

MAKHADO LOCAL MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE VIRTUAL NINETY SEVENTH (97th) COUNCIL MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 29 APRIL 2021 AT 14:00.

PRESENT

Councillors

BABADU, T M
BALIBALI, T
BALOYI R S
CHILILO, N F
DAVHANA, N D
DU PLOOY, A
FURUMELA, M G
HLONGWANI B F
GABARA, M J
JONES, B K
JONES, N B
KHODOGA, J
KUTAMA, T
LUKHELI, J
MADULA, S
MADUWA, L G
MADZHIGA F N
MAGADA, M R
MAINGO, R T
MALANGE, T M
MALIMA, M E
MALIVHA, N V
MALULEKE, K M
MAMAFHA, T C
MAMAFHA T J
MAMOROBELA T P
MAPHUBU, K
MARAGA T A
MASENGANA, M L
MASHAMBA, M E
MASUKA, S

MASUTHA, L G
MATHALISE, L M
MATUMBA, A
MBOYI, M D
MOGALE, L B
MOKGOADI M R
MPASHE, M J
MTHOMBENI S Z
MUKHARI, M F
MUKWEVHO G T
MUKWEVHO, T D
MULEFU M E
MUNYAI, N
MUNYAI, N S
MUSANDIWA, P N
NDOU, M N
NDOU, MD
NEMUDZIVHADI, N S
NETHULWE, M F
NYELISANI, S S
PHOSHOKO, M G
RAMAVHOYA, K S
RATSHIKUNI, D
SIMANGWE, N J
SINYOSI S M
SITHI, E
TSHIAMBWA L R
TSHIBVUMO, G
TSHIFURA, SS
TSHILAMBYANA, M S

Traditional Leaders

None

Officials

K M NEMANAME	(ACTING MUNICIPAL MANAGER)
N G RAPIPHADA	(ACTING CHIEF FINANCIAL OFFICER)
R V PHALANNDWA	(ACTING DIRECTOR DEVELOPMENT PLANNING)
M G RALISHUKU	(ACTING DIRECTOR TECHNICAL SERVICES)
S G MAGUGA	(ACTING DIRECTOR CORPORATE SERVICES)
H J LUKHELI	(ACTING DIRECTOR COMMUNITY SERVICES)
S M CAROTO	(MANAGER: ICT)
M D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)

* * * *

1. OPENING AND NOTICE OF THE MEETING

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 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 2050"

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

She further confirmed that all members had received notice of the meeting, i.e. by sms and by e-mail.

2. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLVED –

THAT leave of absence be granted in accordance with the provisions of rule 21 of the Council's Standing Rules of Order, 2016 published under Provincial Gazette Notice no. 2736 dated 29 July 2016 in respect of the Council meeting held on 29 April 2021 to Cllrs N Kutama and E Maduwa.

REMARK:

- (i) The following councillors were absent from the Council meeting held on 29 April 2021: Cllrs S I Bulala, T E Dzivhani, V S Luduvhungu, M S Machete, T J Mohlaba, M C Nematandani, R Raliphada, G M Ramushavha, M A Selapyana, T Seshoki and T E Tambani.
- (ii) The following traditional leaders were absent from the Council meeting held on 29 April 2021: Khosi T G Muila, Hosi S T Mukhari, Khosi V C Ramabulana, Khosi M M Mphephu, Khosi P V Kutama, Khosi F Molema, Khosi N T L Mashamba, Hosi HS Mukhari and Khosi P Netsianda.
- (iii) One vacancy existed due to the death of former Ward Councillor, Cllr A G Rashamuse.
- (iv) One vacancy existed due to the death of Khosi R H Sinthumule.

3. OFFICIAL ANNOUNCEMENTS

3.1. The Speaker Cllr L B Mogale announced that the Municipality had achieved an Unqualified Audit Opinion for the 2019/20 financial year. It was one level improvement compared to the 2018/19 and 2017/18 financial years. She commended the administrative component and encourage them to aim even higher to clean administration in the coming years.

- 3.2 The Speaker Cllr L B Mogale announced that the Auditor General and the Chairperson of Audit Committee, Mrs Jane Masite and the Chairperson of Risk Management Committee, Mr Sidwell Mofokeng have joined us. They would be offered an opportunity to make a presentation.

4. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER

4.1 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 28 January 2021:

Cllr V S Luduvhungu	2 February 2021
Cllr N V Malivha	2 February 2021
Cllr S S Nyelisani	2 February 2021
Cllr N S Munyai	2 February 2021
Cllr T M Babadu	5 February 2021
Cllr M A Selapyana	8 February 2021
Cllr D Ratshikuni	15 February 2021
Cllr M L Masengana	15 February 2021
Cllr M E Malima	28 February 2021
Cllr M N Ndou	28 February 2021
Cllr L M Mathalise	2 March 2021
Cllr T J Mamafha	3 March 2021
Cllr R Raliphada	6 March 2021
Cllr E Maduwa	15 March 2021
Cllr M D Ndou	22 March 2021
Cllr G T Mukwevho	24 March 2021
Cllr S S Tshifura	25 March 2021
Cllr L G Maduwa	4 April 2021
Cllr F B Hlongwane	7 April 2021
Cllr T P Mamorobela	12 April 2021
Cllr S Masuka	15 April 2021
Cllr T D Mukwevho	16 April 2021

4.2 Condolences

The Speaker, Cllr L B Mogale proposed condolences to the bereaved Cllr J Khodoga and his family with the death of his wife in a fatal accident.

She further proposed condolences to the bereaved Cllr E Maduwa and his family with the death of his wife who passed away on Tuesday, 27 April 2021 and whose funeral would be held on Sunday, 2 May 2021.

5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY PARTY SPOKESPERSON

- 5.1. Cllr G Tshibvumo on behalf of the Democratic Alliance congratulated Cllr G Furumela, a councillor of Democratic Alliance for being selected to represent Makhado Municipality on SALGA on Portfolio of Evidence Building Session for the Integrated Councillors' Induction Program, Phase 2.
- 5.2. Cllr T A Maraga on behalf of the Economic Freedom Fighter Party congratulated MEC for Transport and Community and Liaison, Mr Dickson Masemola for quick response on tarring road D959 between Louis Trichardt and Tshikwarani.

She further congratulated Soutpansberg Youth Forum for marching to Makhado Municipality on 15 April 2021 in relation to comrade deployment.

- 5.4. Cllr M D Mboyi on behalf of the African National Congress Party proposed condolences to the bereaved family of Mr Emmanuel “Olly Onyango” Ngwana and Mr Rabelani Nwado who lost their lives in fatal car accident on road D959 between Madombidzha and Makhado Air Force Base.

She further congratulated the President of Republic of South Africa, Mr Cyril Ramaphosa for delivering a speech on Freedom Day on 27 April 2021 at Charlotte Maxeke Recreational Centre, Botshabelo, Free State.

She further congratulated the African National Congress Party on the recent win during by-elections that was held in various parts of our country. The victories showed that our people still believed in African National Congress. It is this spirit that we shall carry during the upcoming by-elections at ward 38 in our Municipality and later on during Local Government elections.

6. CONFIRMATION OF MINUTES

6.1 REMARK:

Upon proposal by Cllr T Balibali, duly seconded by Cllr F N Madzhiga, it was -

RESOLVED -

THAT the minutes of the 96th Council meeting held on 28 January 2021 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 T Balibali, duly seconded by Cllr F N Madzhiga, it was -

RESOLVED -

THAT the minutes of the 157th Special Council meeting held on 25 February 2021 be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson with the following amendment:

Page 2, Paragraph 4

That the words “were absent from the meeting.” be inserted after the name “Cllr S S Tshifura” at the end of paragraph 4.1.

6.3 REMARK:

Upon proposal by Cllr T Balibali, duly seconded by Cllr F N Madzhiga, it was -

RESOLVED -

THAT the minutes of the 158th Special Council meeting held on 31 March 2021 be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson with the following amendment:

Page 2, Paragraph 4

That the words “were absent from the meeting.” be inserted after the name “Cllr S S Tshifura” at the end of paragraph 4.1.

7. QUESTIONS OF WHICH NOTICE HAD BEEN GIVEN

None

8. MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETING

None

9. REPORT OF COUNCIL COMMITTEES: APRIL 2021**9.1 Recommendations of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): April 2021**533rd Executive Committee Meeting: 22 April 2021534th Executive Committee Meeting: 29 April 2021**9.2 Recommendations 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): April 2021**56th Section 79 Oversight Committee: Finance: 22 April 202181st Section 79 Oversight Committee: Corporate Services: 23 April 202130th Section 79 Oversight Committee: Community Services: 26 April 202134th Section 79 Oversight Committee: Technical Services: 26 April 202149th Section 79 Oversight Committee: Development Planning: 26 April 2021

(REMARK: Items A.12.25.02.21 to A.19.25.02.21 were considered at the 157th Special Council meeting held on 25 February 2021)

(REMARK: Items A.20.31.03.21 to A.24.31.03.21 were considered at the 158th Special Council meeting held on 31 March 2021)

REMARK:

1. Before the Council Committees' reports were put to Council, the Speaker, Cllr L B Mogale afforded the Auditor General, Mr Shadrack Khoza to make a presentation on Auditor General Outcome Report.
2. She further afforded opportunity to the Chairperson of the Audit Committee, Ms J Masite and the Chairperson of the Risk Management Committee, Mr S Mofokeng to make a brief presentation regarding item A.48.29.04.21 which is part of the agenda.

