

MAKHADO LOCAL MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE ONE HUNDRED AND TWENTY THIRD (123rd) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 31 AUGUST 2017 IN THE COUNCIL CHAMBER, CIVIC CENTRE, KROGH STREET, MAKHADO AT 14:00.

PRESENT

Councillors

BABADU, T M
BALIBALI, T
BALOYI, R S
BULALA, S T
CHILILO, N F
DAVHANA, N D
DZIVHANI, T E
FURUMELE, M G
GABARA, M J
HLONGWANE, F B
JONES, N B
KUTAMA, T
LUKHELI, J
MADULA, S
MADUWA, E
MADZHIGA, F N
MAFHALA, N A
MAGADA, M R
MALANGE, T M
MALIMA, M E
MALIVHA, N V
MALULEKE, K M
MAMAFHA, T C
MAMOROBELA, T P
MAPHUBU, K
MARAGA, T 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
MPASHE, M J
MTHOMBENI, S Z
MUKHARI, M F
MUKWEVHO, T D
MUKWEVHO, G T
MULEFU, M E
MUNYAI, N S
MUSANDIWA, P N
NDOU, M D
NDOU, M N
NEMATANDANI, M C
NETHULWE, M F
NYELISANI, S S
PHOSHOKO, M G
RALIPHADA, R
RAMOVHOYA, K S
RAMUSHAVHA, G M
RAPHALALANI, A A
RASHAMUSE, A G
SELAPYANE, M A
SESHOKI, T
SIMANGWE, N J
SINYOSI, S M
SITHI, E T
TAMBANI, T E
TSHIAMBWA, L R
TSHIBVUMO, G
TSHIFURA, S S
TSHILAMBYANA, M S

Officials

N C KHARIDZHA

(ACTING MUNICIPAL MANAGER & DIRECTOR CORPORATE SERVICES)

C W MOLOKOMME

(DIRECTOR TECHNICAL SERVICES)

R V PHALANNDWA

(ACTING DIRECTOR DEVELOPMENT PLANNING)

H J LUKHELI

(ACTING DIRECTOR COMMUNITY SERVICES)

M D MUNYAI

(ADMINISTRATIVE OFFICER: COMMITTEES)

S W MATHONSI

(SARGEANT OF ARMS)

Traditional Leaders

HOSI S T MUKHARI

KHOSI R H SINTHUMULE

KHOSI F MULIMA

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 31 August 2017 to Cllrs M S Machete, N Munyai, N S Luduvhungu, R T Maingo, L G Maduwa, T J Mamafha, D Ratshikuni, M A Mashamba, A du Plooy and T J Mohlaba and to Khosi P V Kutama.

REMARK:

2.1 Cllr N Kutama was not present at the meeting.

2.2 The following Traditional Leaders were not present at the meeting: Khosi T G Muila, Khosi V C Ramabulana, Khosi N T L Mashamba, Khosi P Netsianda, Hosi H S Mukhari and Khosi M M Mphephu.

3. OFFICIAL ANNOUNCEMENTS

3.1 The Speaker, Cllr L B Mogale invited all Ward Councillors to attend a presentation by the Post Office regarding the appointment of Local Installers for Digital Migration scheduled for Tuesday, 5 September 2017 at 10:00 in the Council Chamber.

3.2 The Speaker, Cllr L B Mogale informed Councillors that the Municipal Demarcation Board would on 7 and 8 September 2017 consult with Planning and GIS officials of all Vhembe District Municipalities regarding Technical Municipal Boundary misalignment and possible solutions. Circular 2 dated 6 July 2017 described the whole process were handed to Councillors at the meeting.

4. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY THE SPEAKER

None

5. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY PARTY SPOKESPERSON

5.1 Cllr M E Malima congratulated Thovhele Vele Kutama for being elected as Chairperson of Traditional Leaders in Vhembe District.

5.2 Cllr N A Mafhala congratulated Democratic Alliance Student Organisation (DASO) for winning the SRC election at University of Pretoria.

5.3 Cllr S I Bulala congratulated the Spokesperson of the Economic Freedom Fighters, Dr Mbuyiseni Ndlozi for obtaining his PHD. He further congratulated the African National Congress Party MP for voting with the opposition in a motion of no confidence against President Jacob Zuma.

He also proposed condolences to the bereaved family of Ms Glenda Radzilane of Madombidzha who was killed by her boyfriend.

He then proposed condolences to the bereaved family of the late Ntsako Makhubele, who was a member of Economic Freedom Fighters Student Commander in Ward 11.

5.4 The Chief Whip, Cllr M D Mboyi read the following:

A. CONDOLENCES

(i) The Fight against Women and Child Abuse

Condolences to the family of the late Ms Glenda Radzilani who was killed at Madombizha Village, Ward 23.

(ii) Condolences to the families of those who passed away as a result of gender abuses.

(iii) Condolences to the families of those who fell victim to the case of cannibalism in Kwazulu Natal which was exposed.

(iv) Condolences to the families of the Sambandou grave incident where a body was found without a head.

B. CONGRATULATIONS

(i) The Successful COSATU Rally at Seshego Stadium

The ANC Makhado Caucus wishes to congratulate the Congress of South African Trade Unions Limpopo on hosting a successful rally that was addressed by the Deputy President Cde Cyril Ramaphosa on Sunday, 27 August 2017.

(ii) Re-launch of the Library

We wish to congratulate the leadership of Makhado Municipality after the successful re-opening of the revamped Makhado Community Library.

