

ENDUMENI MUNICIPALITY

MINUTES of an **ORDINARY MONTHLY MEETING** of the **ENDUMENI TOWN COUNCIL** held on **TUESDAY, 08 DECEMBER 2015** at **15:00** in the **COUNCIL CHAMBER, CIVIC CENTRE, 64 VICTORIA STREET, DUNDEE**

PRESENT:

Councillors:

Cllr S B Mdluli	Speaker - Chairperson
Cllr E M Adam	
Cllr S W Dhlamini	
Cllr T M Mahaye	Mayor
Cllr Ms W N Mbatha-Makhathini	
Cllr S R Mbatha	
Cllr Ms L P Mbhele	
Cllr D P Ncala	
Cllr A M Raubenheimer	(left at 16:25)

In Attendance:

Mr. T Makhoba	Acting Municipal Manager
Mr. M Hlengani	Executive Manager Corporate Services
Mr. T Qwabe	Manager Legal
Mr. D Padayachee	Senior Manager Corporate Services
Ms Z S Z Mkhize	Acting Manager Administration
Ms G Sikhakhane	Committee Officer



C 01/12/2015

Opening

Cllr S W Dhlamini opened the meeting with prayer.



C 02/12/2015

Applications for Leave of Absence

RESOLVED

THAT apologies received from Cllr Ms T I Makaba (sick leave), Cllr J A Mfeka (sick) and Mrs. C B Mkhize (meeting in Durban) be noted.



C 03/12/2015

Credibility and Reliability of Information

Confirmed



C 04/12/2015

Official Announcements by Speaker/Chairperson/Municipal Manager

The Mayor, Cllr T M Mahaye, addressed the meeting saying that there are business people from Pietermaritzburg who are coming to meet with women at Moth hall, Councillors are invited. He went on to say that on 13 December 2015 all churches will be gathered in Sithembile for a prayer as there is so much evil happening in our community. On 26 December 2015 there will be a soccer tournament.



C 05/12/2015

Confirmation of Minutes

RESOLVED

THAT the minutes of the following meetings of Council be approved:

Ordinary Monthly Meeting: 24 November 2015



C 06/12/2015

Questions Of Which Notice Has Been Given

There is a questionnaire from the IFP Councillors, the response was circulated to Councillors during the meeting.



C 07/12/2015

Reports Of The Executive Committee To The Council

RESOLVED

THAT the following reports of the Executive Committee to the Council be noted:

Ordinary Meeting: 08 December 2015



C 08/12/2015

Petitions

Nil



C 09/12/2015

Motions

Nil



C 10/12/2015

Presentations

Nil



Part A
MATTERS FOR
INFORMATION ONLY

A 01/08/12/15

REPORT OF THE AUDIT AND PERFORMANCE COMMITTEE
TO THE COUNCIL OF ENDUMENI MUNICIPALITY FOR THE
FIRST QUARTER OF THE 2015/16 FINANCIAL YEAR

(5/6/4)

RESOLVED

THAT the Audit and Performance Audit Committee report for the first quarter be noted.



Part C
MATTERS TO BE REFERRED
TO COUNCIL
FOR CONSIDERATION

C 01/08/12/15

ERF 442 – SIBONGILE

(5/3/3)

RESOLVED

THAT

1. The matter be deferred to the Legal Department for advice so that Council can make an informed decision;
2. The matter be brought back in the next meeting.



C 02/08/12/15

ERF 1326 SIBONGILE

(5/3/3)

RESOLVED

THAT

1. Mr. Xaba be substituted as the purchaser of Erf 1326 Sibongile;
2. Mr. Xaba pays his own costs for the transfer;
3. The selling price of the property for vat purposes be based on the current rates.



C 03/08/12/15

FESTIVE SEASONS JOINT OPERATION PLAN (ENDUMENI SEFETY AND SECURITY, SAPS AND RTI DECEMBER 2016 TO JANUARY 2016

(7/1/1/5)

RESOLVED

THAT

1. The Council to note the Endumeni Municipality Draft Summer Holidays Operational Order and allow the requests of funding it from the Business

Sector through the official letter head of the Municipality duly signed by the Mayor;

2. A detailed report be brought to Council immediately after the operation with details of who contributed what.



C 04/08/12/15

**APPLICATION FOR CONSENT TO LAY WATER PIPELINE
OVER MUNICIPAL LAND BEING THE REMAINDER OF ERF
1503 DUNDEE: ORANGE GROVE DAIRY (PTY) LTD**

