeting was read by the Municipal Manager.

3. **ADDITIONAL ITEMS**

The Mayor requested that an additional item be placed on the agenda as Item 5.38.

4. **INTRODUCTION OF THE CRACK TEAM - TECHNICAL SERVICES**

The Municipal Manager introduced the members of the Crack Team. Mr Warrick Pearce gave a presentation on the mission of the Crack Team.

Noted.

5. **PRESENATION BY HUMAN SETTLEMENT**

Mr Anthony Green gave a presentation with regards to Human Settlement.

Noted.

6. **INTRODUCTION OF POUND MASTER**

The Pound Master, Mr Bruce Mattison was introduced to Council. Mr Bruce Mattison then gave a short presentation on the running of the Pound.

Noted.

7. **COGTA - WARD COMMITTEES**

Ms K N Hlongwane gave a presentation on Ward Committees.

Noted.

A159/2016

ESTABLISHMENT OF COMMITTEES

DCS

After deliberation it was resolved as follows:

RESOLVED

- a) that Council appoints five (5) members, which will include the Chairperson, for each Portfolio Committee:
- b) that Council appoints the following members together with their Chairperson for the Portfolio Committees:
- i) **Budget & Treasury Portfolio**
- | | |
|-------------------|--------------------|
| Cllr L Y Mhlungu | Cllr T S Buthelezi |
| Cllr N Ndlovu | Cllr F G S Smook |
| Cllr H M Mthethwa | |
- ii) **Corporate Services Portfolio**
- | | |
|-------------------|--------------------|
| Cllr L Y Mhlungu | Cllr T S Buthelezi |
| Cllr H M Mthethwa | Cllr F Mlambo |
| Cllr N Ndlovu | |
- iii) **Community Services Portfolio**
- | | |
|-------------------|-----------------|
| Cllr V C Ndlovu | Cllr N A Madida |
| Cllr M M Booysen | Cllr N Ndlovu |
| Cllr H M Mthethwa | |
- iv) **Planning Services Portfolio**
- | | |
|-------------------|-----------------|
| Cllr M J Mthethwa | Cllr F Mlambo |
| Cllr N Ndlovu | Cllr N A Madida |
| Cllr V C Ndlovu | |
- v) **Technical**
- | | |
|-------------------|--------------------|
| Cllr H M Mthethwa | Cllr F Mlambo |
| Cllr N Ndlovu | Cllr T S Buthelezi |
| Cllr V C Ndlovu | |
- c) that the matter of the Audit Committee be taken to the next Council meeting where a report should be tabled with regards to the qualifications of the members and how the committee is performing.
- d) MPAC members were elected as follows:

Cllr V C Ndlovu
(Chairperson)
Cllr N A Madida

Cllr F G S Smook
Cllr T S Buthelezi
Cllr M M Booysen

- e) **Local Labour Forum**
that 2 members of Council be represented on the Local Labour Forum.
The members elected for Local Labour Forum are:
Cllr N Ndlovu
Cllr F G S Smook.

A160/2016 ROLES & RESPONSIBILITIES OF COUNCILLORS

RESOLVED

- a) that a committee be appointed to:
i) Review the specific role and area of responsibility of each political structure and political office bearer of the municipality and of the Municipal Manager;
ii) Review the delegations of the municipality; and
iii) report back to Council within 30 days.

- b) the following members were appointed to the committee:

Cllr V C Ndlovu
Cllr N Ndlovu
Cllr F Mlambo

Cllr N A Madida
Cllr H M Mthethwa

A161/2016 STANDING RULES AND ORDERS DCS

RESOLVED

- a) that the Standings Rules and Orders be adopted subject to inputs from various members.

B108/2016 CODE OF CONDUCT

Noted.

B109/2016 DECLARATION OF INTEREST

Noted.

B110/2016 COUNCILLOR REMUNERATION

Noted.

B111/2016 MUNICIPAL POWERS AND FUNCTIONS

Noted.

B112/2016 ANNURAL REPORT

That this item be removed from the agenda as it was already approved.

A162/2016 REVIEW OF THE IDP AND BUDGET 2016/17 MM

RESOLVED

- a) that Council initiates the development of a new IDP for the duration of its term by July 2021.
- b) that Council notes that a briefing on the IDP and Budget for 2016/17 financial year will be conducted within 14 days.

A163/2016 PARTICIPATION IN THE DISTRICT IGR FORUM
DCS

RESOLVED

- a) that Council notes that the Mayor represents the Municipality on the District IGR Forum.

A164/2016 EMPLOYMENT CONTRACTS AND PERFORMANCE

MM

RESOLVED

- a) that all contracts of the Directors, that are due to expire, are to be advised and the correct procedure of Recruitment and Selection process must be followed for the appointment of Directors.
- b) that the Mayor be authorised to sign the Performance Agreement of the Municipal Manager.
- c) that the Municipal Manager be authorised to sign the Performance Agreements of the Directors.

The meeting adjourned for 5 minutes for the ANC members to caucus.

When the meeting reconvened the urgent item matter was dealt with.

A165/2016 ALLEGATIONS OF MISCONDUCT: MUNICIPAL MANAGER

MAYOR

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

RESOLVED

- a) that the Mayor be delegated to appoint an investigator to conduct an investigation on the allegations of misconduct against the Municipal Manager, Mrs G P N Ntshangase.
- b) that a letter be issued to the Municipal Manager, Mrs G P N Ntshangase, with the intention of precautionary suspension.

- c) that the Municipal Manager, Mrs G P N Ntshangase be placed on Special leave for 7 days from 14 September 2016 until 21 September 2016.

The meeting was adjourned at 16:50.

**MINUTES OF EMADLANGENI MUNICIPAL ADJOURNED
COUNCIL MEETING OF 13 SEPTEMBER 2016
CONTINUED ON 14 SEPTEMBER 2016.**

PRESENT:

Cllr Z H Madi	Speaker	Cllr T S Buthelezi
Cllr L Y Mhlungu	Mayor	Cllr H M Mthethwa
Cllr N Ndlovu	Deputy Mayor	Cllr M M Booysen
Cllr V C Ndlovu		Cllr M J Mthethwa
Cllr N A Madida		Cllr F Mlambo

OFFICIALS:

Mr S B Sikhakhane	Director : Corporate Services
Mr W Mtusva	Chief Financial Officer
Mr S F Mtshali	Director : Planning and Economic Development
Ms C Lens	Secretary

ALSO PRESENT: As per attendance register

1. OPENING

The meeting was opened at 10:03 with a prayer by Cllr N Ndlovu.

The Mayor requested to withdraw items 5.33, 5.34, 5.36 and 5.37 from the agenda.

Cllr F Mlambo wanted to know the reason why the Mayor requested to withdraw the items.

The Mayor then informed members that she had put them in the agenda.

Cllr V C Ndlovu wanted to know why the Director: Corporate Services was seated next to the Speaker.

The Speaker informed members that the Municipal Manager had been placed on Special Leave for seven (7) days and that is why the Director : Corporate Services was seated next to the Speaker.

After discussions Cllr N Ndlovu proposed that the meeting be adjourned to another date to be communicated so that in the interim the issue of the problem of language/interpretation for Cllr Smook be sorted out in order for Cllr Smook to be able to fully participate in the meeting.

Cllr T S Buthelezi seconded the proposal

The meeting was adjourned at 10:30.

**MINUTES OF EMADLANGENI MUNICIPAL ADJOURNED
COUNCIL MEETING OF 14 SEPTEMBER 2016**

CONTINUED ON 19 SEPTEMBER 2016.

PRESENT:

Cllr Z H Madi Speaker
Cllr L Y Mhlungu Mayor
Cllr N Ndlovu Deputy Mayor
Cllr V C Ndlovu
Cllr N A Madida
Cllr T S Buthelezi

Cllr H M Mthethwa
Cllr M M Booysen
Cllr M J Mthethwa
Cllr F Mlambo
Inkosi P S S Khumalo

OFFICIALS: Mr S B Sikhakhane Director : Corporate Services
Mr S F Mtshali Director : Planning and Economic
Development
Ms N P Ndaba IDP/PMS Manager
Ms C Lens Secretary

1. OPENING

The meeting was opened at 09:57 with a prayer by Cllr N Ndlovu.

After discussion it was decided to close the meeting due to the situation the Municipality is facing and that the items be placed on another agenda for a general meeting that will be convened.

2. CLOSURE

The meeting was closed at 10:02 with a prayer by Cllr N Ndlovu.

MINUTES OF EMADLANGENI MUNICIPAL URGENT SPECIAL COUNCIL MEETING HELD ON 21 SEPTEMBER 2016

PRESENT: Cllr Z H Madi Speaker
Cllr L Y Mhlungu Mayor
Cllr N Ndlovu Deputy Mayor
Cllr V C Ndlovu
Cllr N A Madida
Cllr T S Buthelezi
Cllr H M Mthethwa
Cllr M M Booyesen
Cllr M J Mthethwa
Cllr F Mlambo
Inkosi P S S Khumalo
Inkosi Z G Mabaso

OFFICIALS: Mr S B Sikhakhane Director : Corporate Services
Mr W Mtusva Chief Financial Officer
Mr S F Mtshali Director : Planning and Economic
Development
Ms C Lens Secretary

ALSO PRESENT: As per attendance register

1. **OPENING**

The meeting was opened at 10:01 with a prayer by the Cllr N A Madida.

2. **APPLICATION FOR LEAVE OF ABSENCE**

Cllr F G S Smook could not attend the meeting due to other commitments.

RESOLVED

a) that leave of absence be granted to Cllr F G S Smook.

3. **OFFICIAL NOTICE**

None.

4. **ANNOUNCEMENT BY CHAIRPERSON**

None.

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILLORS**

None.

6. **URGENT MATTERS**

The Speaker requested the members of public and officials present to excuse themselves from the meeting. Mr S B Sikhakhane was requested to remain behind.

The Mayor reminded members that Municipal Manager was placed on Special Leave on 14th September 2016.

The Mayor informed members that a response from the Municipal Manager was received with regards to the allegations against her.

The Deputy Mayor read the letter of response received from the Municipal Manager.

The Speaker requested members to vote by show of hands whether the Municipal Manager should be suspended.

At this point the EFF and IFP members walked out of the meeting.

Six (6) councillors remained.

The Speaker then requested the remaining members to vote whether the Municipal Manager should be suspended.

Five (5) members voted for the suspension of the Municipal Manager. There were no votes against the matter.

A165/2016 SUSPENSION OF MUNICIPAL MANAGER

RESOLVED

- a) that Mrs G P N Ntshangase, Municipal Manager, be suspended with immediate effect.

A166/2016 APPOINTMENT OF ACTING MUNICIPAL MANAGER

RESOLVED

- a) that Mr S F Mtshali, Director : Planning & Economic Development, be appointed as Acting Municipal Manager as from 21 September 2016.

7. CLOSURE

The meeting was terminated at 10:36.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 24 NOVEMBER 2016 IN THE COUNCIL CHAMBER

PRESENT: Cllr Z H Madi Speaker
Cllr L Y Mhlungu Mayor
Cllr N Ndlovu Deputy Mayor
Cllr V C Ndlovu
Cllr N A Madida
Cllr T S Buthelezi
Cllr H M Mthethwa
Cllr M M Booyesen
Cllr M J Mthethwa
Cllr M M Booyesen
Cllr F Mlambo

OFFICIALS: Mr S F Mtshali Director : Planning & Economic
Development
Mr S B Sikhakhane Director : Corporate Services
Mr W Mtusva Chief Financial Officer
Ms C Lens Secretary

ALSO PRESENT: Mr S Duma COGTA
Mr T Makhathini COGTA
Mrs L Khumalo Auditor General SM
Mr S Majola AC Chairperson

1. **NOTICE OF A MEETING READ BY THE MUNICIPAL MANAGER OR HIS/HER NOMINEE**

The Director : Corporate Services read the notice of the meeting.

2. **OPENING**

The meeting was opened at 10:06 with a prayer by Cllr F G S Smook

3. **APPLICATION FOR LEAVE OF ABSENCE**

None.

4. **OFFICIAL NOTICE**

The Director : Planning & Economic Development informed members that the Senior Manager from Auditor General's Office would present the Auditor General's Audit Report to Council.

Mrs L Khumalo presented the Auditor General's report to the Council.

Noted.

5. **DECLARATION OF INTEREST IN TERMS OF 5 OF THE CODE OF CONDUCT FOR COUNCILLORS**

None.

6. **ANNOUNCEMENTS BY CHAIRPERSON**

None.

7. URGENT MATTERS

A183/2016

SUSPENSION OF THE MUNICIPAL MANAGER

MAYOR

[REDACTED]

RESOLVED

- a) that legal opinion be obtained with regards to the suspension of the Municipal Manager.
- b) that the Municipal Manager remain on suspension.

The Speaker then stated that Council moves to another item and that it be recorded that the decision has been taken for legal opinion to be obtained and that the Municipal Manager still be on suspension

7.2 APPOINTMENT OF ACTING MUNICIPAL MANAGER

Speaker stated that maybe it would be better to withdraw this item and speedily arrange another meeting where this would be discussed and deliberated, maybe it would be both issues the legal opinion as well as the one for Acting Appointment.

The meeting was closed at 13:42.

MINUTES OF EMADLANGENI MUNICIPAL URGENT SPECIAL COUNCIL MEETING HELD ON 05 OCTOBER 2016

PRESENT: Cllr Z H Madi Speaker
Cllr L Y Mhlungu Mayor
Cllr N Ndlovu Deputy Mayor
Cllr V C Ndlovu
Cllr N A Madida
Cllr T S Buthelezi
Cllr F G S Smook
Cllr H M Mthethwa
Cllr M M Booyesen
Cllr M J Mthethwa
Cllr F Mlambo
Inkosi P S S Khumalo
Inkosi Z G Mabaso

OFFICIALS: Mr S B Sikhakhane Director : Corporate Services
Mr W Mtusva Chief Financial Officer
Mr S F Mtshali Director : Planning and Economic
Development
Ms B J W Kiewiets Committee Officer
Ms C Lens Secretary

ALSO PRESENT: Mr L Pienaar COGTA
Mr T Makhathini COGTA

1. **OPENING**

The meeting was opened at 10:24 with a prayer by the Cllr N A Madida.

2. **APPLICATION FOR LEAVE OF ABSENCE**

None.

3. **OFFICIAL NOTICE**

None.

4. **ANNOUNCEMENT BY CHAIRPERSON**

None.

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILLOR**

None.

6. **ANNOUNCEMENTS BY CHAIRPERSON**

None.

7. **URGENT MATTERS**

The Speaker requested that the members of public and representatives recuse themselves from the meeting at this point.

7.1 **FEEDBACK ON INVESTIGATORS REPORT**

8. **CLOSURE**

The meeting was terminated at 11:08 with a prayer by cllr N A Madida.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 31 OCTOBER 2016 IN THE COUNCIL CHAMBER

PRESENT: Cllr Z H Madi Speaker
Cllr L Y Mhlungu Mayor
Cllr N Ndlovu Deputy Mayor
Cllr V C Ndlovu
Cllr N A Madida
Cllr T S Buthelezi
Cllr H M Mthethwa
Cllr M M Booysen
Cllr M J Mthethwa
Cllr F Mlambo
Cllr F G S Smook
Inkosi Z G Mabaso

OFFICIALS: Mr S F Mtshali Acting Municipal Manager
Mr S B Sikhakhane Director : Corporate Services
Ms C Lens Secretary

ALSO PRESENT: Mr G L Seethal - Seethal Attorneys

1. **NOTICE OF A MEETING READ BY THE MUNICIPAL MANAGER OR HIS/HER NOMINEE**

The Acting Municipal Manager read the notice of the meeting.

2. **OPENING**

The meeting was opened at 09:05 with a prayer by Cllr F G S Smook

3. **APPLICATION FOR LEAVE OF ABSENCE**

The Speaker informed members that Cllr F Mlambo would be late. Mr W Mtsuva could not attend the meeting due to other commitments.

RESOLVED

a) that leave of absence be granted to Mr W Mtsuva.

4. **OFFICIAL NOTICE**

The Director : Corporate Services informed members that there would be training on sector based orientation for Councillors from 1 - 3 November 2016 in Newcastle.

The Director : Corporate Services informed members that an Official from COGTA Mr Mathobela would be holding workshops with the Councillors in November 2016.

5. **DECLARATION OF INTEREST IN TERMS OF 5 OF THE CODE OF CONDUCT FOR COUNCILLORS**

None.

6. **ANNOUNCEMENTS BY CHAIRPERSON**

None.

7. **URGENT MATTERS**

A167/2016 **TABLING OF INVESTIGATORS REPORTS_ MAYOR**

Mr G L Seethal from Seethal Attorneys informed members that he had been mandated to investigate certain allegations against Mrs G P N Ntshangase (Municipal Manager).

The Speaker then requested members to vote by show of hand on whether to appoint a Presiding Officer or not.

Six Councillors voted for the appointment of a Presiding Officer and 4 voted against. Cllr V C Ndlovu had a dissenting vote.

RESOLVED

- a) that since the allegations are very serious the Mayor must appoint a Presiding Officer and a Leader of Evidence so that the Municipal Manager (Mrs G P N Ntshangase) is given a chance to lead her evidence.
- b) that the Mayor report this matter to the SAPS as soon as possible.

8. **CLOSURE**

The meeting was terminated at 13:17 with a prayer by Cllr F G S Smook.

**MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL
MEETING HELD ON 09 JANUARY 2017 IN THE COUNCIL CHAMBER**

PRESENT: Cllr Z.H Madi Speaker
Cllr L.Y Mhlungu Mayor
Cllr N Ndlovu Deputy Mayor
Cllr V.C Ndlovu
Cllr T.S Buthelezi
Cllr N.A Madida
Cllr F.Mlambo
Cllr F.G.S.Smook
Cllr M.H Mthethwa
Cllr M.M Booysen
Cllr M.J.Mthethwa
Inkosi Z.G.Mabaso
Inkosi P S S Khumalo

OFFICIALS: Mr S F Mtshali Director : Planning and
Development
Mr N Myeni Senior Manager: Budget &
Treasury
Mr T Makhathini COGTA
Mr N.W Mtshali Secretary

1. **NOTICE OF A MEETING**

Mr N.W.Mtshali, Secretary read the notice of the meeting.

2. **OPENING**

The meeting was opened at 10 : 06 with a prayer by Cllr Smook.

3. **APPLICATION FOR LEAVE OF ABSENCE**

None

4. **OFFICIAL NOTICE**

4.1 The Director : Planning & Economic Development read the letter received from COGTA regarding the Councillors remuneration determination as proposed for the salary increases of 4% for Councillors for the 2016/2017 financial year.

4.2 The Director : Planning & Development read the invitation from Provincial Legislature regarding the school opening functionality monitoring programme starting on 11 January 2017 to be attended by Councillors.

COUN. 2017.01.09

A01/2017 SALARY INCREASE OF COUNCILLORS MM

RESOLVED

a) that the Councillors salary increase of 4% as proposed for the 2016/2017 financial year be approved and backdated to 08 August 2016.

b) that a letter be written to the MEC requesting the upgrading of the Municipality.

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILLORS**

None.

6. **ANNOUNCEMENTS BY CHAIRPERSON**

The Speaker requested Councillors to work together and cooperate for the sake of the community.

7. **URGENT MATTERS**

An additional item, The MSCOA Implementation was added to the agenda.

SP COUN. 2017.01.09

A02/2017 APPROVED OF MSCOA IMPLEMENTATION BTO

RESOLVED

a) that the MSCOA software of seven hundred and fifty one thousand three hundred and seventy five R751 375) rand be approved and be given to CAMELSA Consulting Group as they were recommended by Provincial Treasury to upgrade the MSCOA software of the municipality.

b) that the municipality signs the Service Level Agreement with Camelsa.

SP COUN. 2017.01.09

**A03/2017 APPOINTMENT OF ACTING MUNICIPAL MANAGER
SPEAKER**

RESOLVED

a) that the appointment of Advocate N.N.Sibisi as the Acting Municipal Manger for the period of three (3) months be approved.

b) that the Acting Municipal Manger be allowed to appoint the Acting Chief Financial Officer and the Acting Director Corporate Services.

8. **COSURE**

The meeting was terminated at 13:31 with a prayer by Cllr Smook.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 24 JANUARY 2017 IN THE COUNCIL CHAMBER

PRESENT: Cllr Z.H Madi Speaker
Cllr L.Y Mhlungu Mayor
Cllr N Ndlovu Deputy Mayor
Cllr T.S Buthelezi
Cllr N.A Madida
Cllr F.Mlambo
Cllr F.G.S Smook
Cllr M.H Mthethwa
Cllr M.J Mthethwa

OFFICIALS: Adv. NN Sibisi Acting Municipal Manager
Mr T.O Mthethwa Acting Director Corporate
Services
Mr S F Mtshali Director: Planning & Development
Mr W Mtusva Acting Chief Finance Officer
Mr L Nkosi Legal Practitioner
Mr N.W Mtshali Secretary

1. NOTICE OF A MEETING READ BY ACTING MUNICIPAL MANAGER

The Acting Municipal Manager read the notice of the meeting.

2. OPENING

The meeting was opened at 10: 03 with a prayer by Cllr Smook.

3. APPLICATION FOR LEAVE OF ABSENCE

Cllr V.C.Ndlovu and Cllr M.M. Booysen could not attend the meeting due to other commitments.

4. OFFICIAL NOTICE

4.1 The Acting Municipal Manager informed the meeting that a MANCO Meeting will be held with COGTA.

4.2 The Acting Director Corporate Services informed the meeting about an application by the community members to march on 27 January 2017 against the decision taken by the MEC to place the municipality under administration. The Director Corporate Services further informed the meeting that a stakeholder's meeting would be held at 14h:00 to discuss the issue of the march.

4.3 The Acting Director Corporate Service informed the meeting that two additional items would be added onto the agenda, the decision taken by the MEC to place the municipality under administration and an item to rescind a council resolution taken in 2014 concerning the Committee Officer.

4.4 The IFP and EFF informed the meeting that they would not be part of the meeting because in the last meeting it had been indicated that the municipality had been placed under administration and the Administrator should have been present in this meeting to assist with decision making.

After a brief discussion the IFP and EFF Councillors indicated that they would be leaving the meeting because the Administrator was not present. The IFP and EFF Councillors then walked out of the meeting.

The meeting then continued as there was a quorum.

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILLORS**

None.

6. **ANNOUNCEMENTS BY CHAIRPERSON**

None

7. **URGENT MATTERS**

A7/2017 AMENDMENT OF DELEGATION FRAMEWORK

- a) that the Amendment of the Delegation Framework on page 12 (par.5.2(a)(ii) and pages 22 to 23 (par.7.4.1(a)- (e) of the revised delegation framework 2016 be approved.
- b) that the committee appointed to review the amendment of the delegation framework do so.

A8/2017 COMPOSITION OF PORTFOLIO COMMITTEE_

DCS

RESOLVED

- a) that the merger of the Portfolio Committees into three (3) and the number of members for the Portfolio's be increased to seven (7) be approved.
- b) that the appointment of the Portfolio chairpersons be done by the Executive committee members.

a) **Budget&Treasury and Corporate Services**

Members

Cllr L.Y.Mhlungu
Cllr N.Ndlovu
Cllr H.M.Mthethwa
Cllr T.S.Buthelezi
Cllr F.G.S.Smook
Cllr F.Mlambo
Cllr N.A.Madida

b) **Community Services**

Members

Cllr N.Ndlovu
Cllr M.M.Booyesen
Cllr H.M.Mthethwa
Cllr N.A.Madida
Cllr V.C.Ndlovu
Cllr F.G.S.Smook
Cllr T.S.Buthelezi

c) **Technical and Planning Services**

Members

Cllr M.J.Mthethwa
Cllr N.Ndlovu
Cllr V.C.Ndlovu
Cllr F.Mlambo
Cllr N.A.Madida
Cllr T.S.Buthelezi
Cllr F.G.S.Smook

SP COUN. 2017.01.24

A9/2017 **APPROVAL OF EMADLANGENI LOCAL MUNICIPALITY DRAFT POLICY ON AWARDING OF BUSARIES TO NEEDY PERSONS** **DCS**

RESOLVED

- a) that the draft policy on awarding of bursaries for the amount of sixty thousand (R60 000.00) rand to needy persons be approved.

SP.COUNSP.COUN. 2017.01.24

A10/2017 **NONTOBEKO NENE'S CASE** **DCS**

RESOLVED

- a) that the amount of two hundred and thirty eight thousand three hundred and forty six (R238 346.06) rand and six cents be paid to Mrs N.Nene as per Labour Court and legal costs of sixty six thousand six hundred and fifty three thousand (R66 653-69)rand and sixty nine cents be paid.

SP.COUN. 2017.01.24

A11/2017 **WRITTEN NOTICE OF INTERVENTION IN TERMS OF S139(1)(b) OF THE CONSTITUTION, 1996 AT EMADLANGENI LOCAL MUNICIPALITY** **MAYOR**

RESOLVED

- a) that a letter be written by the Speaker to the Minister of Cogta and the Chairperson of NCOP to disapprove the intervention of the cabinet.
- b) that the intervention be interdicted and reviewed in court.

SP COUN. 2017.01.24

A12/2017 **RESCIND THE COUNCIL RESOLUTION A155/2014**

RESOLVED

- a) that resolution A155/2014 be rescinded and Ms B.J.W Kiewiets resume her duties as the Committee Office at the next council meeting.

8. CLOSURE

The meeting was terminated at 11:26 with a prayer by Cllr Smook.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 31 JANUARY 2017 ADJOURNED TO 08 FEBRUARY 2017 IN THE COUNCIL CHAMBER DUE TO MEC MEETING HELD ON 31 JANUARY 2017

PRESENT:	Cllr Z.H Madi	Speaker
	Cllr L.Y Mhlungu	Mayor
	Cllr N Ndlovu	Deputy Mayor
	Cllr T.S Buthelezi	
	Cllr N.A Madida	
	Cllr V.C.Ndlovu	
	Cllr F.Mlambo	left meeting at 9:40
	Cllr F.G.S Smook	
	Cllr M.H Mthethwa	
	Cllr M.J Mthethwa	
	Cllr M.M.Booyesen	
	Inkosi Z.G. Mabaso	left meeting at 9: 50
	Inkosi P.S.S.Khumalo	left meeting at 9: 50

OFFICIALS:	Adv. NN Sibisi	Acting Municipal Manager
	Mr T.O Mthethwa	Acting Director Corporate Services
	Mr S F Mtshali	Director Planning & Local Economic Development
	Ms N.Ndaba	IDP/PMS Manager
	Ms B.J.W.Kiewiets	Committee Officer

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 09: 15 with a prayer by Cllr Smook. Cllr Z.H.Madi informed the meeting that this meeting had been scheduled for 31 January 2017 but was postponed due to the MEC's visit to the area.

2. NOTICE OF A MEETING

The Acting Municipal Manager read the notice of the meeting.

3. APPLICATION FOR LEAVE OF ABSENCE

None

4. OFFICIAL NOTICE

4.1 The Acting Municipal Manager informed the meeting that a notice of motion had been received and it had been forwarded to the Speaker whereafter it will follow the necessary channels according to the Standing Rules and Orders of Council.

4.2 The Speaker requested members to work together.

4.3 Inkosi Mabaso informed the meeting that they had been invited to attend a workshop in Newcastle and would request to be excused earlier from the meeting.

Cllr V.C.Ndlovu, the IFP Councillors and the EFF Councillor raised concerns about the administrator not being present in the meeting because according to their understanding the municipality was still under administration. They further informed the meeting that Council could not take decisions and if they did it would prove that the municipality was against the decision taken to place the municipality under administration. They also informed the meeting that if there was any change regarding this matter they should have been provided with the relevant documentation.

Members of the meeting were informed that the progress report on the current status of what was happening should be provided to all Councillors. Members further informed the meeting that the matter of the intervention was still sub judicare because it was still subject to the court processes and could not be discussed. Members of the meeting were informed that the office of the Mayor could provide them with the consent from court which was an agreement between the attorneys of the cabinet, the MEC and the municipality pending the application for the intervention. The intervention is therefore withheld so there would not be any administrator working at the municipality.

The Speaker, Cllr Z.H.Madi requested that the documents on the court case be provided to all members after the meeting.

Cllr M.J.Mthethwa informed the meeting that he requested to be excused from the meeting as he has just been informed that there was a bereavement in the family.

Cllr M.J.Mthethwa was then excused from the meeting.

Inkosi Z.G. Mabaso and Inkosi P.S.S.Khumalo also excused themselves from the meeting

The Acting Municipal Manager informed the meeting that she respected Councillors views to be provided with copies and this was currently been done. The Acting Municipal Manager advised the members that the meeting should continue while the copies were made as this matter discussed now was not part of the agenda even though it was an important matter to be discussed by Council. The Acting Municipal Manager informed the meeting that Council could thereafter decide how they wanted to deliberate this matter after they had read the court's decision. The Acting Municipal Manager requested that the meeting proceeds as there were important decisions which had to be taken by 31 January 2017 which were compliant but unfortunately this did not happen and the decisions were relevant to service delivery.

The Speaker requested that the meeting proceeds to the next item.

Cllr V.C.Ndlovu requested to be excused from the meeting and then left the meeting.

Cllr F.Mlambo, Cllr H.M.Mthethwa and Cllr M.M.Booyesen also requested to be excused from the meeting and left the meeting.

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILORS**

None

6. **ANNOUNCEMENT BY THE CHAIRPERSON**

None

7. **URGENT MATTERS**

SP.COUN.2017.02.08

A13/2017 **MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT REPORT FOR 2016/2017 FINANCIAL YEAR**

The Acting Chief Financial Officer informed the meeting that in terms of Section 72(1)(a) of the MFMA inter alia, requires the Accounting Officer to assess the performance of the municipality during the first half of the year by 25 January. The Chief Financial Officer informed the meeting that the Mid-year budget and Performance Report for 2016/2017 had been tabled to the Audit Committee on 25 January 2017 and to Exco on 26 January 2016 but had not been taken to Council on 30 January 2017 due to the visit of the MEC. The Acting Chief Financial Officer informed the meeting that the municipality was in non - compliance due to Council not having sat.

The IDP/PMS Manager made a presentation on the achievements and non-achievements of the score cards.

RESOLVED

- a) that the Mid-Year budget and performance report for 2016/2017 financial year be approved.
- b) that a an adjustment budget be prepared in terms of section 72(3)(a) of the Municipal Finance Management Act. (MFMA) No. 56 of 2003.

SP.COUN.2017.02.08

A14/2017

REPORT ON THE APPOINTMENT OF PORTFOLIO CHAIRPERSONS BY THE EXECUTIVE COMMITTEE

RESOLVED

- a) that the following Councillors be appointed as the chairpersons of the emerged portfolio committees :-

Budget&Treasury and Corporate Service
Cllr L.Y.Mhlungu

Community Services
Cllr H.M.Mthethwa

Technical and Planning Services
Cllr N.Ndlovu

SP.COUN.2017.02.08

A15/2017

2015/2016 ANNUAL REPORT

The IDP/PMS Manager made a presentation on the Annual report whereafter it was :-

RESOLVED

- a) that the draft 2015/2016 Annual Report be approved.
- b) that the Annual Report be made available for a period of twenty one (21) days and the public and the local communities be invited to submit representations they have in connection with the Annual Report.
- c) that the Annual Report be submitted to Cogta, National Treasury, Provincial Treasury and the Auditor General for comments and inputs.
- d) that the Annual Report be referred to the Municipal Public Accounts Committee for oversight.

SP.COUN.2017.02.08

A16/2017

**NON COMPLIANCE-TABLING OF 2015/2016 ANNUAL REPORT
CFO**

The Acting Chief Financial Officer informed the meeting that the Annual Report for 2015/2016 was scheduled to be tabled on 31 January 2017 but could not be tabled due to the MEC's visit to the area on the same day.

RESOLVED

- a) that the written explanation on the report for non-compliance with section 127(2) of the Municipal Finance Management Act (MFMA) in terms of Section (3)(a) be accepted.

SP.COUN.2017.02.08

A17/2017

REPORT ON VALUATION ROLL

RESOLVED

- a) that the validity of the valuation roll be extended by one year to 30 June 2018 to be five financial years.

SP.COUN.2017.02.08

A18/2017

**COMPOSITION OF SELECTION PANEL FOR THE ADVERTISED CHIEF FINANCIAL OFFICER
AND DIRECTOR : CORPORATE SERVICES POSITIONS**

The Director Corporate Services informed the meeting that in terms of Local Government: Regulations on Appointment and conditions of employment of Senior Manager for 2014, Section 12(4) of the regulations state that “ The selection panel for the appointment of a manager directly accountable to the Municipal Manager must consist of at least three and not more than five (5) members.

RESOLVED

- a) that the Municipal Manager as the chairperson of the panel be mandated to look for a person with expertise or experience but not Cogta to sit on the shortlisting and interview panel.
- b) that the process of shortlisting and interviewing of candidates be done.

8. CLOSURE

The meeting was terminated at 11: 03 with a prayer by Cllr Smook.

**MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL
MEETING HELD ON 28 FEBRUARY 2017**

PRESENT:	Cllr Z.H Madi	Speaker
	Cllr L.Y Mhlungu	Mayor
	Cllr N Ndlovu	Deputy Mayor
	Cllr N.A Madida	
	Cllr V.C.Ndlovu	
	Cllr F.Mlambo	
	Cllr F.G.S Smook	
	Cllr M.H Mthethwa	
	Cllr M.J Mthethwa	
	Cllr M.M.Booyesen	
Inkosi Z.G. Mabaso		

OFFICIALS:	Adv. NN Sibisi	Acting Municipal Manager
	Mr T.O Mthethwa	Acting Director Corporate Services
	Mr S F Mtshali	Director Planning & Local Development
	Mr L.Nkosi	Legal Practioner
	Ms B.J.W.Kiewiets	Committee Officer

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 09: 06 with a prayer by Cllr F.G.S.Smook.

2. NOTICE OF A MEETING

The Acting Municipal Manager read the notice of the meeting.

3. APPLICATION FOR LEAVE OF ABSENCE

Cllr T.S.Buthelezi and Inkosi P.S.S.Khumalo could not attend the meeting due to other commitments.

RESOLVED

- a) that leave of absence be granted to both.

4. **OFFICIAL NOTICE**

None

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILORS**

None

6. **ANNOUNCEMENT BY THE CHAIRPERSON**

The Speaker Cllr Madi requested members to work together.

7. **URGENT MATTERS**

The Acting Municipal Manager informed the meeting that a motion was received from Cllr F.Mlambo on 06 February 2017 and a letter of withdrawal of the motion was received on 16 February 2017.

The Legal Practitioner read section 28.13 under Motions of the Standing Rules and Orders of Council which reads as follows " The mover with the consent of the seconder may withdraw a motion or amendment".

SP.COUN.2017.02.28

A19/2017

ADJUSTMENT BUDGET 2016/2017

The Acting Chief Financial Officer informed the meeting that the purpose of the item was to get approval on the Adjustment Budget. The Chief Financial Officer informed the meeting that the number of Councillors has increased by 24% and the staff compliment has increased by 25% and yet the equitable share has only increased by 12%. The Chief Financial Officer informed the meeting that it was difficult to balance the finances and the municipality will need to tighten its debts and cut on its expenditure. The Chief Financial Officer informed the meeting that the Operational expenditure needs to cut back on travelling and the municipality needs to spend on essential services only.

Members informed the meeting that the Adjustment would be tentatively approved pending the recommendation from EXCO.

RESOLVED

- a) that the 2016/2017 Adjustment budget be approved.
- b) that service delivery targets and performance indicators in the service delivery and budget implementation plan be revised.
- c) that the comments of Provincial Treasury on the Midyear Budget and Performance Assessment be noted.

Members informed the meeting that according to the Municipal Structures Act Section 30 subsection (a)(b) and (c) the budget first has to go to the Executive Committee for recommendation to Council before it is tabled before Council for a resolution.

The meeting was then adjourned at 10: 00 for the item on the Adjustment .Budget, vacant position of Director Technical Services and position of Director Community Services to be discussed by the Executive Committee.

The meeting was re - convened at 11: 45.

The Acting Municipal Manager advised the meeting that there was no quorum and no decision could be taken. The Acting Municipal Manager further informed the meeting that Rule 8 of the Standing Rules and Orders of Council under 8.2 indicates that "the Municipal Manager may raise matters in his/her discretion is urgent, for decision by council. A matter will be deemed urgent when the decision required, if delayed, would prejudice the Council and / or its operations".

