

MAKHADO LOCAL MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE ONE HUNDRED AND TWENTY FIRST (121st) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 29 JUNE 2017 IN THE COUNCIL CHAMBER, CIVIC CENTRE, KROGH STREET, MAKHADO AT 14:00.

PRESENT

Councillors

BABADU, T M
BALIBALI, T
CHILILO, N F
DAVHANA, N D
DZIVHANI, T E
FURUMELE, M G
GABARA, M J
JONES, N B
KUTAMA, T
LUDUVHUNGU, V S
MACHETHE, M S
MADULA, S
MADUWA, E
MADUWA, L G
MADZHIGA, F N
MAFHALA, N A
MALIMA, M E
MALIVHA, N V
MALULEKE, K M
MAMAFHA, T J
MAMOROBELA, T P
MAPHUBU, K
MARAGA, T A
MARINGA, K P
MASHAMBA, M A
MASIPA, M L
MASUKA, S
MASUTHA, L G
MATHALISE, L M

MATUMBA, A
MBOYI, M D
MOGALE, L B
MOHLABA, T J
MOKGOADI, M R
MTHOMBENI, S Z
MUKHARI, M F
MUKWEVHO, T D
MULEFU, M E
MUSANDIWA, P N
NDOU, M N
NEMATANDANI, M C
NEMUDZIVHADI, N S
NETHULWE, M F
NYELISANI, S S
PHOSHOKO, M G
RALIPHADA, R
RAMAVHOYA, K S
RAMUSHAVHA, G M
RAPHALALANI, A A
RASHAMUSE, A G
SIMANGWE, N J
SINYOSI, S M
SITHI, E T
TAMBANI, T E
TSHIAMBWA, L R
TSHIFURA, S S

Officials

M J KANWENDO	(ACTING MUNICIPAL MANAGER)
N C KHARIDZHA	(DIRECTOR CORPORATE SERVICES)
M P MAKHUBELA	(CHIEF FINANCIAL OFFICER)
C W MOLOKOMME	(DIRECTOR TECHNICAL SERVICES)
M D SINTHUMULE	(DIRECTOR DEVELOPMENT PLANNING)
T E SHIRINGANI	(ASSISTANT MANAGER: AUXILIARY AND COMMITTEES)
S W MATHONSI	(SARGENT OF ARMS)

Traditional Leaders

KHOSI N T L MASHAMBA
KHOSI R H SINTHUMULE
KHOSI P NETSHINDA

KHOSI P V KUTAMA
KHOSI M M MPEHPHU

1. OPENING

The Speaker, Cllr L B Mogale ruled that a moment of silence be observed for meditation and prayer, whereafter she declared the meeting officially opened and welcomed everyone present.

She expressed that all be reminded of the Municipality's Vision and Mission as follows:

Vision "A Dynamic Hub For Socio – Economic Development By 2025"

Mission "To ensure effective utilization of economic resources to address socio- economic imperatives through mining, tourism and agriculture".

2. APPLICATION FOR LEAVE OF ABSENCE

RESOLVED –

THAT leave of absence be granted in terms of the provisions of Rule 21 of the Council's Rules of Orders, 2016 published under Provincial Gazette Notice no. 2736 dated 29 July 2016 in respect of the Special Council meeting held on 29 June 2017 to Cllrs M A Matumba, S T Bulala, G Tshibvumo, M S Tshilambyana, T M Malange, T D Mukwevho, G T Mukwevho, D Ndou, M A Selapanya, D Ratshikuni, N Munyai, N Kutama, A du Plooy, M R Magada and J Lukheli.

REMARK:

- 2.1 Cllrs F B Hlongwane, R T Maingo and M A Mashamba were not present at the meeting.
- 2.2 The following Traditional Leaders were not present at the meeting: Khosi T G Muila, Hosi S T Mukhari, Khosi V C Ramabulana, Hosi H S Mukhari and Khosi F Molema.
- 2.3 One vacancy existed due to the death of former Cllr M Q Maphaha.

3. OFFICIAL ANNOUNCEMENTS

- 3.1 The Speaker, Cllr L B Mogale announced that in future all councillors who wanted to propose congratulations or condolences must submit in writing to their party leader to announce in Council.
- 3.2 The Speaker, Cllr L B Mogale announced that a Ward Committee Conference would be held at Makhado Show Ground on 30 June 2017 at 09:00.

4. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY THE SPEAKER

None

5. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY OTHER COUNCILLORS

- 5.1 Cllr M E Malima proposed congratulations to Tshilidzi Marwala who was appointed as Vice-Chancellor of the University of Johannesburg.
- 5.2 Cllr M E Malima wished a successful initiation school in the municipal area.
- 5.3 Cllr T E Dzivhani proposed condolences to the family of two boys who were burned by fire and died at their initiation school situated in Gauteng.
- 5.4 Cllr T A Maraga proposed congratulations to the EFF members of Ward 23 for successful celebration of their Freedom Charter on 26 June 2017, when they cleaned the yard of an old lady who stayed with her mentally disturbed son.

