

MAKHADO LOCAL MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE VIRTUAL NINETY FIFTH (95th) COUNCIL MEETING OF THE MAKHADO MUNICIPALITY, WHICH WAS HELD ON THURSDAY, 29 OCTOBER 2020 AT 14:00.

PRESENT

Councillors

BABADU, T M
BALIBALI, T
BALOYI, R S
BULALA, S I
CHILILO, N F
DU PLOOY, A
DAVHANA, N D
FURUMELA, M G
GABARA, M J
HLONGWANE, B F
JONES, B K
KHODOGA, J
KUTAMA, N
KUTAMA, T
LUKHELI, J
MADULA, S
MADUWA, E
MADUWA, L G
MADZHIGA M F
MAGADA, M R
MAINGO, R T
MALANGE, T M
MALIMA, M E
MALIVHA, N V
MALULEKE, K M
MAMAFHA, T C
MAMAFHA, T J
MAMROBELA, T P
MASENGANA, M L

MASUKA, S
MASUTHA, L G
MATUMBA, A
MBOYI, M D
MOGALE, L B
MOKGOADI M R
MPASHE, M J
MTHOMBENI, S Z
MUKHARI, M F
MUKWEVHO G T
MUKWEVHO, T D
MULEFU, M E
MUNYAI, N S
MUSANDIWA, P N
NDOU, M D
NETHULWE, M F
PHOSHOKO, M G
RAMAVHOYA, K S
RAMUSHAVHA, G M
RASHAMUSE, A G
RATSHIKUNI, D
SESHOKI, T
SIMANGWE, N J
SINYOSI S M
TAMBANI, T E,
TSHIBVUMO, G
TSHIFURA, SS
TSHILAMBYANA, M S

Traditional Leaders

None

Officials

N F TSHIVHENGWA
R V PHALANNDWA
M G RALISHUKU
S G MAGUGA
M D MUNYAI

(MUNICIPAL MANAGER)
(ACTING DIRECTOR DEVELOPMENT PLANNING)
(ACTING DIRECTOR TECHNICAL SERVICES)
(ACTING DIRECTOR CORPORATE SERVICES)
(ADMINISTRATIVE OFFICER: COMMITTEES)

* * * *

1. OPENING AND NOTICE OF THE MEETING

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 2050"

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

She further confirmed that all members had received notice of the meeting, i.e. by sms and by e-mail.

2. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLVED –

THAT leave of absence be granted in accordance with the provisions of rule 21 of the Council's Standing Rules of Order, 2016 published under Provincial Gazette Notice no. 2736 dated 29 July 2016 in respect of the Council meeting held on 29 October 2020 to Cllrs N B Jones, K Maphubu, T A Maraga, M S Machete and Cllr V S Luduvhungu.

REMARK:

- (i) The following councillors were absent from the Council meeting held on 29 October 2020: Cllrs T E Dzivhani, L M Mathalise, T J Mohlaba, N Munyai, M N Ndou, M C Nematandani, N S Nemudzivhadi, S S Nyelisani, R Raliphada, M A Mashamba, M A Selapyana, L R Tshiambwa and E T Sithi.
- (ii) The following traditional leaders were absent from the Council meeting held on 29 October 2020: Khosi R H Sinthumule, Khosi P Netsianda, Khosi F Molema, Khosi T G Muila, Hosi H S Mukhari, Hosi S T Mukhari, Khosi V C Ramabulana, Khosi P V Kutama, Khosi N T L Mashamba and Khosi M M Mphephu.

3. OFFICIAL ANNOUNCEMENTS

None

4. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER

4.1 The Speaker, Cllr L B Mogale proposed congratulations to Mr N F Tshivhengwa, Municipal Manager of Makhado Local Municipality who was leaving the employ of the Municipality on 31 October 2020, to further his career on national level.

