

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

MINUTES OF THE ONE HUNDRED AND FORTIETH (140<sup>th</sup>) URGENT SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD ON FRIDAY, 14 DECEMBER 2018 IN THE COUNCIL CHAMBER, CIVIC CENTRE, KROGH STREET, MAKHADO AT 12:00.

**PRESENT**

**Councillors**

BABADU, T M  
 BALIBALI, T  
 BALOYI, R S  
 BULALA, S I  
 CHILOLO, N F  
 DAVHANA, N D  
 DU PLOOY, A  
 DZIVHANI, T E  
 FURUMELE, M G  
 JONES, B K  
 JONES, N B  
 GABARA, M J  
 KUTAMA, N  
 KUTAMA, T  
 LUDUVHUNGU, V S  
 LUKHELI, J  
 MACHETE, M S  
 MADUWA, E  
 MADUWA, L G  
 MADZHIGA, F N  
 MAFHALA, N A  
 MAGADA, M R  
 MAIGO, R T  
 MALANGE, T M  
 MALIMA, M E  
 MALULEKE, K M  
 MALIVHANA, N V  
 MAMAFHA, T C  
 MAMAFHA, T J  
 MAPHUBU, K  
 MARAGA, T A  
 MASHAMBA, M A  
 MASIPA, M L

MASUKA, S  
 MASUTHA, L G  
 MATUMBA, A  
 MBOYI, M D  
 MOGALE, L B  
 MOKGOADI, M R  
 MPASHE, M J  
 MTHOMBENI, S Z  
 MUKHARI, M F  
 MULEFU, M E  
 MUKWEVHO, G T  
 MUKWEVHO, T D  
 MUNYAI, N  
 MUSANDIWA, P N  
 NDOU, M N  
 NDOU, M D  
 NEMATANDANI, NC  
 NEMUDZIVHADI, N S  
 NETHULWE, M F  
 NYELISANI, S S  
 PHOSHOKO, M G  
 RALIPHADA, R  
 RAMAVHOYA, K S  
 RAMUSHAVHA, G M  
 RASHAMUSE, A G  
 RATSHIKUNI, D  
 SESHOKI, T  
 SIMANGWE, N J  
 SITHI, E T  
 TAMBANI, T E  
 TSHIAMBWA, L R  
 TSHILAMBYANA, M S

**Officials**

N F TSHIVHENGWA	(MUNICIPAL MANAGER)
N C KHARIDZHA	(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)
T E SHIRINGANI	(ASSISTANT MANAGER CORPORATE SERVICES)

**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 14 December 2018 to Cllrs T P Mamorobela, L M Mathalise, S M Sinyosi, S Madula, and M G Phoshoko.

### **REMARK:**

2.1 Cllrs F B Hlongwane, G Tshibvumo, S S Tshifura, T J Mohlaba and M A Selapyane 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**

The Speaker, Cllr L B Mogale announced the presence of Mr K M Molokomme, Magistrate who would officiate the swearing in of the newly appointed Mayor later in the meeting. She welcomed him in the midst of Council.

REMARK: The recording of the swearing in of the Oath can be found under the matter referred as ITEM A.214.14.12.18

The duly signed Document of Oath was filed in Council's official records.

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

None

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

### **REMARK:**

These proposals were expressed after the Mayor had been elected under ITEM A.214.14.12.18 recorded later in these Minutes.

6.1 Cllr M E Malima M E on behalf of the Congress of the People party proposed congratulations to the newly elected Mayor, Cllr N S Munyai and expressed best wishes for his term of office.

- 6.2 Cllr S I Bulala on behalf of Economic Freedom Fighter party proposed congratulations to the newly elected Mayor, Cllr N S Munyai and encouraged him to promote improved service delivery and adherence to legislation of South Africa.
- 6.3 Cllr N A Mafhala of behalf of Democratic Alliance party proposed congratulations to the newly elected Mayor, Cllr N S Munyai and assured him that if he followed legislation and do good he would enjoy full support from the Democratic Alliance.
- 6.4 Cllr M D Mboyi, Chief Whip spoke on behalf of the African National Congress party and congratulated the newly elected Mayor, Cllr N S Munyai. She also encouraged the Mayor to work with all Councillors.

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

### **7. (a) Recommendation of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): December 2018**

**479<sup>th</sup> Executive Committee Meeting: 14 December 2018**

### **(b) Recommendation of the Section 79 Oversight Committees in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): December 2018**

**48<sup>th</sup> Section 79 Oversight Committee: Corporate Services meeting: 14 December 2018**

## **ITEM A.214.14.12.18**

### **ELECTIONS: RESIGNATION AND FILLING OF VACANCY IN THE EXECUTIVE COMMITTEE**

#### **(1) ELECTION OF A MEMBER OF EXECUTIVE COMMITTEE**

#### **(2) ELECTION OF MAYOR (CHAIRPERSON OF EXECUTIVE COMMITTEE)**

**(3/3/3)**

### **REMARK**

When this matter was considered the recommendation of Executive Committee was presented to Council. Paragraph 1 of the recommendation was approved and recorded as Council's Resolution.

The Speaker called for nominations of candidates for election in the seat of the African National Congress after a vacancy was created due to resignation of Cllr S M Sinyosi as Mayor and Chairperson of Executive Committee effective from 12 December 2018.

Cllr D M Mboyi proposed, duly seconded by Cllrs K M Maluleke and N F Chililo, that Cllr N S Munyai be elected as Member of the Executive Committee. Cllr N S Munyai accepted the nomination. The duly completed and signed nomination form was handed to the Speaker.

Since no further nominations were received the Speaker declared Cllr N S Munyai duly elected as Member of the Executive Committee effective 14 December 2018. She then called on Cllr N S Munyai to take his seat in the Council Chamber Section reserved for Executive Committee members, which he did.