- 5.5 Cllr S S Tshifura proposed congratulations to the Constitutional Court for ruling against the Speaker of Parliament, Honorable Baleka Mbeke on the matter of secret ballots.
- 5.6 Cllr A A Raphalalani proposed condolences to the family of Davhana Mathilda of Ha-Magau in Ward 7 and Masithulele Samuel of Ha-Mavhunga in Ward 28.
- 5.7 Cllr R E Maduwa proposed congratulations to the Mayor of Makhado who presented a successful Makhado Budget Speech at Dzanani Community Hall in Ward 10 on 2 June 2017.
- 5.8 Cllr T P Mamorobela proposed congratulations to African National Congress Party for arranging a successful Vhembe Regional Congress 23 and 24 June 2017. She further congratulated the Speaker, Cllr L B Mogale and the Mayor, Cllr S M Sinyosi who were part of the Committee.
- 5.9 Cllr N D Davhana proposed congratulations to the Mayor of Makhado, Cllr S M Sinyosi for the successful launching of Makhado Website on 28 June 2017 at Makhado Council Chamber.
- 5.10 Cllr N F Chililo proposed congratulations to the Office of the Mayor and the Department of Economic Development and Tourism for hosting a successful World Environmental Day at Ha-Musekwa in Ward 37.
- 5.11 Cllr LG Masutha proposed congratulations to the Department of COGHSTA for responding promptly on disaster houses at Ward 3.

6. MATTERS CONSIDERED:

6.1 Report of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): June 2017

432nd Executive Committee meeting held on 26 June 2017

6.2 Recommendations of the respective Section 79 Oversight Committees in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): June 2017

12th Section 79 Oversight Committee: Corporate Services meeting held on 26 June 2017

8th Section 79 Oversight Committee: Development Planning meeting held on 26 June 2017

8th Section 79 Oversight Committee: Finance meeting held on 27 June 2017

7th Section 79 Oversight Committee: Technical Services meeting held on 27 June 2017

ITEM A.88.29.06.17 (originally A.88.27.07.17)

RISK MANAGEMENT: APPROVAL OF 2017-2018 FINANCIAL YEAR DOCUMENTS

- (1) STRATEGIC RISK ASSESSMENT REPORT**
 - (2) RISK MANAGEMENT POLICY**
 - (3) RISK MANAGEMENT STRATEGY**
 - (4) FRAUD MANAGEMENT POLICY**
 - (5) FRAUD RESPONSE PLAN**
 - (6) WHISTLE-BLOWING POLICY**
 - (7) LOSS CONTROL POLICY**
 - (8) RISK MANAGEMENT AND ANTI-FRAUD COMMITTEE CHARTER**
 - (9) FRAUD AND CORRUPTION INVESTIGATION PROCEDURE MANUAL**
- (4/32 & 2/5)**

RESOLVED A.88.29.06.17 (COUNCIL) -

THAT the following risk related documents be approved for the 2017/18 financial year-

1. Strategic Risk Assessment Report 2017/18

2. Risk Management Implementation Plan 2017/18
3. Risk Management Committee Charter 2017/18
4. Risk Management Policy 2017/18
5. Risk Management Strategy 2017/18
6. Fraud Management Policy 2017/18
7. Fraud Response Plan 2017/18
8. Whistle Blowing Policy 2017/18
9. Loss Control Policy 2017/18
10. Fraud And Corruption Investigation Procedure Manual

RiskManagement2017-2018_itm

(MM)

ITEM A.89.29.06.17 (originally A.89.27.07.17)

FINANCES: PROCUREMENT: IRREGULAR EXPENDITURE: MARCH 2017 TO APRIL 2017 AND THE OMITTED OPENING BALANCE: FINDING BY AUDITOR GENERAL: 2016/17 FINANCIAL YEAR (10/1/5/2)

RESOLVED A.89.29.06.17 (COUNCIL)

1. THAT Council review items and reasons provided for Council, and condone expenditure in the amount of R1,905,439.60 from 1 March to 30 April 2017, and the omitted opening balance of R16,816,029.72 as per Auditor General Report. (CFO)
2. THAT the irregular expenditure of R1,905,439.60 be referred to the Municipal Public Account Committee for investigation as required by section 4 of the Municipal Regulations on Financial Misconduct, Procedures and Criminal Proceedings, and submission of its recommendations herein to Council. (MM/DCS)
3. THAT a letter be submitted to National Treasury and MEC of Coghsta that Council has considered the items relating to Section 32 non-compliance and have evaluated reasons for condoning it, and found it in order. (CFO)
4. THAT should items not be condoned after Council analysis and National Treasury approval of the non-compliance aspect to the MFMA, such items continue to be disclosed as irregular expenditure in the financial statements for 2016/2017 financial year. (CFO)

