

**MAKHADO LOCAL MUNICIPALITY**  
**OFFICE OF THE DIRECTOR CORPORATE SERVICES**

MINUTES OF THE ONE HUNDRED AND THIRTY NINTH (139<sup>th</sup>) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD ON FRIDAY, 7 DECEMBER 2018 IN THE COUNCIL CHAMBER, CIVIC CENTRE, KROGH STREET, MAKHADO AT 14:00.

**PRESENT**

**Councillors**

BABADU, T M	MATUMBA, A
BALIBALI, T	MBOYI, M D
BALOYI, R S	MOGALE, L B
BULALA, S I	MOHLABA, T J
CHILILO, N F	MOKGOADI, M R
DAVHANA, N D	MUKHARI, M F
DZIVHANI, T E	MULEFU, M E
GABARA, M J	MUNYAI, N
KUTAMA, N	MUSANDIWA, P N
KUTAMA, T	NDOU, M N
LUDUVHUNGU, V S	NEMUDZIVHADI, N S
LUKHELI, J	NETHULWE, M F
MADULA, S	NYELISANI, S S
MADUWA, E	RALIPHADA, R
MADUWA, L G	RAMAVHOYA, K S
MADZHIGA, F N	RAMUSHAVHA, G M
MAFHALA, N A	RASHAMUSE, A G
MAGADA, M R	RATSHIKUNI, D
MALANGE, T M	SESHOKI, T
MALULEKE, K M	SIMANGWE, N J
MAMAROBELA, T P	SINYOSI, S M
MAPHUBU, K	SITHI, E T
MARAGA, T A	TAMBANI, T E
MASIPA, M L	TSHIAMBWA, L R
MASUKA, S	TSHIFURA, S S
MASUTHA, L G	TSHILAMBYANA, M S
MATHALISE, L M	

**Officials**

N C KHARIDZHA	(ACTING MUNICIPAL MANAGER AND DIRECTOR CORPORATE SERVICES)
K M NEMANAME	(CHIEF FINANCIAL OFFICER)
R V PHALANNDWA	(ACTING DIRECTOR DEVELOPMENT PLANNING)
H J LUKHELI	(ACTING DIRECTOR COMMUNITY SERVICES)
S W MATHONSI	(SARGEANT OF ARMS)
M D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)

**Traditional Leaders**

None

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## 1. **OPENING: MOMENT OF REFLECTION**

The Speaker, Cllr L B Mogale ruled that a moment of silence be observed for meditation and prayer, where after 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 democratic, accountable and service delivery orientated municipality committed to good governance and socio-economic development of its community"

Mission "We will use available resources effectively in order to address socio-economic imbalances through infrastructure and local economic development opportunities".

## 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 Order, 2016 published under Provincial Gazette Notice no. 2736 dated 29 July 2016 in respect of the Urgent Special Council meeting held on 7 December 2018 to Cllrs M A Mashamba, A du Plooy, M S Machete, N V Malivha, T D Mukwevho, G Tshibvumo, M D Ndou, M A Selapzana, G T Mukwevho, M C Nematandani, N B Jones, B K Jones, M G Furumela, S Z Mthombeni, T J Mamafha and M G Phoshoko.

### **REMARK:**

- 2.1 Cllrs F B Hlongwane, M J Mpashe, N S Munyai, R T Maingo, M E Malima and T C Mamafha were not present at the meeting.
- 2.2 Khosi T G Muila, Hosi S T Mukhari, Khosi V C Ramabulana, Hosi H S Mukhari, Khosi N T L Mashamba, Khosi P V Kutama, Khosi M M Mphephu, Khosi F Molema, Khosi P Netsianda and Khosi R H Sinthumule were not present at the meeting.

