

# MAKHADO LOCAL MUNICIPALITY

## OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE VIRTUAL NINETY NINTH (99<sup>th</sup>) COUNCIL MEETING OF THE MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 14 OCTOBER 2021 AT 14:00.

### **PRESENT**

#### **Councillors**

BABADU, T M	MASUKA, S
BALIBALI, T	MATUMBA, A
BULALA, S I	MOGALE, L B
CHILILO, N F	MOHLABA T J
DAVHANA, N D	MOKGOADI M R
DU PLOOY, A	MTHOMBENI, S Z
DZIVHANI, T E	MUKHARI, M F
FURUMELA, M G	MUKHUBA, R
HLONGWANI J J	MULEFU M E
GABARA, M J	MUNYAI, N S
KHODOGA, J	MUSANDIWA, P N
KUTAMA, T	NDOU, M D
LUDUVHUNGU V, S	NETHULWE, M F
LUKHELI, J	NYELISANI, S S
MACHETHE M S	RALIPHADA, R
MADULA, S	RAMAVHOYA, K S
MADUWA, E	RAMUSHAVHA, G M
MADUWA, L G	SIMANGWE, N J
MADZHIGA F N	SINYOSI S M
MALANGE, T M	SITHI, E
MALIVHA, N V	TAMBANI, T E
MALULEKE, K M	TSHIFURA, SS
MAPHUBU, K	TSHILAMBYANA, M S
MASENGANA, M L	
MAUDA, V O	

#### **Traditional Leaders**

None

#### **Officials**

K M NEMANAME	(ACTING MUNICIPAL MANAGER)
N G RAPIPHADA	(ACTING CHIEF FINANCIAL OFFICER)
M G RALISHUKU	(ACTING DIRECTOR TECHNICAL SERVICES)
S G MAGUGA	(ACTING DIRECTOR CORPORATE SERVICES)
S M CAROTO	(MANAGER: ICT)
M D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)

#### **GUEST**

S MOFOKENG	(CHAIRPERSON OF RISK MANAGEMENT & ICT STEERING COMMITTEE)
J MASITE	(CHAIRPERSON OF AUDIT AND PERFORMANCE AUDIT COMMITTEE)

### **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 and hard copy.

## 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 14 October 2021 to Cllrs N Kutama, M D Mboyi, N Munyai, M N Ndou, N S Nemudzivhadi, M G Phoshoko, T C Mamafha, T J Mamafha, L G Masutha and G Tshibvumo.

### REMARK:

- (i) The following councillors were absent from the Council meeting held on 14 October 2021: R S Baloyi, B K Jones, N B Jones, M R Magada, M J Mpashe, M C Nematandani, R T Maingo, T P Mamorobela, T A Maraga, M A Mashamba, L M Mathalise, D Ratshikuni, M A Selapyana, T Seshoki and L R Tshiambwa.
- (ii) The following traditional leaders were absent from the Council meeting held on 14 October 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 of Traditional Leader existed due to the passing away of Khosi R H Sinthumule.

## 3. OFFICIAL ANNOUNCEMENTS

- 3.1. The Speaker, Cllr L B Mogale welcomed the newly appointed African Christian Democratic Party member, Cllr J J Hlongwane who was sworn in on Tuesday, 12 October 2021 by Magistrate J J Venter at the Makhado Magistrate's Office. This is her first meeting as member of Makhado Municipality Council in session.
- 3.2 The Speaker, Cllr L B Mogale reminded all councillors to return the municipal laptop on or before Friday, 22 October 2021 to the Office of the Speaker to avoid audit findings. This is the laptop issued to councillors as a tool of trade during the 2020/21 financial year.
- 3.3 The Speaker, Cllr L B Mogale announced that a representative of each of the political parties is afforded an opportunity to express words of appreciation at this last meeting of the Council, who served for the term August 2016 to October 2021.
  - 3.3.1 Cllr V O Mauda of Congress of the People Party (COPE) congratulated the Congress of the People Party who managed to resolve all issues mandated by the Congress, and further proposed condolences to the family of the late Cllr M E Malima who passed away on 1 July 2021.

