

MAKHADO LOCAL MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE ONE HUNDRED AND SEVENTH (107th) COUNCIL MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, MAKHADO ON MONDAY, 30 OCTOBER 2023 AT 14:00.

PRESENT

Councillors

BALOYI, R
BALOYI, R S (Recused himself at 15:24)
BALOYI, S E
CHILILO, N F
DAVHANA, N D
DZHIVHUHO, A S
ESTERHUIZEN, W L (left at 14:23)
FURUMELE, M G
GABARA, M J
HLANGWANI, B
HLONGWANI, B F
JONES, N B
KUTAMA N (recused himself at 15:24)
KUTAMA, T
MABASA, W
MABUDU, H G
MADAVHA, A
MADZHIGA, F N
MAHOSI, N S
MAINGO, R T
MAKAMU, T T
MAKHUBELE, F P
MALANGE, M C
MALANGE, T M
MALIVHA, N V
MALULEKE, H G
MAMAFHA, T C
MAMAFHA, T J
MANGANYE, K N
MAPHAKELA, K P
MAPHUBU, K (recused himself at 15:27)
MARAGA, M
MASHAMBA, L
MASHAU, P

MASHAU, T C
MASIPA, P N
MASUKA, S
MATHALISE, L M
MATIDZA, T R
MATUMBA, N J (recused herself at 15:25)
MBOYI, M D
MUDUNUNGU, A (recused himself at 15:28)
MUKHELI, K (recused himself at 15:24)
MUKHUBA, R
MUKHUDWANA, R
MUKOSI, M R
MUKOSI, M (recused himself at 15:24)
MUKWEVHO-MITILENI, G T (recused herself at 15:24)
MULAUDZI, M E
MULEFU, M E
MUNYAI, N
MUNYAI, N S
MUSHANDANA, T T
NEMUDZIVHADI, N S
PHANGAMI, L
PHULUWA, M I
RALIPHADA, R
RAMALATA, T T
RAMALIVHANA, M
RAMALWA, M W
RAVELE, T R
SEBOLA, D J
SIMANGWE, N J
SINGO, M D
SWALIVHA, M
TSHILAMBYANA, M S

Traditional Leaders

None

Officials

K M NEMANAME	(MUNICIPAL MANAGER)
D G SIBOIBOI	(DIRECTOR TECHNICAL SERVICES)
S G MAGUGA	(DIRECTOR CORPORATE SERVICES)
J H LUKHELI	(DIRECTOR COMMUNITY SERVICES)
A MABUNDA	(DIRECTOR DEVELOPMENT PLANNING)
N G RALIPHADA	(ACTING CHIEF FINANCIAL OFFICER)
M MABALA	(ASSISTANT MANAGER: COMMITTEES)
M D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)

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1. OPENING AND NOTICE OF THE MEETING

The Speaker, Cllr M D Mboyi 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, e-mail and hard copy.

All Councillors are informed of the newly installed sound and recording system to be used during council meetings. If a Councillor want to speak they will raise hand and wait to be recognised, then touch on the circle located in the centre of the delegate mic which will turn red to allow them to speak. When there are done speaking they should press the circle again to switch off the mic.

I am very much concerned about the situations that has recently surfaced in our Municipality. Some of my Section 79 Committees are not able to process their reports due to their differences. I'm warning those who contributed to this anomalies to focus on the business of Council in order to deliver service.

I have also realised that in the previous urgent Special Council, some Councillors were prevented to attend the Council meeting. I view this anomalies in a very serious light.

I am contemplating to take drastic actions against those Councillors who prevented some Councillors to attend Council and its Council Committees as this could bring Council into disrepute.

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 30 October 2023 to Cllrs I A Tshidavhu, M R Magada, M D Ndou, M R Mokgoadi, M J Mpashe, P A Smalle and A Z Maphahla.

REMARK:

The following councillors were absent from the Council meeting held on 30 October 2023: Cllrs M R Makwala and E T Sithi.

3. OFFICIAL ANNOUNCEMENTS

- 3.1 The Speaker, Cllr M D Mboyi requested all Councillors to submit application for leave of absence to the Office of the Speaker if they are not attending the Council and Council Committees meetings because in terms of clause 21.1 of the Standing Rules of

Order, 2016 read with the Addendum, 2020 applications for leave of absence from any council or committee meeting must be submitted to the Speaker or the chairperson in writing and signed by the member applying for leave to avoid audit findings.

4. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER

4.1 Condolences

None

4.2 Congratulations

The Speaker, Cllr M D Mboyi proposed congratulations to the following councillors who celebrated their birthdays since the last ordinary Council meeting held on 31 July 2023:

Cllr M R Mukosi	4 August 2023
Cllr A Z Maphahla	8 August 2023
Cllr M I Phuluwa	12 August 2023
Cllr E T Sithi	27 August 2023
Cllr A S Dzhivhuho	29 August 2023
Cllr M D Mboyi	8 September 2023
Cllr R Mukhuba	8 September 2023
Cllr B Hlangwani	11 September 2023
Cllr R Mukhudwana	12 September 2023
Cllr T M Malange	13 September 2023
Cllr K Maphubu	15 September 2023
Cllr M D Singo	28 September 2023
Cllr M R Mokgoadi	9 October 2023
Cllr T C Mashau	19 October 2023
Cllr M Maraga	29 October 2023
Cllr P A Smalle	30 October 2023

5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY PARTY SPOKESPERSON

- 5.1 Cllr B F Hlongwane proposed congratulation to Mr N G Raliphada for being reinstated as Acting Chief Financial Officer.

He further congratulated the Mayor of Makhado Local Municipality for successfully hosting a prayer session on Friday, 6 October 2023 at Makhado showground, where he indicated that it was well attended.

- 5.2 Cllr M D Singo proposed congratulation to South Africa National rugby team for winning rugby world cup on Saturday, 28 October 2023 in France.

- 5.3 Cllr M W Ramalwa proposed congratulation to the administration of Makhado Local Municipality for installing new sound and recording system in the council chamber.

He further congratulated Administrative Officer Mr M D Munyai for being admitted as Advocate of the High Court of South Africa.

- 5.4 Cllr A Madavha proposed congratulation to South Africa National rugby team for winning rugby world cup on Saturday, 28 October 2023 in France.

He further proposed congratulation to the administration of Makhado Local Municipality for installing new sound and recording system in the Council chamber.

- 5.5 Cllr R S Baloyi proposed congratulation to South Africa National rugby team for winning rugby world cup on Saturday, 28 October 2023 in France.

He further congratulated Administrative Officer Mr M D Munyai for being admitted as Advocate of the High Court of South Africa.

He also further proposed congratulation to the administration of Makhado Local Municipality for installing new sound and recording system in the council chamber.

6. CONFIRMATION OF MINUTES

6.1 REMARK:

Upon proposal by Cllr N V Malivha, duly seconded by Cllr M S Tshilambyana, it was -

RESOLVED -

THAT the minutes of the 106th Ordinary Council meeting held on 31 July 2023 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 R Ravele, duly seconded by Cllr T Kutama, it was -

RESOLVED -

THAT the minutes of the 175th Special Council meeting held on 30 August 2023 be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson with the following corrections.

“Under Item A94.30.08.23 the remark be removed”.

6.3 REMARK:

Upon proposal by Cllr N D Davhana, duly seconded by Cllr S Masuka, it was -

RESOLVED -

THAT the minutes of the 176th Urgent Special Council meeting held on 11 September 2023 be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson with the following amendment

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Item CA.99.09.233 paragraph 1 under remark be corrected to read as follows:

When this matter was considered Cllr S Masuka and Cllr L Phangami recused themselves from the meeting because the decision will constitute financial and legal implication to the Council.

6.4 REMARK:

Upon proposal by Cllr N D Davhana, duly seconded by Cllr S E Baloyi, it was -

RESOLVED -

THAT the minutes of the 177th Urgent Special Council meeting held on 18 September 2023 be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson.

6.5 **REMARK:**

Upon proposal by Cllr N F Chililo, duly seconded by Cllr L Mashamba, it was -

RESOLVED -

THAT the minutes of the 178th Urgent Special Council meeting held on 28 September 2023 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: OCTOBER 2023**

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): October 2023**

590th Executive Committee meeting held on 19 October 2023

591st Executive Committee meeting held on 30 October 2023

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): October 2023**

111th Section 79 Oversight Committee: Corporate Services meeting: 20 October 2023

80th Section 79 Oversight Committee: Finance meeting: 20 October 2023

ITEM A.104.30.10.23 (originally A.104.26.10.23)

