

# MAKHADO LOCAL MUNICIPALITY

## OFFICE OF THE DIRECTOR CORPORATE SERVICES

**MINUTES OF THE SIXTY THIRD (63<sup>RD</sup>) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD ON FRIDAY, 29 MAY 2009 IN THE COUNCIL CHAMBER, CIVIC CENTRE, KROGH STREET, LOUIS TRICHARDT AT 17:00.**

### PRESENT

#### Councillors

BALOYI R S	MATODZI A N
BOPAPE M B	MATUMBA J
CHAYA A A	MAUBA K D
DZHOMBE J	MAVHUNGU K
GUNDULA A S	MBOYI M D
HLUNGWANE B F	MULOVHEDZI M D
HONWANA X N C	MUROVHI N J
HOORZUK, J	MUTAVHATSINDI F D
KUMALO J D	MUVHUMBE M A
LEBEA M E	NCHAUBA T G
LERULE M M	NDHLIWAYO, B T
LOWANE L B	NEKHUMBE L M
MABOHO N K	NEMALEGENI P R J
MACHOVANI R G	NEPHAWE K P
MADUWA E	NGOBENI E H
MAGUGA S G	NGOBENI N E
MAHANI M F	NGWANA A G
MAKANANISE M M	NTHULANE L T
MAKHUBELE R T	PHASWANA P
MAKHADO M M	RADAMBA M S
MAKHOMISANI S E	RAMASHIA N G
MANGANYI S D S	REKHOTSO, S M
LERULE M M	RIKHOTSO F J
MALETE D	SELEPE M R
MAPHALA O S	SIPHUMA A L
MASHAMBA H A	TSHAVHUYO T G

#### Traditional Leaders

Khosi T P Nesengani  
Khosi T L Mashamba

Khosi T R V Mashau

#### Officials

R H MALULEKE	(ACTING MUNICIPAL MANAGER AND DIRECTOR FINANCE)
E L MUGARI	(DIRECTOR COMMUNITY SERVICES)
S M CAROTO	(ACTING DIRECTOR CORPORATE SERVICES)
J LUKHELI	(ASSISTANT MANAGER: COUNCILLORS AFFAIRS)
T E SHIRINGANI	(ADMINISTRATIVE OFFICER: COMMITTEES)

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**1. OPENING**

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

**2. APPLICATION FOR LEAVE OF ABSENCE**

RESOLVED –

THAT leave of absence be granted in accordance with the provisions of Rule 5 of the Council's Rules and Orders published under Provincial Gazette Notice no. 1391 dated 31 August 2007 in respect of the Special Council meeting held on 29 May 2009 to Cllrs. F F Rumani, N V Mahlaule, T J Mudau, X N C Honwana, N S Matamela, M R Mufamadi, R G Nkanyani, S J Mahwai, E Maboho, B du Plooy and M A Helm.

**REMARK:**

The following councillors and traditional leaders did not sign the attendance register and therefore it cannot be confirmed that they were present at the meeting: Cllrs. P Q Reyneke, M N Mabila, M N Makhado, M Makhera, S D S Manganyi, W N Mashele, A J Mukhaha, M L Munungufhala and S D Ramudzuli as well as Hosi M S Bungeni, Khosi S A Mulima, Khosi M C Masakona, Hosi S T Mukhari, Hosi J Baloyi, Khosi V C Ramabulana, Hosi H N Majosi, Khosi M A Madzivhandila, Khosi S D Mulima and Khosi M W Netsianda.

**3. OFFICIAL ANNOUNCEMENTS**

The Speaker, Cllr J Hoorzuk announced that SALGA signed a Memorandum of Understanding between Traditional Leaders and SALGA concerning property rates. SALGA would visit the Municipality as soon as possible about the matter.

**4. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY THE SPEAKER**

The Speaker, Cllr J Hoorzuk proposed congratulations on behalf of Cllr Ngwana to councillors, members of Civic Association, Ward Committee members and the officials from Vuwani Office who together made it possible through their efforts and commitment to make sure that Spar invested in Vuwani.