- 3.3.2 Cllr A Matumba of the Economic Freedom Fighters (EFF) thanked all employees of Makhado Local Municipality, Cllr N F Chililo and Cllr N D Davhana for the way they were participating in Council. He further thanked the Mayor, Cllr N S Munyai for holding Council accountable, and further thanked the Chief Whip, Cllr M D Mboyi for doing a good job in the Whippyery Committee, and lastly, he thanked the Acting Municipal Manager, Mr K M Nemaname for good work he is doing.
- 3.3.3 Cllr A du Plooy of Democratic Alliance Party (DA) expressed well wishes to everyone for the upcoming municipal elections. He also mentioned that for 15 years he was a Councillor of Makhado Local Municipality, and would not participate in the 2021 elections, but retire from a political career to concentrate on his business. He proposed appreciation to Councillors and administrative component and wished them well for the future.
- 3.3.4 Cllr K M Maluleke of the African National Congress Party (ANC) indicated that the ANC excelled in putting tangible services such as roads, and graders and trucks for service delivery. He congratulated all Councillors of Makhado Local Municipality who worked together during the term of 5 years and thanked all political parties for supporting the decisions of the African National Congress. He also congratulated the Municipality with its Unqualified Audit Opinion. He thanked the Acting Municipal Manager, Mr K M Nemaname, the Speaker, Cllr L B Mogale, the Mayor, Cllr N S Munyai and the African National Congress for putting them in leadership and he congratulated all political parties who participated in the Council of Makhado Local Municipality from August 2016 to date.
- 3.4 The Speaker, Cllr L B Mogale ruled that the Chairperson of the Executive Committee be afforded an opportunity to express his words of appreciation.

His Worship the Mayor, Cllr N S Munyai stated that he served in the Council of Makhado Local Municipality since 2000, and in 2011 he served as Ward Councillor without being given an opportunity even as Section 79 Chairperson. In 2017 he became ward Councillor again and in December 2018 he was elected as the Mayor of Makhado Local Municipality.

He thanked the Political Management Team (PMT) for working as a team. He thanked MPAC Chairperson and all Section 79 Committee Chairpersons for working very hard. He indicated that the Municipality received an Unqualified Audit Opinion.

The Municipality purchased graders, trucks and have approved organisational structure and advertised vacant posts. He proposed condolences to all employees and their families who lost their lives due to Covid-19.

The Municipality is awaiting a response from COGHSTA to be the Water Service Authority. He thanked the African National Congress for the support they showed and also SAMWU and IMATU Trade Unions as well as the Acting Municipal Manager and wished all political parties well for the upcoming Municipal Elections on 1 November 2021.

- 3.5 The Speaker, Cllr L B Mogale with the approval of the meeting arranged that the verbal report of other appointed Council Committees directly to Council be the first matter for consideration when Council is presented with reports by its Committees.

#### **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 late Councillor T D Mukwevho who passed away on 16 September 2021. Cllr Tshiane Dorah Mukwevho was a member of Council who always co-operated well in the affairs of Council.

##### **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 29 July 2021:

Cllr K S Ramavhoya	14 August 2021
Cllr E T Sithi	27 August 2021
Cllr V O Mauda	31 August 2021
Cllr L B Mogale	31 August 2021
Cllr G Tshibvumo	1 September 2021
Cllr J Lukheli	2 September 2021
Cllr M F Nethulwe	6 September 2021
Cllr R Mukhuba	8 September 2021
Cllr M D Mboyi	8 September 2021
Cllr M S Macheche	10 September 2021
Cllr T M Malange	13 September 2021
Cllr A Matumba	21 September 2021
Cllr J Khodoga	22 September 2021
Cllr M R Mokgoadi	9 October 2021
Cllr P N Musandiwa	10 October 2021
Cllr T Seshoki	11 October 2021

#### **5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY PARTY SPOKESPERSON**

- 5.1. Cllr J J Hlongwane proposed condolences to the bereaved family of Mathelemusa for losing a brother by the name of Maanda. She also congratulated all Councillors who celebrated their birthdays since the last ordinary Council meeting held on 29 July 2021.

- 5.2 Cllr A Matumba proposed condolences to the bereaved Munyai family for the passing away of Martha Naledzani Munyai of Vleifontein.

He further proposed congratulations to the Economic Freedom Fighter Party with the opening on 15 September 2021 of its new Head Office in Braamfontein, Johannesburg, named Winnie Madizela Mandela House.

