

ALFRED DUMA LOCAL MUNICIPALITY**EXECUTIVE COMMITTEE**

MINUTES OF AN ORDINARY MEETING OF THE EXECUTIVE COMMITTEE OF THE ALFRED DUMA LOCAL MUNICIPALITY HELD ON THURSDAY, 20 JULY 2017 IN THE COUNCIL CHAMBER, TOWN HALL BUILDING, COR QUEEN AND MURCHISON STREETS, LADYSMITH AT 10:00

(APJ)**PRESENT**

Councillors	T	Hadebe (Chairperson)
	N A	Khanyile
	L S	Madinane
	A	Mchunu
	S Z P	Msibi
	S	Simelane
	A S D	Warasally

LEAVE OF ABSENCE

Councillor	M V	Madlala	Written
	M R	Suddaby	Written

Officials

Ms	S S	Ngiba	-	Acting Municipal Manager
Mr	P B B	Simelane	-	Executive Director Community Services
	S D	Hlophe	-	Manager Human Resources
	B J	Xaba	-	Manager Mayoral Office

ABSENT**NIL****STAFF**

Ms	P S	Mntaka	-	Acting Executive Director Corporate Services
	S	Mahraj	-	Manager Internal Audit
	Z	Xaba	-	Manager IDP
	S	Massyn	-	Assistant Manager Administration
Mr	M	Hloba	-	Executive Director Finance (CFO)
	S O	Hlatshwayo	-	Executive Director Technical and Infrastructural Services
	M G	Zondo	-	Acting Executive Director Dev, Plan & HS
	R A	Jhetam	-	Director Finance
	S	Maphalala	-	Manager Communications
	T B	Xaba	-	Manager Economic Development and Tourism
	P D	Ramsundar	-	Manager Electrical Engineering Services
	D M	Fourie	-	Manager Information Technology
	K K	Hlela	-	Manager Town Planning
	A L	Ntsele	-	Assistant Manager: Legal
	V K	Ntshangase	-	Project Manager - Human Settlements
	P I	Nkosi	-	Risk Officer

LEGEND

A Items: Standing items

B Items: Items considered by EXCO and referred to Council.

C Items: Items finalized by EXCO under delegated powers.

D Items: Reports

E Items: Confidential items considered by EXCO and referred to Council

F Items: Confidential items finalized by EXCO under delegated powers

G Items: Confidential Reports

1. NOTICE CONVENING THE MEETING

READ AND RESOLVED

1. That the following items be included in the Agenda:

1ST ADDENDUM

ITEM A 3 PROGRESS REPORT ON 2012 STORM DAMAGED PROJECT

ITEM B 15 DRAFT HOUSING ALLOCATION POLICY 2017/2018 FINANCIAL YEAR

2nd ADDENDUM

ITEM D 8 REPORT : FRUITLESS AND WASTEFUL EXPENDITURE, DEVIATIONS FROM THE SUPPLY CHAIN MANAGEMENT PROCESSES AND UNAUTHORISED AND IRREGULAR EXPENDITURE : JUNE 2017 IN ACCORDANCE WITH THE MUNICIPAL FINANCE MANAGEMENT ACT NO. 56 OF 2003 (MFMA) AND CIRCULAR NO.68 ISSUED BY NATIONAL TREASURY

3RD ADDENDUM

ITEM E 2 DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS (COGTA): CIRCULAR NO. 15 OF 2017 – EMPLOYMENT CONTRACTS : MUNICIPAL MANAGERS IN TERMS OF LOCAL GOVERNMENT MUNICIPAL SYSTEMS ACT NO 32 OF 2000

TABLED ITEM

ITEM B 16 GRANT FUNDING FOR THE DEVELOPMENT OF THE LONG TERM STRATEGY TO GUIDE THE IMPLEMENTATION REVIEW OF THE 4TH GENERATION IDP GRANT FROM DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

2. That the following Item be withdrawn from the Agenda:

ITEM D 6 BUDGET STATEMENT: JUNE 2017

Moved by: Councillor A N Khanyile

Seconded by: Councillor S Z P Msibi

2. MOMENT OF SILENT REFLECTION

A moment of silence was observed.

3. CREDENTIALS

In terms of the attendance register and credentials, it was determined that the following Councillors were present and had signed the attendance register:

ANC	5
IFP	1
DA	0

RESOLVED

That the meeting be commenced with as the required quorum had been met.

4. LEAVE OF ABSENCE

Written applications for leave of absence were received from the Honourable Mayor, Councillor M V Madlala and Councillor M R Suddaby

RESOLVED

That leave of absence from this meeting be granted to the Honourable Mayor, Councillor M V Madlala and Councillor M R Suddaby

5. PRESENTATION

NIL

// Councillor A S D Warasally joined the meeting at this stage of the proceedings at 10:10. //

6. MOTION OF CONDOLENCES AND FELICITATIONS

MOTION OF CONDOLENCES

The Deputy Mayor proposed the following motion, which was accepted unopposed:

"The Alfred Duma Local Municipality places on record its deepest sympathy at the passing away of Samkelo Madlala the Son of the Honourable Mayor Councillor M V Madlala."

RESOLVED

That the Executive Committee's condolences be conveyed to the Madlala family.

AEDCS

7. MINUTES OF PREVIOUS MEETINGS

7.1 ORDINARY EXCO MEETING HELD ON 22 JUNE 2017

Councillor S Z P Msibi moved, seconded by Councillor N A Khanyile that the minutes of the **ORDINARY EXCO** meeting held on **22 JUNE 2017** be taken as read and be confirmed as correct.