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

None

## 6. MATTERS CONSIDERED

**Recommendations of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): 63<sup>rd</sup> Special Council Meeting: 29 May 2009**

### ITEM A.37.29.05.09

**PERSONNEL: REVIEW OF ORGANIZATIONAL STRUCTURE: FINAL SUBMISSION: 2009/2010 FINANCIAL YEAR AND BEYOND (5/1/2/1-10)**

RESOLVED A.37.29.05.09 -

1. THAT the versions of the Organogram attached to the report in this regard as
  - 1.1 Annexure 2 be noted, subject to the contents of paragraph 7 below, which will be considered by Executive Committee at its meeting scheduled for 29 May 2009; and
  - 1.2 Annexure 3 be approved as Council's Organogram, 2009 which will enable service delivery in terms of Council's Integrated Development Plan 2007-2012 as per annual cycle, subject to the following amendments:
    - 1.2.1 The posts in the Office of the Mayor, Speaker and Chief Whip (page 1 and 2) which were proposed as contractual be amended to be permanent posts and not contractual.
    - 1.2.2 The proposed post of Manager Planning (page 10 of the Annexure) be created and filled in the 2009/10 financial year
    - 1.2.3 The existing two (2) posts which have incumbents that perform duties at the Control Center under the Disaster Management Division of Department Community Services must be reflected accurately
    - 1.2.4 The erroneous omission of staff for the Multi-Purpose Centre in Dzanani agreed upon during 21 April 2009 discussions must be inserted as follows:  
On page 36 – Centre Manager (MPCC)(SLA) Post Level 8 – new proposed post  
Cashier (2 posts)(SLA ) Post Level 9 – new proposed posts  
Secretary (SLA) Post Level 9 – new proposed posts  
Service Worker (5 posts) (SLA ) Post level 15 – new proposed posts
    - 1.2.5 The proposed post of Assistant Manager Auxiliary Services, Post Level 3, Department Corporate Services be created with immediate effect and the expenditure for such post be financed from savings on the salary bill from the

2007/8 and 2008/9 financial year which was effected through the non-filling of vacant posts in that department. (DCS)

2. THAT the placement of staff be held in abeyance pending completion of the Task Job Evaluation Committee of the Bargaining Council's project on assessment of posts to ascertain that each post is actually on the correct level according to the job content that has to be performed, and that it be noted that such Committee would attend to questions of post levels of drivers, operators and other possible posts where it seems that disparities could be an issue. (DCS)
3. THAT the Task Job Evaluation Committee of the Bargaining Council be requested to as matter of urgency complete the project of job assessment of Makhado Local Municipality's posts, and that the outcome of such assessment be implemented accordingly. (MM/DCS)
4. THAT vacant posts of critical nature as at 29 May 2009 be filled in the departments as more fully set out in the report in this regard, and that the Human Resource Division proceed as matter of urgency to advertise posts as the first step of recruitment. (DCS)
5. THAT new posts be created in the respective Departments as more fully set out in the report in this regard as motivated by each Head of Department, and that the Chief Financial Officer provide funds in the salary budget for remuneration, benefits and contributions of such posts; and that the Human Resource Division proceed as matter of urgency to advertise such posts as soon as proper job descriptions for the posts have been developed. (DCS/DF)
6. THAT it be noted that a separate report about a policy / strategy to retain staff will be submitted to Council in due course. (DCS)
7. THAT with reference to Annexure 2 attached to the report in this regard, the recommendations of the Local Labour Forum concluded earlier in the day on 26 May 2009 be submitted in written format to Executive Committee at its meeting scheduled for approval of its minutes of the 243<sup>rd</sup> meeting on 29 May 2009, in order to enable Executive Committee to apply its mind when considering the matter. (DCS)
8. THAT with reference to the proposed post of Assistant Manager Auxiliary Services, Department Corporate Services, as set out on page 7 of Annexure 3, it be created with immediate effect and be financed from savings in the salary bill of the said Department which came about due to vacant posts that have not been filled during the period 2007/8 to 2008/9 financial years, and that the transfer of Mr H M Mulaudzi, Regional Administrator of Vuwani on post level 3, to the post of Assistant Manager Auxiliary Services on post level 3, be regarded as formally concluded with effect of the date of this resolution. (DCS)