ITEM A.25.29.04.21**PERSONNEL: EXTENSION OF ACTING PERIOD: MUNICIPAL MANAGER****(5/1/2/1)****REMARK:**

When this matter was considered the Speaker requested the Acting Municipal Manager and all Acting Directors to recuse themselves from the meeting, which they did. They returned again to the meeting when the matter was concluded.

RESOLVED A.25.29.04.21 (COUNCIL)

1. THAT it be approved that the Chief Financial Officer, Mr K M Nemaname be designated to act for a further period of three months as Municipal Manager, with effect from 01 May 2021 until 31 July 2021 or such earlier date being the date preceding the date on which an incumbent may commence duty in the vacant post, whichever may be the earliest date. (DCS)

2. THAT application for extending the Acting capacity in the vacant post of Municipal Manager as set out in paragraph 1 above be submitted to the MEC for Cooperative Government, Human Settlement and Traditional Affairs for approval in terms of section 54A(1)(b) read with 54A(2A)(a)(b) of the Local Government: Municipal Systems Act, No 32 of 2000, as amended.

(DCS)

ActingMM_itm May21

ITEM A.26.29.04.21

PERSONNEL: EXTENSION OF ACTING PERIOD: CHIEF FINANCIAL OFFICER (SP 1/1/1)

REMARK:

When this matter was considered the Speaker requested the Acting Municipal Manager and all Acting Directors to recuse themselves from the meeting, which they did. They returned again to the meeting when the matter was concluded.

RESOLVED A.26.29.04.21 (COUNCIL)

1. THAT it be approved that the Manager: Budget and Finance Reporting, Mr N G Raliphada be designated to act for a further period of three months as Chief Financial Officer, with effect from 01 May 2021 until 31 July 2021 in honouring the principle of segregation of duties.

(DCS)

2. THAT the application of extension of Acting capacity of Chief Financial Officer as set out in paragraph 1 above be submitted to the MEC for Cooperative Government, Human Settlement and Traditional Affairs for approval in terms of section 56(1) (a) (ii) (c) of the Local Government: Municipal Systems Act, No 32 of 2000, as amended.

(DCS)

ActingCFO_itmMay2021

ITEM A.27.29.04.21

PERSONNEL: EXTENSION OF ACTING PERIOD: DIRECTOR: CORPORATE SERVICES (5/1/2/10; 5/6/4)

REMARK:

When this matter was considered the Speaker requested the Acting Municipal Manager and all Acting Directors to recuse themselves from the meeting, which they did. They returned again to the meeting when the matter was concluded.

RESOLVED A.27.29.04.21 (COUNCIL)

1. THAT it be approved that the Manager in the Office of the Speaker, Mr S.G Maguga be designated to act for a further period of three months as Director: Corporate Services, with effect from 01 May 2021 until 31 July 2021 or such earlier date being the date preceding the date on which an incumbent may commence duty in the vacant post, whichever may be the earliest date.

(DCS)

2. THAT application for extending the acting capacity in the vacant post of Director: Corporate Services as set out in paragraph 1 above be submitted to the MEC for Cooperative Government, Human Settlement and Traditional Affairs for approval in terms of section 56(1) (a) (ii) (c) of the Local Government: Municipal Systems Act, No 32 of 2000, as amended. (DCS)

ActingDCS_itmMay2021

ITEM A.28.29.04.21

PERSONNEL: EXTENSION OF ACTING PERIOD: DIRECTOR DEVELOPMENT PLANNING (5/1/2/10; 5/6/4)

REMARK:

When this matter was considered the Speaker requested the Acting Municipal Manager and all Acting Directors to recuse themselves from the meeting, which they did. They returned again to the meeting when the matter was concluded.

RESOLVED A.28.29.04.21 (COUNCIL)

1. THAT it be approved that the Manager Local Economic Development, Mr RV Phalanndwa be designated to act for a further period of three months as Director Development Planning, with effect from 01 May 2021 until 31 July 2021 or such earlier date being the date preceding the date on which an incumbent may commence duty in the vacant post, whichever may be the earliest date. (DCS)
2. THAT application for extending the acting capacity in the vacant post of Director Development Planning as set out in paragraph 1 above be submitted to the MEC for Cooperative Government, Human Settlement and Traditional Affairs for approval in terms of section 56(1) (a) (ii) (c) of the Local Government: Municipal Systems Act, No 32 of 2000, as amended.