## 4. **OFFICIAL ANNOUNCEMENTS**

- 4.1 The Speaker, Cllr L B Mogale announced that since it was the last meeting before December recession, Councillors would be served finger lunch after the meeting as follows: For the Political Management Team and Executive Committee members at the Mayor's Office while all other councillors at the Executive Committee Chamber; Directors in the office of the Director Corporate Services.
- 4.2 The Speaker, Cllr L B Mogale announced that the 16 Days of Activism of the Makhado Municipality against the Abuse of Women and Children would be launched on Monday, 10 December 2018 at Waterval Community Hall.

## 5. **PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER**

- 5.1 The Speaker, Cllr L B Mogale congratulated all councillors for their co-operation and adherence to Council's Rules of Order during 2018.
- 5.2 The Speaker, Cllr L B Mogale congratulated administration for a fruitful year whereby the Municipality migrated from Disclaimer to Qualified Audit Opinion. However she also expressed disappointment about R60 million invested at VBS Mutual Bank in contravention of the Municipal Finance Management Act (MFMA) and Treasury Instruction.

- 5.3 The Speaker also thanked God Almighty that all members started and finished the year 2018 together and that there was no incident where any member passed on.
- 5.4 The Speaker proposed condolences to the family of the late Mr T Nndwambi, former Manager in Traffic and Licensing Division, and who also served as Cope Councillor in the previous term of Council.

## **6. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY PARTY REPRESENTATIVES**

- 6.1 Cllr N A Mafhala of the Democratic Alliance proposed that 2018 was a good year and expressed thanks to all political parties who participated in Council affairs during the course of the year.
- 6.2 Cllr T A Maraga of the Economic Freedom Fighters congratulated all councillors who participated in Council meetings from January 2018 to December 2018. She further wished everybody a Happy Christmas and a prosperous New Year.
- 6.3 Cllr T Seshoki of the Ximoko Party thanked the members for their participation in the year 2018. He further proposed that 2019 be the year of working together and that all political parties respecting each other.
- 6.4 Cllr M D Mboyi of the African National Congress proposed condolences and acknowledged various leaders of stature who had passed away over time, i.e. Nelson Mandela, Albertina Sisulu, Nomzamo Winfred Madikizela-Mandela, Edna Molema, Tambani, Moss Chikane, Zola Skhweyiya and Mendi Msimang, amongst others. They all played important roles and are now at rest.

Cllr M D Mboyi proposed condolences to the families of all those persons who passed away due to accidents on the N1 National Road in Limpopo.

Cllr M D Mboyi wished all members a safe and prosperous festive season with the hope to meet again in 2019.

## **7. REPORT OF THE EXECUTIVE COMMITTEE, AND SECTION 79 COMMITTEES**

7. (a) **Recommendations of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): November & December 2018**  
**476<sup>th</sup> Executive Committee Meeting: 22 November 2018**  
**477<sup>th</sup> Executive Committee Meeting: 3 December 2018**  
**478<sup>th</sup> Executive Committee Meeting: 7 December 2018**
- (b) **Recommendations of the Section 79 Oversight Committees in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): November & December 2018**  
**45<sup>th</sup> Section 79 Oversight Committee: Corporate Services meeting: 26 November 2018**  
**31<sup>st</sup> Section 79 Oversight Committee: Finance meeting: 26 November 2018**  
**46<sup>th</sup> Section 79 Oversight Committee: Corporate Services meeting: 3 December 2018**  
**32<sup>nd</sup> Section 79 Oversight Committee: Finance meeting: 3 December 2018**  
**26<sup>th</sup> Section 79 Oversight Committee: Development Planning meeting: 3 December 2018**  
**47<sup>th</sup> Section 79 Oversight Committee: Corporate Services meeting: 7 December 2018**

**ITEM A.190.07.12.18 (originally A.190.06.12.18)**

**PERFORMANCE MANAGEMENT: PERFORMANCE MANAGEMENT POLICY AND FRAMEWORK: 2018/19 – 2020/21: SECTION 56 & 57 MANAGERS (10/1/2)**

**RESOLVED A.190.07.12.18 (COUNCIL)**

1. THAT Council approves the Performance Management and Policy Framework, 2018/19 –

2020/21 attached as Annexure A to the report in this regard.