4.2 Congratulations

The Speaker, Cllr L B Mogale proposed congratulations to the following councillors who celebrated their birthdays since the last ordinary Council meeting held on 12 August 2020:

Cllr E T Sithi

27 August 2020

| | |
|--------------------|-------------------|
| Cllr L B Mogale | 31 August 2020 |
| Cllr G Tshibvumo | 1 September 2020 |
| Cllr J Lukheli | 2 September 2020 |
| Cllr M F Nethulwe | 6 September 2020 |
| Cllr M D Mboyi | 8 September 2020 |
| Cllr M S Machethe | 10 September 2020 |
| Cllr T M Malange | 13 September 2020 |
| Cllr K Maphubu | 15 September 2020 |
| Cllr A Matumba | 21 September 2020 |
| Cllr R Raliphada | 22 September 2020 |
| Cllr M R Mokgoadi | 9 October 2020 |
| Cllr P N Musandiwa | 10 October 2020 |
| Cllr T Seshoki | 11 October 2020 |
| Cllr K S Ramavhoya | 14 October 2020 |

5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY PARTY SPOKESPERSON

- 5.1. Cllr A du Plooy on behalf of the Democratic Alliance Party proposed condolences to the bereaved family of the deceased Mr Mofokeng, Ward Committee Secretary of Ward 8 who passed away on 12 September 2020.
- 5.2. Cllr A Matumba on behalf of the Economic Freedom Fighter Party proposed congratulations to the Municipal Manager, Mr N F Tshivhengwa with his career move.
- 5.3. Cllr M D Mboyi on behalf of the African National Congress Party proposed congratulations to the Minister of Finance, Mr Tito Mboweni for presenting a successful Mid-term Budget amidst many challenges as a country.

She further proposed congratulations to the Municipal Manager, Mr N F Tshivhengwa with his new venture, and wished him all the best.

6. CONFIRMATION OF MINUTES

6.1 REMARK:

Upon proposal by Cllr F N Madzhiga, duly seconded by Cllr M E Mulefu, it was -

RESOLVED -

THAT the minutes of the 94th Council meeting held on 12 August 2020 be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

6.2 REMARK:

Upon proposal by Cllr A Matumba, duly seconded by Cllr N F Chililo, it was -

RESOLVED -

THAT the minutes of the 154th Special Council meeting held on 31 August 2020 be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

6.3 REMARK:

Upon proposal by Cllr M S Tshilamyana, duly seconded by Cllr N F Chililo, it was -

RESOLVED -

THAT the minutes of the 155th Special Council meeting held on 29 September 2020 be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

7. QUESTIONS OF WHICH NOTICE HAD BEEN GIVEN

None

8. MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETING

None

9. REPORT OF COUNCIL COMMITTEES: OCTOBER 2020**9.1 Report of the Executive Committee in terms of section 59(1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) for the month of October 2020**

522nd Executive Committee Meeting: 26 October 2020

523rd Executive Committee Meeting: 29 October 2020

9.2 Report 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): October 2020

26th Section 79 Oversight Committee: Community Services: 26 October 2020

30th Section 79 Oversight Committee: Technical Services: 26 October 2020

45th Section 79 Oversight Committee: Development Planning: 27 October 2020

52nd Section 79 Oversight Committee: Finance: 27 October 2020

75th Section 79 Oversight Committee: Corporate Services: 27 October 2020

(REMARK: Items A.94.31.08.20 to A.99.31.08.20 were considered at the 154th Special Council meeting held on 31 August 2020)

(REMARK: Items A.100.29.09.20 to A.104.29.09.20 were considered at the 155th Special Council meeting held on 29 September 2020)

ITEM A.105.29.10.20**COMMUNITY SERVICES: MAKHADO PUBLIC LIBRARY: RE-OPENING ON ALERT LEVEL 1 OF NATIONAL LOCKDOWN REGULATIONS (17/6/8)**

RESOLVED A.105.29.10.20 (COUNCIL)

THAT Council approves the re-opening of Makhado Municipality Library, as from the date of this Council's Resolution. (DCOMS)

ITEM A.106.29.10.20**DOMESTIC SERVICES: REVIEW: ICT ANTI-VIRUS POLICY, 2020
(4/42; 8/2/3)**

RESOLVED A.106.29.10.20 (COUNCIL)

THAT the ICT Anti-Virus Policy, 2020 attached to the report in this regard as Annexure B be approved and be applied accordingly in governance of ICT in the municipality with effect of 29 October 2020.

