

# MAKHADO MUNICIPALITY

## OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE FIFTIETH (50<sup>TH</sup>) MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS HELD ON FRIDAY, 6 FEBRUARY 2009 AT 17:00 IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, KROGH STREET, LOUIS TRICHARDT.

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### PRESENT

#### Councillors

BALADZI P  
BALOYI, R S  
BOPAPE, M B  
CHAYA A A  
DU PLOOY A  
GUNDULA, A S  
HELM M.A.  
HLONWANI, X N C  
HLUNGWANE B.F.  
HOORZUK, J  
KHUMALO J D  
LEBEA M.E.  
LERULE M.M  
LOWANE, L B  
MABILA, M N  
MABOHO, N K  
MABOHO, T E  
MACHOVANI R G  
MADUWA E  
MAGUGA, S G  
MAHANI, M F  
MAKHADO, M M  
MAKHADO, M N  
MAHWAI S.J.  
MAKANANISE M.M.  
MAKHERA M.A.  
MAKHOMISANI S.E.  
MAKHUBELE R.T.  
MANGANYI S.D.S.

MAPHALA, O S  
MASHAU, L P  
MASHAMBA H.A.  
MASUKA, S  
MATAMELA, N S  
MAUBA, K D  
MAVHUNGU K  
MBOYI, M D  
MUDAU, T J  
MUKHAHA, A J  
MULOVHEDZI, M D  
MUNUGUFHALA M L  
MUVHUMBE M.A (until 17h30)  
NCHAUBA, T G  
NEMALEGENI, P R J  
NEPHAWE, K P  
NGOBENI N.E.  
NGWANA A G  
NKANYANI R.G.  
PHASWANA P  
RADAMBA, M S  
RAMUDZULI, S D  
RAMASHIA N.G.  
REKHOTSO S M  
REYNEKE P.Q  
RIKHOTSO F J  
RUMANI F.F.  
SIPHUMA, A L  
SMALLE, J F  
TSHAVHUYO, T G

#### Traditional Leaders

KHOSI MULIMA S.A  
KHOSI MASAKONA M.C.  
KHOSI MADZIVHANDILA MA.

KHOSI NESENGANI T.P  
KHOSI MASHAMBA N.T.L  
KHOSI NETSIANDA M.V`

#### Officials

A.F. MUTHAMBI	(MUNICIPAL MANAGER)
R H MALULEKE	(DIRECTOR FINANCE)
S.M. CAROTO	(ACTING DIRECTOR CORPORATE SERVICES)
F MAMUREMI	(DIRECTOR TECHNICAL SERVICES)
E L MUGARI	(DIRECTOR COMMUNITY SERVICES)
T E SHIRINGANI	(ADMINISTRATIVE OFFICER: COMMITTEES)

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## 1. OPENING

The Speaker, Cllr J Hoorzuk ruled that a minute of silence be observed for meditation and prayer whereafter she declared the meeting officially opened.

## 2. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLVED -

THAT leave of absence be granted in accordance with the provisions of Rule no. 5 of the Council's Rules and Orders, January 2008 in respect of the Council meeting held on 6 February 2009 to Cllrs V Mahlaule, J Dzhombe, F.D Mutavhatsindi, D Malete, L.B Lowane, B.T Ndliwayo

### REMARK:

Cllrs Matodzi A.N, Mufamadi M.R, Murovhi N.J, Ngobeni E.H, Nthulane L.T, Mashau L, Cllr M.R Selepe as well as Traditional Leaders Hosi T J Mukhari, Hosi M S Bungeni, Hosi Majosi H.N, Hosi Mukhari S.T, Hosi Baloyi J, Khosi Ramabulana V.C, Khosi Mashau R.V and Khosi Sinthumule S.E did not sign the attendance register and it cannot be confirmed that they were present at the meeting. Cllr Sikutshi P resigned as a member of Council.

## 3. OFFICIAL ANNOUNCEMENTS

3.1 The Speaker, Cllr J Hoorzuk announced that the ANC Vhembe Region would unveil the tombstone of the late Cde Zinjiva Nkondo and launch the 2009 ANC Election Manifesto at Malamulele Stadium on the 14 February 2009.

3.2 The Speaker, Cllr J Hoorzuk announced that Cllr A A Chaya was invited by the Provincial First Lady, Ms Ramakone Moloto to attend her Birthday celebration with the children from Matlhako Creche to be held at Zion City (Moria) on the 10 February 2009 at 11h00.

## 4. PROPOSAL OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER:

4.1 The Speaker, Cllr J Hoorzuk proposed congratulations to the officials of Makhado Municipality for the successful Inauguration of the Mayor on the 30<sup>th</sup> January 2009.