(MM)

2. THAT all Councillors must be trained on the Performance Management and Policy Framework, 2018/19-2020/21.

(MM)

PMSPolicy\_itm

**ITEM A.191.07.12.18 (originally A.191.06.12.18)**

**REVIEW OF MAKHADO BATHO PELE SERVICE STANDARDS: 2018/19 FINANCIAL YEAR  
(8/3/2)**

**RESOLVED A.191.07.12.18 (COUNCIL)**

1. THAT Council approves the reviewed Batho Pele Service Standards for the 2018/2019 financial year attached to the report in this regard as Annexure A, to easily monitor service delivery, with the following addition:

- 1.1 Elderly persons, pregnant women and disabled persons must be given first priority of assistance in the queues at all service points and they must be assisted accordingly by the municipal officials.

(DCS)

2. THAT the contents of the Batho Pele Service Standards be applied as Council's Batho Pele Service Standards, 2018/2019 with effect of the date of this Council Resolution.

BathoPeleStandards\_itm

(DCS)

**ITEM A.192.07.12.18 (originally A.192.06.12.18)**

**REVIEW OF MAKHADO STAKEHOLDERS MANAGEMENT FRAMEWORK, 2018/19 FINANCIAL YEAR  
(8/3/2)**

**RESOLVED A.192.07.12.18 (COUNCIL)**

1. THAT Council approves the reviewed Stakeholders Management for the 2018/2019 financial year as attached to the report in this regard, to enhance public participation effectively and efficiently, with the following addition:

- 1.1 In Public Participation sessions the Ward Councillors and Traditional Leaders must be given an opportunity in the programme to address their community.

(DCS)

2. THAT the contents of the Stakeholders Management Framework be applied as Council's Stakeholders Management Framework, 2018/2019 with effect of the date of this Council Resolution.

(DCS)

StakeholdersFramework\_itm

**ITEM A.193.07.12.18 (originally A.193.06.12.18)****PERSONNEL: CLOSING OF MUNICIPAL OFFICES DURING FESTIVE SEASON 2018/2019 (5/6/4)****RESOLVED A.193.07.12.18 (COUNCIL)**

1. THAT the closure of all municipal offices for the 2018/19 festive season be approved as follows -  
 Friday, 21 December 2018 at 12h00  
 Monday, 24 December 2018 at 12h00  
 Friday, 28 December 2018 at 12h00  
 Monday, 31 December 2018 at 12h00 (DCS)
2. THAT the Public Library services be closed on Saturday 22 and Saturday 29 December 2018 as well as Saturday, 5 January 2019. (DCOMS/DCS)
3. THAT the early closure of Municipal offices as set out in paragraph 1 above is subject to the following conditions:
  - 3.1 The Director Community Services must compile a management plan for disaster, emergency and traffic services during the festive season and the 24/7 Municipal Call Centre must be fully functional.
  - 3.2 Proper notice of the early closure must be published in the local media and notices displayed at strategic points in good time in order to inform members of public accordingly.
  - 3.3 All emergency and stand-by municipal services will continue uninterrupted as is the case in regard to all other public holidays and during week-ends.
  - 3.4 The 24/7 Municipal Call Centre must have two (2) call centre attendants on duty for every shift and a proposed plan on how to deal with disaster issues during this time must be submitted to the Municipal Manager. (ALL DIRS)
- 4 THAT a detailed management plan for disaster, emergency and traffic services be made available to all councillors as soon as it is compiled. (DCOMS)

ClosingOffices\_itm

**ITEM A.194.07.12.18 (originally A.194.06.12.18)****REPORTS AND SURVEYS: OUTSTANDING MATTERS: COUNCIL RESOLUTIONS – QUARTER 1: 2018/19 FINANCIAL YEAR (10/1/6/1)****RESOLVED A.194.07.12.18 (COUNCIL)**

THAT note be taken of the progress with implementing Council Resolutions in respect of meetings held during Quarter 1 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.

