

MAKHADO LOCAL MUNICIPALITY
OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE ONE HUNDRED AND SIXTY NINTH (169th) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD AT THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, MAKHADO ON WEDNESDAY, 29 JUNE 2022 AT 14:00.

PRESENT

Councillors

BALOYI, R	MASIPA, P N
BALOYI, R S	MASUKA, S
BALOYI, S E	MATHALISE, L M
CHILILO, N F	MATUMBA, N J
DAVHANA, N D	MBOYI, M D
DZHIVHUHO, A S	MOKGOADI, M R
HALGREEN, C D	MPASHE, M J
HLANGWANI, B	MUDUNUNGU, N A
HLONGWANI, B F	MUKHELI, K
KUTAMA, T	MUKHUBA R
MABASA, W	MUKHUDWANA, R
MADZHIGA, F N	MUKOSI, M
MABUDU, H G	MULAUDZI, M E
MAHOSI, N S	MULEFU, M E
MAKAMU, T T	MUSHANDANA, T T
MAKWALA, M R	NDOU, M D
MALANGE, M C	NEMUDZIVHADI, N S
MALANGE, T M	NGOBENI, T T
MALIVHA, N V	PHANGAMI, L
MALULEKE, H G	PHULUWA, M I
MAMAFHA, T J	RAMALIVHANA, M
MAPHAHLA, A Z	RAVELE, T R
MAPHAKELA, K P	SEBOLA, D J
MARAGA, M	SELAPYANA, M A
MARAGA. T A	SIMANGWE, N J
MASHAMBA, L	SINGO, M D
MASHAU, P	SWALIVHA, M
MASHAU, T C	

Officials

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

Traditional Leaders

None

1. OPENING

The Speaker, Cllr M D Mboyi ruled that a moment of silence be observed for meditation and prayer, whereafter she declared the meeting officially opened.

2. NOTICE OF THE MEETING

The Speaker expressed that all 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"*

She further confirmed that all members had received notice of the meeting by sms, e-mail and hard copy.

3. OFFICIAL ANNOUNCEMENTS

The Speaker, Cllr M D Mboyi announced that on 10 June 2022, the Office of the Speaker received a letter from Cllr L B Mogale, wherein she resigned as Councillor of Makhado Municipality with effect from 30 June 2022. The Speaker expressed well wishes to Cllr L B Mogale.

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 Special Council meeting held on 29 June 2022 to Cllrs M G Furumele, M J Gabara, N B Jones, A Madavha, M R Magada, R T Maingo, L B Mogale, G T Mukwevho, N Munyai, N S Munyai, K Maphubu, R Raliphada, M W Ramalwa, E T Sithi, P A Smalle and I A Tshidavhu.

REMARK:

The following councillors were absent from the Special Council meeting held on 29 June 2022: Cllrs N Kutama, F P Makhubele, T C Mamafha and M S Tshilamyana.

5. REPORT OF THE EXECUTIVE COMMITTEE

(a) Report of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): June 2022

561st Executive Committee meeting held on 27 June 2022

562nd Executive Committee meeting held on 29 June 2022

(b) Recommendations of the Section 79 Oversight Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): June 2022

95th Section 79 Oversight Committee: Corporate Services meeting: 27 June 2022

68th Section 79 Oversight Committee: Finance meeting: 27 June 2022

38th Section 79 Oversight Committee: Community Services: 27 June 2022

ITEM A.78.29.06.22**FINANCES: FINAL NERSA APPROVAL ON ELECTRICITY TARIFFS INCREASE 2022/2023 FINANCIAL YEAR (6/1/1(2022/2023))****RESOLVED A.78.29.06.22 (COUNCIL)**

THAT the final approved NERSA Electricity tariff of 7.47% be approved by Council **and** necessary promulgation thereof be done in terms of the provisions of Local Government: Municipal Systems Act, 2000. (CFO)

NersaIncreases2022-2023_itm

ITEM A.79.29.06.22**FINANCE: ASSETS MANAGEMENT: ASSETS WRITE OFF OR DISPOSAL 30 JUNE 2022: FINANCIAL PERIOD 2021/22 FINANCIAL YEAR ASSETS (10/1/5/2)****RESOLVED A.79.29.06.22 (COUNCIL)**

THAT Council approves the disposal and write off of the transport and scrapped electricity equipment in Annexure A attached to the report in this regard, in order to ensure the assets disclosed in the 2021/22 financial statements are fairly stated. (CFO)

DisposalTransport2021-22_itm

ITEM A.80.29.06.22**FINANCES: INSTRUCTION FROM LOCAL MAGISTRATE ON TRAFFIC INFRINGEMENT MATTERS – NEW UNIFORM NATIONAL INSTRUCTION TO LAW ENFORCEMENT AGENCIES: TRAFFIC FINES PROPOSED WRITE-OFF FOR 2021/2022 FINANCIAL YEAR (10/1/5/2)****RESOLVED A.80.29.06.22 (COUNCIL)**

THAT Council approves the write-off for R19,376,660.00 as per the new uniform National Instruction to all jurisdictions about traffic infringement matters as received from the Magistrate K M Molokomme of Louis Trichardt in a letter dated 25 March 2021, and that Municipality in terms of said instruction may no longer collect an amount of R19,376,660.00 for the categories as explained in the report in this regard. (CFO/DCOMS)