IrregularExpenditureMarch2017-April2017_itm

ITEM A.90.29.06.17 (originally A.90.27.07.17)**FINANCES: REQUEST FOR CONDONEMENT OF FRUITLESS AND WASTEFUL EXPENDITURE: INTEREST ON OVERDUE ACCOUNTS (6/13/2/3 & 10/1/5/2)**

RESOLVED A.90.29.06.17 (COUNCIL)

1. THAT Council condone the fruitless and wasteful expenditure in the amount of R598,38 which was incurred during March 2017 and April 2017 when due to cash flow management and control, the Eskom and Telkom invoices were not paid on due dates, which resulted in interest charges as more fully recorded in the report in this regard. (CFO)
2. THAT the fruitless and wasteful expenditure in the amount of R598.38 be referred to the Municipal Public Account Committee for investigation as required by section 4 of the Municipal Regulations on Financial Misconduct, Procedures and Criminal Proceedings, and submission of its recommendations herein to Council. (MM/DCS)
3. THAT a letter be submitted to National Treasury and MEC of Cogesta that Council has considered the items relating to Section 32 non-compliance and have evaluated reasons for condoning it, and found it in order. (CFO)
4. THAT should items not be condoned after Council analysis and National Treasury approval of the non-compliance aspect to the MFMA, such items continue to be disclosed as irregular expenditure in the financial statements for 2016/2017 financial year. (CFO)

FruitlessExpenditureInterest_itm

ITEM A.91.29.06.17 (originally A.91.27.07.17)**DOMESTIC SERVICES: TENDERS AWARDED NOT IN COMPLIANCE WITH SECTION 28(2) OF SUPPLY CHAIN MANAGEMENT POLICY (8/3/B/1 & 10/1/5/2)**

RESOLVED A.91.29.06.17 (COUNCIL)

1. THAT the non-compliance of section 28(2) of the Supply Chain Management Policy regarding composition of Bid Evaluation Committees be condoned by the Council, due to the reasons as set out in Annexure A attached to the report in this regard. (CFO)
2. THAT note be taken of the following tenders which were awarded not in compliance with Section 28(2) of the Supply Chain Management Policy above:

BID NO	SUCCESSFUL BIDDER	AMOUNT	DESCRIPTION	DATE AWARDED
52/2016	Electrical And Mechanical Construction	R38,180	Purification of transformer oil	18/11/2016
53/2016	RPS Switchgear Pty(Ltd)	R84,998.64	Service of breaker at Levubu substation	18/11/2016
16/2016	Pfano Glen Consulting and Service	R1,188,884.34	Management of Makhado Show 2016	02/06/2016

BID NO	SUCCESSFUL BIDDER	AMOUNT	DESCRIPTION	DATE AWARDED
14/2016	Sambale Investment (Pty) Ltd	R678,000.00	Development of recycling centre at landfill	02/06/2016
22/2016	Noel Trading JV Roni Electrical	As per bid document (Different rates)	Maintenance and Operation of all Council air conditioners for the period of two years	06/09/2016
21/2016	Simunye Fleet Management	R3,567,073.68	Supply and delivery of new vehicles	5/8/2016
13/2016	1. Sizwe Paints 2. Mveledzo Trading and Projects	Different rate per items (refer to bid documents)	Supply and delivery of painting materials for 3 years	4/8/2016
42/2016	1. Gerson Matamela Holding 2. Mazoilma and Partners Network 3. Besi General Trading and Projects 4. Cecil Trading Enterprise	Different prices per items refer to bid documents	Supply and delivery of hardware materials for three years	28/9/2016
38/2016	Baatshuma And Lekakgoana JV	Different rates	Meter reading for period of three years	20/10/2016
46/2016	Muthumuni Corporate Gifts	R327, 300.00	Supply and delivery of calendar and diaries 2017	18/11/2016
6/2016	Techni Plan Development Strategies	R720,000.00	Demarcation of 400 sites on Portion 39 of Farm Laatsgevonden 201LT	23/9/2016
24/2016	Rixaladza Enterprise	R340,804.71	Construction of Tsianda cemetery fence	23/9/2016
26/2016	Makgofane Construction and Projects	R369,405.06	Construction of Vleifontein cemetery fence	23/09/2016
25/2016	RS Construction	R363,695.00	Construction of Ndouvhada cemetery fence	23/09/2016

TendersAwardedNonCompliance_itm

(CFO)

ITEM A.92.29.06.17 (originally A.92.27.07.17)**ELECTIONS: MUNICIPAL ELECTORAL OFFICER FOR MAKHADO MUNICIPAL AREA: REQUEST RECEIVED: INDEPENDENT ELECTORAL COMMISSION (3/2/4/1/6)**

RESOLVED A.92.29.06.17 (COUNCIL)

THAT the Municipal Manager's designation of Mr H P Mobbie, Regional Administrator at Waterval Regional Office, as Municipal Electoral Officer of Makhado Municipality with effect of date of Council Resolution, be approved.