5.3 Cllr K M Maluleke proposed condolences to all bereaved families who lost their loved ones due to Covid-19.

He further congratulated all Councillors who made sure that Makhado Local Municipality is the best Municipality.

He then further congratulated the Speaker, Cllr L B Mogale for the way she was leading the Council of Makhado Local Municipality.

## 6. CONFIRMATION OF MINUTES

### 6.1 REMARK:

Upon proposal by Cllr K M Maluleke, duly seconded by Cllr S Madula, it was -

RESOLVED -

THAT the minutes of the 98<sup>th</sup> Council meeting held on 29 July 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 K M Maluleke, duly seconded by Cllr S Madula, it was -

RESOLVED -

THAT the minutes of the 161<sup>st</sup> Special Council meeting held on 31 August 2021 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 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): October 2021

543<sup>rd</sup> Executive Committee meeting held on 7 October 2021

544<sup>th</sup> Executive Committee meeting held on 14 October 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): October 2021

86<sup>th</sup> Section 79 Oversight Committee: Corporate Services meeting: 11 October 2021

61<sup>st</sup> Section 79 Oversight Committee: Finance meeting: 11 October 2021

54<sup>th</sup> Section 79 Oversight Committee: Development Planning meeting: 12 October 2021

34<sup>th</sup> Section 79 Oversight Committee: Community Services: 11 October 2021

39<sup>th</sup> Section 79 Oversight Committee: Technical Services: 12 October 2021

**REMARK:**

Before the Council Committees' recommendations were presented to Council, the Speaker, Cllr L B Mogale afforded the Chairperson of the Audit and Audit Performance Committee, Ms J Masite and the Chairperson of the Risk Management and ICT Steering Committee, Mr S Mofokeng to do a brief presentation to Council about Auditor General's engagement for the 202/21 Audit cycle.

The Chairpersons delivered their respective presentations one after the other upon which the Speaker afforded an opportunity for questions and clarification by members. The Speaker then recused the two Chairpersons from the meeting and Council proceeded with the business of the day.

**(REMARK:** Items **A.87.31.08.21** to **A.91.31.08.21** were considered at the 161<sup>st</sup> Special Council meeting held on 31 August 2021)

**ITEM A.92.14.10.21****PERSONNEL: EXTENSION OF ACTING PERIOD: MUNICIPAL MANAGER****(5/1/2/1)**

**REMARK:** When this matter was considered, the Acting Municipal Manager and all Acting Directors rescued themselves from the meeting and returned after the matter was considered.

**RESOLVED A.92.14.10.21 (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 1 November 2021 until 31 January 2022 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 September21

**ITEM A.93.14.10.21****PERSONNEL: EXTENSION OF ACTING PERIOD: CHIEF FINANCIAL OFFICER****(SP 1/1/1)**

**REMARK:** When this matter was considered, the Acting Municipal Manager and all Acting Directors rescued themselves from the meeting and returned after the matter was considered.

**RESOLVED A.93.14.10.21 (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 of 1 November 2021 until 31 January 2022 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\_itmSept2021

**ITEM A.94.14.10.21**

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

**REMARK:** When this matter was considered, the Acting Municipal Manager and all Acting Directors rescued themselves from the meeting and returned after the matter was considered.

**RESOLVED A.94.14.10.21 (COUNCIL)**

1. THAT subject to the approval of the MEC for Cooperative Governance, Human Settlement and Traditional Affairs, Limpopo the Manager: Office of the Speaker, Mr S G Maguga be designated to act for a further period in the capacity as Director Corporate Services, commencing from 1 November 2021 to 31 January 2022, or such earlier date being the date which precedes the date on which a successful candidate commences duty as Director, 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) (b) of Local Government: Municipal Systems Act, 2003. (DCS)

ActingDCS\_itm Jan2021

**ITEM A.95.14.10.21**

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

**REMARK:** When this matter was considered, the Acting Municipal Manager and all Acting Directors rescued themselves from the meeting and returned after the matter was considered.