9. THAT the proposed organogram attached to the Summary of Discussion, Local Labor Forum meeting of 25 (26) May 2009 be noted further, subject to the following provisions:
- 9.1 The posts in the Office of the Mayor, the Speaker and the Chief Whip referred to as “Contractual” be permanent posts and not contractual.
  - 9.2 The IDP unit and its proposed staff must be relocated to the Department Planning and Development and not be in the Office of the Municipal Manager as on page 3 of the organogram.
  - 9.3 The principle be adopted that gaps between post levels be closed by inserting proposed posts on post levels which presently are not proposed on the Organogram, 2009 in order to establish the principle of career development and incentive for staff who can aspire to progress to higher post levels, and that this activity be implemented as soon as SALGA Task Job Assessment Committee has completed the job evaluation project of Makhado Local Municipality.
  - 9.4 The reference “filled” at the post of Assistant Manager Auxiliary Services, Corporate Services must be corrected to read “vacant”.
  - 9.5 The Chief Financial Officer must submit a proposal to implement a full section of permanent staff for debt collection so that the use of contractual services can be phased out.
  - 9.6 All references to “future” under the Roads and Storm-water Sections of the Regional Offices must be amended to read “proposed” with the intention to have the posts filled in the 2009/10 financial years through the applicable process of placement or recruitment, whichever may apply in the case at hand
  - 9.7 The reference “filled” of Licensing Officer and Service Workers at the Licensing Section Vuwani be corrected to read “Proposed”.
  - 9.8 The post of Typist at Dzanani Regional Office must be on post level 9 and not 10.
  - 9.9 The post of Messenger at Dzanani Regional Office must be corrected to reflect “filled” and not “vacant”
  - 9.10 The proposed post of Manager Development in the Department Planning and Development be retained.
  - 9.11 The post of Assistant Licensing Officer, Department Community Services must be retained as vacant post.
  - 9.12 The post Licensing Officer Vuwani Testing Station on Post Level 7 must not be filled.
  - 9.13 The Vuwani Testing Station must reflect posts of Typist on Post Level 9, Clerical Assistant on Post Level 9 (3 posts) and Clerical Assistant on Post level 11-13.
- (DCS)
10. THAT SALGA Task Job Assessment Committee be requested to with immediate effect proceed with job evaluation failing which the career development strategy as set out in paragraph 1.3 above be implemented by means of benchmarking with other municipalities of same grade, powers and functions.
- (DCS)

11. THAT it be accepted that Council's organogram be reviewed annually in order to be an effective and efficient Human Resource Plan for service delivery in terms of Council's Integrated Development Plan. (DCS)
12. THAT in the event challenges were encountered at any given time during a process of placement of staff that cannot be solved through existing procedures or processes, the relevant part of the Organogram be reviewed at that given time through due process. (DCS)

Review Organo2009\_itm

**ITEM A.38.29.05.09**

**INTEGRATED DEVELOPMENT PLAN: 2009/10 REVIEW  
(15/7/1 & 6/1/(09/10))**

**REMARK:**

When this matter was considered, Cllr Mauba proposed that a 3 year sanitation plan be developed. The proposal was accepted in general and recorded as Council Resolution.

RESOLVED A.38.29.05.09 -

THAT the Council approve of the Integrated Development Plan: Review for 2009/2010 as more fully set out in the Annexure attached to the report in this regard, with the following amendments/insertions:

1. Page EC 2009/1645 (p16 of IDP Document)  
Municipal Growth Point  
 Vuwani  
 Dzanani  
 Madombidzha  
 Bungeni  
 Tshitale  
Local Service Growth
  1. Vleifontein
  2. Valdezia/Chavhani
  3. Waterpoort
  4. Tiyani
  5. Buysdorp
  6. Tshakhuma
  7. Mashamba
  8. Siloam (DComS)
  
2. Page EC 2009/1656 (p26 of the IDP Document)  
 Proposed priority list for new connections of villages  
 8. Muromani  
 13. Woyozal  
 19. Masekani      Ward 12      Waterval Region  
Special Project List
  1. Ravele
  2. Maebani
  3. Waterval
  4. Vuwani
  5. Vleifontein
  6. Dzanani Parkview
  7. Njakanjaka
  8. Songozwi (DComS)

3. THAT the Local Economic Development Strategy be reviewed in order to update information of other areas in the municipal jurisdiction that have development potential. (DComS)
4. THAT Council appoint a Task Team to develop a 3 year plan for sanitation, which plan must regard the wards that have not yet benefited from the sanitation provision program. (DComS)