4.2 The Speaker, Cllr J Hoorzuk proposed congratulations to Councillor A.A Chaya as contained in a letter from Director of Community Services, Mr Mugari E.L and to this end the Mayor Councillor M M Lerule handed over a Certificate of Appreciation to Cllr A.A. Chaya.

4.3 The Speaker, Cllr J Hoorzuk proposed congratulations to Cllr A.A. Chaya who undertook to donate three bags of mealie meal for the unveiling of the tombstone of the late Cde Zinjiva Nkondo and the launch of 2009 ANC Election Manifesto at Malamulele Stadium on the 14<sup>th</sup> February 2009 also referred to in item 3.1 above.

## 5. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY OTHER COUNCILLORS

None

## 6. CONFIRMATION OF MINUTES

### 6.1 REMARK:

Upon a proposal by Cllr W.N Mashele duly seconded by Cllr S G Maguga, it was

RESOLVED -

THAT the minutes of the 49<sup>th</sup> Meeting of the Council held on 30 October 2008, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

### 6.2 REMARK:

Upon a proposal by Cllr M.E. Lebea, duly seconded by Cllr K.D. Mauba, it was

RESOLVED -

THAT the minutes of the 59<sup>th</sup> Special Meeting of the Council held on 17 November 2008, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

### 6.3 REMARK:

Upon a proposal by Cllr J.D. Khumalo, duly seconded by Cllr S.E. Makhomisani, it was

RESOLVED -

THAT the minutes of the 60<sup>th</sup> Special Meeting of the Council held on 26 November 2008, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

### 6.4 REMARK:

Upon a proposal by Cllr O.S. Maphala, duly seconded by Cllr M.F. Mahani it was

RESOLVED -

THAT the minutes of the 61<sup>st</sup> Special Meeting of the Council held on 4 December 2008, 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 MOTIONS N0. 216, N0. 217 AND N0. 218

### REMARK:

Cllr F.J. Rikhotso duly seconded by Cllr Mabila M.N proposed that the motions be deferred to the next Council Meeting.

### Resolved

THAT Motions N0. 216, N0. 217 and N0. 218 be referred to the next Council meeting.

**9. REPORT OF THE EXECUTIVE COMMITTEE: OCTOBER 2008**

**9.1 Report of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) for the months of November, December 2008 and January 2009**

**The report of the 233<sup>rd</sup> Executive Committee meeting held on 17 November 2008.  
The report of the 234<sup>th</sup> Executive Committee meeting held on 26 November 2008.  
The report of the 235<sup>th</sup> Executive Committee meeting held on 4 December 2008.  
The report of the 236<sup>th</sup> Executive Committee meeting held on 22 January 2009.  
The report of the 236<sup>th</sup> Executive Committee meeting held on 26 January 2009.**

**CONFIDENTIAL**

**ITEM A.119.17.11.08**

**CONFIDENTIAL MATTER**

**ITEM A.120.17.11.08**

**SERVICES: ROADS AND STORM-WATER: ENTRANCE TO MAKHADO PARK FROM N1  
(16/5/8/2/3)**

**REMARK:**

This matter was already considered at the 59<sup>th</sup> Special Council meeting which was held on 17 November 2008.

**ITEM A.121.17.11.08**

**ESSENTIAL SERVICES: ELECTRICITY DISTRIBUTION INDUSTRY: RESTRUCTURING TO REGIONAL ELECTRICAL DISTRIBUTORS: RED 6: SIGNING OF TRIPARTITE AGREEMENT  
(8/3/2/617)**

**REMARK:**

This matter was already considered at the 59<sup>th</sup> Special Council meeting which was held on 17 November 2008.

**ITEM A.122.17.11.08**

**FINANCES: WRITING OFF OF DEBTS OLDER THAN THREE (3) YEARS  
(6/1/1(08/09) & 6/1/B)**

**REMARK:**

This matter was already considered at the 59<sup>th</sup> Special Council meeting which was held on 17 November 2008.

**ITEM A.123.17.11.08**

**FINANCES: APPOINTMENT OF AUDIT COMMITTEE  
(4/11/1)**

**REMARK:**

This matter was already considered at the 59<sup>th</sup> Special Council meeting which was held on 17 November 2008.

**ITEM A.124.17.11.08**

**COUNCIL LAND: PROPOSED DEVELOPMENT: INTER-MODAL TRANSPORT FACILITY:  
SUITABLE LAND  
(7/2/3/1; 15/5/13/2)**

**REMARK:**

This matter was already considered at the 59<sup>th</sup> Special Council meeting which was held on 17 November 2008.