The meeting was then adjourned until 15h : 00.

The meeting was adjourned for Friday 03 March 2017 at 10: 00.

The meeting held on 28 March 2017 was re-convened on 03 March 2017 at 10: 00.

The meeting was opened at 10: 06 with a prayer by Cllr F.G.S.Smook.

The Mayor, Cllr L.H.Mhlungu informed the meeting that at the EXCO Meeting held on 28 February 2017 it was recommended that the Adjustment Budget be approved.

A20/2017 IDP/BUDGET PROCESS PLAN 2017/18

RESOLVED

- a) that the IDP/Budget Process plan be approved and be submitted to COGTA and Provincial Treasury.
- b) that the dates on the process plan be changed to 2017.

A21/2017 VACANT POSITION OF DIRECTOR : TECHNICAL SERVICES

RESOLVED

- a) that the position of Director : Technical Services be approved and the Budget & Treasury department make funds available for the advertisement of the position of Director : Technical Services.

SP.COUN.2017.02.28

A22/2017 VACANT POSITON OF DIRECTOR : COMMUNITY SERVICES

RESOLVED

- a) that Ms Z.Sithebe be appointed as the Director Community Services as of 1 October 2016 and she be back paid.
- b) that Ms Z.Sithebe be provided capacitating and training in her position.
- c) that a letter be written to the MEC informing them about the appointment of Ms Z.Sithebe as Director Community Services.

SP.COUN.2017.02.28

A23/2017 PROGRESS REPORT ON SHORTLISTING AND INTERVIEWS FOR THE POSITION CORPORATE SERVICES AND CHIEF FINANCIAL OFFICER

RESOLVED

- a) that the process will be finalized by end of March 2017.

SP.COUN.2017.02.28

A24/2017 MUNICIPAL INTERNAL CALENDAR

RESOLVED

- a) that the correction of the 2016/2017 Annual Calendar be approved.

8. CLOSURE

The meeting was terminated at 11: 06 with a prayer by Cllr N.A.Madida.

MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING HELD ON 30 MARCH 2017 IN THE COUNCIL CHAMBER

PRESENT: Cllr Z.H. Madi Speaker
Cllr L.Y. Mhlungu Mayor
Cllr N. Ndlovu Deputy Mayor
Cllr T.S. Buthelezi
Cllr N.A. Madida
Cllr V.C.Ndlovu
Cllr F.Mlambo
Cllr F.G.S. Smook
Cllr H.M Mthethwa
Cllr M.J. Mthethwa
Cllr M.M.Booyesen
Inkosi P.S.S.Khumalo left the meeting at 14: 50

OFFICIALS: Adv. N.N. Sibisi Acting Municipal Manager
Mr T.O. Mthethwa Acting Director Corporate Services
Mr W.Mtusva Acting Chief Financial Officer
Mr S. F. Mtshali Director Planning & Local Development
Ms Z.Sithebe Director Community Services
Ms N.Ndaba Manager IDP/PMS
Mr T.Ndlovu Manager Internal Auditor
Mr L.Nkosi Legal Practitioner
Ms B.J.W.Kiewiets Committee Officer

Also present : Mr H.Frinincs and Mr S.Yenve from Kangra, Mrs V.Msimanga from Uitkomst mine and Mrs L.Del Grande and Mrs N.Mhlongo from KZN Department of Agriculture and Rural Development, Mr I.Scholtz from Cogta and Mr J.Ntuli from Rural Development and Land Reform.

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 09: 19 with a prayer by Cllr H.M.Mthethwa.

2. NOTICE OF A MEETING

The notice of the meeting was read by the Acting Municipal Manager.

3. APPLICATION FOR LEAVE OF ABSENCE

Inkosi Z.G.Mabaso could not attend the meeting due to other commitments.

RESOLVED

a) that leave of absence be granted to Inkosi Z.G.Mabaso.

4. ACCEPTANCE OF THE AGENDA

Cllr V.C.Ndlovu informed the meeting that the agenda could not be opened due to its size and they could not read through all items. Cllr V.C.Ndlovu informed the meeting that the agenda was too thick and requested that compliant and urgent matters be discussed only. Cllr V.C.Ndlovu informed the meeting that the minutes date back to last year August 2016 and requested that they be referred to another meeting. Cllr V.C.Ndlovu requested that the agenda be split into two meetings.

Cllr F.Mlambo supported Cllr V.C.Ndlovu.

The Acting Municipal Manager apologized for the big agenda and informed the meeting that there was a backlog since there has not been an ordinary Council meeting in a long time.

The Mayor supported Cllr V.C.Ndlovu that the minutes be referred to another meeting.

5. **DECLARATION OF INTEREST**

None

6. **ANNOUNCEMENTS**

None

7. **PRESENTATIONS**

PRESENTATION BY KANGRA COAL

Mr H.Frinincs from Kangra made a presentation on Proposed Future Planning in the Utrecht Area, The Overview area plan, Current status on all mining rights, Social and Labour plan, Potential mining projects, Kangra coal road map (Golder), Suggestions and questions on the way forward.

After the presentation the following questions were raised:-

Members wanted to know why the mines in Utrecht were closed.

The Acting Municipal Manager wanted to know why the people who were presenting were not the same people who had made a presentation to her, because the other people had made a presentation with proposed projects and the presentation for today had to be based on those projects. The Acting Municipal Manager informed the meeting that the projects are supposed to be aligned to the IDP and the LED and they are not.

The Acting Municipal Manager informed the meeting that maybe Kangra needs to enter into a memorandum of agreement with the municipality to have a continuation of the same projects until they are finished before discussing new projects.

The Acting Municipal Manager wanted to know whether the budget of ten million (R10 000 000.00) rand could be deposited into the municipal account.

Response

Mr H.Frinincs from Kangra informed the meeting that there was no coal left at Zimbuthu and Utrecht and the coal reserves were at Umgala and Kransvoël.

Mr H.Frinincs from Kangra informed the meeting that the other people who made a presentation to the Acting Municipal Manager could not attend this meeting due to other commitments, and they have been battling to get a meeting with the municipality and agreed that the projects were not aligned to the IDP.

Mr H.Frinincs from Kangra informed the meeting that the money does not get deposited into the municipality's account but it stays with Kangra and the projects are paid off by Kangra.

The presentation was noted.

PRESENTATION BY UITKOMST COLLIERY LED PROJECTS FOR THE PERIOD 2016 TO 2018

Mrs V.Msimanga from Uitkomst Mine made a presentation on the summary of Uitkomst Colliery Led projects for the period 2016 to 2018 BVI catch-up project plan, Statistics, no of employees and where they were from and the list of students at Uitkomst Colliery catch up plan from 2016 July to 2018 December.

After the presentation the following questions were raised:-

Members wanted to know whether there was any assistance from Uitkomst mine towards Emalahleni High School as the students from Uitkomst primary go to Emalahleni High School.

Members informed the meeting that most of the projects are around Uitkomst and according to the Social labour plan Uitkomst mine was informing the municipality what they were doing and wanted to know who they communicate with at the municipality.

Members wanted know whether the land the mine was using was privately owned or owned by the municipality.

Members informed the meeting that Emadlageni municipal area was big and were concerned that the people employed at the mine were not from Utrecht.

Members requested that Uitkomst mine communicate all correspondence with the office of the Mayor .

Response

Mrs V. Msimanga from Uitkomst Mine informed the meeting that she was not from Utrecht and did not know about Emalahleni High School, but she would look into the issue of Emalahleni High School. Mrs Msimanga from Uitkomst Mine informed the meeting that they were in the process of purchasing park homes to be used as classrooms for Uitkomst School. Mrs Msimanga from Uitkomst Mine informed the meeting that they were also in the process of organizing transport for Uitkomst School. Mrs Msimanga from Uitkomst Mine also informed the meeting that they were looking at purchasing tracksuits and school shoes as winter was approaching for the school children. Mrs Msimanga from Uitkomst Mine informed the meeting that the land the mine was using was privately owned. Mrs Msimanga from Uitkomst Mine informed the meeting that they took over the mine with the people that were employed and they have done verification of people which was difficult because people rent in Utrecht which reflects as though they were from here. Mrs Msimanga from Uitkomst mine informed the meeting that they had challenges with people that were employed at the mine because they stay away from work month end and after public holidays which presents a bad reflection. Mrs Msimanga further informed the meeting that they also faced challenges with people using drugs and failing breathalysing test for alcohol. Mrs Msimanga informed the meeting that they are in the process of verifying employees for criminal records and people will not be employed if they have criminal records. Mrs Msimanga informed the meeting that they were in the process of purchasing notice boards and once they arrive they will send someone to the municipality with them so that they could be installed at the relevant places. Mrs Msimanga informed the meeting that all tenders will also be placed on the notice boards. Mrs Msimanga encouraged the municipality to have a functional business chamber.

PRESENTATION BY KZN PROVINCIAL AGRIVILLAGE INITIATIVE

Mrs Lisa del Grande from KZN Provincial Agrivillage made a presentation on the Background, Provincial Status of Agrivillage Initiative, Initial Definition of Agrivillage, Development of Agrivillage concept, Agrivillage,

Process to date, Area of Development, Groenvlei progress to date, Questions raised by farm dwellers, Policy issues to develop, Agriculture planning framework, General economic & infrastructure matters arising, Kinsley, Waaihoek, Amantungwa, Ndlamlenze, Mpumalanga/ KZN and the way forward. Mrs Lisa del Grande from KZN Provincial Agrivillage informed the meeting that they were still waiting for information from the municipality which was outstanding from the last meeting.

After the presentation the following questions were raised:-

Members informed the meeting that the road programme between Utrecht and Ndlamlenze was a challenge.

Member raised a concern about the information which had not been forwarded to Mrs Lisa del Grande from KZN Provincial Agrivillage from the previous meeting.

Members wanted to know whether there was a budget for this project.

Members informed the meeting that there was an item on Agrivillage on the agenda and the resolutions will be included under the item whereafter it will be forwarded to Mrs Lisa Del Grande from KZN Provincial Agrivillage.

Response

Mrs Lisa del Grande from KZN Provincial Agrivillage informed the meeting that they were still waiting for the information from the municipality which had been discussed at the last Portfolio meeting because the information received had not been clear. Mrs Lisa del Grande from KZN Provincial Agrivillage informed the meeting that the process was slow and there were delays in the first planning phase. Mrs Lisa del Grande from KZN Provincial Agrivillage informed the meeting that there were resolutions at the end of the presentation and wanted to know when they would get them.

8. CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

- Minutes of a Council meeting held on 27 June 2016
- Minutes of an inauguration meeting held on 23 August 2016
- Minutes of the 23rd of August continued on 13 September 2016
- Minutes of the 13th of September continued on 14th of September 2017
- Minutes of the 14th of September continued on 19 September 2016

- Minutes of an Urgent Special Council meeting held on 05 October 2016
- Minutes of a Special Council meeting held on 27 October 2016
- Minutes of a Special Council meeting held on 31 October 2016
- Minutes of a Special Council meeting held on 16 November 2016
- Minutes of a Special Council meeting held on 24 November 2016
- Minutes of the Special Council meeting held on 09 January 2017.
- Minutes of the Special Council Meeting held on 12 January 2017.
- Minutes of the Special Council Meeting held on 24 January 2017
- Minutes of the Special Council Meeting held on 08 February 2017.
- Minutes of the Special Council Meeting held on 28 February 2017

The minutes were referred to the next meeting.

9. **OUTSTANDING MATTERS**

None

10. **SUBMISSION OF REPORTS FROM COUNCIL REPRESENTATIVES FROM DISTRICT/LOCAL MUNICIPALITY**

None

11. **REPORTS OF THE EXECUTIVE COMMITTEE/ EXECUTIVE MAYOR, UNDER THE SECTIONS, RECOMMENDATIONS TO COUNCIL, DECISIONS UNDER DELEGATED AUTHORITY AND DECISIONS OF EXECUTIVE MAYOR TAKEN WITH MAYORAL COMMITTEE**

COUN.2017.03.30

A25/2017 DRAFT IDP AND SDF 2017 / 2018

RESOLVED

- that the draft IDP be approved.
- that the draft IDP for 2017 / 2018 be subsequently submitted to the Department of Co-operative Governance and Traditional Affairs, Provincial and National Treasury for assessment purposes.
- that the approved draft IDP for 2016/17 be advertised for a period of 21 days for public comments, and also undertake the public consultation process in all six (6) wards.

COUN.2017.03.30

A26/2017 APPROVAL OF THE 2017 / 18 DRAFT BUDGET AND PROPOSED TARIFFS

RESOLVED

- that the 2017/2018 draft budget be approved.
- that the proposed tariffs be approved with effect from 01 July 2017.
- that the municipal budget and related policies remain unchanged and be approved.

COUN.2017.03.30

A27/2017 ADJUSTED SDBIP MM

RESOLVED

- that the SDBIP be adopted and be published.

COUN.2017.03.30

A28/2017 DRAFT ORGANOGRAM

RESOLVED

- a) that the draft Organogram be approved and it be submitted to the Local Labour Forum.

11. **REPORTS ON PORTFOLIO COMMITTEES**

The chairperson, Cllr L.Y.Mhlungu moved that the recommendations of the Corporate Services & Budget & Treasury Portfolio Committee to the Emadlangeni Municipal Council be considered and that the Resolutions of the Committee under Powers Delegated be noted.

COUN.2017.03.30

**A29/2017 REPORT ON IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY SEPTEMBER 2016
ACFO**

RESOLVED

- a) that the monthly SCM report in terms of Section (6)(4) of the Municipal SCM Regulations be noted.
- b) that the irregular, fruitless and wasteful expenditure be investigated and action be taken in terms of Section 32 of the Municipal Finance Management Act (MFMA).
- c) that the committee investigate the irregular, fruitless and wasteful expenditure and Council be advised on the progress taken.

COUN.2017.03.30

**A30/2017 REPORT ON IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY AUGUST
2016 ACFO**

RESOLVED

- a) that the monthly SCM report in terms of Section (6)(4) of the Municipal SCM Regulations be noted.
- b) that the irregular, fruitless and wasteful expenditure be investigated and action be taken in terms of Section 32 of the Municipal Finance Management Act (MFMA).
- c) that the committee investigate the irregular, fruitless and wasteful expenditure and Council be advised of the progress.

COUN.2017.03.30

**A31/2017 REPORT ON IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY OCTOBER 2016
ACFO**

RESOLVED

- a) that the monthly SCM report in terms of Section (6)(4) of the Municipal SCM Regulations be approved.
- b) that the irregular, fruitless and wasteful expenditure be investigated and action be taken in terms of Section 32 of the Municipal Finance Management Act (MFMA).
- c) that the committee investigate the irregular, fruitless and wasteful expenditure and Council be advised of the progress.

COUN.2017.03.30

A32/2017 REPORT ON GRAND HOTEL DEBT ACFO

RESOLVED

- a) that the offer of thirty (.30) cents per rand for the Grand Hotel debt not be accepted.

- b) that Grand Hotel pays the full amount of the outstanding debt to the amount of four hundred and thirty two thousand eight hundred and seventy three (R432 823.48) rand and fourty eight cents.

COUN.2017.03.30

A33/2017 REPORT ON WATERVAL PRISON INTEREST ACFO

RESOLVED

- a) that the interest on property rates for Waterval Prison to the amount of seven hundred thousand eight hundred and ninety nine (R712 899.82) rand and eighty two cents be written off.

COUN.2017.03.30

A34/2017 REPORT ON EMRS INCORRECT BILLING ACFO

RESOLVED

- a) that the overbilled amount of eight hundred and seventy five thousand and sixty seven (R875 067.71) rand on EMRS be written off.
- b) that the issue of smart meters be discussed in the next meeting to prevent overbilling.

COUN.2017.03.30

**A35/2017 MR POTGIETER'S CLAIM AGAINST THE MUNICIPALITY
ACFO**

RESOLVED

- a) that this matter be referred to Cogta whereafter a full report be taken to Council.

COUN.2017.03.30

A36/2017 REPORT ON DRAFT TERMS OF REFERENCE DCS

RESOLVED

- a) that the draft terms of reference be submitted to the Local Labour Forum meeting for deliberations.

COUN.2017.03.30

A37/2017 SHORTAGE OF OFFICES FOR STAFF DCS

RESOLVED

- a) that there be one caucus room for all parties which could be used alternatively by different parties and it be booked through the Committee Officer.
- b) that the two caucus rooms be given back to the municipality for office space.
- c) that if be noted that Cllr H.M.Mthethwa had a dissenting vote on the recommendation.
- d) that the old Council Chamber also be used as an alternative caucus room and the furniture be moved to the old Council Chamber.

CO

COUN.2017.03.30

A38/2017 ESTABLISHMENT OF TRAINING COMMITTEES DCS

RESOLVED

- a) that the item on establishment of training committees be submitted to the Local Labour Forum meeting for deliberations.

The chairperson, Cllr N.Ndlovu moved that the recommendations of the Technical, Planning & Economic Development Portfolio Committee to the Emadlangeni Municipal Council be considered and that the Resolutions of the Committee under Powers Delegated be noted.

COUN.2017.03.30

A39/2017 **MUNICIPAL PLANNING APPEAL AUTHORITY** **DP&ED**

RESOLVED

- a) that it be noted that the Executive Committee is the Municipal Appeal Authority.
- b) that the presiding officer of the Municipal Appeal Authority be the Mayor.

COUN.2017.03.30

A40/2017 **AUTHORISED OFFICER** **DP&ED**

RESOLVED

- a) that Ms N.B.N.Mokoena be appointed as the municipal planning Authorised officer.
- b) that Ms N.B.N.Mokoena be authorized to decide on applications that may be decided by municipal officials as contemplated in terms of section 22(1)(a) of the Spatial Planning and Land Use Management by-laws.

COUN.2017.03.30

A41/2017 **UPDATE ON AGRIVILLAGE** **DP&ED**

RESOLVED

- a) that the donation /transfer of portion 4 and 5 of farm 370 in Groenvlei from the Department of Public Works be accepted.
- b) that the Council note and agree to commit their support to actively engage and guide the agrivillage planning and development process in the municipality.
- c) that Council ensure the integration of the agrivillage planning with the spatial development framework and Integrated Development plans and budget subject to funds available.
- d) that the municipality works with the Provincial Government in the development of appropriate norms and standards for services delivery on farms and in rural land reform and village settlement.

COUN.2017.03.30

A42/2017 **VACANT SITE DISPOSAL** **DP&ED**

RESOLVED

- a) that the municipality disposes of the fourteen (14) vacant sites registered under Emadlangeni Municipality considering the Municipal Finance Management Act (MFMA).
- b) that the clause be included in the deed of sale stating that the property should be developed within a period of eighteen (18) months from the date of sale, failing which the municipality reserves the right to take back ownership of the site.

COUN.2017.03.30

A43/2017 **SUBMISSION OF BUILDING PLANS** **DP&ED**

RESOLVED

- a) that the contravention notices issued to residents against building without plans be noted.

COUN.2017.03.30

A44/2017 **THE SUBDIVISION OF PRIVATE AND MUNICIPAL ERVEN** **DP&ED**

RESOLVED

- a) that the subdivision of erven 149,241 and 455 which are privately owned, be noted.
- b) that the subdivision of erven 406, 407,408,409 and 460 registered in the name of Emadlangeni municipality be approved.
- c) that more funds be added to subdivision support KPI during the adjustment budget to assist the departments in reaching their targets.

COUN.2017.03.30

A45/2017

**UPDATE IN HOUSING PROJECTS IN EMADLANGENI MUNICIPALITY
DP&ED**

RESOLVED

- a) that a committee be established for the Khayaletu Township project.
- b) that it be noted that the ward councillor cannot be part of the the Khayaletu Township project committee.
- c) that a follow up be done on the outstanding debt of the houses in White City as a resolution had been taken to write off the debts for white city houses.

COUN.2017.03.30

A46/20174

**ADDITION OF MEMBERS TO THE EMADLANGENI MUNICIPAL PLANNING TRIBUNAL
DP&ED**

RESOLVED

- a) that Mr K.E.Gwala and Ms N.B.N.Mokoena be appointed as the two (2) new members of Emadlangeni Municipal Planning Tribunal as contemplated in part B section 3(1) of the Spatial Planning and Land Use Management regulations 2015.
- b) that the following names be gazetted as MPT Members .

Full Names	Institution	Designation	Qualification
S.F.Mtshali	Emadlangeni Municipality	Director Planning &Economic Development	M Town & Regional Planning B community and development studies
L.M.Nkosi	Emadlangeni Municipality	Legal Practioner	LLB
S.P.Hadebe	Town Planner	Town Planner	ND Town & Regional Planning
T.P.Zondi	Emadlangeni Municipality	Manager LED & Tourism	B Community and development Studies
N.Motaung	Amajuba District Municipality	Assistant Director	B.Sc Honours Environmental Management
N.M.B.Mokoena	Emadlangeni Municipality	Manager Development Planning	B Tech Town & Regional Planning
K.E.Gwala	Emadlangeni Municipality	Manager Infrastructure	B Tech Civil Engineering

- c) that Mr S.F.Mtshali be appointed as the chairperson of the Planning Tribunal and Ms N.B.N.Mokoena as the deputy chairperson.
- d) that a written declaration be submitted within ten (10) days of being appointed declaring his or her financial or other interest in the planning sector or related sector which may be in conflict of interest with their appointment. Declaring financial or other interests in development undertaken by family members and close associates in the municipality and declaring any conviction for a schedule 1 offence in terms of the Criminal Procedure Act, 1997 (Act no. 51 of 1977).

COUN.2017.03.30

A47/2017

**REPORT ON AGRICULTURE MASTER PLAN
DP&ED**

RESOLVED

- a) that the Agriculture Master Plan be adopted.

COUN.2017.03.30

A48/2017

**PROPOSAL OF PROJECT TO REGISTER MIG
DP&ED**

RESOLVED

- a) that the whole town and the priority be the following roads Hoog Street, Klopper street, General street, Malherbe street, Church street and Van Rooyen street project be registered as the new rehabilitation project of ward 2.
- b) that the Consulting Engineer start with the scoping report and Technical report.
- c) that three hundred thousand (R300 000.00) rand be budgeted for the scoping, design and technical report.

COUN.2017.03.30

A49/2017

**STATUS OF ELECTRICITY PROJECT
MIF**

RESOLVED

- a) that the this item be withdrawn from this meeting and a special Portfolio meeting be arranged where this item will be discussed.
- b) that the contractor, Department of Energy, be invited to the meeting.
- c) that a close out report on the previous project and a report on how many connections were done be tabled to the Portfolio meeting.
- d) that a the service level agreement and the advert that was done be provided on the report.

COUN.2017.03.30

A50/2017

**PRIORITY PROJECTS FOR 2017/2018
MIF**

RESOLVED

- a) that the following projects be approved as priority projects for 2017/2018 financial year but the projects will be reprioritized during the course of the year.

Balgray 1& 2 access road

Slagveld Gravel road

Esitilenga Gravel road

Kwa-Ntaba & Ekhashini Gravel road

- b) that a meeting be held with all ward Councillors to have roads registered on MIG and the PR Councillors be engaged as well.

COUN.2017.03.30

A51/2017

MAINTENANCE PLAN FOR RURAL ROADS

MIF

RESOLVED

- a) that ward Councillors submit a list with the names of priority roads for maintenance which should not exceed five (5) including the sports fields and new roads should not be included.
- b) that grading of roads starts in ward 2 and the status of the roads be checked prior to grading.
- c) that emergency roads be attended to first during grading and ward 6,4,1,3 and 5 follow after grading of roads in ward 2.

COUN.2017.03.30

A52/2017

SMALL TOWN REHABILITATION PROGRAMME

MIF

RESOLVED

- a) that the road project at de Kock street and Kantoor Street be completed with the available budget.
- b) that the contractors who had done de Kock and Kantoor street not be re-instated to complete the road.

COUN.2017.03.30

A53/2017

STATUS REPORT ON MIG PROJECTS

MIF

RESOLVED

- a) that this item also be referred to the Special Portfolio committee to be held and a full report be provided.

COUN.2017.03.30

A54/2017

PROGRESS REPORT ON AGRIVILLAGE

DP&ED

RESOLVED

- a) that Ms L. Del Grande engage with the Premier and the MEC to be part of the conflict resolution team.
- b) that the relevant contact people for the municipality be Mr S. F. Mtshali Director Planning & Economic Development and Mr L. Nkosi Legal Practitioner.
- c) that a special meeting be arranged by Ms L. Del Grande between the municipality and the Department of Agriculture and Rural Development to see how they could assist the municipality with the conflict pertaining to the electrification project and different farmers associations also be invited to the meeting.
- d) that a full report on the problematic farms be sent to Ms L. Del Grande at the office of Agriculture and Rural Development by Monday 06 March 2017.

The chairperson, Cllr H.M.Mthethwa moved that the recommendations of the Community Services Portfolio Committee to the Emadlangeni Municipal Council be considered and that the Resolutions of the Committee under Powers Delegated be noted.

COUN.2017.03.30

**A55/2017 BACK TO SCHOOL PROGRAMME
RESOLVED**

- a) that the back to school programme for fifty thousand (R50 000.00) be approved.

COUN.2017.03.30

**A56/2017 DISASTER MANAGMENT SECTOR AND WINTER SEASON CONTINGENCY PLANS
DCOM**

RESOLVED

- a) that the Municipal Disaster Management Sector Plan and the Municipal Winter Season contingency plan be approved.

12. REPORTS FROM MPAC

COUN.2017.03.30

A57/2017 MPAC REPORT TO COUNCIL

RESOLVED

- a) that the minutes from the MPAC committee be considered as the MPAC report to Council.
- b) that the MPAC terms of reference and the MPAC work plan for 2016/2017 financial year be adopted .
- c) that the EFF be represented in the MPAC meetings in line with the proportional party representation as outlined in the terms of reference.
- d) that the Oversight Report for the 2015/2016 Financial year be adopted.
- e) that the Annual Report be approved without any reservations as the municipality did not receive complaints or inputs on it.
- f) that the Oversight Report be made public in accordance with Section 129(3) of the Municipal Finance Management Act 56 of 2003.
- g) that the Oversight Report be submitted to the Provincial Legislature in accordance with Section 132(2) of the Municipal Finance Management Act 56 of 2003.
- h) that the minutes of the Audit Committee be noted.

13. REPORTS FROM THE AUDIT COMMITTEE

COUN.2017.03.30

A58/2017 AUDIT COMMITTEE TERMS OF REFERENCE, ANNUAL PLAN AND SCHEDULE OF MEETINGS

RESOLVED

- a) that the Audit Committee's terms of reference and annual plan be adopted.
- b) that the Audit Committee's schedule of meetings be noted.

14. REPORTS ON WARD COMMITTEES/CONSOLIDATED REPORT ON WARD COMMITTEES

None

15. REPORT ON SALGA ACTIVITIES

16. None
MONTHLY ACTIVITIES

None

17. **INPUT BY THE TRADITIONAL LEADERS**

None

18. **REPORTS FOR NOTING**

COUN.2017.03.30

B1/2017 **MUNICIPAL FINANCE MANAGEMENT PROGRAMME**

Noted

COUN.2017.03.30

B2/2017 **EXEMPTION FROM REGULATIONS NO 15 AND 18 OF MUNICIPAL REGULATIONS AND MINIMUM COMPETENCY LEVELS 2007**

Noted

COUN.2017.03.30

B3/2017 **REPORT ON IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY JULY 2016**
ACFO

Noted

COUN.2017.03.30

B4/2017 **REPORT ON IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY NOVEMBER 2016**
ACFO

Noted

COUN.2017.03.30

B5/2017 **REPORT ON IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY DECEMBER 2016**
ACFO

Noted

COUN.2017.03.30

B6/2017 **SECTION 71 REPORT NOVEMBER 2016** ACFO

Noted

COUN.2017.03.30

B7/2017 **SECTION 71 REPORT DECEMBER 2016** ACFO

Noted

COUN.2017.03.30

B8/2017 **SECTION 71 REPORT OCTOBER 2016** ACFO

Noted

COUN.2017.03.30

B9/2017 SECTION 71 REPORT SEPTEMBER 2016

ACFO

Noted

COUN.2017.03.30

B10/2017 SECTION 71 REPORT AUGUST 2016

ACFO

Noted

COUN.2017.03.30

B11/2017 SECTION 71 REPORT JULY 2016

ACFO

Noted

COUN.2017.03.30

**B12/20174 REPORT ON PAYMENT OF BONUSES TO CONTRACT WORKERS
DCS**

Noted

COUN.2017.30

B13/2017 REPORT ON HIV/AIDS AND 16 DAYS OF ACTIVISM FOR NO VIOLENCE AGAINST WOMEN AND CHILDREN DCOM

Noted

19. REPORTS FOR CONSIDERATION

None

20. REPORTS - IN-COMMITTEE

COUN.2017.03.30

A59/2017 REPORT ON THE THREE (3) MONTHS CONTRACT FOR ACTING DIRECTOR CORPORATE SERVICES AND ACTING CHIEF FINANCIAL OFFICER

RESOLVED

- a) that the contract of the Acting Director Corporate Services and the contract of the Acting Chief Financial Service be extended by three months.
- b) that Council apply to the MEC for such extension period.

COUN.2017.03.30

A60/2017 EXPIRRY OF CONTRACT FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

RESOLVED

- a) that the position of Director Planning and Economic Development be advertised.

COUN.2017.03.30

A61/2017 REPORT ON THE THREE (3) MONTHS CONTRACT FOR ACTING MUNICIPAL MANAGER

RESOLVED

- a) that the contract of the Acting Municipal Manager be extended for another three (3) months in terms of section 54A (2A) (b) of

the Municipal Systems Act No.32 of 2000 and Regulations and the item be submitted to Council for approval.

- b) that Council apply to the MEC for such extension period.

21. **NOTICE OF MOTION**

None

22. **QUESTIONS**

None

23. **URGENT REPORTS – ALLOWED ONLY WITH THE CONSENSUS OF THE CHAIRPERSON AND**

None

24. **CLOSURE**

The meeting was closed at 16: 45 with a prayer by Cllr Mthethwa.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 21 APRIL 2017

PRESENT: Cllr Z.H Madi Speaker
Cllr L.Y Mhlungu Mayor
Cllr N Ndlovu Deputy Mayor
Cllr N.A Madida
Cllr V.C.Ndllovu
Cllr F.Mlambo
Cllr F.G.S Smook
Cllr M.H Mthethwa
Cllr M.J Mthethwa
Cllr M.M.Booyesen
Cllr F.Mlambo

Also present : Mr G.L.Seethal and Mr M.P.Magaqo Evidence Leader on behalf of the Municipality authorized by Council.

OFFICIALS: Adv. N.N.Sibisi Acting Municipal Manager
Ms B.J.W.Kiewiets Committee Officer

1. **OPENING: MOMENT OF REFLECTION**

The meeting was opened at 10: 44 with a prayer by Cllr N.Madida.

2. **NOTICE OF A MEETING**

The Acting Municipal Manager read the notice of the meeting and informed the meeting that the meeting was to be held on 13 April 2017 but was postponed to today 21 April 2017.

3. **APPLICATION FOR LEAVE OF ABSENCE**

None

4. **OFFICIAL NOTICE**

The Acting Municipal informed the meeting that she will request to be excused from the meeting.

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILORS**

None

6. IN-COMMITTEE REPORTS

Before the report could be presented by the Evidence Leader the following Councillors requested to be recused from the meeting :-

Cllr V.C.Ndlovu, Cllr M.H.Mthethwa, Cllr M.J.Mthethwa, Cllr M.M.Booyesen and Cllr F.Mlambo.

A62/2017 FINAL REPORT ON DISCIPLINARY ENQUIRY OF MS GUGU PERTUNIAL NTSHANGASE

Mr G.L.Seethal on behalf of the Municipality then presented the chairperson's report, on his findings and sanction in respect of the disciplinary hearing of Mrs G.P.N. Ntshangase to be implemented with effect from 21 March 2017 being the date of the sanction.

RESOLVED

- a) that the final report of the Disciplinary Enquiry in the matter between the Emadlangeni Local Municipality and Mrs G.P.N.Ntshangase in respect of the chairperson, Mr Bongani Mgaga findings and sanctions is noted by Council.
- b) that Council resolves that the sanctions imposed by the Presiding Officer Mr Bongani Mgaga be implemented with effect from 21 March 2017 being the date of the sanction.
- c) that the report of the Disciplinary between the Emadlangeni Local Municipality and Mrs G.P.N.Ntshangase in respect of the charges be referred to the Minister and MEC responsible for Local Government in the Province.
- d) that since findings of Financial misconduct are involved the report also be forwarded to the MEC responsible for Finance in the Province and the Auditor General as prescribed in the Municipal Finance Management Act (MFMA) 2003.

7. CLOSURE

The meeting was terminated at 12: 50 with a prayer by Cllr N.Madida.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 02 MAY 2017

PRESENT: Cllr Z.H Madi Speaker
Cllr L.Y. Mhlungu Mayor
Cllr N. Ndlovu Deputy Mayor
Cllr N.A. Madida
Cllr V.C.Ndlovu
Cllr F.Mlambo
Cllr F.G.S Smook
Cllr M.H Mthethwa
Cllr M.J. Mthethwa
Cllr M.M.Booyesen
Cllr F.Mlambo

OFFICIALS: Mr T.O.Mthethwa Acting Director Corporate Services
Mr W.Mtusva Acting Chief Financial Officer
Mr S. F. Mtshali Director Planning & Local Economic Development
Ms Z.Sithebe Director Community Services
Ms B.J.W.Kiewiets Committee Officer

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 10: 21 with a prayer by Cllr V.C.Ndlovu.

2. NOTICE OF A MEETING

The Acting Director Corporate Services read the notice of the meeting.

3. **APPLICATION FOR LEAVE OF ABSENCE**

The Acting Municipal Manager could not attend the meeting due to other commitments.

RESOLVED

a) that leave of absence be granted to the Acting Municipal Manager.

4. **OFFICIAL NOTICE**

None

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILORS**

None

6. **ANNOUNCEMENTS**

The Speaker informed the meeting that item 7 will be withdrawn from the agenda because the Acting Municipal Manager was not present and was attending a meeting at Cogta.

7. **REPORT ON TECHNICAL DIRECTORS POSTION**

This item was withdrawn from the agenda because the Acting Municipal Manager was attending a meeting at Cogta.

COUN.2017.05.02

A63/2017 INTEGRATED RURAL ELECTRIFICATION PROGRAMME (INEP)

RESOLVED

- a) that both Malinga and Dan Poort be completed within the available budget of one point five million (R1 500 000 00) rand as these were part of the initial appointment for 2015/16 financial year.
- b) that Council appoints Asande Project to implement the Integrated Rural Electrification Programme (INEP) for the 2016/17 financial year and the process be expedited.
- c) that prioritization of one hundred (100) connections each be done in ward 1 and ward 4 for 2016/2017 financial year by the end of the week which will also include Mooihoek and Magwaza connections.
- d) that prioritization also be done for the 2017/2018 financial year for two hundred (200) connections amongst ward 1,3,4,5 and 6.
- e) that weekly meetings be held by the Engineering Portfolio committee to monitor the electrification project.

9. **CLOSURE**

The meeting was terminated with a prayer by Cllr V.C.Ndlovu at 11: 58.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 10 MAY 2017

PRESENT: Cllr N. Ndlovu Deputy Mayor
Cllr V.C.Ndlovu
Cllr F.Mlambo
Cllr F.G.S Smook
Cllr M.H Mthethwa
Cllr M.J. Mthethwa
Cllr M.M.Booyesen
Cllr F.Mlambo

OFFICIALS:	Mr T.O.Mthethwa	Acting Director Corporate Services
	Mr Z.Sithebe	Director Community Services
	Ms B.J.W.Kiewiets	Committee Officer

The meeting was informed that according to the Standing Rules and Orders of Council Rule 18.1 “ At every meeting of the council the Speaker, or if he/she is not present, an Acting Speaker shall be the chairperson. An acting Speaker may be elected by the majority of councillors present at any meeting of the council where the Speaker is not present.” The meeting was then informed that they need to elect an Acting Speaker as the Speaker and the Mayor were not present at the meeting.

Election of Acting Speaker

Cllr H.M.Mthethwa proposed that Cllr V.C.Ndlovu be appointed as the Acting Speaker for the meeting.

