

MAKHADO LOCAL MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE VIRTUAL NINETY SIXTH (96th) COUNCIL MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS HELD ON 28 JANUARY 2021 AT 14:00.

PRESENT

Councillors

BABADU, T M
BALIBALI, T
BALOYI R S
CHILLO, N F
DAVHANA, N D
FURUMELA, M G
HLONGWANI B F
GABARA, M J
JONES, N B
KHODOGA, J
LUKHELI, J
MACHETE, M S
MADULA, S
MADUWA, E
MADUWA, L G
MADZHIGA F N
MAGADA, M R
MAINGO, R T
MALANGE, T M
MALIVHA, N V
MALULEKE, K M
MAMAFHA, T C
MAMAFHA T J
MAMOROBELA T P
MAPHUBU, K
MARAGA T A
MASENGANA, M L
MASUKA, S
MASUTHA, L G
MATHALISE, L M

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
MUNYAI, N S
MUSANDIWA, P N
NDOU, M N
NDOU, MD
NEMATANDANI, M C
NEMUDZIVHADI, N S
NETHULWE, M F
NYELISANI, S S
RAMUSHAVHA G M
RATSHIKUNI, D
SESHOKI, T
SIMANGWE, N J
SINYOSI S M
TSHIAMBWA L R
TSHIBVUMO, G
TSHIFURA, SS
TSHILAMBYANA, M S

Traditional Leaders

None

Officials

K M NEMANAME	(ACTING MUNICIPAL MANAGER)
N G RAPIPHADA	(ACTING CHIEF FINANCIAL OFFICER)
R V PHALANNDWA	(ACTING DIRECTOR DEVELOPMENT PLANNING)
M G RALISHUKU	(ACTING DIRECTOR TECHNICAL SERVICES)
S G MAGUGA	(ACTING DIRECTOR CORPORATE SERVICES)
H J LUKHELI	(ACTING DIRECTOR COMMUNITY SERVICES)
M D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)

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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 28 January 2021 to Cllrs A du Plooy, T E Dzivhani and M E Malima.

REMARK:

- (i) The following councillors were absent from the Council meeting held on 28 January 2021: Cllrs S I Bulala, B K Jones, N Kutama, T Kutama, V S Luduvhungu, T J Mohlaba, M G Phoshoko, R Raliphada, K S Ramavhoya, M A Mashamba, M A Selapyana, E T Sithi and T E Tambani.
- (ii) The following traditional leaders were absent from the Council meeting held on 28 January 2021: Khosi T G Muila, Hosi S T Mukhari, Khosi V C Ramabulana, Khosi M M Mphaphu, Khosi P V Kutama, Khosi F Molema, Khosi N T L Mashamba, Hosi HS Mukhari and Khosi P Netsianda.
- (iii) One vacancy existed due to the death of former Ward Councillor , Cllr A G Rashamuse.
- (iv) One vacancy existed due to the death of Khosi R H Sinthumule.

3. OFFICIAL ANNOUNCEMENTS

- 3.1. The Speaker Cllr L B Mogale announced that Councillors be informed that in terms of an Order of the Electoral Court of South Africa held at Bloemfontein on 21 January 2021 in case number 001/2021, in which Makhado Municipality was cited as the 23rd Respondent, the by-election scheduled for ward 38 on 3 February 2021 was postponed until further notice.

- 3.2 The Speaker Cllr L B Mogale announced that Councillors also be informed that the Chairperson of Audit Committee, Mrs Jane Masite and the Chairperson of the Risk Management Committee, Mr Sidwell Mofokeng had joined Council's meeting. They would be afforded an opportunity to make a presentation to Council.

4. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER

4.1 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 29 October 2020:

Cllr Chililo N F	5 November 2020
Cllr Simangwe N J	12 November 2020
Cllr Madzhiga N F	1 December 2020
Cllr Mohlaba T J	9 December 2020
Cllr Tshilambyane M S	12 December 2020
Cllr Furumele M G	17 December 2020
Cllr Mamafha T C	1 January 2021
Cllr Magada, M R	1 January 2021
Cllr Tshiambwa L R	2 January 2021
Cllr Kutama N	3 January 2021
Cllr Mashamba M A	6 January 2021
Cllr Kutama T	10 January 2021
Cllr Mthombeni S Z	19 January 2021
Cllr Mpashe M J	21 January 2021
Cllr Masutha L G	24 January 2021
Cllr Davhana N D	27 January 2021

