

## MAKHADO LOCAL MUNICIPALITY

### OFFICE OF THE DIRECTOR CORPORATE SUPPORT AND SHARED SERVICES

MINUTES OF THE SEVENTY FIRST (71<sup>ST</sup>) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD ON TUESDAY, 31 MAY 2011 IN THE COUNCIL CHAMBER, CIVIC CENTRE, KROGH STREET, LOUIS TRICHARDT AT 14:00.

#### PRESENT

##### Councillors

AHMED, M O	MAMOROBELA, T P
BALIBALI, N P	MAPHAHA, H L
BALOYI, F R	MAPHAHLA, A Z
CHAUKE, E R	MAPHALA, O S
CHILILO, N F	MASHIMBYE, P F
DAGADA, N	MATHALISE, L M
DAVHANA, N D	MATHAVHA, H F
DU PLOOY, A	MATHOMA, M P
DZHOMBE, J	MATODZI, A M
GABARA, M J	MATUMBA, N J
GUNDULA, A S	MAZIBUKO, M P
HLONGWANE, F B	MBOYI, M D
HLUNGWANI, K A	MMBADI, T A
JOOMA, Z	MOGALE, L B
KENNEALY, A	MTHOMBENI, S Z
KUTAMA, N	MUDAU, E
LEBEA, M E	MUKHAHA, A J
LERULE, M M	MUKHARI, M F
LUDERE, E H	MULOVHEDZI, M D
LUDERE, R	MUNYAI, N S
MABOHO, N K	MUTAVHATSINDI, F D
MABUNDA, M D	NDOU, M E
MACHETHE, M S	NDWAMMBI, M T
MADAVHU, F F	NEMAFHOHONI, M G
MADZHIGA, F N	NGOBENI, N E
MAGADA, M R	NKANYANE, R G
MAHLADISA, S V	RASIMPHI, M P
MAHWAI, S J	RATSHIKUNI, D T
MAKHANDA, N A	RAVELE, N S
MAKHUBELA, R T	REKHOTSO, S M
MAKHUVHA, V S	RIKHOTSO, F J
MALANGE, R	SHANDUKANI, M J
MALANGE, T M	SINYOSI, S M
MALIMA, M E	THANDAVHATHU, R
MAMAFHA, T J	TSHAVHUYO, T G
MAMAFHA, T C	TSHILAMBYANA, M S
MAMATSIARI, M S	UNDERWOOD, J P

**Traditional Leaders**

KHOSI S A MULIMA  
KHOSI M W NETSIANDA

**Officials**

A S TSHIKALANGE	(MUNICIPAL MANAGER)
T S NDOU	(DIRECTOR CORPORATE SUPPORT & SHARED SERVICES)
R H MALULEKE	(CHIEF FINANCIAL OFFICER)
E L MUGARI	(DIRECTOR COMMUNITY SERVICES)
M D SINTHUMULE	(DIRECTOR DEVELOPMENT & PLANNING)
T E RALULIMI	(DIRECTOR TECHNICAL SERVICES)
J LUKHELI	(ASSISTANT MANAGER: COUNCILLOR'S AFFAIRS)
L BOBODI	(ASSISTANT MANAGER: COMMUNICATION)
T E SHIRINGANI	(ADMINISTRATIVE OFFICER: COMMITTEES)
M D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)

\* \* \* \* \*

**REMARK:** Since this was the first meeting of Council following the general municipal elections held on 18 May 2011, the Municipal Manager, Mr A S Tshikalange acted as Chairperson of the meeting for all the business up to and including the election of a councillor in the Office of Speaker, i.e. items 1 to 6 of the Order of Business of the meeting, as well as items A.37.31.05.11 to A.39.31.05.11 of item 6. This arrangement was in terms of the provisions of the Local Government: Municipal Structures Act, No 117 of 1998.

**1. OPENING**

The Municipal Manager, Mr A S Tshikalange ruled that a moment of silence be observed for meditation and prayer, whereafter he 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 May 2011 to Cllr M B Bopape.

**REMARK:**

The following Traditional Leaders were not present at the meeting: Hosi M S Bungeni, 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 and Khosi T R V Mashau.

**3. OFFICIAL ANNOUNCEMENTS****3.1 Signing of Attendance Register**

The Chairperson, Mr A S Tshikalange announced that all councillors had to sign the attendance register which was provided. This was in accordance with the provisions of Clause 3 of the Code of Conduct for Councillors. The signing procedure was applicable for every Council meeting forthwith.

**3.2 Introduction of Councillors and Officials**

The Chairperson, Mr A S Tshikalange granted opportunity to all councillors and officials to introduce themselves one after the other to the meeting by mentioning their name, surname, political party affiliation where applicable, and capacity.

**4. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY THE MUNICIPAL MANAGER**

None

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

- 5.1 Cllr M E Lebea proposed congratulations to the African National Congress party for gaining the majority of seats of Council at Makhado Local Municipality throughout every election since 1994.
- 5.2 Cllr N K Maboho proposed congratulations to the Democratic Alliance party for gaining the majority vote for the ward councillor elections in Ward 21.
- 5.3 Cllr M E Malima proposed congratulations to the Congress of the People party for gaining first time participation in the Council of Makhado Local Municipality.
- 5.4 Cllr B F Hlongwane proposed congratulations to the African Christian Democratic party for gaining participation in the Council of Makhado Local Municipality for the third time in a row.

