

**MAKHADO LOCAL MUNICIPALITY**  
**OFFICE OF THE DIRECTOR CORPORATE SERVICES**

MINUTES OF THE ONE HUNDRED AND SIXTY FIFTH (165<sup>th</sup>) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD AT THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, MAKHADO ON MONDAY, 28 FEBRUARY 2022 AT 14:00.

**PRESENT****Councillors**

BALOYI, R	MASUKA, S
BALOYI, S E	MATUMBA, N J
DZHIVHUHO, A S	MBOYI, M D
GABARA, M J	MOGALE, L B
HLANGWANI, B	MOKGOADI, M R
HLONGWANI, B F	MUDUNUNGU, N A
KUTAMA, N	MUKHELI, K
KUTAMA, T	MUKHUBA, R
MABASA, W	MUKHUDWANA, R
MABUDU, H G	MUKOSI, M
MADAVHA, A	MUKWEVHO, G T
MADZHIGA, F N	MULAUDZI, M E
MAGADA, M R	MUNYAI, N
MAHOSI, N S	MUNYAI, N S
MAINGO, R T	MUSHANDANA, T T
MAKAMU, T T	NDOU, M D
MAKHUBELE, F P	NEMUDZIVHADI, N S
MAKWALA, M R	NGOBENI, T T
MALANGE, M C	PHANGAMI, L
MALANGE, T M	PHULUWA, M I
MALIVHA, N V	RAMALIVHANA, M
MALULEKE, H G	RAMALWA, M W
MAMAFHA, T J	SEBOLA, D J
MAPHAHLA, A Z	SELAPYANA, M A
MAPHAKELA, K P	SIMANGWE, N J
MAPHUBU, K	SINGO, M D
MARAGA, M	SMALLE, P
MARAGA, T A	SWALIVHA, M
MASHAMBA, L	TSHIDAVHU, I A
MASHAU, T C	TSHILAMBYANA, M S
MASIPA, P N	

**Officials**

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

**Traditional Leaders**

None

**Guests**

S MOFOKENG

(CHAIRPERSON OF RISK MANAGEMENT &amp; ICT STEERING COMMITTEES)

J MASITE

(CHAIRPERSON OF AUDIT AND PERFORMANCE AUDIT COMMITTEE)

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**1. OPENING**

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

**2. NOTICE OF THE MEETING**

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 and hard copy.

**3. OFFICIAL ANNOUNCEMENTS**

The Speaker, Cllr M D Mboyi announced that the Chairperson of APAC, Ms Jane Masite and the Chairperson of Risk Management Committee, Mr Sidwell Mofokeng had joined the meeting. They would be offered an opportunity, after all Council items have been exhausted, to make a presentation on Quarterly and Close Up Reports as it is their last meeting with Council in terms of their contract with the Municipality.

**4. 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 Order, 2016 published under Provincial Gazette Notice no. 2736 dated 29 July 2016 in respect of the Special Council meeting held on 28 February 2022 to Cllrs N D Davhana, M E Mulefu, R Raliphada, T C Mamafha, L M Mathalise, C D Halgreen, E T Sithi, T R Ravele, P Mashau, N F Chililo, M G Furumele, R S Baloyi and N B Jones.

**REMARK:**

The following councillor was absent from the Special Council meeting held on 28 February 2022: Cllr M J Mpashe.

**5. REPORT OF THE EXECUTIVE COMMITTEE****(a) Report of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): February 2022**

551<sup>st</sup> Executive Committee meeting held on 22 February 2022

552<sup>nd</sup> Executive Committee meeting held on 28 February 2022

(b) **Recommendations of the Section 79 Oversight Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): February 2022**

90<sup>th</sup> Section 79 Oversight Committee: Corporate Services meeting: 23 February 2022  
63<sup>rd</sup> Section 79 Oversight Committee: Finance meeting: 23 February 2022

**ITEM A.26.28.02.22**

**PERSONNEL: EXTENSION OF ACTING PERIOD: DIRECTOR TECHNICAL SERVICES (5/3/4/5/23; 5/6/4)**

**REMARK:**

When this matter was considered, the Acting Director Technical Services and Acting Director Community Services recused themselves from the meeting and returned after the matter was considered.

**RESOLVED A.26.28.02.22 (COUNCIL)**

1. THAT it be approved that the Manager: Civil Engineering, Mr M G Ralishuku be designated to act for a further period of three months as Director: Technical Services, with effect from 1 March 2022 until 31 May 2022 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 Technical Services as set out in paragraph 1 above be submitted to the MEC for Cooperative Governance, 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)
3. THAT the Executive Committee took note of the CV's of Managers within the Department of Technical Services, attached as Annexure to the report in this regard. (DCS)

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**ITEM A.27.28.02.22**

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

**REMARK:**

When this matter was considered, the Acting Director Technical Services and Acting Director Community Services recused themselves from the meeting and returned after the matter was considered.