IDP2009-10\_itm

**ITEM A.39.29.05.09**

**FINANCES: DRAFT CAPITAL AND OPERATIONAL ESTIMATES 2009/2010 TO 2011/2012  
FINANCIAL YEAR  
(6/1/1 (09/10) )**

RESOLVED A.39.29.05.09 -

1. THAT the Draft Capital and Operational Estimates for the 2009/2010 financial year as more fully recorded in **Annexure A** attached to the report in this regard be approved and that the Accounting Officer proceed with the implementation of the budget in 2009/2010 financial year in terms of section 24 of the Local Government: Municipal Finance Management Act, 2003. (DF)
2. THAT it be noted that the estimated revenue to fund 2009/10 budget will amount to R464 660 638 against a total estimated expenditure of R 464 414 718, resulting in an expected surplus of R 245 920, taking into account the depreciation of assets expenses, funded by reserves and accumulated surplus, and that total Capital Project expenditure is R 110 532 520 funded by different sources. (DF)
3. THAT Council approve in principle the tariffs for municipal services as more fully set out in **Annexure 1** attached to the report in this regard. (DF)
4. THAT it be noted that the 2009/2010 Estimates will after approval by the Council in terms of section 24 of the Municipal Finance Management Act, be submitted to National Treasury and the relevant provincial treasury. (DF)
5. THAT the Acting Municipal Manager be authorized to take all necessary steps to recruit candidates and fill as a matter of urgency, all vacant posts for which funds have been provided in the 2009/10 Estimates, if need be by assistance of external service providers through Council's Supply Chain Management Policy. (DF)
6. THAT it be noted that the expenditure linked to newly created posts on the Organogram, 2009 which were identified as priority to be filled with incumbents in the 2009/10 financial year, will be submitted as a separate report and such expenditure will become part of the 2009/10 Operational Estimates under the expenditure:
  - 6.1 Salaries, Wages and Allowances
  - 6.2 Contribution to Funds. (DF)

7. THAT it further be noted that the increase in salaries and wages was calculated at 8,3% while the Employer Organisation has on 19 May 2009 offered 10,5% for the 2009/10 wage year and that the final outcome will have an amending impact on the Operational Estimates. (DF)
8. THAT it be approved in principle that Ward Committee members receive a monthly allowance of R170,00 in lieu of out of pocket expenses and that it be financed from funds in the Operational Budget, and that a separate report to formulate policy in this regard be submitted. (DF)
9. THAT Council confirm its Budget Related Policies attached to the report in this regard, i.e.
  - 9.1 Asset Management Policy, 2006
  - 9.2 Credit Control and Debt Collection Measures
  - 9.3 Subsidy Scheme for Indigent Households
  - 9.4 Investment of Funds,

And that the Policy on Official Travelling and Subsistence Allowance be referred back for further investigation and amendment/correction of paragraphs 3.13, 3.16, 6.2.3, 7.3 and 7.3.1, and for clear indication of legal reference sources of provisions, and submitted to Council at a next meeting. (DF)

Budget2009-2010\_itm

#### **ITEM A.40.29.05.09**

#### **COMMUNITY SERVICES: IMPROVEMENT ON THE ROLE AND FUNCTIONS OF WARD COMMITTEE MEMBERS (4/29/4/3/1)**

##### **REMARK:**

When this matter was considered Cllr Lebea proposed that Cllr J Dzhombe form part of the Task Team referred to in paragraph 3. The proposal was accepted in general and recorded as Council Resolution.

RESOLVED A.40.29.05.09 –

1. THAT Council approves payment of stipend allowances of R170,00 per month in lieu of out of pocket expenses to Ward Committee members, provided that they submit their Action Plan and their Activities to the Office of the Speaker timeously.
2. THAT it be the prerogative of the Office of the Speaker to stop/suspend the payment of stipend allowances of Ward Committee members due to the reasons amongst others failure to submit Action Plan and reports, and also failure to attend lawful meetings and instructions from political and administrative components respectively.
3. THAT Council note the establishment of a Task Team composed of Cllrs K D Mauba, W Mashele, S G Maguga, M R Mufamadi, J Dzhombe and Mr J Likheli which will timeously attend to challenges faced by Ward Committee members in their daily task executions.
4. THAT Ward Committees be launched at all outstanding wards before the 7<sup>th</sup> of June 2009.



5. THAT the Director Community Services, Mr E L Mugari and the Speaker, Cllr J Hoorzuk be vested with the power to co-ordinate the Task Team referred to in paragraph 3 above.

WardCommittees\_itm

(DComS)

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The meeting was closed and adjourned at 18:30.

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 30 July 2009.

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CHAIRPERSON

CNK/lh/SpecialCouncilMinutes\_63