**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): 71<sup>st</sup> Special Council Meeting: 31 May 2011**

**ITEM A.37.31.05.11**

**ELECTIONS: COUNCILLORS ELECTED ON 18 MAY 2011  
(15/1; 3/2/9)**

**REMARK:** The Chairperson reported to the meeting that the representative of the IEC had submitted the name of the person who had been elected as proportional representative in the vacant seat of the Democratic Alliance party, i.e. Ms Zaheera Jooma. Council took note of the report and its Resolution was recorded accordingly herein below.

RESOLVED A.37.31.05.11 -

1. THAT note be taken of the names of seventy four (74) persons that have been elected as municipal councillors with effect from 18 May 2011 in terms of the provisions of the Local Government: Municipal Structures Act, 117 of 1998, as amended for the term of office as recorded under section 24 of the Structures Act, and more fully set out in Annexure C attached to the report in this regard. (DCSS/DCOMS)
2. THAT it be noted that the IEC on 31 May 2011 submitted the name of Ms Zaheera Jooma, duly elected councillor for the vacant seat as proportional representative of the Democratic Alliance Party, and that Cllr Z Jooma had thus been duly elected in such capacity with effect of 18 May 2011. (DCSS/DCOMS)

**ITEM A.38.31.05.11****ELECTIONS: OATH OR SOLEMN AFFIRMATION BY MEMBERS OF COUNCIL  
(3/2/9)****REMARK:**

1. Mr W Mudau, Senior Magistrate (Head of Thohoyandou Cluster) was present and conducted the ceremony of declaration for the Oath or Solemn Affirmation by each one of the seventy five (75) councillors.
2. The duly signed Oath or Solemn Affirmation was filed in Council's official records.

## RESOLVED A.38.31.05.11 -

1. THAT it be noted that each one of the seventy five (75) councillors participating according to their choice in the Oath or Solemn Affirmation ceremony that was conducted at the first Council meeting according to the opportunity which the Municipal Manager as Accounting Officer of Makhado Local Municipality afforded each Councillor. (DCSS/DCOMS)
2. THAT it be noted that Mr W Mudau, Senior Magistrate (Head of Thohoyandou Cluster) conducted the declarations ceremony of the Oath or Solemn Affirmation during which each Councillor participated in declaring according to the following wording:

*“Oath: I swear that I will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic of South Africa, and I solemnly promise to perform my functions and duties as a councillor of Makhado Local Municipality to the best of my ability. So help me God.”*

*Or*

*“Solemn Affirmation: I solemnly declare that I will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic of South Africa, and I solemnly promise to perform my functions and duties as a councillor of Makhado Local Municipality to the best of my ability”* (DCSS /DCOMS)

SC30MayOath\_itm

**ITEM A.39.31.05.11****ELECTIONS: ELECTION OF SPEAKER OF COUNCIL: 2011/2012 TO 2015/2016 TERM OF OFFICE  
(3/3/3)**

**REMARK:** The Chairperson called for nomination of candidates to be elected in terms of the provisions of section 36 read with Schedule 3 of the Local Government: Municipal Structures Act, 17 of 1998 in the Office as Speaker of Council.

Cllr P F Mashimbye proposed, duly seconded by Cllr L B Lowane that Cllr F D Mutavhatsindi be elected in the Office of Speaker of Makhado Local Municipality. Cllr F D Mutavhatsindi accepted the nomination.

No further nominations were received and the Chairperson declared Cllr F D Mutavhatsindi duly elected in the Office of Speaker of Council for the term of office that will end with the next general municipal elections.

The Chairperson congratulated Cllr F D Mutavhatsindi with his election as Speaker of Council and then called him to take the chair and to officiate in the further business of the Council's agenda for the day.

The Speaker took the chair accordingly and conducted the further business as Speaker of Council from this point onwards.

RESOLVED A.39.31.05.11 –

THAT it be noted that Cllr F D Mutavhatsindi was duly elected in terms of the provisions of section 36 read with Schedule 3 of the Local Government: Municipal Structures Act, 17 of 1998 in the Office of Speaker of Council for the term that will end with the next general municipal elections.

(DCSS/DCOMS)

SC30MaySpeaker\_itm

#### **ITEM A.40.31.05.11**

**ELECTIONS: (1) ELECTION OF MEMBERS OF EXECUTIVE COMMITTEE  
(2) ELECTION OF MAYOR  
2011/2012 TO 2015/2016 TERM OF OFFICE  
(3/3/3)**

#### **REMARK:**

The Speaker read the administrative recommendations that the number of seats on the Executive Committee be composed under the provisions of Section 43 of the Local Government: Municipal Structures Act of 1998 and in accordance with the seat calculation of parties that was issued for LIM 344 by the MEO of IEC (Makhado) on 20 May 2011. It was accepted in general that the Executive Committee be composed of ten (10) members as permitted by the Act. The Speaker requested the Municipal Manager to preside over the process of electing councillors in the Office of Member of the Executive Committee.

The Municipal Manager at the onset pointed out to the meeting that the proportional representation in the Executive Committee had yet to be clarified by legal expertise and that the final outcome was being awaited from SALGA. The point of debate was about the fraction calculations which could impact on the number of seats for each participating party.