**ITEM A.125.17.11.08**

**RECONSTITUTION AND APPOINTMENT OF MEMBERS OF COUNCIL COMMITTEES  
(4/3/1)**

**REMARK:**

This matter was withdrawn.

**ITEM A.126.04.12.08 (originally A.126.26.11.08)**

**ESSENTIAL SERVICES: ELECTRIFICATION 2008/9: MAUNAVHATU, SERENI, TSHIMBUPFE  
THONDONI, MUKONDENI, TSHIVHANGANI, MUWAWENI, TSHWIKA, MADADZI, LEHUFU,  
SLANGER, NNGWEKHULU: REQUEST FOR ADDITIONAL FUNDING FOR CONSTRUCTION:  
VHEMBE DISTRICT MUNICIPALITY  
(8/3/2/828, /829, /830, /831, /832 and /823)**

**REMARK:**

This matter was already considered at the 61<sup>st</sup> Special Council meeting which was held on 4 December 2008.

**ITEM A.127.04.12.08 (originally A.127.26.11.08)**

- 1. RESIGNATION: COUNCILOR T G MASHABA**
- 2. FILLING OF VACANCIES IN THE EXECUTIVE COMMITTEE AND ELECTION OF  
MAYOR OF COUNCIL  
(3/3/5; 3/3/3; 3/3/1; 3/3/4 & 3/2/5)**

**REMARK:**

This matter was already considered at the 61<sup>st</sup> Special Council meeting which was held on 4 December 2008.

**ITEM A.128.04.12.08 (originally A.128.26.11.08)**

**PERSONNEL: PAYMENT OF PERFORMANCE BONUS TO SECTION 57 EMPLOYEES: 2007/8  
FINANCIAL YEAR  
(SP2/23; 6/1/1(08/09))**

**REMARK:**

This matter was already considered at the 61<sup>st</sup> Special Council meeting which was held on 4 December 2008.

**ITEM A.129.04.12.08 (originally A.129.26.11.08)**

**PERSONNEL: EMPLOYMENT CONTRACTS: SECTION 57 MANAGERS – DIRECTORS OF  
MUNICIPAL DEPARTMENTS  
(1/1/74 & 5/3/B)**

**REMARK:**

This matter was already considered at the 61<sup>st</sup> Special Council meeting which was held on 4 December 2008.

**ITEM A.130.04.12.08 (originally A.130.26.11.08)**

**PERSONNEL: CLOSING OF MUNICIPAL OFFICES DURING FESTIVE SEASON 2008/2009  
(5/6/5 & 5/6/B)**

**REMARK:**

This matter was already considered at the 61<sup>st</sup> Special Council meeting which was held on 4 December 2008.

**ITEM A.131.04.12.08 (originally A.131.26.11.08)**

**PERSONNEL: RE-GRADING OF MAKHADO LOCAL MUNICIPALITY  
[5/5/B & 5/2/B]**

**REMARK:**

This matter was already considered at the 61<sup>st</sup> Special Council meeting which was held on 4 December 2008.

**ITEM A.132.04.12.08**

1. **RESIGNATION: COUNCILOR T G MASHABA**
  2. **FILLING OF VACANCIES IN THE EXECUTIVE COMMITTEE AND ELECTION OF  
MAYOR OF COUNCIL**
  3. **ACTING ARRANGEMENT: MAYOR AND CHAIRPERSON OF THE EXECUTIVE  
COMMITTEE**
- (3/3/5; 3/3/3; 3/3/1; 3/3/4 & 3/2/5)**

**REMARK:**

This matter was already considered at the 61<sup>st</sup> Special Council meeting which was held on 4 December 2008.

**ITEM A.133.04.12.08**

**DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF  
DIFFERENT MEMBERS OF MUNICIPAL COUNCILS**  
**(12/2/1/54 & 5/5/2/1)**

**REMARK:**

This matter was already considered at the 61<sup>st</sup> Special Council meeting which was held on 4 December 2008.

**ITEM A.134.04.12.08**

**WATER SERVICES: REFURBISHMENT OF WATER SERVICES INFRASTRUCTURE SYSTEMS  
(16/1/1)**

**REMARK:**

This matter was already considered at the 61<sup>st</sup> Special Council meeting which was held on 4 December 2008.