Cllr F.Mlambo supported Cllr H.M.Mthethwa that Cllr V.C.Ndlovu be appointed as the Acting Speaker for this meeting.

RESOLVED

a) that Cllr V.C.Ndlovu be elected as the Acting Speaker of the meeting.

1. **OPENING: MOMENT OF REFLECTION**

None

2. **NOTICE OF A MEETING**

The Acting Director Corporate Services read the notice of the meeting.

3. **APPLICATION FOR LEAVE OF ABSENCE**

None

Absent

Cllr L.Y.Mhlungu, Cllr Z.H.Madi, Cllr T.S.Buthelezi, Cllr N.A.Madida and the Acting Municipal Manager were absent.

4. **OFFICIAL NOTICE**

None

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILORS**

None

6. **INCOMMITTEE REPORTS**

COUN.2017.05.10

A64/2017

**EXTENTION OF POSITION OF ACTING CHIEF FINANCIAL OFFICER,ACTING DIRECTOR CORPORATE SERVICE AND ACTING MUNICIPAL MANAGER
RESOLVED**

- a) that the application which was done to the MEC for the extension of the Acting Municipal Manager for three (3) months be withdrawn and a letter of termination be written to the Acting Municipal Manager, Adv.N.N.Sibisi.
- b) that Mr S.I. Mabaso be appointed as the Acting Municipal Manager subject to MEC’s approval.
- c) that the MEC seconds a suitable person as acting Municipal Manager should Mr S.I.Mabaso be unavailable or the MEC declines his appointment.
- d) that the MEC be requested to assist the municipality urgently to resolve the issue of Directors.
- e) that the Deputy Mayor, Cllr N.Ndlovu be delegated to facilitate the resolution and sign all relevant documentation to the MEC (Cogta) and Acting Municipal Manager.

**A65/2017 REPORT ON COGTA CASE
RESOLVED**

- a) that this item be resubmitted to Council once a response has been received from the MEC.

COUN.2017.05.10

**A66/2017 APPOINTMENT OF DIRECTOR TECHNICAL SERVICES AND DIRECTOR PLANNING AND
ECONOMIC DEVELOPMENT
RESOLVED**

- a) that this matter be referred to the next meeting once a response has been received from the MEC.

7. CLOSURE

The meeting was terminated with a prayer by Cllr F.G.S.Smook at 11: 25.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 17 MAY 2017

PRESENT: Cllr Z.H. Madi Speaker
Cllr N. Ndlovu Deputy Mayor
Cllr V.C. Ndlovu
Cllr T.S Buthelezi
Cllr N.A Madida
Cllr F.Mlambo
Cllr F.G.S.Smook
Cllr H.M. Mthethwa
Cllr M.M Booyesen
Cllr M.J.Mthethwa

OFFICIALS : Mr T.O.Mthethwa Acting Director Corporate Services
Mr W.Mtusva Acting Chief Financial Officer
Mr S.F.Mtshali Director Planning & Development
Ms Z.Sithebe Director Community Services
Ms B.J.W.Kiewiets Committee Officer

Also present : Mr B.S.Duma, Mr T.Makhathini and Mr Z.Majozi
from the Office of Cogta

1. OPENING: MOMENT OF REFLECTION

The meeting was opened with a prayer by Cllr M.H.Mthethwa at 10: 10.

2. NOTICE OF A MEETING

The Acting Director Corporate Services read the notice of the meeting.

3. APPLICATION FOR LEAVE OF ABSENCE

Cllr L.Y.Mhlungu could not attend the meeting due to other commitments.

RESOLVED

- a) that leave of absence be granted to Cllr L.Y.Mhlungu.

4. OFFICIAL NOTICE

None

5. DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILORS

None

6. **IN-COMMITTEE REPORTS**

SP.COUN.2017.05.17

A67/2017 REPORT ON COGTA CASE

Mr S.Duma from Cogta requested that the municipality provides a brief report on the issue of the case between Cogta and the municipality.

Cllr T.S.Buthelezi informed the meeting that the issue of the case between Cogta and the municipality for an intervention has caused a situation where the municipality cannot work. Cllr T.S.Buthelezi further informed the meeting that Council needs to find a workable situation with Cogta to take the municipality forward.

Members requested that they required a background on what was happening in the matter regarding the Cogta case.

The Deputy Mayor, Cllr N.Ndlovu presented a brief background on the case between Cogta and the municipality whereafter Mr S.Duma confirmed that what had been presented by the Deputy Mayor Cllr N.Ndlovu was correct.

After various discussions it was:-

RESOLVED

- a) that the municipality withdraws the case against Cogta in Court.
- b) that a letter be written to the MEC inviting her to the municipality to discuss a way forward for the municipality.
- c) that Council mandates Cllr N.Ndlovu, the Deputy Mayor to communicate with these decision of Council to the MEC.

Mr B.S.Duma then advised council on the issue of administration whereafter Council adjourned for 5 minutes.

The meeting then went into a workshop.

The meeting then reconvened at 14 :52.

SP.COUN.2017.05.17

A68/2017 APPOINTMENT OF THE ACTING MUNICIPAL MANAGER

RESOLVED

- a) that Council in collaboration with the Ministerial Representative should appoint the Acting Municipal Manager by Friday the 19 the May 2017.
- b) that the Acting Municipal Manager must report progress on the appointment of Senior Managers to the Executive Committee and Council every month until the positions are filled.
- b) that Council approves that the position of Municipal Manager to be advertised by the Mayor by 31 May 2017.

SP.COUN.2017.05.17

A69/2017 REPORT ON APPOINTMENT OF CHIEF FINANCIAL OFFICER , DIRECTOR CORPORATE SERVICES

RESOLVED

- a) that Council approves that the position of Chief Financial Officer, Director Corporate Services and Director Technical Services be re-advertised in line with the relevant regulations by 25 May 2017.

- b) that Council approves that the Mayor urgently submits to the MEC a motivation and associated recruitment plans to the MEC in relation to the extension of the acting appointments of the Chief Financial Officer and the Director Corporate Services.

SP.COUN.2017.05.2017

A70/2017

APPOINTMENT OF DIRECTOR TECHNICAL AND DIRECTOR PLANNING

RESOLVED

- a) that Council approves the position of Director Planning and Economic Development to be re-advertised by 25 May 2017 due to the fatal defects in the initial advertisements.

The meeting was adjourned at 15 : 30 with a prayer by Cllr H.M.Mthethwa.

The meeting was re-convened at 09 : 25 with a prayer by Cllr M.Booyesen on Friday 19 May 2017.

The Mayor could not attend the meeting due to other commitments.

A 71/2017

APPOINTMENT OF THE ACTING MUNICIPAL MANAGER

- a) that the Municipal Council concurs with the Ministerial Representative Mr B.S.Duma that Mr L.C.T Nkosi be appointed Acting Municipal Manager with effect from 22 May 2017 for a period not exceeding three months provided that the employer has the right to terminate the appointment with immediate effect in the event that the following conditions are met before the expiry of three months.
- i) The former Municipal Manager is reinstated and return to her post.
 - ii) The post of Municipal Manager is filled by the Municipal Manager.
- b) that the Acting Municipal Manager will have full powers of the Municipal Manager as provided for in relevant legislation and delegated powers of authority of the municipality and any other relevant policy approved by the municipal council.
- c) that should Mr L.C.T.Nkosi be unavailable to assume duties on Monday 22 May 2017 or sooner thereafter, the second preferred person being Mr Z.J.Mkhize be offered the appointment on the same terms and conditions.
- d) that the Mayor, Cllr L.Y.Mhlungu is authorized to enter into a fixed term employment contract with the Acting Municipal Manager complying with the provisions of section 57 of the Local Government Municipal Systems Act, 32 of 2000 as amended.

6.5

CLOSURE

The meeting was terminated with a prayer by Cllr M.Booyesen at 10: 06.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 31 MAY 2017

PRESENT: Cllr L.Y.Mhlungu Mayor
Cllr Z.H. Madi Speaker
Cllr N. Ndlovu Deputy Mayor
Cllr V.C. Ndlovu
Cllr T.S Buthelezi
Cllr N.A Madida
Cllr F.G.S.Smook
Cllr H.M. Mthethwa
Cllr M.M Booyesen
Cllr M.J.Mthethwa
Cllr F.Mlambo
Inkosi Z.G.Mabaso

left at 15 :15

OFFICIALS : Mr L.C.T.Nkosi
Mr T.O.Mthethwa Acting Director Corporate
Services
Mr W.Mtusva Acting Chief Financial Officer
Mr S.F.Mtshali Director Planning & Economic
Development
Ms B.J.W.Kiewiets Committee Officer

Also present : S.Duma from Cogta.

1. **OPENING: MOMENT OF REFLECTION**

The meeting was opened with a prayer by Cllr F.G.S.Smook at 14h: 00.

2. **NOTICE OF A MEETING**

The Acting Municipal Manager read the notice of the meeting.

3. **APPLICATION FOR LEAVE OF ABSENCE**

The Director Community Services could not attend the meeting due to other commitments.

RESOLVED

a) that leave of absence be granted to the Director Community Services.

4. **OFFICIAL NOTICE**

The Mayor, Cllr L.Y.Mhlungu introduced the Acting Municipal Manager Mr L.C.T.Nkosi to the meeting.

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILORS**

None

6. **URGENT REPORTS ALLOWED ONLY WITH THE CONCENSUS OF THE CHAIRPERSON; AND**

The Acting Municipal Manager informed the meeting that there were two issues he wished to discuss under this item.

The Acting Municipal Manager informed the meeting that the farmers have taken the municipality to court regarding the electrification project on their farms. The Acting Municipal Manager requested a resolution to litigate and defend the municipality on this matter.

The Acting Municipal Manager informed the meeting that the second matter was that of the previous Municipal Manager, Mrs G.P.N.Ntshangase who had a case against the municipality at arbitration. The Acting Municipal Manager requested a resolution on whether to have the previous Municipal Manager re-instated or whether to compensate her if so requested.

Mr S.Duma from Cogta advised the meeting that it would save the municipality a lot of costs if they were to use the Acting Municipal Manager to represent the municipality in court for the court case's as a lot of money had been spent by the municipality on court case's.

After discussions it was :-

A72/2017 RESOLVED

- a) that the Acting Municipal Manager prepares a full report on the issue of the previous Municipal Manager Mrs G.P.N.Ntshangase to the next Council meeting.
- c) that the Acting Municipal Manager be granted permission to represent the municipality in court on the case which the farmers have opened against the municipality.

SP.COUN.2017.05.31

APPROVAL OF THE 2017/18 FINAL BUDGET AND PROPOSED TARIFFS

The Acting Chief Financial Officer presented the 2017/2018 budget to the meeting and informed the meeting that the municipality would have to be disciplined to a very strict budget.

RESOLVED

- a) that in terms of section 24 of the MFMA, 56 of 2003 the final budget of the municipality for the 2017/2018 financial year and indicative allocations for the two projected outer years 2018/2019 and 2019/2020 and the multi-year and single year capital appropriations be approved .
- b) that Council approves the municipality's proposed tariffs with effect from 01 July 2017.
- c) that the following budget related policies remain unchanged, budget policy, tariff policy, supply management policy and the cancellation policy on bookings for the Game and Caravan Park.
- d) that the comments and responses from Provincial Treasury be noted.
- e) that a full report be submitted to the next Council meeting on the issue of the security of the Mayor.
- f) that the Acting Municipal Manager prepares a report on certain aspects that Council needs clarity on and submits a full report to Council.
- g) that a workshop be held on the terms of reference and MPAC members be present.

SP.COUN.2017.05.31

APPROVAL OF REFUND CANCELLATION POLICY FOR GAME AND CARAVAN PARK**RESOLVED**

- a) that all booking refunds are charged at 5% bank costs fee to cover the costs of the bank transfers in and out of the accounts.
- b) that a booking cancelled more than 14 days from the date of the booking may be refunded, less than 5% above.
- c) that when the booking is cancelled less than 14 days but more than seven (7) days from date of booking the refund would be 75%.
- d) that bookings cancelled within seven (7) days from the date of booking refund would be 50%.
- e) that booking cancellations due to emergency, including but not limited to death in family, injury and or other emergency, at the discretion of the Game and Caravan Park Manager can be refunded in full less the 5% bank charges fee and this must be supported by relevant documentation and approval by Game and Caravan Park Manager.

SP.COUN.2017.05.31

EXPIRY OF CONTRACT FOR DIRECTOR : PLANNING AND ECONOMIC DEVELOPMENT

The Acting Municipal Manager informed the meeting that the contract of the Director Planning and Economic Developments is coming to an end today 31 May 2017 and the request was that the Director's contract be extended.

RESOLVED

- a) that Council notes that the contract of Mr S.F.Mtshali expires today 31 May 2017.
- b) that Council appoints Mr S.F.Mtshali as Acting Director Planning and Economic Development for a period of three (3) months or until the position is filled, whichever comes first.
- c) that the remuneration of Mr Mr S.F.Mtshali be in line within the 2016 Notice.

8. **CLOSURE**

The meeting was terminated with a prayer by the Cllr F.G.S.Smook at 16: 16.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 22 JUNE 2017

PRESENT: Cllr L.Y.Mhlangu Mayor
Cllr Z.H. Madi Speaker
Cllr N. Ndlovu Deputy Mayor
Cllr V.C. Ndlovu
Cllr T.S Buthelezi
Cllr N.A Madida
Cllr F.G.S.Smook
Cllr H.M. Mthethwa
Cllr M.M Booysen
Cllr M.J.Mthethwa
Cllr F.Mlambo

OFFICIALS : Mr L.C.T.Nkosi Acting Municipal Manager
Ms B.J.W.Kiewiets Committee Officer

Also present : S.Duma from Cogta.

1. **OPENING: MOMENT OF REFLECTION**

The meeting was opened with a prayer by Cllr V.C.Ndlovu at 12h: 10.

2. **NOTICE OF A MEETING**

The Acting Municipal Manager read the notice of the meeting.

3. **APPLICATION FOR LEAVE OF ABSENCE**

None

4. **OFFICIAL NOTICE**

Mr S.Duma thanked Council for attending the session with the NCOP Select Committee which was held on 09 June 2017 at the Utrecht Museum. Mr S.Duma stated that the Select Committee will make its recommendations to the NCOP after considering all the submissions from the various stakeholders. Mr S.Duma informed the meeting that the NCOP will take one of two decisions :-

a) that the intervention in terms of section 139 of

Constitution at Emadlangeni Municipality is approved in which an Administrator will be deployed at Emadlangeni by Cogta. The Administrator will be full time at Emadlangeni Municipality unlike Mr S.Duma who comes frequently.

b) The NCOP may decide that the intervention is not warranted and not approve it in which case the Constitution prescribes that it must end. Mr S.Duma stated that if the intervention ended it would not mean that the Provincial Government would stop supporting the municipality but that such support will not be as intense as it would have been under the intervention.

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILORS**

None

SP.COUN.2017.06.22

A76/2017 **SELECTION PANEL FOR SENIOR MANAGERS**

RESOLVED

Chief Financial Officer

- a) that the following panel is appointed to conduct the recruitment and Selection of the Chief Financial Officer.
- b) that the Acting Municipal Manager Mr L.C.T.Nkosi is the chairperson of the panel for the Recruitment and Selection of the Chief Financial Officer.
- c) that HW the Mayor, Cllr L.Y.Mhlongu is the member of the panel by virtue of being the chairperson of the Finance and Corporate Services Portfolio Committee.
- d) that the chairperson of the panel being the Municipal Manager is authorized to approach any municipality in this Province to release its Chief Financial Officer to form part of this panel.

Director Corporate Services

- e) that the following panel is appointed to conduct the recruitment and Selection of the Director Corporate Services.
- f) that the Acting Municipal Manager Mr L.C.T.Nkosi is the chairperson of the panel for the Recruitment and Selection of the Chief Financial Officer.
- g) that HW the Mayor, Cllr L.Y.Mhlongu is the member of the panel by virtue of being the chairperson of the Finance and Corporate Services Portfolio Committee.
- h) that the chairperson of the panel being the Municipal Manager is authorized to approach any municipality in this Province to release its Director Corporate Services to form part of this panel.

Director Planning and Infrastructure Development

- i) that the following panel is appointed to conduct the recruitment and Selection of the Director Planning and Infrastructure Development.
- j) that the Acting Municipal Manager Mr L.C.T.Nkosi is the chairperson of the panel for the Recruitment and Selection of the Director Planning and Infrastructure Development.
- k) that the Deputy Mayor, Cllr N.Ndlovu is the member of the panel by virtue of being the chairperson of the Planning and Infrastructure Portfolio Committee.
- l) that the chairperson of the panel being the Municipal Manager is authorized to approach any municipality in this Province to release its Director Planning and Infrastructure Development to form part of this panel.
- m) that the Acting Municipal Manager should prepare and submit to Cogta a Recruitment and Selection Plan for Section 56 Managers with dates as provided for in the regulations on or before the 30th of June 2017.

SP.COUN.2017.06.22

A77/2017 **SELECTION PANEL FOR THE POSITION OF MUNICIPAL MANAGER**

The Acting Municipal Manager Mr L.C.T.Nkosi recused himself from the meeting.

RESOLVED

- a) that the following panel is appointed to conduct the recruitment and Selection of the Municipal Manager.

- b) that HW the Mayor, Cllr L.Y.Mhlungu is the chairperson of the panel for the Recruitment and Selection of the Municipal Manager.
- c) that Cllr V.C.Ndlovu is designated by Council as a member of the panel for the Recruitment and Selection of the Municipal Manager.
- d) that the chairperson of the panel being HW the Mayor, Cllr L.Y.Mhlungu is authorized to approach any municipality in this Province to release its Municipal Manager to form part of this panel.
- m) that HW the Mayor, Cllr L.Y.Mhlungu should prepare and submit to Cogta a Recruitment and Selection Plan for the position of the Municipal Manager with dates as provided for in the regulations on or before the 30th of June 2017.

8. CLOSURE

The meeting was terminated at 12 : 56 with a prayer by the Cllr V.C.Ndlovu.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 12 DECEMBER 2017 IN THE COUNCIL CHAMBER

PRESENT:	Cllr Z.H. Madi	Speaker
	Cllr L.Y. Mhlungu	Mayor
	Cllr N. Ndlovu	Deputy Mayor
	Cllr T.S. Buthelezi	
	Cllr N.A. Madida	
	Cllr V.C.Ndlovu	
	Cllr F.G.S. Smook	
	Cllr H.M. Mthethwa	
	Cllr M.J. Mthethwa	
	Cllr M.M.Booyesen	
	Cllr F.Mlambo	
	Inkosi Z.G.Mabaso	

OFFICIALS:	Mr S.Duma	Administrator
	Mr L.C.T.Nkosi	Acting Municipal Manager
	Mr Z.J.Mkhize	Acting Director Corporate Services
	Ms S.Mhlophe	Acting Chief Financial Officer
	Ms Z.Sithebe	Director Community Services
	Ms B.J.W.Kiewiets	Committee Officer

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 11: 22 with a prayer by Cllr V.C.Ndlovu.

2. NOTICE OF A MEETING

The notice of the meeting was read by the Committee Officer.

3. APPLICATION FOR LEAVE OF ABSENCE

None

4. OFFICIAL NOTICES

None

5. DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILLORS

None

6. **URGENT REPORTS – ALLOWED ONLY WITH THE CONSENSUS OF THE CHAIRPERSON; AND**

The ANC requested a caucus. The caucus was granted. The meeting was then adjourned for ten minutes at 12 : 20. The meeting resumed at 12 : 49.

Cllr F.Mlambo requested to know who the two members were who were present in the meeting.

Cllr V.C.Ndlovu informed the meeting that this was not an in-committee meeting and according to the Standing Rules and Orders of Council the public members could be present at this meeting.

Cllr F.G.S.Smook requested that the public members be excused from the meeting according to the Standing Rules and Orders of Council.

Cllr F.Mlambo requested that he be excused from the meeting if the two members did not leave the meeting.

Cllr F.Mlambo then excused himself from the meeting.

COUN.2017.06.12

B22/2017 **ALLEGED INTERFERENCE IN THE ADMINISTRATION BY COUNCILLORS**

Mr S.Duma informed the meeting that he placed this item on the agenda because he had been informed that the Councillors were interfering in the Administration of Council. Mr S.B.Duma informed the meeting that the purpose of this meeting was to warn Councillors not to interfere in the Administration of Council as there could be consequences. Mr S.Duma informed the meeting that in terms of schedule 1 of the Systems Act Councillor's cannot interfere with the Administration of Council. Mr S.Duma informed the meeting that Councillors should not tell the HOD's as to which Service Providers should be appointed or which Service Providers should be paid. Mr S.Duma informed the meeting that if Councillors continued to interfere in the Administration he will be forced to tell the MEC to investigate the Councillors in terms of the Councillors Code of Conduct. Mr S.Duma informed the meeting that this was currently done in Dumbe. Mr S.Duma informed the meeting that Councillors could face serious consequences, be penalized, suspended or expelled. Mr S.Duma informed the meeting that Councillors could ask questions or do their oversight work only. Mr S.Duma further informed the meeting that if there was such information of misconduct by a Councillor the matter could be reported to the Speaker. Mr S.Duma requested that Councillors read their Code of Conduct for Councillors. Mr S.Duma further informed the meeting that there was also a code of conduct and regulations guiding Officials.

Noted

COUN.2017.06.12

A212/2017 **ACTING DIRECTOR TECHNICAL SERVICES**

Mr S.Duma informed the meeting that there was no stable person in the position of Technical Services Director and requested that a person be appointed to act in that position.

The Acting Municipal Manager informed the meeting that competency tests for the position of the Municipal Manager, Director Infrastructure and Planning & Development and Director Corporate Services would be completed by Thursday, 14 December 2017. The Acting Municipal Manager informed the meeting that the position of the Chief Financial Officer had not been interviewed as the panel for the interviews was not available.

RESOLVED

- a) that a Special Council meeting be held on 22 December 2017 to finalize the appointments of the Municipal Manager, Director Corporate Services and the Director Infrastructure and Planning Development.
- b) that the matter of the person that will be acting in the position of Acting Director Infrastructure and Planning Development be finalized on 22 December 2017.

REPORT ON THE INEP PROGRAMME

The Acting Municipal Manager presented a report on the status of Asande Project Services as implementing agent of the Integrated Rural Electrification Programme for Emadlangeni Municipality.

After the report was presented Mr S.Duma informed the meeting that the rollover was refused and whether the municipality paid Asande projects or not both were irregular.

RESOLVED

- a) that the first invoice of the two outstanding invoices for Asande be paid.
- b) that the Acting Municipal Manager writes a letter to Asanda terminating their contract.
- c) that all contracts be reviewed and all irregular contracts be terminated.
- d) that the Project Manager be appointed according to regulation 32 of the Municipal Finance Management Act (MFMA).
- e) that the construction part of the tender for INEP be re-advertised and the tender should not be a turnkey.
- f) that when the Auditor General's report is presented in January 2017 the matter of INEP be referred to MPAC for investigation in terms of section 32 of the MFMA and resources also be given to MPAC to do the investigation and a report be provided to Council after the investigation is completed.
- g) that cost cutting measures be implemented with immediate effect whereafter a report be submitted to Council indicating where the costs must be cut.

7. CLOSURE

The meeting was closed at 15 : 45 with a prayer by Cllr H.M.Mthethwa.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 29 JUNE 2017

PRESENT: Cllr L.Y.Mhlungu Mayor
 Cllr Z.H. Madi Speaker
 Cllr N. Ndlovu Deputy Mayor
 Cllr V.C. Ndlovu
 Cllr T.S Buthelezi
 Cllr N.A Madida Arrived at 9: 30
 Cllr F.G.S.Smook
 Cllr H.M. Mthethwa
 Cllr M.M Booysen
 Cllr M.J.Mthethwa
 Cllr F.Mlambo Arrived at 09: 35
 Inkosi Z.G.Mabaso Arrived at 09: 36
 Inkosi P.S.S.Khumalo Arrived at 09: 20

OFFICIALS : Mr L.C.T.Nkosi Acting Municipal Manager
 Mr T.O.Mthethwa Acting Director Corporate Services
 Mr W.Mtusva Acting Chief Financial Officer
 Mr S.F.Mtshali Acting Director Planning & Economic Development
 Ms N.Ndaba Manager IDP/PMS
 Ms B.J.W.Kiewiets Committee Officer

Also present: Mr S.Duma from Cogta.

1. OPENING: MOMENT OF REFLECTION

The meeting was opened with a prayer by Cllr V.C.Ndlovu at 09: 05.

2. NOTICE OF A MEETING

The Acting Municipal Manager read the notice of the meeting.

3. APPLICATION FOR LEAVE OF ABSENCE

None

4. OFFICIAL NOTICE

Cllr T.S.Buthelezi requested a caucus.

After the caucus it was requested that the following items be discussed :- item 9.7, item 9.10, item 9.11 and item 9.12.

5. DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILORS

None

6. ANNOUNCEMENTS

None

7. PRESENTATIONS

None

8. URGENT REPORTS ALLOWED ONLY WITH THE CONCENSUS OF THE CHAIRPERSON; AND

None

9. REPORTS FOR CONSIDERATION

SP.COUN.2017.06.29

A78/2017 APPROVAL OF ORGANOGRAM

RESOLVED

- a) that the 2017/2018 organogram be approved.
- b) that the wording budgeted for / not budgeted for be removed.
- c) that the positions on the organogram reflect the name acting of the person in brackets acting after the positions have been named.
- d) that the positions which are not needed be blurred on the organogram, legal manger should be legal officer, auxillary manager, interpretation manager were not needed and a position of PMU be included on the organogram of the Technical Department.

SP.COUN.2017.06.29

A79/2017 ADOPTION OF THE DRAFT HOUSING SECTOR PLAN 2015-2020

RESOLVED

- a) that the draft reviewed Emadlangeni Housing Sector Plan be adopted.
- b) that Balgray also be included on the plan.

SP.COUN.2017.06.29

A80/2017 THE ADOPTION OF THE REVIEWED DRAFT SPATIAL DEVELOPMENT FRAMEWORK

RESOLVED

- a) that the draft reviewed Emadlangeni Spatial Development Framework be adopted.

SP.COUN.2017.06.29

A81/2017 INTEGRATED DEVELOPMENT PLAN (IDP) FOR 2017/2018 FINACIAL YEAR

RESOLVED

- a) that the final five (5) year Integrated Development Plan be adopted.
b) that the corrected organogram be placed into the Draft Integrated Development Plan.

SP.COUN.2017.06.29

A82/2017 SDBIP FOR 2017/2018 FINANCIAL YEAR

RESOLVED

- a) that the SDBIP be adopted.

10. IN-COMMITTEE REPORTS

The HOD'S were requested to excuse themselves from the meeting.

SP.COUN.2017.06.29

B1/2017 OUTSTANDING DEBT BY TWO (2) COUNCILLORS

The Speaker, Cllr Z.H.Madi informed the meeting that he had received correspondence that there were two (2) Councillors who had outstanding debts on their rates and taxes accounts. Cllr Z.H.Madi informed the meeting that he had done an investigation on this matter and the findings were that the relevant Councillors had since made an arrangement to pay off the debt and the debt would be paid by end of July 2017.

NOTED

SP.COUN.2017.06.29

B2/2017 FEEDBACK ON THE NCOP MEETING

Mr S.Duma informed the meeting the NCOP had met on Tuesday and a decision had been taken that the intervention in terms of section 139 1 (b) of Constitution at Emadlangeni Municipality is approved in which an Administrator will be deployed at Emadlangeni by Cogta. The Administrator will be appointed for a period of six months at Emadlangeni Municipality whereafter it will be reviewed whereafter a resolution will be taken whether it would still be necessary to have an Administrator or not.

NOTED

SP.COUN.2017.06.29

B3/2017 ALLEGATIONS AGAINST CLLR T.S.BUTHELEZI

NOTED

SP.COUN.2017.06.29

B4/2017 PROGRESS ON APPOINTMENT OF SENIOR MANAGERS

The Acting Municipal Manager informed the meeting that the position of the Chief Financial Officer and Director Corporate Services will be ending on 15 July 2017. The Acting Municipal Manager informed the meeting that the position of Chief Financial Officer has been shortlisted and the interviews will be done on Tuesday 04 June 2017 whereafter screening will be done. The Acting Municipal Manager informed the meeting that the position of

Director Corporate Services has not been shortlisted yet, as he had a challenge with getting an expert from another municipality to assist on the panel with the shortlisting but this would be done soon. The Acting Chief Financial Officer informed the meeting that the Senior Manager Budget & Treasury has resigned and hence if he could not appoint a Chief Financial Officer he would call a Special Council meeting for assistance.

The Acting Municipal Manager informed the meeting that he had a challenge with the expert for Planning and Technical but if things go well the shortlisting would be done today.

NOTED

11. CLOSURE

The meeting was terminated with a prayer by the Cllr F.G.S.Smook at 11: 05.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 13 JULY 2017

PRESENT: Cllr L.Y.Mhlangu Mayor
Cllr Z.H. Madi Speaker
Cllr N. Ndlovu Deputy Mayor
Cllr V.C. Ndlovu
Cllr T.S Buthelezi
Cllr N.A Madida
Cllr F.G.S.Smook
Cllr H.M. Mthethwa
Cllr M.M Booyesen

OFFICIALS : Mr L.C.T.Nkosi Acting Municipal Manager
Ms B.J.W.Kiewiets Committee Officer

1. OPENING: MOMENT OF REFLECTION

The meeting was opened with a prayer by Cllr N.Madida at 14h: 10.

2. NOTICE OF A MEETING

The Acting Municipal Manager read the notice of the meeting.

3. APPLICATION FOR LEAVE OF ABSENCE

Cllr F.Mlambo could not attend the meeting due to other commitments.

RESOLVED

a) that leave of absence be granted to Mr F.Mlambo.

Absent

Cllr M.J.Mthethwa

4. OFFICIAL NOTICE

None

5. DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILORS

None

6. ANNOUNCEMENTS

None

7. **URGENT REPORTS ALLOWED ONLY WITH THE CONSENSUS OF THE CHAIRPERSON; AND**

None

8. **IN-COMMITTEE REPORT**

SP.COUN.2017.07.13

A83/2017 **CONTRACTS OF SENIOR MANAGERS**

The Acting Municipal Manager informed the meeting that the contracts of the two Senior Managers the Director Corporate Services and the Chief Financial Officer were coming to an end on 15 July 2017 and requested that the contract of the two Managers be extended. The Acting Municipal Manager informed the meeting that he was requesting that the contracts be extended on a month to month basis not exceeding a period of three (3) months. The Acting Municipal Manager informed the meeting that the appointments would be done within the period of three (3) months.

RESOLVED

- a) that the contracts of the Chief Financial Officer and that of the Director Corporate Services be extended on a month to month basis not exceeding three (3) months until the positions were filled.

9. **CLOSURE**

The meeting was terminated with a prayer by the Cllr N.Madida at 14: 22.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 21 JULY 2017

PRESENT: Cllr Z.H.Madi Speaker
Cllr V.C. Ndlovu
Cllr T.S Buthelezi
Cllr H.M. Mthethwa
Cllr M.J.Mthethwa
Cllr M.M Booysen

Inkosi Mabaso

Also present : Mr B.Nkontwana and Ms T.Cibane from Cogta.

OFFICIALS : Mr L.C.T.Nkosi Acting Municipal Manager
Mr T.O.Mthethwa Acting Director Corporate Services
Mr W.Mtusva Acting Chief Financial Officer
Mr S.F.Mtshali Acting Director Planning &
Development
Ms Z.Sithebe Director Community Services
Ms B.J.W.Kiewiets Committee Officer

1. **OPENING: MOMENT OF REFLECTION**

The meeting was opened with a prayer by Cllr H.M.Mthethwa at 09: 10.

2. **NOTICE OF A MEETING**

The Acting Municipal Manager read the notice of the meeting.

3. **APPLICATION FOR LEAVE OF ABSENCE**

The Mayor, Cllr L.Y.Mhlungu, the Deputy Mayor, Cllr N.Ndhlovu, Cllr N.A Madida, Cllr F.G.S.Smook and Cllr F.Mlambo could not attend the meeting due to other commitments.

RESOLVED

- a) that leave of absence be granted to all.

4. **OFFICIAL NOTICE**

None

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILORS**

None

6. **ANNOUNCEMENTS**

None

7. **URGENT REPORTS ALLOWED ONLY WITH THE CONCENSUS OF THE CHAIRPERSON; AND**

None

SP.COUN.2017.07.21

A84/2017 INTRODUCTION OF ADMINISTRATOR

Mr B.Nkontwana from Cogta introduced Ms T.Cibane as the Administrator of Emadlangeni Municipality who will be assisting the municipality going forward.

Cllr H.M.Mthethwa thanked Mr B.Nkontwana for introducing the Administrator Ms T.Cibane to Council. Cllr H.M.Mthethwa requested that a proper investigation be done from the time they had been inaugurated until now to see if all the correct procedures had been followed.

Cllr T.S.Buthelezi also thanked M B.Nkontwana for introducing the Administrator Ms T.Cibane to Council.

Inkosi Z.G.Mabaso wanted to know what their role as Amakhosi was at Council meetings.

The Acting Municipal Manager informed the meeting that during the training which will be held while the Administrator is here the Amakhosi would be trained. The meeting was further informed that there is a standing item on the standing Council agenda under which the Amakosi could have inputs.

RESOLVED

- a) that it be noted that Ms T.Cibane would be the Administrator for Emadlangeni Municipality from Monday 24 July 2017 to 13th January 2018.

9. **IN-COMMITTEE REPORT**

SP.COUN.2017.07.21

A85/2017 UPDATE ON THE APPOINTMENT OF SENIOR MANAGERS

The Acting Municipal Manager informed the meeting that all the interviews had been done and the competency tests and screening would now follow. The Acting Municipal Manager further wanted to know whether he should proceed with the competency tests and screening or whether he should wait until the position of the Municipal Manager has been interviewed.

RESOLVED

- a) that the Acting Municipal Manager proceeds with the process of the competency tests and screening for the positions of the Directors.

10. **CLOSURE**

The meeting was terminated with a prayer by Cllr H.M.Mthethwa at 10: 17.

MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING HELD ON 26 JULY 2017 IN THE COUNCIL CHAMBER

PRESENT: Cllr Z.H. Madi Speaker
Cllr L.Y. Mhlungu Mayor Arrived at 11: 38
Cllr N. Ndlovu Deputy Mayor
Cllr T.S. Buthelezi
Cllr N.A. Madida
Cllr V.C.Ndlovu Arrived at 09: 55
Cllr F.G.S. Smook Arrived at 09: 39
Cllr H.M Mthethwa
Cllr M.J. Mthethwa
Cllr M.M.Booyesen

OFFICIALS: Mr L.C.T.Nkosi Acting Municipal Manager
Mr T.O. Mthethwa Acting Director Corporate Services
Mr W.Mtusva Acting Chief Financial Officer
Mr S. F. Mtshali Acting Director Planning & Local Development
Ms Z.Sithebe Director Community Services
Ms B.J.W.Kiewiets Committee Officer

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 09: 10 with a prayer by Cllr N.A.Madida.

2. NOTICE OF A MEETING

The notice of the meeting was read by the Acting Municipal Manager.

3. APPLICATION FOR LEAVE OF ABSENCE

Absent

Cllr F.Mlambo, Inkosi P.S.S.Khumalo and Inkosi Z.G.Mabaso.

4. ACCEPTANCE OF THE AGENDA

None

5. DECLARATION OF INTEREST

None

6. ANNOUNCEMENTS

None

7. PRESENTATIONS

8. CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

The following minutes were confirmed to be correct :-

- Minutes of a Council meeting held on 30 March 2017
- Minutes of a Special Council meeting held on 21 April 2017
- Minutes of a Special Council meeting held on 02 May 2017
- Minutes of a Special Council meeting held on 10 May 2017
- Minutes of a Special Council meeting held on 17 May 2017
- Minutes of a Special Council meeting held on 31 May 2017
- Minutes of a Special Council meeting held on 22 June 2017
- Minutes of a Special Council meeting held on 29 June 2017
- Minutes of a Special Council meeting held on 13 July 2017

Members requested that a Special day be arranged to discuss all the previous minutes that were not approved.