A brief discussion of councillors followed wherein various views and proposals were exchanged. The meeting then agreed unanimously that nomination of candidates must proceed, elections must be held and the results declared. In the event that SALGA would furnish a different legal outcome than the result of the elections in the Office as Member of Executive Committee, the matter would be submitted to Council anew for alignment.

The Speaker subsequently requested for nomination of candidates to be elected in the Office of Member of Executive Committee. The following nominations were received -

1. Cllr N J Matumba proposed, duly seconded by Cllr T P Mamorobela that Cllr M M Lerule be nominated for election in the Office of Member of the Executive Committee. Cllr M M Lerule accepted the nomination.
2. Cllr A J Mukhaha proposed, duly seconded by Cllr S Z Mthombeni that Cllr F J Rikhotso be nominated for election in the Office of Member of the Executive Committee. Cllr F J Rikhotso accepted the nomination.
3. Cllr D T Ratshikuni proposed, duly seconded by Cllr L M Mathalise that Cllr N J Matumba be nominated for election in the Office of Member of the Executive Committee. Cllr N J Matumba accepted the nomination.
4. Cllr T G Tshavhuyo proposed, duly seconded by Cllr N F Chililo that Cllr S M Sinyosi be nominated for election in the Office of Member of the Executive Committee. Cllr S M Sinyosi accepted the nomination.

5. Cllr T S Malange proposed, duly seconded by Cllr F R Baloyi that Cllr P F Mashimbye be nominated for election in the Office of Member of the Executive Committee. Cllr F P Mashimbye accepted the nomination.
6. Cllr M F Mukhari proposed, duly seconded by Cllr T P Mamorobela that Cllr N A Makhanda be nominated for election in the Office of Member of the Executive Committee. Cllr N A Makhanda accepted the nomination.
7. Cllr A Kenneally proposed, duly seconded by Cllr Z Jooma that Cllr A du Plooy be nominated for election in the Office of Member of the Executive Committee. Cllr A du Plooy accepted the nomination.
8. Cllr N Dagada proposed, duly seconded by Cllr O S Maphala that Cllr F D Ratshikuni be nominated for election in the Office of Member of the Executive Committee. Cllr F D Ratshikuni accepted the nomination.
9. Cllr M D Mulovhedzi proposed, duly seconded by Cllr N S Ravele that Cllr M B Bopape be nominated for election in the Office of Member of the Executive Committee. Cllr M B Bopape was not present at the meeting and accepted the nomination in absentia.
10. Cllr T G Tshavhuyo proposed, duly seconded by Cllr S V Mathladisa that Cllr J P Underwood be nominated for election in the Office of Member of the Executive Committee. Cllr J P Underwood accepted the nomination.
11. Cllr M E Malima proposed, duly seconded by Cllr M T Ndwambi that Cllr N P Balibali be nominated for election in the Office of Member of the Executive Committee. Cllr N P Balibali accepted the nomination.

Since eleven (11) nominations had been received and the Executive Committee was composed of ten (10) seats, the Speaker requested that the Municipal Manager proceeded to preside over the process of election of candidates in the Office of Member of the Executive Committee. The Municipal Manager arranged that the vote be taken by the showing of hands. The meeting agreed with the arrangements and the vote was taken accordingly. The results were as follows:

For Cllr M M Lerule - a total of 67 votes  
 For Cllr F J Rikhotso - a total of 66 votes  
 For Cllr N J Matumba - a total of 64 votes  
 For Cllr S M Sinyosi - a total of 64 votes  
 For Cllr F P Mashimbye - a total of 65 votes  
 For Cllr N A Makhanda - a total of 62 votes  
 For Cllr A du Plooy - a total of 32 votes  
 For Cllr F D Ratshikuni - a total of 60 votes  
 For Cllr M B Bopape - a total of 62 votes  
 For Cllr J P Underwood - a total of 66 votes  
 For Cllr N P Balibali - a total of 0 votes

The Speaker then declared the following members as duly elected in the Office of Executive Committee and congratulated them with the achievement -

Cllr M M Lerule (ANC)  
 Cllr F J Rikhotso (ANC)  
 Cllr N J Matumba (ANC)  
 Cllr S M Sinyosi (ANC)  
 Cllr P F Mashimbye (ANC)  
 Cllr N A Makhanda (ANC)  
 Cllr M B Bopape (ANC)  
 Cllr J P Underwood (ANC)  
 Cllr D T Ratshikuni (ANC)  
 Cllr A du Plooy (DA)

The Speaker then proceeded to call for nomination of candidates for election in terms of the provisions of section 48 read with Schedule 3 of the Local Government: Municipal Structures Act, 117 of 1998 in the Office of Mayor of Makhado Local Municipality

Cllr N J Matumba proposed, duly seconded by Cllr T P Mamarobela that Cllr M M Lerule be appointed the Mayor of Makhado Local Municipality. Cllr M M Lerule accepted the nomination as candidate for election as Mayor of Makhado Local Municipality.

The Speaker called for further nominations. Since no further nominations were received, the Speaker declared that Cllr M M Lerule duly elected, unopposed, in the Office of Mayor for the period ending with the next general municipal elections.