ActingDDP_itm May2021

(DCS)

ITEM A.29.29.04.21

COUNCIL COMMITTEES: COMPOSITION OF COUNCIL COMMITTEES, 2021 (4/1/B)

RESOLVED A.29.29.04.21 (COUNCIL)

1. THAT Council Committees as composed by previous Council Resolutions be substituted for the committee composition as recorded in paragraph 2 hereafter. (DCS)
2. THAT the Section 79 Oversight Committees and Section 79 Standing Committees be recomposed as follows, effective on the date of this Council Resolution:

2.1 SECTION 79 OVERSIGHT COMMITTEES

Table 1

NO.	PORTFOLIO COMMITTEE	CHAIRPERSON AND MEMBERS
1.	TECHNICAL SERVICES	1. KUTAMA N (CHAIRPERSON) 2. MASUTHA L G 3. SITHI E T

NO.	PORTFOLIO COMMITTEE	CHAIRPERSON AND MEMBERS
		<ol style="list-style-type: none"> 4. SIMANGWE N J 5. NETHULWE M F 6. MAPHABA M Q passed away 7. MUKHARI M F 8. MAPHUBU K 9. LUKHELI J 10. NEMATANDANI M C
2.	CORPORATE SERVICES	<ol style="list-style-type: none"> 1. MADZHIGA N F (CHAIRPERSON) 2. NYELISANI S S 3. BABADU T M 4. TAMBANI T E 5. TSHIAMBWA L R 6. NEMUDZIVHADI N S 7. MOHLABA T J 8. PHOSHOKO M G 9. KHODOGA J
3.	FINANCE	<ol style="list-style-type: none"> 1. MALULEKE K M (CHAIRPERSON) 2. MAGADA M R 3. MOHLABA T J 4. MAINGO R T 5. BALIBALI T 6. MUSANDIWA P N 7. TSHILAMBYANA M S 8. NDOU M N 9. NEMATANDANI M C 10. DU PLOOY A
4.	COMMUNITY SERVICES	<ol style="list-style-type: none"> 1. MTHOMBENI S Z (CHAIRPERSON) 2. BULALA S I 3. RAMUSHAVHA G M 4. KUTAMA T 5. TSHILAMBYANA M S 6. NETHULWE M F 7. NDOU M N 8. FURUMELE M G 9. MALIMA M E
5.	DEVELOPMENT PLANNING	<ol style="list-style-type: none"> 1. MAMAFHA T C (CHAIRPERSON) 2. TAMBANI T E 3. MADUWA E 4. BABADU T M 5. MUSANDIWA P N 6. MADUWA L G 7. MUKWEVHO T D 8. DZIVHANI T E 9. JONES B K
6.	DISASTER, MORAL REGENERATION, SPORTS, ARTS AND CULTURE	<ol style="list-style-type: none"> 1. GABARA M J (CHAIRPERSON) 2. MACHETE M S 3. MASHAMBA M A 4. LUDUVHUNGU V S 5. MASENGANA M L 6. MADULA S 7. RAMUSHAVHA G M 8. TSHIFURA S S 9. MARAGA T A 10. SESHOKI T
7.	SPECIAL PROGRAMMES	<ol style="list-style-type: none"> 1. MATHALISE L M (CHAIRPERSON) 2. BALOYI R S 3. MUKHARI M F 4. MASUTHA L G 5. NYELISANI S S 6. MADUWA L G 7. MASHAMBA M A 8. FURUMELE M G (<i>replaces M J Mpashe, CR A.103.31.07.18</i>)