MEO2017_itm

(DCS)

ITEM A.93.29.06.17 (originally A.93.27.07.17)**DOMESTIC SERVICES: INFORMATION TECHNOLOGY: ICT STEERING COMMITTEE TERMS OF REFERENCE (8/2/3; 4/9/1; 4/9/2)**

RESOLVED A.93.29.06.17 (COUNCIL)

THAT the Terms of Reference for Council's ICT Steering Committee attached as Annexure A to the report in this regard, be approved.

CouncilTORictsteercom_itm

(DCS)

ITEM A.94.29.06.17 (originally A.94.27.07.17)**DOMESTIC SERVICES: CORPORATE GOVERNANCE OF INFORMATION AND COMMUNICATION TECHNOLOGY: DRAFT ICT PORTFOLIO MANAGEMENT FRAMEWORK, 2017 (8/2/3)**

RESOLVED A.94.29.06.17 (COUNCIL)

1. THAT the *ICT Portfolio Management Framework, 2017* attached as Annexure A to the report in this regard, be approved to become effective on the date of Council Resolution of approval.
(DCS)
2. THAT it be noted that approval of the framework in paragraph 1 above is part of implementing phase 1 of Council's Corporate Governance of ICT Policy, i.e. the enablement phase with target date 30 June 2017 for completion, and that at the date of this report, only one out of fourteen targets had not achieved, as more clearly indicated in the report.

ICTFramework_itm

(DCS)

ITEM A.95.29.06.17 (originally A.95.27.07.17)**COUNCIL LAND: PROPOSED DONATION OF LAND TO NATIONAL DEPARTMENT OF PUBLIC WORKS (7/4/1/4)**

RESOLVED A.95.29.06.17 (COUNCIL) –

THAT the proposed donation to the National Department of Public Works of the properties listed below be approved subject to the following conditions:

1. In terms of the provisions of section 79(18) of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) as amended the intention to donate the under-mentioned municipal land(s) be advertised in one (1) of the local newspapers for objections and comments, if any:

ERVEN	STATUS	DEPARTMENT	TOWNSHIP
E1983 (Municipal)	Magisterial Offices	Justice	Dzanani
E1220 (Res.1)	House	Justice	Dzanani
E77 (Res.1)	House	Justice	Dzanani
E1464 (Res.1)	House	Justice	Dzanani
E78 (Res.1)	House	Justice	Dzanani
E1546 (RSA)	Police Station	SAPS	Dzanani
E1153	House	SAPS	Dzanani
E1876 (RSA)	Barracks	SAPS	Dzanani

2. A standard Deed of Donation be made and entered into by and between Makhado Local Municipality and Mr Y T Siweya as Deputy Director Property Management for Department of Public Works.
3. The approval is further subject to the following conditions:
 - 3.1 **Electricity:** Erven 1893, 1220, 77, 1464, 78, 1546, 1153 and 1876 Dzanani falls in the Eskom area of supply.

3.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.

3.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

3.4 **Property Rates:** The landowner must pay all property rates due to the Municipality with retrospective effect of 1 July 2008 if no payments for property rates were processed.

DonationErvenToPublicWorks_itm

(DDP)

ITEM A.96.29.06.17 (originally A.96.27.07.17)

COUNCIL LAND: PROPOSED SALE: ERF 1491, TSHIKOTA EXTENSION 1 TOWNSHIP (TE1491)

RESOLVED A.96.29.06.17 (COUNCIL)

THAT the proposed sale of erf 1491, Tshikota Extension 1 Township, for purpose of developing residential units to Mr M Myofhe be approved, subject to the following conditions:

1. The intention to sell erf 1491, Tshikota Extension 1 Township, for purpose of developing residential units be in terms of the provisions of section 79(18) of the Local Government Ordinance 1939, (Ordinance 17 of 1939) as amended be advertised in one (1) of the local newspapers for comments and objections, if any.
2. The general valuation roll for the period of 2014 / 2018 which will serve as the purchase price for erf 1491, Tshikota Extension 1 Township be considered.
3. In the event that the applicant fails to make a payment after 90 days, the Deed of Sale will be cancelled without any further notice.
4. Before any development proposal the property be first registered in the names of the client at the Deeds Office in Pretoria.
5. The property be developed within three (3) years from the date of signing the Deed of Sale, provided that Council may allow an extension of a further (2) years.
6. The developer submits a development proposal for consideration.
7. The standard conditions for sale of Municipal land will further apply.
8. A memorandum of agreement made and entered into by and between Makhado Local Municipality and M Myofhe.
9. The applicant be informed in terms of the provisions of item 17(t) read with item 18(4) of the Makhado Local Municipality Immovable Disposal Policy that a request in the above regard cannot be processed unless first confirmed in writing that he/she will bear all costs relative to the advertisements.
10. The approval is further subject to the following conditions:
 - 10.1 **Electricity:** Erf 1491 Tshikota has no existing electricity connection. Only a 50kVA connection can be made available to the whole stand. Should this capacity be insufficient, any additional supply would be subject to-
 - (a) Overall availability of capacity in the Municipality's electricity supply scheme.

- (b) A fully motivated written application by the client which will be submitted to Senior Management for their consideration.
- (c) Only a maximum of 50kVA may in any way be considered according to present status of the electricity supply scheme.

The client is further obliged to comply with the following conditions:

- (i) Application for additional electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work.
- (ii) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993.
- (iii) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality.
- (iv) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront.

10.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.

10.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

10.4 **Property Rates:** The landowner must pay all property rates due to the Municipality with retrospective effect of 1 July 2008 if no payments for property rates were processed.

ProposedPurchaseErf1491Tshikota_itm

(DDP)

ITEM A.97.29.06.17 (originally A.97.27.07.17)

ESSENTIAL SERVICES: ELECTRICAL SUPPLY: UPGRADE OF BULK ELECTRICAL CAPACITY: 66MVA 3PH 22KV: MAKHADO MAIN SUB STATION: PROGRESS ON APPLICATION REQUEST TO ESKOM (16/2/1)

RESOLVED A.97.29.06.17 (COUNCIL)

1. THAT note be taken of the contents of this report and the current status of the application process for the **upgrade of bulk electrical capacity to 66mva 3ph 22kv at the Makhado main substation.** (DTS)
2. THAT it be noted that a feasibility fee of **R101,510.00** and a budget quote fee of **R839,582.64** was paid to Eskom and that the final budget quote is still being awaited. (DTS)
3. THAT it be noted that the expenditure referred to in paragraph (2) above has been financed from income under the Capital Estimates of the 2016/17 financial year under segment Upgrade Bulk Supply (Vote 697/413554). (DTS)
4. THAT it be noted and accepted that the cost **estimate letter** price of **R13,024,880.55** may rise by **85%** to approximately **R24 –R30mil.** (DTS)

5. THAT the current allocation of R14mil from the Department of Energy be rolled over to the 2018/19 financial year and that the combined allocation of the 2017/18 & 2018/19 financial years by then be used to pay Eskom in full for the actual budget quote. (DTS)
6. THAT the Chief Financial Officer negotiates with Eskom on the security (deposit) of **R129mil** either by an appeal against the amount, or that arrangements be made with the banks to issue a bank guarantee for this amount. (CFO)
7. THAT it be noted that the monies already paid, i.e. the feasibility fee of **R101,510.00** and now the budget quote fee of **R839,582.64** will be deducted from the actual budget quote that may be received. (DTS)
8. THAT it be noted with regret that should the current Department of Energy INEP allocation not be sufficient the upgrade will only be paid for in 2018 and actual capacity availability in the main substation will then only be made in 2019. (DTS)

ProgressBulkSupplyUpgrade_itm

ITEM A.98.29.06.17 (originally A.98.27.07.17)

COUNCIL COMMITTEES: AUDIT AND PERFORMANCE AUDIT COMMITTEE: AUDIT AND PERFORMANCE AUDIT COMMITTEE CHARTER AND INTERNAL AUDIT CHARTER FOR 2017/18 FINANCIAL YEAR (6/13/1/2/1 & 6/13/1/2/2)

RESOLVED A.98.29.06.17 (COUNCIL)

1. THAT the Internal Audit Manual and Internal Audit Charter for implementation in 2017/18 financial year be noted. (MM)
2. THAT the Audit and Performance Committee's Charter be approved for the 2017/18 financial years, and that the said Committee operate according to the Charter to ensure effective and efficient oversight and monitoring of specific responsibilities assigned by the Council to the Audit and Performance Committee, as more fully set out in the annexure attached to the report in this regard. (MM)

APAC&InternalAuditCharters_itm

ITEM A.99.29.06.17 (originally A.99.27.07.17)

REPORTS: AUDIT AND PERFORMANCE AUDIT COMMITTEE: PROGRESS REPORT Q3: 2016/2017 FINANCIAL YEAR (4/11/1)

REMARK:

This item was withdrawn from the agenda.

