

MAKHADO LOCAL MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SUPPORT AND SHARED SERVICES

MINUTES OF THE SEVENTIETH (70TH) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 31 MARCH 2011 IN THE COUNCIL CHAMBER, CIVIC CENTRE, KROGH STREET, LOUIS TRICHARDT AT 17:00.

PRESENT

Councillors

BALADZI P	MAVHUNGA K
BALOYI R S	MBOYI M D
DU PLOOY A	MUDAU T J
DZHOMBE J	MUFAMADI M R
GUNDULA A S	NCHAUBA T G
HELM M A	NEKHUMBE L M
HOORZUK, J	NEPHAWE K P
KENNEALY A	NGOBENI E H
LEBEA M E	NGOBENI N E
LERULE M M	NGWANA A G
MABOHO N K	NKANYANI R G
MADUWA E	NTHULANE L T
MAGUGA S G	RAMASHIA N G
MAHANI M F	RAMUDZULI S D
MAKANANISE M M	REKHOTSO, S M
MAKHOMISANI S E	REYNEKE P Q
MAKHUBELE R T	RIKHOTSO F J
MANGANYI S D S	SIPHUMA A L
MAPHALA O S	TSHAVHUYO T G
MASUKA S	TSANWANI L
MATUMBA J	

Traditional Leaders

NONE

Officials

A S TSHIKALANGE	(MUNICIPAL MANAGER)
T S NDOU	(DIRECTOR CORPORATE SUPPORT & SHARED SERVICES)
E L MUGARI	(DIRECTOR COMMUNITY SERVICES)
M D SINTHUMULE	(DIRECTOR DEVELOPMENT & PLANNING)
T E RALULIMI	(DIRECTOR TECHNICAL SERVICES)
R H MALULEKE	(CHIEF FINANCIAL OFFICER)
T E SHIRINGANI	(ADMINISTRATIVE OFFICER: COMMITTEES)
M D MUNYAI	(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 declared the meeting officially opened.

2. APPLICATION FOR LEAVE OF ABSENCE

RESOLVED –

THAT leave of absence be granted in terms of 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 31 March 2011 to Cllrs M B Bopape, B F Hlongwane, R G Machivani, S J Mahwai, M M Makhado, M A Makhera, H A Mashamba, K D Mauba, M D Mulovhedzi, F D Mutavhatsindi, M A Muvhumbe and P Phaswana.

REMARK:

Following councillors and traditional leaders were not present at the meeting: A A Chaya, X N C Honwana, J D Kumao, L B Lowani, M N Mabila, T E Maboho, N V Mahlaule, D Maletle, L P Mashau, W N Mashele, N S Matamela, A N Matodzi, A J Mukhaha, M L Munungufhala, N J Murovhi, B T Ndhliwayo, P R J Nemalegeni, M S Radamba, F F Rumani, M R Selepe, Hosi M S Bungeni, Khosi S A Mulima, Khosi M C Masakona, Hosi H M Majosi, Khosi T P Nesengani, Khosi N T L Mashamba, Hosi S T Mukhari, Hosi J Baloyi, Khosi V C Ramabulana, Khosi T R V Mashau and Khosi M W Netsianda.

3. OFFICIAL ANNOUNCEMENTS

None

4. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY THE SPEAKER

- 4.1 The Speaker, Cllr J Hoorzuk, proposed congratulations to Cllr M M Makananise and Cllr T E Maboho who represented South Africa on the First Forum for Local Elected Woman of Africa in Morocco from 8 to 11 March 2011.
- 4.2 The Speaker, Cllr J Hoorzuk proposed congratulations to Cllr M M Makananise with her appointment as Manager of Employee Relations and People Management at Department of Health with effect from 1 March 2011.
- 4.3 The Speaker, Cllr J Hoorzuk proposed congratulations to Cllr S G Maguga with his appointment as Manager for Quality and Relations at Elim Hospital with effect from 1 April 2011.

5. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY OTHER COUNCILLORS

- 5.1 Cllr T G Nchauba proposed congratulations to all Directors and the Mayor of Makhado Municipality for attending the Cleaning Campaign in Tshikota on Tuesday, 22 March 2011.
- 5.2 Cllr T G Nchauba proposed congratulations for the Mayor's activity at Makhado Caravan Park when she handed school uniforms to children on Wednesday, 23 March 2011.

6. MATTERS CONSIDERED

6.1 Resolutions of the Council in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): 70th Special Council Meeting: 31 March 2011

ITEM A.14.31.03.11 (originally A.14.28.04.11)

COUNCIL LAND: REMOVAL OF RESTRICTION: ERF 3415/R, LOUIS TRICHARDT TOWNSHIP (E.3415/R)

RESOLVED A.14.31.03.11 -

1. THAT Council approves the removal of restrictive conditions by the Provincial Executive Authority, the restrictive conditions embodied in the title deed of the Remainder of Erf 3415, Louis Trichardt township in order to allow the Municipality to develop the property into municipal offices. (DCSS)
2. THAT all servitudes registered on the property which may impede the development of the office accommodation on the Remainder of erf 3415, Louis Trichardt township, be removed as well. (DCSS)
3. THAT Council's intention to apply for the removal of restrictive conditions on the property in the above matter be advertised both in the Provincial Gazette and local newspapers, calling for objections, if any. (DCSS)
4. THAT the Municipal Manager complete the application form contained in Annexure attached to the report in this regard and together with the required supporting documents, submit the application to the Provincial Executive Authority for consideration. (DCSS)

RemovalRestrictionErf3415_itm(2)

(A.15.28.04.11 – REMARK: This matter will be submitted at the next Ordinary Council meeting)

ITEM A.16.31.03.11

TOWN-PLANNING: DRAFT IDP REVIEW: 2011/2012 FINANCIAL YEAR (15/7/1 & 6/1/1(11/12))

RESOLVED A.16.31.03.11 –

THAT the review of the IDP for the 2011/2012 financial year be approved as set out in Annexure A attached to the report in this regard, subject to the following -

1. The Department Development Planning must monitor when community halls are developed, that it must include sporting facilities.

2. The Department Development Planning must link up the vote numbers of the capital projects with the vote numbers in the budget.
3. The CCTV surveillance cameras (page 101, item 74) be reviewed to prioritize critical areas that require action, i.e. the Civic Centre and Municipal Stores.
4. The omission of the Intermodal Facilities intended for development at Shoprite Centre and Eltvillas from the IDP document must be corrected and the project inserted accordingly.
5. The legal fees budget has increased by 100% compared to the 2010/2011 financial year and it must be verified with Department of Corporate Support and Shared Services why the provision is so high.
6. All projects which are submitted to Vhembe District Municipality for implementing, must be monitored, and a copy thereof submitted to the Mayor's office and Portfolio Committee: Finance before it is processed to Vhembe District Municipality.
7. The proposed Taxi Rank project at Elim must be investigated and a suitable site identified for this purpose.
8. The Organizational Structure is still under review and once it is done, it will be included in the IDP.

DraftIDP2011-12_itm

(DDP)

ITEM A.17.31.03.11

FINANCES: DRAFT CAPITAL AND OPERATIONAL ESTIMATES 2011/2012 TO 2013/2014 FINANCIAL YEAR (6/1/1 (2011/2012))

RESOLVED A.17.31.03.11 -

1. THAT the Draft Capital and Operational Estimates for the 2011/2012 financial year as more fully recorded in **Annexure A** attached to the report in this regard be approved and that the Accounting Officer proceeds with the publication of the Draft Annual Budget as purposed in section 22 of the Local Government: Municipal Finance Management Act, 2003. (CFO)
2. THAT the following 2011/2012 budget related policies
 - 2.1. Credit Control and Debt Collection
 - 2.2. Indigent Subsidy
 - 2.3. Investment of Funds Policy
 - 2.4. Asset Management Policy
 - 2.5. Property Rates By-laws
 - 2.6. Tariff and Free Basic Services

2.7. Draft Budget Policy

2.8. Policy and Principles of the Writing-off of Irrecoverable Debt

be approved, as more fully set out in Annexure 2 to Annexure 9 attached to the report in this regard. (CFO)

