

MAKHADO LOCAL MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SUPPORT AND SHARED SERVICES

MINUTES OF THE EIGHTY NINTH (89TH) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS SCHEDULED FOR 27 MARCH 2014 THEN POSTPONED AND HELD ON MONDAY, 31 MARCH 2014 IN THE COUNCIL CHAMBER, CIVIC CENTRE, KROGH STREET, MAKHADO AT 14:00.

PRESENT

Councillors

| | |
|--------------------|--------------------|
| BALIBALI, N P | MATUMBA, M T |
| BALOYI, N B | MATUMBA, N J |
| DAVHANA, D | MAZIBUKO, M P |
| GABARA, M J | MMBADI, T A |
| HLABIOA, M M | MOGALE, L B |
| HLUNGWANI, K A | MTHOMBENI, S Z |
| KUTAMA, N | MUDAU, T S |
| LUDERE, R | MUKHARI, M F |
| LUDUVHUNGU, V S | MULOVHEDZI, M D |
| MACHETE, M S | MUTAVHATSINDI, F D |
| MADAVHU, F F | MUTELE, T M |
| MADZHIGA, F N | NDWAMMBI, M T |
| MADZIVHANDILA, M R | NDZOVELA, N G |
| MAGADA, M R | NELUVHOLA, A T |
| MAKHUVHA, V S | NEMAFHOHONI, M G |
| MALANGE, T M | NGOBENI, N E |
| MALIMA, M E | RAMUDZULI, S D |
| MAMAFHA, T C | RASIMPHI, M P |
| MAMAFHA, T J | REKHOTSO, S M |
| MAMATSIARI, M S | RIKHOTSO, F J |
| MAMOROBELA, T P | SELEPE, M R |
| MAPHAHLA, A Z | SHANDUKANI, M J |
| MAPHALA, O S | SINYOSI, S M |
| MASHIMBYE, P F | THANDAVATHU, R |
| MASUKA, S | TSHAVHUYO, T G |
| MATODZI, A M | UNDERWOOD, J P |

Traditional Leaders

KHOSI R H SINTHUMULE

Officials

| | |
|-----------------|--------------------------------------|
| I P MUTSHINYALI | (MUNICIPAL MANAGER) |
| M P MAKHUBELA | (CHIEF FINANCIAL OFFICER) |
| M D SINTHUMULE | (DIRECTOR DEVELOPMENT & PLANNING) |
| N C KHARIDZHA | (ACTING DIRECTOR CORPORATE SERVICES) |
| M D MUNYAI | (ADMINISTRATIVE OFFICER: COMMITTEES) |

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1. OPENING

The Speaker, Cllr L B Mogale ruled that a minute of silence be observed for meditation and prayer, where after 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 2014 to Cllrs D T Ratshikuni, R Malange, T P Netshivhulana, Q Ratshivhombela, L M Mathalise, A J Mukhaha and N F Chililo.

REMARK:

The following Councillors and Traditional Leaders were not present at the meeting:

- 2.1 Cllrs R S Baloyi, A du Plooy, F B Hlongwane, M M Lerule-Ramakhanya, E H Ludere, M G Mahani, S V Mahladsisa, M P Mathoma, M D Mboyi, N S Munyai, R G Nkanyane, R T Makhubele, H F Mathavha, I Sakhwari and M S Tshilambyana.
- 2.2 Khosi S A Mulima, Khosi M W Netsianda, Khosi N T L Mashamba, K, Hosi M S Bungeni, Khosi M C Masakona, Hosi H N Majosi, Khosi T P Nesengani, Hosi S T Mukhari, Hosi J Baloyi, Khosi V C Ramabulana, Khosi T R V Mashau, Khosi M A Madzivhandila and Hosi T J Mukhari.
- 2.3 One (1) vacancy existed in that A Kennealy had resigned on 11 February 2014.

3. OFFICIAL ANNOUNCEMENTS

None

4. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY THE SPEAKER

The Speaker, Cllr L B Mogale congratulated the honorary Ambassador A Chhaya who received a certificate of 2013 Excellence of Appreciation from the Men's Forum of True Life Christian Church, a certificate of Appreciation by Thanya Day Care Community Centre and a certificate of Acknowledgement by Diabetics S A – Elim Branch.

5. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY OTHER COUNCILLORS

- 5.1 Cllr M R Selepe congratulated Makhado Municipality for successfully launching Makhado Youth Council on Saturday, 29 March 2014 at Hill Top Manor.
- 5.2 Cllr T M Mutele congratulated Municipal Public Accounts Committee (MPAC) for having successfully held a Public Hearing on Monday, 24 March 2014.
- 5.3 Cllr T P Mamorobela proposed condolences to the bereaved family of Mulaudzi Muthumuni Samson, a Ward Committee member in Ward 9 and Branch Executive Committee member of ANC SIMA Branch, who was buried on Saturday, 29 March 2014.
- 5.4 Cllr T G Tshavhuyo congratulated the Department of Development Planning for hosting a successful LED Forum meeting.