9. **OUTSTANDING MATTERS**

None

10. **SUBMISSION OF REPORTS FROM COUNCIL REPRESENTATIVES FROM DISTRICT/LOCAL MUNICIPALITY**

None

11. **REPORTS OF THE EXECUTIVE COMMITTEE/ EXECUTIVE MAYOR, UNDER THE SECTIONS, RECOMMENDATIONS TO COUNCIL, DECISIONS UNDER DELEGATED AUTHORITY AND DECISIONS OF EXECUTIVE MAYOR TAKEN WITH MAYORAL COMMITTEE**

11.1 *The chairperson, Cllr L.Y.Mhlungu moved that the recommendations of the Budget, Treasury and Corporate Services Portfolio Committee to the Emadlangeni Municipal Council be considered and that the resolutions of the committee under Powers Delegated be noted.*

COUN.2017.07.26

A86/2017 REPORT ON SECTION 52 REPORT QUARTER 3 2016/17

RESOLVED

a) that the Section 52 Report Quarter 3 2016/17 be approved.

COUN.2017.07.26

A87/2017 REPORT ON SECTION 71 REPORT MARCH 2017

RESOLVED

a) that the Section 71 report for March 2017 be approved.

COUN.2017.07.26

A88/2017 ADJUSTMENT BUDGET ADDITIONAL MIG ALLOCATION 2016/17

RESOLVED

a) that the additional MIG funding of two (2) million two (2) hundred thousand (R2 200 000.00) rand through Government Gazette no.40707 allocated for the Municipal Infrastructure Grant be approved.

b) that the Executive Committee recommends to Council an adjustment budget in terms of section 28(2)(b) of the Municipal Finance Management Act (MFMA) of two (2) million two (2) hundred thousand (R2 200 000.00) rand for MIG revenue and Expenditure respectively.

COUN.2017.07.26

A89/2017 REPORT ON INDIGENT

RESOLVED

a) that Council approves the write off of indigent customer debts and it be submitted to the Council.

COUN.2017.07.26

A90/2017

ESTABLISHMENT OF A BUDGET STEERING COMMITTEE

RESOLVED

- a) that the Budget Steering Committee be established in terms of Regulation 4 of the MBRR.
- b) that the committee be made up of the following members :-
 - i. Chairperson of the Finance Portfolio Committee
 - ii. All the HOD's of Departments
 - iii. Manager BTO
 - iv. Manager Planning
 - v. Manager Infrastructure

COUN.2017.07.26

A91/2017

APPROVAL OF REVIEWED SCM POLICY

RESOLVED

- a) that the reviewed SCM Policy be approved.

COUN.2017.07.26

A92/2017

APPROVAL OF REVIEWED ASSET MANGEMENT POLICY

RESOLVED

- a) that the reviewed Asset Management Policy be approved.

COUN.2017.07.26

A93/2017

APPROVAL OF REVIEWED FRAUD POLICY

RESOLVED

- a) that the reviewed Fraud Policy be approved

COUN.2017.07.26

A94/2017

REPORT ON IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY JANUARY, FEBRUARY MARCH

RESOLVED

- a) that the irregular, fruitless and wasteful expenditure be investigated for January 2017 by the committee and action be taken in terms of section 32 of the Municipal Finance Management Act (MFMA).

COUN.2017.07.26

A95/2017

REPORT ON THE RURAL ELECTRIFICATION GRANT

RESOLVED

- a) that the Acting Municipal Manager appoints Asande Projects for the 2016/2017 allocation and the rolled over amount for ten point eight million (R10.8 Million) rand in terms of the SCM regulation 36(1)(b) as suggested by the SCM Provincial Treasury Unit.

COUN.2017.07.26

A96/2017

COMMUNICATION STRATEGY AND POLICY

RESOLVED

- a) that the Communication Strategy and Policy be adopted.

COUN.2017.07.26

A97/2017 **JOB EVALUATION UNIT**

RESOLVED

- a) that the progress on the Job evaluation unit be noted.

COUN.2017.07.26

A98/2017 **SALARY AND WAGE INCREASE FOR THE PERIOD 01 JULY 2017 TO 30 JUNE 2018**

RESOLVED

- a) that the salary increase of 7.36% with effect from 01 July 2017 be approved.

COUN.2017.07.26

A99/2017 **ADOPTION OF COST CUTTING CIRCULAR 82**

RESOLVED

- a) that the MFMA Circular No. 82 be adopted and implemented.
b) that the MFMA Circular No. 82 be recommended to double up the municipality's cost reduction strategy.

COUN.2017.07.26

A100/2017 **REPORT ON MSCOA PROGRESS**

RESOLVED

- a) that the report be noted by Council .

COUN.2017.07.26

A101/2017 **APPROVAL OF THE 2017/2018 FINAL BUDGET AND PROPOSED TARIFFS**

RESOLVED

- a) that in terms of section 24 of the MFMA, 56 of 2003 the final budget of the municipality for the 2017/2018 financial year and indicative allocations for the two projected outer years 2018/2019 and 2019/2020 and the multi-year and single year capital appropriations be adopted to Council.
b) that Council approves the municipality's proposed tariffs with effect from 01 July 2017.
c) that the the municipality's budget related policies remain unchanged.
d) that the comments and responses from Provincial Treasury be noted.

COUN.2017.07.26

A102/2017 **REPORT ON IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY 107**

RESOLVED

- a) that the monthly SCM report in terms of Section (6)(4) of the Municipal SCM Regulations be noted.

COUN.2017.07.26

A103/2017 SECTION 71 REPORT APRIL 2017

RESOLVED

- a) that the Section 71 report for April be noted.
- b) that a committee be formed comprising of Councillors to deal with the outstanding debt of Amajuba Municipality.

COUN.2017.07.26

A104/2017 REPORT ON TERMS OF REFERENCE FOR THE TRAINING COMMITTEE

RESOLVED

- a) that the terms of reference for the Training Committee be adopted by the Portfolio Committee and be submitted to Council.
- b) that staff member's be accepted as members of the Training Committee :-

- Finance Ms N.Ngwenya
- Corporate Mr L.Nkosi
- Community Ms G.Mbatha
- Technical Mr H. Madlabane
- Planning Mr T.Zondi
- SDF(Automatic) Mr N.Mtshali
- SAMWU Mr Mlothwa
- Councillors Cllr N.Ndlovu &
Cllr F.G.S.Smook

COUN.2017.07.26

A105/2017 CONVERSION OF MUNICIPAL TEMPORARY STAFF TO PERMANENT EMPLOYMENT WITH THE EFFECT FROM 01 JULY 2017

RESOLVED

- a) that the temporary staff included in the list and who qualify in terms of the criteria set out in the report, be converted to permanent employees with effect from 01 July 2017 and be submitted to Council.

COUN.2017.07.26

A106/2017 TERMS OF REFERENCE FOR LOCAL LABOUR FORUM

RESOLVED

- a) that the terms of reference for the Local Labour Forum be adopted.

COUN.2017.07.26

A107/2017 REPORT ON IT AUDIT

RESOLVED

- a) that the following IT Policies be approved by the Portfolio Committee and be submitted to Council.

- ICT Governance Framework Policy
- ICT Steering Committee Terms of Reference
- ICT Strategy
- ICT Policy

b) that an IT workshop be arranged for Councillors.

COUN.2017.07.26

A108/2017 WORKPLACE SKILLS PLAN FOR 2017/2018

RESOLVED

a) that the Work Place Skills Plan for 2017/2018 be adopted.

COUN.2017.07.26

A109/2017 COMMUNICATION STRATEGY AND POLICY

RESOLVED

a) that the Communication Strategy be adopted.

b) that the Communication Strategy and Policy be included in the IT workshop to be held.

COUN.2017.07.26

A110/2017 REPORT ON YEAR END PROCESS PLAN

RESOLVED

a) that the report on the year end Process Plan be accepted.

COUN.2017.07.26

A111/2017 REPORT ON MSCOA PROGRESS

RESOLVED

a) that the report on the Mscoa progress be accepted.

11.2 *The chairperson, Cllr N.Ndlovu moved that the recommendations of the Technical and Planning Services Portfolio Committee to the Emadlangeni Municipal Council be considered and that the resolutions of the committee under Powers Delegated be noted.*

COUN.2017.07.26

A112/2017 FEEDBACK ON ELECTRIFICATION PROJECT IN GROENVLEI

RESOLVED

a) that the Conflict Resolution Team be tasked to handle the electrification project in Groenvlei and feedback be sent to the office of the Acting Municipal Manager.

b) that two (2) official from the municipality be delegated to attend the meetings with the Conflict Resolution Task Team.

COUN.2017.07.26

A113/2017 THE SALE OF MUNICIPAL HOUSES

RESOLVED

- a) that six (6) municipal houses be released for sale to the community.
- b) that termination letters be sent out to the tenants of the houses on 1st May 2017 providing them with a thirty (30) day notice.

COUN.2017.07.26

A114/2017 KHAYALETHU BENEFICIARIES LIST

RESOLVED

- a) that the beneficiary list for Khayaletu consist of people who were given permits by the municipality to occupy the houses.
- b) that the list be taken for verification to the Department of Human Settlement, Housing Subsidy Scheme.

COUN.2017.07.26

A115/2017 EPWP REPORT

RESOLVED

- a) that the programme starts as soon as possible at the beginning of the new financial year.
- b) that Council finalize the number of participants as the Department of Public Works is more geared to the number of job opportunities in the programme.

COUN.2017.07.26

A116/2017 CUTTING OF GUM TREES

RESOLVED

- a) that the SCM process be followed to have the gum trees cut.
- b) that the issue of gum trees falling onto the houses at Khayaletu be included in this process.

COUN.2017.07.26

A117/2017 REPORT ON MANGOSUTHU ART & CRAFT PROJECT

RESOLVED

- a) that a meeting be arranged between the CTO, Department of Rural Development and the municipality to discuss working relationships.

COUN.2017.07.26

A118/2017 THE RE-EVALUATION OF THE PROPOSED SHOPPING CENTRE DEVELOPMENT

RESOLVED

- a) that the developers be invited to make a presentation to the portfolio committee.

COUN.2017.07.26

A119/2017 REPORT ON BALELE GAME & CARAVAN PARK

RESOLVED

- a) that this item be withdrawn from the portfolio committee.

COUN.2017.07.26

A120/2017 RURAL ELECTRIFICATION PROJECT

RESOLVED

- a) that the issue of Malinga and Dan Poort be completed within the available budget of 1.5 million (R1 500 000 000) rand.
- b) that Mooihoek and Magwaza be completed in the 2016/2017 financial year.
- c) that prioritization of the projects be done on 02 May 2017.

COUN.2017.07.26

A121/2017 PRIORITY PROJECTS FOR 2017/18

RESOLVED

- a) that the following projects be approved as priority projects for 2016/2017 financial year:-
Balgray 1&2 access road
Kwa-Ntaba & eKhashini gravel road
- b) that the designing process of the projects be initiated.

COUN.2017.07.26

A122/2017 MERGING OF TECHNICAL SERVICES & PLANNING AND ECONOMIC DEPARTMENTS

RESOLVED

- a) that this item be referred to the office of the Acting Municipal Manager whereafter it be referred to the Executive Committee.

COUN.2017.07.26

A123/2017 THE ESTABLISHMENT OF A COMMONAGE SITE FOR GRAZING

RESOLVED

- a) that a report on the establishment of a commonage site for grazing adjacent to the sewer pond in Agrivillage be resubmitted to the next Portfolio committee.

COUN.2017.07.26

A124/2017 ADOPTION OF THE REVIEWED DRAFT HOUSING SECTOR PLAN 2015/2020

RESOLVED

- a) that the draft Housing Sector Plan be adopted.

COUN.2017.07.26

A125/2017 PLANNING AND ECONOMIC DEVELOPMENT SCORE CARD

RESOLVED

- a) that the score card for the Planning & Economic Development Department be noted.

COUN.2017.07.26

A126/2017 STATUS REPORT ON BENS DORP SPORTSFIELD

RESOLVED

- a) that the resubmission of MIG 1 form for the project to be registered for completion be adopted.
- b) that a complete report on the status of Bensdorp Sportsfield be submitted to the next Portfolio committee.

COUN.2017.07.26

A127/2017 SMALL TOWN REHABILITATION PROGRAMME

RESOLVED

- a) that the project be completed with the budget available and deliberate on TL Engineering's proposal for the completion of Kantoor Street.

COUN.2017.07.26

A128/2017 MAINTENANCE PLAN OF RURAL ROADS

RESOLVED

- a) that a full report on the maintenance plan of the rural roads be submitted to the next portfolio committee and this be a standing report on the Portfolio committee meetings.

COUN.2017.07.26

A129/2017 REPORT ON EPWP

RESOLVED

- a) that the EPWP Programme starts as soon as possible in the new financial year as a continuation of the existing projects to avoid affecting the image of the municipality.
- b) that the number of participants be finalized by the end of June 2017 as the Department of Public Works is more interested in the job opportunities for this programme.

COUN.2017.07.26

A130/2017 RECOVERY PLAN FOR BALELE GAME AND CARAVAN PARK

RESOLVED

- a) that the Portfolio committee does a site visit to the Caravan / Game park by 13 June 2017 to consider and approve the recovery plan and also visit the proposed commonage site.

COUN.2017.07.26

A131/2017 PRESENTATIONS ON GOOD EARTH HERBS

RESOLVED

- a) that a report be provided from the Planning and Finance Department on the project to the next Portfolio committee meeting.

COUN.2017.07.26

A132/2017 THE ADOPTION OF THE REVIEWED DRAFT SPATIAL DEVELOPMENT FRAMEWORK

RESOLVED

- a) that the draft Spatial Development Framework be adopted.
- b) that all the outstanding reports from Technical Services be submitted to the next meeting and the issue on rural roads be a standing item on the Portfolio meetings.

- 11.3 *The chairperson, Cllr H.M.Mthethwa moved that the recommendations of the Community Services Portfolio Committee to the Emadlangeni Municipal Council be considered and that the resolutions of the committee under Powers Delegated be noted.*

COUN.2017.07.26

A133/2017 COMMUNITY SERVICES MONTHLY REPORT

RESOLVED

- a) that Council notes the performance report of the Department of Community Services.
COUN.2017.07.26

A134/2017 POUND SERVICES

RESOLVED

- a) that Council notes the report on the Pound Services.
- b) that an investigation be done so that it is ensured that a proper fence be considered for the pound to prevent the animals from getting onto the road.
- c) that an investigation be done on the issue of the lease agreement and the contract of Midlands pound.

COUN.2017.07.26

A135/2017 PUBLIC PARTICIPATION IMBIZO (IDP ROAD SHOWS)

RESOLVED

- a) that the report on Public Participation be noted.
- b) that a report on the upcoming SALGA Games be presented in the next Portfolio Committee meeting.

COUN.2017.07.26

A136/2017 PROGRESS REPORT ON THE INDUCTION AND LAUNCH OF EMADLANGENI FORUMS

RESOLVED

- a) that the Progress report on the induction and launch of the Forums be noted.

ITEM 12 REPORTS FROM MPAC

None

ITEM 13 REPORTS FROM THE AUDIT COMMITTEE

None

ITEM 14 REPORTS ON WARD COMMITTEES / CONSOLIDATED REPORT ON WARD COMMITTEES

None

ITEM 15 REPORT ON SALGA ACTIVITIES

None

ITEM 16 MONTHLY ACTIVITIES

None

ITEM 17 INPUT BY THE TRADITIONAL LEADERS

None

ITEM 18 **REPORTS FOR NOTING**

COUN.2017.07.26

B5/2017 **PROGRESS REPORT ON THE ESTABLISHMENT OF FORUMS AT EMADLANGENI**

Noted

COUN.2017.07.26

B6/2017 **REPORT ON WARD COMMITTEE ELECTIONS 2017**

Noted

COUN.2017.07.26

B7/2017 **REPORT ON WARD BASED PLANS AND WARD OPERATIONAL PLANS**

Noted

COUN.2017.07.26

B8/2017 **PUBLIC PARTICIPATION PROGRESS REPORT MARCH 2017**

COUN.2017.07.26

B9/2017 **DISASTER MANAGEMENT, FIRE AND RESCUE QUARTERLY REPORT**

Noted

COUN.2017.07.26

B10/2017 **AUTHORIZATION OF PAYMENT: ASANDA PROJECTS CONSULTING & ENGINEERING**

Noted

COUN.2017.07.26

B11/2017 **SETTLEMENT OFFER TO MR MTHUNZI MOKOENA**

Noted

ITEM 19

REPORTS FOR CONSIDERATION

COUN.2017.07.26

A137/2017 **SECTION 71 REPORTS APRIL AND MAY 2017**

RESOLVED

- a) that the Section 71 Reports for April and May 2017 be noted and accepted.

COUN.2017.07.26

A138/2017 **REPORTS ON IMPLEMENTTION OF SUPPLY CHAIN MANAGEMENT POLICY**

RESOLVED

- a) that the monthly SCM reports be in terms of Section (6)(4) of the Municipal SCM Regulations be noted and accepted.
- b) that the Irregular and fruitless and wasteful expenditure be investigated and action be taken in terms of Section 32 of the Municipal Finance Management Act.
- c) that the Municipal Manager takes note of the S&T used to the amount of one hundred and fifteen thousand (R115 000.00) rand for one month and provide a report on the matter.
- d) that the Acting Municipal Manager also takes note of the Mayoral vehicle where the brakes were fixed for two different amounts on two consecutive days for two different amounts and a report be provided on this matter.

COUN.2017.07.26

**A139/2017 MUNICIPAL INTERNAL CALANDAR
RESOLVED**

- a) that the municipal internal calendar be approved and the dates for meetings be corrected accordingly.

COUN.2017.07.26

**A140/2017 REPORT ON SECTION 52 REPORT QUARTER 4 2016/2017
RESOLVED**

- a) that the report be noted and accepted by Council.

COUN.2017.07.26

**A141/2017 SECTION 71 REPORTS JUNE 2017
RESOLVED**

- a) that the Section 71 Reports for June 2017 be noted and accepted.

COUN.2017.07.26

**A142/2017 PAYMENT OF PRE- PAID ELECTRICITY
RESOLVED**

- a) that the magnitude of the underpayment of consumption of electricity be noted.

COUN.2017.07.26

**A143/2017 DECLARATION OF COUNCIL RESOLUTION A84/2016 AS NULL AND VOID
RESOLVED**

- a) that resolution A84/2016 titled Payment of Garikayi Investments (PTY) LTD be declared null and void.

20. REPORTS - IN -COMMITTEE

None

21. NOTICE OF MOTION

None

22. QUESTIONS

None

23. URGENT REPORTS - ALLOWED ONLY WITH THE CONSENSUS OF THE CHAIRPERSON ; AND

COUN.2017.26.07.

A144/2017 EMADLANGENI MUNICIPALITY /MRS G.P.N.NTSHANGASE ARBITRATION

Cllr N.Ndlovu informed the meeting that on Friday 21 July 2017 they attended the Arbitration matter of Emadlangeni Municipality / Mrs G.P.N.Nshangase. Cllr N.Ndlovu informed the meeting that there were two (2) options that could be taken.

- a) to approve the settlement on the matter against Mrs G.P.N.Ntshangase or
b) to proceed with the matter to the labour court.

RESOLVED

- a) that a settlement be reached in the matter between Emadlangeni Municipality and Mrs G.P.N.Ntshangase.
b) that it be noted that the IFP neither agreed or disagreed on this matter.

24. CLOSURE

The meeting was closed at 11 : 45 with a prayer by Cllr N.A.Madida.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 02 AUGUST 2017

PRESENT: Cllr L.Y.Mhlungu
Cllr Z.H.Madi Speaker
Cllr N.Ndlovu
Cllr V.C. Ndlovu
Cllr T.S Buthelezi
Cllr H.M. Mthethwa
Cllr M.J.Mthethwa
Cllr M.M Booyesen
Inkosi Mabaso

Also present : Mr B.Sibiya from the community.

OFFICIALS : Mrs T.Cibane Administrator
Mr L.C.T.Nkosi Acting Municipal Manager
Ms B.J.W.Kiewiets Committee Officer

1. OPENING: MOMENT OF REFLECTION

The meeting was opened with a prayer by Cllr V.C.Ndlovu at 09: 10.

2. NOTICE OF A MEETING

The Acting Municipal Manager read the notice of the meeting.

3. APPLICATION FOR LEAVE OF ABSENCE

Cllr F.G.S.Smook and Cllr F.Mlambo could not attend the meeting due to other commitments.

RESOLVED

a) that leave of absence be granted to all.

4. OFFICIAL NOTICE

None

5. DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILORS

None

6. ANNOUNCEMENTS

None

7. URGENT REPORTS ALLOWED ONLY WITH THE CONCENSUS OF THE CHAIRPERSON; AND

None

8. IN-COMMITTEE REPORT

SP.COUN.2017.08.03

A145/2017 RESOLUTION A83/2017 CONTRACTS OF SENIOR MANAGERS

The Speaker, Cllr Z.H.Madi informed the meeting that at the Special Council meeting held on the 13th July 2017 a resolution was taken under “ A83/2017 CONTRACTS FOR SENIOR MANAGER” that the contracts of the Chief Financial Officer and that of the Director Corporate Services be extended on a month to month basis not exceeding three (3) months until the positions were filled. The Speaker, Cllr Z.H.Madi informed the meeting that the decision was taken wrongly.

Cllr V.C.Ndlovu informed the meeting that resolution needs to be rescinded and was supported by Cllr N.A.Madida.

RESOLVED

a) that resolution A83/2017 Contract of Senior Manager’s be rescinded and a letter be written to the MEC for Local Government by the Acting Municipal Manager requesting to second someone as Acting Chief Financial Officer and the Director Corporate Services.

9. CLOSURE

The meeting was terminated with a prayer by Cllr V.C.Ndlovu at 10: 15.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 17 AUGUST 2017.

PRESENT: Cllr L.Y.Mhlungu Mayor
Cllr Z.H.Madi Speaker
Cllr N.Ndlovu Deputy Mayor
Cllr N.A.Madida
Cllr V.C. Ndlovu
Cllr T.S Buthelezi
Cllr F.G.S.Smook
Cllr H.M. Mthethwa
Cllr M.J.Mthethwa
Cllr M.M Booyesen
Cllr F.Mlambo

Also present : Mr B.Sibiya from the community.

OFFICIALS : Ms T.Cibane Administrator
Ms B.J.W.Kiewiets Committee Officer

1. OPENING: MOMENT OF REFLECTION

The meeting was opened with a prayer by Cllr F.G.S.Smook at 09: 15.

2. NOTICE OF A MEETING

The notice of the meeting was read by the Deputy Mayor. Cllr N.Ndlovu.

3. APPLICATION FOR LEAVE OF ABSENCE

The Acting Municipal Manager Mr L.C.T.Nkosi could not attend the meeting due to other commitments.

RESOLVED

a) that the Acting Municipal Manager be granted leave of absence.

4. OFFICIAL NOTICE

The Administrator, Ms T.Cibane informed the meeting that a decision had been taken by Council that resolution A83/2017 Contract of Senior Manager be rescinded and a letter be written to the MEC for Local Government by the Acting Municipal Manager requesting the MEC to second two (2) appropriately qualified people, one as Acting Chief Financial Officer and the other as the Acting Director Corporate Services. The Administrator then introduced Ms S.Mhlope as the new Acting Chief Financial Officer and Mr Z.J.Mkhize as the new Acting Director Corporate Services with effect from 07 August 2017.

5. DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILORS

None

6. IN-COMMITTEE REPORT

SP.COUN.2017.08.17

A146/2017 CONTRACT FOR ACTING DIRECTOR PLANNING & INFRASTRUCTURE

Council deliberated on the expiry of the three months' employment contract of the Acting Director Planning and Infrastructure.

On the proposal of Cllr N.Ndlovu seconded by Cllr T.S.Buthelezi.

RESOLVED

- a) that a letter be written to the MEC in terms of section 56 1 (c) of the Municipal Systems Act 32 of 2000 as amended, requesting the MEC for Local Government to consider further extending the contract of the Acting Director Planning and Infrastructure.

SP.COUN.2017.08.17

A147/2017

RE-ADVERTISEMENT FOR SECTION 56 MANAGER'S DIRECTOR CORPORATE SERVICES, CHIEF FINANCIAL OFFICER AND DIRECTOR PLANNING AND INFRASTRUCTURE

After the legal discrepancies on the previous advertisements on these posts had been highlighted, it was :-

RESOLVED

- a) that as per the advice of the Administrator, the adverts excluded critical requirements, therefore the positions of the Director Corporate Services, the Chief Financial Officer and Director Planning and Infrastructure be re-advertised.

SP.COUN.2017.08.17

A148/2017

CONTRACT OF THE ACTING MUNICIPAL MANAGER

After it having been highlighted that the three months employment contract of the current Acting Municipal Manager, Mr L.C.T.Nkosi would expire on 22 August 2017 it was :-

RESOLVED

- a) that a letter be written to the MEC in terms of section 56 1 (c) of the Municipal Systems Act 32 of 2000 as amended requesting the MEC for Local Government to consider extending the contract of the Acting Municipal Manager.

9. **CLOSURE**

The meeting was terminated with a prayer by Cllr F.G.S.Smook at 11: 10.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 31 AUGUST 2017

PRESENT: Cllr L.Y.Mhlangu Mayor
Cllr Z.H. Madi Speaker
Cllr N. Ndlovu Deputy Mayor
Cllr V.C. Ndlovu
Cllr T.S Buthelezi
Cllr N.A Madida
Cllr F.G.S.Smook
Cllr H.M. Mthethwa
Cllr M.M Booyesen
Cllr M.J.Mthethwa
Cllr F.Mlambo
Inkosi Z.G.Mabaso
Inkosi P.S.S.Khumalo

OFFICIALS : Mr L.C.T.Nkosi Acting Municipal Manager
Mr Z.J.Mkhize Acting Director Corporate Services
Mr S.Mhlope Acting Chief Financial Officer
Mr S.F.Mtshali Acting Director Planning & Economic Development
Ms S.Sithebe Director Community Services
Ms B.J.W.Kiewiets Committee Officer

1. **OPENING: MOMENT OF REFLECTION**

The meeting was opened with a prayer by Cllr H.M.Mthethwa at 09: 08.

2. **NOTICE OF A MEETING**

The Acting Municipal Manager read the notice of the meeting.

3. **APPLICATION FOR LEAVE OF ABSENCE**

None

4. OFFICIAL NOTICE

- 4.1 The Acting Municipal Manager informed the meeting that there will be an intervention steering committee meeting on 01 September 2017.
- 4.2 The Acting Municipal Manager informed the meeting that the valuers have been appointed and the first meeting will be at the Town Hall on Friday, 01 September 2017.
- 4.3 The Director Community Services, informed the meeting that there will be a reed ceremony on 09 September 2017 and only six (6) Councillors were accredited.
- 4.4 Inkosi P.S.S.Khumalo informed the meeting that as the chairperson of the reed dance he would request that the municipality assist them with an additional bus for transporting the children to the reed event. He further informed the meeting that the valuator's do not need to come to his area as they would not be paying rates.
- 4.5 Cllr H.M.Mthethwa wanted to know whether Councillors have been identified to attend the reed dance since only six (6) Councillors had been accredited to attend the dance.
- 4.6 Inkosi Z.G.Mabaso informed the meeting that he did not understand what rates they should pay because there was no service delivery from the municipality in their area.

Response

The Acting Municipal Manager informed the meeting that he would arrange a meeting with the Department to discuss the issue of rates and taxes to be paid by the Amakhosi whereafter he would inform the Amakhosi of the date and time of the meeting.

5. DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILORS

None

6. ANNOUNCEMENTS

None

7. URGENT REPORTS ALLOWED ONLY WITH THE CONSENSUS OF THE CHAIRPERSON; AND

SP.COUN.2017.08.31

A149/2017 APPROVAL OF 2016/2017 ANNUAL FINANCIAL STATEMENTS

ACFO

The Acting Municipal Manager presented the Annual Financial Statements to the meeting whereafter :-

Members raised a concern with items to be approved on the last day and requested that this not happen again.

Cllr V.C.Ndlovu proposed that the Annual Financial Statements be noted and the Mayor, Cllr L.Y. Mhlungu supported that the Annual Financial Statements be noted.

RESOLVED

- a) that the Annual Financial Statements for 2016/2017 financial year be noted and be submitted to the Auditor General.

SP.COUN.2017.08.31

A150/2017 2018/2019 IDP/BUDGET PROCESS PLAN

MM

The Manager IDP/ PMS presented the 2018/2019 IDP/ Budget Process plan whereafter :-

Cllr T.S.Buthelezi proposed that the IDP/ Budget process plan be adopted and the Mayor, Cllr L.Y. supported that the 2018/2019 IDP/Budget process plan be noted.

RESOLVED

- a) that the 2018/2019 IDP/ Budget Process Plan be approved and it be submitted to the Department of Co-operative Government and Traditional Affairs and it also be uploaded onto the municipal website.

SP.COUN.2017.08.31

A151/2017 2016/2017 ANNUAL PERFORMANCE REPORT

The Acting Municipal Manager presented the 2016/2017 Annual Performance report whereafter the following questions were raised.

- Members informed the meeting that the comments on page 113 by the Acting Municipal Manager should be noted as the municipality should attend to the issue of appointing Senior Managers as this matter was not assisting the municipality.
- Members wanted to know whether the Lens gravel road was not completed as it was showing that it was 95% complete.
- Members wanted to know under challenges 5.4.2 what exactly the challenges were concerning the RDP Houses.
- Members informed the meeting that the problem with the projects was ineffective Management and the municipality needs to appoint a qualified Project Manager for the projects.
- Inkosi P.S.S.Khumalo requested that the grader be sent out to assist with the roads being graded.

Response

- The Acting Municipal Manager informed the meeting that the road was completed but the standard of the road was poor and the rains had also affected the roads.
- The Acting Director Infrastructure and Planning informed the meeting that the road was 95% complete because the completion certificate had not been issued because the people who built the road deviated from the original plan.
- The Administrator advised the meeting that this item should be adopted with corrections, as the Acting Director Infrastructure and Planning informed the meeting that the road was 95% complete because the completion certificate had not been issued because the people who built the road deviated from the original plan. The Administrator also raised a concern whether the road will be completed with 5% and informed the meeting that there were challenges.

RESOLVED

- a) that the Annual Performance report be noted and be submitted to the Auditor General.

COUN.2017.08.31

A152/2017 CORRECTION OF DATES FOR MEETINGS : MUNICIPAL ANNUAL CALENDAR FOR 2017/2018 FINANCIAL YEAR

RESOLVED

- a) that the revised Annual Calendar for 2017/2018 be approved.

SP.COUN.2017.08.31

B12/2017 MUNICIPAL RECOVERY PLAN

Noted

11. CLOSURE

The meeting was terminated with a prayer by the Cllr H.M.Mthethwa at 10: 28.

MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING HELD ON 28 SEPTEMBER 2017 IN THE COUNCIL CHAMBER

- PRESENT:** Cllr Z.H. Madi Speaker
Cllr L.Y. Mhlungu Mayor
Cllr N. Ndlovu Deputy Mayor
Cllr T.S. Buthelezi
Cllr N.A. Madida
Cllr V.C.Ndlovu
Cllr F.G.S. Smook
Cllr H.M Mthethwa
Cllr M.J. Mthethwa
Cllr M.M.Booyesen
Cllr F.Mlambo
Inkosi Z.G.Mabaso
- OFFICIALS:** Ms T.Cibane Administrator
Mr L.C.T.Nkosi Acting Municipal Manager
Mr M.J.Mkhize Acting Director Corporate Services
Ms S.Mhlophe Acting Chief Financial Officer
Mr S. F. Mtshali Acting Director Planning & Local Development
Ms B.J.W.Kiewiets Committee Officer

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 09: 06 with a prayer by the Deputy Mayor, Cllr N.Ndlovu.

2. NOTICE OF A MEETING

The notice of the meeting was read by the Acting Director Corporate Services.

3. APPLICATION FOR LEAVE OF ABSENCE

Inkosi P.S.S.Khumalo could not attend the meeting due to other commitments.

RESOLVED

a) that leave of absence be granted to Inkosi P.S.S.Khumalo.

Absent

Mrs Z.Sithebe

4. ACCEPTANCE OF THE AGENDA

None

5. DECLARATION OF INTEREST

None

6. ANNOUNCEMENTS

None

7. PRESENTATIONS

None

8. CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

The following minutes were confirmed to be correct :-

- Minutes of a Special Council meeting held on 21 July 2017
- Minutes of a Council meeting held on 26 July 2017
- Minutes of a Special Council meeting held on 03 August 2017
- Minutes of a Special Council meeting held on 17 August 2017
- Minutes of a Special Council meeting held on 31 August 2017

The minutes were proposed by Cllr N.Ndlovu and supported by Cllr V.C.Ndlovu.

9. **OUTSTANDING MATTERS**

None

10. **SUBMISSION OF REPORTS FROM COUNCIL REPRESENTATIVES FROM DISTRICT/LOCAL MUNICIPALITY**

None

11. **REPORTS OF THE EXECUTIVE COMMITTEE/ EXECUTIVE MAYOR, UNDER THE SECTIONS, RECOMMENDATIONS TO COUNCIL, DECISIONS UNDER DELEGATED AUTHORITY AND DECISIONS OF EXECUTIVE MAYOR TAKEN WITH MAYORAL COMMITTEE**

11.1 *The chairperson, Cllr L.Y.Mhlungu moved that the recommendations of the Budget, Treasury and Corporate Services Portfolio Committee to the Emadlangeni Municipal Council be considered and that the resolutions of the committee under Powers Delegated be noted.*

COUN.2017.09.28

A153/2017 IN YEAR REPORT FOR JULY 2017

RESOLVED

- that the in- year report for July 2017 be noted.
- that the fruitless and irregular fruitless and wasteful expenditure be investigated by the MPAC committee.
- that a report on the pound be submitted to the next Portfolio Committee.

COUN.2017.09.28

A154/2017 SENDING OF CUSTOMER STATEMENTS

RESOLVED

- that the sending out of statements electronically be approved (through short text messages and emails) as the primary method.
- that statements would only be printed on request for residents who require physical statements.

COUN.2017.09.28

A155/2017 SECTION 52 REPORT QUARTER 4 2016/2017

RESOLVED

- that the Section 52 Report Quarter 4 2016/2017 be noted and accepted.

COUN.2017.09.28

A156/2017 SECTION 71 REPORTS JUNE 2017

RESOLVED

- that Section 71 Report for June 2017 be noted and accepted.

COUN.2017.09.28

A157/2017 **PROVINCIAL TREASURY HIGH LEVEL ASSESSMENT OF THE 2017/2018 TABLED BUDGET**

RESOLVED

- a) that the report be noted and accepted.

COUN.2017.09.28

A158/2017 **REPORT ON IMPLEMENTATION OF THE SUPPLY CHAIN MANAGEMENT POLICY**

RESOLVED

- a) that the monthly SCM report in terms of Section (6) (4) of the Municipal SCM Regulations be noted and accepted.

COUN.2017.09.28

A159/2017 **PERMANENT EMPLOYMENT OF JUNIOR STAFF**

RESOLVED

- a) that the permanent appointment of eleven (11) staff members who were previously temporary plus two (2) fire fighters be noted.
b) that it be noted that the appointment was effective as on the 1st July 2017.

COUN.2017.09.28

B13/2017 **STAFF TRAINING ON HR POLICIES**

Noted

COUN.2017.09.28

B14/2017 **INTERNAL AUDIT CHARTER**

Noted

COUN.2017.09.28

A160/2017 **REPORT ON THE IMPLEMENTATION OF THE AUDIT COMMITTEE RECOMMENDATION**

RESOLVED

- a) that where the recommendations of the audit committee are reported to be partially implemented, internal audit needs to specify what had been done and what was still outstanding,
b) that the recommendation of outside assistance with regard to MSCOA audit be noted.
c) that the process plan referred to on item 10 page 154 should have been tabled before council on 16 November 2016.

COUN.2017.09.28

A161/2017 **REPORT ON THE IMPLEMENTATION OF AUDITOR-GENERAL ACTION PLAN**

RESOLVED

- a) that the report be noted.
b) that the Acting Municipal Manager attend to the outstanding matters of the Auditor- General action plan.

COUN.2017.09.28

A162/2017 AMENDMENT OF COUNCIL RESOLUTION A131/2016: MUNICIPAL MANAGER'S AUTHORITY TO SIGN MUNICIPAL DOCUMENTS

RESOLVED

- a) that Council resolution A131/2016 dated 27 June 2016 be amended to read as follows:-“ that the Municipal Manager’s authority to sign municipal documents be approved by the Municipal Council.

