

MAKHADO LOCAL MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE NINETY FIRST (91st) COUNCIL MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 25 JULY 2019 AT 16:00 IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, KROGH STREET, MAKHADO.

PRESENT

Councillors

BABADU, T M	MBOYI, M D
BALIBALI, T	MOGALE, L B
BULALO, S I	MOKGOADI, M R
DAVHANA, N D	MTHOMBENI, S Z
DZIVHANI, T E	MUKHARI, M F
GABARA, M J	MUKWEVHO, G T
JONES, B K	MUKWEVHO, T D
JONES, N B	MULEFU, M E
KUTAMA, N	MUNYAI, N S
KUTAMA, T	MUSANDIWA, P N
MACHETE, M S	NDOU, M N
MADULA, S	NEMATANDANI, M C
MADUWA, E	NEMUDZIVHADI N S
MADUWA, L G	NETHULWE, M F
MAFHALA, N A	NYELISANI, S S
MAGADA, M R	PHOSHOKO, M G
MAINGO, R T	RALIPHADA, R
MALANGE, T M	RAMAVHOYA, K S
MALIMA, M E	RAMUSHAVHA, G M
MALULEKE, K M	RASHAMUSE, A G
MAMOROBELA, T P	RATSHIKUNI, D
MAPHUBU, K	SELAPYANA, M A
MARAGA, T A	SESHOKI, T
MASHAMBA, M A	TAMBANI, T E,
MASIPA, M L	TSHIAMBWA, L R
MASUTHA, L G	TSHILAMBYANA, M S
MATHALISE, L M	
MATUMBA, A	

Traditional Leaders

KHOSI N T L MASHAMBA	KHOSI R H SINTHUMULE
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Officials

R V PHALANNDWA	(ACTING MUNICIPAL MANAGER & ACTING DIRECTOR DEVELOPMENT PLANNING)
S G MAGUGA	(ACTING DIRECTOR CORPORATE SERVICES)
N G RALIPHADA	(ACTING CHIEF FINANCIAL OFFICER)
H J LUKHELI	(ACTING DIRECTOR COMMUNITY SERVICES)
S W MATHONSI	(SARGENT OF ARMS)
M D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)

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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, by e-mail, as well as by hard copy format.

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 Orders, 2016 published under Provincial Gazette Notice no. 2736 dated 29 July 2016 in respect of the Council meeting held on 25 July 2019 to Cllrs S Masuka, M G Furumela, N F Madzhiga, S M Sinyosi, G Tshivumo, A du Plooy, E T Sithi, V S Luduvhungu, N F Chililo, T J Mohlaba, N V Malivha, T J Mamafha, N Munyai, N J Simangwe, S Z Mthombeni, T C Mamafha and Khosi P Netsianda.

REMARK:

- (i) The following councillors were absent from the Council meeting held on 25 July 2019: Cllrs R S Baloyi, F B Hlongwane, J Lukheli, M J Mpashe and M D Ndou.
- (ii) The following traditional leaders were absent from the Council meeting held on 25 July 2019: Khosi T G Muila, Hosi H S Mukhari, Hosi S T Mukhari, Khosi V C Ramabulana, Khosi P V Kutama, Khosi F Molema and Khosi M M Mphephu did not attend the meeting.

3. OFFICIAL ANNOUNCEMENTS

- 3.1 The Speaker, Cllr L B Mogale officially announced that Cllr N S Munyai was confirmed as Mayor of Makhado Municipality by the ANC Party, Provincial.
- 3.2 The Speaker, Cllr L B Mogale officially announced that all Ward Councillors must submit dates of Ward Committee meetings and Public Participation for the month of August 2019 to the Office of the Speaker.

4. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER

4.1 Condolences

The Speaker, Cllr L B Mogale proposed condolences to the bereaved family of the deceased Sammy Kekana, Chairperson of Municipal Public Account Committee, Mogalakwena Municipality, and Cllr Alf Kanyane, a municipal councillor and branch secretary of Ward 10 in Mogalakwena Municipality. The two councillors were killed on Tuesday, 23 July 2019.