The Speaker called the Mayor to the podium for a brief ceremony during which the Mayoral Chain was bestowed upon her. The Mayor was then granted the opportunity to deliver her address which read as follows:

*“Honourable Speaker, the Chief Whip, honourable members, our traditional leaders, the Municipal Manager, Mr A S Tshikalange and all Directors, SALGA Limpopo, the Regional, Sub-regional and Branch leaders of the ANC, SACP, COSATU and leaders of various political formations, the IEC, members of Ward Committees, Ladies and Gentlemen – Good afternoon!*

*It is indeed my privilege and honour to welcome each and every one of you to the 2011 Inaugural Special Council Meeting. We are here today as a consequence of the trust placed in us by the people of Makhado Local Municipality in this month’s (18 May 2011) election. In numbers, the citizens of this Municipality spoke – clearly and emphatically.*

*They spoke of their desire to move our Municipality in a new direction. They spoke of their determination to solve problems neglected for too long.*

*Honourable Speaker, most clearly of all, they spoke of their unshakeable pride in our Municipality, its towns and villages – and their readiness to take our place among the leading Municipalities, in Limpopo and beyond.*

*Our Municipality and the critical services it delivers reflect our commitment as a community to achieve together what would be impossible as individuals. Our task is to lay the groundwork for each of our citizens – young and old – to make the most of his or her opportunities.*

*Let me take this opportunity to thank all political parties that took part in the 3<sup>rd</sup> local government elections held throughout our country on the 18<sup>th</sup> May 2011. Let me congratulate the ANC, for securing such overwhelming support in Makhado Local Municipality, claiming 36 Wards, 28 PR Councillors seats, the DA with 1 Ward, the Independent candidate with 1 Ward, COPE with 3 PR seats, ACDP 1 seat.*

*Honourable Speaker, the election confirmed, in a striking way, the conviction of our citizens that Makhado Local Municipality can only be truly great if we respect everyone in it. We must take everyone’s concerns seriously. Nobody, in our Municipality, is disposable.*

*Elections are a battlefield of ideas and values. In the end, I believe voters want a Council that works pragmatically and constructively to achieve objectives shared by the vast majority of our citizens. In four to five years, when the electorate returns to the polls, they will ask if we achieved our goals.*

*Honourable Speaker, our goal must be to expand our civic democracy. The voter turnout during the past elections should be a sign to all of us that the people of Makhado want more say in the affairs of their Municipality.*

*The challenges facing us are complex, but that’s even more reason to increase our citizens’ involvement in finding new solutions. The report prepared by IDASA’s Capacity Development for Local Governance will be presented to Council, and will serve as a basis that will point us in the right direction.*

*Through the Office of the Speaker, we shall establish, capacitate and strengthen our Ward Committees, so that they can be active agents of service delivery and champions of the Integrated Development Plan.*

*Honourable Speaker, the establishment of ward committees will open a continuous dialogue between the government and the people, so that the needs of the people become the determining factor in how service delivery happens.*

*Our citizens are raising the bar for the incoming Council, calling for bolder responses to long-/unresolved problems and greater grassroots participation.*

*We need to take immediate steps to improve citizen access to Council, including expanded opportunities to make public submissions, co-ordinating more and more meetings in the communities we serve, as Councillors we need to convene those meetings and so, too, does the responsibility to co-operate to find solutions.*

*Honourable Speaker, Makhado Local Municipality must seize the opportunity to become one of Limpopo's best places to invest. We must strive to be cost-competitive, clean, stable and home to a highly educated, skilled and motivated workforce. We must draw strength from our diverse multicultural community, which brings us entrepreneurial talent and abilities.*

*Where we can eliminate barriers to investment and job creation, we must. We need to give effect to the Local Economic Development Strategy and continue to engage with other business leaders and investors on what measures we can take to improve the local economy.*

*My objective is to support the development of an economy based on investment in excellence, where knowledge, quality and innovation are the path to improved quality of life through access to basic services, like water, sanitation, better roads in towns and villages, pothole repairs and rehabilitation of internal streets in villages and townships, maintenance of sports facilities, promotion of special programmes and libraries services.*

*Honourable Speaker, our development priorities, need to be supported by responsible and accountable administration of the Municipal finances. We shall establish the Municipal SCOPA (Standing Committee on Public Accounts), whose mandate is to deliver on our commitments to fight corruption, to improve public participation in the resource management and budget process.*

*We must be able to tell voters in 2014 that the Municipal finances are in order and clean. More importantly, voters must have real opportunities to participate in the budget process. Only then can they have the confidence they deserve that Council's decisions reflect their priorities.*

*The needs, aspirations and contributions of young people also need to be reflected in our development agenda. It was inspiring to see the outpouring of enthusiasm from youth in response to the vision we put forward during the last election campaigns.*

*Honourable Speaker, we need to find the resources to provide more support for youth facing unemployment, academic exclusion, lack of access to community and sports facilities, teenage pregnancies, criminal activity, substance abuse and other social ills. I don't have all the answers, but young people have many. We'll be seeking their advice and input on Municipal policies and programmes through the Youth Council.*

*Together we should vow to unite all our people, so that they are no longer divided by the apartheid barriers of the past, which prevented our people, both black and white, from becoming one.*

*Honourable Speaker, our new system of local government comes about through an integrated approach to governance not simply at local level, but also through the integration of the three tiers of our system of co-operative governance, so that all our representatives work together at local, provincial and national levels for the benefit of the people.*

*We are hoping that through the hard work of the new council in partnership with the people of this Municipality, we shall make the necessary progress.*

*The provision of free basic units of electricity and water to our people, through our indigent program will alleviate the plight of the poorest among us while plans for the stimulation of the local economy should lead to the creation of new jobs and the reduction of poverty.*