- 5.5 Cllr T J Mamafha congratulated the African National Congress Regional Executive Committee (REC) of Vhembe District for hosting a successful Manifesto launch in support of Makhado Sub-region at Bungeni Stadium on Saturday, 22 March 2014.
- 5.6 Cllr S Z Mthombeni congratulated the South African Communist Party (SACP) for presenting a successful Provincial General Council (PGC) at Malamulele on Sunday, 23 March 2014.
- 5.7 Cllr R Thandavhathu congratulated the Honourable Mayor of Makhado Municipality, Cllr F D Mutavhatsindi and Chief R H Sinthumule as well as himself for successfully completing a 13km Health Fun Walk from Ha-Ravele Tshilwavhusiku Police Station to Madombidzha Muromani on Friday, 21 March 2014.
- 5.8 Cllr R Ludere congratulated Itani Sakhwari for resigning as Councillor of Democratic Alliance and joining African National Congress Party.

6. **MATTERS CONSIDERED:**

Resolutions of the Council in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): 89th Special Council Meeting: 31 March 2014

The report of the 345th Executive Committee meeting held on 27 March 2014

ITEM A.41.31.03.14 (originally A.41.27.03.14)

TOWN-PLANNING AND CONTROL: DRAFT INTEGRATED DEVELOPMENT PLAN REVIEW 2014/2015 (15/7/1, 15/8/1 & 6/1/1(2014/15))

REMARK: Cllr N Davhana proposed, duly seconded by Cllr T J Mamafha, that Council must take note that the Organizational Structure was still in process and that the relevant Portfolio Committee must engage on the review of the Organizational Structure. The proposal was accepted in general and recorded accordingly.

RESOLVED A.41.31.03.14 -

1. THAT the Draft IDP for the 2014/15 review cycle be approved as Council's 2014/2015 Integrated Development Plan, as more fully set out in the Annexure attached to the report in this regard, subject to the following amendments:
 - 1.1 On page 56: Paragraph 2.6.3 Library Services
In the fifth paragraph the words "fourteen" and "(14)" be changed to read "sixteen" and "(16)" respectively.
 - 1.2 On page 200: Table 8.1.7: Site Demarcation Priority List
H021, under Dzanani Region, Ward 36 "Ha-Matsa Village" be substituted for the name "Manyii Village".
 - 1.3 On page 198: Table 8.1.5: Local Economic Development Priority List
18, the word "Livhuwani" be substituted for the name "Luvhalani"

1.4 On page 196: Table on Social Services Priority List

- 2, Include the name “Maname Paradise Secondary School” under column 12/13;
upon which public comments be invited. (DDP)

2. THAT the Portfolio Committee: Corporate Services proceed to consider the review of the 2013/2014 Organizational Structure, and submit the outcome at the first following Council meeting. (DCS)

DraftIDP2014-15_itm

ITEM A.42.31.03.14 (originally A.42.27.03.14)

FINANCES: AMENDMENT AND REVIEW OF THE CREDIT CONTROL AND DEBT COLLECTION POLICY – REVENUE SECTION (1/1/103)

RESOLVED A.42.31.03.14 -

1. THAT Council approves the amendments proposed in the Credit Control and Debt Collection Policy based on the reason that flaws with the policy need to be closed in order to enhance revenue collection, beneficial to both the public and the Municipality, and it be forthwith known as the Credit Control and Debt Collection Policy, 2014. (CFO)
2. THAT the Credit Control and Debt Collection Policy, 2013 be archived to enable future comparisons when further amendments may be necessary. (CFO)

AmendCreditControlPolicy_itm

ITEM A.43.31.03.14 (originally A.43.27.03.14)

FINANCES: AMENDMENT AND REVIEW OF TARIFF AND FREE BASIC SERVICES POLICY (1/1/90)

RESOLVED A.43.31.03.14 -

1. THAT Council approves the amendments proposed in the Tariff and Free Basic Services Policy based on the reason that flaws with the policy need to be closed in order to enhance revenue collection, beneficial to both the public and the Municipality, and it forthwith be known as the Tariff and Free Basic Services Policy, 2014. (CFO)
2. THAT the Tariff and Free Basic Services Policy, 2013 be archived to enable future comparisons when further amendments may be necessary. (CFO)

3. THAT the Accounting Officer ensure that a credible Indigent Register be implemented and duly maintained to amongst others serve as reference source for a fair grant under the equitable share; and that the possibility to contract temporary persons to complete and collect indigent forms in the Municipal area, be considered. (MM/CFO)

AmendTariff&FreeBasicServicesPolicy_itm

ITEM A.44.31.03.14 (originally A.44.27.03.14)

FINANCES: DRAFT CAPITAL AND OPERATIONAL ESTIMATES 2014/2015 TO 2016/2017 FINANCIAL YEAR (6/1/1 (2013/2014))