ReviewICTAntiVirusPolicy2020_itm

(DCS)

ITEM A.107.29.10.20**DOMESTIC SERVICES: REVIEW: ELECTRONIC MAIL ACCEPTABLE USE POLICY, 2020
(4/42; 8/2/3)**

RESOLVED A.107.29.10.20 (COUNCIL)

THAT the Electronic Mail Acceptable Use Policy, 2020 attached as Annexure B to the report in this regard be approved and be applied accordingly in governance of ICT in the municipality with effect of 29 October 2020.

ReviewElectronicMailPolicy2020_itm

(DCS)

ITEM A.108.29.10.20**DOMESTIC SERVICES: REVIEW: ICT MANAGEMENT FRAMEWORK, 2020
(4/42; 8/2/3)**

RESOLVED A.108.29.10.20 (COUNCIL)

THAT the ICT Management Framework, 2020 attached to the report in this regard as Annexure B be approved and serve as reference for ICT governance in the Municipality with effect of 29 October 2020.

ReviewICTManagementFramework2020_itm

(DCS)

ITEM A.109.29.10.20**COUNCIL COMMITTEES: REPORT OF ATTENDANCE OF MEETINGS OF COUNCIL AND ITS COMMITTEES – JULY 2020 TO SEPTEMBER 2020 – QUARTER 1, 2020/2021 FINANCIAL YEAR
(4/1/B & 10/1/5/1)**

RESOLVED A.109.29.10.20 (COUNCIL)

1. THAT note be taken of the number of meetings held by Council and its Committees for the period 1 July 2020 to 30 September 2020 as follows:

SUMMARY OF MEETINGS HELD – QUARTER 1 OF 2020/21

| DATE 2020 | NUMBER OF SECTION 79 COMMITTEES' MEETINGS | NUMBER OF EXECUTIVE COMMITTEE MEETINGS | NUMBER OF COUNCIL MEETINGS |
|----------------------|--|---|---|
| July | 2 | 1 | 0 |
| August | 6 | 3 | 2 |
| September | 7 | 2 | 1 |
| TOTAL | 15 | 6 | 3 |

NB. Excluding LLF meetings of which 1 were held

(DCS)

2. THAT note be taken of the *Report of Attendance of meetings by councilors* for the period 1 July 2020 to 30 September 2020 as more fully recorded in the report in this regard.

(DCS)

3. THAT all councilors who were absent from three (3) or more consecutive meetings of Council and its committees be notified to appear before the Section 79 Ethics Committee to give reasons why they did not attend such meetings.

(DCS)

Return of Attendance Q1 of 2020-2021

ITEM A.110.29.10.20

**PERSONNEL: SUBMISSION OF THE WORKPLACE SKILLS PLAN FOR 2020/2021 AND ANNUAL TRAINING REPORT FOR 2019/2020 FINANCIAL YEAR
(4/2/4)**

RESOLVED A.110.29.10.20 (COUNCIL)

THAT Council takes note of the Workplace Skills Plan (WSP) for 2020/2021 financial year and the Annual Training Report (ATR) for 2019/2020 financial year which were recommended by the Training Committee before submission to LGSETA attached as Annexure A to the report in this regard.

WSP&ATR_itm

(DCS)

ITEM A.111.29.10.20

**PERFORMANCE MANAGEMENT: FIRST QUARTER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN REPORT: 2020/21 FINANCIAL YEAR
(10/1/4/1 – 10/1/4/8)**

RESOLVED A.111.29.10.20 (COUNCIL)

THAT Council takes note of the First Quarter Service Delivery and Budget Implementation Plan Report for the 2020/21 financial year.