**RESOLVED A.95.14.10.21 (COUNCIL)**

1. THAT subject to approval by the MEC for Cooperative Governance, Human Settlement and Traditional Affairs, Limpopo the Manager Community Services, Mr H J Lukheli be designated to act for a further period in the capacity as Director Community Services, commencing with retrospective effect of 16 September 2021 to 15 December 2021, or such earlier date which precedes the date on which a successful candidate commences duty as Director, whichever may be the earliest date. (DCS)

2. THAT application for extending the acting capacity in the vacant post of Director Community 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 Local Government: Municipal Systems Act, 2000. (DCS)

ActingDCOMS\_itmSept2021

#### **ITEM A.96.14.10.21**

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

**REMARK:** When this matter was considered, the Acting Municipal Manager and all Acting Directors rescued themselves from the meeting and returned after the matter was considered.

#### **RESOLVED A.96.14.10.21 (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 of 1 November 2021 until 31 January 2022 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. (DCS)

ActingDDP\_itmSept2021

#### **ITEM A.97.14.10.21**

#### **FINANCES: SALGBC CIRCULAR NO 7/2021: WAGE AND SALARY INCREASE: 2021/22-2023/24 (6/1/1(2021/2022))**

#### **RESOLVED A.97.14.10.21 (COUNCIL)**

1. THAT Council takes note of the South African Local Government Bargaining Council (SALGBC) Circular no. 7/2021 on salary and wage collective agreement which is attached as Annexure A to the report in this regard. (DCS)
2. THAT SALGBC Circular no. 7/2021 on salary and wage collective agreement be implemented as agreed by parties in the South African Local Government Bargaining Council as follows:



- 2.1 For 2021/2022 financial year a salary increase of three and half percent (3.5%) for all employees covered by the attached agreement be implemented with effect from 1 July 2021. (DCS/CFO)
- 2.2 In addition, all employees covered by this Agreement shall receive a once off non pensionable cash allowance as follows:
- 2.1.1 Employees earning a basic salary of R12,500 or less as at 1 July 2021, shall be receiving amount of R4,000.00 (DCS/CFO)
- 2.1.2 Employees earning a basic salary of R12,501 or more as at 1 July 2021, shall be receive an amount of R3,000.00 (DCS/CFO)
- 2.3 Payment of the once off non pensionable cash allowance shall be made on 31 December 2021, and where not possible, by no later than 31 March 2022. (DCS/CFO)
- 2.4 For 2022/23 Financial year all salaries of employees covered by this agreement be increased by the CPI percentage, from 1 July 2022. The forecasts of the Reserve Bank, in terms of the January 2022 Monetary Policy Committee statement, shall be used to determine the projected average CPI. (DCS/CFO)
- 2.5 For 2023/2024 Financial year all salaries of employees covered by this agreement be increased by the CPI percentage. The forecasts of the Reserve Bank, in terms of the January 2023 Monetary Policy Committee statement, shall be used to determine the projected average CPI. (DCS/CFO)
- 2.6 With effect from 1 July 2021, the minimum salary payable in the sector shall increase by 3.5% to R8,620.79 per month. (DCS/CFO)
- 2.7 With effect from 1 January 2022, the minimum wage payable must increase by the same percentage as the salary wage increase for 2022/2023 financial year. (DCS/CFO)
- 2.8 For 2023/24 Financial Year, the minimum wage must increase by the same percentage as the salary and wages increase for 2023/2024 financial year. (DCS/CFO)
3. THAT the Department of Budget and Treasury implement all provisions as clearly set out in Salga Circular No. 7/2021, irrespective of all other benefits and salary and wage collective agreement. (CFO)

**ITEM A.98.14.10.21****FINANCES: REPORT ON SPECIAL ADJUSTMENT BUDGET : 2021/22 FINANCIAL YEAR  
(6/1/1(2021/22))****RESOLVED A.98.14.10.21 (COUNCIL)**

1. THAT the 2021/22 Adjusted Budget be adopted by Council through special adjustment to cater for additional allocation of Municipal Disaster Relief Grant to be transferred by Department of Cooperative Governance. (CFO)
2. THAT the Council note that the adjustment budget for the income and expenditure projections for the financial year ending 30 June 2022 is more fully explained in Annexure A attached to the report in this regard. (CFO)
3. THAT the approved funds should be spent within six (6) months after we receive the grant and must solely be utilised for approved purposes as outlined above. (CFO)

