

MAKHADO LOCAL MUNICIPALITY
OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE ONE HUNDRED AND THIRTIETH (130th) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD ON FRIDAY, 23 FEBRUARY 2018 IN THE COUNCIL CHAMBER, CIVIC CENTRE, KROGH STREET, MAKHADO AT 14:00.

PRESENT

Councillors

BABADU, T M
 BALIBALI, T
 BALOYI, R S
 CHILILO, N F
 DAVHANA, N D
 GABARA, M J
 KUTAMA, T
 LUDUVHUNGU, V S
 MACHETE, M S
 MADULA, S
 MADUWA, E
 MADUWA, L G
 MADZHIGA, F N
 MAGADA, M R
 MAINGO, R T
 MALANGE, T M
 MALIMA, M E
 MALIVHA, N V
 MALULEKE, K M
 MAMAFHA, T C
 MAMAFHA, T J
 MAMAROBELA, T P
 MAPHUBU, K
 MARAGA, T A
 MASHAMBA, M A
 MASIPA, M L
 MASUTHA, L G
 MBOYI, M D
 MOGALE, L B

MTHOMBENI, S Z
 MUKHARI, M F
 MUKWEVHO, G T
 MUKWEVHO, T D
 MULEFU, M E
 MUNYAI, N
 MUSANDIWA, P N
 NDOU, M D
 NDOU, M N
 NEMATANDANI, M C
 NEMUDZIVHADI, N C
 NETHULWE, M F
 NYELISANI, S S
 PHOSHOKO, M G
 RALIPHADA, R
 RAMAVHOYA, K S
 RAMUSHAVHA, G M
 RASHAMUSE, A G
 RATSHIKUNI, D
 SELAPYANAM M A
 SESHOKI, T
 SIMANGWE, N J
 SITHI, E T
 TAMBANI, T E
 TSHIAMBWA, L R
 TSHIFURA, S S
 TSHILAMBYANA, M S

Officials

N F TSHIVHENGWA	(MUNICIPAL MANAGER)
N C KHARIDZHA	(DIRECTOR CORPORATE SERVICES)
C W MOLOKOMME	(DIRECTOR TECHNICAL SERVICES)
M D SINTHUMULE	(DIRECTOR DEVELOPMENT PLANNING)
M P MAKHUBELA	(CHIEF FINANCIAL OFFICER)
M J KANWENDO	(DIRECTOR COMMUNITY SERVICES)
W S MATHONSI	(SARGEANT OF ARMS)
M D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)

Traditional Leaders

HOSI S T MUKHARI
 KHOSI R H SINTHUMULE
 KHOSI M M MPHEPHU

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1. OPENING: MOMENT OF REFLECTION

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. NOTICE OF THE MEETING

The Speaker confirmed that all members had received notice of the meeting, i.e. by sms, by e-mail, as well as in hard copy format.

3. 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 23 February 2018 to Cllrs T J Mohlaba, S Masuka, S I Bulala, N S Munyai, G Tshibvumo, S M Sinyosi, A du Plooy, M G Furumela, F B Hlongwane, R Mokgoadi, M J Mphashe, A Matumba and Khosi P Netsianda.

REMARK:

2.1 Cllrs T E Dzhivani, N B Jones, N Kutama, J Lukheli, M A Mafhala, L M Mathalise and A A Raphalalani were not present at the meeting.

2.2 Khosi T G Muila, Khosi V C Ramabulana, Khosi N T L Mashamba, Hosi H S Mukhari, Khosi P V Kutama and Khosi F Molema were not present at the meeting.

4. REPORTS OF THE EXECUTIVE COMMITTEE, UNDER THE SECTIONS:

A. RECOMMENDATIONS TO COUNCIL

B. DECISIONS UNDER DELEGATED AUTHORITY

A. 4.1(a) Recommendations of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): February 2018

453rd Executive Committee Meeting: 20 February 2018

(b) Recommendations of the various Section 79 Oversight Committees in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): February 2018

32nd Section 79 Oversight Committee: Corporate Services meeting: 21 February 2018

20th Section 79 Oversight Committee: Finance meeting: 22 February 2018

5th Section 79 Oversight Committee: Disaster, Moral Regeneration, Sports, Arts and Culture meeting: 23 February 2018

5th Section 79 Oversight Committee: Special Programmes meeting: 21 February 2018

12th Section 79 Oversight Committee: Technical Services meeting: 22 February 2018

17th Section 79 Oversight Committee: Development Planning meeting: 22 February 2018