RESOLVED

That the minutes of the **ORDINARY EXCO** meeting held on **22 JUNE 2017** be taken as read and be confirmed as correct.

7.2 SPECIAL EXCO MEETING HELD ON 29 JUNE 2017

Councillor A N Khanyile moved, seconded by Councillor L S Madinane that the minutes of the **SPECIAL EXCO** meeting held on **29 JUNE 2017** be taken as read and be confirmed as correct.

RESOLVED

That the minutes of the **Special EXCO** meeting held on **29 JUNE 2017** be taken as read and be confirmed as correct.

ORDINARY EXCO AGENDA OF 20 JULY 2017

8. REPORT OF THE MUNICIPAL MANAGER

8.1 A – ITEMS *Standing Items*

ITEM A 1

EC1/07/2017

ACTION PLAN: 2015/2016 AUDITOR-GENERAL QUERIES

(OFFICE OF THE MUNICIPAL MANAGER – INTERNAL AUDIT SECTION)

ITEM A 1 OF 20/07/2017 RESOLVED TO RECOMMEND

1. That the progress made by departments to resolve the Auditor-General queries in respect of the 2015/2016 Financial Year be noted.
2. That all Managers endeavour to resolve all Auditor-General queries before the end of July 2017.
3. That the Internal Audit Section continuously monitors and verifies the progress reported by departments.
4. That the Internal Audit Section submits monthly reports to EXCO, Council, Municipal Public Accounts Committee as well as the Audit Committee on progress made in respect of the Auditor-General queries.

MM

Moved by: Councillor A Mchunu

Seconded by: Councillor L S Madinane

ITEM A 2

EC2/07/2017

DISCLOSURE OF FRAUDULENT AND CORRUPT ACTIVITIES – JUNE 2017

(DEPARTMENT OF FINANCE –MANAGEMENT SECTION)

ITEM A 2 OF 20/07/2017 RESOLVED TO RECOMMEND

That it be noted that the report regarding the Disclosure of Fraudulent and Corrupt Activities in respect of the month of June 2017 indicated that there were no fraudulent and corrupt activities during the month of June 2017.

EDF (CFO)

1ST ADDENDUM**ITEM A 3****EC3/07/2017****PROGRESS REPORT 9 DECEMBER 2012 STORM DAMAGE PROJECT
(DEPARTMENT DEVELOPMENT, PLANNING AND HUMAN SETTLEMENTS:
HUMAN SETTLEMENTS SECTION)****ITEM A 3 OF 20/07/2017 RESOLVED TO RECOMMEND**

That the contents of the progress report in respect of the 9 December 2012 Storm Damage Project as contained in the agenda be noted.

EDDPHS**ITEM A 4****EC4/07/2017****CLOSE-OUT RISK MANAGEMENT REPORT: 2016/2017 FINANCIAL YEAR
(OFFICE OF THE MUNICIPAL MANAGER - INTERNAL AUDIT & RISK
SECTION)****ITEM A 4 OF 20/07/2017 RESOLVED TO RECOMMEND**

That the contents of the 4th quarter Close-Out Risk Management Report in respect of the 2016/2017 Financial Year as contained in the agenda be noted.

MM**ITEM A 5****EC5/07/2017****DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL
AFFAIRS: PROVISION OF INFORMATION FOR THE BACK-TO-BASICS
INFORMATION SYSTEM: MONTHLY INDICATORS REPORT FOR JUNE 2017
(DEPARTMENT CORPORATE SERVICES)****ITEM A 5 OF 20/07/2017 RESOLVED TO RECOMMEND**

That the contents of the Back-to-Basics Report for the month of June 2017 submitted to the Department of Co-operative Governance and Traditional Affairs (COGTA) as contained in the agenda be noted.

AEDCS

8.2 B – ITEMS - Recommendations considered by EXCO and referred to Council

ITEM B 1

EC6/07/2017

**CONSOLIDATED PROCUREMENT PLAN FOR THE PROCUREMENT OF ALL GOODS, SERVICES AND INFRASTRUCTURE PROJECTS FOR THE ALFRED DUMA LOCAL MUNICIPALITY: 2017/2018 FINANCIAL YEAR
(DEPARTMENT OF FINANCE - SUPPLY CHAIN MANAGEMENT)**

ITEM B 1 OF 20/07/2017 RESOLVED TO RECOMMEND

1. That expenditure be incurred by each department in accordance with the 2017/2018 Consolidated Procurement Plan, taking into consideration the cash flow projections given to each department by the Department of Finance.
2. That the Consolidated Procurement Plan for the procurement of Goods, Services and Infrastructure Projects for the Alfred Duma Local Municipality in respect of the 2017/2018 Financial Year be supported and be submitted to Council for adoption.
3. That an item be submitted to all Portfolio Committees regarding services that would be done in-house versus services that would be outsourced to External Service Providers.

EDF (CFO)

EXECUTIVE DIRECTORS

Moved by: Councillor L S Madinane

Seconded by: Councillor A Mchunu

ITEM B 2

EC7/07/2017

**REVIEW : LOCAL ECONOMIC DEVELOPMENT (LED) INVESTMENT INCENTIVE POLICY – ALFRED DUMA LOCAL MUNICIPALITY : 2017/2018
(DEPARTMENT DEVELOPMENT, PLANNING AND HUMAN SETTLEMENTS: LED SECTION)**

ITEM B 2 OF 20/07/2017 RESOLVED TO RECOMMEND

That the 2017/2018 Reviewed Local Economic Development Investment Incentive Policy be supported and be submitted to Council for adoption.