CouncilResolutionImplementationQ1-2018-2019\_itm

(DCS)

**ITEM A.195.07.12.18****COUNCIL COMMITTEES: APPOINTMENT: ICT STEERING COMMITTEE  
CHAIRPERSON AS INDEPENDENT EXTERNAL SPECIALIST  
(4/9/1; 4/9/2; 8/2/3)****RESOLVED A.195.07.12.18 (COUNCIL) -**

1. THAT Council approves thereof that the Accounting Officer recruits an independent external specialist to serve in the capacity as Chairperson of the ICT Steering Committee for a period not exceeding three (3) years calculated from the date of accepting such designation. (DCS)
2. THAT based on the experience, knowledge and qualification of the incumbent remuneration will be in accord with the Auditor General (SA) rates for a maximum of eight (8) hours per meeting including preparation. (DCS)

ICTSteerComChairperons\_itm

**ITEM A.196.07.12.18****PERSONNEL: UPPER LIMITS OF TOTAL REMUNERATION PACKAGES PAYABLE TO  
MUNICIPAL MANAGERS AND MANAGERS DIRECTLY ACCOUNTABLE TO  
MUNICIPAL MANAGER: 2018/19 FINANCIAL YEAR (GOVERNMENT GAZETTE NO.  
42023, 8 NOVEMBER 2018)  
(5/5/2/1)****RESOLVED A.196.07.12.18 (COUNCIL)**

1. THAT Council notes General Notice No 1224 (Department of Co-operative Governance and Traditional Affairs) of 2018 promulgated in Government Gazette No 42023 dated 8 November 2018 relating to the *Upper Limits of Total Remuneration Packages payable to Municipal Managers and Managers directly Accountable to Municipal Managers*. (DCS)
2. THAT it be noted that a report will be submitted under separate cover for Council's consideration of an application to the MEC for Cooperative Governance, Limpopo to determine the category of Makhado Local Municipality as Category 5 in view thereof that for 3 consecutive years now the rating of category achieves in terms of the criteria in the Notice for the *Upper Limits of Total Remuneration packages payable to Municipal Managers and Managers directly accountable to Municipal Managers* that of Category 5. (DCS)
3. THAT pending the consideration of the report referred to in paragraph 2 above, the cost of living salary increase of the Municipal Manager and Managers directly accountable to the Municipal Manager be paid with retrospective effect of 1 July 2018 under Category 4 of the Upper Limits of Total Remuneration packages payable to Municipal Managers and Managers directly accountable to Municipal Managers. (CFO)

4. THAT the Chief Financial Officer, Mr K M Nemaname receives retrospective increase of salary to 1 November 2018 only since he only commenced duty on that date. (CFO)

UpperLimitsSnrManagers2018\_itm

**ITEM A.197.07.12.18**

**COUNCIL LAND: PROPOSED SALE OF A PORTION OF ERF 1640, LOUIS TRICHARDT EXTENSION 1 TOWNSHIP: MR M R RAMBADO (E1640)**

**REMARK:**

When this matter was considered, Cllr N Kutama proposed, duly seconded by Cllr N J Simangwe that the matter be referred back for further investigation. The proposal was accepted in general and recorded as Council's Resolution herein below.

**RESOLVED A.197.07.12.18 (COUNCIL)**

THAT the matter be referred back for further investigation. (DDP)

ProposedPurchaseErf1640MRRambado\_itm

**ITEM A.198.07.12.18**

**COUNCIL LAND: PROPOSED SALE OF A PORTION OF ERF 1640, LOUIS TRICHARDT EXTENSION 1 TOWNSHIP: MR A C MUTWANAMBA (E1640)**

**REMARK:**

When this matter was considered, Cllr N Kutama proposed, duly seconded by Cllr N J Simangwe that the matter be referred back for further investigation. The proposal was accepted in general and recorded as Council's Resolution herein below.