RESOLVED A.44.31.03.14 -

1. THAT the draft Capital and Operational Estimates for the 2014/2015 financial year as more fully recorded in Annexure B 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, No 56 of 2003, and the Regulations promulgated in terms thereof. (CFO)
2. THAT the following 2014/2015 budget related policies and one By-law be approved as more fully set out in Annexure C attached to the report in this regard, as well as two separate items elsewhere in this agenda:
 - 2.1. Asset Management Policy
 - 2.2. Borrowing Policy
 - 2.3. Budget Policy – 2013/2014
 - 2.4. Budget Virement Policy
 - 2.5. Credit Control and Debt Collection Policy (Amended) (filed as separate item elsewhere in the agenda)
 - 2.6. Expenditure Management Policy
 - 2.7. Framework for Cashflow Management Policy
 - 2.8. Funding and Reserves Policy
 - 2.9. Investment of Funds and Principles Policy
 - 2.10. Principles on the Writing-off of Irrecoverable Debt Policy
 - 2.11. Property Rates policy
 - 2.12. Revenue Management Policy
 - 2.13. Subsidy Scheme on Indigents Policy
 - 2.14. Supply Chain Management Policy
 - 2.15. Tariff and Free Basic Services Policy (Amended) (filed as separate item elsewhere in the agenda)
 - 2.16. Travel and Subsistence Policy
 - 2.17. Proposed amended Property Rates By-law (CFO)

3. THAT the amendment to the contents of the Property Rates By-law, 2008 be approved as more fully set out in Annexure C of the report in this regard, and that the necessary promulgation provisions related to municipal property rates be undertaken after public consultation thereof. (CFO/DCS)
4. THAT the increase in municipal tariffs and charges be approved as more fully set out in the various notices of Annexure D to this report, and the necessary promulgation thereof be done in terms of the provisions of Local Government Legislation. (CFO/DCS)
5. THAT it be noted that the 2014/2015 Estimates will after approval by the Council (on 29 May 2014) in terms of section 22 of the Municipal Finance Management Act, be submitted to National Treasury and the Provincial Treasury. (CFO)

DraftBudget2014-2015_itm

ITEM A.45.31.03.14 (originally A.45.27.03.14)

STRENGTHENING DEVELOPMENT STRATEGIES THROUGH THE STRATEGIC MANAGEMENT OF TECHNOLOGY AND INNOVATION (7/3/2/1)

RESOLVED A.45.31.03.14 -

1. THAT Council approves in principle that the Municipal Manager on behalf of the Municipality conclude the proposal which has been reduced into the Memorandum of Understanding with necessary amendments where applicable, attached to the report in this regard. (DCS)
2. THAT the Executive Committee be vested with the power to appoint the Municipality's Strategic Team that will represent the Municipality in the special development entity that will be established to manage the project. (DCS)
3. THAT the prioritised strategic area of focus will first be the project of increasing the electricity capacity for the town of Makhado. (DCS)

StrategicInnovation_itm

ITEM A.46.31.03.14 (originally A.46.27.03.14)

PUBLICITY: ANNUAL REPORT 2012/13: OVERSIGHT REPORT AND FINAL APPROVAL: SUBMISSION TO DEPARTMENT NATIONAL TREASURY AND DEPARTMENT PROVINCIAL AND LOCAL GOVERNMENT (10/1/4/1-8)

REMARK:

Cllr P F Mashimbye pointed out that on page SCM 2014/33 the name of Cllr J P Underwood had been omitted and it should be included. The correction was recorded accordingly.

RESOLVED A.46.31.03.14 -

1. THAT it be noted that the Oversight Committee (MPAC) considered the Draft Annual Report, 2012/13 and recommended that Council accepts it as more fully set out in its report of findings attached as Annexure A distributed under separate cover. (DCS)
2. THAT Council adopts the Oversight Committee's (MPAC) Report dated 24 March 2014 together with Annexure B, as amended by the Oversight Committee, as its Final Annual Report 2012/2013, with the following correction:
 - 2.1 By including the name "Cllr J P Underwood" on page SCM 2014/33. (DCS)
3. THAT it be noted that Council's Resolution under this report together with annexures 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 well as the Auditor General's Office in the Province as Makhado Local Municipality's demonstration of municipal performance to its community, as purported in terms of Chapter 12 of the Local Government: Municipal Finance Management Act, 2003. (DCS)

OversightReportMarch2014_itm

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The meeting was closed and adjourned at 14:57.

Approved and confirmed in terms of the provisions of Clause 34 of the Rules and Orders, 2007 promulgated in Provincial Gazette No. 1391 of 31 August 2007 under Local Authority Notice 228, by a resolution of the Council passed at the meeting held on 24 April 2014.

CHAIRPERSON

MDM/lh/SpecialCouncilMinutes_89