AdjustmentBudget21-22\_itm

**ITEM A.99.14.10.21****TOWN-PLANNING AND CONTROL: LAND DEVELOPMENT AND LAND USE APPLICATIONS CONSIDERED BY AUTHORIZED OFFICIAL  
(12/3/2)****RESOLVED A.99.14.10.21 (COUNCIL)**

THAT the Council note the applications considered by the Authorised Official. (DDP)

Landdevelopmentandlanduseapplications\_Itm

**ITEM A.100.14.10.21****FINANCE: ASSESSMENT OF PERFORMANCE OF CONTRACTED SERVICE PROVIDERS:  
1<sup>st</sup> QUARTER: 2021/2022 FINANCIAL YEAR  
(6/1/1(2021/22))****RESOLVED A.100.14.10.21 (COUNCIL)**

THAT Council takes note of the First Quarter Assessment of Performance of Contracted Service Providers for 2021/2022 Financial year attached as Annexure A to the report in this regard. (CFO)

AssessmentQ1ServiceProviders\_itm

**CONFIDENTIAL****ITEM CA.101.14.10.21****CONFIDENTIAL MATTER****ITEM A.102.14.10.21****PERFORMANCE MANAGEMENT: FIRST QUARTER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN REPORT: 2021/22 FINANCIAL YEAR (10/1/4/1 – 10/1/4/8)****RESOLVED A.102.14.10.21 (COUNCIL)**

THAT Council takes note of the First Quarter Performance Delivery and Budget Implementation Plan (SDBIP) Report for the 2021/22 Financial Year. (MM)

SDBIP2021-2022\_itm

**ITEM A.103.14.10.21****COUNCIL COMMITTEES: REPORT OF ATTENDANCE OF MEETINGS OF COUNCIL AND ITS COMMITTEES – JULY 2021 TO SEPTEMBER 2021 – QUARTER 1, 2021/2022 FINANCIAL YEAR (4/1/B & 10/1/5/1)****RESOLVED A.103.14.10.21 (COUNCIL)**

1. THAT note be taken of the number of meetings held by Council and its Committees for the period 1 July 2021 to 30 September 2021 as follows:

*SUMMARY OF COMMITTEE MEETINGS HELD – QUARTER 1 OF 2021/22*

<b>DATE 2021</b>	<b>NUMBER OF SECTION 79 COMMITTEES' MEETINGS</b>	<b>NUMBER OF EXECUTIVE COMMITTEE MEETINGS</b>	<b>NUMBER OF COUNCIL MEETINGS</b>
July	5	2	1
August	8	2	1
September	0	0	0
<b>TOTAL</b>	<b>13</b>	<b>4</b>	<b>2</b>

*NB. Excluding LLF meetings of which 1 were held.*

(DCS)

2. THAT note be taken of the *Report of Attendance of meetings by councilors* for the period 1 July 2021 to 30 September 2021 as more fully recorded in the report in this regard.

(DCS)

3. THAT it be noted that during Quarter 1 of 2021/22, no Councillors were absent from three consecutive meetings of Council. (DCS)

Return of Attendance Q1 of 2021-2022

**ITEM A.104.14.10.21**

**REPORTS AND SURVEYS: OUTSTANDING MATTERS: COUNCIL RESOLUTIONS –  
QUARTER 1: 2021/22 FINANCIAL YEAR  
(10/1/6/1)**

**RESOLVED A.104.14.10.21 (COUNCIL)**

THAT note be taken of the progress with implementing Council Resolutions in respect of meetings held during Quarter 1 of the 2021/2022 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)

CouncilResolutionImplementationQ1-2021-2022\_itm

**ITEM A.105.14.10.21**

**ELECTIONS: FILLING OF VACANCY PROPORTIONAL REPRESENTATIVE OF THE  
AFRICAN CHRISTIAN DEMOCRATIC PARTY (ACDP), 2021  
(3/2/5; 3/2/6)**

**RESOLVED A.105.14.10.21 (COUNCIL)**

THAT it be noted that Ms Jabulani Jaurinabeth Hlongwane, Identity number 7101020402086, has been declared duly elected as Councilor of Makhado Municipality in terms of Clause 18, Schedule 1 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), by the Chief Electoral Officer with effect of 4 October 2021 to fill the vacancy that came about due to the resignation of former Cllr B F Hlongwane. (DCS/CFO)