# 2009

## ITEM A.1.06.02.09

### TOWN-PLANNING AND CONTROL: PROPOSED TOWNSHIP ESTABLISHMENT: GETRUDSBURG:

1. PORTION 9 OF THE FARM LEDIG 289 L.S. AND
2. REMAINDER OF FARM LEDIG 289 L.S.  
(15/4/2/2/1/214; 15/3/15)

#### RESOLVED A.1.06.02.09

1. THAT the proposed township establishment and layout plan attached as Annexure 1 to the report in this regard and dated 23 May 2008, as prepared by Jamela Consulting for the establishment of Getrudsburg Township on a portion of the Remainder of the farm Ledig 289 L.S. be approved in principle subject thereto to the following conditions:
  - 1.1 The advertisement and public consultation process be finalized and all comments received be incorporated in the proposed layout and Conditions of Establishment
  - 1.2 Proof that the notices were published on 30 May 2008 in the local media and Limpopo Provincial Gazette must be submitted to Council
  - 1.3 Submission of the Title Deed of the subject property as part of the application documents
  - 1.4 Conditions of Establishment be submitted to Council for approval before the process can be formally implemented
  - 1.5 All comments and approval from the other stakeholders such as Vhembe District Municipality, Telkom, ESKOM, DWAF and RAL be obtained and adhered to
  - 1.6 It be confirmed that Limpopo Department of Economic Development, Environment and Tourism approves of the application.
  - 1.7 The Record of Decision and the EIA Study Report must be submitted to Council for consideration
  - 1.8 The necessary steps required in terms of the Town-planning and Township Ordinance, 1986, (Ordinance 15 of 1986) must be fully implemented
  - 1.9 Township Developer will be required to sign Services Agreement to arrange for bulk supply of electricity, storm water drainage catchments and refuse removal with Makhado Local Municipality; electricity supply will further be subject to bulk capacity delivery by Eskom to MLM
  - 1.10 Township Developer will be required to sign Services Agreement with Vhembe District Municipality to arrange for water and sewer services.
  - 1.11 Township Developer will be liable to pay bulk services contributions in order to proportionally defray Council's cost for the provision of bulk services to the development area
  - 1.12 The conditions set by Roads Agency Limpopo about access roads to the development area must be complied with

- 1.13 The suitability of on site sanitation must be reviewed in the context of ground water pollution and alternative to on site sanitation must be investigated.
- 1.14 The use of boreholes for water storage to which MLM holds the user license must be clarified between Council's Director Technical Services and the township developer prior to the signing of Services Agreements. (DTS)
2. THAT the Draft Services Agreements attached to the report in this regard as Annexure 3 and Annexure 4 respectively be approved and be formally concluded with the Township Developer of proposed Gertrudsburg Township. (DCS)
3. THAT note be taken of the letter of complaint dated 17 December 2008 that was received from the GPCA regarding the fact that the proposed lay-out of Gertrudsburg was not submitted to Council in October 2008, and that it be noted that a backlog in town-planning matters exist due to the fact that the Town-planning section at present has not incumbents. (DCS)
4. THAT Council through political lobbying with national sector departments and administrative memoranda of motivation assist as facilitator the GCPA to access donor funding to finance the following expenditure of the proposed Gertrudsburg Township:
- 4.1 Installation and commissioning of link services for water, sewer, electricity and storm water drainage
- 4.2 Installation and commissioning of internal services of water, sewer, electricity, roads and storm water drainage
- 4.3 Bulk service supply of water, sewer, electricity, storm water drainage
- 4.4 Access roads
- 4.5 Internal roads
- 4.6 Engineering services contributions as a once off payment proportional to the use of plant. (DComs/DTS)
5. THAT the Municipal Manager acquire a legal opinion about the servitude of water rights registered against the Remainder of the Farm Ledig 289 LS and/or Portion 9 of the Farm Ledig 289 LS in favour of Makhado Local Municipality's predecessor, its status, validity and related issues, and the fact that access to the water source is in public interest.

**ITEM A.2.06.02****TOWN-PLANNING AND CONTROL: EXTENSION OF BUSINESS SITE: PORTION 2 OF ERF 1754, DZANANI TOWNSHIP: REQUEST FOR A REVIEW  
(7/4/1/4)****RESOLVED A.2.06.02.09**

THAT Council, on review, approves the application by Mr K J Tshivhandekano to purchase, subdivide, rezone and consolidate a portion of the open space behind erf 1754 as depicted in the sketch plan referred to as Annexure B in the report, subject to the following conditions:

1. The property be exclusively used as a parking area for the shopping complex to be constructed at erf 1754 and this condition be embodied in the Title Deed / Deed of Grant in this regard.
2. The servitudes as depicted in said Annexure B in the report in this regard be registered in the Title Deed / Deed of Grant in favour of the Municipality. (DCS)

ReviewE1754\_itm

**ITEM A.3.06.02.09****TOWN-PLANNING AND CONTROL: EXTENSION OF BUSINESS SITE: PORTION 2 OF ERF 1754, DZANANI TOWNSHIP: REQUEST FOR A REVIEW  
(7/4/1/4)****REMARK:**

The Executive Committee has passed a resolve on this matter under item A.2.29.01.09 and its recommendation is recorded under the said item. The report submitted under item A3.06.02.09 was thus not considered.

