

MAKHADO LOCAL MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE EIGHTY FIRST (81st) COUNCIL MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 26 JANUARY 2017 AT 14:00 IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, KROGH STREET, MAKHADO.

PRESENT

Councillors

BABADU, T M	MOGALE, L B
BALIBALI, T	MOHLABA, T J
BULALA, S I	MOKGOADI, M R
DAVHANA, N D	MPASHE, M J
DU PLOOY, A	MTHOMBENI, S Z
DZIVHANI, T E	MUKHARI, M F
FURUMELE, M G	MUKWEVHO, T D
HLONGWANE, F B	MULEFU, M E
JONES, N B	MUNYAI, N
KUTAMA, T	MUNYAI, N S
LUDUVHUNGU, V S	MUSANDIWA, P N
LUKHELI, J	NDOU, M D
MACHETE, M S	NDOU, M N
MADULA, S	NEMATANDANI, M C
MADUWA, E	NEMUDZIVHADI, N S
MADUWA, L G	NETHULWE, M F
MADZHIGA, F N	NYELISANI, S S
MAFHALA, N A	PHOSHOKO, M G
MAGADA, M R	RALIPHADA, R
MAINGO, R T	RAMAVHOYA, K S
MALIMA, M E	RAMUSHAVHA, G M
MALIVHA, N V	RAPHALALANI, A A
MALULEKE, K M	RATSHIKUNI, D
MAPHAHA, M Q	SELAPYANA, M A
MAPHUBU, K	SIMANGWE, N J
MARAGA, T A	TAMBANI, T E
MARINGA, P K	TSHIAMBWA, L R
MASUKA, S	TSHIBVUMO, G
MASUTHA, L G	TSHIFURA, S S
MATUMBA, A	

Traditional Leaders

MUKHARI, S T	RAMABULANA, V C
MASHAMBA, T L	KUTAMA, P V
SINTHUMULE, R H	MOLEMA, F
NETSIANDA, P	

Officials

M J KANWENDO	(ACTING MUNICIPAL MANAGER)
M D SINTHUMULE	(DIRECTOR DEVELOPMENT PLANNING)
M P MAKHUBELA	(CHIEF FINANCIAL OFFICER)
N C KHARIDZHA	(DIRECTOR: CORPORATE SERVICES)
C W MOLOKOMME	(DIRECTOR TECHNICAL SERVICES)
S W MATHONSI	(SARGENT OF ARMS)
M D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)

Guest

K M MOLOKOMME	(MAGISTRATE, MAKHADO)
R C NGOBENI	(OFFICIAL – COGHSTA, POLOKWANE)

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1. OPENING

The Speaker, Cllr L B Mogale ruled that a moment of silence be observed for meditation and prayer, whereafter she declared the meeting officially opened and welcomed everyone, including Traditional Leaders, present.

She expressed that all be reminded of the Municipality's Vision and Mission as follows:

Vision "A Dynamic Hub for Socio–Economic Development by 2025"

Mission "To ensure effective utilization of economic resources to address socio-economic imperatives through mining, tourism and agriculture".

2. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLVED –

1. THAT leave of absence be granted in accordance with the provisions of clause 21 of the Council's Rules of Orders, 2016 published under Provincial Gazette Notice no. 2736 dated 29 July 2016 in respect of the Council meeting held on 26 January 2017 to Cllrs N F Chililo, M J Gabara, N Kutama, M D Mboyi, G T Mukwevho, A G Rashamuse, T C Mamafha, T J Mamafha, T P Mamorobela, M A Mashamba, L M Mathalise, S M Sinyosi and E T Sithi.
2. THAT it be noted that the following councillors were absent in respect of the Council meeting held on 26 January 2017 without leave of absence:

Cllrs T M Malange and M S Tshilambyana.

REMARK:

- i) One vacant post existed due to Cllr J P Underwood who passed away on 4 November 2016.
- ii) and Khosi T G Muila, Hosi H S Mukhari and Khosi M M Mphephu did not attend the meeting.