COUN.2017.09.28

A163/2017 INTERNAL AUDIT ANNUAL PLAN AND RISK MANAGEMENT PLAN

RESOLVED

- a) that the Portfolio Committee notes the Internal audit plan, Risk management plan and Risk assessment plan.

COUN.2017.09.28

A164/2017 RISK MANAGEMENT COMMITTEE TERMS OF REFERENCE

RESOLVED

- a) that the Portfolio Committee notes the Risk Management Committee Terms of Reference.

COUN.2017.09.28

A165/2017 AUDIT COMMITTEE TERMS OF REFERENCE, ANNUAL PLAN AND SCHEDULE OF MEETINGS

RESOLVED

- a) that the Portfolio Committee adopts the Audit Committee’s terms of reference and the Annual Plan.

11.2 *The chairperson, Cllr N.Ndlovu moved that the recommendations of the Technical and Planning Services Portfolio Committee to the Emadlangeni Municipal Council be considered and that the resolutions of the committee under Powers Delegated be noted.*

COUN.2017.09.28

A166/2017 THE ESTABLISHMENT OF A COMMONAGE SITE FOR GRAZING

RESOLVED

- a) that the site on erf 10 000 adjacent to the sewer pond be approved for the establishment of the commonage site.

COUN.2017.09.28

A167/2017 TELEPHONE SERVICES AND INTERNET AT GAME PARK OFFICE

RESOLVED

- a) that the IT Department be tasked with doing a feasibility study and an internet connection be established as soon as possible.

COUN.2017.09.28

A168/2017 OVER STOCKING OF GAME IN THE BALELE GAME PARK

RESOLVED

- a) that this item be deferred to the next meeting with a report of proper figures of game to be sold.

COUN.2017.09.28

A169/2017 PURCHASE OF PROTECTIVE CLOTHING FOR GAME AND CARAVAN PARK

RESOLVED

- a) that the matter to purchase protective clothing be finalized for the Game and Caravan Park.

COUN.2017.09.28

A170/2017 RECOVERY PLAN FOR GAME AND CARAVAN PARK

RESOLVED

- a) that a suitable date be set for the recovery plan in October 2017 whereafter the plan be finalized and implemented.

COUN.2017.09.28

A171/2017 MAINTENANCE / REPAIR OF ROADS IN THE GAME PARK

RESOLVED

- a) that the rehabilitation of the game park roads be done progressively and Technical Services commit themselves to a schedule to do so.

COUN.2017.09.28

A172/2017 STATUS ELECTRICITY PROJECT

RESOLVED

- a) that the progress on the electricity project be noted.
- b) that an urgent meeting be arranged between Portfolio members and all HOD's and the Acting Municipal Manager to discuss the Infrastructure projects on Thursday, 21 September at 13h00.

COUN.2017.09.28

A173/2017 MAINTENANCE PLAN FOR RURAL ROADS

RESOLVED

- a) that the update on rural roads be noted as well as the maintenance plan and associated cost and challenges.

COUN.2017.09.28

A174/2017 PROGRESS REPORT ON BENS DORP SPORTSFIELD

RESOLVED

- a) that the progress on the Bensdorp Sportsfield also be part of the meeting on Thursday, 21 September 2017 at 13h00.

COUN.2017.09.28.

A175/2017 PROGRESS BACK ON PROPOSAL BY GOOD EARTH HERBS

RESOLVED

- a) that it be noted that erf 251,252 and 253 are zoned single residential 1 and are not in line with the proposed developments.
- b) that it be noted that no feasibility study was submitted which provide details on the sustainability of the development.

- c) that it be noted that the proposed development is opposing the mining industry and the sustainability on work opportunities are insignificant.

COUN.2017.09.28

A176/2017 PURCHASE OF PROTECTIVE CLOTHING FOR GAME AND CARAVAN PARK

RESOLVED

- a) that the issue of protective clothing for the Game and Caravan Park be finalized.

COUN.2017.09.28

A177/2017 UTILIZATION OF FUNDING FROM EKZN WILDLIFE FOR THE ERECTION OF THE GAME FENCE

RESOLVED

- a) that this item be withdrawn from the Portfolio Committee pending the report from the Finance Department.

COUN.2017.09.28

A178/2017 PRIORITISATION OF RURAL ELECTRICITY PROJECT FOR 2017/2018

RESOLVED

- a) that the following projects be approved as the priority list for 2017/2018 financial year ;

KwaLembe	ward 1
KwaMpopoli	ward 1
Emalayini	ward 1
Waaihoek	ward 3
Jiyane	ward 3
Kwantaba	ward 4
Mombisi	ward 4
Sibiza	ward 4
Jakalase	ward 4
Karpoort	ward 4
Chanceni/	
Midway	ward5
Emadlangeni	ward 5

COUN.2017.09.28

A179/2017 STATUS OF ELECTRIFICATION PROJECT

RESOLVED

- a) that a proper report be done, through the correct channels, which indicates how much work must be done, what the challenges are, how far the projects are, how the challenges will be resolved and timeframes be also attached to the work to be done.
- b) that the Ward Councillor be invited to the site meetings which are held monthly and other portfolio councillors also attend the meetings and that communication be forwarded to the chairperson.
- c) that the Acting Municipal Manager updates the committee on a monthly basis on the matter pertaining to the electricity project between the farmers and the municipality, with due regard to the *subjudice rule*.
- d) that the adverts for the electrification projects for 2017/2018 financial year be sent out next week.
- e) that the finalization of the applications of the consultants be completed this week.

COUN.2017.09.28

A180/2017 STATUS OF MIG PROJECT

RESOLVED

- a) that monthly progress reports be submitted to the Portfolio Committee on the status of MIG projects.

COUN.2017.09.28

A181/2017 STATUS OF BENS DORP SPORTS FIELD PROJECT

RESOLVED

- a) that this report be submitted back to Manco whereafter it be resubmitted to the Portfolio Committee.

11.3 The chairperson, Cllr H.M.Mthethwa moved that the recommendations of the Community Services Portfolio Committee to the Emadlangeni Municipal Council be considered and that the resolutions of the committee under Powers Delegated be noted.

COUN.2017.09.28

B15/2017 COMMUNITY SERVICES DEPARTMENT QUARTERLY REPORT

Noted

ITEM 12 REPORTS FROM MPAC

None

ITEM 13 REPORTS FROM THE AUDIT COMMITTEE

None

ITEM 14 REPORTS ON WARD COMMITTEES / CONSOLIDATED REPORT ON WARD COMMITTEES

None

ITEM 15 REPORT ON SALGA ACTIVITIES

None

ITEM 16 MONTHLY ACTIVITIES

None

ITEM 17 INPUT BY THE TRADITIONAL LEADERS

None

ITEM 18 REPORTS FOR NOTING

None

ITEM 19

REPORTS FOR CONSIDERATION

COUN.2017.09.28.

A182/2017 REPLACEMENT OF CERTAIN VEHICLES IN THE MUNICIPAL FLEET

RESOLVED

- a) that the Acting Municipal Manager be mandated to upgrade the municipal fleet.

COUN.2017.09.28

A183/2017 RESCISION OF COUNCIL RESOLUTION A113/2017 : THE SALE OF MUNICIPAL HOUSES

RESOLVED

- a) that Council resolution A113/2017 dated 26 July 2017 be rescinded and the houses be renovated whereafter the houses be rented out on a market related value.

COUN.2017.09.28

A184/2017 CIRCULAR 25 OF 2017 IN RESPECT OF PERSONAL SECURITY FOR COUNCILLORS

RESOLVED

- a) that it be noted that the Mayor currently does not have bodyguards.
- b) that the South African Police Services have been requested to conduct a threat and risk analysis on the Mayor.

ITEM 20 REPORTS - IN -COMMITTEE

None

ITEM 21 NOTICE OF MOTION

None

5/0ITEM 22 QUESTIONS

None

ITEM 23 URGENT REPORTS – ALLOWED ONLY WITH THE CONSENSUS OF THE CHAIRPERSON ; AND

None

ITEM 24 CLOSURE

The meeting was closed at 10 : 45 with a prayer by Cllr N.Ndlovu.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 31 OCTOBER 2017

PRESENT: Cllr L.Y.Mhlangu Mayor
 Cllr Z.H.Madi Speaker
 Cllr N.Ndlovu Deputy Mayor
 Cllr V.C. Ndlovu
 Cllr T.S Buthelezi
 Cllr N.Madida
 Cllr F.G.S.Smook
 Cllr H.M. Mthethwa
 Cllr M.J.Mthethwa
 Cllr M.M Booysen
 Cllr F.Mlambo
 Inkosi Mabaso

OFFICIALS : Mr S.B.Duma Administrator
 Mr L.C.T.Nkosi Acting Municipal Manager
 Ms S.Sithebe Director Community Services
 Mr M.J.Mkhize Acting Director Corporate
 Services
 Ms S.Mhlophe Acting Chief Financial Officer
 Ms B.J.W.Kiewiets Committee Officer

1. OPENING: MOMENT OF REFLECTION

The meeting was opened with a prayer by Cllr H.M.Mthethwa at 10: 41.

2. **NOTICE OF A MEETING**

The Acting Municipal Manager read the notice of the meeting.

3. **APPLICATION FOR LEAVE OF ABSENCE**

None

4. **OFFICIAL NOTICE**

None

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILORS**

None

SP.COUN.2017.10.31

A185/2017 **REPORT FROM THE ADMINISTRATION**

Mr S.B.Duma informed the meeting that they have received a letter of resignation from the Administrator. Mr S.B.Duma informed the meeting that they had requested that the Administrator submits a close out report on what she had done before she left. Mr S.B.Duma informed the meeting that the Administrator informed them that her father had passed away and due to that, another date needs to be set for the Administrator to present the close out report.

RESOLVED

- a) that the close out report be submitted to Council on or before 14 November 2017 and a Special Council meeting be held at 14h00 on 14 November 2017.

SP.COUN.2017.10.31

A186/2017 **INEP & MIG**

MIG GRANT

The Acting Municipal Manager informed the meeting that an application had been made for a roll over on MIG but the application had been refused because the money had been committed.

INEP

The Acting Municipal Manager informed the meeting that an application had been made for a roll over on INEP but the application had been refused based on the court cases and the governance issues, not having a Municipal Manager and a Chief Financial Officer. The Acting Municipal Manager informed the meeting that he is in the process of writing a letter to Treasury in terms of section 22(b)(i) of the Division of Revenue Act to get the funds back.

RESOLVED

- a) that the Acting Municipal Manager and Director's submit a formal written report on the MIG grant and the INEP to Council.
- b) that it be noted that Mr S.B.Duma would be the interim Administrator going forward from now onwards until the MEC appoints a new Administrator.

Mr S.B.Duma informed the meeting that it would be difficult for Cabinet to terminate the intervention since the appointment of the Municipal Manager and that of Senior Manager still has not been done and part of the blame would be on Cogta. Mr S.B.Duma informed the meeting that by 22 November the Council needs to appoint another Acting Municipal Manager. Mr S.B.Duma informed the meeting that the position of Technical Services Director is still with the MEC and if the MEC does not appoint the person he would have to vacate that position. Mr S.B.Duma informed the meeting that as much as the Senior Manager's are appointed through the Administrator the Council also needs to assist with the appointments. Mr S.B.Duma raised a concern that Council has since not appointed a Municipal Manager, Director Corporate Services, Chief Financial Officer and the Infrastructure and Planning & Development Director.

SP.COUN.2017.10.31

A187/2017 **IN-COMMITTEE REPORT**
(APPOINTMENT OF MUNICIPAL MANAGER)

Mr S.B.Duma presented a recruitment plan for the appointment of the Municipal Manager and Senior Managers whereafter it was :-

RESOLVED

- a) that the dates on the plan be accepted and be implemented.

8. CLOSURE

The meeting was terminated with a prayer by Cllr V.C.Ndlovu at 11: 56.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 06 NOVEMBER 2017

PRESENT: Cllr L.Y.Mhlangu Mayor
 Cllr Z.H.Madi Speaker
 Cllr N.Ndlovu Deputy Mayor
 Cllr V.C. Ndlovu
 Cllr T.S Buthelezi
 Cllr N.Madida
 Cllr F.G.S.Smook
 Cllr H.M. Mthethwa
 Cllr M.J.Mthethwa arrived at 9: 35
 Cllr M.M Booyesen

OFFICIALS : Mr L.C.T.Nkosi Acting Municipal Manager
 Ms B.J.W.Kiewiets Committee Officer

1. OPENING: MOMENT OF REFLECTION

The meeting was opened with a prayer by Cllr F.Mlambo at 09: 19.

2. NOTICE OF A MEETING

The Acting Municipal Manager read the notice of the meeting.

3. APPLICATION FOR LEAVE OF ABSENCE

None

Absent

Cllr F.Mlambo

4. OFFICIAL NOTICE

None-

5. DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILORS

None

SP.COUN.2017.11.06

A188/2017 **EXTENSION OF THE CONTRACTS OF THE ACTING CHIEF FINANCIAL OFFICER AND THE ACTING DIRECTOR CORPORATE SERVICES**

The Acting Municipal Manager informed the meeting that the contracts of the Acting Director Corporate Services and the Acting Chief Financial Officer were ending today and this matter had not been discussed in the last Council meeting.

Members raised a concern on the appointment of the Acting Chief Financial Officer and that of Mr W.Mtusva at the same time and indicated that this could have huge financial implications on the municipality.

The Acting Municipal Manager informed the meeting that the appointment of Mr W.Mtusva was linked to the Auditor's time to complete auditing the municipality.

The Acting Municipal Manager informed the meeting that the shortlisting for the positions of Director Infrastructure and Planning and Development were done on Thursday, 02 November 2017 and that of the Director Corporate Services and Chief Financial Officer were done on Friday 03 November 2017. The Acting Municipal Manager informed the meeting that the interview of the position for Infrastructure and Planning and Development will be done on Thursday 09 November 2016 and that of the Director Corporate Services and Chief Financial Officer will be done on Friday 10 November 2017.

Cllr V.C.Ndlovu raised a concern on the adverts for interns that were placed without the Councillors having being given the adverts.

RESOLVED

- a) that the contracts of the Acting Director Corporate Services and the Acting Chief Financial Services be extended until the appointment to the positions have been made.
- b) that a letter be written to the MEC requesting the extensions of the Contracts of both the Acting Director Corporate Services and the Acting Chief Financial Officer until the appointments of the positions have been completed.

8. CLOSURE

The meeting was terminated with a prayer by Cllr N.A.Madida at 10: 00.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 21 NOVEMBER 2017

PRESENT: Cllr L.Y.Mhlungu Mayor
Cllr Z.H.Madi Speaker
Cllr N.Ndlovu Deputy Mayor
Cllr V.C. Ndlovu
Cllr T.S Buthelezi
Cllr N.Madida
Cllr F.G.S.Smook
Cllr H.M. Mthethwa
Cllr M.J.Mthethwa
Cllr M.M Booyesen
Cllr F.Mlambo
Inkosi P.S.S.Khumalo
Inkosi Z.G.Mabaso

Also present : Mrs N.Shongwe and Ms N.Ndimande from KZN Cogta.
Ms T.Cibane former Administrator

OFFICIALS : Mr L.C.T.Nkosi Acting Municipal Manager
Mr S. F. Mtshali Acting Director: Infrastructure & Planning Development
Ms S.Mhlope Acting Chief Financial Officer
Ms Z.Sithebe Director Community Services

Ms B.J.W.Kiewiets Committee Officer

1. OPENING: MOMENT OF REFLECTION

The meeting was opened with a prayer by Cllr T.S.Buthelezi at 11: 14.

2. NOTICE OF A MEETING

The Acting Municipal Manager read the notice of the meeting.

3. **APPLICATION FOR LEAVE OF ABSENCE**

None

4. **OFFICIAL NOTICE**

None

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILORS**

None

A189/2017 TABLING OF THE REPORT OF THE FORMER MINISTERIAL REPRESENTATIVE

Ms T.Cibane the former Ministerial Representative, presented the close out report to Council. After the presentation :-

Members informed the meeting that the report was not in line with the terms of reference presented to Council in the recovery plan.

RESOLVED

- a) that the presentation not be accepted by Council and that a copy of the report be provided to all Councillors before it is discussed at the next Council meeting.

7. **IN-COMMITTEE REPORT**

A190/2017 REQUEST FOR THE SECONDMENT OF THE ACTING MUNICIPAL MANAGER

RESOLVED

- a) that a letter be written to the MEC Cogta to request that Mr L.C.T.Nkosi be seconded in the position of Acting Municipal Manager in terms of section 54 A (6) (a) of the Municipal Systems Act until the position is filled.
- b) that the Mayor, Cllr L.Y.Mhlungu writes the letter to the MEC before end of business today, 21 November 2017.

A191/2017 REPORT ON THE PROGRESS OF SENIOR MANAGER'S POSITIONS

The Acting Municipal Manager informed the meeting that the interviews for all the posts have been done except for that of the Chief Financial Officer. The Acting Municipal Manager informed the meeting that the interviews for the Chief Financial Officer can only take place after the Auditor General Report had tabled the Management Report during this week.

The Mayor informed the meeting that the interviews for the position of the Municipal Manager would be done on Thursday 23 November 2017.

RESOLVED

- a) that Ms N.Shongwe from Cogta would follow up on the interviews until the matter has been resolved.

8. **CLOSURE**

The meeting was terminated with a prayer by Cllr T.S.Buthelezi at 13 12.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 24 NOVEMBER 2017

PRESENT: Cllr L.Y.Mhlungu Mayor
 Cllr Z.H.Madi Speaker
 Cllr N.Ndlovu Deputy Mayor

Cllr V.C. Ndlovu
Cllr T.S Buthelezi
Cllr N.Madida
Cllr F.G.S.Smook
Cllr H.M. Mthethwa
Cllr M.J.Mthethwa
Cllr M.M Booyesen
Cllr F.Mlambo

OFFICIALS : Mr L.C.T.Nkosi Acting Municipal Manager
Mr S. F. Mtshali Acting Director: Infrastructure & Planning Development
Ms Z.Sithebe Director Community Services
Ms B.J.W.Kiewiets Committee Officer

1. **OPENING: MOMENT OF REFLECTION**

The meeting was opened with a prayer at 09: 00 by Cllr F.G.S.Smook.

2. **NOTICE OF A MEETING**

The notice of the meeting was read by Cllr V.C.Ndlovu.

3. **APPLICATION FOR LEAVE OF ABSENCE**

Cllr L.Y.Mhlungu, M.M.Booyesen, Cllr M.J.Mthethwa and Cllr F.Mlambo could not attend the meeting due to other commitments.

RESOLVED

a) that leave of absence be granted to all.

4. **OFFICIAL NOTICE**

None

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILORS**

None

6. **URGENT REPORTS**

A192/2017 APPROVAL OF SMALL REHABILITATION GRANT FUNDED PROJECTS EMADLANGENI MUNICIPALITY

The Acting Municipal Manager informed the meeting that a letter had been received from Cogta giving the municipality one million (R1 000 000.00) rand for Small Town Rehabilitation and it requires a resolution from Council accepting the money.

RESOLVED

a) that Council accepts the Small Town Rehabilitation grant of one million (R1 000 000.00) rand as per the approved letter and provision of MOA, Dora, PFMA and KZN Appropriation Act.

b) that the Acting Municipal Manager seeks clarity from Cogta regarding the eleven million (R11 000 000.00) rand which was not fully provided to the municipality previously.

7. **CLOSURE**

The meeting was terminated with a prayer by Cllr H.M.Mthethwa at 09: 20.

MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING HELD ON 06 DECEMBER 2017 IN THE COUNCIL CHAMBER

PRESENT: Cllr Z.H. Madi Speaker
Cllr L.Y. Mhlungu Mayor
Cllr N. Ndlovu Deputy Mayor
Cllr T.S. Buthelezi
Cllr N.A. Madida Arrived at 09: 40
Cllr V.C.Ndlovu
Cllr F.G.S. Smook
Cllr H.M Mthethwa
Cllr M.J. Mthethwa
Cllr M.M.Booyesen
Cllr F.Mlambo Arrived at 09: 42
Inkosi Z.G.Mabaso

Also present : Ms B.Nxumalo from IEC and Mr A.Jordan
from the Audit Committee.

OFFICIALS: Mr L.C.T.Nkosi Acting Municipal Manager
Mr Z.J.Mkhize Acting Director Corporate
Services
Ms S.Sithebe Director Community Services
Ms B.J.W.Kiewiets Committee Officer

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 09: 14 with a prayer by Cllr F.G.S.Smook.

2. NOTICE OF A MEETING

The notice of the meeting was read by the Acting Municipal Manager.

3. APPLICATION FOR LEAVE OF ABSENCE

Inkosi P.S.S.Khumalo could not attend the meeting due to other commitments.

RESOLVED

a) that leave of absence be granted to Inkosi P.S.S.Khumalo.

4. ACCEPTANCE OF THE AGENDA

The following item was added onto the agenda under urgent matters, Status of Electricity Project.
The agenda was then accepted.

5. DECLARATION OF INTEREST

None

6. ANNOUNCEMENTS

None

7. PRESENTATIONS

7.1 RECRUITMENT OF MUNICIPAL ELECTORAL COMMISSION (MEO)

Ms B.Nxumalo from IEC made a presentation on the MEO Requirements, MEO Roles and Responsibilities, Recruitment Process, National Common Voters Roll, Legal Framework, Rational, Court Judgements, Implications, Current Registration figures and Remedial Actions. After the presentation :-

After the presentation it was :-

A193/2017 **RECRUITMENT OF MUNICIPAL ELECTORAL COMMISSION
RESOLVED**

- a) that the recruitment process to appoint the Senior Managers positions be completed first whereafter the positions of MEO be filled.

8. CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

The following minutes were confirmed to be correct :-

- Minutes of a Council meeting held on 28 September 2017
- Minutes of a Special Council meeting held on 31 October 2017
- Minutes of a Special Council meeting held on 06 November 2017
- Minutes of a Special Council meeting held on 21 November 2017

Minutes of the 28 September 2017 were confirmed to be correct subject to the following corrections :-
page 1 under present Cllr F.Mlambo should reflect that he was present at that meeting.
page 10 that A178/2017 Prioritisation of Rural Electricity Project for 2017/2018 be submitted back to the next Portfolio Committee meeting to include connection numbers.

Minutes of the Special Council meeting held on 31 October 2017, 06 November and 21 November 2017 were confirmed to be correct.

9. OUTSTANDING MATTERS

None

10. SUBMISSION OF REPORTS FROM COUNCIL REPRESENTATIVES FROM DISTRICT/LOCAL MUNICIPALITY

None

11. REPORTS OF THE EXECUTIVE COMMITTEE/ EXECUTIVE MAYOR, UNDER THE SECTIONS, RECOMMENDATIONS TO COUNCIL, DECISIONS UNDER DELEGATED AUTHORITY AND DECISIONS OF EXECUTIVE MAYOR TAKEN WITH MAYORAL COMMITTEE

- 11.1 *The chairperson, Cllr L.Y.Mhlungu moved that the recommendations of the Budget, Treasury and Corporate Services Portfolio Committee to the Emadlangeni Municipal Council be considered and that the resolutions of the committee under Powers Delegated be noted.*

COUN.2017.06.12

A194/2017 **OVERTIME MANAGEMENT
RESOLVED**

- a) that the Portfolio Committee ensures processing of overtime claims in terms of the existing legislative framework.

COUN.2017.06.12

A195/2017 **IN YEAR REPORT FOR MONTH AND QUARTER OF SEPTEMBER 2017
RESOLVED**

- a) that the monthly budget statement report be noted.
- a) that the quarterly report for September 2017 on the implementation of the budget in terms of section 52(d) of the MFMA be noted.

COUN.2017.06.12

**A196/2017 BUDGET & TREASURY POLICIES
RESOLVED**

- a) that the following policies be adopted :-
 - i) Petty Cash Policy
 - ii) Fleet Management Policy

COUN.2017.06.12

**A197/2017 CONTRACT MANAGEMENT POLICY FRAMEWORK AND PROCEDURE MANUAL
RESOLVED**

- a) that the Contract Management Framework and the Procedure Manual be adopted.

1.2 *The chairperson, Cllr N.Ndlovu moved that the recommendations of the Technical and Planning Services Portfolio Committee to the Emadlangeni Municipal Council be considered and that the resolutions of the committee under Powers Delegated be noted.*

COUN.2017.06.12

**A198/2017 INTEGRATED NATIONAL ELECTRIFICATION PROGRAMME
RESOLVED**

- a) that the municipality proceeds to negotiate with the farmers.

COUN.2017.06.12

**A199/2017 BUDGET FOR FENCING MATERIAL FROM KZN WILDLIFE
RESOLVED**

- a) that the budget of six hundred and seventeen thousand two hundred and twenty eight (R617 228.00) rand for the erection of the new game fence be made available for the programme to be completed by June 2017.

11.3 *The chairperson, Cllr H.M.Mthethwa moved that the recommendations of the Community Services Portfolio Committee to the Emadlangeni Municipal Council be considered and that the resolutions of the committee under Powers Delegated be noted.*

COUN.2017.06.12

**A200/2017 EMADLANGENI SUMMER SEASON CONTINGENCY PLAN
RESOLVED**

- a) that the Portfolio Committee members be provided with a copy of the Emadlangeni Summer Season Contingency plan whereafter the Plan be submitted to Council.

COUN.2017.06.12

**A201/2017 WARD COMMITTEE QUARTERLY PROGRESS REPORT
APRIL - JUNE 2017**

RESOLVED

- a) that a copy of the ward committee quarterly progress report be provided to all members April -June 2017.

ITEM 12 REPORTS FROM MPAC

COUN.2017.06.12

**A202/2017 MPAC WORK PLAN FOR 2017/18 FINANCIAL YEAR
RESOLVED**

- a) that the MPAC committee adopts the 2017/2018 MPAC work plan.
 - b) that a hard copy of the MPAC work plan be provided to MPAC members.
- COUN.2017.06.12**

A203/2017 **AUDIT COMMITTEE REPORT 2017/18 Q1**

- a) that the Senior Manager's positions be filled as a matter of urgency.
- b) that the Chairperson of the Audit Committee be invited to sit on the MPAC meetings.

COUN.2017.06.12

A204/2017 **IN YEAR REPORT FOR MONTH AND QUARTER OF SEPTEMBER 2017**

RESOLVED

- a) that the monthly budget statement report be noted.
- b) that the quarterly report on the implementation of the budget in terms of section 52(d) of the MFMA be noted.
- c) that the Heading of the report should read for the quarter of July, August and September.
- c) that the Mayor's report be signed and the report be corrected accordingly to indicate that the municipality was having cash flow problems instead of experiencing cash flow.

ITEM 13 **REPORTS FROM THE AUDIT COMMITTEE**

COUN.2017.06.12

A205/2017 **AUDIT COMMITTEE TERMS OF REFERENCE, ANNUAL PLAN AND SCHEDULE OF MEETINGS**

RESOLVED

- a) that the Audit Committee's terms of reference and annual plan be adopted.
- b) that the schedule of meetings be noted.

COUN.2017.06.12

A206/2017 **AUDIT COMMITTEE REPORT 2017/18 Q2**

Mr A.Jordan from the Audit Committee made a presentation on the Audit Committee report whereafter :-

RESOLVED

- a) that the Audit Committee Report for 2017/2017 quarter 1 be noted.

ITEM 14 **REPORTS ON WARD COMMITTEES / CONSOLIDATED REPORT ON WARD COMMITTEES**

None

ITEM 15 **REPORT ON SALGA ACTIVITIES**

A207/2017 **COST CONTAINMENT MEASURES FOR THE SALGA KZN DSR GAMES**

The Acting Municipal Manager read the cost containment measures letter received from SALGA for the SALGA KZN DSR Games and informed the meeting that a letter was received from SALGA which was dated 04 September 2017, but the letter was only received on 04 December 2017 indicating who should attend the SALGA Games. The Acting Municipal Manager informed the meeting that he had to present the letter to Council as this matter could result in an Audit query next year if this letter was not presented to Council.

RESOLVED

- a) that it be noted that the correspondence from SALGA arrived late after arrangements and payments had been made for Councillors to attend the SALGA games.

ITEM 16 b) that the Councillors would be attending the SALGA games as had been arranged.
MONTHLY ACTIVITIES

None

ITEM 17 **INPUT BY THE TRADITIONAL LEADERS**

None

ITEM 18 **REPORTS FOR NOTING**

COUN.2017.06.12

B16/2017 **POUND REPORT**

Noted

COUN.2017.06.12

B17/2017 **IN - YEAR REPORT OF THE MUNICIPALITY AUGUST**

Noted

COUN.2017.06.12

B18/2017 **SIGNED EMPLOYMENT EQUITY REPORT**

Noted

COUN.2017.06.12

B19/2017 **INTERNAL AUDIT REPORTS**

Noted

COUN.2017.06.12

B20/2017 **LOCAL LABOUR FORUM**

Noted

ITEM 19

REPORTS FOR CONSIDERATION

COUN.2017.06.12

A208/2017 **SALARY ADJUSTMENT FOR SENIOR MANAGERS**

RESOLVED

a) that the salary adjustment for Senior Managers as per the determination by the Minister of Co-operative Governance and Traditional Affairs with effect from July 2017 be noted.

COUN.2017.06.12

A209/2017 **DISTRICT HEALTH COUNCIL**

RESOLVED

a) that Cllr N.Madida and Cllr H.M.Mthethwa be nominated to become members of the District Health Council.

COUN.2017.06.12

A210/2017 **MUNICIPAL FINANCIAL CONTRIBUTION TOWARD SALGA GAMES 2017**

RESOLVED

Cllr F.Mlambo
Inkosi Z.G.Mabaso

OFFICIALS: Mr S.Duma Administrator
Mr T.Majosi Cogta
Mr L.C.T.Nkosi Acting Municipal Manager
Mr Z.J.Mkhize Acting Director Corporate
Services
Ms S.Mhlophe Acting Chief Financial Officer
Ms B.J.W.Kiewiets Committee Officer

1. **OPENING: MOMENT OF REFLECTION**

The meeting was opened at 11: 03 with a prayer by Cllr N.Ndlovu.

2. **NOTICE OF A MEETING**

The notice of the meeting was read by the Municipal Manager.

3. **APPLICATION FOR LEAVE OF ABSENCE**

None

4. **OFFICIAL NOTICES**

None

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILLORS**

None

SP.COUN.2018.01.18

A1/2018 DELEGATION FRAMEWORK DCS

RESOLVED

- a) that the Delegation Register not be adopted until it has been work shopped.

SP.COUN.2018.01.18

A2/2018 MIG REPORT DIF&PD

RESOLVED

- a) that a detailed report on all the MIG Projects be submitted to the next Council meeting.
b) that the Technical Committee visits the MIG Projects on 23 January 2018 with the assistance of Management to see the progress done on them.
c) that the Technical Committee provides a report to Council on the progress done on the projects.

SP.COUN.2018.01.18

A3/2018 INEP REPORT DIF&PD

RESOLVED

- a) that a detailed report on all the INEP Projects be submitted to the next Council meeting.
b) that the Technical Committee visits the INEP Projects on 23 January 2018 with the assistance of Management to see the progress done on them.
d) that the Technical Committee provides a report to Council on the progress done on the projects.

- a) that Mr L.C.T.Nkosi be appointed as the Municipal Manager of Emadlangeni Municipality for a five (5) year fixed term contract.

8. CLOSURE

The meeting was closed at 15 : 45 with a prayer by Cllr F.G.S.Smook.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 24 JANUARY 2018 IN THE COUNCIL CHAMBER

PRESENT: Cllr Z.H. Madi Speaker
Cllr L.Y. Mhlungu Mayor
Cllr N. Ndlovu Deputy Mayor
Cllr T.S. Buthelezi
Cllr N.A. Madida
Cllr V.C.Ndlovu
Cllr F.G.S. Smook
Cllr H.M. Mthethwa
Cllr M.J. Mthethwa
Cllr M.M.Booyesen
Inkosi Z.G.Mabaso

OFFICIALS: Mr S.Duma Administrator
Mr L.C.T.Nkosi Municipal Manager
Mr Z.J.Mkhize Director Corporate Services
Ms S.Mhlophe Acting Chief Financial Officer
Ms Z.Sithebe Director Community Services
Ms N.Ndaba Manager IDP/PMS
Ms B.J.W.Kiewiets Committee Officer

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 09: 10 with a prayer by Cllr V.C.Ndlovu.

2 NOTICE OF A MEETING

The notice of the meeting was read by the Municipal Manager.

3. APPLICATION FOR LEAVE OF ABSENCE

Inkosi P.S.S.Khumalo could not attend the meeting due to other commitments.

RESOLVED

- a) that leave of absence be granted to Inkosi P.S.S.Khumalo.

Absent

Cllr F.Mlambo

4. OFFICIAL NOTICES

None

5. DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILLORS

None

SP.COUN.2018.01.24

RESOLVED

- a) that the monthly budget statements and any supporting documents be noted.
- b) that the quarterly report on the implementation of the budget and the financial affairs for the municipality referred to in section 52 (d) of the act be noted.
- c) that the Mid-Year budget and Performance assessment for the period of 01 July 2017 to December 2018 referred to in section 72 (1) of the act and as set out in tables C1-C7 be noted.
- d) that the 2017/2018 annual budget be adjusted and any other resolutions that may be required.
- e) that a detailed report be submitted to Council on the salaries which must not exceed the threshold.

SP.COUN.2018.01.24

A7/2018 REPORT ON VALUATION ROLL CFO

RESOLVED

- a) that the Valuation Roll be adopted in accordance of section 8 of the Municipal Property Rates Act and according to the properties as per the report from Umhlaba Geomatics.

SP.COUN.2018.01.24

A8/2018 IN-YEAR REPORT FOR NOVEMBER 2017 CFO

RESOLVED

- a) that the report be noted.

7. CLOSURE

The meeting was closed at 13 : 50 with a prayer by Cllr N.Ndlovu.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 30 JANUARY 2018 IN THE COUNCIL CHAMBER

PRESENT:

Cllr Z.H. Madi	Speaker
Cllr L.Y. Mhlungu	Mayor
Cllr N. Ndlovu	Deputy Mayor
Cllr T.S. Buthelezi	
Cllr V.C.Ndlovu	
Cllr H.M. Mthethwa	
Cllr M.J. Mthethwa	
Cllr M.M.Booyesen	
Inkosi Z.G.Mabaso	

OFFICIALS:

Mr L.C.T.Nkosi	Municipal Manager
Mr Z.J.Mkhize	Director Corporate Services
Ms Z.Sithebe	Director Community Services
Ms N.Ndaba	Manager IDP/PMS
Ms B.J.W.Kiewiets	Committee Officer

Also present : Mr A.Zungu from the Auditor General.

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 09: 08 with a prayer by Cllr M.J.Mthethwa.

2 **NOTICE OF A MEETING**

The notice of the meeting was read by the Municipal Manager.

3. **APPLICATION FOR LEAVE OF ABSENCE**

Cllr F.G.S.Smook and Cllr N.Madida could not attend the meeting due to other commitments.

RESOLVED

a) that leave of absence be granted to both.

Absent

Inkosi Khumalo and Chief Financial Officer

4. **OFFICIAL NOTICES**

4.1 The Municipal Manager informed the meeting that SALGA has issued an invitation for Induction training to the Mayor, Speaker, Deputy Mayor, Chief Whip and the Chairperson of the MPAC Committee from 20 to 21 February 2018.

4.2 The Municipal Manager informed the meeting that an agreement of seventeen point five (17.5) million rand has been signed between Hoshoha Mining and Emadlangeni Municipality to do projects over a period of five years.

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILLORS**

None

6. **PRESENTATIONS**

SP.COUN.2018.01.30

B1/2017 PRESENTATION BY THE AUDITOR GENERAL

Mr Zungu from the Auditor General made a presentation on the Outcome of Emadlangeni Municipality, National Development Plan, Medium term strategic framework, Accountability, Three areas which are examined, different audit opinions, Audit opinion history, Emphasis of matters, Predetermined objectives, Compliance, Status of key controls, Status of key focus areas, Assurance providers, Root causes, Progress on commitments, Proof reading of the 2016-2017 annual report, Correlation between low accountability, Corruption and impact on service delivery.

Noted

SP.COUN.2018.01.30

A9/2018 2016/2017 DRAFT ANNUAL REPORT MM

The Municipal Manager presented the 2016/2017 Draft Annual Report to Council.