ITEM A.100.29.06.17 (originally A.100.27.07.17)**COUNCIL LAND: PROPOSED SALE: PORTION OF REMAINDER OF PORTION 7 OF FARM BERGVLIET 288 LS
(7/3/2/1 & 7/3/2/1/4/19)**

RESOLVED A.100.29.06.17 (COUNCIL)

THAT the proposed sale of a portion, measuring 5000m², of the Remainder of Portion 7 of the Farm Bergvliet 288 LS, for purpose of establishing a place of worship to Mr K R Madzie as the Pastor acting on behalf of the Charis Missionary Church Makhado be approved, subject to the following conditions:

1. The intention to sell (a portion measuring 5000m² on the Remainder of portion 7 of farm Bergvliet 288 LS), be in terms of the provisions of section 79(18) of the Local Government Ordinance 1939, (Ordinance 17 of 1939) as amended be advertised in one (1) of the local newspapers for comments and objections, if any.
2. The property be sold at a market related valuation determined by the Professional Valuer which will serve as the purchase price for the property.
3. In the event that the applicant fails to make a payment after 90 days, the Deed of Sale will be cancelled without any further notice.
4. The purchaser must appoint a Professional Land Surveyor for the subdivision of (a portion measuring 5000m² on the Remainder of portion 7 of farm Bergvliet 288 LS).
5. Before any rezoning and development proposal the property be first registered in the names of the client at the Deeds Office.
6. The developer submits a development proposal for consideration.
7. The property be developed within three (3) years from the date of signing the Deed of Sale, provided that Council may allow an extension of a further (2) years.
8. In the event that the developer failed to complete the development as required under paragraph 7 above, the property shall revert back to Council without compensation by the Municipality to the developer for any improvements on the property.
9. The standard conditions for sale of Municipal land will further apply.
10. A memorandum of agreement made and entered into by and between Makhado Local Municipality and K R Madzhie as the Pastor acting on behalf of the Charis Missionary Church Makhado.
11. The applicant be informed in terms of the provisions of item 17(t) read with 18(4) of the Makhado Local Municipality Immovable Disposal Policy that a request in the above regard cannot be processed unless first confirmed in writing that he/she will bear all costs relative to the advertisements and valuation.
12. The approval is further subject to the following conditions:
 - 12.1 **Electricity:** The portion of Portion 7 of the Farm Bergvliet indicated on the map for the proposed purchase by the client do not have an electrical connection. Only a 16kVA can be made available. If the property will be rezoned only then, should this capacity be insufficient, any additional supply would be subject to-

- (a) Overall availability of capacity in the Municipality's electricity supply scheme.
- (b) A fully motivated written application by the client which will be submitted to Senior Management for their consideration.
- (c) Only a maximum of 50kVA may in any way be considered according to present status of the electricity supply scheme.

The client is further obliged to comply with the following conditions:

- (j) Application for additional electricity supply must be done by a professional electrical engineer, who must also do the design thereof and supervise all installation work.
- (v) All installations must comply with the Electrical Installations Regulations promulgated under the Occupational Health and Safety Act, 1993.
- (vi) Only a registered 3 phase installation electrician may be permitted to install, test and certify the installation work, which must be submitted to Municipality.
- (vii) Actual costs plus an electrical engineering contribution proportional to the additional demand on the electricity supply scheme will be payable by the client upfront.

12.2 **Water:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about water supply capacity.

12.3 **Sewer:** The Municipality is an operational agent of Vhembe District Municipality who is the WSA and therefore no comments can be given about sewer supply capacity.

12.4 **Property Rates:** The landowner must pay all property rates due to the Municipality with retrospective effect of 1 July 2008 if no payments for property rates were processed.

ProposedPurchasePortion7Bergvliet_itm

(DDP)

ITEM A.101.29.06.17 (originally A.101.27.07.17)

COUNCIL LAND: PROPOSED SALE OF A PORTION OF ERF 1640, LOUIS TRICHARDT EXTENSION 1 TOWNSHIP: L SIMANGO (E1640)

REMARK:

This item was withdrawn from the agenda.

ITEM A.102.29.06.17 (originally A.102.27.07.17)

COUNCIL LAND: PROPOSED SALE OF A PORTION OF ERF 1640, LOUIS TRICHARDT EXTENSION 1 TOWNSHIP: N T TSHIVHASE (E1640)

REMARK:

1. When this matter was considered Cllr N S Munyai proposed, duly seconded by Cllr S Z Mthombeni that the item be withdrawn from the agenda and re-submitted afresh to the Executive Committee. The proposal was accepted in general.
2. This item was withdrawn from the agenda at the Council meeting.