Moved by: Councillor S Z P Msibi

Seconded by: Councillor A Mchunu

ITEM B 3**EC8/07/2017**

**REVIEW: INFORMATION AND COMMUNICATION TECHNOLOGY POLICY
2017/2018 FINANCIAL YEAR: ALFRED DUMA LOCAL MUNICIPALITY
(DEPARTMENT: CORPORATE SERVICES – INFORMATION TECHNOLOGY
SECTION)**

ITEM B 3 OF 20/07/2017 RESOLVED TO RECOMMEND

That the Reviewed Information and Communication Technology Policy in respect of the 2017/2018 Financial Year as contained in the agenda be supported and be submitted to Council for adoption.

EDCS

Moved by: Councillor A N Khanyile

Seconded by: Councillor L S Madinane

ITEM B 4**EC9/07/2017**

**ORGANISATIONAL RISK REGISTER – 2017/2018 FINANCIAL YEAR
(OFFICE OF THE MUNICIPAL MANAGER – INTERNAL AUDIT AND RISK
SECTION)**

ITEM B 4 OF 20/07/2017 RESOLVED TO RECOMMEND

That the contents of the Organisational Risk Register in respect of the 2017/2018 Financial Year for the Alfred Duma Local Municipality be supported and be submitted to Council for adoption.

MM

Moved by: Councillor L S Madinane

Seconded by: Councillor A Mchunu

ITEM B 5**EC10/07/2017**

**APPROVAL OF APPLICATION FORMS : STANDING ORDERS FOR COUNCIL
AND ITS COMMITTEES:**

1. REQUEST FOR DEPUTATIONS
2. NOTICE OF MOTION
3. NOTICE OF QUESTIONS

(DEPARTMENT CORPORATE SERVICES – ADMINISTRATION SECTION)

ITEM B 5 OF 20/07/2017 RESOLVED TO RECOMMEND

1. That the following application forms as attached to the agenda be approved and be utilised by all Councillors for submission of:

- 1.1 Request for Deputations
- 1.2 Notice of Motion
- 1.3 Notice of Questions

2. That Councillors be workshopped on the content and use of the forms approved in paragraph (1) above

3. That the forms in paragraph (1) be forwarded to all councillors.

AEDCS

Moved by: Councillor A N Khanyile
 Seconded by: Councillor L S Madinane

ITEM B 6

EC11/07/2017

**REQUEST TO COUNCIL FOR THE IMPLEMENTATION OF INFRASTRUCTURE
 SKILLS DEVELOPMENT GRANT AT ALFRED DUMA LOCAL MUNICIPALITY
 (DEPARTMENT CORPORATE SERVICES – TRAINING SECTION)**

ITEM B 6 OF 20/07/2017 RESOLVED TO RECOMMEND

1. That Council in principle approves the participation of the Municipality in the Infrastructure Skills Development Grant (ISDG) Programme.
2. That the Executive Director Corporate Services compiles and submits a business plan for submission to National Treasury by not later than **Friday, 11 August 2017**.
3. That Management, comprising of the Municipal Manager, Executive Director Public Works and Basic Services and the Acting Executive Director Corporate Services do present the business plan to National Treasury.
4. That Management ensures that agreement is reached with the Business Community regarding Mentorship Agreements.
4. That the Municipal Manager be delegated to sign the Service Level Agreement (SLA) between the Alfred Duma Local Municipality and National Treasury.
5. That the Acting Executive Director Corporate Services investigates the possibility of including legal students on this grant.

EDCS

Moved by: Councillor A N Khanyile
 Seconded by: Councillor S Simelane

// Councillor A N Khanyile left the meeting at 10:53 with permission. //

// Councillor A N Khanyile re-joined the meeting at 10:54. //

ITEM B 7**EC12/07/2017****PLANNING AND SERVICING OF LAND FOR INCREMENTAL HOUSING
(DEPARTMENT DEVELOPMENT, PLANNING AND HUMAN SETTLEMENTS:
HUMAN SETTLEMENTS SECTION)****ITEM B 7 OF 20/07/2017 RESOLVED TO RECOMMEND**

1. That Council confirms that the Department of Human Settlements be authorised to commence with the prefeasibility studies of the following areas, utilising the services of the Housing Development Agency (HDA):

PROJECT	POTENTIAL UNITS
Dunlop	1000
Various Erven in Ezakheni, Ladysmith, Steadville and Colenso	500
Rem of 1 Ladysmith	500
Acaciavale Erf 8762	50
Ntombi's Camp (Public works land)	50

2. That the Department of Human Settlements be advised that once the HDA has been finalised, the purchase of the following properties would be submitted to them for funding:

Eastgate Development	800
Farm Dansekraal 1020 portion 246	500

3. That the abovementioned areas be utilised to provide housing opportunities to the following potential beneficiaries:

- 3.1 Persons earning between R7 001.00 to R15 000.00 to secure bonds or personal loans,
- 3.2 Provide sites on an incremental basis to assist persons affected by disasters,
- 3.3 Child headed families,
- 3.4 Single parents,
- 3.5 MKVA,
- 3.6 That RDP housing be included
- 3.7 Persons wishing to build their own houses.

AEDDPHS

Moved by: Councillor A Mchunu

Seconded by: Councillor S Z P Msibi

ITEM B 8**EC13/07/2017****RENTAL HOUSING TRIBUNAL COMMITTEE****(DEPARTMENT DEVELOPMENT, PLANNING AND HUMAN SETTLEMENTS:
HUMAN SETTLEMENTS SECTION)****ITEM B 8 OF 20/07/2017 RESOLVED TO RECOMMEND**

1. That Councillors be workshopped in respect of the Rental Housing Tribunal Committee that has been established.
2. That a Helpdesk be established to facilitate the process of receiving complaints from the general public in respect of rental issues.
3. That the Outreach Programmes in respect of the Rental Tribunal Act for Landlords and Lessees, be facilitated between the Alfred Duma Local Municipality and the Department of Human Settlements.