**RESOLVED A.198.07.12.18 (COUNCIL)**

THAT the matter be referred back for further investigation. (DDP)

ProposedPurchaseErf1640ACMutwanamba\_itm

**ITEM A.199.07.12.18**

**COUNCIL LAND: PROPOSED SALE OF A PORTION OF ERF 1640, LOUIS TRICHARDT EXTENSION 1 TOWNSHIP: MR R LUDERE (E1640)**

**REMARK:**

When this matter was considered, Cllr N Kutama proposed, duly seconded by Cllr N J Simangwe that the matter be referred back for further investigation. The proposal was accepted in general and recorded as Council's Resolution herein below.

**RESOLVED A.199.07.12.18 (COUNCIL)**

THAT the matter be referred back for further investigation. (DDP)

ProposedPurchaseErf1640RLudere\_itm

**ITEM A.200.07.12.18****COUNCIL LAND: PROPOSED COMPENSATION BY ESKOM: SERVITUDE: REMAINDER OF PORTION 7, FARM BERGVLIET 288 LS  
(7/3/2/4 & 15/3/15)****RESOLVED A.200.07.12.18 (COUNCIL)**

1. THAT Council accepts the compensation offer from Eskom in the amount of R1, 063,740.00 for the right of way servitude across the Remainder of Portion 7 of the Farm Bergvliet 288 L.S.  
(DDP)
2. THAT the legal process be formalized and necessary documents be signed by the delegated Municipal official within the ambit of the law, and that the standard conditions for servitudes granted by Municipality be applicable. (DDP)

EskomCompensation\_itm

**ITEM A.201.07.12.18****COUNCIL LAND: APPLICATION FOR A PROPOSED SIX (6) YEARS LEASE FOR THE PURPOSE OF EXTRACTING SAND AND G5 MATERIAL ON PORTION 67 OF THE FARM VONDELING 285 LS  
(7/3/2/3 & 13/4)****RESOLVED A.201.07.12.18 (COUNCIL)**

THAT the application to lease portion 67 of the farm Vondeling 285 L.S for the purpose of extracting sand and G5 material received from Mr K L Muofhe, Managing Director of Triple Glimmer Projects CC be approved in principle, 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 lease portion 67 of Farm Vondeling 285 L.S be advertised in one (1) of the local newspapers for objections, if any.
2. A market related rental for the lease of portion 67 of Farm Vondeling 285 L.S must be determined by a Professional Valuer.
3. The term of lease be for a period of three (3) years, with lease renewal option.
4. The applicant must comply with the provisions of the National Environment Management Act, 1998 (Act No 107 of 1998) and the provisions of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), and all relevant departments must be consulted for comments and issuing of permit before operation.
5. The Environmental Management Section in the Department Development Planning of Council must be consulted for comments and such comments must be adhered to.
6. A standard lease agreement be entered into by and between Makhado Local Municipality and Mr K L Muofhe.
7. The applicant be informed that the Council Resolution cannot be processed unless he first confirmed in writing that the Municipality's cost related to advertisement and valuation payment will be paid back by Mr K L Muofhe. (DDP)

LeaseTripleGlimmerVondeling\_itm



**(REMARK:**

Items A.202.07.12.18 to A.211.07.12.18 are reports by MPAC reported directly to Council and are captured elsewhere in these minutes)

**ITEM A.212.07.12.18****PERSONNEL: EXTENDED ACTING IN THE VACANT POST OF DIRECTOR TECHNICAL SERVICES**

(5/3/4/5/23; 5/6/4)

**RESOLVED A.212.07.12.18 (COUNCIL) –**

1. THAT note be taken of the progress with recruitment of candidates for appointment in the vacant post of Director Technical Services, which post became vacant on 1 June 2018 and that it be approved that Mr M G Ralishuku continue to act in the vacant post with retrospective effect of 1 December 2018 for a period of three months, subject to the outcome of paragraph 2 below.

(DCS)

2. THAT an appeal be lodged with the MEC for Cooperative Governance, Human Settlement and Traditional Authority, Limpopo to in the special circumstances as described in the report approve thereof that Mr M G Ralishuku act for an extended period of three (3) months with retrospective effect of 1 December 2018 as Director Technical Services while the recruitment of suitable candidate is under way.