(MM/ALL DIRS)

SDBIPQuarter1_itm

ITEM A.112.29.10.20**PERSONNEL:**

- 1. RESIGNATION OF THE MUNICIPAL MANAGER**
- 2. APPOINTMENT OF ACTING MUNICIPAL MANAGER AND ACTING CHIEF FINANCIAL OFFICER**
- 3. APPROVAL OF SELECTION PANEL AND RECRUITMENT PROCESS**

(5/1/2/1 & SP 1/1/1)

REMARK:

When this matter was considered, Cllr K M Maluleke proposed, duly seconded by Cllr S Madula that Cllr N F Madzhiga, Chairperson of Section 79 Oversight Committee: Corporate Services be designated to serve on the Selection Panel. The recommendation was accepted in general and recorded as Council Resolution in paragraph 6 herein below.

RESOLVED A.112.29.10.20 (COUNCIL)

1. THAT the resignation of Mr N F Tshivhengwa as a Municipal Manager be accepted and his last working day be 31 October 2020. (DCS)
2. THAT Mr K M Nemaname, Chief Financial Officer, be appointed to act as Municipal Manager with effect of 1 November 2020 in line with the Municipal Systems Act, No. 32 of 2000. (DCS)
3. THAT the appointment of Mr K M Nemaname as acting Municipal Manager necessitate the appointment of an acting Chief Financial Officer because of segregation of duties principle. (DCS)
4. THAT Mr N G Raliphada, Manager Budget and Financial Reporting, be appointed as acting Chief Financial Officer with effect of 1 November 2020 in line with Municipal Systems Act, No. 32 of 2000. (DCS)
5. THAT the Mayor proceed with recruitment of candidates for appointment in the vacancy of Municipal Manager in terms of the provisions of section 54 of the Local Government: Municipal Systems Act, 32 of 2000 read with the Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers, 2014. (DCS)
6. THAT the Selection Panel for the post of Municipal Manager be constituted as follows:
 - The Mayor (Chairperson)
 - Cllr N F Madzhiga, Chairperson of Section 79 Oversight Committee: Corporate Services
 - A Municipal Manager from Vhembe District Municipality
 - Two external experts from respectively the Department of Coghsta and Provincial Treasury

ResignMM_itm

(DCS)

ITEM A.113.29.10.20**PERSONNEL: RECRUITMENT PROCESS AND COMPOSITION OF SELECTION PANEL:
FOUR (4) VACANT POSTS, DIRECTORS
(5/3/4/9/4, 5/3/4/6/17, 5/3/4/9/5 & 5/3/4/4/36)**

RESOLVED A.113.29.10.20 (COUNCIL)

1. THAT Council approves the recruitment process and selection panels as follows:

1.1 Director Development Planning

Municipal Manager as chairperson
 Portfolio Councillor of Development Planning
 A Municipal Manager within Vhembe District
 An external expert or person with experience be appointed by COGHSTA

1.2 Director Technical Services

Municipal Manager
 Portfolio Councillor of Technical Services
 A Municipal Manager within Vhembe District
 An external expert or person with experience be appointed by COGHSTA.

1.3 Corporate Services

Municipal Manager
 Portfolio Councillor of Corporate Services
 A Municipal Manager within Vhembe District
 An external expert or person with experience be appointed by COGHSTA.

1.4 Director Community Services

Municipal Manager
 Portfolio Councillor of Community Services
 A Municipal Manager within Vhembe District
 An external expert or person with experience be appointed by COGHSTA (DCS)

2. THAT the Municipal Manager be authorized to also ensure the procurement of competency assessment in time as required by clause 8 and 9 of the *Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers, 2014*. (DCS)

RecruitmentDirectors_itm

ITEM A.114.29.10.20**TOWN-PLANNING AND CONTROL: DRAFT SPATIAL DEVELOPMENT FRAMEWORK (SDF), 2020
(15/4/2/1 & 15/4/2/2)****REMARK:**

When this matter was considered Cllr M E Malima proposed that a progress report be submitted to Council regarding the progress with development of erven South of Pretorius Street. The proposal was not seconded.