AEDDPHS

Moved by : Councillor S Z P Msibi
 Seconded by : Councillor L S Madinane

ITEM B 9**EC14/07/2017****DRAFT POLICY FOR THE PREVENTION OF LAND INVASION AND ILLEGAL
OCCUPATION: 2017/2018 FINANCIAL YEAR****(DEPARTMENT DEVELOPMENT, PLANNING AND HUMAN SETTLEMENTS:
HUMAN SETTLEMENTS SECTION)****ITEM B 9 OF 20/07/2017 RESOLVED TO RECOMMEND**

1. That the Draft Policy for the Prevention of Land Invasion and Illegal Occupation in respect of the 2017/2018 Financial Year be supported and be submitted to Council for adoption.
2. That the Draft Policy for the Prevention of Land Invasion and Illegal Occupation be implemented in line with the Prevention of Illegal Eviction from the Unlawful Occupation of Land Act 1968.
3. That Chapter 2 of the Bill of Rights (Section 26)(1)(2)(3) as contained in the Constitution of South Africa as well as the Provisions of Land and Assistance Act No 126 of 1993 be included in the Legislative Framework of the Draft of the Prevention of Land Invasion and Illegal Occupation Policy.

AEDDP&HS

Moved by: Councillor S Z P Msibi
 Seconded by: Councillor A N Khanyile

ITEM B 10**EC15/07/2017****DRAFT EMERGENCY HOUSING POLICY : 2017/2018 FINANCIAL YEAR
(DEPARTMENT DEVELOPMENT, PLANNING AND HUMAN SETTLEMENTS:
HUMAN SETTLEMENTS SECTION)****ITEM B 10 OF 20/07/2017 RESOLVED TO RECOMMEND**

That the Draft Emergency Housing Policy in respect of the 2017/2018 Financial Year be supported and be submitted to Council for adoption.

AEDDPHS

Moved by: Councillor A S D Warasally

Seconded by: Councillor S Z P Msibi

ITEM B 11**EC16/07/2017****DRAFT MISSING AND DECEASED BENEFICIARIES POLICY: 2017/2018
(DEPARTMENT DEVELOPMENT, PLANNING AND HUMAN SETTLEMENTS:
HUMAN SETTLEMENTS SECTION)****ITEM B 11 OF 20/07/2017 RESOLVED TO RECOMMEND**

That the Draft 2017/2018 Missing and Deceased Beneficiaries Policy be supported and be submitted to Council for adoption.

AEDDPHS

Moved by: Councillor A S D Warasally

Seconded by: Councillor S Z P Msibi

ITEM B 12**EC17/07/2017****FORMALIZATION OF OCCUPATION HOUSES PRE 1994 AND POST 1994
(DEPARTMENT DEVELOPMENT, PLANNING AND HUMAN SETTLEMENTS –
HUMAN SETTLEMENTS SECTION)****ITEM B 12 OF 20/07/2017 RESOLVED TO RECOMMEND**

1. That an advertisement be placed in the media and at strategic places calling for the original beneficiaries to avail themselves.
2. That lease agreements be entered into with the current occupants, clearly stating that should the original owners avail themselves that they would be required to vacate the properties.
3. That in instances where there was no title deed and the occupant was living in the house over a long period of time and the owners did not avail themselves, that these houses be allocated to the occupants.
4. That an application be submitted to the Department of Human Settlements for funding for the rectification of title deeds, which were erroneously, transferred into the names of illegal occupants or aliens, who in many instances could not be located.

5. That should the Department of Human Settlements not accede to Councils request for funding, then Council make funding available for vulnerable and unemployed persons, to effect transfers at their own cost.
6. That Council considers the expropriation of the affected properties or consider the sale in execution route.
7. That the Acting Executive Director Development, Planning and Human Settlements engages with the Department of Justice to assist the community with letters of authority.
8. That it be noted that the above issues were affecting the progress of the Enhanced Extended Discount Benefit Scheme.
9. That the Missing Beneficiary Policy attached to the agenda, be supported and be submitted to Council for adoption.

AEDDPHS

Moved by: Councillor A S D Warasally
 Seconded by: Councillor S Z P Msibi

ITEM B 13

EC18/07/2017

**APPLICATION FOR THE DONATION OF LAND FOR THE ESTABLISHMENT OF CARE CENTRES AND CRÈCHE
 (DEPARTMENT DEVELOPMENT, PLANNING AND HUMAN SETTLEMENTS)**

ITEM B 13 OF 20/07/2017 RESOLVED TO RECOMMEND

1. That Council takes a decision in terms of Section 14 (2) (a) of the Municipal Finance Management Act No 56 of 2003 that Erf 1136, Ezakheni, C Section, and Erf 7718, Ladysmith were not required to provide the minimum level of basic municipal services.
2. That Erf 1136, Ezakheni C Section in extent of 2215 m² be donated to the Isisekelo Somphakathi Organization Care Centre, and Portion of Erf 7718, Ladysmith Townlands be donated to the Asibuyenempilo Community Organisation, noting that the community value would be received with the donation of the assets in terms of Section 14 (2)(b) of the Municipal Finance Management Act No 56 of 2003.
3. That all procedures in terms of the Municipal Finance Management Act No 56 of 2003, Supply Chain Management Policy and Asset Transfer Regulations be complied with.
4. That Council authorises a public participation process, which entails advertising the intention as in Paragraph (2) above and obtaining the views from National and Provincial Treasury.
5. That the intention as in paragraph (2) above, be submitted to the Department of Co-operative Governance and Traditional Affairs for the Minister to note in terms of Notice No 1369 dated 17 August 2006.
6. That should no objections be received, the Municipal Manager be authorised to sign the donation agreements.