(DCS)

ActingDTSbeyond\_itm

**ITEM A.213.07.12.18****COUNCIL LAND: REQUEST FOR APPROVAL IN PRINCIPLE TO CONDUCT PUBLIC PARTICIPATION FOR FORTY (40) YEARS LEASE OF PORTION 1 OF THE FARM RIETVLY 276 LS FOR THE PURPOSE OF MINING (AGGREGATES)**

(7/3/2/4 & 13/4)

**REMARK:**

1. The matter was referred from item B19.07.12.18
2. When this matter was considered Cllr R S Baloyi proposed, duly seconded by Cllr P N Musandiwa that the matter be referred back for consideration at the next ordinary Council meeting. He further proposed that Council authorizes the Municipal Manager to in the meantime notify W G Wearne (Pty) Ltd of Council's intention to stop its operations due to their failure to adhere to the provisions of the lease agreement, and further that the Municipal Manager seek external legal expertise to facilitate the process which must be done within fourteen (14) working days. The proposal was accepted in general and recorded as Council Resolution herein below.

**RESOLVED B19.07.12.18 (EXECUTIVE COMMITTEE) –**

1. THAT the matter be referred back to afford the members of Executive Committee sufficient time to read through all documents and submission at the next following ordinary Council meeting.

(DCS)

2. THAT Council authorizes the Municipal Manager to notify W G Wearne (Pty) Ltd. Of Council's intention to stop the operations due to their failure to adhere to the provisions of the lease agreement, and that the Municipal Manager further seek external legal expertise to facilitate the process, which must be done within fourteen (14) working days.

(MM)

LeaseTripleGlimmer\_itm

**7.3 Resolutions 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 December 2018**

**ITEM A.202.07.12.18**

**MPAC: REPORT: AUDIT AND PERFORMANCE AUDIT COMMITTEE: ANNUAL REPORT: 2017/2018 FINANCIAL YEAR (4/11/1)**

**REMARK:**

When this matter was considered Cllr N F Chililo proposed, duly seconded by Cllr M N Ndou that the word "in future" in recommendation no. 1 be deleted. The proposal was accepted in general and recorded accordingly.

**RESOLVED A.202.07.12.18 (COUNCIL)**

1. THAT Council ensure that before investments are made with the Banks, the Municipality Investment Policy and all legislation governed the Municipality are complied with; if not the Accounting Officer, Chief Financial Officer and officials implicated must face difficult consequence management of paying the money back to the Municipality. (MM/CFO)
2. THAT the Municipality hired qualified, skilled and experienced employees, who must do what is expected of them to make sure that they put this Municipality where it is expected to be in terms of good governance. (DCS)
3. THAT if the Disciplinary Board for Financial Misconduct was not yet established the Accounting Officer must make sure that it is established for financial misconduct; and if not Council must consider and implement the advice of the Audit Performance and Audit Committee. (MM)
4. THAT in future the Accounting Officer must ensure that all requested financial statements are submitted to the Committee, failing which consequence management will apply. (MM)
5. THAT the Accounting Officer must bear in mind that Council Committees which play an oversight role are in place to advice and assist the Municipality in terms of financial matters, and Municipal officers must adhere to the policies of the Municipality. (MM/DIRS)
6. THAT the delay of processing tenders must come to an end because it is costing Municipality and communities are suffering from non-service delivery as the National Treasury has taken back R20 Million. (CFO)
7. THAT tender processes must improve in order to enhance service delivery. (CFO)
8. THAT for proper internal control measures to be implemented effectively, monthly reconciliation must be done. (ALL DIRS)
9. THAT the Accounting Officer and Chief Financial Officer ensure that the Investment Committee is established. (MM/CFO)