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 30 April 2019:

Cllr S Madula	2 May 2019
Cllr M G Phoshoko	4 May 2019
Cllr S I Bulala	4 May 2019

Cllr M E Mulefu	6 May 2019
Cllr K M Maluleke	9 May 2019
Cllr N S Nemudzivhadi	10 May 2019
Cllr N B Jones	10 May 2019
Cllr N Munyai	24 May 2019
Cllr T E Dzivhani	10 June 2019
Cllr R S Baloyi	13 June 2019
Cllr T Balibali	20 June 2019
Cllr M C Nematandani	25 June 2019
Cllr T E Tambani	26 June 2019
Cllr A G Rashamuse	26 June 2019
Cllr T A Maraga	28 June 2019
Cllr M J Gabara	30 June 2019
Cllr N A Mafhala	2 July 2019
Cllr R T Maingo	9 July 2019
Cllr M F Mukhari	11 July 2019
Cllr S M Sinyosi	13 July 2019

5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY PARTY SPOKESPERSONS

5.1 Congratulations

Cllr T A Maraga congratulated Mr Derek Hanekom, Deputy Minister of Science and Technology and Mr Solly Mapaila, 1st Deputy Secretary of South African Communist Party for secretly working with the Economic Freedom Fighter Party to remove the former President, Mr Jacob Zuma from the government.

Cllr N A Mafhala congratulated the leader of Democratic Alliance in Limpopo Province for the sympathy he showed to the people of Mogalakwena Municipality after the tragedy on 23 July 2019 when two municipal councillors were murdered.

Cllr K M Maluleke proposed congratulations to Sho Madjosi, a resident in Makhado Municipal jurisdiction who had won the BET Award for Best New International Act at an event held in Los Angeles, California in the United States of America.

Cllr K M Maluleke further proposed congratulations to the African National Congress Party in all spheres of government for addressing the challenges that communities were facing.

5.2 Condolences

Cllr K M Maluleke proposed condolences to the bereaved families of deceased Cllr Sammy Kekana, Chairperson of Municipal Public Account Committee in Mogalakwena Municipality and deceased Cllr Alf Kenyane who was also a branch secretary of Ward 10 in Mogalakwena Sub-region; both municipal councillors were murdered on Tuesday, 23 July 2019.

He also proposed condolences to the family of deceased Mr Isaac Lesiba Maphotho who passed away on 13 July 2019 and laid to rest on Saturday, 20 July 2019.

6. CONFIRMATION OF MINUTES

6.1 REMARK:

Upon proposal by Cllr T A Marage, duly seconded by Cllr E Maduwa, it was -

RESOLVED -

THAT the minutes of the 90th Council meeting held on 30 April 2019 be approved and confirmed as a true and correct record of the proceedings and be duly signed by the Chairperson with the following correction:

Under Present, Page 1.

The name "T P Maraga" be corrected to read "T A Maraga".

6.2 REMARK:

Upon proposal by Cllr M E Malima, duly seconded by Cllr L R Tshilambyana, it was -

RESOLVED -

THAT the minutes of the 144th Special Council meeting held on 30 May 2019 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 T M Malange, duly seconded by Cllr M R Mokgodi, it was -

RESOLVED -

THAT the minutes of the 145th Special Council meeting held on 13 June 2019 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: JULY 2019

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 July 2019

492nd Executive Committee Meeting: 13 June 2019

493rd Executive Committee Meeting: 17 July 2019

494th Executive Committee Meeting: 25 July 2019

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): July 2019

59th Section 79 Oversight Committee: Corporate Services meeting: 22 July 2019

39th Section 79 Oversight Committee: Finance meeting: 22 July 2019

32nd Section 79 Oversight Committee: Development Planning meeting: 22 July 2019

60th Section 79 Oversight Committee: Corporate Services meeting: 25 July 2019

(REMARK:

Items A.56.30.05.19 to A.69.30.05.19 were already considered at the 144th Special Council meeting held on 30 May 2019 as well as items A.70.13.06.19 to A.74.13.06.19 were already considered at the 145th Special Council Meeting of 13 June 2019.)