9th Section 79 Oversight Committee: Community Services meeting: 21 February 2018

ITEM A.11.23.02.18**COUNCIL COMMITTEES: RETURN OF ATTENDANCE OF MEETINGS OF COUNCIL AND ITS COMMITTEES – OCTOBER 2017 TO DECEMBER 2017 – QUARTER 2, 2017/2018 FINANCIAL YEAR (4/1/B & 10/1/5/1)**

RESOLVED A.11.23.02.18 (COUNCIL)-

1. THAT note be taken of the number of meetings held by Council and its Committees for the period 1 October 2017 to 31 December 2017 as follows:

Table 44 SUMMARY OF MEETINGS HELD – QUARTER 2 OF 2017/18

DATE 2017	NUMBER OF SECTION 79 COMMITTEES' MEETINGS	NUMBER OF EXECUTIVE COMMITTEE MEETINGS	NUMBER OF COUNCIL MEETINGS
October	8	4	3
November	11	2	0
December	0	2	1
TOTAL	19	8	4

NB. Excluding LLF meetings of which four (4) were held

(DCS)

2. THAT note be taken of the *Return of Attendance of meetings by councillors* for the period 1 October 2017 to 31 December 2017 as more fully recorded in the report in this regard.

(DCS)

3. THAT all councillors 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 do not attend such meetings.

(DCS)

Return of Attendance Q2 of 2017-2018

ITEM A.12.23.02.18**REPORTING: SUBMISSION OF WARD COMMITTEES' ACTIVITIES: QUARTER 2, 2017/2018 FINANCIAL YEAR (10/1/5/1)**

RESOLVED A.12.23.02.18 (COUNCIL)

1. THAT Council takes note of the Ward Committee's activities for Quarter 2 of the 2017/2018 financial year and the attendance of the Ward Committee meetings. (DCS)
2. THAT Council approves the establishment of a temporary Regional Office at Ha-Mutsha, and the appointment of a Public Participation Officer (PPO), or to transfer an official to act as PPO on a temporary basis in order to service the region. (DCS)

WardCommitteesQ2 2017-2018_itm

ITEM A.13.23.02.18**DEVELOPMENT PLANNING: PLANNERS VISIT TO CHINA
(12/3/3/66)**

RESOLVED A.13.23.02.18 (COUNCIL)

1. THAT Council approves to release the Director Development Planning, Ms M D Sinthumule to participate in the visit to the Province of Henan in China planned for 12 to 23 March 2018.
(DDP)
2. THAT the visit as approved in paragraph 1 above be financed from funds under Council's General Expenditure Budget at an estimated cost of R140,209.00 excluding standard out of pocket expenses as per municipal payment rates for officials undertaking international travelling.
(DDP/CFO)

VisitToChina_itm

ITEM A.14.23.02.18**FINANCES: REQUEST FOR CONDONEMENT OF FRUITLESS AND WASTEFUL
EXPENDITURE: 1 JULY 2017 TO JANUARY 2018 IN 2017/18 FINANCIAL YEAR
(6/13/2/3 & 10/1/5/2)****REMARK:**

This report was referred as item B.3.20.02.18.

ITEM A.15.23.02.18**PERFORMANCE MANAGEMENT: ADJUSTED SERVICE DELIVERY AND BUDGET
IMPLEMENTATION PLAN 2017/18 FINANCIAL YEAR
(10/1/4/1 – 10/1/4/8)**

RESOLVED A.15.23.02.18 (COUNCIL)

THAT Council approves the Adjusted Service Delivery and Budget Implementation Plan for the 2017/18 financial year in line with the Adjustment Budget 2017/18. (ALL DIRS)

AdjustedSDBIP207-2018_itm

ITEM A.16.23.02.18**FINANCES: REQUEST TO WRITE OFF PRESCRIBED WATER RELATED
TRANSACTIONS AND DEBT
(6/6/6 & 13/1/1)**

RESOLVED A.16.23.02.18 (COUNCIL)

1. THAT Council approves the write off of water related transactions (Vhembe debtor) from 1 July 2013 to 30 June 2014 as reflected in the audited Annual Financial Statements as at 30 June 2014.
(CFO)

2. THAT Council approves the write-off of prescribed debt as per the Prescription Act 68 of 1969 and the ordinary debt which is listed in Annexure A attached to the report in this regard.
(CFO)
3. THAT note be taken that the write off is done to ensure proper accounting treatment in the Annual Financial Statements.
(CFO)
4. THAT Makhado Municipality formally declare a dispute regarding the failure of Vhembe District Municipality (as a Water Service Provider and Water Service Authority) to reimburse Makhado Municipality for water and sanitation services expenditure incurred by Makhado Municipality on behalf of Vhembe District Municipality during the period between 1 July 2014 to date.
WriteOffWaterTransactions_itm (CFO)

ITEM A.17.23.02.18

FINANCES: REQUEST FOR WRITE-OFF OF PRESCRIBED DEBTS AND OTHER DEBTS (6/6/6 & 13/1/1)

REMARK:

This report was referred as item B.4.20.02.18.