ITEM A.103.29.06.17 (originally A.103.27.07.17)**PERSONNEL: HUMAN RESOURCES STRATEGY, 2017/2018 TO 2021/2022
(5/1/1/B)**

RESOLVED A.103.29.06.17 (COUNCIL)

1. THAT Council approves the Human Resources Strategy, 2017/2018 to 2021/2022 attached as Annexure A to the report in this regard. (DCS)
2. THAT administration must develop a Human Resources Plan for the implementation of the Human Resources Strategy. (DCS)

HumanResourcesStrategy2017-2018_itm

ITEM A.104.29.06.17**PERSONNEL: VACANCY IN THE POST OF MUNICIPAL MANAGER: APPOINTMENT
OF ACTING MUNICIPAL MANAGER
(5/3/4/9/2; 5/3/B; 5/6/4)**

RESOLVED A.104.29.06.17 (COUNCIL)

1. THAT Council takes note that Mr I P Mutshinyali, Municipal Manager submitted a written resignation on 1 June 2017, and in that regard the Disciplinary Hearing against the former Municipal Manager, Mr I P Mutshinyali, is henceforth stopped. (MM/DCS)
2. THAT Council designate Mr M J Kanwendo to act in the capacity as Municipal Manager in terms of the provisions of section 54A (1) (b) of the Local Government Municipal Systems Act, No 32 of 2000 for a period of three (3) months with retrospective effect of 2 June 2017. (DCS/CFO)

ActingMMResign_itm

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**6.2 Recommendations of the Section 79 Standing Committee: Municipal Public
Account Committee in terms of section 59 (1) of the Local Government:
Municipal Systems Act, 2000 (Act 32 of 2000): June 2017****ITEM A.105.29.06.17****MPAC: MUNICIPAL PUBLIC ACCOUNT COMMITTEE CHARTER, 2017/18 FINANCIAL
YEAR
(4/33)**

RESOLVED A.105.29.06.17 (COUNCIL)

THAT the Municipal Account Committee (MPAC) Charter: 2017/18 financial year be approved with the following amendments:

1. **Paragraph 5.6:** To be amended to read as follows:
“To seek any information and have access to information through the Speaker in respect of Councillors and through the Municipal Manager in respect of employees.”

2. **Paragraph 5.8:** To be amended to read:

“To request independent professional advice when necessary through the Office of the Speaker subject to approval by Council.”

3. **Paragraph 5.10:** Delete the whole paragraph and insert the following:

“To investigate, interrogate and comment on any other matter contained in its Terms of Reference subject to a referral by Council.”

4. **Paragraph 7.2:** Delete the whole paragraph and insert the following:

“Preferably members will be appointed for the term of the Council, however Council retains its power and authority to review all its Committees at any time it deems it fit.”

3. **Paragraph 13.2, line 2:** Insert the following between “Manager” and “to”:

“through the Office of the Speaker”

MPACCharter2017_itm

(DCS)

ITEM A.106.29.06.17

MPAC: ALL SECTION 71 (MFMA 2003) MONTHLY REPORTS SUBMITTED TO COUNCIL AND ITS RESOLUTIONS: QUARTER 3, 2016/2017 FINANCIAL YEAR (6/1/16/17)

RESOLVED A.106.29.06.17 (COUNCIL)

THAT all section 71 (MFMA 2003) monthly reports submitted to Council and its resolutions for Quarter 3 is in order.

MPACSection71ReportsApril2017_itm

(CFO)

ITEM A.107.29.06.17

MPAC: AUDIT ACTION PLAN (10/1/2)

RESOLVED A.107.29.06.17 (COUNCIL)

1. THAT Supply Chain Management Policy should be thoroughly checked and be implemented.
2. THAT the Secretary should not be a member of Bid Evaluation Committee; this must be put in place to avoid tempering with information; division of duties must be applied.
3. THAT expected electricity loss is above by 5% (15% instead of 10%); this may need further investigation on illegal electrical connections.
4. THAT employee screening must be done to avoid employing people who have criminal track records.

MPACAuditActionplan2016_itm(1)

(CFO/DCS)

ITEM A.108.29.06.17

**MPAC: REPORT ON THE IMPLEMENTATION OF COUNCIL RESOLUTIONS:
QUARTER 3 OF 2016/2017 FINANCIAL YEAR
(4/33)**

RESOLVED A.108.29.06.17 (COUNCIL)

THAT the report on the implementation of Council Resolutions for Quarter 3 of the 2016/17 financial year is in order. (DCS)

ITEM A.109.29.06.17

**MPAC: DEVIATION REPORTS OF PROCUREMENT: QUARTER 3, 2016/2017
FINANCIAL YEAR
(8/3/2/1)**

RESOLVED A.109.29.06.17 (COUNCIL)

THAT the Deviation Report of Quarter 3 of the 2016/17 financial year is in order.