ITEM A.75.25.07.19

PERFORMANCE MANAGEMENT: BACK TO BASICS; 3rd QUARTER REPORT: 2018/19 FINANCIAL YEAR
(2/5)

REMARK:

This report was withdrawn from the agenda.

ITEM A.76.25.07.19

REPORT: AUDIT AND PERFORMANCE AUDIT COMMITTEE: PROGRESS REPORT QUARTER 3: 2018/2019 FINANCIAL YEAR
(4/11/1)

RESOLVED A.76.25.07.19 (COUNCIL)

1. THAT the 3rd Quarter, 2018/19 Consolidated Audit and Performance Audit Committee report to Council be approved. (CFO)
2. THAT the Municipal Manager at the first following Executive Committee submit a report about Local Economic Development and a strategy to address the non-performance. (DDP)

APACQuarter3_itm

ITEM A.77.25.07.19

FINANCES: PROCUREMENT: IRREGULAR EXPENDITURE: 4th QUARTER 2018-2019 FINANCIAL YEAR
(10/1/5/2)

REMARK:

The recommendation of the Section 79 Oversight Committee Finance was recorded as Council's Resolution herein below.

RESOLVED A.77.25.07.19 (COUNCIL)

1. THAT Council takes note and further refers the irregular expenditure from 1 April 2019 until 30 June 2019 amounting to **R1,111,970.07** to the Council's Municipal Public Accounts Committee for investigation and further processing. (CFO/DCS)
2. THAT the Accounting Officer submits a letter to the MEC for Local Government in the province and Auditor General in line with Section 32 (4) of the Municipal Finance Management Act, 2003. (MM/CFO)

3. THAT all those officials who did not align with Supply Chain Management Policy, 2018/19, whose partner/s had any private business interest in contracts awarded by the Municipality, and who had participated in the process of awarding the contract, must be subjected to consequence management. (MM/CFO)

IrregularExpenditureQuarter4 2018-19_itm

ITEM A.78.25.07.19

FINANCES: ANNUAL FINANCIAL STATEMENTS PREPARATION PLAN FOR THE YEAR ENDING 30 JUNE 2019 (6/13/1/1 & 6/1/1/19/20)

REMARK:

This report was withdrawn from the agenda.

ITEM A.79.25.07.19

FINANCES: PROCUREMENT PLAN, 2019/20 FINANCIAL YEAR (8/3/B)

RESOLVED A.79.25.07.19 (COUNCIL)

THAT Council take note of the Procurement Plan for the 2019/20 Financial Year commencing on 1 July 2019, attached as Annexure A to the report in this regard. (CFO)

ProcurementPlan_itm

ITEM A.80.25.07.19

FINANCES: PROCUREMENT: CLAUSE 36: DEVIATIONS FOR QUARTER 4: 2018-2019 FINANCIAL YEAR (10/1/5/2)

RESOLVED A.80.25.07.19 (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 total deviations for the fourth quarter of the 2018-2019 financial year of **R1,014,081.23** be noted by Council. (CFO)

DeviationsQuarter4_itm

ITEM A.81.25.07.19

FINANCES: PROCUREMENT: SUPPLY CHAIN MANAGEMENT IMPLEMENTATION REPORT: 1 JULY 2018 TO 30 JUNE 2019 (5/3/54/1)

RESOLVED A.81.25.07.19 (COUNCIL)

THAT Council approves the report of 2018/19 procurements and that it be made public in accordance with section 21A of the Municipal Systems Act, 2000. (CFO)

ImplementationSCMPolicy2018-2019_itm

ITEM A.82.25.07.19**PERSONNEL: EXTENSION OF ACTING PERIOD: DIRECTOR DEVELOPMENT PLANNING
(5/1/2/10; 5/6/4)****RESOLVED A.82.25.07.19 (COUNCIL)**

1. THAT note be taken of progress with recruitment of candidates for appointment in the vacant post of Director Development Planning, which post become vacant on 1 November 2018.
(DCS)
2. 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, commencing on 1 August 2019 until 31 October 2019 or until the month which precedes the month in which a successful candidate commences duty as Director, whichever may be the earliest date.
(DCS)
3. THAT application for extending the acting capacity in the vacant post of Director Development Planning as set out in paragraph 2 above, be submitted to the MEC for Cooperative Government, Human Settlement and Traditional Affairs for approval in terms of section 56(1)(b) of Local Government Systems Act, 2000.
(DCS)