RESOLVED

a) that the draft 2015/2016 Annual Report be noted.

b) that the Annual Report be made available for a period of twenty-one (21) days and the public and the local communities be invited to submit representations they have in connection with the Annual Report.

c) that the Annual Report be submitted to Cogta, National Treasury, Provincial Treasury and the Auditor General for comments and inputs.

d) that the Annual Report be referred to the Municipal Public Accounts Committee for oversight.

SP.COUN.2018.01.30

RESOLVED

- a) that the signing of the agreement between the Department of Transport and Emadlangeni municipality be approved.

8. CLOSURE

The meeting was closed at 10 : 50 with a prayer by Cllr M.J.Mthethwa.

**MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 28 FEBRUARY 2018 IN THE
COUNCIL CHAMBER**

PRESENT:

Cllr Z.H. Madi		Speaker
Cllr L.Y. Mhlungu		Mayor
Cllr N. Ndlovu	Cllr T.S. Buthelezi	Deputy Mayor
Cllr N.A.Madida		
Cllr V.C.Ndlovu		
Cllr H.M. Mthethwa		
Cllr M.J. Mthethwa		
Cllr M.M.Booyesen		
Cllr F.G.S.Smook		
Cllr F.Mlambo		
Inkosi Z.G.Mabaso		

OFFICIALS:

Mr L.C.T.Nkosi	Municipal Manager	
Mr W.Mtusva	Acting Chief Financial Officer	
Mr N.Kheswa	Director Infrastructure and Planning Development	
Ms Z.Sithebe	Director Community Services	
Ms B.J.W.Kiewiets	Committee Officer	

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 10: 02 with a prayer by Cllr F.G.S.Smook.

2. NOTICE OF A MEETING

The notice of the meeting was read by the Municipal Manager.

3. APPLICATION FOR LEAVE OF ABSENCE

Mr S.Duma, Cllr M.M.Booyesen and Inkosi P.S.S.Khumalo could not attend the meeting due to other commitments.

RESOLVED

- a) that leave of absence be granted to all.

Cllr V.C.Ndlovu informed the meeting that preparations for the meeting like setting up the projector should be done before the Council meeting begins and requested that all prior preparations for the meeting be done before the meeting begins.

4. OFFICIAL NOTICES

The Municipal Manager informed the meeting that a notice of motion had been received in the matter pertaining to the previous Municipal Manager, Mrs G.P.N.Nthshangase requesting to be paid an amount of eight hundred thousand plus ten percent interest calculated from August 2017 until it has been paid to her, for her leave days.

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILLORS**

None

6. **URGENT REPORTS - ALLOWED ONLY WITH THE CONSENSUS OF THE CHAIRPERSON; AND**

SP.COUN.2018.02.28

A11/2018 ADJUSTMENT BUDGET

Cllr V.C.Ndlovu requested that the Executive Committee meeting recommendation to Council for the Adjustment Budget be provided to all members.

The meeting was then adjourned at 10: 15.

The meeting re-convened at 10: 35.

RESOLVED

- a) that the 2017/ 2018 Adjustment Budget be approved.
- b) that the service delivery targets and performance indicators in the service delivery and budget implementation plan be revised.
- c) that the Provincial Treasury comments on the Midyear Budget and Performance Assessment be noted.

SP.COUN.2018.02.28

B1/2018 REPORT ON THE STATUS OF INEP PROJECTS

Noted

SP.COUN.2018.02.28

A12/2018 DISASTER MANAGEMENT CENTRE

RESOLVED

- a) that a site be made available for the establishment /building of a Disaster Management Centre.
- b) that the business plan for the Disaster Management Centre be approved.
- c) that funding be accepted for building the Disaster Centre from any private sector.
- d) that if the private sector cannot provide full funding for the Disaster centre an application be made to MIG for the centre.

8. **CLOSURE**

The meeting was terminated with a prayer by Cllr N.Ndovu at

11 : 15.

MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING HELD ON 28 MARCH 2018 IN THE COUNCIL CHAMBER

PRESENT: Cllr Z.H. Madi Speaker
Cllr L.Y. Mhlungu Mayor
Cllr N. Ndlovu Deputy Mayor
Cllr T.S. Buthelezi

Cllr N.A. Madida
Cllr V.C.Ndlovu
Cllr F.G.S. Smook
Cllr H.M Mthethwa
Cllr M.J. Mthethwa
Cllr M.M.Booyesen
Cllr F.Mlambo
Inkosi Z.G.Mabaso
Inkosi P.S.S.Khumalo

Arrived at 09 : 45
Arrived at 10: 12

OFFICIALS: Mr L.C.T.Nkosi Municipal Manager
Mr Z.J.Mkhize Director Corporate Services
Mr W.Mtusva Acting Chief Financial Officer
Mr N.Kheswa Director Infrastructure and Planning Development
Ms S.Sithebe Director Community Services
Ms N.Ndaba IDP/PMS Manager
Ms B.J.W.Kiewiets Committee Officer

Also present : Mr N.Nethivhundini from Cogta Mr S.Majola from the Audit Committee and Mrs N.Hlope(Majola) and Ms S.Mnengela from the Department of Transport.

1. **OPENING: MOMENT OF REFLECTION**

The meeting was opened at 09: 14 with a prayer by Cllr V.C.Ndlovu.

2. **NOTICE OF A MEETING**

The notice of the meeting was read by the Director Corporate Services.

3. **APPLICATION FOR LEAVE OF ABSENCE**

Mr S.Duma could not attend the meeting due to other commitments.

RESOLVED

a) that leave of absence be granted to Mr S.Duma.

Absent

Cllr F.Mlambo and Cllr M.M.Booyesen

4. **ACCEPTANCE OF THE AGENDA**

Cllr V.C.Ndlovu wanted to know why the item on upper limits as well as the Oversight report was not on the agenda according to compliance.

The Municipal Manager then requested that the meeting be adjourned so as to include the report on the Upper Limits and the Oversight Report.

The meeting was then adjourned at 9: 30.

The meeting was re-convened at 10: 01.

The Municipal Manager informed the meeting that the Report on the Upper limits as well as the Oversight Report will be provided during the meeting.

The agenda was then accepted.

5. **DECLARATION OF INTEREST**

None

6. **ANNOUNCEMENTS**

None

7. PRESENTATIONS

7.1 PRESENTATION BY THE DEPARTMENT OF TRANSPORT

Mrs S.Mnengela and N.Hhophe (Majola) from the Department of Transport made a presentation on the Background, Project Objectives, Study Methodology Overview, Data Analysis, Valuation Model, Valuation Model Inputs, Utrecht Field Survey Locations, Utrecht Screenline Surveys, Current Public Transport Operations, Survey results for Utrecht Taxi Association and for Associations that operate to and from Utrecht, Utrecht Taxi Association (Emadlangeni Municipality), Operating licence warrant, Operating licence warrant analysis, Madadeni Taxi Owners Association, Madadeni Taxi Association Operating Licence Warrants per route, Masihambisane Bara Buffalo Flats Taxi Association, Masihambisane Bara Buffalo Flats Taxi Association Operating licences warrants per route, Osizweni Utrecht B Taxi Association, Osizweni Utrecht B Taxi Association Operating licences warrants per route, Sizwe Taxi Association, Sizwe Taxi Association Operating licences warrants per route.

- Inkosi Z.G.Mabaso informed the meeting that they had not been informed about the survey of the Department of Transport.
- Inkosi Z.G.Mabaso informed the meeting that the Taxi Associations complain that the roads are not good in their area that is why bakkies are used in their area.
- Members informed the meeting that it could have assisted if the Department of Transport had first met with Councillors before the Council meeting to iron out certain issues.
- Members wanted to know how long the process will take to be formalized and legalized.
- The Municipal Manager informed the meeting that the presentation had been presented to him and certain issues had to be corrected and hence that is why the presentation was before Council today.

Response

- Ms S.Mnengela informed the meeting that there will be a consultation process with Cogta whereafter the Amakhosi will be informed and included. Currently the presentation needed to be adopted by the municipality whereafter it will be open to everyone.
- Mrs N.Hlope(Majola) informed the meeting that the process will start in their new financial year.

A13/2018 PRESENTATION BY THE DEPARTMENT OF TRANSPORT RESOLVED

- a) that the report / feasibility study to formalize and legalize the operating of Taxi's in the Emadlangeni are be adopted.
- b) that the Director Community Services be the person to correspond with the Department of Transport.

8. CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

The following minutes were confirmed to be correct :-

- Minutes of a Council meeting held on 06 December 2017
- Minutes of a Special Council meeting held on 12 December 2017
- Minutes of a Special Council meeting held on 18 January 2018
- Minutes of a Special Council meeting held on 24 January 2018
- Minutes of a Special Council meeting held on 30 January 2018
- Minutes of a Special Council meeting held on 28 February 2018

9. OUTSTANDING MATTERS

A14/2018 POSITION OF MEO

- a) that the following names be submitted to IEC
Mr L.C.T.Nkosi Municipal Manager

10. **SUBMISSION OF REPORTS FROM COUNCIL REPRESENTATIVES FROM DISTRICT/LOCAL MUNICIPALITY**

Cllr V.C.Ndlovu provided a report on the water tanks and informed the meeting that the Services providers were failing to provide water to the rural areas. Cllr V.C.Ndlovu informed the meeting that Amajuba Municipality was in the process of terminating the contract of the Service providers providing water with water tanks.

Cllr V.C.Ndlovu informed the meeting that there was still a problem with the issue of Solar panels theft.

Cllr V.C.Ndlovu informed the meeting that on the issue of VIP toilets a report was required from the different wards on areas which have not been provided with VIP toilets.

Cllr V.C.Ndlovu informed the meeting that the project for bulk water at Amangtungwa was almost completed.

Cllr V.C.Ndlovu informed the meeting the issue of Sewerage infrastructure for Goedehoop was still in progress.

Inkosi Mabaso requested to be assisted with a pipe to be connected from the dam on his area which could supply water to a water tank.

Inkosi Khumalo requested to be assisted with the repairs of Windmills in his area.

The Municipal Manager informed the meeting that water was the function of Amajuba District and Cllr V.C.Ndlovu should submit the request of the Amakhosi to Amajuba District Municipality.

11. **REPORTS OF THE EXECUTIVE COMMITTEE/ EXECUTIVE MAYOR, UNDER THE SECTIONS, RECOMMENDATIONS TO COUNCIL, DECISIONS UNDER DELEGATED AUTHORITY AND DECISIONS OF EXECUTIVE MAYOR TAKEN WITH MAYORAL COMMITTEE**

COUN.2018.03.28

**A15/2018 OCCUPATIONAL HEALTH AND SAFETY AND PAYROLL POLICIES
DCS**

RESOLVED

- a) that the draft Occupational Health and Safety Policy be workshopped whereafter it be taken back to Council.

COUN.2018.03.28

A16/2018 APPROVAL OF AN OCCUPATIONAL RENT.

RESOLVED

- a) that this policy be workshopped whereafter it is taken back to Council.

COUN.2018.03.28

A17/2018 MEMBERS TO THE EMADLANGENI MUNICIPAL PLANNING TRIBUNAL

RESOLVED

- a) that Mr S.Nzuza and Mr M.Ndaba be appointed as the two (2) new members of Emadlangeni Municipal Planning Tribunal as contemplated in part B section 3(1) of the Spatial Planning and Land Use Management regulations 2015.
- b) that the following new names be supported as MPT Members .

Full Names	Institution	Designation	Qualification
Mthokozisi Ndaba	Amajuba District Municipality	Development Administrator Officer	NDip Town & Regional Planning
Simpiwe Nzuzi	Amajuba District Municipality	Chief Town Planner	NDip Town & Regional Planning
L.M.Nkosi	Emadlangeni Municipality	Legal Practitioner	LLB
S.P.Hadebe	Town Planner	Town Planner	NDip Town & Regional Planning
T.P.Zondi	Emadlangeni Municipality	Manager LED & Tourism	B Community and development Studies
N.Motaung	Amajuba District Municipality	Assistant Director	B.Sc Honours Environmental Management
N.M.B.Mokoena	Emadlangeni Municipality	Manager Development Planning	B Tech Town & Regional Planning
K.E.Gwala	Emadlangeni Municipality	Manager Infrastructure	B Tech Civil Engineering

- c) that Ms N.B.N.Mokoena be appointed as the chairperson of the Planning Tribunal and Mr N. Nzuzi as the deputy chairperson.
- d) that a written declaration be submitted within ten (10) days of being appointed declaring his or her financial or other interest in the planning sector or related sector which may be in conflict of interest with their appointment. Declaring financial or other interests in development undertaken by family members and close associates in the municipality and declaring any conviction for a schedule 1 offence in terms of the Criminal Procedure Act, 1997 (Act no. 51 of 1977).

ITEM 12 **REPORTS FROM MPAC**

COUN.2018.03.28

A18/2018 **SECTION 71 REPORTS QUARTER 2 2017/2018**

RESOLVED

- a) that the irregular, fruitless and wasteful expenditure be investigated and a detailed report be provided on the expenditure, and it be discussed in the next MPAC Committee meeting.

COUN.2018.03.28

A19/2018 **ANNUAL REPORT**

Ms N.Ndaba presented the Annual Report to the MPAC Committee whereafter :-

RESOLVED

- a) that the Annual and Oversight report for 2016/2017 be considered and noted.
- b) that the Chairperson submits an oversight report with the relevant comments to Council before 30 March 2018.
- c) that the Annual report be submitted to Council and then it be made public and it also be submitted to the Legislature, National and Provincial Treasury, the Department of Co-operative Governance and Traditional Affairs for consideration.

COUN.2018.03.28

A20/2018 **MID-YEAR ASSESSMENT PERFORMANCE REPORT**

RESOLVED

- a) that the MPAC committee notes the Mid-Year Assessment Performance report.

A21/2018 **REPORT ON THE IMPLEMENTATION OF THE AUDITOR GENERAL ACTION PLAN**

RESOLVED

- a) that the report on the implementation of commitments for addressing the audit findings raised by the Auditor General be noted and timeframes be put to all the actions.

ITEM 13 **REPORTS FROM THE AUDIT COMMITTEE**

COUN.2018.03.28

A22/2018 **REPORT OF THE AUDIT COMMITTEE FOR SECOND QUARTER 2018**

Mr S.Majola from the Audit Committee made a presentation on the second quarter report whereafter it was :-

RESOLVED

- a) that the Audit Committee's second quarter report be adopted.

ITEM 14 **REPORTS ON WARD COMMITTEES / CONSOLIDATED
REPORT ON WARD COMMITTEES**

None

ITEM 15 **REPORT ON SALGA ACTIVITIES**

None

ITEM 16 **MONTHLY ACTIVITIES**

None

ITEM 17 **INPUT BY THE TRADITIONAL LEADERS**

Inkosi P.S.S.Khumalo requested that they be assisted with community Halls and that the municipality assists them with grading of roads and sports fields.

Inkosi Z.G.Mabaso informed the meeting that they requested to be assisted with donations when they have functions in their areas.

Inkosi Z.G.Mabaso requested that they be assisted with funding for their horse racing events

The Municipal Manager informed the meeting that the municipal expenditure exceeded its revenue and the municipality was currently fixing this issue and did not have enough funds to assist the Amakosi with funding currently

Inkosi Khumalo requested that they be assisted with tools of trade.

A23/2018 **INPUT BY THE TRADITIONAL LEADERS**

RESOLVED

- a) that a meeting be held between the Municipal Manager and the Amakosi to discuss the budget issues for funding.

ITEM 18 **REPORTS FOR NOTING**

COUN.2018.03.28

B2/2018 **THE DISASTER MANAGER PRESENTED THE DISASTER MANAGEMENT REPORT FROM JULY 2017 TO SEPTEMBER 2017.**

Noted

COUN.2018.03.28

B3/2018 **THE DIRECTOR COMMUNITY SERVICES THEN PRESENTED THE REPORT ON THE LIBRARY.**

Noted

COUN.2018.03.28

B4/2018

THE SOCIAL SERVICES OFFICER THEN PRESENTED THE REPORT ON SOCIAL SERVICES.

Noted

COUN.2018.03.28

B5/2018

THE CHIEF PROTECTION SERVICES PRESENTED THE REPORT FOR PROTECTION SERVICES.

Noted

COUN.2018.03.28

B6/2018

THE PUBLIC PARTICIPATOR PRESENTED THE REPORT ON PUBLIC PARTICIPATION, WARD COMMITTEE.

Noted

COUN.2018.03.28

B7/2018

REPORT ON THE IMPLEMENTATION OF THE AUDITOR GENERAL ACTION PLAN

Noted

ITEM 19

REPORTS FOR CONSIDERATION

COUN.2018.03.28

A24/2018

APPROVAL OF THE DRAFT BUDGET

RESOLVED

- a) that the 2018/2019 draft capital and operation budget be approved.
- b) that the proposed tariffs be approved with effect from 01 July 2018.
- c) that the following municipal budget related policies remain unchanged :-
 - SCM Policy
 - Virement Policy
 - Cash and Investment Policy
 - Budget Policy
 - Asset Management Policy

COUN.2018.03.28

A25/2018

APPROVAL OF THE DRAFT 2018/2019 IDP

RESOLVED

- a) that the IDP document be corrected before it goes to the community.
- b) that the draft 2018/2019 IDP be approved.
- c) that the draft 2018/2019 IDP be submitted to the Department of Co-operative Governance and Traditional Affairs, Provincial and National Treasury for assessment purposes.
- d) that the approved draft IDP for 2018/19 be advertised for a period of 21 days for public comments, and also undertake the public consultation process in all six (6) wards.

COUN.2018.03.28

A26/2018

COUNCILLORS REMUNERATION DETERMINATION : INCREASES IN RESPECT OF THE 2017/2018 FINANCIAL YEAR IN TERMS OF GOVERNMENT GAZETTE NOTICE NO. 41335 DATED 15 DECEMBER 2017

RESOLVED

- a) that a letter be written to the MEC requesting the Councillors to be paid 100% their Upperlimits according to the notice in the gazette received on 15 December 2018.
- b) that provision be made on the budget for the upper limits of the Councillors.

ITEM 20

REPORTS - IN -COMMITTEE

COUN.2018.03.28

A27/2018

APPOINTMENT FOR SENIOR MANAGERS (CHIEF FINANCIAL OFFICER)

The Municipal Manager informed the meeting that the appointment of the Municipal Manager, Director Corporate Services and Director Infrastructure and Planning Development has been confirmed by the MEC.

[REDACTED]

RESOLVED

- a) that Ms Sanelisiwe Mhlope be appointed as the Chief Financial Officer of Emadlangeni Municipality.

ITEM 21

NOTICE OF MOTION

None

ITEM 22

QUESTIONS

COUN.2018.03.28

B8/2018

QUESTIONS RAISED BY COUNCILLORS

IFP 001/27/11/2017

MANGOSUTHU ISSUE

Noted

EMPLOYMENT ISSUE

Noted

CAUCUS OFFICE

Noted

DA001/25/02/2018

COMPRESSOR

Noted

REPRESENTATION IN THE DISTRICT

Noted

DA00205/02/2018

APPOINTMENT OF CHIEF FINANCIAL OFFICER

Noted

APPOINTMENT OF GAME PARK MANAGER

Noted

RDP HOUSES : WHITE CITY

Noted

DA003/19/02/2018

ALCOHOL AND EXCESSIVE LITTERING

Noted

ITEM 23 URGENT REPORTS – ALLOWED ONLY WITH THE CONSENSUS OF THE CHAIRPERSON ; AND

COUN.2018.03.28

A28 /2018 OVERSIGHT REPORT

- a) that the Annual Report and Oversight report for 2016/2017 be adopted.
- b) that the Oversight Report be made public in accordance with Section 129 (3) of the Municipal Finance Management Act 56 of 2003.
- c) that the Oversight Report be submitted to the Provincial Legislature, National and Department of Co-operative Governance and Traditional Affairs in accordance with Section 132 (2) of the Municipal Finance Management Act 56 of 2003.

ITEM 24 CLOSURE

The meeting was closed at 13 : 35 with a prayer by Cllr V.C.Ndlovu.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 06 APRIL 2018 IN THE COUNCIL CHAMBER

PRESENT: Cllr Z.H. Madi Speaker
Cllr L.Y. Mhlungu Mayor
Cllr N. Ndlovu Deputy Mayor
Cllr T.S. Buthelezi
Cllr N.A. Madida
Cllr H.M. Mthethwa
Cllr M.M.Booyesen
Cllr F.Mlambo Arrived at 12 : 14
Inkosi Z.G.Mabaso
Inkosi P.S.S.Khumalo

OFFICIALS: Mr S.Duma Administrator
Mr L.C.T.Nkosi Municipal Manager
Mr Z.J.Mkhize Director Corporate Services

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 09: 10 with a prayer by Cllr N.A.Madida.

2. NOTICE OF A MEETING

The notice of the meeting was read by the Municipal Manager.

3. APPLICATION FOR LEAVE OF ABSENCE

Cllr V.C.Ndlovu, Cllr F.G.S.Smook and the Acting Chief Financial Officer could not attend the meeting due to other commitments.

RESOLVED

- a) that leave of absence be granted to both.

Absent

Cllr M.J.Mthethwa and the Director Community Services

4. OFFICIAL NOTICES

- 4.1 The Municipal Manager informed the meeting that there was a motorbike rally this weekend in Town.

5. DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILLORS

None

6. URGENT MATTERS

SP.COUN.2018.04.06

A29/2018

HORSE RACING

The Speaker, Cllr Z.H.Madi informed the meeting that there was a request from the horse racing association to be assisted with funding for a horse race competition on 13 May 2018.

Members informed the meeting that the budget first needs to be looked into to see whether there was funding to do the competition.

Inkosi Mabaso indicated that donating blankets for the function is also great assistance for the function because a lot of people could be assisted in this way.

RESOLVED

- a) that the Speaker and Inkosi Mabaso meet with the Municipal Manager to see how the function of the horse racing could be assisted.

SP.COUN.2018.04.06

A30/2018

BUDGET**RESOLVED**

- a) that a workshop be held on the Draft Budget on 17 April 2018 to include the comments made by the Administrator Mr S.Duma, whereafter public participation would take place.

SP.COUN.2018.04.06

A31/2018

IDP
RESOLVED

- a) that a workshop be held on the Draft Budget on 17 April 2018 to include the comments made by the Administrator Mr S.Duma, whereafter public participation would take place.

SP.COUN.2018.04.06

B9/2018

INEP

The Municipal Manager informed the meeting that the money to be spent in this financial year on projects would be spent and in the next financial year there was six million rand for INEP and nine million available for MIG. The Municipal Manager informed the meeting that the process of appointing consultants for MIG projects was done on Tuesday 03 April 2018. The Municipal Manager further informed the meeting that two (200) hundred connections had been done for Berouw and it was indicated that ESKOM had electrified Berouw. The Municipal Manager informed the meeting that he had requested that the Department of Technical Services provides a report on how many houses need to be connected.

Noted

SP.COUN.2018.04.06

B10/2018

COURT-CASE

The Municipal Manager informed the meeting that the Court had taken a decision that the electric poles be removed which had been put up by the municipality on the farmers properties without having signed way leaves, that the installing of electricity on farms be stopped and that the municipality apologizes for putting up electricity poles on the farmers properties without permission by 15 December 2017. The Municipal Manager informed the meeting that the farm dwellers had intervened on the matter and he had spoken to the lawyers of the farm dwellers this morning and he had informed him that they were currently waiting for a court date on the matter so that it could be discussed.

Inkosi Z.G.Mabaso requested to have the names of the farmers that took the matter to court so that they could go and speak to them to see if they could assist in resolving this matter.

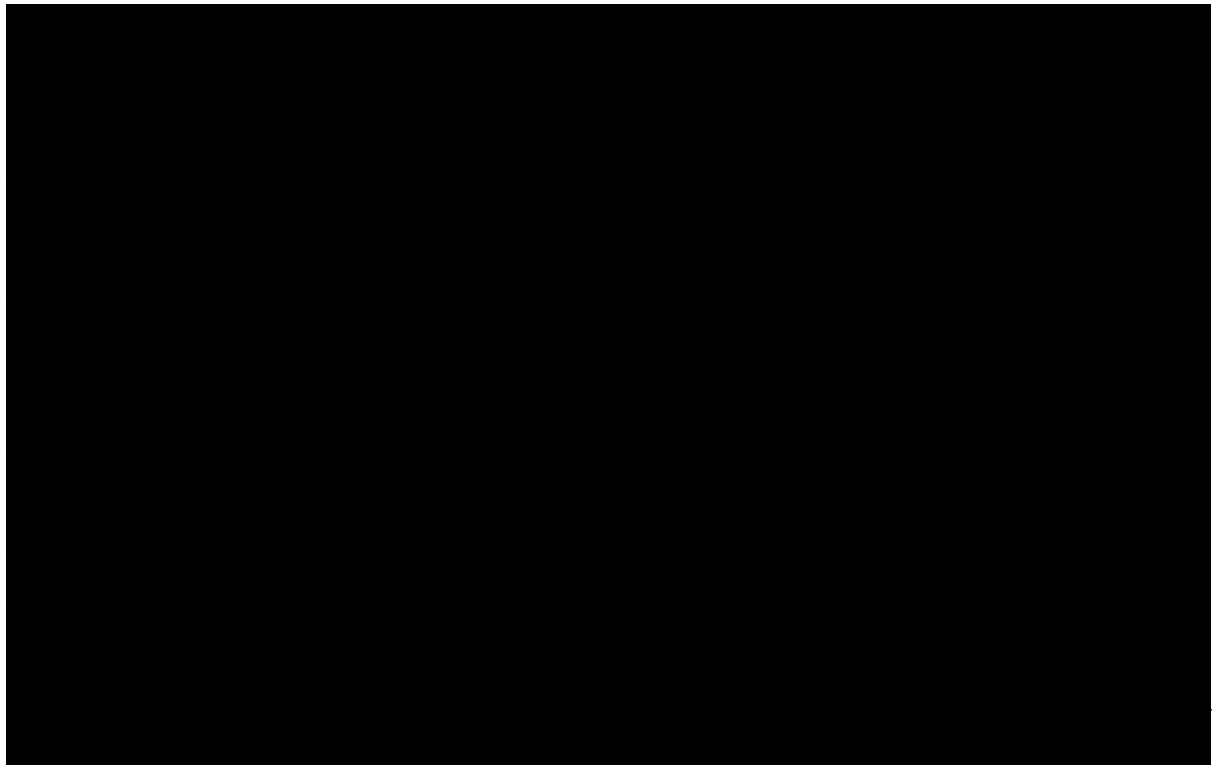
Noted

7. IN- COMMITTEE

SP.COUN.2018.04.06

B11/2018

APPOINTMENT OF CHIEF FINANCIAL OFFICER



8. CLOSURE

was closed at 13 : 50 with a prayer by Cllr N.A.Madida.

The meeting

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 02 MAY 2018 IN THE COUNCIL CHAMBER

PRESENT: Cllr Z.H. Madi Speaker
Cllr L.Y. Mhlungu Mayor
Cllr N. Ndlovu Deputy Mayor Arrived at 09:24
Cllr T.S. Buthelezi
Cllr N.A. Madida
Cllr F.G.S. Smook
Cllr H.M. Mthethwa
Cllr M.M.Booyesen

OFFICIALS: Mr L.C.T.Nkosi Municipal Manager
Mr Z.J.Mkhize Director Corporate Services
Mr W Mtusva Acting Chief Financial Officer
Mr N Kheswa Director : Infrastructure and Planning Development
Ms Z Sithebe Director : Community Services
Ms C Lens Secretary

Absent

Cllr F Mlambo
Inkosi P S S Khumalo
Inkosi Z G Mabaso

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 09: 03 with a prayer by Cllr V C Ndlovu.

2. NOTICE OF A MEETING

The notice of the meeting was read by the Municipal Manager.

3. APPLICATION FOR LEAVE OF ABSENCE

None.

4. OFFICIAL NOTICES

The Director: Community Services informed members that the IDP Roadshows would be combined with Amajuba's Roadshow to save costs. The IDP Roadshow for Ward 5 is scheduled for 09 May 2018 at 10:00 at the Izimbuthu Sports Field. Emadlangeni Municipality is responsible for the provision of a marquee, toilets and transport. Amajuba District Municipality is responsible for refreshments, generator and sound system. The cost of an advert for the roadshow is R12 000,00.

5. DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILLORS

None

A32/2018 CUTTING OF GUM TREES

Cllr V C Ndlovu stated that he had noted that there were trees being cut down in certain wards and wanted to know where permission for cutting of the trees had been obtained from.

The Municipal Manager informed members that there was a Council resolution for the cutting of gum trees. After discussion it was

RESOLVED

- a) that the Municipal Manager table a full report with regards to the cutting of gum trees at a Special Council meeting next week (date of which to be determined).
- b) that pending the report explaining the background, the project be stopped immediately until Council has seen the report.

6. URGENT MATTERS

SP COUN. 2018.05.02

A33/2018 REQUEST FOR MANDATE BY SALGA REGARDING SALARY AND WAGE NEGOTIATIONS FOR 2018 AND BEYOND

RESOLVED

- a) that Council counter-proposes the Facilitator’s proposal of 7% with 6.1% across the board for salary and wage increase for 2018/2019 and the rest of proposed increases.

SP COUN. 2018.05.02

6.2 REPORT ON SECTION 52 REPORT QUARTER 3 2017/18

That this item be referred to the relevant committee.

SP COUN. 2018.05.02

A34/2018 ACCEPTANCE OF 2018/19 GRANT FUNDING FOR SCHEME SUPPORT - EMADLANGENI LOCAL MUNICIPALITY

The Municipal Manager informed members that Emadlangeni Municipality had applied to COGTA for funds to assist with the development of the Single Land Use Scheme. An amount of R500 000,00 has been allocated to Emadlangeni Municipality and COGTA requires a Council resolution accepting the funds.

RESOLVED

- a) that Council approves the 2018/19 grant funding for Single Land Use Scheme support of the Emadlangeni Municipality.
- b) that the grant funding to the amount of R500 000,00 be accepted.
- c) that the name of the project be “The development of a single land use scheme (wall-to-wall) for the Emadlangeni Municipality.
- d) that acknowledgement of the provisions of DORA, PFMA, Spatial Planning and Land Use Management Act (SPLUMA) and Municipal Systems Act MSA and the conditions of the MOA/Agreement of Grant in respect of the funds be accepted.

e) that the Municipal Manager be authorised to sign the agreement of grant (Memorandum of Agreement), Business Plan, Services Level Agreement and the Terms of Reference.

f) the municipal bank details are as follows:

Name of Account: Emadlangeni Municipality
Account Number: 060100001
Account Type: Business Current Account
Branch Code: 057724
Electronic Branch Code : 051001

7. CLOSURE

The meeting was terminated 10:31 with a prayer by Cllr V C Ndlovu.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 15 MAY 2018 IN THE COUNCIL CHAMBER

PRESENT: Cllr Z.H. Madi Speaker
Cllr L.Y. Mhlungu Mayor
Cllr N. Ndlovu Deputy Mayor
Cllr V.C.Ndlovu
Cllr T.S. Buthelezi
Cllr N.A. Madida
Cllr F.G.S. Smook
Cllr H.M. Mthethwa
Cllr M.J.Mthethwa
Cllr F.Mlambo

OFFICIALS: Mr Z.J.Mkhize Acting Municipal Manager Director Corporate Services
Ms S.Mhlophe Chief Financial Officer
Ms Z.Sithebe Director Community Services
Mr N.Kheswa Director Infrastructure and Planning Development
Ms B.J.W.Kiewiets Committee Officer

Also present : Ms N.Shongwa from Cogta.

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 09: 10 with a prayer by Cllr M.J.Mthethwa.

2. NOTICE OF A MEETING

The notice of the meeting was read by the Acting Municipal Manager Mr Mkhize.

3. APPLICATION FOR LEAVE OF ABSENCE

The Municipal Manager and Mr S.Duma could not attend the meeting due to other commitments.

RESOLVED

a) that leave of absence be granted to both.

Absent

Cllr M.Booyesen

4. **OFFICIAL NOTICES**

4.1 The Acting Municipal Manager, Mr Mkhize informed the meeting that there will be a follow up meeting from the meeting held on 04 May 2016 on the matter relating to the financial assistance for Projects at Emadlangeni Municipality. The Acting Municipal Manager informed the meeting that the follow up meeting will be held on the first week of June 2018.

4.2 The Acting Municipal Manager, Mr Mkhize informed the meeting that the Commission of Gender Equality requested to have a Gender Mainstream workshop with Councillors and HOD's on 23 May 2016 at 11: 00 in the Council Chamber.

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILLORS**

None

6. **URGENT MATTERS**

SP.COUN.2018.05.15

A35/2018 FINANCIAL ASSISTANCE FOR PROJECTS AT EMADLANGENI MUNICIPALITY

Ms N.Shongwe informed the meeting that there will be a follow up meeting after the meeting which was held on 04 May 2018, with the mines and Department of Mineral and Energy, the first week in June 2018 relating to the financial assistance with projects for the municipality to the amount of eighteen point five million (R18 500 000.00) rand. Ms N.Shongwe informed the meeting that Councillors should come up with projects for this funding and the projects should also be on the Integrated Development Plan. Ms N.Shongwe further informed the meeting that the Director Infrastructure and Planning Development should draw up a Maintenance Plan for each project.

RESOLVED

- a) that the projects which will be submitted be ones that are in the Integrated Development Plan and this matter be thoroughly be discussed in the Infrastructure and Planning Development meeting to be held on 16 May 2018, whereafter it be referred to the next Council meeting.

SP.COUN.2018.05.15

**A36/2018 CUTTING OF GUM TREES
RESOLVED**

- a) that MPAC does oversight on the cutting of gum trees whereafter a report be submitted to Council.

SP.COUN.2018.05.15

B11/2018 INTRODUCTION OF CHIEF FINANCIAL OFFICER

Noted

7. **CLOSURE**

was closed at 10 : 30 with a prayer by Cllr M.J.Mthethwa.

The meeting

MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING HELD ON 30 MAY 2018 IN THE COUNCIL CHAMBER

PRESENT: Cllr Z.H. Madi Speaker
Cllr L.Y. Mhlungu Mayor
Cllr N. Ndlovu Deputy Mayor
Cllr N.A. Madida
Cllr V.C.Ndlovu
Cllr F.G.S. Smook

Cllr H.M Mthethwa
Cllr M.J. Mthethwa
Cllr M.M.Booyesen
Inkosi Z.G.Mabaso

Arrived at 09: 17

OFFICIALS: Mr S.Duma Administrator
Mr L.C.T.Nkosi Municipal Manager
Mr Z.J.Mkhize Director Corporate Services
Ms S.Mhlophe Chief Financial Officer
Mr N.Kheswa Director Infrastructure and Planning Development Arrived at 09: 30
Ms Z.Sithebe Director Community Services
Ms B.J.W.Kiewiets Committee Officer

Also present : Ms N.Shongwe from Cogta and Mr T.Mkhabela from the Community.

1. **OPENING: MOMENT OF REFLECTION**

The meeting was opened at 09: 14 with a prayer by Cllr V.C.Ndlovu.

2. **NOTICE OF A MEETING**

The notice of the meeting was read by the Municipal Manager.

3. **APPLICATION FOR LEAVE OF ABSENCE**

Cllr T.S.Buthelezi and Inkosi P.S.S.Khumalo could not attend the meeting due to other commitments.

RESOLVED

a) that leave of absence be granted to Cllr T.S.Buthelezi.
Absent
Cllr F.Mlambo

4. **ACCEPTANCE OF THE AGENDA**

The Agenda was accepted.

5. **DECLARATION OF INTEREST**

None

6. **ANNOUNCEMENTS**

The Municipal Manager informed the meeting that there will be an Intervention Steering Committee meeting after this Council meeting.

7. **PRESENTATIONS**

8. **CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS**

The following minutes were confirmed to be correct subject to the following correction under the minutes of 02 May 2018 the name of Cllr M.J.Mthethwa and Cllr V.C.Ndlovu be included under present.