RESOLVED A.114.29.10.20 (COUNCIL)

THAT the final Draft Spatial Development Framework, 2020 attached as Annexure to the report in this regard, be advertised for Public Participation comments and inputs. (DDP)

DraftSpatialDevelopmentFramework _itm

ITEM A.115.29.10.20**TOWN-PLANNING AND CONTROL: DRAFT LAND USE SCHEME, 2020
(15/4/2/1 & 15/7/1)**

RESOLVED A.115.29.10.20 (COUNCIL)

THAT the Draft Land Use Scheme, 2020 attached as Annexure to the report in this regard, be advertised for comments and inputs. (DDP)

DraftLandUseScheme _itm

ITEM A.116.29.10.20**COUNCIL LAND: PROPOSED LEASE OF THE MUNICIPAL GRAZING PADDOCKS SITUATED ON FARMS BERGVLIET 288 L.S. AND RIETVLY 276 L.S.
(7/3/2/1 & 15/3/8)****REMARK:**

When this matter was considered, Cllr M E Malima proposed, duly seconded by Cllr N F Chililo that paragraph no. 5 be amended to read "*The period of lease be for a period of seven (7) years, the contract will terminate in 2027, with an application option to renew.*" The proposal was accepted in general and recorded as Council Resolution in paragraph 5 herein below.

RESOLVED A.116.29.10.20 (COUNCIL)

THAT the Department of Planning and Development be authorized to call for leasing tenders of the under-mentioned Grazing Paddocks situated on farms Bergvliet 288 L.S. and Rietvly 276 L.S. in order to make it available by lease to competitors, 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 lease the under-mentioned Grazing Paddocks be advertised in one (1) of the local newspapers for objections if any,

| PADDOCK | EXTENT |
|-----------------------------------|---------------|
| 7 / 3 / 2 / 3 / 15 / 19 - R1/GED2 | 240ha |
| 7 / 3 / 2 / 3 / 15 / 21 – R3 | 10ha |
| 7 / 3 / 2 / 3 / 15 / 22 – R4 | 62ha |
| 7 / 3 / 2 / 3 / 15 / 25 – R7 | 45ha |
| 7 / 3 / 2 / 3 / 15 / 26 – R8 | 103ha |
| 7 / 3 / 2 / 3 / 15 / 27 – R9 | 143ha |
| 7 / 3 / 2 / 3 / 15 / 28 – R10 | 109ha |
| 7 / 3 / 2 / 3 / 15 / 40 – R22 | 322ha |
| 7 / 3 / 2 / 7 / 15 / 43 - R25 | 21ha |
| 7 / 3 / 2 / 3 / 15 / 44 – R26 | 123ha |
| 7 / 3 / 2 / 3 / 15 / 8 - B8 | 10ha |

2. Council's Professional Valuer be appointed to determine a tender reserve price based on market related rental for the lease of municipal Grazing Paddocks situated on farms Bergvliet 288 L.S. and Rietvly 276 L.S.
3. A market related rental for the lease of municipal Grazing Paddocks situated on farms Bergvliet 288 L.S. and Rietvly 276 L.S. be determined by a Professional Valuator in the course of that be collected by Department of Finance.
4. Supply Chain Management Policy and procedures be followed and in the course of that, tenders be awarded to the highest bidder which may not be lower than the reserve price as purposed in paragraph 3 mentioned above.
5. The period of lease be for a period of seven (7) years, the contract will terminate in 2027, with an application option to renew.
6. The standard lease agreement be drawn by the Legal Division for Department of Corporate Services.
7. The standard lease agreement be made and entered into by and between Makhado Local Municipality and the successful bidder,
8. It be a condition of the bid that bidders who are indebted to the Municipality would not be awarded the bid.
9. The applicant be informed in terms of the provisions of item 10(4) of the Makhado Local Municipality Land Sale and Lease Policy Council Resolution A.148.30.10.18 (Originally A.148.25.10.18) that a request in the above regard cannot be processed unless first confirmed in writing that they will bear all costs relative to the advertisements and valuation. (DDP)