ITEM A.18.23.02.18

FINANCES: MID-YEAR BUDGET ADJUSTMENT: 2017/2018 FINANCIAL YEAR (6/1/1(2017/2018))

RESOLVED A.18.23.02.18 (COUNCIL)

1. THAT the 2017/18 Annual Budget be adjusted in terms of Section 28 of MFMA. (CFO)
2. THAT the 2017/2018 Adjustment Budget upon approval be submitted to the National and Provincial Treasury by the Mayor. (CFO/MM)
3. THAT any errors in the Annual Budget together with the data strings submitted on National Treasury portal for 2017/2018 be corrected as recommended by National Treasury and Provincial Treasury for compliance purposes. (CFO)
4. THAT Council note that the Adjustment Budget for the income and expenditure projections for the financial year ending 30 June 2018 as reflected in Annexure A and Annexure B (Capital Expenditure breakdown) as attached to the report in this regard. (CFO)
5. THAT Council note that depreciation and debt impairment provision was taken into consideration which are non-cash items amounting to **R114,011,591.13**. (CFO)
6. THAT an amount of **R10.2 million** be added to the Annual Budget for 2017/2018 as an approved rollover from the 2016/17 financial year for MIG Projects and that **R603,000.00** for MTDG grant for mSCOA projects also be added to the Annual Budget for 2017/2018.
(CFO)

7. THAT Council approves amendment of the Policy and Principles on the Writing Off of Irrecoverable Debt as approved by Council on 30 May 2017 with the amended Policy attached as Annexure C to the report in this regard, to align to GRAP requirements under paragraph 6.

(CFO)

8. THAT before Fencing of Makhado Municipal Cemetery: Phase 2 is done, the Director Technical Services must first install water tanks and build ablution facilities of Phase 1 projects, even before the new graveyard is fenced.

(DTS)

AdjustmentBudget20172018_itm

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B. 4.2 Resolutions of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): February 2018

453rd Executive Committee Meeting: 20 February 2018

ITEM B.1.20.02.18

REPORT: MUNICIPAL INFRASTRUCTURE GRANT (MIG): 2nd QUARTER 2017/2018 FINANCIAL YEAR (16/8/1 & 10/1/5/3)

RESOLVED B.1.20.02.18 (EXECUTIVE COMMITTEE)

THAT Council takes note of the 2nd quarter report in relation to the implementation of the Municipal Infrastructure Grant (MIG) for 2017/18 financial year. (DTS)

ImplementationMIG Q2 2017-2018_itm

ITEM B.2.20.02.18

REPORT: MUNICIPAL EXPANDED PUBLIC WORKS PROGRAMME (EPWP) GRANT: 2nd QUARTER: 2017/2018 FINANCIAL YEAR (16/8/1 & 10/1/5/3)

RESOLVED B.2.20.02.18 (EXECUTIVE COMMITTEE)

THAT Council takes note of the 2nd quarter report in relation to the implementation of the Expanded Public Works Programme (EPWP) for 2017/18 financial year. (DTS)

ImplementationEPWP Q2 2017-2018_itm

ITEM B.3.20.02.18

FINANCES: REQUEST FOR CONDONEMENT OF FRUITLESS AND WASTEFUL EXPENDITURE: 1 JULY 2017 TO JANUARY 2018: 2017/18 FINANCIAL YEAR (6/13/2/3 & 10/1/5/2)

REMARK:

This report was referred from item A.14.23.02.18.

RESOLVED B.3.20.02.18 (EXECUTIVE COMMITTEE)

THAT the matter be referred back for review.

(CFO)

FruitlessExpenditureJuly2017-Jan2018_itm

ITEM B.4.20.02.18

FINANCES: REQUEST FOR THE WRITE-OFF OF PRESCRIBED DEBTS AND OTHER DEBTS (6/6/6 & 13/1/1)

REMARK:

This report was referred from item A.17.23.02.18.

RESOLVED B.4.20.02.18 (EXECUTIVE COMMITTEE)

THAT the matter be referred back for review.

(CFO)

WriteOffPrescribedDebts_itm

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The meeting was closed and adjourned at 14:25.

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 26 April 2018.

CHAIRPERSON

MDM/lh/SpecialCouncilMinutes_130