7. That it be noted that the land was to be donated voetstoots and that the respective donee would be responsible for the registration of the transfer of the land, installation and connection of services and all land formalities.
8. That the donations as in paragraph (2) above be subject to a reversionary clause, that should buildings not be erected within three (3) years from date of donation for the intended purpose, the land shall revert to the Alfred Duma Local Municipality at the cost of the donee.
9. That Portion of Erf 7718, Ladysmith Townlands be let to the Asibuyenempilo Community Organisation for a period not exceeding three (3) years at the rental as determined by the Valuations Manager, while the land formalities for the donation were being processed, noting that no permanent structures would be erected until the donation agreement had been finalised.
10. That the donations in paragraph (2) above further be subject to a clause being included in the Deed of Donation that donated land may not be transferred from the donee to any other person/company/organization at any time in future.

AEDDPHS

Moved by: Councillor A S D Warasally
 Seconded by: Councillor S Z P Msibi

ITEM B 14**EC19/07/2017**

**WRITE-OFF OF BAD DEBT UP TO JUNE 2014 UP TO R500-00
 (DEPARTMENT OF FINANCE – COLLECTION UNIT)**

ITEM B 14 OF 20/07/2017 RESOLVED TO RECOMMEND

That it be noted that the Municipal Manager would be writing-off the amount of R5 797 834.57 comprising of bad debt up to June 2014 up to R500.00.

EDF (CFO)

Moved by: Councillor A N Khanyile
 Seconded by: Councillor A Mchunu

1ST ADDENDUM**ITEM B 15****EC20/07/2017**

**DRAFT HOUSING ALLOCATION POLICY 2017/2018 FINANCIAL YEAR
 (DEPARTMENT DEVELOPMENT, PLANNING AND HUMAN SETTLEMENTS –
 HUMAN SETTLEMENTS)**

ITEM B 15 OF 20/07/2017 RESOLVED TO RECOMMEND

1. That the Draft 2017/2018 Housing Allocation Policy be supported and be submitted to Council for adoption.
2. That the 2017/2018 Housing Allocation Policy be implemented in line with other policies as determined by the Department of Human Settlements.

EDDPHS

Moved by: Councillor A Mchunu
 Seconded by: Councillor S Z P Msibi

ITEM B 16**EC21/07/2017**

GRANT FUNDING FOR THE DEVELOPMENT OF THE LONG TERM STRATEGY TO GUIDE THE IMPLEMENTATION REVIEW OF THE 4TH GENERATION IDP GRANT FROM DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS (OFFICE OF THE MUNICIPAL MANAGER)

ITEM B 16 OF 20/07/2017 RESOLVED TO RECOMMEND

1. That Council resolution LC8/04/2017 be rescinded.
2. That the Development of the Long Term Strategy Grant received from the Department of Co-Operative Governance and Traditional Affairs (COGTA) in the amount of R1 100 000.00 to guide the implementation and review of the 4th Generation Integrated Development Plan be accepted.
3. That the Municipal Manager be authorized to sign all documents/agreements on behalf of the Alfred Duma Local Municipality regarding the Long Term Strategy Grant.

EDDPHS

Moved by: Councillor L S Madinane

Seconded by: Councillor A Mchunu

8.3 C – ITEMS - *Recommendations finalised by EXCO under delegated powers*
NIL

8.4 D – ITEMS - *Reports*

ITEM D 1**EC22/07/2017**

**PROGRESS REPORT : STANDING RULES AND ORDERS FOR THE COUNCIL AND ITS COMMITTEES
 (DEPARTMENT CORPORATE SERVICES – LEGAL SECTION)**

ITEM D 1 OF 20/07/2017 RESOLVED TO RECOMMEND

That the contents of the Progress Report in respect of the Standing Rules and Orders for the Council and its committees as contained in the agenda be noted.

AEDCS

ITEM D 2**EC23/07/2017****REPORT: INTERNAL AUDIT ACTIVITIES FOR THE MONTH OF JUNE 2017
(OFFICE OF THE MUNICIPAL MANAGER – INTERNAL AUDIT SECTION)****ITEM D 2****OF 20/07/2017****RESOLVED TO RECOMMEND**

That the contents of the Report in respect of the Internal Audit Activities for the month of June 2017 as contained in the agenda be noted.

MM**ITEM D 3****EC24/07/2017****EXCO ACTION LIST: AUGUST 2016 TO JUNE 2017****(DEPARTMENT CORPORATE SERVICE - ADMINISTRATION)****ITEM D 3****OF 20/07/2017****RESOLVED TO RECOMMEND**

That the contents of the updated EXCO Action List for the period August 2016 to June 2017 as contained in the Agenda be noted.

AEDCS**ITEM D 4****EC25/07/2017****COUNCIL ACTION LIST: AUGUST 2016 TO JUNE 2017****(DEPARTMENT CORPORATE SERVICE: ADMINISTRATION)****ITEM D 4****OF 20/07/2017****RESOLVED TO RECOMMEND**

That the contents of the updated Council Action List for the period August 2016 to June 2017 as contained in the Agenda be noted.