3. OFFICIAL ANNOUNCEMENTS

- 3.1 The Speaker, Cllr L B Mogale announced the presence of Mr K M Molokomme, Magistrate who would officiate the swearing in of newly appointed Councillor, P K Maringa. (Cllr P K Maringa has filled the vacancy of former Cllr T Seshoki).

Mr K M Molokomme, Magistrate officiated the swearing in of Oath or Affirmation by Councillor P K Maringa.

He conducted the declaration ceremony of the Oath during which the 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."

The duly signed Oath was filed in Council's official records.

- 3.2 The Speaker, Cllr L B Mogale announced that all Councillors were requested to complete an insurance form to insure their property and submit the completed form to the Office of the Speaker by not later than Tuesday, 31 January 2017. The form was available at the meeting for convenience of Councillors.
- 3.3 The Speaker, Cllr L B Mogale announced that Councillors who wanted to undergo computer training were requested to submit their names to the Office of the Speaker before Tuesday, 31 January 2017.
- 3.4 The Speaker, Cllr L B Mogale announced that Makhado Municipality would host the Regional IDP Consultative meetings for Waterval and remainder of Levubu Regions on Wednesday, 8 February 2017 at 10:00 at Waterval Community Hall, and on Thursday, 9 February 2017 at 10:00 at Makhado Showground Hall for Dzanani and Makhado Regions. All Councillors were invited to attend the meetings.

4. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER

4.1 Condolences

None

4.2 Congratulations

The Speaker, Cllr L B Mogale proposed congratulations to the following councillors who celebrated their birthdays since the last ordinary Council meeting held on 27 October 2016:

Cllr N F Chililo	5 November 2016
Cllr N J Simangwe	12 November 2016
Cllr F N Madzhiga	1 December 2016
Cllr M S Tshilambyana	12 December 2016
Cllr M G Furumela	17 December 2016
Cllr M R Magada	1 January 2017
Cllr L R Tshiambwa	2 January 2017
Cllr N Kutama	3 January 2017
Cllr M A Mashamba	6 January 2017
Cllr T Kutama	10 January 2017
Cllr S Z Mthombeni	19 January 2017
Cllr M J Mpashe	21 January 2017
Cllr L G Masutha	24 January 2017

5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY COUNCILLORS

- 5.1 Cllr M G Phoshoko proposed congratulations to the Economic Freedom Fighters Party in Mokgalawena Municipality for winning the court case of unlawful employment of an Acting Municipal Manager.
- 5.2 Cllr N J Simangwe proposed condolences to the bereaved family of the Maphadi family with the loss of his child on 17 December 2016, who was buried on 24 December 2016. She further congratulated the Mayor of Makhado Municipality for support by attending both memorial service and the funeral.

She also further proposed congratulations to the Executive Mayor of Vhembe District Municipality, Cllr Florence Radzilani and the Mayor of Makhado Municipality, Cllr S M Sinyosi for visiting twenty eight (28) houses damaged by the thunderstorm, rain and lightning, and handing the needy people food parcels and tents.

She then proposed congratulations to the Ward Councillor of Ward 16 and the Ward Committee members who donated school children uniforms during the Back to School Campaign.

She finally proposed congratulations to the Department of Communication for visiting Ward 16 where more than 400 community members registered for television digital migration connection on Saturday, 21 January 2017.

- 5.3 Cllr L G Masutha proposed congratulations to the Disaster Section employees of Makhado Municipality for their timeous and prompt response to incidents of disaster in Ward 3.
- 5.4 Cllr T Balibali proposed congratulations to Edson Nesengani Secondary School for ranking number one school in Makhado Municipal area, and the whole Vhembe District Municipality, with a 100% pass rate of Gr 12 learners.
- 5.5 Cllr K M Maluleke proposed congratulations to Mbhokota Fountain Life Church who donated a one room house in co-operation with traditional leaders.
- 5.6 Cllr T M Babadu proposed congratulations to the Executive Mayor of Vhembe District Municipality, Cllr Florence Radzilani together with the Mayor of Makhado local Municipality, Cllr S M Sinyosi for visiting Magau village for donating school children shoes during the Back to School Campaign at Magau Primary School.