- Minutes of a Council meeting held on 28 March
- Minutes of a Special Council meeting held on 06 April 2018
- Minutes of a Special Council meeting held on 02 May 2018
- Minutes of a Special Council meeting held on 15 May 2018

9. **OUTSTANDING MATTERS**

None

10. SUBMISSION OF REPORTS FROM COUNCIL REPRESENTATIVES FROM DISTRICT/LOCAL MUNICIPALITY

None

11. REPORTS OF THE EXECUTIVE COMMITTEE/ EXECUTIVE MAYOR, UNDER THE SECTIONS, RECOMMENDATIONS TO COUNCIL, DECISIONS UNDER DELEGATED AUTHORITY AND DECISIONS OF EXECUTIVE MAYOR TAKEN WITH MAYORAL COMMITTEE

COUN.2018.05.30

A37/2018 **REPORT ON SECTION 52 REPORT QUARTER 3 2017/2018 POLICY RESOLVED**

- a) that the Revenue Enhancement Strategy plan be finalized by the end of this financial year so that it could be implemented in the new financial year.
- b) that the Quarter 3 Section 52 Report be noted.

COUN.2018.05.30

A38/2018 **SUPPORT IN RESPECT OF MUNICIPAL COUNCIL REMUNERATION POLICY RESOLVED**

- a) that the Council adopts the guidelines of the Council Remuneration Policy.
- b) that the Corporate Services Portfolio Committee draws up a policy in accordance with the guidelines.

COUN.2018.05.30

A39/2018 **MAINTENANCE OF RURAL ROADS USING THE GRADER RESOLVED**

- a) that the ward Councillors submit their priority list of roads and sports fields to be done.
- b) that an alternative person be trained as a relief grader operator and also for the other operating machines.

COUN.2018.05.30

A40/2018 **ADOPTION OF THE REVIEWED DRAFT HOUSING SECTOR PLAN 2018/19 RESOLVED**

- a) that the draft Housing Sector Plan for 2018/2019 be adopted.

COUN.2018.05.30

A41/2018 **PRIORITIZATION OF MIG PROJECTS FOR 2018/2019 FINANCIAL YEAR RESOLVED**

- a) that the Council approves the new prioritized list of projects for the 2018/2019 financial year.
- b) that the Klopper Street, Khayaletu Road and White City be implemented first on the list.

COUN.2018.05.30

A42/2018 **PRIORITIZATION OF PROJECTS 2018/2019 TO FORM PART OF THE SOCIAL LABOUR PLAN (18 500 000 00) MILLION RAND - RESOLVED**

- a) that the Council approves the following projects to form part of the Social Labour Plan :-

- The enhancement of Balele Game and Caravan Park
- Bendsorp and White City sports Fields
- Rural electrification
- Rural roads rehabilitation
- Market stalls
- Roads and recreational facility maintenance
- Office upgrade and maintenance

b) that oversight visits for projects be arranged.

COUN.2018.05.30

A43/2018

**EMADLANGENI MUNICIPAL DISASTER MANAGEMENT PLAN
RESOLVED**

a) that the Disaster Management Plan be adopted by Council.

COUN.2018.05.30

A44/2018

APPROVAL OF THE 2018/2019 FINAL BUDGET AND PROPOSED TARIFFS

RESOLVED

- a) that in terms of section 24 of the MFMA, 56 of 2003 the final budget of the municipality for the 2018/2019 financial year and indicative allocations for the two projected outer years 2019/2020 and 2020/2021 and the multi-year and single year capital appropriations be approved .
- b) that the Council approves the municipality's proposed tariffs with effect from 01 July 2018.
- c) that the reviewed municipal property rates policy be approved.
- d) that Council approves that the municipality's budget related policies remain unchanged.

ITEM 12

REPORTS FROM MPAC

None

ITEM 13

REPORTS FROM THE AUDIT COMMITTEE

COUN.2018.05.30

A45/2018

**APPOINTMENT OF AUDIT COMMITTEE MEMBERS
RESOLVED**

a) that members of the MPAC Committee be appointed as members of the shortlisting and interview panel for the Audit Committee.

ITEM 14

**REPORTS ON WARD COMMITTEES / CONSOLIDATED
REPORT ON WARD COMMITTEES**

None

ITEM 15

REPORT ON SALGA ACTIVITIES

None

ITEM 16

MONTHLY ACTIVITIES

None

ITEM 17

INPUT BY THE TRADITIONAL LEADERS

None

ITEM 18

REPORTS FOR NOTING

COUN.2018.05.30

B12/2018 **STATUS REPORT ON MIG PROJECTS**

Noted

COUN.2018.05.30

B13/2018 **STATUS REPORT ON ALL ELECTRIFICATION PROJECTS**

Noted

COUN.2018.05.30

B14/2018 **DISASTER MANAGEMENT QUARTERLY REPORT**

Noted

COUN.2018.05.30

B15/2018 **WARD COMMITTEE PROGRESS REPORT JANUARY - MARCH 2018**

Noted

COUN.2018.05.30

B16/2018 **COMMUNITY SERVICES DEPARTMENTAL SCORECARD 3RD QUARTER REPORT (JAN-MARCH 2018)**

Noted

11. **REPORTS FROM AUDIT COMMITTEE**

None

ITEM 19

REPORTS FOR CONSIDERATION

None

ITEM 20 **REPORTS - IN -COMMITTEE**

None

ITEM 21 **NOTICE OF MOTION**

None

ITEM 22 **QUESTIONS**

None

ITEM 23 **URGENT REPORTS - ALLOWED ONLY WITH THE CONSENSUS OF THE CHAIRPERSON ; AND**

None

ITEM 24

CLOSURE

The meeting was closed at 10 : 50 with a prayer by Cllr V.C.Ndlovu.

MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING HELD ON 27 JUNE 2018 IN THE COUNCIL CHAMBER

PRESENT: Cllr Z.H. Madi Speaker
Cllr L.Y. Mhlungu Mayor
Cllr N. Ndlovu Deputy Mayor
Cllr N.A. Madida
Cllr V.C.Ndlovu
Cllr T.S.Buthelezi
Cllr F.G.S. Smook
Cllr H.M Mthethwa
Cllr M.J. Mthethwa
Cllr M.M.Booyesen
Inkosi Z.G.Mabaso

OFFICIALS: Mr L.C.T.Nkosi Municipal Manager
Mr Z.J.Mkhize Director Corporate
Services
Ms S.Mhlophe Chief Financial Officer
Mr N.Kheswa Director Infrastructure and Planning Development
Ms Z.Sithebe Director Community Services
Ms N.Ndaba IDP/PMS Manager
Ms B.J.W.Kiewiets Committee Officer

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 09: 17 with a prayer by Cllr N.Ndlovu.

Cllr Z.H.Madi requested that he be excused as Speaker at this meeting due to other commitments and requested that a Speaker be elected.

Cllr V.C.Ndlovu was elected as the Acting Speaker for the meeting.

2. NOTICE OF A MEETING

The notice of the meeting was read by the Municipal Manager.

3. APPLICATION FOR LEAVE OF ABSENCE

Cllr F.Mlambo could not attend the meeting due to other commitments.

RESOLVED

a) that Cllr F.Mlambo be granted leave of absence.

4. ACCEPTANCE OF THE AGENDA

The Agenda was accepted.

5. DECLARATION OF INTEREST

None

6. ANNOUNCEMENTS

7. PRESENTATIONS

8. CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

The following minutes were confirmed to be correct.

- Minutes of a Council meeting held on 30 May 2018.

9. **OUTSTANDING MATTERS**

None

10. **SUBMISSION OF REPORTS FROM COUNCIL REPRESENTATIVES FROM DISTRICT/LOCAL MUNICIPALITY**

None

11. **REPORTS OF THE EXECUTIVE COMMITTEE/ EXECUTIVE MAYOR, UNDER THE SECTIONS, RECOMMENDATIONS TO COUNCIL, DECISIONS UNDER DELEGATED AUTHORITY AND DECISIONS OF EXECUTIVE MAYOR TAKEN WITH MAYORAL COMMITTEE**

COUN.2018.06.27

A46/2018 **COST CONTAINMENT POLICY
RESOLVED**

- a) that the Cost Containment Policy be approved and a workshop be held on the Policy.

COUN.2018.06.27

A47/2018 **DRAFT REVENUE ENHANCEMENT STRATEGY
RESOLVED**

- a) that the draft Revenue Enhancement Strategy Plan be adopted by the Portfolio Committee and a workshop be held on the plan.

COUN.2018.06.27

A48/2018 **CONTRACT MANAGEMENT POLICY FRAMEWORK, PROCEDURE AND CONTRACT
MANAGEMENT POLICY
RESOLVED**

- a) that the Contract Management Policy Framework , Procedure and Contract Management Policy be adopted by Council and a workshop be held on the Policy.

COUN.2018.06.27

A49/2018 **REVIEWED ORGANOGRAM FOR 2018/2019
RESOLVED**

- a) that the organogram for 2018/2019 be adopted by Council and the position of Senior Manager Budget and Treasury be appointed.
- b) that a report be provided on the amount of savings made on the cutting of positions.

COUN.2018.06.27

A50/2018 **MUNICIPAL INTERNAL CALENDAR
RESOLVED**

- a) that the Municipal Internal Calendar be accepted.

A51/2018 **OBJECTS OF SCM POLICY**

RESOLVED

- a) that the Objects of Supply Chain Management Policy not be approved and a workshop be held on the Policy.
- b) that the Objects of Supply Chain Management Policy is Addendum 1 of the Supply Chain Management Policy of the municipality.

COUN.2018.06.27

A52/2018 **SALE OF MUNICIPAL RESIDENTIAL SITES**

RESOLVED

- a) that the following erven be sold at a further auction :-
 - 121/R Utrecht
 - 137/1 Utrecht
 - 758/5 Utrecht
 - 829 White City

COUN.2018.06.27

A53/2018 **SDBIP**

RESOLVED

- a) that Council approves the Service Delivery Budget Implementation Plan.
- b) that the Service Delivery Budget Implementation Plan be advertised within twenty-one (21) days after the approval.

COUN.2018.06.27

A54/2018 **APPROVAL OF THE FINAL 2018/19 IDP**

RESOLVED

- a) that Council approves the 2018/2019 IDP and it be submitted to the Department of Co-operative Governance and Traditional Affairs for consideration and it also be uploaded onto the municipal website.

COUN.2018.06.27

A55/2018 **THE ADOPTION OF THE REVEIWED DRAFT SPATIAL DEVELOPMENT FRAMEWORK 2018/2019**

RESOLVED

- a) that the 2018/2019 Spatial Development Framework be adopted by Council.

ITEM 12 **REPORTS FROM MPAC**

A56/2018 UNAUTHORISED, IRREGULAR, FRUITLESS AND WASTEFUL EXPENDITURE

- a) that this matter be referred back to MPAC for further investigation on the payment of seventy two thousand five hundred (R72 500.00) rand to Moonlight for the training of three Councillors and two Officials.

COUN.2018.06.27

A57/2018 GUM TREES

RESOLVED

- a) that this matter be further investigated by MPAC whereafter a report be provided to Council.

ITEM 13 REPORTS FROM THE AUDIT COMMITTEE

A58/20185 REPORT OF THE AUDIT COMMITTEE FOR THIRD QUARTER 2018

RESOLVED

- a) that the report of the Audit Committee for the third quarter 2018 be adopted.

**ITEM 14 REPORTS ON WARD COMMITTEES / CONSOLIDATED
REPORT ON WARD COMMITTEES**

None

ITEM 15 REPORT ON SALGA ACTIVITIES

None

ITEM 16 MONTHLY ACTIVITIES

None

ITEM 17 INPUT BY THE TRADITIONAL LEADERS

None

ITEM 18 REPORTS FOR NOTING

OFFICIALS:	Mr L.C.T.Nkosi	Municipal Manager
	Mr Z.J.Mkhize	Director Corporate Services
	Ms S.Mhlophe	Chief Financial Officer
	Mr N.Kheswa	Director Infrastructure and Planning Development
	Ms Z.Sithebe	Director Community Services
	Ms B.J.W.Kiewiets	Committee Officer

1. **OPENING: MOMENT OF REFLECTION**

The meeting was opened at 09: 21 with a prayer by Cllr N.A.Madida.

2. **NOTICE OF A MEETING**

The notice of the meeting was read by the Municipal Manager.

3. **APPLICATION FOR LEAVE OF ABSENCE**

None

4. **OFFICIAL NOTICES**

- 4.1 The Municipal Manager informed the meeting that the Executive Committee has been invited by the MEC of Cogta, Ms N.Dube-Ncube to attend the MPL meeting of Joint Exco's of District & Local municipalities on 02 August 2018 at the Pines Wedding and Conference Village in Newcastle.

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILLORS**

None

6. **REPORTS OF THE EXECUTIVE COMMITTEE/ EXECUTIVE MAYOR, UNDER THE SECTIONS, RECOMMENDATIONS TO COUNCIL, DECISIONS UNDER DELEGATED AUTHORITY AND DECISIONS OF EXECUTIVE MAYOR TAKEN WITH MAYORAL COMMITTEE**

SP.COUN.2018.07.30

A60/2018 **MARLOTTI RENTALS**

RESOLVED

- a) that the municipal employees who rent municipal properties pay a rental of 6% of their gross salaries or the current rental tariff at the time.

SP.COUN.2018.07.30

A61/2018 **IN-YEAR MONTHLY REPORT AND QUARTERLY REPORT FOR JUNE 2018**

RESOLVED

- a) that the in-year monthly report and quarterly report for June 2018 be noted.

SP.COUN.2018.07.30

A62/2018 **IN-YEAR REPORT FOR MAY 2018**

RESOLVED

- a) that the in-year report for May 2018 be noted.

SP.COUN.2018.07.30

RESOLVED

- a) that this item be re-submitted to Council with all the documents related to the interviews.

SP.COUN.2018.07.30

RESOLVED

- a) that the in-year report for April 2018 be noted.

SP.COUN.2018.07.30

RESOLVED

- a) that the levying of rates be approved as follows by the Executive Committee :-

Code	Categories of Property	Cent Amount in the Rand Rate
AGA	Agriculture properties used for agricultural purposes	0.13509
BUS	Business and commercial properties	3.41675
IND	Industrial properties	3.416.75
MIN	Mining properties	4.34461
MUN	Municipal Properties	-
PBO	Public Benefit Organizations	-
PSI	Public service Infrastructure	0.13394
AGA	Agriculture properties used for agricultural purposes	0.13506
BUS	Business and commercial properties	3.41675
IND	Industrial properties	3.41675
MIN	Mining properties	4.34461
MUN	Municipal properties	-
PBO	Public Benefit Organizations	-
PSI	Public service infrastructure	0.13394
RES	Residential Properties	1.26856
PSP	Public service purposes	4.91934
VL	Vacant land (other than residential	9.98480
VR	Vacant land zoned residential	7.83320
WOCO	Public Worship	-

Category of Property	Reduction/Exemptions	Rebates
Residential	R125000.00	20%
Vacant Property Residential	R45 000.00	10%
Vacant Property	R45 000.00	-
PSI	R45 000.00	30%
Industrial	R45 000.00	10%
Business	R45 000.00	10%
Agriculture	R45 000.00	50%

SP.COUN.2018.07.30

A66/2018 AMENDMENT OF MUNICIPAL ANNUAL CALENDAR FOR 2018/2019 FINANCIAL YEAR

RESOLVED

- a) that the Municipal Calendar be amended to include the Executive meetings on a monthly basis.

SP.COUN.2018.07.30

B19/2018 RESPONSE FROM THE MEC REGARDING APPLICATION FOR INCREASE ON 2017/2018 REMUNERATION PACKAGE FOR COUNCILLORS

RESOLVED

- a) that the non - approval by the MEC of the remuneration packages for Councillors be noted but the increase on tools of trade be provided to Councillors with immediate effect.

SP.COUN.2018.07.30

A67/2018 APPROVAL FOR AN APPLICATION TO THE MEC TO DETERMINE EXCO MEMBERS TO BE FULL - TIME

RESOLVED

- a) that an application not be made to appoint Exco members full time.

SP.COUN.2018.07.30

B20/2018 PERFORMANCE CONTRACTS FOR SENIOR MANAGERS

Noted

10. IN-COMMITTEE

SP.COUN.2018.07.30

A68/2018 EMPLOYMENT PERIOD OF : THE DIRECTOR COMMUNITY SERVICES

RESOLVED

- a) that Council notes the expiring of the employment period of the Director Community Services and that this matter be withheld and be discussed at a later stage.

9.7 CLOSURE

The meeting was terminated with a prayer by the Cllr M.J.Mthethwa at 10: 15.

MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING HELD ON 30 AUGUST 2018 IN THE COUNCIL CHAMBER

PRESENT:	Cllr Z.H. Madi Cllr L.Y. Mhlungu Cllr N. Ndlovu Cllr N.A. Madida Cllr V.C.Ndlovu Cllr T.S.Buthelezi Cllr F.G.S. Smook Cllr H.M Mthethwa Cllr M.J. Mthethwa Cllr M.M.Booyesen Inkosi Z.G.Mabaso	Speaker Mayor Deputy Mayor Arrived at 09: 20
OFFICIALS:	Mr L.C.T.Nkosi Ms S.Mhlophe Ms Z.Sithebe Ms B.J.W.Kiewiets	Municipal Manager Chief Financial Officer Director Community Services Committee Officer

Also present : Mr B.Dlamini chairperson of the Audit Committee

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 09: 10 with a prayer by Cllr F.G.S.Smook.

2. NOTICE OF A MEETING

The notice of the meeting was read by the Municipal Manager.

3. APPLICATION FOR LEAVE OF ABSENCE

The Director Corporate Services, the Director Infrastructure and Inkosi Khumalo could not attend the meeting due to other commitments.

RESOLVED

- a) that leave of absence be granted to all.

4. ACCEPTANCE OF THE AGENDA

The Municipal Manager requested that the addendum agenda be included into this agenda.

5. DECLARATION OF INTEREST

None

6. ANNOUNCEMENTS

6.1 The Director Community Services informed the meeting that there will be a women's event at the Town today, 30 August 2018 after the Council meeting.

7. **PRESENTATIONS**

None

8. **CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS**

The following minutes were confirmed to be correct.

- Minutes of a Council meeting held on 27 June 2018.
- Minutes of a Special Council meeting held on 30 July 2018

9. **OUTSTANDING MATTERS**

- Members wanted to know how they would know whether the Council resolutions have been executed.

The Deputy Mayor informed the meeting that they had been advised by the Administrator at the Executive meeting held on 29 August 2018 that a Council register needs to be made which would indicate which Council resolutions had been implemented.

10. **SUBMISSION OF REPORTS FROM COUNCIL REPRESENTATIVES FROM DISTRICT/LOCAL MUNICIPALITY**

None

11. **REPORTS OF THE EXECUTIVE COMMITTEE/ EXECUTIVE MAYOR, UNDER THE SECTIONS, RECOMMENDATIONS TO COUNCIL, DECISIONS UNDER DELEGATED AUTHORITY AND DECISIONS OF EXECUTIVE MAYOR TAKEN WITH MAYORAL COMMITTEE**

A70/2018 THE EXTENSION OF KLOPPER STREET

RESOLVED

- a) that Council approves that a project to link Klopper Street to R34 be undertaken.
- b) that Management ensures that all requirements to achieve the above project be followed.
- c) that upon approval from the relevant authorities an application be made for grant funding of the project.
- c) that this project does not disturb the current projects.

A71/2018 ROAD MAINTENANCE PLAN

RESOLVED

- a) that the road maintenance plan be adopted.
- b) that the budget be included into the plan for future maintenance costs.
- c) that a follow up be made on the resolution which was taken to make the road at SPAR a one way immediately.

A72/2018 OVERSIGHT REPORT

RESOLVED

- a) that the oversight report on the status of the infrastructure projects be noted.
- b) that the Infrastructure and Planning Development department prepares a maintenance plan that will incorporate the newly constructed roads.
- c) that the lenz-link bridge be repaired with immediate effect.
- d) that the electricity pole in the middle of Emxhakeni roads is relocated to the side of the road with immediate effect.
- e) that the Infrastructure and Planning Development investigates alternative and more cost effective means of supplying electricity in line with the adopted Energy Sector Plan and present a report at the next portfolio committee meeting.

ITEM 12 REPORTS FROM MPAC

A73/2018 UNAUTHORISED, IRREGULAR, FRUITLESS AND WASTEFUL EXPENDITURE

RESOLVED

- a) that the MPAC Committee re-investigates the matter of the people who were attending classes at Moonlight to the amount of seventy two thousand five hundred (R72 500.00) rand and a report be provided to the next meeting.

A74/2018 GUM TREES

RESOLVED

- a) that a plan be put in place to have the gum trees cut and the trees in the Caravan Park also be included.

A75/2018 REPORT ON THE TRAFFIC INVESTIGATION

RESOLVED

- a) that a report be provided to the committee after the investigation has been completed.

A76/2018 UNAUTHORIZED, IRREGULAR, FRUITLESS AND WASTEFUL EXPENDITURE

RESOLVED

- a) that the administration provides a schedule of all the unauthorised, irregular, fruitless and wasteful expenditure to the next MPAC meeting.

A77/20185 DRAFT MPAC TERMS OF REFERENCE

RESOLVED

- a) that the draft MPAC terms of reference be submitted to Council for approval.

A78/2018 ANNUAL FINANCIAL STATEMENTS

RESOLVED

- a) that the Annual Financial Statements for 2016/2017 financial year be noted and be submitted to the Auditor General.

A79/2018 DISPOSAL AND WRITE OFF OF FIXED ASSETS

RESOLVED

- a) that the disposal and write off of fixed assets be approved.

A80/2018 ANNUAL PERFORMANCE REPORT

RESOLVED

- a) that the Annual Performance report be noted and be submitted to the Auditor General.

A81/2018 REPORT OF THE AUDIT COMMITTEE FOR FOURTH QUARTER

The Chairperson, of the Audit Committee Mr B.Dlamini made a presentation on the Audit Committee members and attendance at meetings, Effectiveness of the Internal Controls, Internal Audit, Financial Reporting and Financial Management, Compliance, Procurement and Contract Management, Performance Management System, Risk Management and Effective Governance.

RESOLVED

- a) that the Audit Committee report be adopted.

ITEM 24 CLOSURE

The meeting was closed at 10 : 50 with a prayer by Cllr F.G.S.Smook.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 19 SEPTEMBER 2018 IN THE COUNCIL CHAMBER

PRESENT: Cllr Z.H. Madi Speaker
Cllr N. Ndlovu Deputy Mayor
Cllr V.C.Ndlovu
Cllr T.S. Buthelezi
Cllr N.A. Madida
Cllr H.M. Mthethwa
Cllr M.M.Booyesen
Cllr M.J.Mthethwa
Cllr F.Mlambo
Cllr F.G.S.Smook

OFFICIALS: Mr L.C.T.Nkosi Municipal Manager
Mr Z.J.Mkhize Director Corporate Services
Ms S.Mhlophe Chief Financial Officer
Ms Z.Sithebe Director Community Services
Ms B.J.W.Kiewiets Committee Officer

Also present : Mr J.J.Gloy CEO, Mr K.B.Mclarens Mine Manager and Mr J. Zitha the Human Resource Manager from Uitkomst Mine.

1. OPENING; MOMENT OF REFLECTION

The meeting was opened at 09: 05 with a prayer by Cllr M.M.Booyesen.

2. NOTICE OF A MEETING

The notice of the meeting was read by the Municipal Manager.

3. APPLICATION FOR LEAVE OF ABSENCE

The Mayor, Cllr L.Y.Mhlungu The Director Infrastructure and Planning Development and the Director Community Services could not attend the meeting due to other commitments.

RESOLVED

a) that leave of absence be granted to all .

4. OFFICIAL NOTICES

4.1 The Chairperson, Cllr V.C.Ndlovu of MPAC invited all Council members to attend the MPAC training that will be held on 27 September 2018.

4.2 The Municipal Manager informed the meeting that the CEO of Uitkomst Mine will be making a presentation on the building of a Disaster Management Centre for the municipality.

5. PRESENTATION BY UITKOMST MINE ON THE DISASTER MANAGEMENT CENTRE

Mr J.J.Gloy from Uitkomst Mine informed the meeting that they were only funding the design of building the Disaster Management Centre to the amount of two point eight (R2.8million) rand for the municipality and would also be building a Community Hall for the Community. Mr J.J.Gloy informed the meeting that they together with the municipality will be appointing the Steering Committee of the Disaster Management Centre soon whereafter the municipality will jointly with them be appointing the company that will be doing the project.

Member's wanted to know who would be funding the rest of the project.

Members wanted to know what the total cost of the project would be.

Members wanted to know where the Community Hall will be built which Uitkomst Mine was referring to.

Members expressed their appreciation to Uitkomst Mine for their assistance with the Disaster Management Centre.

Response

Mr J.J.Gloy informed the meeting that the ownership of the project was that of the municipality and the finalization thereof.

The Municipal Manager informed the meeting that the municipality would be looking for funding from other funders and an application would also be made to MIG to assist with funding the completion of the project. The Municipal Manager further informed the meeting that the designs would be brought to Council upon completion.

Mr J.J.Gloy from Uitkomst Mine informed the meeting that the Community Hall would be built in ward 4 for the Community at an amount of one point four (R1.4Million) rand.

6. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILLORS**

None

7. **URGENT REPORTS – ALLOWED ONLY WITH THE CONSENSUS OF THE CHAIRPERSON; AND**

**A82/2018 MSCOA STATUS ASSESSMENT REPORT
RESOLVED**

- a) that he Treasury MSCOA status assessment report be noted.
- b) that the action plan report be noted.

A83/2018 IDP & BUDGET PROCESS PLAN

Members raised a concern on the Non-Compliance of submitting the IDP & Budget Process Plan in time.

Members wanted to know what the Municipal Manager has done about the Non-Compliance and suggested that urgent steps be taken concerning this matter.

The Municipal Manager informed the meeting that remedial action will be taken on the responsible person for Non-compliance of submitting the IDP& Budget Process Plan.

RESOLVED

- a) that the 2018/2019 IDP/ Budget Process Plan be approved and it be submitted to the Department of Co-operative Government and Traditional Affairs and it also be uploaded onto the municipal website.

- b) that the Municipal Manager provides Council with a report within seven (7) days on the remedial action that was taken on the non-compliance of the IDP& Process Plan .

7. **CLOSURE**

The meeting was terminated with a prayer by the Cllr M.M.Booyesen
10: 15.

**MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING
HELD ON 31 OCTOBER 2018 IN THE COUNCIL CHAMBER**

PRESENT: Cllr Z.H. Madi Speaker
Cllr L.Y. Mhlungu Mayor Arrived at 09: 20
Cllr N. Ndlovu Deputy Mayor
Cllr N.A. Madida
Cllr V.C.Ndlovu
Cllr T.S.Buthelezi
Cllr F.G.S. Smook
Cllr H.M Mthethwa
Cllr M.M.Booyesen
Cllr F.Mlambo
Inkosi Z.G.Mabaso
Inkosi P.S.S.Khumalo

Also present : Members of the Youth Council, S.P.Nene, H.E. Sibaya,
L.V.Nkabinde, S.Ntshangase. S.Ndlovu, N.Mkhlanazi
L.Nkosi, X.S.Zikhali and N.Nkosi

OFFICIALS: Mr L.C.T.Nkosi Municipal Manager
Mr Mr Z.J.Mkhize Director Corporate
Services
Ms S.Mhlophe Chief Financial Officer
Mr N.Kheswa Director Infrastructure & Planning Development
Ms B.J.W.Kiewiets Committee Officer

1. **OPENING: MOMENT OF REFLECTION**

The meeting was opened at 09: 03 with a prayer by Cllr V.C.Ndlovu.

2. **NOTICE OF A MEETING**

The notice of the meeting was read by the Municipal Manager.

3. **APPLICATION FOR LEAVE OF ABSENCE**

Absent

Cllr M.J.Mthethwa

4. **ACCEPTANCE OF THE AGENDA**

Members requested that the addendum agenda be accepted but cautioned that in future the agenda be provided in time to all Councillors.

Cllr H.M.Mthethwa raised a concern on the time frame in which the agenda for the Special Executive meeting was called and further raised a concern on the way in which the meeting was conducted as it only took the meeting five (5) minutes to discuss an agenda with more than nine (9) items. Cllr H.M.Mthethwa also informed the meeting that it was the first time that the Mayor was on time for a meeting and this raised a suspicion to him that there had been a hidden agenda concerning the meeting.

5. **DECLARATION OF INTEREST**

None

6. **ANNOUNCEMENTS**

6.1 The Municipal Manager introduced the Youth Council to the meeting.

7. **PRESENTATIONS**

None

8. **CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS**

The following minutes were confirmed to be correct.

- Minutes of a Council meeting held on 30 August 2018.
- Minutes of a Special Council meeting held on 19 September 2018.

9. **OUTSTANDING MATTERS**

None

10. **SUBMISSION OF REPORTS FROM COUNCIL REPRESENTATIVES FROM DISTRICT/LOCAL MUNICIPALITY**

10.1 Cllr V.C.Ndlovu informed the meeting that the position of Director Corporate Services and Director Technical Service has been filled at Amajuba District Municipality and they were awaiting for the approval of the MEC on the appointments.

10.2 Cllr V.C.Ndlovu informed the meeting that there had been a water problem at Emadlangeni due to the fact that Eskom had cut off the electricity at the water pumps because Amajuba Municipality had not paid their electricity bill but the problem has now been resolved and the water situation will soon be over.

11. **REPORTS OF THE EXECUTIVE COMMITTEE/ EXECUTIVE MAYOR, UNDER THE SECTIONS, RECOMMENDATIONS TO COUNCIL, DECISIONS UNDER DELEGATED AUTHORITY AND DECISIONS OF EXECUTIVE MAYOR TAKEN WITH MAYORAL COMMITTEE**

Members raised a concern on the Status report on MIG projects and the Status report on the Electrification project which is noted because the reports on these items were still outstanding.

Clarification was made that the reports were for September 2018 and not for October as the October reports were outstanding.

COUN.2018.10.31

A84/2018 ACKNOWLEDGMENT OF RECEIPT OF GRANT FUNDING TO THE VALUE OF FIVE HUNDRED THOUSAND (R500 000 00) RAND FOR THE LAND USE SCHEME SUPPORT

RESOLVED

- a) that receipt of the grant funding to the value of five hundred thousand (R500 000.00) rand be confirmed.
- b) that it be noted that the funds had been allocated a separate vote on the municipal budget.
- c) that the conditions of the grant be accepted.

COUN.2018.10.31

A85/2018 ERF 739 PROJECT NAMING

RESOLVED

- a) that Council members submit proposals for naming the Housing project.
- b) that the minimum stand size be 1500m² subject to investigation.
- c) that the Department of Human Settlement utilize their supply chain management process to appoint the required consultants.

COUN.2018.10.31

A86/2018 RE-ADVERTISMENT OF THE PROPOSED SHOPPING CENTRE DEVELOPMENT

RESOLVED

- a) that the department re-advertise for the development of a shopping centre at the corner of R34 and P483.

COUN.2018.10.31

A87/2018 PROPOSALS FOR RECREATIONAL ACTIVITIES IN THE GAME PARK

RESOLVED

- a) that the request to have recreational activities in the Game Park be approved.

COUN.2018.10.31

A88/2018 HOSTING OF BALELE SPRING FEST

RESOLVED

- a) that the hosting of the Balele Spring Fest be approved at no cost to the municipality.
- b) that the organizers of the event be granted to use the Balele Game Park facility.

COUN.2018.10.31

A89/2018 MAINTENANCE OF MUNICIPAL HOUSES (MARLOTHII WHITE CITY, UTRECHT TOWN)

RESOLVED

- a) that this item be referred back to MANCO.

COUN.2018.10.31

A90/2018 PMU TOP SLICE

RESOLVED

- a) that the 5% top slice allocation of MIG amounting to four hundred and sixty two thousand three hundred and fifty (R462 350.00) rand be approved.
- b) that the PMU be on a consultancy basis for a period of three years.

COUN.2018.10.31

A91/2018 STATUS REPORT ON ALL ELECTRICITY PROJECTS

RESOLVED

- a) that this item be referred back to MANCO.
- b) that a Special Portfolio meeting be arranged where the Municipal Manager furnishes the Portfolio Committee with a report on all the projects.

COUN.2018.10.31

A92/2018 STATUS REPORT ON MIG PROJECTS

RESOLVED

- a) that the outstanding MIG Projects be closed by the end of this month.

COUN.2018.10.31

A93/2018 REPORT ON ENTERPRISE DEVELOPMENT PROGRAMME

RESOLVED

- a) that this item be referred back to be corrected by the CFO and LED.

COUN.2018.10.31

A94/2018 REPORT ON EMADLANGENI ECONOMIC DEVELOPMENT SUMMIT

RESOLVED

- a) that this item be referred back to MANCO to incorporate financial implications and how the summit concept document would be used to establish a Local Economic Development Forum.

COUN.2018.10.31

A95/2018 REPORT ON EPWP

RESOLVED

- a) that the procurement of safety tools for the EPWP participants be fast tracked.

COUN.2018.10.31

A96/2018 IN-YEAR REPORT FOR JULY 2018

RESOLVED

- a) that the unauthorized, irregular, fruitless and wasteful expenditure for July 2018 be investigated.
- b) that an advert be placed for the community to come and update their details for them to receive their accounts via their own preferences either emails, sms or postal addresses.
- c) that a standing item on Legal Services be provided by the Department of Corporate Services on a monthly basis.

COUN.2018.10.31

A97/2018 IN-YEAR REPORT FOR AUGUST 2018

RESOLVED

- a) that the report be noted.

COUN.2018.10.31

A98/2018 IN-YEAR REPORT FOR SEPTEMBER 2018

RESOLVED

- a) that the monthly report be noted.
- b) that the quarterly report be noted.
- c) that the unauthorized, irregular, fruitless and wasteful expenditure for September 2018 be investigated.
- d) that the Revenue Enhancement Strategy Policy be workshopped.
- e) that the Indigent Register be presented at the next meeting for consideration.

COUN.2018.10.31

A99/2018 REPORT ON EMADLANGENI LOCAL YOUTH COUNCIL

RESOLVED

- a) that the Youth Council be reactivated and convene their meetings regularly and a representative of the Youth Council sit on MANCO, Portfolio, Exco and Council meetings as an observer.

COUN.2018.10.31

**A100/2018 PRIORITISATION OF MUNICIPAL INFRASTRUCTURE GRANT
PROJECTS FOR 2019/2020 FINANCIAL YEAR**

RESOLVED

- a) that the new projects for 2019/2020 be approved.
Hoog Street
Kerk Street
Khayaletlu Village Main road phase 2
Minaar Street
General Street

COUN.2018.10.31

A101/2018 REPRIORITISATION OF BEROUW ELECTRIFICATION PROJECT

RESOLVED

- a) that the reprioritization of the Electrification of Berouw be approved.

COUN.2018.10.31

A102/2018 MAINTENANCE OF RURAL ROADS USING THE GRADER

RESOLVED

- a) that the revised rural road maintenance plan be approved.

COUN.2018.10.31

**A103/2018 MEMORANDUM OF AGREEMENT EMADLANGENI MUNICIPALITY
AND UITKOMST MINE**

RESOLVED

- a) that the Director Infrastructure and Planning Development and the Disaster Manager serve on the Steering Committee.

COUN.2018.10.31

**A104/2018 REQUEST TO INVITE PROPOSALS ON THE RUNNING OF BALELE
GAME PARK**

RESOLVED

- a) that proposals be invited on the running of Balele Game Park by the end of next week.

A105/2018 AMENDMENT OF EMADLANGENI SUPPLY CHAIN MANAGEMENT POLICY

RESOLVED

- a) that addendum 1 to the Emadlangeni Supply Chain Management Policy be approved.
- b) that the terms of reference to appoint subcontractors be clear and be provided to Councillors.

COUN.2018.10.31

A106/2018 DIRECTIVE IN TERMS OF SECTION 139 (1) (A) OF THE CONSTITUTION

RESOLVED

- a) that the municipality is directed to incorporate requirement of achieving an unqualified audit opinion as a minimum standard in the performance agreement of Senior Managers.
- b) that the Accounting Officer investigate and institute consequence management in respect of the reported unauthorized irregular, fruitless and wasteful expenditure of 2016/2017 as reported in the Annual Financial Statements.
- c) that the Accounting Officer report within 30 thirty days from 10 October 2018 and quarterly thereafter on the implementation of consequence management.
- d) that the municipality does not pay future performance bonuses to the Accounting Officer and those Senior Managers who cause the municipality to attain a negative audit outcome and who are responsible for unauthorized, irregular, fruitless or wasteful expenditure.