AEDCS**ITEM D 5****EC26/07/2017****QUARTERLY REPORT ON WITHDRAWALS IN TERMS OF THE MUNICIPAL
FINANCE MANAGEMENT ACT NO. 56 OF 2003 FOR THE FOURTH QUARTER****(APRIL 2017 TO JUNE 2017) – 2016/2017 FINANCIAL YEAR****(DEPARTMENT CORPORATE SERVICE: ADMINISTRATION)****ITEM D 5****OF 20/07/2017****RESOLVED TO RECOMMEND**

That the contents of the 2016/2017 Fourth (4th) Quarterly Report regarding Withdrawals in terms of the Municipal Finance Management Act no. 56 of 2003 as contained in the agenda be noted.

EDF (CFO)

ITEM D 6**BUDGET STATEMENT: JUNE 2017****(DEPARTMENT OF FINANCE – MFMA BUDGET OFFICE)**

This item was withdrawn from this agenda

ITEM D 7**EC27/07/2017**

REPORT : EXTENSION OF CONTRACT BETWEEN THE ALFRED DUMA LOCAL MUNICIPALITY AND VARIOUS SERVICE PROVIDERS IN TERMS OF SECTION 116 OF THE MUNICIPAL FINANCE MANAGEMENT ACT 56 OF 2003 (DEPARTMENT CORPORATE SERVICES : LEGAL SECTION)

ITEM D 7 OF 20/07/2017 RESOLVED TO RECOMMEND

That Council notes the intention to amend the contracts in accordance with Section 116 of the Municipal Finance Management Act no 56 of 2003 between the Alfred Duma Local Municipality and the following Service Providers:

1. Messrs ZML Africa Project CC
2. BVI Consulting Engineers (Pty) Ltd
3. Messrs Morefortune VWP JV
4. Messrs ENE Consulting Solution
5. Igoda Project (Pty) Ltd
6. Messrs SPK Engineers CC

EDCS

Moved by: Councillor A N Khanyile

Seconded by: Councillor S Z P Msibi

2ND ADDENDUM**ITEM D 8****EC28/07/2017**

REPORT : FRUITLESS AND WASTEFUL EXPENDITURE, DEVIATIONS FROM THE SUPPLY CHAIN MANAGEMENT PROCESSES AND UNAUTHORISED AND IRREGULAR EXPENDITURE : JUNE 2017 IN ACCORDANCE WITH THE MUNICIPAL FINANCE MANAGEMENT ACT NO. 56 OF 2003 (MFMA) AND CIRCULAR NO.68 ISSUED BY NATIONAL TREASURY (DEPARTMENT OF FINANCE – SUPPLY CHAIN MANAGEMENT)

ITEM D 8 OF 20/07/2017 RESOLVED TO RECOMMEND

1. That the Fruitless and Wasteful Expenditure in the amount of **R516 265.59** for the month of **June 2017** in terms of Section 32(2)(b) of the Municipal Finance Management Act, No. 56 of 2003 be noted, further noting that the amount of **R516 265.59** has not been recovered.
2. That the Executive Director: Finance (CFO) improves the processes to ensure that fruitless and wasteful expenditure do not occur, especially in terms of late payments.

3. That the Executive Director: Finance (CFO) takes the necessary steps to recover the fruitless and wasteful expenditure in terms of Section 32(2)(b) of the Municipal Finance Management Act, No. 56 of 2003, which may include further investigation to be conducted if necessary.
4. That the Executive Director: Finance (CFO) ensures that disciplinary processes are being instituted against the employee/s responsible, should the result of the investigation in paragraph (3) above deem such action to be necessary, in order to recover any fruitless and wasteful expenditure that was incurred.
5. That the Supply Chain Management Deviations for the month of **June 2017** in the amount of **R15 807.86** be condoned by Council.
6. That the Unauthorised Expenditure in the amount of **R 2 569 943.42** for the month of **June 2017**, in terms of Section 32(3) of the Municipal Finance Management Act, No. 56 of 2003, which includes the amount of R498 894.61 Fruitless and Wasteful expenditure as reflected in Annexure A attached to the tabled item, be condoned by Council.
7. That it be noted that no irregular expenditure was incurred during the month of **June 2017**.
8. That the Executive Director Finance (CFO) makes application to both the Department of Co-operative Governance and Traditional Affairs and National Treasury to assist the Alfred Duma Local Municipality with all the finalised as well as pending court cases regarding the former Indaka Local Municipality.

EDF (CFO)

Moved by: Councillor L S Madinane
 Seconded by: Councillor S Z P Msibi

8.5 **E – ITEMS - Confidential Items – Recommendations considered by EXCO and referred to Council**

//Councillor S Simelane left the meeting at 11: 28 with permission//

The Acting Executive Director Corporate Services and the Executive Director Finance excused themselves during the discussion of this item

ITEM E 1

EC29/07/2017

**EXTENSION OF CONTRACT OF EMPLOYMENT FOR SECTION 56 SENIOR MANAGERS
(DEPARTMENT CORPORATE SERVICES – HUMAN RESOURCE SECTION)**

ITEM E 1 OF 20/07/2017 RESOLVED TO RECOMMEND

1. That Council approves the extension of contracts in respect of the Executive Director Finance, Executive Director Corporate Services, Executive Director Community Services and Executive Director Development, Planning and Human Settlements for a period not exceeding three (3) months from the date of termination of their existing contracts.
2. That Council approves the advertisement of the Executive Director Community and Social Services position.
3. That Council approves the advertisement of the Executive Director Public Safety and Emergency Services position.