*Honourable Speaker, in turn, our elected representatives will have to make every effort to maintain close contact with their constituencies and that they act in a manner focused on serving the people they represent.*

*The challenge facing all our councillors is how to provide a better life for the people of this Municipality within the broader context of planned growth and development.*

*In this way, we are also asking our councillors to be new persons with unwavering commitment and to act together to be a conscious force of transformation. We call on them to be very firm in the commitment to fight corruption and maladministration.*



*Our council must be able to deal with the issues at hand, to ensure that the disadvantaged areas are declared priorities and receive major attention as a result.*

*Honourable Speaker, the success of this council will depend upon every individual commitment and our collective contribution in modernising and humanising our environment and in creating a healthy climate in which all our people, young and old can develop and mature into responsible citizens in this modern world.*

*Together, let us work, so that this Municipality begins to express our shared vision, hopes, dreams and the new joys that we will experience as a new people.*

*Allow me to mention that our Municipality has increased the number of wards from having 37 wards to 38 wards. This expansion present an opportunity and responsibility to all of us to plan and act decisively so that all our people can benefit from the fruits of local democracy and freedom.*

*But before I outline some of the challenges and goals that we face in the coming term, I would like to recognize and thank some special people.*

#### Recognition and Thanks

*Firstly, to the residents of Makhado, let me simply say thank you for your ongoing support and encouragement. I am honoured and humbled to continue to serve the community.*

#### Introduction of 2011-2015 Council members

*I would like to congratulate all ward and PR councillors, who were returned to office. I welcome all newly elected councillors, who shall be serving their constituencies for the first time. I am confident that the new Council has a wealth of experience that will serve the Municipality well.*

*I also would like to acknowledge and once more appreciate the good work carried out by those councillors from our last Council who were not successful. It was a hard-fought campaign. On behalf of the people of Makhado, I would like to thank them for their public service.*

*Our appreciation should go as well to the veteran councillor Chaya, councillor Mabila and many others. Please join me in welcoming back all our councillors.*

*Let me again congratulate those councillors who will represent Makhado Local Municipality at the Vhembe District Council. Once more, as required by law, we have identified councillors, who shall serve on the Executive Committee. We must encourage them to carry out their functions, with diligence and supreme skills.*

*Amongst us today, we have our traditional leaders, who shall also continue to serve in our Council during the next term.*

*I am exceptionally pleased to introduce the members of our Executive Committee Team. I would also like to acknowledge the incredible contribution of the late councillor Vho Mukosi Makhado, Khosi Vho Madzivhandila, Hosi Mkhari and many other community leaders who passed on during our last Council term. They will never be forgotten in our council.*

*Honourable Speaker, 2011-2014 Council Key Focus Areas. So where do we go from here? Over the next 100 days, my office, the Speaker and the Chief Whip, together with the Executive Committee, shall monitor, the implementation of specific actions that will enable us to deliver quality, affordable and sustainable services to all our people.*

*Issues: Water supplies, pothole repairs and internal street rehabilitation; indigent program; operation clean audit; risk management and anti fraud and corruption; infrastructure development; local economic development and job creation; supply chain management; electricity and portfolio committees.*

*My office will be hands on in monitoring the implementation of the Turn Around Plan, the Service Delivery and Budget Implementation Plans of the Municipality which currently captures and outlines the strategic and key areas for institutional transformation and fast tracking service delivery.*

*Honourable Speaker, the residents of Makhado need us now to focus forward, to set a new high water mark in providing outstanding services while being ever mindful of their hard earned incomes they use to pay for municipal services.*

*Just like an Olympic athlete who trains to run faster, to jump higher, to throw farther, the men and women who have won your votes know only too well that records are meant to be broken. So today is the start of a new term, the start of a new agenda.*

*If you will allow me, as Mayor, I am asking for your undivided commitment and hard work so that we can stand proudly, as did the past Council, when our achievements are being measured five years from now.*

*Honourable Speaker, in a few weeks, we shall convene the Council Lekgotla that will critically reflect on the vision and mission of the Municipality in context of the approved IDP and budgets, thus enabling us to refine our strategic and pragmatic interventions for the next Council term.*

*Creating a new partnership with our municipal officials and their recognised unions, IMATU and SAMWU, to achieve improvements in service and quality, while harnessing their skills, commitment and experience, will be vital.*

*Our communities out there deserve the best and committed staff at all times. They deserve men and women who are continually thinking of solutions that will better respond to their needs. If you can continue to offer this level of service, Council and residents will be well served.*

*Honourable Speaker, to all residents, I ask for your continued engagement to help us reach our goals. To our traditional leaders, religious leaders, sports groups, business leaders, youth, seniors, charities and volunteers of all stripes, you are the lifeline of our communities.*

*I am pleased to say that in the next few months, you will see more tangible evidence of these action plans. Once again, congratulations to all Members of Council and thank you to all of you for being a part of this very special celebration.*

*Thank you, Na Khensa! Ndo Livhuwa! Baie dankie! Ke a leboga!"*

#### RESOLVED A.40.31.05.11 –

1. THAT the number of seats in the Executive Committee be composed under the provisions of section 43 of the Local Government: Municipal Structures Act, 1998 and in accordance with the seat calculation of parties that was issued for LIM334 that was issued by the I E C on 20 May 2011. (DCSS)
  