ITEM A.117.29.10.20**DONATION OF LAND WITH IMPROVEMENTS BY THE ITALITE INVESTMENTS PROPRIETARY LIMITED TO MAKHADO LOCAL MUNICIPALITY****(7/3/2/1)**

RESOLVED A.117.29.10.20 (COUNCIL)

THAT the donation of land with improvements to Makhado Local Municipality from the Italite Investments Proprietary Limited of portion B (a Portion of Portion 100 measuring 4 387 square meters in extent) of the farm Bergvliet Number 288 LS) submitted by Mr Timothy Phiri as the Group Executive Development Italite Investments (Pty) Ltd be approved subject to the following term(s) and condition(s):

1. In terms of the provisions of section 79(18) of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) as amended the donation of land with improvements to Makhado Local Municipality from the Italite Investments Proprietary Limited of portion B (a Portion of Portion 100 measuring 4 387 square meters in extent) of the farm Bergvliet Number 288 LS be advertised in one (1) of the local newspapers, for any objections.
2. A memorandum of agreement will be made and entered into by and between Makhado Local Municipality and Mr Timothy Phiri as the Group Executive Development Italite Investments (Pty) Ltd.
3. All the formal registration and transfer transactions of the donated land in favour of the Makhado Local Municipality be passed by the Italite Investments (Pty) Limited's Attorneys and Conveyancers. (DDP)

DonationItalite_itm

ITEM A.118.29.10.20**FINANCE: PROCUREMENT: CLAUSE 36: DEVIATIONS FOR QUARTER 1 OF 2020/21 ENDING 30 SEPTEMBER 2020****(10/1/5/2)**

RESOLVED A.118.29.10.20 (COUNCIL)

THAT clause 36 procurements as at 30 September 2020 to the amount of **R2 187 390.16** be noted as more fully set out in Annexure A attached to the report in this regard. (CFO)

Deviations30September2020_itm

ITEM A.119.29.10.20**FINANCE: IN YEAR MONITORING AND REPORTING: 1st QUARTER: 2020/2021 FINANCIAL YEAR
(6/1/1(2020/21))**

RESOLVED A.119.29.10.20 (COUNCIL)

THAT the in-year monitoring financial report for the first quarter ending 30 September 2020 for the 2020/2021 financial year be noted by Council. (CFO)

MonitoringQ1 2020_itm Revised Kent Updated CFO

ITEM A.120.29.10.20**FINANCES: PROCUREMENT: IRREGULAR EXPENDITURE: AUDITOR GENERAL, 2018/19 FINANCIAL YEAR
(10/1/5/2)**

RESOLVED A.120.29.10.20 (COUNCIL)

1. THAT Council takes note and further refers the irregular expenditure of **R707 160** to the Council's MPAC for investigation and further processing. (CFO)
2. THAT the Accounting Officer submits a letter to the MEC for Local Government in the province and Auditor General in line with Section 32 (4) of the Municipal Finance Management Act. (CFO)

IrregularExpenditure2020_itm

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9.3 Resolutions of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): October 2020522nd Executive Committee Meeting: 26 October 2020

(REMARK: Items B.15.25.08.20 to B.16.25.08.20 were considered at the 154th Special Council meeting held on 31 August 2020)

ITEM B.17.26.10.20 (previously B.17.22.10.20)**DOMESTIC SERVICES: COMPUTER SERVICES: 5 YEAR ICT STRATEGIC PLAN – PROGRESS REPORTING, Q1 2020/21 FINANCIAL YEAR
(8/2/3)**

RESOLVED B.17.26.10.20 (EXECUTIVE COMMITTEE)

THAT note be taken of the **progress** with Year 3 projects for **Q1 of the 2020/21** financial year of the 5 Year ICT Strategic Plan, 2018-2023 as more fully set out in Table 1 in the report. (DCS)

