

MAKHADO LOCAL MUNICIPALITY
OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE ONE HUNDRED AND TWENTY SIXTH (126th) URGENT SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD ON FRIDAY, 13 OCTOBER 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
 FURUMELA, M G
 GABARA, M J
 KUTAMA, N
 KUTAMA, T
 LUKHELI, J
 MADULA, S
 MADUWA, E
 MADUWA, L G
 MADZHIGA, F N
 MAINGO, R T
 MALANGE, T M
 MALIMA, M E
 MALIVHA, N V
 MALULEKE, K M
 MAMAFHA, T J
 MAMAROBELA, T P
 MAPHUBU, K
 MARAGA, T A
 MASHAMBA, M A
 MASIPA, M L
 MASUKA, S
 MASUTHA, L G
 MATHALISE, L M
 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
 MUNYAI, N S
 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
 RASHAMUSE, A G
 RATSHIKUNI, D
 SESHOKI, T
 SIMANGWE, N J
 SINYOSI, S M
 SITHI, E T
 TAMBANI, T E
 TSHIAMBWA, L R

Officials

N C KHARIDZHA
 L N RAGIMANA
 N G THANYANI
 E LUBISI
 J LUKHELI
 M D MUNYAI
 S W MATHONSI

(ACTING MUNICIPAL MANAGER & DIRECTOR CORPORATE SERVICES)
 (ACTING DIRECTOR TECHNICAL SERVICES)
 (ACTING DIRECTOR DEVELOPMENT PLANNING)
 (ACTING CHIEF FINANCIAL OFFICER)
 (ACTING DIRECTOR COMMUNITY SERVICES)
 (ADMINISTRATIVE MANAGER: COMMITTEES)
 (SARGEANT OF ARMS)

Traditional Leaders

KHOSI KUTAMA, P V

KHOSI M M MPHEPHU

KHOSI F MOLEMA

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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 Urgent Special Council meeting held on 13 October 2017 to Cllrs B F Hlongwani, N A Mafhala, G M Ramushavha, M A Selapyana, G Tshibvumo, T C Mamafha, A du Plooy and N B Jones and Khosi P Netsianda.

REMARK:

2.1 Cllrs M S Machete, M R Magada, V S Luduvhungu, A Matumba, A A Raphalalani, S S Tshifura and M S Tshilamyana were not present at the meeting.

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

3. OFFICIAL ANNOUNCEMENTS

None

4. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY THE SPEAKER

None

5. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY PARTY SPOKESPERSON

5.1 Cllr T A Maraga congratulated the Economic Freedom Fighter Student Commander at University of Venda for winning SRC elections by 2984 votes.

5.2 Cllr M E Malima congratulated the Supreme Court of Appeal for reinstating 783 corruption charges against President Jacob Zuma.

5.3 Cllr M D Mboyi proposed condolences to the bereaved family of the late Dr Nkhelebeni Edward Phaswana, a well-known writer and community developer, who had passed away.

She further proposed condolences to all the families that had been affected by the recent storms.

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): October 2017

443rd Executive Committee Meeting: 13 October 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): October 2017

21st Section 79 Oversight Committee: Corporate Services Meeting: 13 October 2017

ITEM A.150.13.10.17

**PERSONNEL: APPOINTMENT: MUNICIPAL MANAGER
(5/3/B; SP1/1/1)**

RESOLVED A.150.13.10.17 (COUNCIL) -

1. THAT Mr Nnyadzeni Freddy Tshivhengwa who scored the highest points in the interview and was also rated Competent in the competency assessment, be appointed as the Municipal Manager of Makhado Local Municipality with effect of 1 November 2017. (DCS)
2. THAT the Pro-forma Employment Contract between the Municipal Manager and Municipality of Makhado and the Pro-forma Performance Agreement be approved as set out in **Annexure F** attached to the report in this regard. (DCS)
3. THAT the Mayor, Cllr S M Sinyosi be vested with the power to negotiate the all- inclusive remuneration package on a cost-to-council basis with the Municipal Manager referred to in paragraph 1 above as arranged in terms of the provisions of *Upper Limits of Total Remuneration Packages Payable to Municipal Managers and Managers Directly Accountable to Municipal Managers*, promulgated under General Notice (Department of Co-operative Governance and Traditional Affairs, No 381 of 2016 in Government Gazette No 40118 of 4 July 2016. (DCS)
4. THAT it be noted that the Mayor will sign the Employment Contract and Performance Agreement of the Municipal Manager on behalf of Makhado Municipality as dictated by legislation. (DCS)
5. THAT the MEC for Local Government be notified of the appointment process and outcome as required by the provisions of Section 54 A (7) (a) of the Local Government: Municipal Systems Act, 2000. (DCS)

ITEM A.151.13.10.17**PERSONNEL: APPOINTMENT: CHIEF FINANCIAL OFFICER
(5/3/B; 5/3/4/3)**

RESOLVED A.151.13.10.17 (COUNCIL) -

1. THAT Ms Mikateko Palesa Makhubela, who scored the highest points in the interview and was also rated Competent in the competency assessment, be appointed as Chief Financial Officer of Makhado Local Municipality with effect of 1 November 2017. (DCS)
2. THAT the Pro-forma Employment Contract between the Chief Financial Officer and the Municipal Manager on behalf of Municipality of Makhado and the Pro-forma Performance Agreement be approved as set out in **Annexure G** attached to the report in this regard. (DCS)
3. THAT the Municipal Manager be vested with the power to negotiate the all inclusive remuneration package on a cost-to-council basis with the Chief Financial Officer referred to in paragraph 1 above as arranged in terms of the provisions of *Upper Limits of Total Remuneration Packages Payable to Municipal Managers and Managers Directly Accountable to Municipal Managers*, promulgated under General Notice (Department of Co-operative Governance and Traditional Affairs, No. 381 of 2016 in Government Gazette No. 40118 of 4 July 2016. (DCS)
4. THAT it be noted that the Municipal Manager will sign the Employment Contract and Performance Agreement of the Chief Financial Officer on behalf of Makhado Municipality as dictated by legislation. (DCS)
5. THAT the MEC for Local Government be notified of the appointment process and outcome as required by the provisions of Section 56 (4A) (a) of the Local Government: Municipal Systems Act, 2000. (DCS)

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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 26 October 2017.

CHAIRPERSON

MDM/lh/SpecialCouncilMinutes_126