2. THAT the Executive Committee be composed of ten (10) members as permitted in terms of the provisions of section 43 of the Local Government: Municipal Structures Act, 117 of 1998. (DCSS)
  
3. THAT it be noted that the following councillors were duly elected as Members of the Executive for the term of office that ends with the next general municipal election:
  - 3.1 Cllr M M Lerule
  - 3.2 Cllr F J Rikhotso
  - 3.3 Cllr N J Matumba
  - 3.4 Cllr S M Sinyosi
  - 3.5 Cllr P F Mashimbye
  - 3.6 Cllr N A Makhanda
  - 3.7 Cllr A du Plooy
  - 3.8 Cllr M B Bopape
  - 3.9 Cllr J P Underwood
  - 3.10 Cllr D T Ratshikuni (DCSS)

4. THAT it be noted that Cllr M M Lerule was duly elected unopposed in terms of the provisions of section 48 read with Schedule 3 of the Local Government: Municipal Structures Act, 17 of 1998 in the Office of Mayor of Council and Chairperson of the Executive Committee for the term that will end with the next general municipal elections

SC30MayExcoMembers\_itm

**ITEM A.41.31.05.11**

**ELECTIONS: DISCLOSURE OF INTEREST: MUNICIPAL COUNCILORS ELECTED ON 18 MAY 2011  
(3/4/1; 3/4/2)**

RESOLVED A.41.31.05.11 –

THAT all Councillors as elected on 18 May 2011 pay attention to the contents of and forthwith continuously maintain conduct according to Clause 5 of the Code of Conduct for Councilors promulgated in Schedule 1 in terms of the provisions of the Local Government: Municipal Systems Act, 32 of 2000, as amended. (DCSS)

SC30MayDisclosure\_itm

**ITEM A.42.31.05.11**

**ELECTIONS: DECLARATION OF INTEREST: MUNICIPAL COUNCILORS ELECTED ON 18 MAY 2011  
(3/4/1; 3/4/2)**

RESOLVED A.42.31.05.11 –

THAT all Councillors as elected on 18 May 2011 pay attention to the contents of and forthwith continuously maintain conduct according to Clause 7 of the Code of Conduct for Councilors promulgated in Schedule 1 in terms of the provisions of the Local Government: Municipal Systems Act, 32 of 2000, as amended.

SC30MayDeclaration\_itm

(DCOMS/MM)

**ITEM A.43.31.05.11**

**ELECTIONS: CODE OF CONDUCT FOR COUNCILORS  
(3/4/3)**

RESOLVED A.43.31.05.11 –

THAT all Councilors take note of and abide with the contents of the Code of Conduct for Councilors promulgated in terms of the provisions of the Local Government: Municipal Systems Act, 2000, as amended, a full copy of which is attached hereto as Annexure A.

SC30MayCode

(DCOMS)

**ITEM A.44.31.05.11****COUNCIL AND COMMITTEE MEETINGS: RULES AND ORDERS, 2007: CONDUCTING MEETINGS****(1/3/34/1; 4/2/1)**

RESOLVED A.44.31.05.11 –

THAT it be noted that the Rules and Orders, 2007 of Makhado Local Municipality which was promulgated in Provincial Gazette No 1391 of 31 August 2007 as published under Local Authority Notice No 228 dated 31 August 2007, a copy of which is attached as Annexure A to this report, is the primary tool in terms whereof Council and its committees conduct meetings.

SC30MayRulesOrders\_itm

(DCSS)

**ITEM A.45.31.05.11****1. FINANCES: UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF MUNICIPAL OFFICE BEARERS: 2011/2012 FINANCIAL YEAR****2. ELECTIONS – FULL-TIME COUNCILLORS****(6/11/1/4; 5/5/5/2/1)****REMARK:**

When this matter was considered, Cllr M M Lerule proposed, duly seconded by Cllr L B Lowane, that the following three offices be regarded as full-time councillors with effect of 31 May 2011:

Office of the Speaker

Office of the Chief Whip

Office of the Mayor

The proposal was accepted in general and recorded as Council's Resolution herein below.

RESOLVED A.45.31.05.11 –

1. THAT it be noted that councillors that were elected on 18 May 2011 will be for the 2011/2012 financial year be remunerated according to the contents of Government Notice No. 1196 of 10 December 2010 published in Government Gazette No. 33867 dated 10 December 2010, a copy which is attached as Annexure A to the report in this regard, read with Correction Notice which was promulgated as Notice No. 1234 on 24 December 2010 published in Government Gazette No 33899 dated 24 December 2010, a copy of which is attached as Annexure B to the report in this regard. (CFO)

2. THAT the following offices be regarded as full-time councillors with effect of 31 May 2011 in terms of Notice 290 of 2009 promulgated in terms of the Local Government: Municipal Structures Act, 117 of 1998 and published in Provincial Gazette Extraordinary No 1671 dated 20 August 2009 - Office of the Mayor, Office of the Speaker and Office of the Chief Whip.