6. CONFIRMATION OF MINUTES

6.1 REMARK:

Upon proposal by Cllr F N Madzhiga, duly seconded by Cllr M E Malima, it was -

RESOLVED -

THAT the minutes of the 80th Council meeting held on 27 October 2016, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

6.2 REMARK:

Upon proposal by Cllr R Raliphada, duly seconded by Cllr M Q Maphaha, it was -

RESOLVED -

THAT the minutes of the 116th Special Council meeting held on 8 November 2016, be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

6.3 REMARK:

Upon proposal by Cllr B F Hlongwane, duly seconded by Cllr R Maingo, it was -

RESOLVED -

THAT the minutes of the 117th Special Council meeting held on 8 December 2016, 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

None

9. REPORT OF COUNCIL COMMITTEES: JANUARY 2017

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 month of January 2017

419th Executive Committee Meeting: 19 January 2017

420th Executive Committee Meeting: 26 January 2017

9.2 Report of the respective Section 79 Oversight Committees in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): January 2017

4th Section 79 Oversight Committee: Corporate Services meeting held on 23 January 2017

2nd Section 79 Oversight Committee: Special Programmes meeting held on 23 January 2017

2nd Section 79 Oversight Committee: Community Services meeting held on 23 January 2017

2nd Section 79 Oversight Committee: Development Planning meeting held on 24 January 2017

2nd Section 79 Oversight Committee: Disaster, Moral Regeneration, Sports, Arts and Culture meeting held on 24 January 2017

2nd Section 79 Oversight Committee: Finance meeting held on 24 January 2017

2nd Section 79 Oversight Committee: Technical Services meeting held on 24 January 2017

ITEM A.1.26.01.17

REPORT: DRAFT ANNUAL REPORT 2015/16: APPROVAL AND SUBMISSION: DEPARTMENT NATIONAL TREASURY AND DEPARTMENT COOPERATIVE GOVERNANCE, HUMAN SETTLEMENT AND TRADITIONAL AFFAIRS (10/1/2; 10/1/4/1-/8)

RESOLVED A.1.26.01.17 (COUNCIL)

1. THAT the Draft Annual Report 2015/16 attached as Annexure A to the report in this regard be approved and that it be advertised for public comments. (MM)
2. THAT the Municipal Public Account Committee (MPAC) proceed with the oversight component of the Draft Annual Report 2015/16 in order to have an Overview on the Report as more fully set out in National Treasury *Circular No 32 of 15 March 2006*, which *Committee* must conclude their task within the given timelines as dictated by legislation, for final submission of the final report to Council by no later than 30 March 2017. (MM/DCS)
3. THAT members of the Audit Committee be invited to serve as technical assistance to the Municipal Public Account Committee in the oversight task 2015/16 referred to in paragraph 2 above. (MM)

4. THAT it be noted that Council's final resolve on the 2015/16 Annual Report must be passed by no later than 30 March 2017 whereupon it must be submitted to National Treasury and the Department of Cooperative Governance, Human Settlement and Traditional Affairs for submission to the Minister of Cooperative Governance and Traditional Affairs, and the Auditor General as Makhado Local Municipality's demonstration of municipal performance to its community. (MM)

DraftAnnualReport2015-2016_itm

ITEM A.2.26.01.17

PERFORMANCE MANAGEMENT: SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLANS: MID YEAR PERFORMANCE ASSESSMENT REPORT 2016/17 FINANCIAL YEAR (10/1/4/1 – 10/1/4/8)

RESOLVED A.2.26.01.17 (COUNCIL)

1. THAT Council takes note of the Second Quarter/Mid-Year SDBIP Performance Report for 2016/17 financial year in relation to the approved SDBIP for the 2016/17 financial year as submitted by Performance Management Unit and attached to the report in this regard as Annexure A. (ALL DIRS)
2. THAT the SDBIP be adjusted in line with the Mid-Year Budget and Performance Assessment as done by Finance Section. (CFO)

