

MAKHADO LOCAL MUNICIPALITY
OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE ONE HUNDRED AND THIRTY FIRST (131st) URGENT SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD ON THURSDAY, 15 MARCH 2018 IN THE COUNCIL CHAMBER, CIVIC CENTRE, KROGH STREET, MAKHADO AT 14:00.

PRESENT

Councillors

BALIBALI, T
 BALOYI, R S
 BULALA, S I
 CHILOLO, N F
 DAVHANA, N D
 DZHIVANI, T E
 FURUMELA, M G
 KUTAMA, N
 KUTAMA, T
 LUKHELI, J
 MACHETE, M S
 MADULA, S
 MADUWA, E
 MADUWA, L G
 MADZHIGA, F N
 MAFHALA, N A
 MAGADA, M R
 MALANGE, T M
 MALIVHA, N V
 MALULEKE, K M
 MAMAFHA, T C
 MAMAFHA, T J
 MAMAROBELA, T P
 MAPHUBU, K
 MARAGA, T A
 MASHAMBA, M A
 MASIPA, M L
 MASUKA, S (left at 14:22)
 MASUTHA, L G
 MATHALISE, L M
 MATUMBA, A
 BOYI, M D

MOGALE, L B
 MOHLABA, T J
 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 D
 NDOU, M N
 NEMATANDANI, M C
 NEMUDZIVHADI, N C
 NETHULWE, M F
 NYELISANI, S S
 PHOSHOKO, M G
 RALIPHADA, R
 RAMUSHAVHA, G M
 RAPHALALANI, A A
 RASHAMUSE, A G
 SELAPYANAM M A
 SESHOKI, T
 SIMANGWE, N J
 SINYOSI, S M
 TAMBANI, T E
 TSHIAMBWA, L R
 TSHIBVUMO, G
 TSHILAMBYANA, M S

Officials

N F TSHIVHENGWA	(MUNICIPAL MANAGER)
N C KHARIDZHA	(DIRECTOR CORPORATE SERVICES)
C W MOLOKOMME	(DIRECTOR TECHNICAL SERVICES)
M D SINTHUMULE	(DIRECTOR DEVELOPMENT PLANNING)
M P MAKHUBELA	(CHIEF FINANCIAL OFFICER)
M J KANWENDO	(DIRECTOR COMMUNITY SERVICES)
W S MATHONSI	(SARGEANT OF ARMS)
M D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)

Traditional Leaders

None

1. OPENING: MOMENT OF REFLECTION

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 2025"

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

2. NOTICE OF THE MEETING

The Speaker confirmed that all members had received notice of the meeting, i.e. by sms, by e-mail, as well as in hard copy format.

3. APPLICATION FOR LEAVE OF ABSENCE

RESOLVED –

THAT leave of absence be granted in terms of the provisions of Rule 21 of the Council's Rules of Orders, 2016 published under Provincial Gazette Notice no. 2736 dated 29 July 2016 in respect of the Special Council meeting held on 15 March 2018 to Cllrs T M Babadu, A du Plooy, M G Gabara, F B Hlongwane, N B Jones, R T Maingo, K S Ramavhoya, M E Malima, D Ratshikuni and E T Sithi.

REMARK:

2.1 Cllrs V S Luduvhangu and S S Tshifura were not present at the meeting.

2.2 Khosi T G Muila, Hosi S T Mukhari, Khosi V C Ramabulana, Khosi N T L Mashamba, Hosi H S Mukhari, Khosi P V Kutama, Khosi R H Sinthumule, Khosi M M Mphaphu, Khosi F Molmea and Khosi P Netsianda were not present at the meeting.

4. REPORTS OF THE EXECUTIVE COMMITTEE, UNDER THE SECTIONS:

A. RECOMMENDATIONS TO COUNCIL

B. DECISIONS UNDER DELEGATED AUTHORITY

A. 4.1(a) Recommendations of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): March 2018

455th Executive Committee Meeting: 15 March 2018

(b) Recommendations of the various Section 79 Oversight Committees in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): March 2018

33rd Section 79 Oversight Committee: Corporate Services meeting: 15 March 2018

21st Section 79 Oversight Committee: Finance meeting: 15 March 2018

ITEM A.19.15.03.18**FINANCES: INVESTMENT: NOTICE OF CURATORSHIP, VBS MUTUAL BANK
(6/8/B; 6/8/1)****REMARK:**

1. When the matter was considered, the Speaker, Cllr L B Mogale gave opportunity to Cllr N A Mafhala who indicated that he wanted to know from which Municipal coffer did the invested money come from and if there was a Council Resolution that resolved that Makhado Municipality invest with VBS. He also wanted to know where would the VBS Curator meet with the affected municipalities.
2. Cllr N D Davhana requested a party caucus, and the Speaker ruled against the request of Cllr N D Davhana.
3. Cllr S Masuka requested the Speaker to raise issue on the matter, then the Speaker indicated that every Councillor who wanted to raise an issue on any matter must go through whippy system. Then Cllr S Masuka walked out of the Council Chamber at 14:22 and he did not return to the meeting.
4. Cllr R S Baloyi proposed, duly seconded by Cllr N S Munyai that all the recommendations be noted by Council as recommended by the Section 79 Oversight Committee: Finance. The proposal by Cllr R S Baloyi was accepted.

RESOLVED A.19.15.03.18 (COUNCIL)

1. THAT Council takes note of the report about the current investment of Makhado Municipality at VBS Mutual Bank, and that on 11 March 2018 the Governor of the South African Reserve Bank declared that VBS Mutual Bank was placed under curatorship, with the sole purpose to protect depositors, customers, and the shareholders of the said Mutual Bank. (MM)
2. THAT Council takes note that the total capital value of its investment is R60 million excluding interest payable on investment as to be determined by the Curator, and that interest of R4,519,929.26 for the period up to 31 January 2018 was already paid to the municipality's primary bank account from investments. (MM)
3. THAT Council note that an investment committee will be established and the Investment Policy, 2017 will be amended accordingly. (CFO)
4. THAT the Municipal Manager must immediately make an arrangement with Eskom about the delayed payment. (MM)

VBSCuratorship_itm

ITEM A.20.15.03.18**PERSONNEL: TRANSFER OF WATER AND SANITATION STAFF AGREEMENT TO VHEMBE DISTRICT MUNICIPALITY
(5/5/3/11; 13/4)**

RESOLVED A.20.15.03.18 (COUNCIL)

1. THAT Council approves the transfer of fifty one (51) Makhado Local Municipality staff performing water and sanitation duties to Vhembe District Municipality with retrospective effect of 1 March 2018 on the terms and conditions as set out in the Memorandum of Agreement for the Transferring Municipality and the Receiving Municipality on the Transfer of Staff attached hereto as Annexure A. (DCS)
2. THAT Council takes note that the Transfer Agreement on Assets and Liabilities was still outstanding and would be negotiated and finalized by the Municipal Manager not later than April 2018 and then submitted to Council for approval. (DCS)

TransferWaterServices_itm

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B. 4.2 Resolutions of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): March 2018

None

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The meeting was closed and adjourned at 14:39.

Approved and confirmed in terms of the provisions of Clause 22.1 of the Rules of Orders, 2016 promulgated in Provincial Gazette Notice No. 2736 of 29 July 2016 under Local Authority Notice 125, by a resolution of the Council passed at the meeting held on 26 April 2018.

CHAIRPERSON

MDM/lh/SpecialCouncilMinutes_131