EDCS

Moved by: Councillor A Mchunu

Seconded by: Councillor L S Madinane

//Councillor S Simelane re-joined the meeting at 11:30//

3RD ADDENDUM

ITEM E 2

EC30/07/2017

**DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS (COGTA): CIRCULAR NO. 15 OF 2017 – EMPLOYMENT CONTRACTS : MUNICIPAL MANAGERS IN TERMS OF LOCAL GOVERNMENT MUNICIPAL SYSTEMS ACT NO. 32 OF 2000
(DEPARTMENT CORPORATE SERVICES)**

ITEM E 2 OF 20/07/2017 RESOLVED TO RECOMMEND

That the contents of the Circular no. 15 of 2017, received from the Department of Co-operative Governance and Traditional Affairs (COGTA) dated 12 July 2017 in respect of the processes to be followed in compiling Employment Contracts for newly appointed Municipal Managers as contained in the agenda be noted.

EDCS

8.6 F – ITEMS - Confidential Items finalised by EXCO under delegated powers
NIL

8.7 G – ITEMS - Confidential Reports
NIL

9. CONFIRMATION OF MINUTES 20 JULY 2017

Councillor A S D Warasally moved, seconded by Councillor L S Madinane that the minutes of this meeting be taken as read and be confirmed as correct.

RESOLVED

That the minutes of this meeting be taken as read and be confirmed as correct.

The meeting terminated at 11:35.



DEPUTY MAYOR



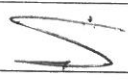



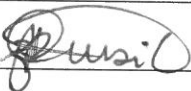
ALFRED DUMA LOCAL MUNICIPALITY


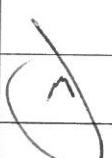
MEETING: ...EXCO

VENUE: ...COUNCIL CHAMBER

DATE: ...20 JULY 2017

NAME	POLITICAL PARTY	SIGNATURE	TIME	COMMENTS
BHOOBUN L (MS)	(IFP)			
BUYS S A (MS)	(DA 12)			
DLAMINI T P	(IFP)			
DLUNGWANE S B	(ANC 2)			
DUBAZANE T A	(ANC 23)			
GAMEDE T P (MS)	(ANC)			
GWALA T P	(ANC 30)			
HADEBE T (MS)	(ANC 25)		10h00	
HLATSHWAYO N H (MS)	(ANC)			
HLOMUKA W T	(ANC 16)			
HLUBI G	(ANC 9)			
KHANYILE A N (MS)	(ANC)		10h00	
KHOZA M M	(IFP)			
KHULU S I	(ANC 31)			
KHUMALO T P	(IFP)			
KUBHEKA L B M (MS)	(ANC)			
KUBHEKA S	(ANC 14)			
KUBHEKA S E (MS)	(ANC 11)			
KUNENE L K (MS)	(IFP)			
MADINANE L S	(ANC 7)		10h00	
MADLALA M V	(ANC)			
MADONDO Z I	(IFP)			LOA written
MAGASELA J M	(ANC 27)			

MAJOLA B C	(IFP 28)			
MAPHALALA N R (MS)	(IFP)			
MAZIBUKO D M	(ANC 15)			
MAZIBUKO P N (MS)	(EFF)			
MBATHA M E	(ANC 33)			
MBATHA M P B (MS)	(ANC 21)			
MBATHA N T A	(ANC 10)			
MBHELE M B	(ANC 32)			
MBHENSE M N (MS)	(ANC)			
MCHUNU A	(ANC)		10:00	
MCHUNU M S	(ANC 8)			
MCHUNU N B	(ANC)			
MCHUNU T P (MS)	(ANC 5)			
MFUSI S R (MS)	(ANC)			
MHLONGO X F (MS)	(IFP)			
MLOTSHWA M N (MS)	(ANC)			
MSIBI K L	(DA)			
MSIBI S Z P (MS)	(ANC)		09:30	
MTHETHWA E N M (NPA)	(NPA)			
MURUGAN V	(DA)			
MYENDE Z E	(ANC 22)			
NDAMANE M W	(ANC 27)			
NGUBANE T W	(ANC 13)			
NJAPHA T B	(ANC)			
NJOKO T P	(ANC 20)			
NKABINDE E V	(ANC 34)			
NKABINDE M P	(ANC 35)			
NKOSI L	(EFF)			
NKOSI M M	(EFF)			
NSUNTSHA Z P (MS)	(IFP)			

NXUMALO O S (MS)	(ANC 24)			
QWABE L	(IFP)			
RADEBE D J	(ANC 3)			
RADEBE S S	(ANC 18)			
SHANGE M H	(EFF)			
SIBISI N T V (MS)	(IFP)			
SIBISI S Z	(NADECO)			
SIMELANE S	(IFP 36)		10:08	
SITHOLE S S J	(IFP 29)			
SITHOLE F P	(IFP)			
SOKHELA S D	(ANC 19)			
SUDDABY M R	(DA)			LOA written
THWALA N H (MS)	(ANC 4)			
VILAKAZI N E (MS)	(ANC 6)			
VILAKAZI S D	(ANC 1)			
WARASALLY A S D	(IFP)		10:05	
XABA T (MS)	(ANC 17)			
ZIKALALA N L (MS)	(ANC)			
ZWANE N I (MS)	(ANC)			

AYANDA JAMES

From: SORIKA MASSYN
Sent: 19 July 2017 04:11 PM
To: NOKUTHULA MADLALA
Cc: Mayiboyi Madlala; SIBUSISIWE NGIBA; PAMELLA MNTAKA; KOB GROBLER; KARISHMA RAMSAROOP; Michael Suddaby; AYANDA JAMES; Buyisile Zuma; COMMITTEE CLERK1; COMMITTEE CLERK2; COMMITTEE CLERK3; COMMITTEE CLERK4; LUNGILE MCHUNU; NOMPUMELELO MTSHALI; NOMUSA SOKHELA; Sbonakaliso Buthelezi
Subject: FW: LEAVE OF ABSENCE: EXCO MEETING: 20 JULY 2017

Good day Nokuthula

Please see Councillor Suddaby's email below.

