KANIFING MUNICIPAL COUNCIL

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GENERAL COUNCIL RESOLUTIONS OF 2021

Following the General Council meeting of 8th February 2021, and by the recommendation of members, the following resolutions were passed.

Resolution 01071/02/21 - Formation of Revenue Committee

Members having discussed the importance of coming up with policies to further boost the revenues of Council, And,

Having seen the need to come up with a better monitoring and planning mechanism to boost the revenue of Council.

And having passed a resolution to set up the committee on the 28th of December, 2021,

Hereby composed the Committee with the following Members of Council

1. Habib M.L Ceesay
2. Musa Cham
3. Lamin K Jammeh
4. Karamo Ceesay
5. Pa Lamin Gibba
6. Ansumana Bayo

Resolution 0108/02/21 - Bakoteh Dumpsite Manager

WHEREAS Members discussed the current situation of Bakoteh dumpsite and the effect it is having on the people who live near the site, And

WHEREAS members want to ensure the mitigation of such unfortunate incidents occurring in the future, hereby be it resolved that:

Kan Mustapha Kanjura Kanyi to be contracted with and explicit Terms of Reference (TOR) and posted to the dumpsite with immediate effect.

That Mr. Kanyi be paid eighty thousand Dalasis (80,000.00) on quarterly basis for a period of Year subject to renewal or otherwise.

Resolution 0109/02/21 - Amalgamation of Rates and Debt Units

Members having debated approved the amalgamation of the Rates and Debt Unit: Hereby resolve the following.

That the Rates Manager be the overall head of the Unit,
That the Debt Manager served as the Operation Manager
That all Debt Collectors to be referred to as Rates Collectors

Adopted this 8th day of February 2021 at the council Chambers.

Following the General Council meeting of 29th June,2021 and by the recommendations of members, the following resolutions were passed which i hereby bring to your attention.

Resolution 0110/06/21 - Replacement of Maria Dacosta as Committee Member

Members having been informed that Maria Dacosta, a member of the Establishment an Appointment have offered to decline her position in the Committee, And
Having seen the need to include the Director of Administration as Member in the Committee,
Resolved that the Director of Administration replace Maria Dacosta as Members in the Establishment and Appointment Committee

Resolution 0111/06/21 - Internet Facility for Ward Offices

Members in their quest to protect the properties of Council. And
Having informed that some secretaries and Councillors take the Office Router home for personal use,
Do you hereby resolve that the Internet facility is for Office use and must be left to always remain at the Office.

Resolution 0112/06/21 -Transfer of *Mballit* Project Management to Ecowtech

Members having discussed the need to improve on the Management structure and operations of the *Mballit* Project, And
Desiring to see an effective, efficient and robust revenue collection system,

Now be it resolved that the Management of the *Mballit* Project be outsourced to ECOWTECH for a two-year period. This outsourcing agreement shall remain within the stipulated timeframe pending the progress of the Project otherwise the council reserves the right to terminate the agreement at short notice.

Further, Members resolved that the Project Manager remains and shall work with ECOWTECH and provide information on the progress or otherwise to the CEO and the Committee on a weekly basis.

Adopted this Tuesday of 29th June, 2021 at the Council Chambers

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Following the General Council meeting of 26th July 2021, and by the recommendations of members, the following resolution was passed.

Resolution 0113/07/21 - Indefinite Leave and Withholding of Non Mandatory Allowances of the CEO and co-conspirators

WHEREAS members were presented with a case file of the Chief Executive Officer (CEO) Mrs.

Sainabou Martin Sonko in relation to abuse of Office, fraud and misconduct., And

WHEREAS Members were informed that the CEO presented an Institutional guarantee (referenced BEZ28/119/01 (26) and dated 11th June 2021) without the express consent of the Council through a resolution and prior consent of the minister as dictated by Law to AGIB Bank to acquire a loan facility of D12, 000, 000.00) for the Staff Welfare Association, And,

WHEREAS the said letter committed the Council to repay the loan if the Staff Welfare Association defaults as per the purchase of Land Advance Agreement tendered at the bank, And

WHEREAS the loan was purported to be used by the KMC STAFF WELFARE ASSOCIATION to purchase a land (dimension 100x100M) said to be situated in Brufut and owned by one Mariama Fanneh. And.