ICTstrategicPlanQuarter1 2020-21_itm

ITEM B.18.26.10.20 (previously B.18.22.10.20)**REPORTS AND SURVEYS: OUTSTANDING MATTERS: COUNCIL RESOLUTIONS –
QUARTER 1: 2020/21 FINANCIAL YEAR
(10/1/6/1)**

RESOLVED B.18.26.10.20 (EXECUTIVE COMMITTEE)

THAT note be taken of the progress with implementing Council Resolutions in respect of meetings held during Quarter 1 of the 2020/2021 financial year, as well as the summary of previous terms' Resolutions not yet implemented, as more fully set out in Annexure A attached to the report in this regard. (DCS)

CouncilResolutionImplementationQ1-2020-2021_itm

ITEM B.19.26.10.20**FINANCES: ASSESSMENT OF PERFORMANCE OF CONTRACTED SERVICE
PROVIDERS: QUARTER 1: 2020/21 FINANCIAL YEAR
(10/1/5/2)**

RESOLVED B.19.26.10.20 (EXECUTIVE COMMITTEE)

THAT Council takes note of the first quarter Assessment of Performance of the contracted Service Providers report for 2020/2021 financial year attached as Annexure A to the report in this regard.

AssessmentQ1ServiceProviders_itm

(CFO)

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**9.4 Report of 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): October 2020****ITEM A.121.29.10.20****MPAC: FINANCES: FRUITLESS AND WASTEFUL EXPENDITURE: 1 JULY 2019
TO 31 MAY 2020 IN 2019/20 FINANCIAL YEAR
(6/13/2/3 & 10/1/5/2)**

RESOLVED A.121.29.10.20 (COUNCIL)

1. THAT Council condone and write off the Fruitless and Wasteful expenditure of R38,163.62 incurred in the 2019/2020 financial year. (CFO)
2. THAT all invoices must be centralized to Finance Department and Corporate Services Department to avoid interest charges. (CFO)
3. THAT Finance Expenditure Division must designate officials responsible for specific invoices. (CFO)

4. THAT the Administration must maintain its process which is reducing fruitless wasteful expenditure. (CFO)
5. THAT consequences management be implemented to officials who implemented the system which had failed to prevent the fruitless expenditure. (CFO)
6. THAT it be noted an improvement in monitoring fruitless ad wasteful expenditure can be reported as follows:

| FINANCIAL YEAR | AMOUNT |
|-----------------------|-----------------|
| 2015/16 | R124,109,233.71 |
| 2016/2017 | R6,609,247.00 |
| 2017/2018 | R606,305.00 |
| 2018/2019 | R67,367.95 |
| 2019/2020 | R38 163,63 |

(CFO)

7. THAT a letter must be submitted to National Treasury and MEC of Coghsta that MPAC and Council has considered the items relating to section 32 non-compliance and have evaluated reasons for condonation. (MM/CFO)

MPACFruitlessExpenditureJuly2019-31May2020_itm

ITEM A.122.29.10.20**MPAC: PERFORMANCE MANAGEMENT: FOURTH QUARTER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN PROGRESS REPORT: 2019/20 FINANCIAL YEAR****(10/1/4/1 – 10/1/4/8)**

RESOLVED A.22.29.10.20 (COUNCIL)

1. THAT MPAC takes note of the Fourth Quarter Service Delivery and Budget Implementation Plan Progress Report for the 2019/2020 Financial Year.
2. THAT administration must continue to prepare progress reporting in time. (DCS)

ITEM A.123.29.10.20**MPAC: PERFORMANCE MANAGEMENT: SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP): 2020/21 FINANCIAL YEAR****(10/1/4/1 – 10/1/4/8)**

RESOLVED A.123.29.10.20 (COUNCIL)

1. THAT the format of the SDBIP must be more legible by increasing the font size. (MM)
2. THAT The Department of Corporate Service must advertise all vacancies in senior management category for improved service delivery. (DCS)
3. THAT the Municipality must continue to manage its inflow and outflow of cash properly. (CFO)