**ITEM A.4.06.02.09****ELECTIONS: MUNICIPAL ELECTORAL OFFICER FOR MAKHADO MUNICIPAL AREA: REQUEST RECEIVED: INDEPENDENT ELECTORAL COMMISSION  
(3/2/4/1/6)****RESOLVED A.4.06.02.09**

**THAT** the Mayor be vested with the power to in consultation with the Municipal Manager designate a suitable person to be charged with the duties of M E O of Makhado Municipality with effect of 1 March 2009 in order to deliver free and fair municipal elections in the next municipal elections.

**ITEM A.5.06.02.09****MEETINGS: RECONSTITUTION AND APPOINTMENT OF MEMBERS OF COUNCIL COMMITTEES  
(4/3/1)****REMARK :**

Cllr M.E Lebea proposed that Cllr P. Phaswana be added as a member of the Portfolio Committee : Planning and Economic Development and that the Chief Whip be delegated with the power to finalise the composition of the Portfolio Committee : Planning and Economic Development. The proposal was generally accepted and was recorded below under Paragraph 2 and 3 respectively as Council Resolution.

RESOLVED A.5.06.02.09 -

1. THAT Council Resolution A.50.24.04.08 and all its predecessors be revoked.
2. THAT Councillors be appointed into various Council Committees as follows:

N0.	COMMITTEE	MEMBERS – COUNCILLORS
1	ROAD TRANSPORT, DISASTER AND LAND REFORM : <b>Cllr Muvhumbe A</b>	Murovhi N.J. Matamela N.S. Maboho T.E. Ngwana A.G. Du Plooy A Ramashia N.G. Malete N.E. Ngobeni N.E. Nthulane L.T.
2	FINANCE : <b>Cllr Lerule M.M.</b>	Matodzi A.N. Makhado M.M. Mashele W.N. Smalle J.F. Mboyi D Mukhuha A.J. Mashau L.P. Nkanyane R.G.
3	SPORTS AND RECREATION <b>Cllr Masuka S</b>	Ramudzuli S.D. Tshavhuyo G. Makhubele R. Baladzi P. Makhera M.A. Dzhombe J. Siphuma A.L. Makhado M.N.
4	YOUTH, ELDERLY, GENDER, DISABLED, CHILDREN AND TRADITIONAL AFFAIRS <b>Cllr Matumba J</b>	Khumalo J.D. Chaya A. Ndhliwayo B.T. Maboho T.E. Ngwana A.G. Makhomisani S.E. Mahlaule N.V. Ngobeni E.H. Maduwa E Mahane F.
5	TECHNICAL SERVICES AND INFRASTRUCTURE <b>Cllr Mutavhatsindi F.D.</b>	Mahane F. Honwana X.N.C. Hlungwane B F Mavhunga K. Rumani F.F. Lebea M.E. Smalle J.F. Ramashia N.A. Mulovhedzi D
6	COMMUNITY SERVICES <b>Cllr Lowane L.B.</b>	Mahwai S.J. Khumalo J.D. Mulovhedzi M.D. Mboyi D Helm M.A. Rekhotso S.M.

NO.	COMMITTEE	MEMBERS – COUNCILLORS
		Nemalegeni P.R.J. Hon'wana X.N.C Gundula S.
7.	CORPORATE SERVICES <b>Cllr Mudau T.J.</b>	Mabila M.N. Nthulane L.T. Helm M.A. Phaswana P Hlongwane B.F. Lebea M.M. Nephawe P Mauba D Bopape M.B. Makhado M M
	CORPORATE SUB-COMMITTEES <b>A. LABOUR FORUM</b>	Makhado M.M. Mudau T.J Mauba K.D.
	<b>B. EMPLOYMENT EQUITY</b>	Mabila M.N. Bopape M B Hlongwane B.F. Nthulani L.T. Radamba M.N.
	<b>C. PENSION FUND</b>	Makananise M.M. Hlongwane B.F. Nephawe P.
8.	HOUSING <b>Cllr Reyneke P.</b>	Rikhotso F.J. Murovhi N J Machovani R.G. Manganye S.D.S. Maboho N.K. Maphala O.S. Munungufhala M.L. Mashamba H A
9.	RULES AND ETHICS <b>Cllr Hoorzuk J</b>	Maguga S.G. Ramashia G. Mufamadi M.R. Matodzi A.N. Mavhungu K. Mashau L.P. Matamela N.S. Radamba M. Mahlaule V.
10	PLANNING : ECONOMIC DEVELOPMENT <b>Cllr Baloyi R.S.</b>	Dzhombe J Mauba M D Maguga S G Mashele W.N. Du Plooy A Mufamadi M.R. Makananise M.M. Radamba M S Mashau L P Nchauba T G Malete D Ngwana A G Phaswana P