(7/1/4/1)

RESOLVED

THAT

1. The application from Orange Grove Dairy to utilise Council land known as the Remainder of Erf 1503 Dundee to lay an underground water pipe line from a private borehole to the Glencoe pump station, as indicated on the sketch plan as attached to the agenda, be noted;
2. That permission be granted to the applicants for such project, subject to the following conditions:
 - That the entire project shall be undertaken at the sole cost and risk of the Orange Grove Dairy (Pty) Ltd;
 - That Orange Grove Dairy shall be liable for all liabilities, damages and claims arising from such undertakings, and indemnifies the Endumeni Municipality against all claims and liabilities arising there from;
 - That Orange Grove Dairy shall rehabilitate the land and clear the site of any rubble upon the completion of the project to the satisfaction of the Department Technical Services;
 - That Orange Grove Dairy shall maintain the underground water pipe line and the borehole in good condition, at its own cost.
 - That an agreement be entered into between Orange Grove Dairy and Endumeni Municipality, incorporating these conditions.



C 05/08/12/15

**APPOINTMENT OF THE ACTING EXECUTIVE MANAGER
TECHNICAL SERVICES DIRECTLY ACCOUNTABLE TO THE
MUNICIPAL MANAGER: DEPARTMENT – TECHNICAL
SERVICES** (4/3/2)

After lengthy discussions it was

RESOLVED

THAT

1. The Acting Municipal Manager, Mr. T Makhoba to engage with MISA on the submission of two names for the Acting appointment of Executive Manager Technical Services;
2. The Acting Municipal Manager, Mr. T Makhoba to oversee the department Technical Services with effect from 08 December 2015, until such time that an Acting Technical Services Manager is appointed.

C 06/08/12/15

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**TOTAL REMUNERATION PACKAGE, TO BE PAID TO MR
THANDAZANI MAKHOPA AS AN ACTING MUNICIPAL
MANAGER** (4/5/1)

This item was discussed In Committee; Mr. T Makhoba was recused from the meeting.

RESOLVED

THAT

1. Mr. M Makhoba be remunerated on the midpoint remuneration package which may with the MEC's concurrence be inclusive of 10% payment of scarce or rural skill as per paragraph 10 of the notice.

Factor	Amount in Rands 2013/2014	Number of Points	Endumeni Municipal Category	Total Remuneration Package of Municipal Managers		
				Minimum	Midpoint	Maximum
Total Municipal Income (Weight 60)	R164 907 930	36	02	R 835, 277	R 938, 513	R1, 041, 750
Total Salary and Wage Bill (Weight 25)	R69 481 246	16		+ 10% = R 983, 569	+ 10% = R 1,079, 289	+ 10% = R 1, 198, 012
Total Local Government Equitable Share(Weight 25)	R34 084 000	04				
Total Number of Points	56					

2. Mr. T Makhoba be compensated for the subsistence and travel to be incurred during the course and scope of his duties, in accordance to the relevant policy of the municipality and the payment of his accommodation costs which was initially applicable in the secondment of Adv Brijraj.



C 07/08/12/15

**EMBARKING ON A SECOND COHORT OF TRAINEES FOR
THE MUNICIPAL FINANCE MANAGEMENT PROGRAMME
(MFMP) 2016** (4/4/2)

RESOLVED

THAT

1. the Council, with due consideration of the programme being compulsory only to financial officials of the Municipality, to resolve on the maximum of five names of interested Councillors to be part of the above mentioned training programme;
2. Interested Councillors to submit their names to the Speakers Office.



C 08/08/12/15

**LATEST DEVELOPMENT ON THE MATTER OF THE
SUSPENDED MUNICIPAL MANAGER: MR. TP BIYELA
ENDUMENI MUNICIPALITY** (Confidential)

This item was discussed In Committee

RESOLVED

THAT

1. The Council to note that the employer evidence leader - Mr. Pieter Hobden have been instructed to continue with a disciplinary hearing against Mr. TP Biyela and an appointment with him for the 3rd December is secured to brief him on additional charges;
2. The Municipal's Attorneys – Acutts have been instructed to advise and assist with regard to the payment of costs ordered to be paid by Mr. TP Biyela for both dismissed application which includes costs of two counsels of the Municipality.



There being no further matters for consideration, the Chairperson declared the meeting closed at **17:20**

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CHAIRPERSON

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DATE