Q2-MidYearSDBIPAssessmentReport2016-17_itm

ITEM A.3.26.01.17

FINANCES: DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF DIFFERENT MEMBERS OF MUNICIPAL COUNCILLORS: 2016/17 (5/5/2/1)

RESOLVED A.3.26.01.17 (COUNCIL)

1. THAT note be taken of SALGA Circular 30 of 2016 received from the CEO on 21 December 2016, notifying that the Minister of Cooperative Governance and Traditional Affairs had promulgated Government Notice No 1600, Remuneration of Public Office-bearers Act (20/1998): Determination of Upper Limits of Salaries, Allowances and Benefits of Different Members of Municipal Councils, in Government Gazette No 40519 dated 21 December 2016 attached to the report in this regard as **Annexure A**. (CFO)
2. THAT **Council approve** the implementation of Government Notice No 1600 of 21 December 2016, with due allowance for the specific restrictions and amendments as highlighted in SALGA Circular No 30 of 2016, which will be applicable to Councillors who exited the local

government environment on 3 August 2016, as well as new councillors elected on 3 August 2016. (CFO)

3. THAT the increase in salaries, allowances and benefits of Councillors be implemented: Provided the MEC of Cooperative Governance, Human Settlement and Traditional Affairs (Limpopo) approves thereof, as required in terms of SALGA Circular 30 of 2016.

(CFO/DCS)

4. THAT the Municipal Manager and Chief Financial Officer abide by the directives listed in SALGA Circular 30 of 2016. (MM/CFO)

5. THAT a policy about official vehicles for the Mayor and Speaker be compiled, to also include the use of official transport by those councillors who included in their salary structure a vehicle allowance, as required by the notices referred to in paragraph 1 above. (CFO)

UpperLimits2016-2017_itm

ITEM A.4.26.01.17

ELECTIONS: REPLACEMENT OF ONE (1) COUNCILLOR: XIMOKO PARTY, 2016 (3/2/5; 3/2/6)

RESOLVED A.4.26.01.17 (COUNCIL) -

THAT note be taken of the replacement of Clr T Seshoki, Identity Number 631011 5051 085, Ximoko Party, by Mr Peter Kombani Maringa with Identity Number 710602 5839 083, Ximoko Party being the candidate at the top of the Ximoko Party List, as had been declared elected with effect of 6 December 2016 in terms of a Notice received from the IEC, Makhado on 7 December 2016, as more fully set out in Annexure A attached to the report in this regard. (DCS)

ReplaceXimokoParty2016_itm

ITEM A.5.26.01.17

DOMESTIC SERVICES: ICT POLICY STRUCTURE, 2017 – DEPARTMENT CORPORATE SERVICES (8/2/3)

RESOLVED A.5.26.01.17 (COUNCIL)

THAT Council approve the ICT Policy Structure, 2017 attached to the report in this regard as Annexure A, to become Municipality's official ICT Policy Structure, 2017 whereby the responsibilities, liabilities and accountabilities attached to ICT Policies in the municipal operational environment will be managed. (DCS)

ICTStructurePolicy2017_itm

ITEM A.6.26.01.17

**FINANCES: MID-YEAR BUDGET ASSESSMENT: 2016/17 FINANCIAL YEAR
(10/1/4/1, 10/1/5/2)**

RESOLVED A.6.26.01.17 (COUNCIL)

- 1. THAT Council take note of the 2016/17 mid-year budget and financial performance assessment, as more fully set out in the annexures attached to the report in this regard.

(CFO)

- 2. THAT Council take note that an adjustment budget for the income and expenditure projections for the financial year ending 30 June 2017 will be made in terms of section 28 of the Municipal Finance Management Act, 56 of 2003.

(CFO)

MidYearBudgetAssessment_itm

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10. PETITIONS

None

11. NEW MOTIONS

None

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The meeting was closed and adjourned at 15:17.

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 first following Council meeting of 26 April 2017.

CHAIRPERSON