3. THAT the Chief Whip be delegated with the power to finalize the composition of the members of the Portfolio Committee of Planning and Economic Development. (DCS)

**ITEM A.6.06.02.09**

**REPORTS AND SURVEYS:**

1. **MID-YEAR PERFORMANCE ASSESSMENT: 2008/9 FINANCIAL YEAR: ALL DEPARTMENTS**
2. **ADJUSTMENT BUDGET 2008/09**  
(10/1/4/1; 10/1/2 & 5/5/2/1, 6/1/1(08/09))

**REMARK:** Cllr M Helm requested that her objection be recorded against the Council resolve in this matter.

**RESOLVED A.6.06.02.09**

1. THAT Council takes note of the Summary of the Mid Year Performance Assessment Report for 2008/9 Financial Year which was compiled under the leadership of the Municipal Manager, a copy of which is attached to the report in this regard as Annexure A, B and C as required under section 72 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003). (MM/ALL DIRECTORS)
2. THAT Council approves that an adjustment budget was necessary, taking into account the following major issues:-
  - 2.1 The implementation of the increment in council allowances per government gazette.
  - 2.2 The implementation of salary adjustment of official salaries after benchmarking with other organization in the same grading.
  - 2.3 The implementation of property rates which resulted in expansion of our revenue base.
  - 2.4 The grants from Vembe District Municipality in respect of the purchase of the Refuse Removal Truck ( R750 000) and the fencing of the graveyard( R 2000 000). (DF)
3. THAT the Chief Financial Officer include in the Adjustment Budget 2008/9 only items that were reviewed or added. (DF)
4. That in the event where engagement with other funders are not successful, the Finance Committee is mandated to check other funds within the existing budget to fund electrical projects.

(MM/ALL DIRECTORS)

**ITEM 7.06.02.09**

**PUBLICITY: ANNUAL REPORT 2007/08: APPROVAL AND SUBMISSION: DEPARTMENT NATIONAL TREASURY AND DEPARTMENT PROVINCIAL AND LOCAL GOVERNMENT**  
(10/1/2)

**RESOLVED A 7.06.02.09**

1. THAT the Annual Report 2007/8 be approved and it be furnished to the:
  - Department of Local Government and Housing

- National Treasury  
 - Department of Provincial and Local Government  
 as Makhado Local Municipality's demonstration of municipal performance to its  
 community (DCS)

2. THAT an Oversight Committee comprising of five (5) councilors and five (5) community representatives be established to have an Overview on the Report as more fully set out in National Treasury *Circular No 32 of 15 March 2006*, and that the Chairperson of the Executive Committee be vested with the power to appoint five (5) councilors and five (5) community representatives that will serve in the Oversight Committee. (DCOMMS)
3. THAT members of the Audit Committee be invited to serve as technical assistance to the Oversight Committee referred to in paragraph 2 above.
4. THAT it be noted that Council's final resolve on the 2007/8 Annual Report must be passed by no later than 31 March 2009 whereupon it must be submitted to National Treasury and the Department of Provincial and Local Government, as well as the Provincial Department of Local Government and Housing. (DCS)
5. THAT Council notes that CORPMD was appointed by DLGH to assist the Finance Department in clearing all the issues raised in the Auditor-General's report and that a resident accountant has been deployed in the Municipality fulltime. (DF)
6. THAT the Department Corporate Services scrutinize anew the return of attendance of meetings by councilors to confirm accuracy of figures reflected in the report and that the Municipal Manager submit further information to the Mayor regarding provisions for attendance of meetings by councilors. (MM/ALL DIRECTORS)

**ITEM A.8.06.02.09**

**COUNCIL LAND : CONDITIONS OF SALE : RIGHT OF REVERSION CLAUSE : CANCELLATION  
 (7/3/2/1;13/4)**

**RESOLVED A.8.06.02.09**

1. THAT the right of reversion clause in the Standard Sales Agreement of municipal **residential erven that are sold at market related** prices be cancelled with retrospective effect of 25 April 2008 in order to enable unhindered access to mortgage facilities by purchasers of such properties. (DF/DCS)
2. THAT the Department Corporate Services compile a draft policy to address the following matters in the sale of municipal land, and submit a consolidated report of policy to Executive Committee at a next meeting