MPACDeviationsQuarter3_itm (CFO)

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6.3 Resolutions of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): June 2017

432nd Executive Committee meeting held on 26 June 2017

ITEM B.20.26.06.17 (originally B.20.22.06.17)

PERFORMANCE MANAGEMENT: THIRD QUARTER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PROGRESS REPORT: 2016/17 FINANCIAL YEAR (10/1/4/1; 10/1/2)

RESOLVED B.20.26.06.17 (EXECUTIVE COMMITTEE)

THAT Council takes note of the Third Quarter Service Delivery and Budget Implementation Progress Report for the 2016/17 financial year attached as Annexure A to the report in this regard.

SDBIPQ32016-17_itm

(MM)

ITEM B.21.26.06.17 (originally B.21.22.06.17)

PERSONNEL: SUBMISSION OF THE WORKPLACE SKILLS PLAN FOR 2017/2018 AND ANNUAL TRAINING REPORT FOR 2016/2017 FINANCIAL YEAR (4/2/4)

RESOLVED B.21.26.06.17 (EXECUTIVE COMMITTEE)

THAT the Council approves the Workplace Skills Plan (WSP) for 2017/2018 financial year and the Annual Training Report (ATR) for 2016/2017 financial year.

WSP&ATR_itm

(DCS)

ITEM B.22.26.06.17 (originally B.22.22.06.17)

DOMESTIC SERVICES: IMPLEMENTING CORPORATE GOVERNANCE OF ICT POLICY, 2015 – QUARTER 4 PROGRESS REPORT, 2016/2017 FINANCIAL YEAR (8/2/3)

RESOLVED B.22.26.06.17 (EXECUTIVE COMMITTEE)

THAT note be taken of the 2016/17 Financial Year's Quarter 4 progress report about the ICT Governance Policy; that it further be noted thirteen (13) out of fourteen (14) deliverables have already been performed while the balance of one (1) will be subject to the review of the Fixed Establishment in the 2017/18 financial year.

ProgressCGICTPolicyQ4 2016-2017_itm

(DCS)

ITEM B.23.26.06.17 (originally B.23.22.06.17)**FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING 30 APRIL 2017 (6/1/1(2016/2017))**

RESOLVED B.23.26.06.17 (EXECUTIVE COMMITTEE) -

THAT the in-year monitoring financial report for the month ending April 2017 be noted by the Council.

MonitoringApril2017_itm

(CFO)

ITEM B.24.26.06.17 (originally B.24.22.06.17)**PERSONNEL: EMPLOYEE ASSISTANCE PROGRAMME: PARTICIPATION IN SOUTHERN AFRICA INTER-MUNICIPAL GAMES, SEPTEMBER 2017: STEVE TSHWETE LOCAL MUNICIPALITY, MIDDLEBERG, MPUMALANGA FROM 24TH TO 29TH SEPTEMBER 2017 (12/3/3/78)**

RESOLVED B.24.26.06.17 (EXECUTIVE COMMITTEE) –

THAT Council considers the invitation from South African Inter Municipal Sport Association, attached as **Annexure A** to the report in this regard, and if approved, it be subject to the following conditions:

1. Permission is granted that seventy (70) non-essential services personnel participate in the South African Inter-Municipal Games to be held at Steve Tshwete Local Municipality (Mpumalanga) for the period from 24 to 29 September 2017.
2. Special leave be granted to seventy (70) staff members referred to in paragraph 1 above for the period from 24 to 29 September 2017.
3. Council is requested to pay for accommodation and food, transport fees by bus to and from the location, promotional materials and 500 bottles of water be procured in order to help players in the field of play.
4. Two Council vehicle including (Quantum) be available to carry sports equipment and outfits.
5. The Sports Committee delegates two team Managers since they are supposed to arrive two days before the games to deal with accreditation and to attend organized meetings.
6. The Sports Committee delegates two team Managers to attend the meeting on July or August 2017.
7. Council delegates Portfolio Councillor: Corporate Services and Portfolio Councillor: Sports and Recreation together with the Municipal Manager, Director: Corporate Services, the Safety Officer and Sports Co-ordinator to officially represent Makhado Municipality during the Games.

MunicipalGames2017_itm

(DCS)

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The meeting was closed and adjourned at 15:20.

Approved and confirmed in terms of the provisions of Clause 22.1 of the Rules of Orders, 2016 promulgated in Provincial Gazette Notice No. 2736 of 29 July 2016 under Local Authority Notice 125, by a resolution of the Council passed at the meeting held on 1 August 2017.

CHAIRPERSON

MDM/lh/SpecialCouncilMinutes_121