WHEREAS records have alleged that the land cost ten million, but the land titled, Capital. Valuation with Serial Registration NOS; K353/2016, K361/2016; K32/2016; K364/2016 prepared by AGBON & ASSOCIATES on 25th May, 2021.did state that Valuation was conducted based on the open Market Capital Value of the unexpired legal interest subsisting in the subject property “Rebus Sic Stantibus” is in the sum of seven million, five hundred thousand Dalasis. (D7, 500, 000.00). And

WHEREAS, the Forced sale value, for the unexpired legal interest subsisting in the subject property “Rebus sic Stantibus” is in the sum of four million, five hundred thousand Dalasis (D4, 500, 000.00), And

WHEREAS documents presented to the AGIB Bank proofs that names of thirty-four staff were listed as
beneficiaries as indicated in the letter captioned; Re-Sale of Contract of 2nd May, 2021 and dated 14th July 2021. Also, that the CEO in acquiring the loan facility presented to the bank these names of staff who were to be deducted monthly to repay the sum of D12, 000, 000.00. And,

WHEREAS thirty two out of the thirty-four staff listed in the sales of agreement contract were written to give their version in the allege fraudulent transaction. The remaining two could not be reached as they are no longer working for the Council. twenty-seven staff responded and the consensus was they were not only unaware of the loan facility but were surprised to see their names included in the loan facility which would have resulted in their salaries deducted without their consent, And,

WHEREAS the CEO forged a letter addressed to the Lord Mayor and copied the Clerk of Council.
This letter captioned; Guarantee (Purchase of Land Advance Agreement) – KMCSWA and dated 23rd June, 2021 again mentioned that the Council shall be financially responsible for the Welfare Association’s obligation if they fail to repay the loan. This letter was neither sent to the Lord Mayor’s Office nor was a copy issued to the Clerk’s Office. Records at the Admin Department have also shown that the letter never went through the filing system of the Council. And

WHEREAS this letter implicated the Director of Finance whose signature can be seen and that of the President of Staff Welfare and the Treasurer. And,

WHEREAS The statement of Accounts from AGIB Bank did show that indeed the loan was successfully processed, and withdrawals effected. The statement indicates that D12, 000, 000.00 was credited into the account of the Association on 2nd July 2021. An account transfer of D10, 000, 000.00 was later effected on 5th July 2021. And,

WHEREAS following Members discussed and agreed the intervention to freeze the accounts and instruct that the money be returned to the bank. (an amount of seven million, six hundred and fifty
thousand Dalasis (D7, 650, 000.00) was confirmed to have been credited to the account on 15th July, 2021. The bank Balance indicates a deficit of three million, three hundred and thirty-five thousand, five hundred and thirty nine Dalasis, sixty five butut. (D3, 335, 539.65) unaccounted for). And,

WHEREAS members discussed the CEO's apology letter captioned; "Corporate Guaranty in Favour of the Staff Welfare Association" and dated 15th July 2021 and also went through the Directors Meeting minutes convened on 12th July, 2021, in which her admission of guilt was Visible. And

WHEREAS the same minutes captured the version of the Director of Finance who also wrote an apology letter captioned; An apology for Negligence dated 12th July 2021. And,

WHEREAS Members discussed another land saga involving ALMOT ESTATE which the CEO gave directives for one hundred and eighty-six (186) staff said to be allocated plots of land to be deducted monthly. And

WHEREAS the CEO of Almot Real Estate recently wrote to the Mayor's Office complaining of a breach in the agreement. Additionally, the CEO, ALMOT Real Estate, in writing, alleged that the CEO solicited bribe in the tune of one million Dalasis (D1, 000, 000.00) from him and he has already given her thirty thousand Dalasis (D30, 000.00). And,

WHEREAS it was brought to the attention of Members that the Staff Welfare Association in 2018 were guaranteed by the Council to secure a loan of one million, two hundred thousand Dalasis (D1, 200, 000) from Trust Bank Ltd. And

WHEREAS the said loan was meant to buy rams and credit to staff which they defaulted and caused the bank to debit the Council Trust Bank account by D696, 609.77. The Finance Department in order to recover the money, were deducting the said amount from the staff welfare dues until the present CEO took Office and decided unilaterally to stop the deductions leaving a balance of D406, 163.16. And,

WHEREAS Section 14 (1) of the Finance and Audit, 2004 states that 'A Council may with prior approval of the minister raise funds for the discharge of its functions' And

WHEREAS Section 53 (3) of the Public Finance Act, 2014 states "Any issue of debt securities and any borrowing above the determined borrowing limit require the prior approval of the minister. And,

WHEREAS members were of the view that the Acts of the CEO and Co-conspirators violated Chapter ten (10), section 86 (a) 87, 89 and 90 (1) of the Criminal code. And,

Members, having been convinced that the CEO contravened the aforementioned sections by issuing an Institutional guarantee without prior consent of the Council through a resolution and a consent from the Minister of Local Government. And

Having noticed that the CEO's Office requires trust, integrity, and competence and since she has shown dishonesty and some of her actions seemed to be criminal and requires investigation, Now therefore, be it resolved that the Council can no longer entrust the CEO to lead this Council.