- 2.1 municipal land sold must be at least developed within ten (10) years of it being sold and the property rates ratio must be applied to encourage such development
- 2.2 the cancellation of the right of reversion clause will remain applicable in those cases where land is sold at a lesser price than the market related price, irrespective of the zoning thereof
- 2.3 the sale of municipal land in rural areas
- 2.4 the sale of public owned land in rural areas where municipality acts as agent of the State (DCS)

**ITEM A.9.06.02.09**

**ESSENTIAL SERVICES: NEIGHBOURHOOD DEVELOPMENT PARTNERSHIP GRANT (16/8/1)**

**RESOLVED A.9.06.02.09**

- 1. THAT the contents of the report be noted.
- 2. THAT the project list of all R293 towns as well as Louis Trichardt town, Tshikota town and Elti Villas town as more fully set out in the annexure to the report in this regard be approved in principle, with addition of Tshikota town on the 2<sup>nd</sup> page of the Annexure (DTS)
- 3. THAT the identified projects in the Annexures to the report in this regard be included in the 2009/2010 I D P with the proposed source of funding the Neighbourhood Development Partnership Grant (DCOMMS)
- 4. THAT a consultant be appointed on risk basis through the bidding procedure if Council’s supply chain management policy were to apply for the grant for the projects referred to in this resolve (DTSDF)

**ITEM A.10.06.02.09**

**ESSENTIAL SERVICES: ELECTRIFICATION 2008/9: VARIOUS VILLAGES – REQUEST FOR ADDITIONAL FUNDING (8/3/2/828-833)**

**REMARK:** This report was withdrawn from the agenda.

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**9.2 Report of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) for the months of November, December 2008 and January 2009**

**The report of the 233<sup>rd</sup> Executive Committee meeting held on 17 November 2008.  
The report of the 234<sup>th</sup> Executive Committee meeting held on 26 November 2008.  
The report of the 235<sup>th</sup> Executive Committee meeting held on 4 December 2008.  
The report of the 236<sup>th</sup> Executive Committee meeting held on 22 January 2009.  
The report of the 236<sup>th</sup> Executive Committee meeting held on 26 January 2009.**

**ITEM B.117.17.11.08**

**PERSONNEL: PAYMENT OF PERFORMANCE BONUS TO SECTION 57 EMPLOYEES: 2007/8 FINANCIAL YEAR (SP2/23; 6/1/1(08/09))**

**REMARK:**

1. THAT the Executive Committee take the necessary steps to ensure that employment contract be duly signed by the Mayor and Municipal Manager. (DCS)
2. THAT the Municipal Manager must submit the outstanding performance documentation (performance agreement) in line with the 2006/2007 and 2007/2008 financial years after which assessment will be done in line with the Municipal Performance Regulation of 2006. (DCS)

PerformanceBonus2007-8\_itm

**CONFIDENTIAL**

**ITEM CB.118.17.11.08**

**CONFIDENTIAL MATTER**

**REMARK:**

This matter was already considered at the 59<sup>th</sup> Special Council meeting which was held on 17 November 2008.

**2009**

**ITEM B.1.22.01.09**

**FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING 30 SEPTEMBER 2008 (6/1/1(2008/09))**

RESOLVED B.1.22.01.09 –

1. THAT the in-year monitoring financial report for the month of September 2008 be noted.
2. THAT the Chief Financial Officer introduce a capital expenditure plan which shall forthwith form part of the monthly in year monitoring financial report.
3. THAT the Chief Financial Officer introduce an updated progress by Service Providers which forthwith

must also form part of the monthly in year monitoring financial report. (DF)

MonitoringSeptember08\_itm

**ITEM B.2.22.01.09**

**FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING 31 OCTOBER 2008  
(6/1/1(2008/09))**

RESOLVED B.2.22.01.09 -

1. THAT the in-year monitoring financial report for the month of October 2008 be noted.
2. THAT the Chief Financial Officer introduce a capital expenditure plan which shall forthwith form part of the monthly in year monitoring financial report. (DF)
3. THAT the Chief Financial Officer introduce an updated progress by Service Providers which forthwith must also form part of the monthly in year monitoring financial report.,

MonitoringOctober08\_itm

**ITEM B.3.22.01.09**

**FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING 30 NOVEMBER 2008  
(6/1/1(2008/09))**

RESOLVED B.3.22.01.09 –

1. THAT the in-year monitoring financial report for the month of November 2008 be noted.
2. THAT the Chief Financial Officer introduce a capital expenditure plan which shall forthwith form part of the monthly in year monitoring financial report. (DF)
3. THAT the Chief Financial Officer introduce an updated progress by Service Providers which forthwith must also form part of the monthly in year monitoring financial report.,