NO.	PORTFOLIO COMMITTEE	CHAIRPERSON AND MEMBERS
		9. PHOSHOKO M G 10. HLONGWANE B F

2.2 **SECTION 79 STANDING COMMITTEES**

Table 2

NO.	STANDING COMMITTEE	CHAIRPERSON AND MEMBERS
1.	MPAC	1. MALANGE T M (CHAIRPERSON) 2. MAPHAHA M Q passed away 3. MALIVHA N V 4. MASHAMBA M A 5. NDOU M D 6. MAKGOADI M R 7. RALIPHADA R 8. HLONGWANE B F 9. MPASHE M J (<i>replaces Tshibvumo G, CR A.103.31.07.18</i>) 10. SELAPYANE M A
2.	ETHICS	1. MUNYAI N (CHAIRPERSON) 2. MADUWA E 3. SITHI E T 4. MUKWEVHO T D 5. KUTAMA T 6. NEMUDZIVHADI N S 7. MASHAMBA M A 8. DZIVHANI T E 9. MAPHALA N A passed away replaced by Cllr TSHIBVUMO G, <i>CR A44.08.06.20</i>
3.	RULES	1. MULEFU M E (CHAIRPERSON) 2. RAMAVHOYA K S 3. HLONGWANE B F 4. MAPHUBU K 5. RASHAMUSE A G 6. SIMANGWE J N 7. BALIBALI T 8. BULALA S I 9. SINYOSI S M 10. MADULA S
4.	WOMEN CAUCUS	1. TSHILAMBYANA M S (CHAIRPERSON) 2. MOGALE L B 3. MOHLABA T J 4. TAMBANI T E 5. BABADU T M 6. LUDUVHUNGU V S 7. SIMANGWE J N 8. MACHETE M S 9. RAMUSHAVHA G M 10. GABARA M R 11. MADULA S 12. MATHALISE L M 13. RASHAMUSE G R 14. RALIPHADA R 15. MBOYI M D 16. MALANGE T M 17. NDOU M N 18. NETHULWE M F 19. RATSHIKUNI D 20. SINYOSI S M 21. MAMOROBELA T P 22. MAPHAHA M Q passed away 23. MAINGO R T 24. MUKHARI M F 25. UNDERWOOD J P passed away (replaced by Cllr MASENGANA M L, <i>CR A.14.23.02.17</i>) 26. MUKWEVHO G T

NO.	STANDING COMMITTEE	CHAIRPERSON AND MEMBERS
		27. MADUWA L G 28. JONES N B 29. NEMATANDANI M C 30. MARAGA T A 31. DZIVHANI T E 32. PHOSHOKO M G 33. FURUMULE M G 34. MOKGOADI M R 35. MUKWEVHO T D

(DCS)

3. THAT the provisions of Government Notice (Department Co-operative Governance and Traditional Affairs) No. 475, 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. 43246 dated 24 April 2020 be implemented by Council, as more fully recorded in Annexure A attached to the report in this regard: Provided implementation of the said upper limits of salaries, allowances and benefits of different members of municipal councils are subject to concurrence by the MEC for Coghsta, Limpopo.

AmendCouncilCommittees_itm

(DCS)

ITEM A.30.29.04.21

**COUNCIL COMMITTEES: REPORT OF ATTENDANCE OF MEETINGS OF COUNCIL AND ITS COMMITTEES – OCTOBER 2020 TO DECEMBER 2020 – QUARTER 2, 2020/2021 FINANCIAL YEAR
(4/1/B & 10/1/5/1)**

RESOLVED A.30.29.04.21 (COUNCIL)

1. THAT note be taken of the number of meetings held by Council and its Committees for the period 1 October 2020 to 31 December 2020 as follows:

SUMMARY OF ALL COMMITTEE MEETINGS HELD – QUARTER 2 OF 2020/21

DATE 2020	NUMBER OF SECTION 79 COMMITTEES' MEETINGS	NUMBER OF EXECUTIVE COMMITTEE MEETINGS	NUMBER OF COUNCIL MEETINGS
October	6	2	1
November	3	1	0
December	2	2	1
TOTAL	11	5	2

NB. Excluding LLF meetings of which 1 meeting was held.

(DCS)

2. THAT note be taken of the *Report of Attendance of meetings by councilors* for the period 1 October 2020 to 31 December 2020 as more fully recorded in the report in this regard.

(DCS)

3. THAT it be noted that during Quarter 2 there were no Councillors who were absent for three (3) or more consecutive meetings of Council and its committees. (DCS)

Return of Attendance Q2 of 2020-2021

ITEM A.31.29.04.21

COUNCIL COMMITTEES: REPORT OF ATTENDANCE OF MEETINGS OF COUNCIL AND ITS COMMITTEES – JANUARY 2021 TO MARCH 2021 – QUARTER 3, 2020/2021 FINANCIAL YEAR (4/1/B & 10/1/5/1)

RESOLVED A31.29.04.21 (COUNCIL)

1. THAT note be taken of the number of meetings held by Council and its Committees for the period 1 January 2021 to 31 March 2021 as follows:

SUMMARY OF COMMITTEE MEETINGS HELD – QUARTER 3 OF 2020/21

DATE 2021	NUMBER OF SECTION 79 COMMITTEES' MEETINGS	NUMBER OF EXECUTIVE COMMITTEE MEETINGS	NUMBER OF COUNCIL MEETINGS
January	5	2	1
February	6	1	0
March	6	2	1
TOTAL	17	5	2

NB. Excluding LLF meetings of which 3 were held.