4. THAT the Municipality must always control its expenditure in order to prevent deficits. (CFO)
5. THAT the Annual Budget 2020/2021 is not aligned with the IDP document and this must be corrected. (CFO)
6. THAT the Chief Financial Officer and IDP Manager must include three (3) projects, i.e. Muananzhele feeder line, Muananzhele Phase 3 and Electrification of village included in the IDP document. (CFO/DDP)
- SDBIP2020-2021_itm

ITEM A.124.29.10.20

MPAC: REPORTS AND SURVEYS: OUTSTANDING MATTERS: COUNCIL RESOLUTIONS – QUARTER 4: 2019/20 FINANCIAL YEAR (10/1/6/1)

RESOLVED A.124.29.10.20 (COUNCIL)

THAT note be taken of the status of Council Resolutions implementing in Quarter 4 of the 2019/2020 financial year and that management must implement all Council resolutions in time to avoid delay in service delivery. (DCS)

CouncilResolutionImplementationQ4-2019-2020_itm

ITEM A.125.29.10.20

MPAC: FINANCES: PROCUREMENT: SUPPLY CHAIN MANAGEMENT IMPLEMENTATION: ANNUAL REPORT: 2019/20 FINANCIAL YEAR (5/3/54/1)

RESOLVED A.125.29.10.20 (COUNCIL)

THAT MPAC takes note of the procurement implemented through Supply Chain Management division in the 2019/20 Financial Year. (CFO)

ImplementationSCMPolicyAnnualReport-2019-2020_itm

ITEM A.126.29.10.20

MPAC: FINANCES: ASSESSMENT OF PERFORMANCE OF CONTRACTED SERVICE PROVIDERS: QUARTER 4: 2019/20 FINANCIAL YEAR (10/1/5/2)

RESOLVED A.126.29.10.20 (COUNCIL)

1. THAT the Municipality must properly select service providers in order to enjoy good and quality service.
2. THAT those service providers rated on scale 1 and 2 must not be given another chance unless the problem that resulted in bad service was caused by Municipality. (CFO)

AssessmentQ4ServiceProviders_itm

ITEM A.127.29.10.20**MPAC: FINANCE: PROCUREMENT: CLAUSE 36: DEVIATIONS FOR THE FOURTH QUARTER (APRIL 2020-JUNE 2020)
(10/1/5/2)**

RESOLVED A.127.29.10.20 (COUNCIL)

1. THAT the Accounting Officer must limit deviations and follow Supply Chain Management Policy and processes. (MM/CFO)
2. THAT the Municipality must always follow proper procedures for procurement of goods and services. (CFO)

DeviationsQuarter4 2019-2020_itm

ITEM A.128.29.10.20**MPAC: FINANCE: IN YEAR MONITORING AND REPORTING: 4TH QUARTER: 2019/2020 FINANCIAL YEAR (MONTH ENDING 30 JUNE 2020)
(6/1/1(2019/20)**

RESOLVED A.128.29.10.20 (COUNCIL)

1. THAT the Accounting Officer must continue to do proper calculations. (MM)
2. THAT the Municipality must always check its expenditure over revenue in order to prevent utilization of funds that are not available which leads to deficit. (MM/CFO)
3. THAT Municipality must continue checking its revenue against expenditure in order to prevent deficit (Bank overdraft). (CFO)
4. THAT the Chief Financial Officer must continue implementing measures that encourage community members to pay their debts in time, although some of the debts were affected by Covid-19, some generally have the tendency of not paying in time. (CFO)
5. THAT Vhembe District Municipality must pay the remaining balance of R90,000,000.00. (MM/CFO)
6. THAT all advertised tenders must be awarded to improve service delivery. (CFO)
7. THAT it be noted that the Municipality failed to spend 100% of capital budget for the 2019/2020 Financial Year. (CFO)

MonitoringQ4 2019-2020_itm

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The meeting was closed and adjourned at 15:22.

Approved and confirmed in terms of the provisions of section 27 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) by a resolution of the Council passed at the meeting held on the following Council meeting of 28 January 2020.