(iii) We wish to congratulate our Speaker, Cllr Lindiwe Mogale for attending a Ward 28 Imbizo at Tshakuma organised by Ward Councillor N S Munyai and his Ward Committee on 26 August 2017.

(iv) We wish to further congratulate our Mayor, Cllr S M Sinyosi for having organized a successful Imbizo feedback session held on 25 August 2017 at Show Ground.

(v) We wish to congratulate Phalaphala FM for successfully distributing sanitary towels on 26 August 2017 at Rabali Stadium.

(vi) We wish to congratulate the ANC MP's for having and successfully defeating the regime change in a form of a motion of no confidence to the ANC and also President Jacob Zuma.

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): August 2017

437th Executive Committee Meeting: 17 August 2017

438th Executive Committee meeting held on 31 August 2017

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

15th Section 79 Oversight Committee: Corporate Services Meeting: 21 August 2017

16th Section 79 Oversight Committee: Corporate Services Meeting: 31 August 2017

10th Section 79 Oversight Committee: Development Planning: 22 August 2017

10th Section 79 Oversight Committee: Finance: 22 August 2017

ITEM A.124.26.10.17

COUNCIL COMMITTEES: DISCIPLINARY COMMITTEE FOR FINANCIAL MISCONDUCT

(4/42/2)

REMARK: The matter was withdrawn from the agenda.

ITEM A.125.31.08.17 (originally A.125.26.10.17)

DELEGATION: DESIGNATION OF ACTING REGISTRAR OF THE MUNICIPAL PLANNING TRIBUNAL APPEAL AUTHORITY

(15/2/1 & 4/35)

RESOLVED A.125.31.08.17 (COUNCIL)

1. THAT K R Maphutha, Professional Town and Regional Planner in the Department Development Planning, be designated as acting Registrar of the Appeal Authority of the Municipal Planning Tribunal (MPT). (DDP)
2. THAT the acting Registrar of Appeal submits quarterly reports to the Municipal Manager to report on the execution of the assigned responsibilities. (DDP/MM)
3. THAT CoGHSTA and Rural Development and Land Affairs Departments be informed of the Council's Resolution accordingly. (DDP/MM)

RegistrarOfAppealAuthority_itm

CONFIDENTIAL**ITEM CA.126.31.08.17 (originally CA.126.30.08.17)****LITIGATION: JUDICIAL REVIEW APPLICATION: TERMINATION OF CONTRACT WITH NTSUMI TELECOMMUNICATIONS (PTY) LTD (NTSUMI): SECTION 32, SUPPLY CHAIN MANAGEMENT REGULATION PARTICIPATION (13/1/3/1/1)**

RESOLVED CA.126.31.08.17 (COUNCIL)

1. THAT Council authorize the Municipal Manager to file for a judicial review application in the High Court to declare the contract concluded with Ntsumi Telecommunication (Pty) Ltd invalid and unlawful. (MM/DCS)
2. THAT the Municipal Manager is further authorized to recover performances made by the Municipality in terms of the said unlawful contract with Ntsumi. (MM)
3. THAT the Municipal Manager or his delegate is also authorized to sign all documents related to the judicial review application and attend to anything incidental thereto until the matter is finalized. (MM)

LitigationNtsumi_itm

ITEM A.127.31.08.17 (originally A.127.30.08.17)**FINANCES: 2018/2019 to 2020/2021 IDP AND BUDGET TIME SCHEDULE (6/1/1 2017/2018 & 15/7/1)**

RESOLVED A.127.31.08.17 (COUNCIL)-

THAT Council approve the 2018/2019 to 2020/2021 IDP and Budget time schedule with the IDP Process Plan as proposed in the Annexure A and B attached to the report in this regard that has been compiled in accordance with the guidelines of National Treasury and Administrative Management as well as Political structure complying fully with the requirement to adhere to the time schedule.

BudgetTimetable_itm

(CFO)

ITEM A.128.31.08.17**PERSONNEL: ANNUAL SALARY INCREASE, 2017/18: CHIEF FINANCIAL OFFICER (SP 3/1)**

RESOLVED A.128.31.08.17 (COUNCIL)

1. THAT it be approved that the Chief Financial Officer, Ms M P Makhubela's salary be annually increased by 9,36% and the annual increase be paid retrospectively from 1 July 2017 in the September 2017 salary run, in view thereof that her Employment Contract expires on 30 September 2017. (CFO)

2. THAT a separate report on the annual salary increases of Municipal Manager and Managers accountable to Municipal Manager shall be submitted to Council after publication in the Government Gazette by the Minister of COGTA. (DCS)

SalaryIncreaseCFO_itm

ITEM A.129.31.08.17

**PERSONNEL: WITHDRAWAL OF MAKHADO MUNICIPALITY EMPLOYEES FROM MUNICIPAL EMPLOYEES PENSION FUND (MEPF)
(5/5/11/1)**

RESOLVED A.129.31.08.17 (COUNCIL)

1. THAT Council considers the report together with the recommendation of the Local Labour Forum and further submits this report and its resolution to the relevant regulatory authority and South African Local Government Association for intervention, if necessary. (DCS)
2. THAT the Municipal Manager submit a report on the challenges encountered by Councillors with regard to the Municipal Councillors' Pension Fund (MCPF) at the first following meeting.

WithdrawalMEPF_itm

(DCS)

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The meeting was closed and adjourned at 15:02.

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 October 2017.

CHAIRPERSON

MDM/lh/SpecialCouncilMinutes_123