CouncillorReplaceBFHlongwane\_itm

**ITEM A.106.14.10.21**

**FINANCES: PROCUREMENT: CLAUSE 36: DEVIATIONS REPORT FOR FIRST  
QUARTER ENDING 30 SEPTEMBER 2021  
(10/1/5/2)**

**RESOLVED A.106.14.10.21 (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 implemented in Quarter 1 of the 2021/22 financial Year be noted by Council as more fully set out in the Annexure attached to the report in this regard. (CFO)

DeviationsQuarter1 2021-2022\_itm

**ITEM A.107.14.10.21**

**FINANCE: IN YEAR MONITORING AND REPORTING: 1<sup>st</sup> QUARTER: 2021/2022  
FINANCIAL YEAR  
(6/1/1(2021/22)**

**RESOLVED A.107.14.10.21 (COUNCIL)**

THAT the in-year monitoring financial report for the first quarter ending 30 September 2021 of the 2021/2022 financial year be **approved** by Council. (CFO)

MonitoringQ1 2021\_itm

\* \* \* \* \*

**9.3 Recommendations of the Section 79 Standing Committee: Ethics in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): August 2021**

**ITEM A.108.14.10.21**

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

- 1. CLLR T D MUKWEVHO**
  - 2. CLLR S I BULALA**
  - 3. CLLR M A SELAPYANA**
- (4/1/B & 10/1/5/1)**

**RESOLVED A.108.14.10.21 (COUNCIL)**

1. THAT note be taken that the Ethics Committee notified three (3) 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 it be noted that all three Contravening Councillors pleaded guilty. (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)
4. THAT note be taken that it is the responsibility of the Councillors to access the link of meetings, to always have data to attend meetings and to communicate with the Secretary of Council if Councillors are not receiving links for meetings. (DCS)
5. THAT Councillors must personalize their phones/laptops when they join virtual meetings of Council for easy reference when making attendance register. (DCS)
6. THAT note be taken that Cllrs T D Mukwevho, S I Bulala and M A Selapyana be given a verbal warning for failure to attend three (3) consecutive meetings of Council and its committees. (DCS)

EthicsNon-Attendance\_item(August)

**9.4 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): August & September 2021**

**ITEM A.109.14.10.21**

**MPAC: PERFORMANCE MANAGEMENT: FOURTH QUARTER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN REPORT: 2020/2021 FINANCIAL YEAR (10/1/4/1-10/1/4/8)**

**RESOLVED A.109.14.10.21 (COUNCIL)**

THAT they must make sure that all projects are implemented as per SDBIP, IDP and Budget.

MPACSDBIPQuarter4\_itm

(ALL DIRS)

**ITEM A.110.14.10.21**

**MPAC: FINANCES: ASSESSMENT OF PERFORMANCE OF CONTRACTED SERVICE PROVIDERS: QUARTER 4: 2020/21 FINANCIAL YEAR (10/1/5/2)**

**RESOLVED A.110.14.10.21 (COUNCIL)**

THAT Management must perform at the highest rate of assessment to enable to portray the Municipality positively in terms of service delivery. (MM/ALL DIRS)

MPACAssessmentQ4ServiceProviders\_itm

**ITEM A.111.14.10.21**

**MPAC: FINANCES: PROCUREMENT: SUPPLY CHAIN MANAGEMENT IMPLEMENTATION: ANNUAL REPORT: 2020/21 FINANCIAL YEAR (5/3/54/1)**

**RESOLVED A.111.14.10.21 (COUNCIL)**

THAT the Municipality must evaluate bids and appoint in time for better service delivery.