Kind regards

Sorika Massyn
Assistant Manager Administration
Department Corporate Services - Administration
ALFRED DUMA LOCAL MUNICIPALITY
Cell. 083 632 7079
Tel. 036-637 2231 - ext 1063
Fax 036-631 1400
www.ladysmith.co.za



From: Trenchgula Guest Lodge [mailto:trenchgula@mweb.co.za]
Sent: Wednesday, July 19, 2017 4:08 PM
To: KOB GROBLER <jhgrobler@alfredduma.gov.za>
Cc: SORIKA MASSYN <SHMASSYN@alfredduma.gov.za>
Subject: LEAVE OF ABSENCE: EXCO MEETING: 20 JULY 2017

Dear Koba,

Please pass on my apologies for the above meeting as I have to attend an urgent meeting of the party tomorrow 20th July 2017.

Kind regards,

Cllr Mike Suddaby
DA Caucus Leader
Alfred Duma Local Municipality
Councillor
Uthukela District Municipality
Tel: 036 637 2700



ALFRED DUMA LOCAL MUNICIPALITY
OFFICE OF THE MUNICIPAL MANAGER
MAYOR'S OFFICE

Please ask for:mvmadlala/nm

My Ref

Your Ref.



29 Ladysmith 3370

(036) 637 2231



Fax. (036) 631 1400

Email:NGMADLALA@alfredduma.gov.za

Website: www.ladysmith.co.za

18 July 2017

Sir /Madam

APPLICATION FOR LEAVE OF ABSENCE FROM EXECUTIVE COMMITTEE MEETING: 20 JULY 2017.

I, Councillor M V Madlala hereby request an apology from EXCO Meeting to be held on the 20 July 2017 for the following reason:

I have family commitments to attend to which are urgent and cannot be left to anyone else.

Yours faithfully

CLLR. M V MADLALA
MAYOR

20 July 2017

The Chairperson
EXCO

APOLOGY FOR EXCO MEETING– 20 JULY 2017

I hereby tender my apology that I will not be attending the above Exco meeting as I am attending another meeting

Hope this is in order.

Kind Regards



MR B J XABA
MANAGER: MAYORAL SERVICES



ALFRED DUMA LOCAL MUNICIPALITY

MEETING : EXCO

VENUE : COUNCIL CHAMBER

DATE : 20 JULY 2017

TRADITIONAL LEADERS

NAME	DESIGNATION	SIGNATURE
KHUMALO T R	TRADITIONAL LEADER	
KUNENE S S	TRADITIONAL LEADER	
MBHENSE F V	TRADITIONAL LEADER	
MCHUNU S A	TRADITIONAL LEADER	
NKOS M A J	TRADITIONAL LEADER	
NXUMALO M M	TRADITIONAL LEADER	
RADEBE M A	TRADITIONAL LEADER	
SHABALALA N B	TRADITIONAL LEADER	
SITHOLE N S	TRADITIONAL LEADER	
ZWANE C N	TRADITIONAL LEADER	



ALFRED DUMA LOCAL MUNICIPALITY

MEETING : EXCO

VENUE : COUNCIL CHAMBER

DATE : 20 JULY 2017

HEADS OF DEPARTMENTS	TIME FROM	WORKED TO	SIGNATURE
Acting Municipal Manager (MS S S NGIBA)			LOA
Executive Director: Community Services (P B B SIMELANE)			LOA
Acting Executive Director Corporate Services (MRS P S MNTAKA)			<i>[Signature]</i>
Acting Executive Director: Development, Planning & HS (M G ZONDO)			<i>[Signature]</i>
Executive Director Finance (M HLOBA)			<i>[Signature]</i>
Executive Director: Public Works & Basic Services (S HLATSHWAYO)			<i>[Signature]</i>
Manager Valuations (E GANJA)			
Director Finance (R JHETAM)			<i>[Signature]</i>
Director Corporate Services (O MNGUNI)			
Manager Public Safety (M SEWPARSAD)			
Manager Legal (D M FOURIE)			<i>[Signature]</i>
Manager Information Technology (D M FOURIE)			<i>[Signature]</i>
Manager: Development, Planning and Tourism (T B XABA)			<i>[Signature]</i>
Acting Manager IDP/PMS & Research (J W B Mthethwa)			
Manager: Internal Audit (MS S MAHARAJ)			<i>[Signature]</i>
Manager Communications (S MAPHALALA)			<i>[Signature]</i>
Manager Corporate Services (S D HLOPHE)			LOA
Manager Engineering Services (N A SHABALALA)			
Assistant Manager: Performance Management (N D MWAMBA)			
Manager: DPH&S			
Manager Mayoral Office (B J XABA)			LOA
Acting Manager: Administration & Records (MS S MASSYN)			<i>[Signature]</i>
Assistant Manager: EES (P D RAMSUNDAR)			<i>[Signature]</i>
Chief Town Planner (K K HLELA)			<i>[Signature]</i>
Senior Administration Officer (N SOKHELA)			
Manager IDP (Z XABA)			<i>[Signature]</i>

[illegible]