(DCS)

2. THAT note be taken of the *Report of Attendance of meetings by councilors* for the period 1 January 2021 to 31 March 2021 as more fully recorded in the report in this regard. (DCS)
3. THAT the following Councillors: Cllr T Kutama, Cllr M A Mashamba, Cllr M G Phoshoko and Cllr E T Sithi who were absent from three (3) and/or more consecutive meetings of Council and its committees in Quarter 3, be notified to appear before the Section 79 Ethics Committee to provide reasons why they did not attend such meetings. (DCS)

Return of Attendance Q3 of 2020-2021

ITEM A.32.29.04.21**FINANCES: PROCUREMENT: CLAUSE 36: DEVIATIONS REPORT AS AT 31 MARCH 2021
(10/1/5/2)****RESOLVED A.32.29.04.21 (COUNCIL)**

THAT in terms of clause 36 of the Municipal Supply Chain Regulations, 2005 promulgated under the Local Government: Municipal Finance Management Act, 2003, the deviations as at 31 March 2021 to the amount of R541 484,97 be noted by Council. (CFO)

Deviations31March2021_itm

ITEM A.33.29.04.21**REPORTS AND SURVEYS: OUTSTANDING MATTERS: COUNCIL RESOLUTIONS –
QUARTER 3: 2020/21 FINANCIAL YEAR
(10/1/6/1)****RESOLVED A.33.29.04.21 (COUNCIL)**

THAT note be taken of the progress with implementing Council Resolutions in respect of meetings held during Quarter 3 of the 2020/2021 financial year, as well as the summary of previous terms' Resolutions not yet implemented, as more fully set out in Annexure A attached to the report in this regard. (DCS)

CouncilResolutionImplementationQ3-2020-2021_itm

ITEM A.34.29.04.21**PERFORMANCE MANAGEMENT: TABLING OF DRAFT ANNUAL REPORT FOR
2019/20 FINANCIAL YEAR
(10/1/2; 10/1/4/1-/8)****RESOLVED A.34.29.04.21 (COUNCIL)**

1. THAT Council take note of the tabled Draft Annual Report for the 2019/20 financial year, in terms of Section 127(2) of the Local Government: Municipal Finance management Act No 56 of 2003.
2. THAT the Municipal Public Account Committee (MPAC) proceed with the oversight component of the Draft Annual Report 2019/2020 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 to Council.
3. THAT members of the Audit Committee be invited to serve as technical assistance to the Municipal Public Account Committee in the oversight task 2019/2020 referred to in paragraph 2 above.

4. THAT it be noted that Council's final resolve on the 2019/2020 Annual Report must be passed by no later than 31 June 2021 whereupon it must 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, and the Auditor General as Makhado Local Municipality's demonstration of municipal performance to its community.
5. THAT the number of attendees at each imbizo/public participation meetings must be reflected in the Annual Report. (DCS)

DraftAnnualreport2019-20_itm

ITEM A.35.29.04.21

FINANCE: IN YEAR MONITORING AND REPORTING: 3rd QUARTER: 2020/2021 FINANCIAL YEAR (6/1/1(2020/21)

RESOLVED A.35.29.04.21 (COUNCIL)

THAT the in-year monitoring financial report for the third quarter ending 31 March 2021 for the 2020/2021 financial year be considered by Council. (CFO)

MonitoringQ3 2021_itm

ITEM A.36.29.04.21

CALL FOR NOMINATIONS FOR PERSONS TO BE APPOINTED AS MEMBERS OF THE MAKHADO MUNICIPALITY APPEAL AUTHORITY (8/2/3)

RESOLVED A.36.29.04.21 (COUNCIL)

1. THAT call for nominations for persons to be appointed as members of the Makhado Appeal Authority be advertised in a local and national newspaper for a period of one week and the advert must be in English. (DDP)
2. THAT the term of office for members of the Municipal Appeal Authority must be equivalent with the remaining term of the members of the Municipal Planning Tribunal. (DDP)
3. THAT Council approves that three (3) members be appointed to serve as members of Makhado Appeal Authority. (DDP)

AppealAuthority Item

ITEM A.37.29.04.21**CALL FOR NOMINATIONS FOR PERSONS TO BE APPOINTED AS MEMBERS OF THE MAKHADO MUNICIPALITY PLANNING TRIBUNAL
(8/2/3)****RESOLVED A.37.29.04.21 (COUNCIL)**

1. THAT call for nominations for persons to be appointed as members of the Makhado Planning Tribunal to replace Mr Jaco Du Plesis, Mr Nwendamutswu N C, Mr Mulaudzi T, and Mrs Neluheni M J S. (DDP)
2. THAT the call for nominations be advertised in a local and national newspaper for a period of one week and the advert must be in English. (DDP)
3. THAT the term of office for members of the Municipal Planning Tribunal must be equivalent with the remaining term of the members of the Municipal Planning Tribunal. (DDP)
4. THAT Council approves that four (4) members be appointed to replace the above-mentioned members. (DDP)