ActingDDP_itm(3)

ITEM A.83.25.07.19**PERSONNEL: SUBMISSION OF THE WORKPLACE SKILLS PLAN FOR 2019/2020 AND ANNUAL TRAINING REPORT FOR 2018/2019 FINANCIAL YEAR
(4/2/4)****RESOLVED A.83.25.07.19(COUNCIL)**

THAT Council take note of the Workplace Skills Plan (WSP) for 2019/2020 financial year and the Annual Training Report (ATR) for 2018/2019 financial year which were recommended by the Training Committee before submitted to the LGSETA, attached as Annexure A to the report in this regard.

WSP&ATR_itm

(DCS)

ITEM A.84.25.07.19**REPORTS AND SURVEYS: OUTSTANDING MATTERS: COUNCIL RESOLUTIONS – QUARTER 4: 2018/19 FINANCIAL YEAR
(10/1/6/1)****RESOLVED A.84.25.07.19 (COUNCIL)**

THAT note be taken of progress with implementing Council Resolutions in respect of meetings held during Quarter 4 of the 2018/2019 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.

CouncilResolutionImplementationQ4-2018-2019_itm

(DCS)

ITEM A.85.25.07.19**COUNCIL LAND:**

- 1. DONATION OF LAND FOR THE PURPOSE OF ESTABLISHING UNIVERSITY OF VENDA SATELLITE CAMPUS AND ASSOCIATED FACILITIES ON A PORTION OF REMAINDER OF PORTION 7 OF THE FARM BERGVLIET 288 LS; AND**
- 2. AMENDMENT OF COUNCIL RESOLUTION (7/2/2/2; 15/3/15)**

RESOLVED A.85.25.07.19 (COUNCIL)

1. THAT the Council approves the donation of additional land in extent thirty (30) hectares, of the Remainder of Portion 7 of the Farm Bergvliet 288 LS, located east of Leeu Street for the construction of University of Venda Satellite Campus lecture venues and international conference and associated facilities. (DDP)
2. THAT 5,76 hectares land donated under Council Resolution A.210.08.12.16 remains and will still be used for the construction of staff, student accommodation and associated facilities. (DDP)
3. THAT a professional valuer must be appointed to determine the market related value of the land donated under paragraphs 1 and 2 above. (DDP)
4. THAT the land or properties donated for the construction of Staff and Student Accommodation, Lecture Venues and International Conference and Associated Facilities must be developed within two (2) years from the date of signing the Donation Agreement, provided that Council may allow an extension of a further one (1) year. (DDP)
5. THAT in the event that the University of Venda failed to start with the development as indicated in paragraph 4 above, the donation agreement will be cancelled and properties shall revert back to Council without any compensation by the Municipality to the University of Venda for any losses, directly or indirectly it may suffer. (DDP)
6. THAT the new layout for the proposed township must be completed before the end of 2019/2020 financial year. (DDP)
7. THAT Council takes note of the Business Framework which was submitted during 2018/2019 financial year attached to the report in this regard in compliance with Council Resolution A.210.08.12.16. (DDP)

ITEM A.86.25.07.19**COUNCIL LAND: PROPOSED NULLIFICATION OF COUNCIL RESOLUTION AND TRANSFER OF PROPERTIES TO THE NATIONAL DEPARTMENT OF PUBLIC WORKS (7/4/1/4)****RESOLVED A.86.25.07.19 (COUNCIL)**

THAT an application for nullification of Council Resolution A.95.29.06.17 and request for urgent transfer of the properties to the National Department of Public Works that was received from Mr T. Siweya in his capacity as Deputy Director, Property Management of the National Department of Public Works be approved subject to the following conditions:

1. In terms of the provisions of section 79(18) of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) as amended the intention to transfer the under-mentioned properties to the National Department of Public Works be advertised in one (1) of the local newspapers for any objections:

ERVEN	STATUS	DEPARTMENT	TOWNSHIP
E1983	Magisterial Offices	Justice	Dzanani
E1220	House	Justice	Dzanani
E77	House	Justice	Dzanani
E1464	House	Justice	Dzanani
E78	House	Justice	Dzanani
E1546	Police Station	SAPS	Dzanani
E1153	House	SAPS	Dzanani
E1876	Barracks	SAPS	Dzanani

2. Transfer(s) of the above-mentioned properties shall be passed by the National Department of Public Works Attorneys.
3. Clearance certificates will be obtained from the Municipal Offices.
4. The Annexure "D" PLD 006 forms be signed by Mr T Siyeya in his capacity as Deputy Director, Property Management of the National Department of Public Works and Makhado Local Municipality. (DDP)

2019DDPNational DeptPublicWorks07June2019_itm

ITEM A.87.25.07.19**PERSONNEL: FIVE (5) YEAR EMPLOYMENT EQUITY PLAN: JULY 2018 TO JUNE 2023 (1/1/75)****RESOLVED A.87.25.07.19 (COUNCIL)**

1. THAT Council approves the Five (5) Year Makhado Local Municipality Employment Equity Plan, July 2018 to June 2023, attached as Annexure A to the report in this regard. (DCS)
2. THAT the Employment Equity Committee recommends to the Municipal Manager about Employment Equity Plan targets for each vacant post that the Municipality need to fill, before it is advertised. (DCS)

3. THAT the Municipal Manager must annually approve the numerical municipal targets with specific reference to the percentage targets reflected in Table 7 on pages 15 and 16 of the Employment Equity Plan, July 2018 to June 2023, attached as Annexure A to the report in this regard. (DCS)

EEP2018-23_itm

ITEM A.88.25.07.19

FINANCES: MAKHADO LOCAL MUNICIPALITY COST CONTAINMENT POLICY, 2019 (44/2/1)

REMARK:

This report was withdrawn from the agenda.

ITEM A.89.25.07.19

FINANCE: IN YEAR MONITORING AND REPORTING: 4th QUARTER: 2018/2019 FINANCIAL YEAR (6/1/1(2018/19))

RESOLVED A.89.25.07.19 (COUNCIL)

THAT the in-year monitoring financial report for the 4th quarter of the 2018/2019 financial year be noted by Council. (CFO)

MonitoringQ4 June 2019_itm

ITEM A.90.25.07.19

FINANCES: CLARIFICATION ON COUNCILOR ALLOWANCES REQUESTED BY EXECUTIVE COMMITTEE (5/5/3)

RESOLVED A.90.25.07.19 (COUNCIL)

1. THAT note be taken of the report of clarification of questions related to benefits and allowances/salaries of Municipal Councillors. (CFO)
2. THAT Councillors who do not own vehicles must not include motor vehicle allowance in the structuring of their salary package. (CFO/DCS)
3. THAT Councillors elect either tablets or laptops as working tools in line with provisions of the Upper Limits of Allowances and Remuneration of Members of Municipal Council, which tools will then be assets of the municipality. (CFO/DCS)
4. THAT all Councillors who use their vehicles for business purposes be taxed at 80% of their allowance salary. (CFO)

5. THAT full time councillors must be provided with printer, toner cartridges and scanner in their offices. (CFO/DCS)
6. THAT a municipal councillor letterhead be designed and put in use as a uniform councillor letterhead that will be used by all councillors. (DCS)
7. THAT a stamp be designed and bought for ward councillors only, indicating the relevant ward councillor details on such stamp. (DCS)

CllrAllowances_itm(2)

ITEM A.91.25.07.19

ESSENTIAL SERVICES: DIVISIONS OF POWERS AND FUNCTIONS: WATER SERVICES AUTHORITY/WATER SERVICES PROVIDER (2/5)

REMARK:

The recommendation of Section 79 Oversight Committee: Corporate Services was recorded as Council's Resolution herein below.