The Speaker then proceeded to call nomination of candidates for the election as Mayor and Chairperson of Executive Committee which came about by the resignation of Cllr S M Sinyosi as Mayor and Chairperson of Executive Committee.

Cllr D M Mboyi proposed, duly seconded by Cllrs K M Maluleke and N F Chililo, that Cllr N S Munyai be elected as Mayor and Chairperson of the Executive Committee. Cllr N S Munyai accepted the nomination. The duly completed and signed nomination form was handed to the Speaker.

Since no further nominations were received the Speaker declared Cllr N S Munyai duly elected as Mayor of Makhado Local Municipality (and Chairperson of the Executive Committee) effective 14 December 2018.

The Speaker then called on Mr K M Molokomme, Magistrate to officiate the taking of the Oath by the Mayor.

Mr K M Molokomme, Magistrate officiated the swearing in of Oath by Councillor N S Munyai as follows-

*“Oath: I swear that I will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic of South Africa, and I solemnly promise to perform my functions and duties as a councillor of Makhado Local Municipality to the best of my ability. So help me God.”*

Upon conclusion of the ceremony, Mr K M Molokomme was released from the meeting at his own choice as he had other matters to attend to.

The Speaker then congratulated the Mayor, Cllr N S Munyai with his election and afforded him to deliver his maiden address to the Council, which he did as follows –

*“Madam Speaker, Chief Whip, Executive Committee members, Chairpersons of Section 79 Committees, Members of the Whippery Committee in their capacity as Councillors, Honourable Councillors, Administrative Component led by the Municipal Manager, Mahosi, Tihosi, Members of the media and People in the gallery, I greet you all this afternoon.*

*Madam Speaker, I feel very honoured today to be elected as the Mayor of Makhado Local Municipality. I am accepting this position knowing very well the tasks and responsibilities attached to the position. I am committed to serve in the best interest of the organization and the people of this Municipality as best as I possibly can.*

*Madam Speaker, people out there wants service delivery that can enable them to have a better life. They want clean drinking water, they want better roads, they want proper houses, and they want electricity, etcetera. And these and others are the main reasons of the existence of the Municipality.*

*Madam Speaker all of the above and others not mentioned here cannot be realised if we are not united (together we stand but divided we fall), we are not vigilant enough. We are therefore expecting all of us to work together, be it Councillors both from the ruling party and those from opposition party, Administrators led by the Municipal Manager, Unions and Employees of the Municipality as well as the Makhado Community at large.*

***Madam Speaker, in the spirit of service delivery we are requesting the Municipal Manager to prepare an assessment report in relation to the grading program which was developed to address roads and streets challenges in our Municipality. The purpose of the assessment is to check whether we are doing well in that program, which will put us in a better position when taking a way forward and that assessment report must be available before the end of January 2019.***

*Madam Speaker the IEC has put aside the 26<sup>th</sup> and 27<sup>th</sup> January 2019 as a public voter registration weekend. Let us encourage our people to go there in large numbers. Those who do not have Identity Documents are encouraged to go to Home Affairs and apply for it; and there are also Identity Documents that are pending at Home Affairs Offices without being collected - let us also encourage our people to go and collect it. There are also those voters for whom the IEC do not have addresses – let them also submit it to the IEC Offices.*

*Madam Speaker let me conclude by thanking the ruling party, my organisation the African National Congress, who has given me this privilege to lead this Municipality by having confidence in me. In the same breath I also like to thank my predecessor Cllr Shonisani Mildred Sinyosi for laying a good foundation for me. May the grace of God be with you for ever and ever and ever. Wishing you all a happy festive season, and do not drink and drive. I thank you.”*

Hereupon the Speaker permitted spokespersons of the respective political parties in Council to extend their congratulations to the newly elected Mayor. The recording thereof can be found under item 6 of the Minutes.

**RESOLVED A.214.14.12.18 (COUNCIL)**

1. THAT Council takes note that Cllr S M Sinyosi resigned as Mayor and Chairperson of Executive Committee and full-time councillor, effective on **12 December 2018**, which resulted in a vacancy in the Executive Committee and the Office of Mayor. (DCS)

2. That the remuneration of Cllr S M Sinyosi be amended accordingly to that of a **part-time municipal councillor** in terms of the provisions of *Determination of Upper Limits of Salaries, Allowances and Benefits of Different Members of Municipal Councils* promulgated under Notice No 1440 (Department Cooperative Governance and Traditional Affairs) of 15 December 2017 in Government Gazette No 41335 of 15 December 2017.

(CFO )

3. THAT it be noted that Cllr N S Munyai was duly elected unopposed in terms of the provisions of section 47 read with Schedule 3 of the Local Government Municipal Structures Act, 1998 as member of the Executive Committee effective 14 December 2018 for a period until the next general municipal elections. (DCS)

4. THAT it be noted that Cllr N S Munyai was in terms of the provisions of section 48 read with Schedule 3 of the Local Government: Municipal Structures Act, 17 of 1998 duly elected unopposed in the Office of Mayor of Council and Chairperson of the Executive Committee effective **14 December 2018** for the term that will end with the next general municipal elections. (DCS)

5. That the remuneration of Cllr N S Munyai be amended accordingly to that of **full-time Mayor** in terms of the provisions of the *Determination of Upper Limits of Salaries, Allowances and Benefits of Different Members of Municipal Councils* promulgated under Notice No 1440 (Department Cooperative Governance and Traditional Affairs) of 15 December 2017 in Government Gazette No 41335 of 15 December 2017. (CFO)

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The meeting was closed and adjourned at 13h00

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.

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**CHAIRPERSON**

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