PlaningTribunal Item**9.3 Recommendations of the Section 79 Standing Committee: Audit Committee in terms of section 59 (1) of the Local Government: Municipal System Act, 2000 (Act 32 of 2000): April 2021****ITEM A.48.29.04.21****REPORT: AUDIT AND PERFORMANCE AUDIT COMMITTEE: PROGRESS REPORT
QUARTER 3: 2020/2021 FINANCIAL YEAR
(4/11/1)****RESOLVED A.48.29.04.21 (COUNCIL)**

THAT the 3rd Quarter (2020/21) Consolidated Audit and Performance Audit Committee reports attached to the report in this regard be adopted. (MM)

Q3APACReport2020-2021_itm

9.4 Recommendation of the Section 79 Standing Committee: Ethics in terms of section 59 (1) of the Local Government: Municipal System Act, 2000 (Act 32 of 2000): April 2021

ITEM A.38.29.04.21

COUNCIL COMMITTEES: OUTCOME OF INQUIRY FOR FAILURE TO REMAIN IN ATTENDANCE OF COUNCIL MEETING:

1. **CLLR RS BALOYI**
2. **CLLR A DU PLOOY**
3. **CLLR TP MAMOROBELA**
4. **CLLR BF HLONGWANE**

(4/1/B & 10/1/5/1)

RESOLVED A.38.29.04.21 (COUNCIL)

1. THAT note be taken that the Ethics Committee notified four (4) contravening councillors to appear before the Committee to make presentation, either in writing or verbally as to why they must not be found guilty of being absent from three (3) consecutive meetings of Council and its committees. (DCS)
2. THAT note be taken that the Ethics Committee notified four (4) contravening councillors that in future they must know it is the responsibility of the Councillor to sign attendance registers of meeting of Council and its committees if they are present. (DCS)
3. THAT note be taken that it is the responsibility of a Councillor to make application of leave of absence if he/she is not attending meetings of Council and its committees. (DCS)

EthicsNonAttendance_itm

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9.5 Resolutions of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): April 2021

(REMARK: Item B.1.18.02.21 was considered at the 157th Special Council meeting held on 25 February 2021)

ITEM B.2.22.04.21

PERFORMANCE MANAGEMENT: THIRD QUARTER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN REPORT: 2020/21 FINANCIAL YEAR (10/1/4/1-10/1/4/8)

RESOLVED B.2.22.04.21 (EXECUTIVE COMMITTEE)

THAT Council takes note of the Third Quarter Performance Delivery and Budget Implementation Plan (SDBIP) Report for the 2020/21 financial year. (CFO)

SDBIPQuarter3_item

ITEM B.3.22.04.21

FINANCES: ASSESSMENT OF PERFORMANCE OF CONTRACTED SERVICE PROVIDERS: QUARTER 3: 2020/21 FINANCIAL YEAR (10/1/5/2)

RESOLVED B.3.22.04.21 (EXECUTIVE COMMITTEE)

THAT Council takes note of the third quarter Assessment of performance of the contracted service Providers report for 2020/2021 financial year attached as Annexure A to the report in this regard.

AssessmentQ3ServiceProviders_itm

(CFO)

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9.6 Recommendations of the Section 79 Standing Committee: Municipal Public Account Committee in terms of section 59 (1) of the Local Government: Municipal System Act, 2000 (Act 32 of 2000): April 2021

ITEM A.39.29.0421

MPAC: FINANCES: ASSESSMENT OF PERFORMANCE OF CONTRACTED SERVICE PROVIDERS: QUARTER 2: 2020/21 FINANCIAL YEAR (10/1/5/2)

RESOLVED A.39.29.04.21 (COUNCIL)

1. THAT the Accounting Officer must encourage all service providers to render up to standard services. (MM)
2. THAT those service providers not yet rated must be rated so as to know their performance.

MPACAssessmentQ2ServiceProviders_itm

(CFO)

ITEM A.40.29.04.21

MPAC: PERFORMANCE MANAGEMENT: MID YEAR SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) REPORT: 2020/21 FINANCIAL YEAR (10/1/4/1-10/1/4/8, 10/1/5/2)

RESOLVED A.40.29.04.21 (COUNCIL)

THAT all Departments must implement the SDBIP before the end of the financial year. (ALL DIRS)

MPACMidYearPerformanceDeliveryImplementationPlan2020/21_itm

ITEM A.41.29.04.2

MPAC: MID-YEAR PERFORMANCE REPORTS: 2020/21 FINANCIAL YEAR: FINANCES: BUDGET ASSESSMENT (10/1/4/1 – 10/1/4/8, 10/1/5/2)

RESOLVED A.41.29.04.21 (COUNCIL)

1. THAT the Accounting Officer must continue improving its revenue collection methods. (CFO)
2. THAT the collection on rentals must improve in order to meet the budgeted figures. (CFO)