COUN.2018.10.31

A107/2018 POSITION OF DIRECTOR: COMMUNITY SERVICES

RESOLVED

- a) that the position of Director Community Services be closed whereafter the organogram be reviewed accordingly.
- b)

ITEM 12

REPORTS FROM MPAC

Members raised a concern on MPAC meetings not sitting as there was a meeting scheduled for 11 October 2018 and the meeting did not sit. Members informed the meeting that there was a resolution taken by Council that the fruitless and wasteful expenditure of seventy two thousand which had to be investigated by MPAC.

Members informed the meeting that MPAC meetings are held on a quarterly basis and notices are taken out calling such meetings and no notice had been issued for a meeting.

Members informed the meeting that a motion had been submitted to the chairperson regarding the investigation which had to be made by MPAC regarding the fruitless and wasteful expenditure. Members informed the meeting that a motion had also been submitted to the Speaker and no response had since been received on this matter.

ITEM 13

REPORTS FROM THE AUDIT COMMITTEE

None

ITEM 14 **REPORTS ON WARD COMMITTEES / CONSOLIDATED
REPORT ON WARD COMMITTEES**

None

ITEM 15 **REPORT ON SALGA ACTIVITIES**

None

ITEM 16 **MONTHLY ACTIVITIES**

None

ITEM 17 **INPUT BY THE TRADITIONAL LEADERS**

17.1 Inkosi Mabaso informed the meeting that Government had built toilets in ward one but the sewerages are now spilling over and requested that they be assisted with having their drains drained.

17.2 Inkosi Khumalo requested to be assisted with the following :-

EPWP to assist with picking up of baby pampers in his area.

Amakhosi to be informed when there would be meetings in their area and they be notified on time.

Concern about EPWP's who stay in Mdozo but are employed by Emadlangeni municipality and requested that this be looked into.

Concern about Amakhosi being informed about a meeting they need to attend at the Town Hall on the day of the meeting and they are informed that the meeting is urgent.

Requested to be assisted with a flood light in the area.

Progress on the building of RDP houses in White City.

Assisted with the grading of the sports fields.

Assisted with lightening conductors.

Wanted to know how many buses the municipality provided for the reed dance and how much money was given to the Amakhosi to attend the function.

ITEM 18 **REPORTS FOR NOTING**

COUN.2018.10.31

B19/2018 **STATUS REPORT ON MIG PROJECTS**

Noted

COUN.2018.10.31

B20/2018 **STATUS REPORT ON THE ELECTRIFICATION PROJECTS**

Noted

COUN.2018.10.31

B21/2018 **COMMUNITY SERVICES DEPARTMENTAL QUARTERLY REPORT**

Noted

COUN.2018.10.31

B22/2018 **EXECUTION OF COUNCIL RESOLUTION A83/2018**

Noted

ITEM 19

REPORTS FOR CONSIDERATION

ITEM 20 **REPORTS - IN -COMMITTEE**

None

Absent

Cllr M.M.Booyesen

4. OFFICIAL NOTICES

- 4.1 The Municipal Manager informed the meeting that he had attended a National Assembly meeting of SALGA wherein they were informed that submissions on the Upper Limits of Councillors were to be submitted by 14th December 2018 and the gazette will be published by the 18th of December 2018.
- 4.2 The Municipal Manager further informed the meeting that the Chairperson had informed the meeting that the Upper Limits of the grade 1-2 municipalities would all be on the same level.
- 4.3 Mr S.Duma informed the meeting that when the Minister publishes the notice, it is guided by the outcomes of the processes taken by the Commissioner on Remuneration of Public Office Bearers. Mr S.Duma further informed the meeting that if Councillors wanted to make inputs they could, but with due respect it was not going to change anything because today the gazette is being finalized and tomorrow the Minister will be signing it and it would be published on Monday 17 December 2018.

5. DECLARATION OF INTEREST

None

6. URGENT REPORTS – ALLOWED ONLY WITH THE CONSENSUS OF THE CHAIRPERSON : AND

6.1 PRESENTATIONS

- **ESKOM : MR S.NKOSI**

Mr S.Nkosi from ESKOM made a presentation on the work they were doing at the Municipality.

Ms G.Nuza from ESKOM made a presentation on Free Basic Electricity, why EBSST was initiated, who the main role players are, which ESKOM customers qualify, what can the free basic electricity provide, funding for EBSST free basic electricity and customer related.

- **MISA : MR P.KOTSOKOANE**

Mr P.Kotsokoane made a presentation on the INEP projects and informed the meeting that they were working on three projects, Kwanzima, Witmufoloji and Ndwakazana. Mr P.Kotsokoane informed the meeting that if material was available for the project at Kwanzima the project could have been completed in three (3) weeks. Mr P.Kotsokoane informed the meeting that there was outstanding work to be done in some of the areas at Witumfolozi and some of the work could have been completed in two (2) days if the material was available. Mr P.Kotsokoane informed the meeting that some of the projects could not be visited.

Members wanted to know who was suppose to supply the material for the work to be done.

The Administrator, Mr S.Duma wanted to know which projects had not been visited and what the status was on those projects. Mr S.Duma informed the meeting that the Kwanzima Contractor was back on site since MISA was appointed to assist the municipality and wanted to know whether there was a signed agreement as to what the Contractor was suppose to do.

Mr P.Kotsokoane from MISA informed the meeting that he had only started working for the municipality in August 2018 and a meeting will be arranged between MISA and the Consultant to discuss the outstanding projects. Mr P.Kotsokoane

informed the meeting that he has requested all the outstanding projects of the municipality and was not familiar with some of the status of the projects as he had not visited Kwandwakazane.

- **ASANDE PROJECTS : MR W.VILAKAZI**

Mr W.Vilakazi from Asande made a presentation on the programme background, purpose of the presentation and the conclusion.

Mr S.Duma wanted to know whether the work which had been done at Kwanzima was in line with Eskom standards.

Mr P.Kotsokoane informed the meeting that ESKOM staff was present at the Kwanzima project but a report had not been received from Eskom.

Mr S.Duma informed the meeting that the presentation seemed pre-mature as MISA should have been given time to visit all the projects before this presentation. Mr S.Duma further informed the meeting that Councillors should not be engaging with Service Providers and by law Councillors are not permitted to engage with Service Providers. Mr S.Duma informed the meeting that Service Providers present to HOD's and not to Councillors because this is what had placed Council under administration in the first place.

Mr S.Duma pleaded with Councillors not to interfere with Service Providers and not to have meetings with them as well as meeting with Service Providers who are not part of the municipality as this compromises the work of the municipality.

RESOLVED

- a) that an urgent meeting be convened between the HOD's, MISA, ASANDE and Eskom to discuss the projects with timeframes whereafter a report be submitted to Council.
- b) that the Infrastructure Portfolio Committee convenes an urgent meeting to discuss the projects after the HOD's meeting with the relevant stakeholders.

- **STATUS OF THE INTERVENTION IN TERMS OF SECTION 139 (1)(B)
AT EMADLANGENI MUNICIPALITY : REQUEST TO ADDRESS THE MUNICIPAL
COUNCIL**

The Administrator, Mr S. Duma informed the meeting that submissions had been made by the MEC to Cabinet to uplift the intervention at the municipality and the submissions were looking at the five (5) pillars of back to basics which were the Functionality of ward Councillors, Delivery of basic services, Good Governance, Sound financial Management and Building Institutional Capabilities. Mr S.Duma informed the meeting that after considering all the pillars it was recommended that the intervention be terminated. Mr S.Duma also informed the meeting that official correspondence will be provided to the municipality.

Members thanked the Administrator, Mr S.Duma for all the support he had provided to them and the municipality during his time as the Administrator at the municipality and wished him well in his future endeavours.

Cllr F.Mlambo

OFFICIALS: Mr L.C.T.Nkosi Municipal Manager
Mr N.Kheswa Director Infrastructure & Planning Development
Mr M. Sithebe Manager in the office of the Mayor
Ms B.J.W.Kiewiets Committee Officer

1. **OPENING: MOMENT OF REFLECTION**

The meeting was opened at 09: 12 with a prayer by Cllr F.Mlambo.

2 **NOTICE OF A MEETING**

The notice of the meeting was read by the Municipal Manager.

3. **APPLICATION FOR LEAVE OF ABSENCE**

None

4. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILLORS**

None

SP.COUN.2019.01.09

A1/2019 AMENDMENT OF THE STANDING RULES AND ORDERS OF COUNCIL

RESOLVED

- a) that the Standing Rules and Orders of Council be amended to include the requirement that all resolutions to be taken by Council must be voted on and voting patterns be reflected in the decisions or resolutions.
- b) that the Standing Rules and Orders of Council be revised.

A unanimous vote was taken on this resolution.

SP.COUN.2019.01.09

A2/2019 DETERMINATION OF UPPERLIMITS FOR COUNCILLORS FOR 2018/2019 FINANCIAL YEAR

RESOLVED

- a) that the increases on Councillors Upper Limits be pitched at 100% and paid with effect from 01 July 2018 for all provision in Notice no. 1426 of the Government Gazette dated 21 December 2018.
- b) that the application be made to the MEC for approval of the increases.

A unanimous vote was taken on this resolution.

ITEM 20 REPORTS - IN -COMMITTEE

SP.COUN.2019.01.09

A3/2019 ALLEGATION OF MISCONDUCT AGAINST THE DIRECTOR INFRASTRUCTURE AND PLANNING DEVELOPMENT

RESOLVED

- a) that the Mayor, Cllr L.Y.Mhlungu and Cllr V.C.Ndlovu be mandated to appoint an independent investigator within seven (7) days to investigate the allegations of misconduct against the Director Infrastructure and Planning Development.
- b) that the Director Infrastructure and Planning Development be suspended pending the investigation.
- c) that the Municipal Manager is instructed to facilitate the process according to the relevant Regulations.

A unanimous vote was taken on this resolution.

ITEM 24 CLOSURE

The meeting was closed at 10 : 00 with a prayer by Cllr F.Mlambo.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 18 JANUARY 2019 IN THE COUNCIL CHAMBER

PRESENT: Cllr Z.H. Madi Speaker
Cllr L.Y. Mhlungu Mayor
Cllr N. Ndlovu Deputy Mayor
Cllr N.A. Madida
Cllr V.C.Ndlovu
Cllr T.S.Buthelezi
Cllr H.M Mthethwa
Cllr F.Mlambo
Cllr M.M.Booyesen Arrived at 10: 17

OFFICIALS: Mr L.C.T.Nkosi Municipal Manager
Ms B.J.W.Kiewiets Committee Officer

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 10: 05 with a prayer by Cllr M.J.Mthethwa.

2. NOTICE OF A MEETING

The notice of the meeting was read by the Municipal Manager.

3. APPLICATION FOR LEAVE OF ABSENCE

Cllr F.G.S.Smook could not attend the meeting due to other commitments.

RESOLVED

a) that leave of absence be granted to Cllr F.G.S.Smook.

Absent

Cllr H.M.Mthethwa

4. OFFICIAL NOTICE

4.1 The Municipal Manager informed the meeting that there will be a Cabinet outreach at the municipality on 30 January 2019.

5. DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCILLORS

None

Cllr F.Mlambo
Cllr M.J.Mthethwa
Cllr M.M.Booyesen

OFFICIALS: Mr L.C.T.Nkosi Municipal Manager
Mr Z.J.Mkhize Director Corporate Services
Mr M.Sithebe Manager in the Office of the Mayor
Ms N.Ndaba IDP/PMS Manager
Mr S.G.Simelane Budget Officer
Ms B.J.W.Kiewiets Committee Officer

Also present: Mr A.Zungu from the Auditor General and Mr M.Buthelezi from the public.

1. **OPENING: MOMENT OF REFLECTION**

The meeting was opened at 09: 05 with a prayer by Cllr V.C.Ndlovu.

2 **NOTICE OF A MEETING**

The notice of the meeting was read by the Municipal Manager.

3. **APPLICATION FOR LEAVE OF ABSENCE**

Cllr F.G.S.Smook and Cllr H.M.Mthethwa could not attend the meeting due to other commitments.

RESOLVED

a) that leave of absence be granted to both.

4. **ACCEPTANCE OF THE AGENDA**

4.1 The Municipal Manager requested that the addendum agenda be accepted.

4.2 The Municipal Manager informed the meeting that there were two presentations, the Auditor General Report and the Audit Committee Report.

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCLLORS**

None

6. **URGENT REPORTS ALLOWED ONLY WITH THE CONSENSUS OF THE CHAIRPERSON**

6.1 **PRESENTATION BY THE AUDITOR GENERAL**

Mr A.Zungu from the Auditor General made a presentation on the outcomes of the 2017/2018 financial year, Introduction, Purpose, The AG's annual Audits examine (3) three areas, Audit Opinion History (trends/history over three years), Audit Outcome, Other matters of Interest (Unauthorized expenditure, fruitless and wasteful) and conclusion.

The presentation was noted.

A5/2019 INDIGENT REGISTER FOR 2018/2019

RESOLVED

- a) that this report be taken back to Management for correction and be submitted back to the Executive Committee on Tuesday, 05 February 2019.

SP.COUN..2019.01.29

A6/2019 IN-YEAR REPORT FOR DECEMBER 2018

RESOLVED

- a) that this report also be referred back to Management for correction as the relevant annexures for unauthorized, irregular, fruitless and wasteful expenditure for December 2018 were not attached and the report be submitted to the Executive Committee on Tuesday, 05 February 2019.

COUN.SP.2019.01.29

A7/2019 MID-YEAR ASSESSMENT REPORT FOR 2017/ 2018

RESOLVED

- a) that the Mid-Year budget and performance report for 2016/2017 financial year be referred back to Management for correction and it be submitted to the Executive Committee meeting to be held on Tuesday,05 February 2019.

SP.COUN.2019.01.29

A8/2019 2017/2018 DRAFT ANNUAL REPORT

RESOLVED

- a) that the 2017/2018 Annual Report be noted with concerns and reservations and corrections be done before it is published to the public.

- b) that the Annual Report be made available for a period of twenty one (21) days and the public and the local communities be invited to submit representations they have in connection with the Annual Report.
- c) that the Annual Report be submitted to Cogta, National Treasury, Provincial Treasury and the Auditor General for comments and inputs.
- d) that the Annual Report be referred to the Municipal Public Accounts Committee for oversight.

SP.COUN.2019.01.29

A9/2019 ESTABLISHMENT OF A MODULAR LIBRARY AT WARD (5)

RECOMMENDATION

- a) that the establishment of a modular library in ward 5 under the area of Inkosi Khumalo be accepted.
- b) that the Municipal Manager be :-
 - i) mandated to enter into negotiations with Inkosi Khumalo with a view to acquire a piece of land in his area.
 - ii) goes through appropriate legislative framework in order to ensure that the project is successful.
 - iii) ensures that the required top up funding is included in the 2019/2020 budget.
 - iv) approaches the Amajuba District Municipality with a view to making provision for water connection and reports back to Council.

7. IN-COMMITTEE

A10/2019 REPORT ON COUNCIL RESOLUTION A4/2019 DATED 18 JANUARY 2019

RESOLVED

- a) that the report be noted.
- b) that the letter from the Service Providers be provided to the investigator appointed as per resolution A3/2019.

7. CLOSURE

The meeting was closed at 10 : 35 with a prayer by Cllr V.C.Ndlovu.

MINUTES OF EMADLANGENI MUNICIPAL COUNCIL MEETING HELD ON 28 FEBRUARY 2019 IN THE COUNCIL CHAMBER

PRESENT: Cllr Z.H. Madi Speaker
Cllr L.Y. Mhlungu Mayor
Cllr N. Ndlovu Deputy Mayor
Cllr N.A. Madida
Cllr V.C.Ndlovu
Cllr T.S.Buthelezi
Cllr F.G.S. Smook
Cllr H.M Mthethwa
Cllr M.M.Booyesen
Cllr M.J.Mthethwa
Cllr F.Mlambo

OFFICIALS: Mr L.C.T.Nkosi Municipal Manager
Mr Mr Z.J.Mkhize Director Corporate
Services
Ms S.Mhlophe Chief Financial Officer
Ms B.J.W.Kiewiets Committee Officer

Also present : Mr M.Buthelezi, Mr D.Xolani, Mr S.Khumalo and
Mr T.Masondo from the community.

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 09: 03 with a prayer by Cllr F.G.S.Smook.

2. NOTICE OF A MEETING

The notice of the meeting was read by the Municipal Manager.

3. APPLICATION FOR LEAVE OF ABSENCE

None

4. ACCEPTANCE OF THE AGENDA

The Municipal Manager informed the meeting that he would like to add an additional item under urgent matters which will be discussed under in-committee.

5. DECLARATION OF INTEREST

None

6. ANNOUNCEMENTS

None

7. **PRESENTATION**

None

8. **CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS**

The following minutes were confirmed to be correct subject to the correction to be made :-

- Minutes of a Special Council meeting held on 09 January 2019
Cllr M.J.Mthethwa did not reflect as being present under present and this needs to be corrected.
- Minutes of a Special Council meeting held on 18 January 2019
Cllr M.J.Mthethwa did not reflect as being present under present and this needs to be corrected.
- Minutes of a Special Council meeting held on 29 January 2019 were correct.

9. **OUTSTANDING MATTERS**

None

10. **SUBMISSION OF REPORTS FROM COUNCIL REPRESENTATIVES FROM DISTRICT/LOCAL MUNICIPALITY**

None

11. **REPORTS OF THE EXECUTIVE COMMITTEE/ EXECUTIVE MAYOR, UNDER THE SECTIONS, RECOMMENDATIONS TO COUNCIL, DECISIONS UNDER DELEGATED AUTHORITY AND DECISIONS OF EXECUTIVE MAYOR TAKEN WITH MAYORAL COMMITTEE**

**A11/2019 IN-YEAR REPORT FOR DECEMBER 2018
RESOLVED**

- a) that the report be noted.
- b) that verification be done on the INEP expenditure.
- c) that a report be provided to the next Portfolio Committee meeting on the electricity losses with interventions.

An unanimous vote was taken on this resolution.

COUN.2019.02.208

**A12/2019 MID-YEAR ASSESSMENT REPORT FOR 2018/ 2019
RESOLVED**

- a) that the Mid- Year Assessment Report for 2018/2019 be noted.

- b) that the Adjustment Budget be tabled to Council on 28 February after consideration of the Mid-Year Budget report.

An unanimous vote was taken on this resolution.

COUN.2019.02.28

A13/2019 ADJUSTMENT BUDGET

RESOLVED

- a) that the adjustment budget and the item on the projects to be added onto the IDP be submitted to Council for deliberation.

An unanimous vote was taken on this resolution.

A14/2019 ESTABLISHMENT OF A MODULAR LIBRARY AT WARD (5)

RESOLVED

- a) that the establishment of a modular library in ward 5 under the area of Inkosi Khumalo be accepted.
- i) that the Municipal Manager be mandated to enter into negotiations with Inkosi Khumalo with a view to acquire piece of land in his area.
- ii) goes through appropriate legislative framework in order to ensure that the project is successful.
- iii) ensures that the required top up funding is included in the 2019/2020 budget.
- iv) approaches the Amajuba District Municipality with a view to making provision for water connection and reports back to Council.

An unanimous vote was taken on this resolution.

ITEM 12 REPORTS FROM MPAC

COUN.2019.02.28

A15/2019 DRAFT ANNUAL REPORT

RESOLVED

- a) that the Annual and Oversight report for 2016/2017 be considered and noted.
- b) that the Chairperson submits an oversight report with the relevant comments to Council before 30 March 2018.

- c) that the Annual report be submitted to Council and then it be made public and it also be submitted to the Legislature, National and Provincial Treasury, the Department of Co-operative Governance and Traditional Affairs for consideration.

An unanimous vote was taken on this resolution.

ITEM 13 **REPORTS FROM THE AUDIT COMMITTEE**

None

ITEM 14 **REPORTS ON WARD COMMITTEES / CONSOLIDATED
REPORT ON WARD COMMITTEES**

None

ITEM 15 **REPORT ON SALGA ACTIVITIES**

None

ITEM 16 **MONTHLY ACTIVITIES**

None

ITEM 17 **INPUT BY THE TRADITIONAL LEADERS**

ITEM 18 **REPORTS FOR NOTING**

COUN.2019.02.28

B01/2019 **REPORT ON THE IMPLEMENTATION OF AUDITOR GENERAL ACTION PLAN**

Noted

ITEM 19 **REPORTS FOR CONSIDERATION**

A16/2019 **ADJUSTMENT BUDGET**

Members requested a caucus.

Members requested that adjustment budget for service delivery be increased to two hundred thousand (R200 000.00) rand to accommodate the infrastructure.

RESOLVED

- a) that the adjustment budget be approved.

Six ANC Councillors voted that the adjustment budget be accepted and the remaining Councillors did not vote in support of the decision.

Cllr H.M.Mthethwa, Cllr M.J.Mthethwa and Cllr M.Booyesen IFP, Cllr F.G.S.Smook DA and Cllr F.Mlambo EFF did not vote.

**A17/2019 REQUEST FOR AMENDMENT OF 2018/2019 IDP & CONDITION
53 OF NON-COMPLIANCE WITH LOCAL GOVERNMENT:
MUNICIPAL PLANNING & PERFORMANCE MANAGEMENT REGULATION,
2001**

Members requested that all projects which are currently being worked on also be on the IDP with price estimates on the projects.

RESOLVED

- a) that Council condone the non-condone with Local Government : Management Regulations, 2001 in respect of amendment of the IDP.
- a) that the addition of the following projects onto the 2018/2019 IDP be approved.

MIG Projects

Estilenga gravel road
Enzimane gravel road
Slagveld gravel road
Kwantabe gravel road
Balgray gravel road

INEP Projects

Electrification of Emalaynini	28 connections
Electrification of KwaMpopoli	24 connections
Electrification of KwaLembe	58 connections
Electrification of Kaarpoort	47 connections
Electrification of KwaNtaba	18 connections
Electrification of Estilenga	07 connections
Electrification of Jiyane	05 connections
Electrification of Midway	47 connections
Electrification of Emadlangeni	72 connections
Electrification of Waaihoek	130 connections

An unanimous vote was taken on this resolution.

ITEM 20 REPORTS - IN -COMMITTEE

COUN.2019.02.28

**A18/2019 ALLEGATIONS OF SUBSISTENCE AND TRAVELLING ALLOWANCE
POLICY
RESOLVED**

- a) that the municipality does a thorough investigation on the Subsistence and Travelling of Councillors and Administration.

- b) that the Chairperson of MPAC Cllr V.C.Ndlovu, the Speaker Cllr Z.H.Madi and the Municipal Manager investigate the Subsistence and Travelling allowance whereafter a report be submitted to Council.

An unanimous vote was taken on this resolution.

COUN.2019.02.28

**A19/2019 REPORT ON INVESTIGATION AGAINST DIRECTOR INFRASTRUCTURE AND PLANNING DEVELOPMENT
RESOLVED**

- a) that disciplinary proceedings be instituted against the Director Infrastructure and Planning Development.
- b) that the Municipal Manager be authorized to appoint an independent and external presiding officer, and officer to lead evidence and sign letters of appointment.

Eight Councillors supported the decision Cllr L.Y.Mhlungu, Cllr Z.H.Madi, Cllr N.Ndlovu, Cllr T.S.Buthelezi, Cllr N.Madida, Cllr F.G.S.Smook, Cllr F.Mlambo and Cllr M.J.Mthethwa.

Cllr H.M.Mthethwa and Cllr M.Booyesen did not support the decision.

ITEM 21 NOTICE OF MOTION

None

ITEM 22 QUESTIONS

None

ITEM 23 URGENT REPORTS - ALLOWED ONLY WITH THE CONSENSUS OF THE CHAIRPERSON ; AND

None

ITEM 24 CLOSURE

The meeting was closed at 11 : 30 with a prayer by Cllr F.G.S.Smook.

**MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL
MEETING HELD ON 01 APRIL 2019 IN THE COUNCIL CHAMBER**

PRESENT: Cllr Z.H. Madi Speaker
Cllr L.Y. Mhlungu Mayor
Cllr N. Ndlovu Deputy Mayor
Cllr N.A. Madida

Cllr V.C.Ndlovu
Cllr T.S.Buthelezi
Cllr F.Mlambo
Cllr M.J.Mthethwa
Cllr H.M.Mthethwa
Cllr F.G.S.Smook

OFFICIALS: Mr L.C.T.Nkosi Municipal Manager
Mr Z.J.Mkhize Director Corporate Services
Ms S.Mhlophe Chief Financial Officer
Mr M.Sithebe Manager in the Office of the Mayor
Ms N.Ndaba IDP/PMS Manager
Ms B.J.W.Kiewiets Committee Officer

1. **OPENING: MOMENT OF REFLECTION**

The meeting was opened at 09: 05 with a prayer by Cllr H.M.Mthethwa.

2 **NOTICE OF A MEETING**

The notice of the meeting was read by the Municipal Manager.

3. **APPLICATION FOR LEAVE OF ABSENCE**

Cllr M.M.Booyesen could not attend the meeting due to other commitments.

RESOLVED

a) that leave of absence be granted to Cllr M.M.Booyesen.

4. **ACCEPTANCE OF THE AGENDA**

The Mayor, Cllr L.Y.Mhlungu requested that item 7 not be part of the agenda.

This was supported by members.

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCLLORS**

None

6. **URGENT REPORTS ALLOWED ONLY WITH THE CONSENSUS OF THE CHAIRPERSON**

SP.COUN.2019.01.04.

The Deputy Mayor, Cllr N.Ndlovu informed the meeting that the agenda was provided to them on short notice and further indicated his dissatisfaction on this matter as they had not been provided enough time to go through such a comprehensive document. Cllr N.Ndlovu further informed the meeting that a summary of the budget would have eased the burden on them because it would have highlighted important matters. Cllr N.Ndlovu also requested that this be the last time that an agenda be provided to them less than seven days prior to the meeting.

RESOLVED

- a) that the draft Budget be approved.
- b) that the proposed tariffs be approved with effect from 01 July 2018.
- c) that the following municipal budget related policies remain unchanged :-
 - SCM Policy
 - Virement Policy
 - Cash and Investment Policy
 - Budget Policy
 - Asset Management Policy

Cllr L.Y.Mhlungu, Cllr Z.H.Madi, Cllr N.Ndlovu, Cllr V.C.Ndlovu, Cllr T.S.Buthelezi, Cllr N.A.Madi accepted the resolution.

Cllr F.G.S.Smook, Cllr F.Mhlambo, Cllr H.M.Mthethwa and Cllr M.J.Mthethwa had a dissenting vote on the resolution.

RESOLVED

- a) that the draft IDP for 2019/2020 be approved by Council and the organogram be corrected accordingly.
- b) that a list of all areas to be electrified be submitted for inclusion in the IDP.
- c) that the draft 2019/2020 IDP be submitted to the Department of Co-operative Governance and Traditional Affairs, Provincial and National Treasury for assessment purposes.
- d) that the approved draft IDP for 2019/2020 be advertised for a period of 21 days for public comments, and also undertake the public consultation process in all six (6) wards.

Cllr L.Y.Mhlangu, Cllr Z.H.Madi, Cllr N.Ndlovu, Cllr V.C.Ndlovu, Cllr T.S.Buthelezi, Cllr N.A.Madi accepted the resolution.

Cllr F.G.S.Smook, Cllr F.Mhlambo, Cllr H.M.Mthethwa and Cllr M.J.Mthethwa had a dissenting vote on the resolution.

A22/2019 ADJUSTED SDBIP

RESOLVED

- a) that the adjusted 2018/2019 SDBIP be approved.
- b) that the adjusted SDBIP be advertised and be submitted to the relevant stakeholders.

Cllr L.Y.Mhlangu, Cllr Z.H.Madi, Cllr N.Ndlovu, Cllr V.C.Ndlovu, Cllr T.S.Buthelezi, Cllr N.A.Madi and Cllr F.G.S.Smook accepted the resolution.

Cllr F.Mhlambo, Cllr H.M.Mthethwa and Cllr M.J.Mthethwa had a dissenting vote on the resolution. The Councillors were not happy about the late submission of documents to them.

A23/2019 OVERSIGHT REPORT ON THE ANNUAL REPORT

RESOLVED

- a) that the Annual Report and Oversight report for 2017/2018 be adopted.
- b) that the Oversight Report be made public in accordance with Section 129 (3) of the Municipal Finance Management Act 56 of 2003.
- c) that the Oversight Report be submitted to the Provincial Legislature, National and Department of Co-operative Governance and Traditional Affairs in accordance with Section 132 (2) of the Municipal Finance Management Act 56 of 2003.
- d) that an action plan be submitted to Council on a monthly basis.

An unanimous decision was taken on this resolution.

7. CLOSURE

The meeting was closed at 09 : 35 with a prayer by Cllr H.M.Mthethwa.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 08 APRIL 2019 IN THE COUNCIL CHAMBER

PRESENT: Cllr Z.H. Madi Speaker
Cllr L.Y. Mhlungu Mayor
Cllr N. Ndlovu Deputy Mayor
Cllr N.A. Madida
Cllr V.C.Ndlovu
Cllr T.S.Buthelezi
Cllr F.Mlambo
Cllr M.J.Mthethwa
Cllr H.M.Mthethwa
Cllr F.G.S.Smook
Inkosi Mabaso

OFFICIALS: Mr L.C.T.Nkosi Municipal Manager
Mr Z.J.Mkhize Director Corporate Services
Ms S.Mhlophe Chief Financial Officer
Mr M.Sithebe Manager in the Office of the Mayor
Ms B.J.W.Kiewiets Committee Officer

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 09: 15 with a prayer by Cllr N.Ndlovu.

2. NOTICE OF A MEETING

The notice of the meeting was read by the Municipal Manager.

3. APPLICATION FOR LEAVE OF ABSENCE

None

4. ACCEPTANCE OF THE AGENDA

Members requested that Monday's be put aside for caucuses as it had been agreed upon.

Members requested that Council meetings be held at 10: 00 and not at 09: 00.

Members informed the meeting that item 6.1 on the Manager Mr T.P.Zondo was not a matter to be discussed In-Committee but item 6.2 and 6.3 would be discussed In-Committee. The agenda was accepted.

5. **DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCLLORS**

None

6. **URGENT REPORTS ALLOWED ONLY WITH THE CONSENSUS OF THE CHAIRPERSON**

The Mayor, Cllr L.Y.Mhlungu informed the meeting that the IDP Imizo Road Shows will be held as follows ;-

Date	Venue		Time
04 April 2019	Bensdorp Sports field	(ward 2)	10: 00
09 April 2019	KwaLembe Sports field	(ward 1)	10: 00
11 April 2019	Enkululekweni Yomphakathi	(ward 3)	10: 00
16April 2019	Rooivaal	(ward 4)	10: 00
18 April 2019	Vaalbank Crèche	(ward 5)	10: 00
23 April 2019	Kingsley	(ward 6)	10: 00

SP.COUN.2019.04.08

**A23/2019 REPORT ON ALLEGATIONS AGAINST THEMBA PHILIP ZONDI
MANAGER: LOCAL ECONOMIC DEVELOPMENT**

Members wanted to know whether a criminal case had been opened on the matter relating to Mr T.P.Zondi.

RESOLVED

- a) that the matter of Mr T.P.Zondi be investigated and a criminal case be opened at the Police station as a matter of urgency.

An unanimous decision was taken on this resolution.

A24/2019 ACTING POSITION FOR DIRECTOR: INFRASTRUCTURE AND DEVELOPMENT PLANNING

RESOLVED

- a) that Mr Patric Phathokwahkhe Stedy Zamisa be appointed on a three month basis as provided for in the Systems Act and a reference check be done on him.
- b) that the reference check be done immediately.
- c) that the Municipal Manager attends to this matter as a matter of urgency.

An unanimous decision was taken on this resolution.

7. **IN-COMMITTEE**

SP.COUN.2019.04.08

A25/2019 REPORTING GROSS MISCONDUCT: MR L.C.T.NKOSI

RESOLVED

- a) that the Municipal Manager fast tracks the disciplinary hearing against Mr Kheswa and the matter with the union SAMWU Gross Misconduct against the Municipal Manager be placed on abeyance until the outcome of the disciplinary is complete.

An unanimous decision was taken on this resolution.

7. **CLOSURE**

The meeting was closed at 10 : 30 with a prayer by Cllr H.M.Mthethwa.

MINUTES OF EMADLANGENI MUNICIPAL SPECIAL COUNCIL MEETING HELD ON 28 MAY 2019 IN THE COUNCIL CHAMBER

PRESENT: Cllr Z.H. Madi Speaker
Cllr L.Y. Mhlungu Mayor
Cllr N. Ndlovu Deputy Mayor
Cllr N.A. Madida
Cllr V.C.Ndlovu
Cllr M.J.Mthethwa
Cllr H.M.Mthethwa
Cllr M.M.Booyesen

OFFICIALS: Mr L.C.T.Nkosi Municipal Manager
Mr Z.J.Mkhize Director Corporate Services
Ms S.Mhlophe Chief Financial Officer
Mr P.P.S.Zamisa Acting Director Infrastructure and Planning Development
Ms B.J.W.Kiewiets Committee Officer

Also present : Mr J.I.Mhlongo from the Audit Committee.

1. OPENING: MOMENT OF REFLECTION

The meeting was opened at 09: 18 with a moment of silence by Cllr V.C.Ndlovu.

2. NOTICE OF A MEETING

The notice of the meeting was read by the Municipal Manager.

3. APPLICATION FOR LEAVE OF ABSENCE

Cllr F.G.S.Smook, Cllr T.S.Buthelezi and Cllr F.Mlambo could not attend the meeting due to other commitments.

RESOLVED

a) that leave of absence be granted to both.

4. ACCEPTANCE OF THE AGENDA

The agenda was accepted.

5. DECLARATION OF INTEREST IN TERMS OF ITEM 5 OF THE CODE OF CONDUCT FOR COUNCLLORS

None

6. **PRESENTATIONS**

PRESENTATION BY THE AUDIT COMMITTEE

The Municipal Manager informed the meeting that one of the Audit Committee members has been given the MEC position and Council will have to fill the vacancy of the Audit Committee member.

Mr J.I. Mhlongo from the Audit Committee made a presentation on the Effectiveness of Internal Control, Internal Audit, Financial Reporting and Financial Management Compliance, Procurement and Contract Management, Performance Management System and Risk Management for the period October to December 2018 of the Audit Committee.

The report was accepted and noted by Council.

6. **URGENT REPORTS ALLOWED ONLY WITH THE CONSENSUS OF THE CHAIRPERSON**

SP.COUN.2019.05.28

A27/2019 FINAL BUDGET FOR 2019 /2020

RESOLVED

- a) that in terms of section 24 of the MFMA, 56 of 2003 the final budget of the municipality for the 2018/2019 financial year and indicative allocations for the two projected outer years 2019/2020 and 2020/2021 and the multi-year and single year capital appropriations be approved .
- b) that all the reviewed and amended budget related policies be adopted with the budget by Council.
- c) that all other unchanged budget related policies be adopted with the budget by Council.
- d) that the Council approves the municipality's proposed tariffs with effect from 01 July 2019.
- e) that all other recommendations stipulated on the budget document be adopted.

Six members accepted the budget and two Councillors did not vote.

SP.COUN.2019.28

A28/2019 DELEGATION OF AUTHORITY (MUNICIPAL MANAGER)

RESOLVED

- a) that Council approved the delegation of authority, authorizing the Municipal Manager to adjust up or down, the council determined animal tariffs for the mentioned category of undesirable animals to encourage competitiveness that couples effective management.
- b) that the tariffs be on a running scale.

A29/2019 RECRUITMENT AND SELECTION POLICY

RESOLVED

- a) that the Recruitment and Selection Policy be adopted.

An unanimous decision was taken on this resolution.

A30/2019 INDIGENT REGISTER

Members requested that going forward all other wards also be included in the Indigent register so that they could benefit with electricity from Eskom.

RESOLVED

- a) that the Indigent applicants be publicized and be verified through credit authorities as per paragraph 01 of the Indigent Policy.
- b) that the Indigent applicants who provide false information be prosecuted as per paragraph 18 of the Indigent Policy.
- c) that the Indigent applicants that are using conventional meters be converted to prepaid meters.
- d) that the Indigent applicants be approved by Council.

An unanimous decision was taken on this resolution.

8. CLOSURE

The meeting was terminated with a prayer by Cllr V.C.Ndlovu at 10: 15.

