

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

MINUTES OF THE VIRTUAL ONE HUNDRED AND FIFTY FIRST (151<sup>st</sup>) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD ON FRIDAY, 15 MAY 2020 IN THE EXECUTIVE COMMITTEE CHAMBER, FIRST FLOOR, CIVIC CENTRE, KROGH STREET, MAKHADO AT 11:00.

**PRESENT**

**Councillors**

BABADU, T M  
 BALIBALI, T  
 BALOYI, R S  
 BULALA, S I  
 CHILILO, N F  
 DAVHANA, N D  
 DZIVHANI, T E  
 FURUMELA, M G  
 GABARA, M J  
 JONES, B K  
 JONES, N B  
 LUDUVHUNGU, V S  
 LUKHELI, J  
 MADULA, S  
 MADUWA, E  
 MADUWA, L G  
 MADZHIGA, F N  
 MAGADA, M R  
 MAINGO, R T  
 MALANGE, T M  
 MALIMA, M E  
 MALIVHA, N V  
 MAMAFHA, T J  
 MAPHUBU, K  
 MARAGA, T A  
 MASHAMBA, M A  
 MASUKA, S  
 MASUTHA, L G  
 MATHALISE, L M  
 MATUMBA, A  
 MBOYI, M D  
 MOGALE, L B

MOHLABA, T J  
 MOKGOADI, M R  
 MPASHE, M J  
 MTHOMBENI, S Z  
 MUKHARI, M F  
 MUKWEVHO, G T  
 MUNYAI, N  
 MUNYAI, N S  
 MUSANDIWA, P N  
 NDOU, M D  
 NDOU, M N  
 NEMATANDANI, M C  
 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  
 SELAPYANA, M A  
 SIMANGWE, N J  
 SINYOSI, S M  
 SITHI, E T  
 TAMBANI, T E  
 TSHIBVUMO, G  
 TSHIFURA, S S  
 TSHILAMBYANA, M S

**Officials**

N F TSHIVHENGWA	(MUNICIPAL MANAGER)
K M NEMANAME	(CHIEF FINANCIAL OFFICER)
H J LUKHELI	(ACTING DIRECTOR COMMUNITY SERVICES)
N DAGADA	(ACTING DIRECTOR CORPORATE SERVICES)
M G RALISHUKU	(ACTING DIRECTOR TECHNICAL SERVICES)
R V PHALANNDWA	(ACTING DIRECTOR DEVELOPMENT PLANNING)
M D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)

**Traditional Leaders**

None

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**1. OPENING**

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.

**REMARK:**

1. This was the first virtual meeting held in line with directives under Government Notice no. 510 (Department of Co-Operative Governance and Traditional Affairs) promulgated by Minister of Cogta dated 7 May 2020 as published in Government Gazette no. 43291 dated 7 May 2020.
2. Zoom software application was used for this purpose.

She expressed that Councillors 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"*

**2. NOTICE OF THE MEETING**

The Speaker confirmed that all members had received notice of the virtual meeting, i.e. by sms and by e-mail.

**3. OFFICIAL ANNOUNCEMENTS**

3.1 The Speaker, Cllr L B Mogale announced that this was the first ever virtual Special Council meeting which was conducted in terms of the guidelines in SALGA Circular no. 18/2020 read in conjunction with Council's existing Rules of Order, 2016.

The Generic Rules for virtual meetings of Council and its committees will be submitted in writing at the next Council meeting. For the purpose of this meeting, the Speaker highlighted the subject of Housekeeping and of Powers, Privileges and Immunities, as recorded in the generic rules as follows:

**"7. Housekeeping**

7.1 During video meetings Councillors must:-

- (a) Make use of the video function;
- (b) Mute the microphone when not speaking;
- (c) Use the chat to raise a hand to engage in the dialogue; and
- (d) Wait for the chairperson of the meeting to recognise you to speak or unmute the microphone.

**8. Powers, Privileges and Immunities**

8.1 Councillors have the same powers, privileges and immunities which they ordinarily enjoy in Council and Committee proceedings."

Members were requested to take note thereof and the meeting proceeded according to said generic rules.

3.2 The Speaker, Cllr L B Mogale proposed condolences to the bereaved family of the late Cllr N A Mafhala, a member of Makhado Local Municipal Council who passed away on 21 April 2020.

3.3 The Speaker further proposed condolences to the bereaved family of former Portfolio Head Technical Services, Executive Committee member and Mayor of Nzhelele / Tshipise TLC, Mr N Muladi, who passed away on 8 May 2020.

#### 4. 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 virtual Special Council meeting held on 15 May 2020 to Cllr L R Tshiambwa.

**REMARK:**

2.1 Cllrs A du Plooy, F B Hlongwane, N Kutama, T Kutama, M S Machethe, T J Mohlaba, T D Mukwevho, M E Mulefu, K M Maluleke, T C Mamafha, T P Mamorobela, M L Masengana and T Seshoki did not participate in the meeting.