3. THAT the Accounting Officer must continue to monitor municipal expenditure in order to prevent a deficit. (CFO)
4. THAT the figure of R 4 496 000.00 for Regional offices must be corrected. (CFO)
5. THAT currently position is under control since the difference of income and expenditure amounts to a surplus. (CFO)
6. THAT the Municipality must continue the good work in order to achieve the average revenue collection to reach 90%. (CFO)
7. THAT the Senior Management must work hard to improve revenue collection to achieve 100% in Quarter 3. (CFO)
8. THAT it be not disclosed to overdue debtors that their debt was written off so that the amount can be collected as bad debts recovery in case the debtor decides to pay later. (CFO)
9. THAT Vhembe District Municipality must sign a Memorandum of Understanding with Makhado Municipality to pay R3 million per month towards their outstanding debt of R76 million. (CFO)
10. THAT the Chief Financial Officer must maintain a positive balance in the municipal bank account to avoid an overdraft. (CFO)

MPACMidyearBudgetAssessment2020-2021_itm

ITEM A.42.29.04.21

MPAC: FINANCE: IN YEAR MONITORING AND REPORTING: 2nd QUARTER: 2020/2021 FINANCIAL YEAR (6/1/1(2020/21)

RESOLVED A.42.29.04.21 (COUNCIL)

THAT the Municipality must continue improving its revenue collection. (CFO)

MPACMonitoringQ2 2020_itm

ITEM A.43.29.04.21

MPAC: PERFORMANCE MANAGEMENT: SECOND QUARTER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN REPORT: 2020/21 FINANCIAL YEAR (10/1/4/1-10/1/4/8)

RESOLVED A.43.29.04.21 (COUNCIL)

THAT MPAC takes note of the second quarter Performance Service Delivery and Budget Implementation Plan report for the 2020/21 financial year. (DCS)

MPACSDBIPQuarter2_itm

ITEM A.44.29.04.21**MPAC: REPORTS AND SURVEYS: OUTSTANDING MATTERS: COUNCIL RESOLUTIONS – QUARTER 2: 2020/21 FINANCIAL YEAR (10/1/6/1)****RESOLVED A.44.29.04.21 (COUNCIL)**

THAT the Municipality must continue to implement Council Resolutions to fast track service delivery. (DCS)

MPACCouncilResolutionImplementationQ2-2020-2021_itm

ITEM A.45.29.04.21**MPAC: FINANCES: PROCUREMENT: CLAUSE 36: QUOTATION DEVIATIONS FOR QUARTER 2 (OCTOBER –DECEMBER 2020) (10/1/5/2)****RESOLVED A.45.29.04.21 (COUNCIL)**

1. THAT MPAC noted the Quotation Deviation Report for Quarter 2 in terms of clause 36 of the Municipal Supply Chain Regulations, 2005 promulgated under the Local Governance Municipal Finance Management Act, 2003. (CFO)
2. THAT the Council must limit deviations and follow Supply Chain processes. (CFO)
3. THAT the Municipality must auction old vehicles and machines and purchase new ones. (CFO)

MPACQuotationDeviationQuarter2OctoberDecember2019-2020_itm

ITEM A.46.29.04.21**MPAC: FINANCE: PROCUREMENT: CLAUSE 36: DEVIATIONS FOR 30 SEPTEMBER 2020 (10/1/5/2)****RESOLVED A.46.29.04.21 (COUNCIL)**

1. THAT MPAC noted the deviations report for 30 September 2020 in terms of clause 36 of the Municipal Supply Chain Regulations, 2005 promulgated under the Local Governance Municipal Finance Management Act, 2003. (CFO)
2. THAT the Municipality must appoint services provider to assist on preparation of GRAP compliant assets register. (CFO)
3. THAT all supporting documents requested by MPAC were submitted in time to MPAC, see Annexure 2 attached to the report in this regard. (CFO)

MPACDeviations30September2020_itm(2)

ITEM A.47.29.04.21

**MPAC: FINANCE: PROCUREMENT: IRREGULAR EXPENDITURE: AUDITOR
GENERAL, 2018/19 FINANCIAL YEAR
(10/1/5/2)**

REMARK:

When this matter was considered Cllr A Matumba proposed, duly seconded by Cllr T A Maraga that the matter be referred back to Municipal Public Account Committee pending a proper full report and be re-submitted afresh.

RESOLVED A.47.29.04.21 (COUNCIL)

THAT the matter be referred back to Municipal Public Account Committee pending a proper full report and be re-submitted afresh.

MPACIrregularExpenditure2020_itm

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The meeting was closed and adjourned at 16:38.

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 following Council meeting of 29 July 2021.

CHAIRPERSON

MDM/lh/CouncilMinutes_97