MPACImplementationSCM20-21\_itm

(CFO)

**ITEM A.112.14.10.21**

**MPAC: FINANCES: PROCUREMENT: CLAUSE 36: DEVIATIONS REPORT FOR FOURTH QUARTER ENDING 30 JUNE 2021 (10/1/5/2)**

**RESOLVED A.112.14.10.21 (COUNCIL)**

THAT the Management must follow the Supply Chain Management Policy. (ALL DIRS)

MPACDeviationsQ42021\_itm

**ITEM A.113.14.10.21****MPAC: FINANCE: IN YEAR MONITORING AND REPORTING: 4<sup>th</sup> QUARTER:  
2020/2021 FINANCIAL YEAR  
(6/1/1(2020/21))****RESOLVED A.113.14.10.21 (COUNCIL)**

1. THAT the Municipality must meet its expenditure on capital budget if there are no other challenging issues. (CFO)
2. THAT the Municipality must control its expenditure against expected revenue to avoid continuous shortages (deficit), this was done well. (CFO)
3. THAT the Municipality must improve on spending in the 2021/22 financial year to improve service delivery. (CFO)
4. THAT the Municipality must continue reminding its debtors to pay their debts. (CFO)
5. THAT the Municipality must engage community to find out why they are not paying their debts. (CFO)
6. THAT the Municipality must consider to write off debt of households in line with Makhado Municipality's Debt Write Off Policy. (CFO)
7. THAT the Municipality must improve on rendering service delivery to the communities so that they can pay their debts. (CFO)
8. THAT the Municipality must first complete incomplete budgeted projects/items as well as those that were not actioned at all. (CFO)
9. THAT the projects must be evaluated and appointment made in time in order to have enough time for implementation as early as possible. (CFO)
10. THAT the Municipality must advertise tenders in first quarter and implementation on second and third quarter to avoid carrying over projects to the next financial year. (CFO)

**ITEM A.114.14.10.21**

**MPAC: REPORTS AND SURVEYS: OUTSTANDING MATTERS: COUNCIL RESOLUTIONS – QUARTER 4: 2020/21 FINANCIAL YEAR (10/1/6/1)**

**RESOLVED A.114.14.10.21 (COUNCIL)**

THAT the Municipality must implement all Council Resolutions to avoid delay in service delivery.

MPACCouncilResolutionImplementationQ4-2020-2021\_itm

(ALL DIRS)

**ITEM A.115.14.10.21**

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

**RESOLVED A.115.14.10.21 (COUNCIL)**

THAT the SDBIP, IDP and Budget align to one another.

(MM/CFO/DDP)

MPACSDBIPQuarter3\_item

**ITEM A.116.14.10.21**

**MPAC: FINANCES: INVESTIGATION REPORT ON UNAUTHORIZED EXPENDITURE: 2019/2020 FINANCIAL YEAR (6/1/1(19/20))**

**RESOLVED A.116.14.10.21 (COUNCIL)**

1. THAT Council write off the unauthorized expenditure to the amount of R78 119 209,00 incurred during the 2019/2020 financial year. (CFO)
2. THAT Management must reduce the risks which were identified. (CFO)
3. THAT the Municipality must see to it that the reduction strategy is fully implemented for good achievement. (ALL DIRS)
4. THAT the Management must continuously update Council of the milestones on the project deliverables. (CFO)
5. THAT the two risks must be continuously monitored before actual harm occurred. (CFO)

MPACUnauthorisedExpenditure2019-2020\_itm



**ITEM A.117.14.10.21**

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

**RESOLVED A.117.14.10.21 (COUNCIL)**

1. THAT the Municipality must continue to manage to control its expenditure against revenue which is good. (CFO)
2. THAT the Municipality must utilise all budgeted funds for better service delivery. (CFO)
3. THAT the Accounting Officer must encourage all departments, especially regional offices to spend their budget. (MM)
4. THAT the Municipality must continue reminding debtors and encouraging residents, organs of state and commercial industry to pay in order to get better services. (CFO)
5. THAT the Municipality must have meetings with R293 towns and come with better solutions and encourage them to pay or write off debts in line with Municipal Debts Write Off Policy. (MM/CFO)
6. THAT the Municipality must improve on providing service delivery to the community, so that it can encourage to pay their debts in time. (CFO)
7. THAT the Municipality must make sure that the advertised tender for debtors collectors must be evaluated and adjudicated as soon as possible. (CFO)
8. THAT the Municipality must focus on service delivery backlog which is a challenge to all communities. (ALL DIRS)

MPACMonitoringQ3 2021\_itm

**ITEM A.118.14.10.21**

**MPAC: FINANCES: FRUITLESS AND WASTEFUL EXPENDITURE: 1 JULY 2019 TO 30  
JUNE 2020 IN 2019/20 FINANCIAL YEAR  
(6/13/2/3 & 10/1/5/2)**