That a recommendation for termination of the CEO and Director of Finance with immediate effect be sent to the Local Government Service Commission and copy the Ministry,

That the CEO and co-conspirators (Bakary Jawo, Kaba Bass, Baboucar Sanyang) as well as the Director of Finance (Dr. Alieu Keita) proceed on immediate indefinite leave and all non-mandatory allowances to be seized.

That criminal investigation be opened against the aforementioned persons and the balance of the money replenished to the bank and appropriate action taken against those found wanting.
That the Office of the CEO be close immediately and all assets handed over to the Admin Department.

That the Deputy CEO and Deputy Director of Finance assume acting roles until further notice.

Resolution 0114/07/21 – Review of Ecowtech Contract

Members having seen the need to revisit the *Mballit* Project details again, hereby resolve that the ECOWTECH Contract be returned to the Contracts Committee and the Establishment and Appointment Committee for a joint review process with immediate effect.

Resolution 0115/07/21 – Election of Deputy Mayor

WHEREAS Members were informed that the Deputy Mayor resigned on personal grounds effective 23rd July 2021. And

WHEREAS members discussed and agreed to fill the void. And,

WHEREAS election was held between Councillor of Bakau New Town/Fajara Ward and Councillor for Bundung Six Junction ward. And, WHEREAS the Votes were tallied as follows:

1. Binta Janneh Jallow of Bakau New Town/Fajara – 10 votes
2. Sulayman Jammeh Bundung Six Junction – 5 votes
3. There were two councillors that abstained.

Now therefore, be it resolved that Binta Janneh Jallow, Councillor for Bakau New Town/Fajara Ward is duly elected as Deputy Mayor of Kanifing Municipality effective Monday 26th July, 2021.

Adopted this Monday of 26th July, .2021 at the Council Chambers

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Following the General Council meeting of 2nd August 2021, and by the recommendations of members, the following resolutions were passed which I hereby bring to your attention.

Resolution 0116/07/21 - Indefinite Leave and Withholding of Non Mandatory Allowances of the CEO and co-conspirators

WHEREAS members were informed that the Minister of Lands, Regional Government and Religious Affairs through a telephone call told the Lord Mayor that the Council overstepped its powers by sending the CEO and Co-conspirators on indefinite suspension. And,

WHEREAS members were informed that the Minister of Lands, Regional Government and Religious Affairs told the mayor through a telephone call that the Council does not have authority to withhold emoluments and other benefits due to the CEO and Co-Conspirators. And,

WHEREAS Members debated and agreed that their position to recommend the termination of the CEO and Co-Conspirators remains. And,

Now, therefore, be it resolved that the CEO and co-conspirators (Bakary Jawo, Kaba Bass, Baboucar Sanyang) as well as the Director of Finance (Dr. Alieu Keita) proceed on leave but their salaries and mandatory allowances to continue pending the outcome of the investigations.

Adopted this Monday of 2nd August 2021 at the Council Chambers

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Following the General Council meeting of Tuesday, August 3rd 2021, the following resolution was passed which I hereby bring to your attention for immediate action.

Resolution 0117/087/21 – Signatories to Council Bank Accounts

- **Charges for Rates Payments at Banks**
- **Virement**

WHEREAS the Chief Executive Officer and the Director of Finance are on leave, members.

therefore, resolved that for the Ag. CEO and the Ag. Director of Finance to be the signatories of Council's accounts at various banks

Members had resolved for the maximum charges for payment per thousand of rates and license at the identified banks to be three dalasi.

WHEREAS so many deliberations were made on virement, members had resolved for the virement of four million five hundred thousand Dalasi (4,500,000) from the following.

budget lines

Youth and sport D 600,000

Donation and Social activities D 1,400 000

Agriculture D 1,000,000

IT Expansion D 1,000,000

Differently Able D 500,000

Adopted this Tuesday of 3rd August 2021 at the council Chambers.