10. THAT the Accounting Officer must ensure that information in the Annual Financial Statements align with that of the General Ledger and Trial Balance; and that every transaction must have source documents. (CFO)
  11. THAT Management must implement all the recommendations of the Audit Performance and Audit Committee. (MM/DIRS)
  12. THAT the Risk Management Committee must submit reports in good time early to the Audit Committee. (MM)
  13. THAT the Internal Audit Committee must have meeting with MPAC quarterly. (MM)
- MPACAnnualAPACReport\_itm

#### **ITEM A.203.07.12.18**

#### **MPAC: FINANCES: PROPOSED AMENDMENT OF SUPPLY CHAIN MANAGEMENT POLICY FOR GOODS AND SERVICES (8/3/B)**

RESOLVED A.203.07.12.18 (COUNCIL)

THAT the Accounting Officer and his officials must make every effort to implement Supply Chain Management Policy to the latter; and if not the consequence management must be applied.

MPACAmendingSCMPolicy2018\_itm

(MM/ALL DIRS)

#### **ITEM A.204.07.12.18**

#### **MPAC: SECTION 71 REPORT: AUGUST 2018: 2018/2019 FINANCIAL YEAR (6/1/1(17/18))**

RESOLVED A.204.07.12.18 (COUNCIL)

1. THAT the monthly and Year to Date actuals amounts of R2, 777 must be reviewed. (CFO)
2. THAT although August is the second month of the new financial year, where high expenditure is expected, the municipality must take care of its expenditure and try to minimize it where possible. (CFO)
3. THAT payment of debts in time must be continuously maintained (CFO)
4. THAT the Municipality must include monthly budget in its Budget. (CFO)

MPACSection71ReportsQuarter1August2018\_itm

**ITEM A.205.07.12.18****MPAC: SECTION 71 REPORT: SEPTEMBER 2018: 2018/2019 FINANCIAL YEAR  
(6/1/1(18/19))**

RESOLVED A.205.07.12.18 (COUNCIL)

1. THAT source documents must be kept properly so that it will be easy to make reference on figures. (CFO)
2. THAT figures on different statements reflecting same information must tally; the Auditor General reflected this as one of the mistakes made on the financial statements. (CFO)
3. THAT the Municipality must continue to control its liabilities not to exceed assets. (CFO)
4. THAT the Municipality can pay more than its receipts if the bank account has enough money to cover the deficit; this will create a bank overdraft. (CFO)
5. THAT the Municipality must maintain this good financial position. (CFO)
6. THAT for the households, it is better to switch off electricity if they are not paying as required or send monthly statements to household with total balance owed in time. (CFO)
7. THAT Municipal Infrastructure Grant must be fully utilised to improve the general infrastructure of the Municipality. (DTS/CFO)

MPACSect71September2018\_itm

**ITEM A.206.07.12.18****MPAC: PERFORMANCE MANAGEMENT: FIRST QUARTER SERVICE DELIVERY AND  
BUDGET IMPLEMENTATION PLAN REPORT: 2018/19 FINANCIAL YEAR  
(10/1/4/1 – 10/1/4/8)**

RESOLVED A.206.07.12.18 (COUNCIL)

1. THAT the Municipality must work towards achieving at least 50% and above of its goals with proper planning as key. (MM)
2. THAT the Municipality must implement the Audit Action Plan; all errors and mistakes must be identified and rectified before external auditors are engaged; this will assist the Municipality to improve the audit opinion expressed on its status. (MM)

MPACSDDBIPQ1-2018-2019\_itm

**ITEM A.207.07.12.18****MPAC: FINANCES: IMPLEMENTATION OF MAKHADO MUNICIPAL SUPPLY CHAIN MANAGEMENT POLICY, 2018: QUARTER 1, 2018/19 FINANCIAL YEAR (1/3/54/1 & 10/1/5/2)**

RESOLVED A.207.07.12.18 (COUNCIL)

THAT the Accounting Officer and officials must follow Supply Chain Management Policy before procurement of goods and services. (MM/DIRS)