3. THAT it be noted that the 2011/2012 Estimates will after approval by the Council in terms of section 22 of the Municipal Finance Management Act, be submitted to National Treasury and the Provincial Treasury. (CFO)

4. THAT the Budget Policy which was adopted in 2006 be reviewed and the Tariff and Free Basic Services must be tabled to Council which will talk to different activities that are supposed to happen. (CFO)

5. THAT the Budget Steering Committee must be established. (CFO)

6. THAT the collective amount of R3,5m for INEP Projects be allocated per project and actual amount per project in order to reflect the location and amount of each project. (CFO)

DraftBudget2011-2012

(A.18.28.04.11 – REMARK: This matter will be submitted at the next Ordinary Council meeting)

CONFIDENTIAL

ITEM CA.19.31.03.11

CONFIDENTIAL MATTER

(A.20.28.04.11 – REMARK: This matter will be submitted at the next Ordinary Council meeting)

(A.21.28.04.11 – REMARK: This matter will be submitted at the next Ordinary Council meeting)

(A.22.28.04.11 – REMARK: This matter will be submitted at the next Ordinary Council meeting)

ITEM A.23.31.03.11

COUNCIL COMMITTEES: MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) (MUNICIPAL SCOPA): ESTABLISHMENT (1/1/77; 6/1/1(11/12))

RESOLVED A.23.31.03.11 -

1. THAT the appeal of the MEC for Local Government as recorded in a letter dated 15 March 2011 be honored and that a Municipal Public Accounts Committee (MPAC) that will serve as municipal Scopa, be established. (MM)

2. THAT Council establishes the Municipal Public Accounts Committee consisting of councillors.

(MM)

3. THAT the Municipal Public Accounts Committee performs the functions as embodied in the report in this regard, and make recommendations to Council via the Executive Committee and relevant Portfolio Committee of Council at any given time. (MM)

Scopa_itm

ITEM A.24.31.03.11

REVIEW OF COUNCIL BY-LAWS: PROGRESS

(1/3/1)

RESOLVED A.24.31.03.11 –

1. THAT Council takes note of the progress made thus far on the By-laws Project. (DCSS)
2. THAT the training of councillors on all the reviewed By-laws be conducted in two phases, the first phase before the April 2011 month end and the second phase between July and October 2011. (DCSS)

Laws_itm

ITEM A.25.31.03.11

PUBLICITY: FINAL ANNUAL REPORT 2009/10: OVERSIGHT REPORT AND FINAL APPROVAL: SUBMISSION TO DEPARTMENT NATIONAL TREASURY AND DEPARTMENT PROVINCIAL AND LOCAL GOVERNMENT – EXTENSION OF TIME TO SUBMIT

(10/1/4/1-8)

RESOLVED A.25.31.03.11 -

1. THAT due to the reasons given in the report an extension of time be granted to the Council's Oversight Committee to complete the task given to them in respect of the Draft Annual Report, 2009/2010 and that the final reports in this regard be submitted to Council by no later than 28 April 2011. (DCSS)
2. THAT it be noted that the final Annual Report, 2009/2010 together with the Oversight Report will be submitted to National Treasury and the Provincial Department of Local Government and Housing for submission to the Minister of Cooperative Governance and Traditional Affairs, as Makhado Local Municipality's demonstration of municipal performance to its community, as soon as Council has approved it on 28 April 2011.

FinalAnnualReport09-10Extension_itm

(DCSS)

ITEM A.26.31.03.11**AUDIT COMMITTEE: REPORT TO COUNCIL****(4/26/11)**

RESOLVED A.26.31.03.11 -

THAT the report from Council's Audit Committee and the Risk Assessment Report for 2011/2012 financial year, be noted. (MM)

AuditCommittee&RiskAssessmentMarch2011_itm

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The Speaker, Cllr J Hoorzuk declared the meeting officially closed and the meeting 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 28 April 2011.

CHAIRPERSON

MDM/lh/SpecialCouncilMinutes_70