COUNCIL COMMITTEES: REPORT OF ATTENDANCE OF MEETINGS OF COUNCIL AND ITS COMMITTEES – JULY 2023 TO SEPTEMBER 2023 – QUARTER 1, 2023/2024 FINANCIAL YEAR (4/1/B & 10/1/5/1)

RESOLVED A.104.30.10.23 (COUNCIL)

1. THAT note be taken of the number of meetings held by Council and its Committees for the period 1 July 2023 to 30 September 2023 as follows:

SUMMARY OF COMMITTEE MEETINGS HELD – QUARTER 1 OF 2023/24

DATE 2023	NUMBER OF SECTION 79 COMMITTEES' MEETINGS	NUMBER OF EXECUTIVE COMMITTEE MEETINGS	NUMBER OF COUNCIL MEETINGS
July	4	2	1

August	3	2	1
September	3	3	3
TOTAL	10	7	5

(DCS)

2. THAT note be taken of the *Report of Attendance of meetings by councilors* for the period 1 July 2023 to 30 September 2023 as more fully recorded in the report in this regard. (DCS)
3. THAT it be noted that Cllr W L Esterhuizen was absent from three (3) or more consecutive meetings of Council and its committees in contravention of Clause 42 of the Standing Rules of Order, 2016 during Quarter 1 of the 2023/24 financial year, and he therefore be notified to appear before the Section 79 Ethics Standing Committee to give reasons why he did not attend such meetings. (DCS)

Return of Attendance Q1 of 2023-2024

ITEM A.105.30.10.23 (originally A.105.26.10.23)

**REPORTS AND SURVEYS: OUTSTANDING MATTERS: COUNCIL RESOLUTIONS –
QUARTER 1: 2023/24 FINANCIAL YEAR
(10/1/6/1)**

RESOLVED A.105.30.10.23 (COUNCIL)

THAT note be taken of the progress with implementing Council resolutions in respect of meetings held during Quarter 1 of the 2023/2024 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)

CouncilResolutionImplementationQ1-2023-2024_itm

ITEM A.106.30.10.23 (originally A.106.26.10.23)

**FINANCES: PROCUREMENT: CLAUSE 36: DEVIATIONS REPORT FOR FIRST
QUARTER ENDING 30 SEPTEMBER 2023
(10/1/5/2)**

RESOLVED A.106.30.10.23 (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 to the amount **R302,617.49** be noted by Council. (CFO)

DeviationsQuarter1 2023-2024_itm

ITEM A.107.30.10.23 (originally A.107.26.10.23)**FINANCE: ASSESSMENT OF PERFORMANCE OF CONTRACTED SERVICE PROVIDERS:****1st QUARTER: 2023/2024 FINANCIAL YEAR
(6/1/1(2023/24))**

RESOLVED A.107.30.10.23 (COUNCIL)

THAT Council takes note of the First Quarter Assessment of Performance of the contracted Service Providers report for the 2023/2024 financial year, attached as Annexure A to the report in this regard.

AssessmentQ1ServiceProviders_itm

(CFO)

ITEM A.108.30.10.23 (originally A.108.26.10.23)**FINANCE: IN YEAR MONITORING AND REPORTING: 1st QUARTER: 2023/2024
FINANCIAL YEAR
(6/1/1(2023/24))**

RESOLVED A.108.30.10.23 (COUNCIL)

THAT the in-year monitoring financial report for the first quarter ending 30 September 2023 for the 2023/2024 financial year, attached as Annexure A to this report, be considered by Council.

MonitoringQ1 2023_itm

(CFO)

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9.3 Resolution of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): 30 October 2023591st Executive Committee meeting held on 30 October 2023**ITEM B.11.30.10.23 (originally B.11.19.10.23)****PERFORMANCE MANAGEMENT: FIRST QUARTER SERVICE DELIVERY AND
BUDGET IMPLEMENTATION PLAN REPORT: 2023/24 FINANCIAL YEAR
(10/1/4/1-10/1/4/8)**

RESOLVED B.11.30.10.23 (COUNCIL)

THAT Council takes note of the First Quarter Service Delivery and Budget Implementation Plan report for the 2023/24 Financial Year.

(DDP)

SDBIPQuarter1_itm

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10. PETITIONS

None

11. NEW MOTIONS

None

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The meeting was closed and adjourned at 15:42.

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 April 2024.

CHAIRPERSON

MDM/lh/CouncilMinutes_107