**RESOLVED A.27.28.02.22 (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 effect from 20 March 2022 until 19 June 2022 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 Local Government: Municipal Systems Act, 2000. (DCS)
3. THAT the Executive Committee took note of the CV's of Managers within the Department of Community Services, attached as Annexure to the report in this regard. (DCS)

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#### **ITEM A.28.28.02.22**

#### **FINANCES: REPORT OF ADJUSTMENT BUDGET (2021/22 FINANCIAL YEAR) (6/1/1(2021/22))**

#### **RESOLVED A.28.28.02.22 (COUNCIL)**

1. THAT the 2021/22 Annual Budget be adjusted in February 2022 in terms of Section 28 of the Municipal Finance Management Act, No. 56 of 2003. (CFO)
2. THAT the 2021/2022 Adjustment Budget be submitted to the National and Provincial Treasury and Coghsta. (CFO)
3. THAT Council note the Adjustment Budget for Income and Expenditure projections for the financial year ending 30 June 2022, as more fully explained in Annexure A and Annexure B (Capital Expenditure breakdown) attached to the report in this regard. (CFO)
4. THAT Council take note that depreciation and debt impairment provision was taken into consideration which are non-cash items amounting R 187 934million. (CFO)

AdjustmentBudget2021-22\_itm

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- (c) **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): January 2022**

#### **ITEM A.29.28.02.22**

#### **MPAC: MPAC WORK PLAN/PROGRAMME 2021/22 FINANCIAL YEAR (4/33)**

#### **REMARK:**

When this matter was considered, Cllr M Mukosi proposed, duly seconded by Cllr L Mashamba that the matter be withdrawn because it was already considered by Council under Council Resolution A.67.30.06.21.

**ITEM A.30.28.02.22****MPAC: MUNICIPAL PUBLIC ACCOUNT COMMITTEE CHARTER, 2021/22 FINANCIAL YEAR  
(4/33)****REMARK:**

When this matter was considered, Cllr K Mukheli proposed, duly seconded by Cllr L Phangami that the matter be withdrawn because it was already considered by Council under Council Resolution A.67.30.06.21.

**ITEM A.31.28.02.22****MPAC: COUNCIL COMMITTEES: MUNICIPAL PUBLIC ACCOUNT COMMITTEE;  
GUIDELINE AND GUIDE AND TOOL KIT  
(4/1/B)****RESOLVED A.31.28.02.22 (COUNCIL)**

1. THAT note be taken of the Final Guidelines and Guide and Tool kit for the Establishment of Municipal Public Accounts Committees (MPACs) which was received and dated March 2012 from the Deputy Director General: Governance and Intergovernmental Relations, Department Cooperative Governance and attached as Annexure A to the report in this regard. (DCS)
2. THAT it be noted that the MPAC was composed by Council at its special meeting held on 20 December 2021 under Council Resolution A.146.20.12.21 in accordance with the Final Guidelines and Guide and Tool Kit attached to the report in this regard as Annexure A and B.  
(DCS)
3. THAT MPAC continues with its roles and responsibilities in terms of the Terms of Reference as fully recorded in Annexure A and B attached to the report in this regard, read with Section 79A of the Structures Act, 1998 as amended, which amongst others requires of the Oversight Committee considers and evaluate the contents of the Annual Report and makes recommendations to Council when adopting an Oversight Report on the Annual Report without first submitting it to the Executive Committee. (DCS)
4. THAT the Councillors who were appointed by virtue of Council Resolution A.146.20.12.21 as members of MPAC remains in such capacity since they will not be serving in any other Council Committees. (DCS)

MPAC ToolKit\_Item

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**REMARK:**

After the Council Committees' recommendations were presented to Council, the Speaker Cllr M D Mboyi afforded the Chairperson of the Audit and Audit Performance Committee, Ms J Masite and the Chairperson of the Risk Management and ICT Steering Committees, Mr S Mofokeng to do a brief presentation to Council about the Quarterly Report and Close Up Report as it is their last meeting with Council in terms of their contract with the Municipality. The Chairpersons delivered their presentations one after the other upon which the Speaker afforded an opportunity for questions of clarification by members.

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The meeting was closed and adjourned at 14:38.

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 28 April 2022.

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**CHAIRPERSON**

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