MonitoringNovember08\_itm

**ITEM B.4.22.01.09**

**PERSONNEL: TRAINING CO-OPERATION WITH THE DEPARTMENT OF MINERALS AND ENERGY: NATIONAL CRITICAL ELECTRICAL ENGINEERING SKILLS SHORTAGES  
(5/4/2 & 16/2/1)**

RESOLVED B.4.22.01.09 -

1. THAT note is taken of the contents of the report. (DTS)

2. THAT it be approved that (5) five electrical engineering students of the Department of Minerals and Energy be accepted as a co-operation training exposure plan in the Municipality for electrical infrastructure planning, designs, construction, auditing, operations and maintenance and at no cost to the Council. (DTS/DCS)
3. THAT the training exposure plan mentioned in (2) above be commenced with from January 2009 and completed on January 2011. (DTS)
4. That note be taken that no certification can be given for this exposure as Council is not a registered training facility and that the plan only entails the provision of on the job exposure to the students which will enrich their experience and further that a letter of accomplishment from the Municipality be issued to them at the end of their term. (DTS)
5. THAT the Department of Minerals and Energy as well as each learner indemnify Council in writing with regard to the personal safety of the students in the event of a serious accident or incident in the execution of their tasks and that the Council will not be responsible for the registration of the students pertaining to the OHS Act. (DTS)
6. THAT the students not be allowed to conduct live LV & MV operations and that should the need therefore arise, they must work under the direct supervision of an authorised person. (DTS)
7. THAT the students fully comply with all rules, regulations, policies, practices and procedures of the Municipality and the Electrical Engineering in particular and that a confirmation letter or agreement be signed by the students that they will abide by the discipline and authority of the Electrical Engineering Services and the Director Technical Services. (DTS/DCS)
8. THAT the DME be responsible for the tools and equipment and where required the transport to the students for the daily tasks. (DTS)

Ej exco\_54

#### **ITEM B.5.22.01.09**

#### **QUARTERLY REPORTS: DEPARTMENT OF CORPORATE SERVICES:**

- A. MUNICIPAL SECRETARIAT DIVISION: 1<sup>st</sup> 2008/2009**
- B. HUMAN RESOURCES DIVISION: 1<sup>st</sup> QUARTER 2008/2009  
(10/1/5/1 & 10/1/5/7)**

RESOLVED B.5.22.01.09 -

THAT cognizance be taken of the 1<sup>st</sup> quarterly report of the Department Corporate Services in respect of the period 1 July 2008 to 30 September 2008. (DCS)

Quarter(1)DCS(2007-08)

**ITEM B.6.06.02.09**

**FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING 30 SEPTEMBER 2008 (6/1/1(2008/09))**

RESOLVED B.6.06.02.09 –

- 1. THAT the in-year monitoring financial report for the month of September 2008 be noted.
- 2. THAT the Chief Financial Officer introduce a capital expenditure plan which shall forthwith form part of the monthly in year monitoring financial report.
- 3. THAT the Chief Financial Officer introduce an updated progress by Service Providers which forthwith must also form part of the monthly in year monitoring financial report., (DF)

MonitoringSeptember08\_itm

**ITEM B.7.06.02.09**

**FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING 31 OCTOBER 2008 (6/1/1(2008/09))**

RESOLVED B.7.06.02.09 –

- 1. THAT the in-year monitoring financial report for the month of October 2008 be noted.
- 2. THAT the Chief Financial Officer introduce a capital expenditure plan which shall forthwith form part of the monthly in year monitoring financial report.
- 3. THAT the Chief Financial Officer introduce an updated progress by Service Providers which forthwith must also form part of the monthly in year monitoring financial report., (DF)

MonitoringOctober08\_itm

**ITEM B.8.06.02.09**

**FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING 30 NOVEMBER 2008 (6/1/1(2008/09))**

RESOLVED B.8.06.02.09 -

- 1. THAT the in-year monitoring financial report for the month of November 2008 be noted.
- 2. THAT the Chief Financial Officer introduce a capital expenditure plan which shall forthwith form part of the monthly in year monitoring financial report.
- 3. THAT the Chief Financial Officer introduce an updated progress by Service Providers which forthwith must also form part of the monthly in year monitoring financial report., (DF)

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**10. PETITIONS**

None

**11. NEW MOTIONS**

None

The meeting was closed and adjourned at 18:15.

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 next Council meeting of 14 May 2009.

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CHAIRPERSON

cs/CouncilMinutes\_50