5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY PARTY SPOKESPERSON

- 5.1. Cllr G Tshibvumo on behalf of the Democratic Alliance proposed condolences to the bereaved families who lost beloved ones due to Covid-19 related deaths.
- 5.2. Cllr T Seshoki on behalf of the Ximoko Party proposed condolences to all bereaved families who lost beloved ones due to Covid-19 related deaths.
- 5.3. Cllr T A Maraga on behalf of the Economic Freedom Fighter Party proposed condolences to the bereaved families who lost beloved ones due to Covid-19 related deaths.
- 5.4. Cllr M D Mboyi on behalf of the African National Congress Party proposed congratulations to Minister of Health, Dr Zweli Mkhize for procuring Covid-19 vaccines which would be delivered on Monday, 1 February 2021.

She further proposed condolences to all families and friends who lost beloved ones due to Covid-19 related deaths.

She also proposed condolences to the families of Cde Jackson Mthembu, Cde Risimati Ronald Hlungwane, Cde Bernard Mphidi Bopape, and the late Bapedi King, King Thulare III, Thovhele R H Sinthumule, Khosi Vho-Rembuluwani Nduvheni, Traditional healer Mr Tshikovha, as well as the late Mrs Makwarela Dzegere who was brutally murdered at Tshitavha Vhalaudzi.

She then proposed condolences to the bereaved families of the late Ms T G Mabila, Regional Administrator of Dzanani Regional Office, and Mr S Siweya, former Driver of the Speaker, who also had passed away.

6. CONFIRMATION OF MINUTES

6.1 REMARK:

Upon proposal by Cllr F N Madzhiga, duly seconded by Cllr T M Malange, it was -

RESOLVED -

THAT the minutes of the 95th Special Council meeting held on 29 October 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 E Maduwa, duly seconded by Cllr P N Musandiwa, it was -

RESOLVED -

THAT the minutes of the 156th Special Council meeting held on 14 December 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: JANUARY 2021

9.1 Recommendations of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): January 2021

527th Executive Committee Meeting: 21 January 2021

528th Executive Committee Meeting: 28 January 2021

9.2 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): January 2021

27th Section 79 Oversight Committee: Community Services: 25 January 2021

31st Section 79 Oversight Committee: Technical Services: 21 January 2021

46th Section 79 Oversight Committee: Development Planning: 22 January 2021

53rd Section 79 Oversight Committee: Finance: 25 January 2021

78th Section 79 Oversight Committee: Corporate Services: 21 January 2021

REMARK:

Before the Council Committees' reports were put to Council, the Speaker Cllr L B Mogale afforded the Chairperson of the Audit Committee, Ms J Masite, and the Chairperson of the Risk Management Committee, Mr S Mofokeng, to present a brief presentation to Council about the 2020/21 Mid-year Report of the Audit Committee and Risk Committee respectively. After the presentation was made the Speaker recused them and Council proceeded with the business of the day.

ITEM A.1.28.01.21

PERSONNEL: EXTENSION OF ACTING PERIOD: DIRECTOR: CORPORATE SERVICES
(5/1/2/10; 5/6/4)

REMARK:

When this matter was considered the Speaker requested all Acting Directors to recuse themselves from the meeting, which they did. The acting Directors returned again to the meeting when the matter was concluded.

RESOLVED A.1.28.01.21 (COUNCIL)

1. THAT it be approved that the Manager in the Office of the Speaker, Mr S G Maguga be designated to act for a further period of three months as Director: Corporate Services, with effect of 1 February 2021 until 30 April 2021, or such earlier date being the date preceding the date on which an incumbent may commence duty in the vacant post, whichever may be the earliest date. (DCS)
2. THAT application for extending the acting capacity in the vacant post of Director: Corporate Services as set out in paragraph 1 above be submitted to the MEC for Cooperative Government, Human Settlement and Traditional Affairs for approval in terms of section 56(1) (a) (ii) (c) of the Local Government: Municipal Systems Act, No. 32 of 2000, as amended. (DCS)

ActingDCS2021_Item

ITEM A.2.28.01.21

PERSONNEL: EXTENSION OF ACTING PERIOD: DIRECTOR: COMMUNITY SERVICES
(5/1/2/10; 5/6/4)

REMARK:

When this matter was considered the Speaker requested all Acting Directors to recuse themselves from the meeting which they did. The acting Directors returned again to the meeting when the matter was concluded.