(CFO/DCSS)

**ITEM A.46.31.05.11****ELECTIONS: COUNCILLORS TO REPRESENT LOCAL COUNCIL IN THE VHEMBE DISTRICT COUNCIL****(12/3/3/46)****REMARK:**

1. The MEO of the IEC, Makhado, Mr H M Mulaudzi presided over the elections of 14 councillors to represent Makhado Municipality at Vhembe District Municipality in terms of clause 15 to 22 of Schedule 2 of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998). Parties' representatives were given nomination forms with relevant guidelines, so that party members be given the opportunity to elect councillors to represent Makhado Municipality. The results of parties that submitted candidates lists in alphabetical order, were as follows:

<b>PARTY</b>	<b>NO. OF VOTES RECEIVED</b>	<b>NO. OF SEATS ALLOCATED</b>
ACDP		1
ANC		11
DA		1
PAC		0
COPE		1

2. Since the number of candidates and parties submitted aligned with the number of seats and the seat allocation declared by the IEC on 20 May 2011, it was not necessary to have elections by ballot paper or showing of hands. The fourteen (14) candidates were declared elected unopposed to be appointed as MLM representatives in the VDM Council.
3. The MEO declared the following councillors as duly elected to represent Makhado Local Municipality in the Vhembe District Municipality: Cllr M D Mboyi, Cllr H F Mathavha, Cllr D Dagada, Cllr T Malange, Cllr L M Mathalise, Cllr J Dzhombe, Cllr M D Mulovhedzi, Cllr G Machovani, Cllr R Makhubele, Cllr N S Munyai, Cllr S Gundula, Cllr M Malima, Cllr A Kennealy and Cllr B F Hlongwane.

**RESOLVED A.46.31.05.11 –**

1. THAT it be noted that the MEO for Makhado Region, Mr H M Mulaudzi presided over the election of fourteen (14) councillors that will represent Makhado Local Municipality in the Vhembe District Municipality in terms of the provisions of sections 15 to 22 of Schedule 2 of the Local Government: Municipal Structures Act, 117 of 1998. (DCSS)
2. THAT Vhembe District Municipality be informed that the following Councillors were duly elected unopposed to represent Makhado Local Municipality in the Vhembe District Municipality:-
  - 2.1 Cllr M D Mboyi
  - 2.2 Cllr H F Mathavha
  - 2.3 Cllr N Dagada
  - 2.4 Cllr T M Malange
  - 2.5 Cllr L M Mathalise
  - 2.6 Cllr J Dzhombe
  - 2.7 Cllr M D Mulovhedzi
  - 2.8 Cllr R G Nkanyane (Machovani)
  - 2.9 Cllr R T Makhubele
  - 2.10 Cllr N S Munyai
  - 2.11 Cllr A S Gundula (passed away)
  - 2.12 Cllr M E Malima

2.13 Cllr I Sakhwari  
 2.14 Cllr B F Hlongwane

(DCS)

SC30MayVhembe\_itm

**ITEM A.47.31.05.11****ELECTIONS: DESIGNATION OF FULL-TIME COUNCILORS IN CERTAIN OFFICES  
(3/3/3; 3/3/5; 3/3/1)****REMARK:**

When this matter was considered, Cllr N Dagada proposed, duly seconded by Cllr T G Tshavhuyo, that the Mayor, Cllr M M Lerule, the Speaker, Cllr F D Mutavhatsindi and the Chief Whip, Cllr R Ludere be appointed in full-time capacity with effect of 31 May 2011. The proposed was accepted unopposed and recorded as Council's Resolution herein below.

Cllr M M Lerule proposed, duly seconded by Cllr L B Lowani that the Mayor in consultation with the Speaker and the Chief Whip, be vested with the power to designate a maximum of four (4) Members of Executive Committee as full-time councillors as permitted in terms of Notice 290 of 2009 promulgated by the Member of the Executive Council, Local Government and Housing, Limpopo Province as published in Government Gazette No 1671 dated 20 August 2009. The proposal was accepted in general and recorded as Council's Resolution herein below.

RESOLVED A.47.31.05.11 -

1. THAT the designation of full-time councillors in terms of the provisions of section 18(4) of the Local Government: Municipal Structures Act, 117 of 1998 be approved in principle.  
(DCSS)
2. THAT the appointment of full-time councillors in respective offices be approved in line with the contents of General Notice 290 of 2009 published in Provincial Gazette Extraordinary dated 20 August 2009, a full copy of which is attached as Annexure A to the report in this regard.  
(DCSS)
3. THAT the Mayor, Cllr M M Lerule, the Speaker, Cllr F D Mutavhatsindi and the Chief Whip Cllr R Ludere be appointed as full time Councillors with effect from 31 May 2011. (CFO/DCSS)
4. THAT the Mayor in consultation with the Speaker and Chief Whip be vested with the power to designate a maximum of four (4) Members of Executive Committee as full-time councillors as permitted in terms of Notice 290 of 2009 promulgated by the Member of the Executive Council, Local Government and Housing, Limpopo Province as published in Government Gazette No. 1671 dated 20 August 2009.  
(DCOMS)

SC30MayFulltime\_itm

**ITEM A.48.31.05.11****ELECTIONS: ELECTION OF THE CHIEF WHIP: 2011/2012 TO 2015/2016  
(3/3/1, 2/4 & 6/11/1/1/1)****REMARK:**

When this matter was considered, the Speaker called for nomination of candidates for election in the Office of Chief Whip of Makhado Local Municipality. Cllr J Dzhombe proposed, duly seconded by Cllr M D Mboyi that Cllr R Ludere be elected as Chief Whip of Makhado Local Municipality. Cllr R Ludere accepted the nomination. The Speaker called for further nominations. No further nominations were received .

