

MAKHADO LOCAL MUNICIPALITY
OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE VIRTUAL ONE HUNDRED AND SIXTY FIRST (161st) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD ON TUESDAY, 31 AUGUST 2021 AT 14:00.

PRESENT

Councillors

BABADU, TM	MATUMBA, A
BALIBALI, T	MAUDA, V O
BALOYI, R S	MBOYI, M D
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, B F	MUKWEVHO, T D
JONES, B K	MULEFU, M E
JONES, N B	MUNYAI, N
KHODOGA, J	MUNYAI, N S
KUTAMA, T	MUSANDIWA, P N
LUKHELI, J	NDOU, M D
MADULA, S	NDOU, M N
MADUWA, E	NEMUDZIVHADI, N S
MADUWA, L G	NETHULWE, M F
MADZHIGA, F N	PHOSHOKO, M G
MAGADA, M R	RALIPHADA, R
MAINGO, R T	RAMAVHOYA ,K S
MALANGE, T M	RAMUSHAVHA, G M
MALIVHA, N V	SELAPYANA, M A
MALULEKE, K M	SIMANGWE, N J
MAMAFHA, T C	SINYOSI, S M
MAMAFHA, T J	SITHI, E T
MAMOROBELA, T P	TAMBANI, T E
MAPHUBU, K	TSHIAMBWA, L R
MASHAMBA, M A	TSHIFURA, S S
MASUKA, S	TSHILAMBYANA, M S
MATHALISE L M	
MASUTHA, L G	

Officials

R V PHALANNDWA	(ACTING MUNICIPAL MANAGER)
N G RALIPHADA	(ACTING CHIEF FINANCIAL OFFICER)
S G MAGUGA	(ACTING DIRECTOR CORPORATE SERVICES)
M G RALISHUKU	(ACTING DIRECTOR TECHNICAL SERVICES)
H J LUKHELI	(ACTING DIRECTOR COMMUNITY SERVICES)
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.

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, by e-mail, and hard copy format.

3. OFFICIAL ANNOUNCEMENTS

The Speaker, Cllr L B Mogale announced that Cllr G T Mukwevho has resigned as PR Councillor of Makhado Local Municipality effective 23 August 2021, to resume with her new responsibilities as Member of the National Assembly.

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 31 August 2021 to Cllrs N Kutama, T A Maraga, S S Nyelisani, G Tshibvumo and M J Mpashe.

REMARK:

4.1 The following councillors were absent from the Special Council meeting held on 31 August 2021: Cllrs M J Gabara, V S Luduvhungu, M S Machethe, M C Nematandani, M L Masengana, D Ratshikuni and T Seshoki.

One vacancy existed with the resignation of Cllr G T Mukwevho on 23 August 2021.

4.2 The following traditional leaders were absent from the Special Council meeting held on 31 August 2021: 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 F Molema and Khosi M M Mphephu.

One vacancy existed with the passing away of Khosi R H Sinthumule.

5. REPORT OF THE EXECUTIVE COMMITTEE AND SECTION 79 COMMITTEES

(a) Report of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): August 2021

541st Executive Committee meeting held on 19 August 2021

542nd Executive Committee meeting held on 31 August 2021

(b) Report of the Section 79 Oversight Committees in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): August 2021

85th Section 79 Oversight Committee: Corporate Services meeting: 23 August 2021

60th Section 79 Oversight Committee: Finance meeting: 23 August 2021

53rd Section 79 Oversight Committee: Development Planning meeting: 23 August 2021

38th Section 79 Oversight Committee: Technical Services: 24 August 2021

ITEM A.87.31.08.21 (originally A.87.26.08.21)

COUNCIL AND EXECUTIVE COMMITTEE MEETINGS: JANUARY 2022 TO DECEMBER 2023

(4/2/1 & 4/3/1)

RESOLVED A.87.31.08.21 (COUNCIL)

1. THAT the program of meetings of Council and its Committees for the period 1 January 2022 to 31 December 2022 be approved and meetings be convened accordingly, as set out herein below:

CALENDAR YEAR 2022

Table 1

JANUARY 2022 TO DECEMBER 2022		
EXECUTIVE COMMITTEE 10h00 Thursday	PORTFOLIO COMMITTEES 09H00 onwards Monday, Tuesday, Wednesday	COUNCIL 14h00 Thursday
20 and 27 January 2022	24, 25 January 2022	27 January 2022 (Ordinary quarterly meeting (1)) <i>*2020/21 Draft Annual Report consideration</i> <i>* 2021/2022 Mid-year Assessment Report</i>
17 and 28 February 2022	21, 22 February 2022	28 February 2022 (Special meeting (1)) <i>approval of 2021/22 Adjustment Budget</i>
17 and 31 March 2022	22, 27 March 2022	31 March 2022 (Special meeting (2)) <i>2021/22 Draft Budget consideration, 2021/22 Draft IDP consideration and the 2020/21 Final Annual Report approval</i>
14 and 28 April 2022	19, 20 April 2022	28 April 2022 (Ordinary quarterly meeting (2))
19 and 31 May 2022	23, 24 May 2022	31 May 2022 (Special meeting (3)) <i>Approval of Final 2022/23 Budget, IDP and Final SDBIP 2022/23</i>
23 June 2022	27 & 28 June 2022	None

JANUARY 2022 TO DECEMBER 2022		
EXECUTIVE COMMITTEE 10h00 Thursday	PORTFOLIO COMMITTEES 09H00 onwards Monday, Tuesday, Wednesday	COUNCIL 14h00 Thursday
14 and 28 July 2022	18, 19 July 2022	28 July 2022 (Ordinary quarterly meeting (3)) <i>*Final 2022/23 SDBIP approval</i>
18 and 25 August 2022	22, 23 August 2022	25 August 2022 (Special meeting (4)) <i>2022/23 IDP and Budget Process Plan</i>
15 September 2022	19, 20 September 2022	None
13 and 27 October 2022	17, 18 October 2022	27 October 2022 (Ordinary quarterly meeting (4))
17 November 2022	21, 22 November 2022	8 December 2022 (Special meeting (4)) <i>only if required</i>

(DCS)

2. THAT notices of all Council meetings be distributed by the Department Corporate Services no less than seven (7) days in advance of the date of the meeting, as more fully required by the Standing Rules of Order, 2016, clause 4 to clause 6 promulgated in Provincial Gazette No 2736 of 29 July 2016. (DCS)
3. THAT in order to comply with requirements of the Local Government Municipal Finance Management Act, 2003 read with the Local Government Municipal Systems Act, 2000, the following **Special Council** meetings are held during Calendar Year 2022 -
 - 3.1 for consideration of the 2021/22 Adjustment Budget, if applicable, on **28 February 2022**;
 - 3.2 for consideration of the Draft Estimates 2022/23 and the Draft IDP 2022/23 and the Final Annual Report 2020/21 on **31 March 2022**;
 - 3.3 for consideration of the final Estimates 2022/2023 and final Integrated Development Plan 2022/23 on **31 May 2022**. (DCS)
4. THAT a Special Council meeting before Council recession during December 2022 be held on 8 December 2022 in order to consider any outstanding issues before the commencement of the 2nd and last half of the 2022/23 financial year. (DCS)
5. THAT the program of meetings of Council and its Committees for the period 1 January 2023 to 31 December 2023 be adopted and meetings be convened accordingly, as set out herein below:

CALENDAR YEAR 2023**Table 3**

JANUARY 2023 TO DECEMBER 2023		
EXECUTIVE COMMITTEE 10h00 Thursday	PORTFOLIO COMMITTEES 09H00 onwards Monday, Tuesday, Wednesday	COUNCIL 14h00 Thursday
19 and 26 January 2023	23, 24 January 2023	26 January 2023

JANUARY 2023 TO DECEMBER 2023		
EXECUTIVE COMMITTEE 10h00 Thursday	PORTFOLIO COMMITTEES 09H00 onwards Monday, Tuesday, Wednesday	COUNCIL 14h00 Thursday
		(Ordinary Quarterly meeting (1)) <i>*Draft 2021/22 Annual Report and 2021/22 Mid-year Assessment Report</i>
16 and 23 February 2023	20, 21 February 2023	23 February 2023 (Special meeting (1)) <i>2022/23 Adjustment Budget</i>
16 and 30 March 2023	22, 23 March 2023	30 March 2023 (Special meeting (2)) <i>2023/24 Draft Budget, 2023/24 Draft IDP and Final 2021/22 Annual Report</i>
12 and 26 April 2023	17, 18 April 2023	26 April 2023 (Ordinary quarterly meeting (2))
11 and 25 May 2023	15, 16 May 2023	25 May 2023 (Special meeting (3)) <i>Approval of final 2023/24 Budget and IDP</i>
22 June 2023	26, 27 June 2023	None
13 and 27 July 2023	17, 18 July 2023	27 July 2023 (Ordinary quarterly meeting (3)) <i>*Final 2023/24 SDBIP</i>
17 and 31 August 2023	21, 22 August 2023	31 August 2023 (Special meeting (4)) <i>2023/24 IDP and Budget Process Plan</i>
14 September 2023	18, 19 September 2023	None
12 and 26 October 2023	17, 18 October 2023	26 October 2023 (Ordinary quarterly meeting (4))
16 November 2023	20, 21 November 2023	7 December 2023 <i>(Special meeting (4)), only if required</i>