RESOLVED A.91.25.07.19 (COUNCIL)

1. THAT Council takes note of previous effort by the Municipality and the assessment report by COGHSTA during 2007 which identified Makhado Municipality as one of the Municipalities to be prioritized as Water Service Authority. (MM)
2. THAT Council approves that the Municipality lodge an application in consultation with the Head of Department, Co-operative Governance, Human Settlement and Traditional Affairs, Limpopo via the MEC, COGHSTA, Limpopo to the MEC COGTA (National) for the assignment of Water Service Authority and Water Service Provider to Makhado Municipality in view of the Musina/Makhado SEZ development. (MM)
3. THAT the Accounting Officer and the Mayor must report any developmental progress regarding the application in paragraph 2 above to Council. (MM)

WSA&WSPReverse_itm

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9.3 Resolutions of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): July 2019

None

9.4 Recommendations of the Section 79 Standing Committee: MPAC in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): July 2019

ITEM A.92.25.07.19

MPAC: FINANCE: IN YEAR MONITORING AND REPORTING: MONTH ENDING 31 MAY 2019: (SECTION 71 REPORTS) (2018/2019)

RESOLVED A.92.25.07.19 (COUNCIL)

1. THAT the Municipality must maintain the standard of municipal financial management and viability - this is generally good. (CFO)
2. THAT the Municipality must discuss and determine methods that can be used/implemented to solve challenges of outstanding debtors. (CFO)

MPACSection71May2019_itm

ITEM A.93.25.07.19

MPAC: FINANCES: IN YEAR MONITORING AND REPORTING: MONTH ENDING 31 MAY 2019 (6/1/1(2018/2019))

RESOLVED A.93.25.07.19 (COUNCIL)

THAT the collection rate report for previous month must be shown to compare the results. (CFO)

MPACSection71Report31May2019_itm

ITEM A.94.25.07.19

MPAC: FINANCES: SECTION 72 MIDYEAR BUDGET PERFORMANCE REPORTING: 2nd QUARTER ENDING 31 DECEMBER 2018, 2018/19 FINANCIAL YEAR 6/1/1(2018/2019)

RESOLVED A.94.25.07.19 (COUNCIL)

1. THAT there must be improvement on capital expenditure in all departments; capital goods improve efficiency during operations within the departments and this can also help in improving service delivery. (CFO)
2. THAT the Municipality must include achievable items per cash financial period at work on that project and finish the budget for the next project. (CFO)
3. THAT the Municipality must try to stick to its budgeted project as this will help in improving service delivery. (CFO)
4. THAT the Municipality must continue reminding debtors to pay on time. (CFO)

5. THAT the Municipality must provide cash flow statements like before, that the financial accounting must be clear; this will reduce the possibility of getting a qualified audit report.

(CFO)

6. THAT the Municipality must include the source of income when preparing mid-year budget performance.

(CFO)

MPACSection72MidyearBudgetPerformance_itm

ITEM A.95.25.07.19

**MPAC: FINANCES: INVESTIGATION REPORT ON UNAUTHORIZED EXPENDITURE:
2016/17 AND 2018/19 FINANCIAL YEAR
(6/1/16/17 & 6/1/18/19)**

RESOLVED A.95.25.07.19 (COUNCIL)

1. THAT the MPAC acknowledge that Council approved the roads and electrification projects under RAL & INEP capital budgets in order to address for service delivery backlog. (DTS)
2. THAT the Municipality may in future must first request advice from Provincial Treasury on how best Municipality treat RAL and INEP expenditure to avoid unauthorized expenditure.
(DTS/CFO)
3. THAT in future these projects must be budgeted for under operational funds and not under capital funds to avoid an unauthorized expenditure. (CFO)
4. THAT MPAC therefore recommends that Council approve the unauthorized expenditure for the amounts of R34,901,850 and R164,328,776.00 in respect of the 2016/17 and 2017/2018 financial year. (CFO)
5. THAT Council approve an unauthorized expenditure amounting to R62,734,416.06 due to National Treasury directives which was issued on how to treat the VBS investment loss in the 2017/18 financial year. (CFO)
6. THAT unauthorized expenditure must be prevented at all cost in order to achieve a clean audit report. (CFO)

MPACUnauthorisedExpenditure_itm

ITEM A.96.25.07.19

**MPAC: REPORTS AND SURVEYS: OUTSTANDING MATTERS: COUNCIL
RESOLUTIONS – QUARTER 3: 2018/19 FINANCIAL YEAR
(10/1/6/1)**

RESOLVED A.96.25.07.19 (COUNCIL)

THAT note be taken of the status of Council Resolutions for Quarter 3 of the 2018/19 financial year and that the Administration must implement all Council Resolutions in time to avoid delay in service delivery.