RESOLVED A.2.28.01.21 (COUNCIL)

1. THAT it be approved that the Manager Community Services, Mr H J Lukheli be designated to act for a further period of three months as Director: Community Services, with retrospective effect of 16 January 2021 until 15 April 2021 or such earlier date being the date preceding the date on which an incumbent may commence duty in the vacant post, whichever may be the earliest date. (DCS)
2. THAT application for extending the acting capacity in the vacant post of Director: Community Services as set out in paragraph 1 above be submitted to the MEC for Cooperative Government, Human Settlement and Traditional Affairs for approval in terms of section 56(1) (a) (ii) (c) of the Local Government: Municipal Systems Act, No. 32 of 2000, as amended. (DCS)

ActingDcoms_itm Jan2021

ITEM A.3.28.01.21

**PERSONNEL: EXTENSION OF ACTING PERIOD: DIRECTOR DEVELOPMENT PLANNING
(5/1/2/10; 5/6/4)**

REMARK:

When this matter was considered the Speaker requested all Acting Directors to recuse themselves from the meeting which they did. The acting Directors returned again to the meeting when the matter was concluded.

RESOLVED A.3.28.01.21 (COUNCIL)

1. THAT it be approved that the Manager Local Economic Development, Mr R V Phalanndwa be designated to act for a further period of three months as Director Development Planning, with effect of 1 February 2021 until 30 April 2021 or such earlier date being the date preceding the date on which an incumbent may commence duty in the vacant post, whichever may be the earliest date. (DCS)
2. THAT application for extending the acting capacity in the vacant post of Director Development Planning as set out in paragraph 1 above be submitted to the MEC for Cooperative Government, Human Settlement and Traditional Affairs for approval in terms of section 56(1) (a) (ii) (c) of the Local Government: Municipal Systems Act, No. 32 of 2000, as amended.

ActingDDP_itm Jan2021

(DCS)

ITEM A.4.28.01.21**PERSONNEL: EXTENSION OF ACTING PERIOD: MUNICIPAL MANAGER AND CHIEF FINANCIAL OFFICER
(5/1/2/1 & SP 1/1/1)****REMARK:**

When this matter was considered the Speaker requested all Acting Directors and Acting Municipal Manager to recuse themselves from the meeting which they did. The Acting Directors and the Acting Municipal Manager returned again to the meeting when the matter was concluded.

RESOLVED A.4.28.01.21 (COUNCIL)

1. THAT subject to the approval of the MEC for Cooperative Governance, Human Settlement and Traditional Affairs, Limpopo the Chief Financial Officer, Mr M K Nemaname be designated to act for a further period in the capacity as Municipal Manager from 1 February 2021 to 30 April 2021, or such earlier date being the date which precedes the date on which a successful candidate commences duty as Municipal Manager, whichever may be the earliest date; and concurrently therewith, Mr N G Raliphada, Manager Budget and Financial Reporting be designated to act for the same such further period in honouring the principle of segregation of duties. (DCS)
2. THAT application for extending the acting capacity in the vacant post of Municipal Manager, and concurrently therewith the acting of Manager Budget and Financial Reporting for the same period in honouring the principle of segregation of duties, as set out in paragraph 1 above be submitted to the MEC for Cooperative Government, Human Settlement and Traditional Affairs for approval in terms of the provisions of Section 54A (1) (b), read with 54A (2A) (a) (b), and Section 56 (1) (a) (ii) (c) of the Local Government: Municipal System Act, No. 32 of 2000, as amended. (DCS)
3. THAT the Acting Municipal Manager be hands on and hold Heads of Departments accountable for not executing their mandate of delivering services. (MM)

ActingMM/cfo

ITEM A.5.28.01.21**PERFORMANCE MANAGEMENT: SECOND QUARTER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN REPORT: 2020/21 FINANCIAL YEAR
(10/1/4/1-10/1/4/8)****RESOLVED A.5.28.01.21 (COUNCIL)**

THAT Council takes note of the Second Quarter Performance Delivery and Budget Implementation Plan (SDBIP) Report for the 2020/21 financial year. (MM)

SDBIPQuarter2_item

ITEM A.6.28.01.21**PERFORMANCE MANAGEMENT: MID YEAR SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) REPORT: 2020/21 FINANCIAL YEAR (10/1/4/1-10/1/4/8, 10/1/5/2)****RESOLVED A.6.28.01.21 (COUNCIL)**