1. The Speaker subsequently declared that Cllr R Ludere was duly elected unopposed in the Office of Chief Whip of Makhado Local Municipality for the term that would end with the next general municipal elections. Cllr R Ludere, Chief Whip was then granted the opportunity to deliver his address to Council, which reads as follows:

*“We urge all councillors to occupy their rightful place in society as mandated by the masses of our people. They gave you a very clear message “go and represent our interests and aspirations”. Councillors must be accountable and consult so that the mandate is executed.*

*Those of our councillors who are lazy and those who undermine our people will face harsh consequences. We also call on opposition parties not to oppose blindly, but to add value through ideas and constructive criticism. Racist and reactionary tendencies will not be tolerated.*

*Working together with our communities will do more.”*

2. The Speaker, Cllr F D Mutavhatsindi ruled that representatives of each of the political parties be afforded an opportunity to express words of encouragement to the elected office bearers.
  - 2.1. Cllr A du Plooy on behalf of the Democratic Alliance congratulated the Speaker, Mayor and Chief Whip of Makhado Local Municipality, and further mentioned that as a party they would do their best not to oppose the decisions made by Council.
  - 2.2. Cllr B F Hlongwane on behalf of the African Christian Democratic Party congratulated all office bearers which had been elected, and further mentioned that as a party they were aware that councillors from African National Congress feared God, and African National Congress would lead until Jesus Christ comes back.
  - 2.3. Cllr M E Malima on behalf of the Congress of the People congratulated all office bearers who had been elected, and further indicated that they were not there to oppose the decisions of the Council; they were there to work and make sure that the Municipality was delivering quality services to the community.
  - 2.4. Cllr M P Mazibuko, the only Independent Candidate congratulated all office bearers who had been elected, and further indicated that he was happy to be a member of Makhado Municipal Council, and as Independent Candidate he was ready to serve the community.
  - 2.5. Cllr E H Ludere on behalf of the Pan African Congress congratulated all office bearers elected, and thanked the Pan African Congress who contested for a seat in the Council.

**RESOLVED A.48.31.05.11 –**

1. THAT it be noted that Cllr R Ludere was elected unopposed in the Office of Chief Whip of Makhado Local Municipality for the term of office, which runs until the next general municipal elections, and that the designation of such elected councillor was in terms of the contents of Notice 290 of 2009 published in Provincial Gazette Extraordinary dated 20 August 2009.

(DCOMS/CFO)

2. THAT note be taken of the congratulations extended by representatives of the respective political parties and the Independent Councillor to the councillors who had been elected in the Office of Speaker, Officer of Mayor and Office of Chief Whip respectively. (DCSS)

SC30MayWhip\_itm

**ITEM A.49.31.05.11**

**ORGANIZATION & EMBLEMS: DELEGATION OF POWERS – COUNCIL, EXECUTIVE COMMITTEE AND HEADS OF DEPARTMENTS  
(2/1/3/2/1; 2/1/3/2/2)**

RESOLVED A.49.31.05.11 -

1. THAT Council takes note of the system of delegated power as summarized in Council Resolution A.61.15.08.07. (DCSS)
2. THAT Council in the interest of service delivery abides by Resolution A. 61.15.08.07 which is a summary account of delegated powers, until such time as it may require a review of the delegated powers. (DCSS)

SC30MayDelegated\_itm

**ITEM A.50.31.05.11**

**FINANCES: (1) APPROVED IDP 2011/2012  
(2) APPROVED CAPITAL AND OPERATIONAL ESTIMATES 2011/2012  
TO 2013/2014  
(6/1/1 (2011/2012); 15/7/1)**

**REMARK:**

The documents referred to in the Resolutions recorded herein below were delivered to all councillors under separate cover together with the Agenda for the 71<sup>st</sup> Special Council meeting on 27 and 28 May 2011 respectively.

RESOLVED A.50.31.05.11 -

1. THAT note be taken that the Capital and Operational Estimates for the 2011/2012 to 2013/2014 financial years was approved by Council Resolution A.36.28.04.11, while the Integrated Development Plan for 2011/2012 cycle was approved by Council Resolution A.35.28.04.11. (DCSS)
2. THAT it be noted that the Director Corporate Support and Shared Services delivered the voluminous Budget and IDP documents that relate to the Council Resolutions recorded in paragraph 1 above to newly elected councillors under separate cover on 27 and 28 May 2011. (DCSS)

SC30MayBudIdp\_itm



**ITEM A.51.31.05.11****ORGANIZATIONS & ASSOCIATIONS: SALGA (LIMPOPO) PRESENTS COUNCILLOR  
INDUCTION PROGRAM  
(12/2/54/1; 5/4/2)**

RESOLVED A.51.31.05.11 -

THAT both newly elected and returning Councillors reserve the dates **4 to 9 July 2011** to attend the Councillor Induction Program initiated by SALGA during which Councillors will be equipped with a broad understanding of their roles and responsibilities, legislative framework, policies and procedures, the express mandate of a developmental local government and the overall South African Local Government System. (DCOMS/DCSS)

SC30MayCIP\_itm

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The meeting was closed and adjourned at 17:00.

Approved and confirmed in terms of the provisions of Rule 7 of the Council Rules and Orders, by a resolution of the Council passed at the meeting held on 28 July 2011.

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**CHAIRPERSON**

MDM/lh/SpecialCouncilMinutes\_71