(DCS)

6. THAT in order to comply with requirements of the Local Government Municipal Finance Management Act, 2003 read with the Local Government Municipal Systems Act, 2000, the following Special Council meetings are held during the Calendar Year 2023 -

6.1 for consideration of the 2022/23 Adjustment Budget, if applicable, on **23 February 2023**;

6.2 for consideration of the Draft Estimates 2023/24 and the Draft IDP 2023/24 and the Final Annual Report 2021/22 on **30 March 2023**;

6.3 for consideration of the final Estimates 2023/24 and final Integrated Development Plan 2023/24 on **25 May 2023**.

(DCS)

7. THAT a Special Council meeting before Council recession during December 2023 be held on 7 December 2023 in order to consider any outstanding issues before the commencement of the 2nd and last half of the 2023/2024 financial year.

(DCS)

ITEM A.88.31.08.21 (originally A.88.26.08.21)**FINANCES: 2022/2023 TO 2023/2024 IDP AND BUDGET TIME SCHEDULE
(6/1/1 2021/2022 & 15/7/1)****RESOLVED A.88.31.08.21 (COUNCIL)**

THAT Council approves the 2022/2023 to 2023/2024 IDP and Budget time schedule with the IDP Process Plan as proposed in the Annexure A and B attached to the report in this regard, with the following correction:

In Annexure A on page EC 2021/5059, the first table- the dates in the last line be substituted for 12, 13, 14 and 15 April 2022, to synchronise with IDP Regional consultative meetings. (DDP/CFO)

Budget&IDPTimetable_itm

ITEM A.89.31.08.21 (originally A.89.26.08.21)**COUNCIL COMMITTEES: EXTENSION OF APAC MEMBERS AND CHAIRPERSON OF RISK COMMITTEE CONTRACTS
(4/11/1)****RESOLVED A.89.31.08.21 (COUNCIL)**

1. THAT Council approves the extension of Audit Performance and Audit Committee members as well as the Chairperson of Risk Committee contract as required by section 166 of the Municipal Finance Management Act, Act No. 56 of 2003. (DCS)
2. THAT Council approves the three months' extension from 1 September 2021 to 30 November 2021 of Audit Performance and Audit Committee members as well as the Chairperson of Risk Committee contracts. (DCS)

ExtensionAPACContract_itm

ITEM A.90.31.08.21 (originally A.90.26.08.21)**ESSENTIAL SERVICES: PROPOSAL TO TAKE OVER ELECTRICITY SUPPLY AT R293 TOWNSHIPS
(16/2/1)****REMARK:**

When this matter was considered, Cllr K M Maluleke proposed, duly seconded by Cllr N V Malivha that the matter be referred back.

RESOLVED A.90.31.08.21 (COUNCIL)

THAT the matter be referred back. (CFO)

R293TownshipLicense_itm

ITEM A.91.31.08.21 (originally A.91.26.08.21)**FINANCE: ASSETS MANAGEMENT: ASSETS WRITE OFF OR DISPOSAL 30 JUNE 2021:
FINANCIAL PERIOD 2020/21 FINANCIAL YEAR ASSETS
(8/1/1)****RESOLVED A.91.31.08.21 (COUNCIL)**

THAT Council approves the disposal and write off of the movable and immovable assets reflected in Annexure A and B attached to the report in this regard, in order to ensure the assets disclosed in the 2020/21 financial statements are fairly stated. (CFO)

Disposal2020-21_itm

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The meeting was closed and adjourned at 14:57.

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 28 October 2021.

CHAIRPERSON

MDM/lh/SpecialCouncilMinutes_161