THAT Council takes note of the Mid-Year Performance Delivery and Budget Implementation Plan (SDBIP) Report for the 2020/21 financial year. (MM)

MidYearPerformanceDeliveryImplementationPlan2020/21_itm

ITEM A.7.28.01.21**FINANCES: PROCUREMENT: CLAUSE 36: QUOTATION DEVIATIONS FOR QUARTER 2 (OCTOBER –DECEMBER 2020) (10/1/5/2)****RESOLVED A.7.28.01.21 (COUNCIL)**

1. THAT in terms of clause 36 of the Municipal Supply Chain Regulations, 2005 promulgated under the Local Government: Municipal Finance Management Act, 2003, the above deviations be noted by Council. (CFO)
2. THAT MPAC must be advised to request any further details from the Accounting Officer before the report is submitted to Council for consideration. (DCS)

QuotationDeviationQuarter2OctoberDecember2019-2020_itm

ITEM A.8.28.01.21**ADJUSTMENT OF 80 RDP HOUSES ALLOCATED TO TSHIKOTA (URBAN) AND OTHER (RURAL) VILLAGES: 2021 (17/20, 17/4/1)****REMARK:**

When this matter was considered Cllr N F Chililo proposed, duly seconded by Cllr A Matumba that recommendation 6 of the Portfolio Committee: Development Planning must be amended to read as follows: *“That the Mayor, Acting Municipal Manager and Acting Director Development Planning meet with the Committee of Tshikota which deals with the housing issue to inform them about the reduction number of RDP houses as per the letter referred in the recommendation paragraph 2 above”*. The recommendation was accepted in general and recorded accordingly as Council Resolution in paragraph 6 herein below.

RESOLVED A.8.28.01.21 (COUNCIL)

1. THAT Council note that the RDP housing allocation for 2020/21 has been reduced from **300 to 80** units as per the letter attached as **Annexure A** to the report in this regard. (DDP)

2. THAT Council further take note of the adjustment of the reduction made by **COGHSTA** as per the letter attached as Annexure B to the report in this regard. (DDP)
3. THAT Ward Councillor affected must start the reprioritisation process as per attached letter. (DDP)
4. THAT current beneficiaries be notified about reduction of RDP houses. (DDP)
5. THAT Traditional Leaders and other ward structures must be communicated with during reprioritization process. (DDP)
6. THAT the Mayor, Acting Municipal Manager and Acting Director Development Planning meet with the committee of Tshikota which deals with the housing issue to inform them about the reduction of the number of RDP houses as per the letter referred to in paragraph 2 above.
RDPHousingHousingPlan_itm (DDP)

ITEM A.9.28.01.21

FINANCE: IN YEAR MONITORING AND REPORTING: 2nd QUARTER: 2020/2021 FINANCIAL YEAR (6/1/1(2020/21)

RESOLVED A.9.28.01.21 (COUNCIL)

THAT the in-year monitoring financial report for the second quarter ending 31 December 2020 for the 2020/2021 financial year be noted by Council. (MM)

MonitoringQ2 2020_itm

ITEM A.10.28.01.21

MID-YEAR PERFORMANCE REPORTS: 2020/21 FINANCIAL YEAR: FINANCES: BUDGET ASSESSMENT (10/1/4/1 – 10/1/4/8, 10/1/5/2)

RESOLVED A.10.28.01.21 (COUNCIL)

1. THAT the Mid-year Budget and Performance Assessment report for the 2020/21 financial year be noted by the Council, as more fully set out in Annexure A attached to the report in this regard. (CFO)
2. THAT the 2020/21 Annual Budget be adjusted in February 2021 in terms of Section 28 of the Municipal Finance Management Act, 2003. (CFO)
3. THAT the Mid-year Budget Assessment report be submitted to Coghsta and National and Provincial Treasuries. (CFO)

- 4. THAT the Mid-year Budget and Performance report be placed on the municipal website within five working days after it has been approved by Council, and Departmental units be instructed to submit a report in which full particulars regarding the progress with each and every capital project is provided, and in which implementation delays are explained. (CFO)

MidyearBudgetAssessment2020-2021_itm

ITEM A.11.28.01.21

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

RESOLVED A.11.28.01.21 (COUNCIL)

THAT Council takes note of the second 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.

AssessmentQ2ServiceProviders_itm (CFO)

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The meeting was closed and adjourned at 15:23.

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 29 April 2021.

CHAIRPERSON