2.2 One vacancy existed after passing away of Cllr N A Mafhala on 21 April 2020.

2.3 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 P Netsianda, Khosi R H Sinthumule, Khosi F Molema and Khosi M M Mphephu did not participate in the meeting.

#### 5. REPORT OF THE EXECUTIVE COMMITTEE AND SECTION 79 COMMITTEES

**(a) Recommendations of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): May 2020**

510<sup>th</sup> Executive Committee Meeting held on 13 May 2020

511<sup>th</sup> Executive Committee Meeting held on 15 May 2020

**(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): May 2020**

69<sup>th</sup> Section 79 Oversight Committee: Corporate Services meeting: 14 May 2020

46<sup>th</sup> Section 79 Oversight Committee: Finance meeting: 15 May 2020

#### ITEM A.35.15.05.20

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

**REMARK:**

When this matter was considered, the Acting Director Corporate Services, Mr N Dagada recused himself from the meeting. He returned again when the matter was concluded.

**RESOLVED A.35.15.05.20 (COUNCIL) -**

1. THAT subject to the approval of the MEC for Cooperative Governance, Human Settlement and Traditional Affairs, Limpopo the Manager Human Resources, Mr N Dagada be designated to act for a further period in the capacity as Director Corporate Services, commencing with retrospective effect 1 May 2020 to 31 July 2020, 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(4)

**ITEM A.36.15.05.20**

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

**RESOLVED A.36.15.05.20 (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 April 2020 to 15 July 2020, 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) (b) of Local Government: Municipal Systems Act, 2003. (DCS)

ActingDCOMS\_itm(6)

**ITEM A.37.15.05.20**

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

**RESOLVED A.37.15.05.20 (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 retrospective effect of 1 May 2020 until 31 July 2020 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 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: Municipal Systems Act, 2003. (DCS)

ActingDDP\_itm(6)

**ITEM A.38.15.05.20****PERSONNEL: EXTENSION OF ACTING PERIOD: DIRECTOR TECHNICAL SERVICES  
(5/3/4/5/23; 5/6/4)****RESOLVED A.38.15.05.20 (COUNCIL)**

1. THAT it be approved that the Manager Civil Engineering, Mr M G Ralishuku be designated to act for a further period of three (3) months in the capacity as Director Technical Services, commencing with effect of 1 June 2020 until 31 August 2020, 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 Technical 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)

ActingDTS\_itm(7)

**ITEM A.39.15.05.20****FINANCES: DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF DIFFERENT MEMBERS OF MUNICIPAL COUNCILS: 2019/20 FINANCIAL YEAR  
(5/5/2/1)****RESOLVED A.39.15.05.20 (COUNCIL)**

1. THAT the provisions of *Government Notice (Department Co-operative Governance and Traditional Affairs) No 475, Remuneration of Public Office-bearers Act (20/1998): Determination of Upper Limits of Salaries, Allowances and Benefits of Different Members of Municipal Councils, in Government Gazette No 43246 dated 24 April 2020* be implemented by Council, as more fully recorded in Annexure B attached to the report in this regard: Provided implementation of the said upper limits of salaries, allowances and benefits of different members of municipal councils are subject to concurrence by the MEC for Coghsta, Limpopo. (CFO)
2. THAT note be taken of the contents of SALGA Circular No 15 of 2020 attached as Annexure A to the report in this regard. (DCS/CFO)
2. THAT Makhado Local Municipality is graded under level 4 and salary increase will be in line with level 4 grading. (CFO)

UpperLimitsCouncillors2020\_itm

**ITEM A.40.15.05.20****PERSONNEL: UPPER LIMITS OF TOTAL REMUNERATION PACKAGES PAYABLE TO MUNICIPAL MANAGERS AND MANAGERS DIRECTLY ACCOUNTABLE TO MUNICIPAL MANAGER: 2019/20 FINANCIAL YEAR (GOVERNMENT GAZETTE NO. 43122 DATED 20 MARCH 2020)****(5/5/2/1)****RESOLVED A.40.15.05.20 (COUNCIL)**

1. THAT Council **approves** General Notice No 351 (Department of Co-operative Governance and Traditional Affairs) of 2020 promulgated in Government Gazette No 43122 dated 20 March 2020 relating to the *Upper Limits of Total Remuneration Packages payable to Municipal Managers and Managers directly Accountable to Municipal Managers.* (DCS/CFO)
2. THAT 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 2019 under Category 4 of the Upper Limits of Total Remuneration packages payable to Municipal Managers and Managers directly accountable to Municipal Managers. (CFO)

UpperLimitsSnrManagers2020\_itm

**(c) Resolution of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): May 2020**

None

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The meeting was closed and adjourned at 11:39.

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 30 July 2020.

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**CHAIRPERSON**

MDM/lh/SpecialCouncilMinutes\_151