MPACCouncilResolutionImplementationQ3-2018-2019_itm

(ALL DIRS)

ITEM A.97.25.07.19**MPAC: FINANCES: PROCUREMENT: IRREGULAR EXPENDITURE: 1 JULY 2018 TO 31 MARCH 2019 (10/1/5/2)**

RESOLVED. A.97.25.07.19 (COUNCIL)

1. THAT MPAC therefore recommends to council to write off an amount of R12,492,581.70 as irrecoverable. (CFO)
2. THAT the Accounting Officer must try by all means to follow the Supply Chain Management processes and procedures regarding procurement. (MM)
3. THAT the Accounting Officer must appoint suitable officials in the committees to avoid audit query. (MM)
4. THAT Municipality must try to minimise the irregular expenditure by following law and Supply Chain Management Policy. (CFO)
5. THAT most of the periodic tenders are coming to an end on 2019/2020 financial year. (CFO)
6. THAT based on the above findings, no official can be held responsible for the expenditure incurred on this matter/item. (MM)
7. THAT none of the incurred was as a result of fraud or corruption but rather non-compliance with SCM at the time of procurement of such goods or services. (CFO)
8. THAT MPAC was satisfied with the reasons provided by the Accounting Officer and that the Municipality received the services as requested. (MM)

MPACIrregularExpenditureJuly2018-March2019_itm

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10. PETITIONS

None

11. NEW MOTIONS

11.1 **MOTION NO. 236: RECEIVED ON 8 JULY 2019**

Motion no. 236 dated 8 July 2019 was dealt with under the provisions of clause 28 of the Council's Standing Rules of Order, 2016 published in Provincial Gazette No. 2736 dated 29 July 2016.

The Speaker, Cllr L B Mogale first determined that the proposer and seconder was present in the meeting, and then called the proposer of the motion to read the motion.

The proposer, Cllr T A Maraga proceeded to read Motion No. 236 as follows:

*“NOTICE OF MOTION IN TERMS OF CLAUSE 28 OF THE STANDING RULES OF ORDERS: *POOR MAINTENANCE OF THE ROADS RUNNING BETWEEN MADOMBIDZHA AND MAKHADO TOWN, AND THE ROAD RUNNING BETWEEN MADABANI AND MAIBANI**

*The EFF Makhado notes with concern and disappointment that the roads mentioned above are always *shabbily maintained*.*

*Potholes are closed with soil and in no time they are opened again and *putting commuters at risk of accidents and loss of lives*.*

*We therefore as the EFF plead with the Municipality to come with a *permanent solution in fixing the said roads*. I do so move.*

Proposer: Cllr T A Maraga

Seconder: Cllr M C Nematandani

Signed: 8 July 2019”

The Speaker enquired if the seconder was present. Hereupon the seconder confirmed her presence and that she had seconded the motion.

The Speaker ruled that the technical input by the Municipal Manager on Motion no. 236 be noted, as follows:

Technical input of the Municipal Manager in terms of sub-rule 28.10 of the Standing Rules of Order, 2016:

Road D959 between Madombidzha and Makhado Town and road D3715 between Madabani and Maibani is a Roads Agency, Limpopo (RAL) competency, and not a municipal competency.

REMARK:

Cllr G Mukwevho proposed, duly seconded by Cllr L M Mathalise that let’s stand and petition the Provincial Legislature on the urgency and importance of upgrading roads D3715 and D959.

RESOLVED –

1. THAT the technical input of the Municipal Manager as presented to Council by the Mayor be noted.
2. THAT the Director Technical Services under signature of the Mayor petition the Provincial Legislature on the urgency and importance of upgrading roads D3715 and D959. (DTS)

* * * * *

The meeting was closed and adjourned at 17:21.

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 31 October 2019.