**RESOLVED A.118.14.10.21 (COUNCIL)**

1. THAT the Municipality must institute disciplinary action in terms of the Municipal Code of Conduct of Employees and submit report to Council and MPAC. (DCS)
2. THAT consequence management must be applied pending on the final results of the disciplinary hearing. (DCS)

3. THAT the Municipality must review the exit form which stipulates that if a person is having a case or pending case to hold pension funds for that person, and be signed by Legal Section, Finance Department and approved by Municipal Manager. (DCS)
4. THAT the municipality must recover the money from all employees who are implicated. (MM)
5. THAT the Municipality must recover the money from Mr R M Maluleke's leave days amounting to R3,239.65. (MM)
6. THAT the Municipality must conduct workshop to alert all employees about the fleet Management Policy and new municipal employee exit form. (DCS)
7. THAT all petrol cards must be kept under fleet management section. (CFO)
8. THAT the Municipal Manager must benchmark with Treasury and Sector Departments on e-fuel management system. (CFO)

MPACFruitlessExpenditure2021\_itm

**ITEM A.119.14.10.21**

**MPAC: FINANCES: PROCUREMENT: IRREGULAR EXPENDITURE FOR 2017/2018 AND 2018/2019 FINANCIAL YEAR AS RAISED BY AUDITOR GENERAL (6/1/1(17/18) & 6/1/1(18/19))**

**RESOLVED A.119.14.10.21 (COUNCIL)**

1. THAT Council write off the expenditure of R79,528.00 incurred irregular from 2017/2018 and 2018/2019 Financial Year. (CFO)
2. THAT the Accounting Officer follow the Supply Chain Management Policy and Procedure regarding all procurement of services. (MM)
3. THAT the Accounting Officer must write a letter and submit to the MEC for Local Government in the Province and Auditor General in line with section 32(4) of the MFMA. (MM)
4. THAT the Municipality must practice its culture in adhering to SCM regulations and prescript. (CFO)

MPACIrregularExpenditure2021\_itm

**ITEM A.120.14.10.21**

**MPAC: TOWN-PLANNING: FINAL REVIEW: INTEGRATED DEVELOPMENT PLAN (IDP): 2021/22 (15/8/1)**

**RESOLVED A.120.14.10.21 (COUNCIL)**

THAT the SDBIP, IDP and Budget align to one another. (MM/CFO/DDP)

FinalIDP2021-2022\_itm

**ITEM A.121.14.10.21****MPAC: FINANCES: ASSESSMENT OF PERFORMANCE OF CONTRACTED SERVICE PROVIDERS: QUARTER 3: 2020/21 FINANCIAL YEAR (10/1/5/2)****RESOLVED A.121.14.10.21 (COUNCIL)**

THAT the Municipality must continuously encourage service providers to render their duties satisfactory as per their specifications. (CFO)

MPACAssessmentQ3ServiceProviders\_itm

**ITEM A.122.14.10.21****MPAC: FINANCES: PROCUREMENT: CLAUSE 36: DEVIATIONS REPORT AS AT 31 MARCH 2021 (10/1/5/2)****RESOLVED A.122.14.10.21 (COUNCIL)**

1. THAT the Municipality must develop the Deviation Reduction Strategy and implement to limit deviations in the Municipality. (CFO)
2. THAT the Management must adhere to Supply Chain Management Policy and explore other strategies to limit these continuous deviations. (ALL DIRS)

MPACDeviations31March2021\_itm

**ITEM A.123.14.10.21****MPAC: FINANCES: FINAL ANNUAL BUDGET 2020/2021 FINANCIAL YEAR (2020/2021)****RESOLVED A.123.14.10.21 (COUNCIL)**

THAT the SDBIP, IDP and Budget align to one another. (MM/CFO/DDP)

MPACFinal Budget2020-2021\_itm

\* \* \* \*

The meeting was closed and adjourned at 16:14.

**REMARK:** This Minutes would not be presented for official approval since the outgoing Council will not meet again in the remainder of their term of office.

---

CHAIRPERSON

MDM/lh/CouncilMinutes\_99