Following the General Council meeting of Monday 9th August 2021,the following resolution was passed which i hereby bring to your attention for immediate action

Resolution 0118/08/21 - Motion Moved to Sue the CEO for Trespass and the Ministry for Disrupting Council Services and causing the Police Intervention Unit to Invade the Council Premises

WHEREAS the Nominated Member for Youth moved a motion for council to consider suing the CEO for Trespass, And, WHEREAS the Nominated Member for Youth moved another motion for members to consider suing the Ministry and its allies for the disruption of services it has caused for attempting to forcefully install the CEO and sending and sending the Police Intervention Unit to invade the Council premises. And,

WHEREAS Members saw merits in the Nominated Members assertions. And,

WHEREAS the motion was not countered by any Member.

Now be it resolved that the two motions be passed and forwarded to the Council retainer for onward review and if found to be apt and justified for necessary and appropriate actions to be effected accordingly.

Adopted this Monday of 9th August 2021 at the Council Chambers

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Following the General Council meeting of 9th September,2021 and by the recommendation of members, the following resolution were passed.

Resolution 0119/09/21 – BUDGET APPROVAL

WHEREAS the Lord Mayor is Mandated by Law (Local Government Finance and Audit Act, 2004), to cause to be prepared not later than 30th September of each year and lay before the Council, estimates of revenue and expenditure of the council for the ensuing financial year, And.

WHEREAS Members acting under section eight (8) of the aforementioned Act, reviewed the 2022 budget estimate to ensure all revenues to be collected or received by the Council and to be appropriated are budgeted accordingly. And,

WHEREAS members discussed to ensure that no appropriation of funds by the Council shall be made out of the funds of the council unless approved in a budget. And

WHEREAS Members debated to ensure the allocation of at least sixty per centum of the budget for development activities, excluding the recurrent costs of those activities is adhered to.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Municipality of Kanifing hereby approved it's 2022 annual estimates in accordance with section eight (8) of the Finance and Audit Act, 2004.

Adopted this Thursday of 9th September 2021 at the Council Chambers

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Following the General Council meeting of Wednesday, 27th October,2021, the following resolutions were passed.

Resolution 0120/10/21 - Mballit Project Resolution

Having been informed that one of staff posted at Tallinding North for the *Mballit* Project intoxicate himself (Alcohol) during working hours, And

Having been informed that another *Mballit* staff was alleged to have issued death threats to the Councillor of Tallinding North Ward, And

Having discussed the matter which members agreed were all serious and warranted swift action,

Hereby resolve that the Director of Services fish out the affected staff who drinks and drive and for his service terminated with immediate effect.

Resolved that the *Mballit* staff who threatened the life of the Councillor for Tallinding North to be reported to the Police for redress with immediate effect.

Further, Members resolved that Janitors who continue to scavenge whiles on duty be approximately terminated.

Additionally, members resolved that, secretaries owing monies to the project be terminated and for efforts to be put in place to recover the missing sums..

Resolution 0121/10/21 - Re-Appointment of Bakary Singhateh as Temporal Manager

WHEREAS members were informed that the Ag. Project Mballit Manager (Ousainou Colley) resigned recently. And,

WHEREAS debated on the need to bring back the Former Project Manager (Bakary Singhateh) to assume the role on temporal basis for a period of three (3) months.

Hereby resolve that Mr. Singhateh take over the Mballit Project Manager's position on temporary basis for a period of three (3) months effective 1st November 2021.

That Mr. Singhateh be charged with the responsibility of re-galvanizing the staff and ensure a sound management system for the project growth.

That the Establishment Committee review the allowances due to the Manager during this period

Resolution 0122/08/21 - Potential Sister City Link With the Region of Fatick

WHEREAS Members discussed a request for twinning of regions letter from the Council of Fatick. And,

WHEREAS Members discussed on the benefits that could be accrued from a sister city link, And,

Hereby resolved that a reply letter be sent through the Senegalo-Gambian Permanent Secretariat (PSSG) to register the interest of Council in a potential sister city link with the region of Fatick

Resolution 0123/08/21 - Redeployment of Musa Manneh to the kMC Cooperative Credit Union (KMCCCU)

Having been informed of the pivotal role the KMCCCU play in staff economic development, And

WHEREAS Members were informed the KMCCCU has requested for the transferring of one Musa Manneh of the Compliance Department to serve as Manager of the Union on temporal basis, And

WHEREAS Members were informed that such a measure will not affect the Council administratively or financially.

Hereby resolve that the aforementioned staff (Mr. Musa Manneh) be temporally redeployed to serve as Manager of KMCCCU as requested, but for his grade to remain unchanged.

Adopted this Wednesday, 27th October 2021 at the council Chambers.