MPACImplementationQuarter1-2018-2019SCMPolicy\_itm

**ITEM A.208.07.12.18****MPAC: REPORTS: PROCUREMENT: CLAUSE 36: QUOTATION DEVIATIONS: 1<sup>st</sup> QUARTER: 2018/2019 FINANCIAL YEAR (10/1/5/2)**

RESOLVED A.208.07.12.18 (COUNCIL)

THAT the matter be referred back to the Accounting Officer to provide all the necessary supporting documents to the Committee to conduct its oversight role. (MM/CFO)

MPACQuotationDeviation1stQuarter2018-2019\_itm

**ITEM A.209.07.12.18****MPAC: REPORT ON THE PROJECT VISIT OF TSHIKWARANI, MANAVHELA AND ZAMEKOMSTE ACCESS ROAD AND MUDIMELI BRIDGE & ACCESS ROAD (12/3/3/66)**

RESOLVED A.209.07.12.18 (COUNCIL)

1. THAT with regard to the projects of Tshikwarani, Manavhela and Zamekomste access roads amounting to R 16, 8 million, and the Mudimeli Bridge & Access road amounting to R3 030 512,63 Council must-
  - 1.1. wait for a period of one year before retention monies are paid to contractors
  - 1.2. monitor the projects from day one until the end of the project
  - 1.3. ensure that community members are benefiting from the projects. (DTS)
2. THAT the Project Management Unit of the Department Technical Services must advise Council correctly to avoid poor planning. (DTS)
3. THAT before the contractor starts with its work the Director Technical Services must first consult the community stakeholders and explain all details about the project which is about to commence in their community in order to avoid strikes of this nature experienced with the Tshikwarani project, which delayed completion. (DTS)
4. THAT the Director Technical Services must liaise with the Chiefs who have unreasonable requests because it delays the project to start on time. (DTS)

5. THAT in future Contractors must make every effort to meet timeless and complete the set time in order to avoid extension of time which results in addition for which costs the municipality did not make provision. (DTS)

MPACInLocoInspectionReport\_itm

#### **ITEM A.210.07.12.18**

**MPAC: LITIGATION AGAINST MUNICIPALITY: TSHIAMISO TRADING 135 (PTY) LTD (PLAINTIFF) / MAKHADO LOCAL MUNICIPALITY (DEFENDANT): HIGH COURT OF SOUTH AFRICA, LIMPOPO DIVISION POLOKWANE, UNDER CASE NUMBER 2303/2018 (13/1/3/2/1)**

RESOLVED A.210.07.12.18 (COUNCIL)

THAT the Municipal Public Account Committee takes note of the Council Resolution and await investigation outcome of court case. (DCS)

MPACLitigationTshiamiso\_itm

#### **ITEM A.211.07.12.18**

**MPAC: LITIGATION AGAINST MUNICIPALITY: TSHIAMISO TRADING 135 (PTY) LTD (PLAINTIFF) / MAKHADO LOCAL MUNICIPALITY (DEFENDANT): HIGH COURT OF SOUTH AFRICA, LIMPOPO DIVISION POLOKWANE, UNDER CASE NUMBER 2628/2018 (13/1/3/2/1)**

RESOLVED A.211.07.12.18 (COUNCIL)

THAT the Committee (MPAC) takes note of the Council resolution, waiting for investigation outcome of court case. (DCS)

MPACTshiamisoKunda\_itm

#### **4.3 Resolution 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 December 2018**

#### **ITEM B.19.07.12.18**

**COUNCIL LAND: REQUEST FOR APPROVAL IN PRINCIPLE TO CONDUCT PUBLIC PARTICIPATION FOR FORTY (40) YEARS LEASE OF PORTION 1 OF THE FARM RIETVLY 276 LS FOR THE PURPOSE OF MINING (AGGREGATES) (7/3/2/4 & 13/4)**

#### **REMARK:**

1. The matter was referred from item A.213.07.12.18
2. The matter was again referred back to item A.213.07.12.18 by Council.

\* \* \* \* \*

The meeting was closed and adjourned at 15:37.

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 31 January 2019.