WriteOffTrafficFines_itm

ITEM A.81.29.06.22**DOMESTIC SERVICES: REVIEW OF HUMAN RESOURCE GOVERNANCE RELATED POLICIES, 2022/23 FINANCIAL YEAR (8/2/3/B)****RESOLVED A.81.29.06.22 (COUNCIL)**

1. THAT Council takes note of Local Government Municipal Staff Regulations, 2021 attached as Annexure A to the report in this regard. (DCS)
2. THAT the following five (5) Human Resource Policies attached as Annexures B to the report in this regard, be approved by Council:
 - (i) Recruitment and Selection Policy, 2022
 - (ii) Skill Development Policy, 2022
 - (iii) Transfer of Staff Policy, 2022
 - (iv) Acting Allowance Policy, 2022
 - (v) Training and Development Policy, 2022 (DCS)

HRPolicy2022_itm

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5.3 Recommendations of the Section 79 Standing Committee: Municipal Public Account Committee in terms of section 59 (1) of the Local Government: Municipal System Act, 2000 (Act 32 of 2000): March 2022**ITEM A.82.29.06.22****MPAC: MUNICIPAL PUBLIC ACCOUNT COMMITTEE CHARTER, 2022/23 FINANCIAL YEAR (4/33)****RESOLVED A.82.29.06.22 (COUNCIL)**

THAT MPAC approve the MPAC Charter/Terms of Reference for the 2022/2023 financial year attached to the report in this regard. (DCS)

MPAC Charter 2022/23_itm

ITEM A.83.29.06.22**MPAC: MPAC ANNUAL WORK PLAN/PROGRAMME 2022/23 FINANCIAL YEAR (4/33)****RESOLVED A.83.29.06.22 (COUNCIL)**

1. THAT MPAC approve the Annual Work Plan/Programme for the 2022/2023 financial year attached to the report in this regard as Annexure. (DCS)

2. THAT all MPAC members be trained and workshopped on financial orientated matters and governance. (DCS)

MPACworkprogramme 2022-2023_itm

ITEM A.84.29.06.22

MPAC: PERFORMANCE MANAGEMENT: THIRD QUARTER SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) REPORT: 2021/22 FINANCIAL YEAR (10/1/4/1-10/1/4/8)

RESOLVED A.84.29.06.22 (COUNCIL)

1. THAT MPAC takes note of the third quarter Service Delivery and Budget Implementation Plan (SDBIP) Report for the 2021/22 financial year. (DCS)
2. THAT it be noted that the SDBIP, Adjustment Budget and IDP aligned. (DDP/CFO/MM)

MPACSDBIPQuarter3_itm

ITEM A.85.29.06.22

MPAC: FINANCES: REPORT ON SPECIAL ADJUSTMENT BUDGET (2021/22 FINANCIAL YEAR) (6/1/1(2021/22))

RESOLVED A.85.29.06.22 (COUNCIL)

THAT it be noted that the Special Adjustment Budget 2021/22 financial year, the SDBIP and the IDP aligned. (DCS)

MPACSpecial AdjustmentBudget21-22_itm

ITEM A.86.29.06.22

MPAC: FINANCES: PROCUREMENT: CLAUSE 36: DEVIATIONS REPORT FOR THIRD QUARTER ENDING 31 MARCH 2022 (10/1/5/2)

REMARK:

When this matter was considered, Cllr R Mukwevho proposed, duly seconded by Cllr M C Malange that the matter be withdrawn from the agenda. The proposal was accepted in general and the matter was withdrawn from the Council's agenda.

ITEM A.87.29.06.22

MPAC: FINANCE: IN YEAR MONITORING AND REPORTING: 3rd QUARTER: 2021/2022 FINANCIAL YEAR (6/1/1(2021/22))

RESOLVED A.87.29.06.22 (COUNCIL)

1. THAT the MPAC appreciate the good work done by the Municipality in terms of revenue collection, however it is recommended to conduct land audit particularly on farms to enhance revenue collection. (CFO)

2. THAT the Municipal Manager must monitor Department of Community Services and assist the Department to spend their budget before end of Quarter 4. (MM)
3. THAT the Municipality must request Ward Councillors to encourage community members to complete indigent forms. (DCS)
4. THAT all Ward Councillors must collect free basic forms and when completed submit such forms to the Municipality. (DCS)
5. THAT the Municipality must increase staff who will complete forms. (DCS)
6. THAT the Municipality must switch off electricity to Organs of State and commercial users who are owing more than 90 days. (DTS)
7. THAT the Municipality must do awareness campaign and also remind all debtors to pay their debts in time. (CFO)
8. THAT the Municipality must come out with strategies to enhance debt recovery through:
 - (i) Community awareness
 - (ii) Data collection on indigents
 - (iii) Appointment of debt collector
 - (iv) Land Audit/ data cleansing (CFO)
9. THAT the Municipality must advertise tenders during the first quarter so that the second and third quarters can be dedicated for implementation, to avoid carrying over projects to next financial year. (CFO)

MPACMonitoringQ3 2022_itm

ITEM A.88.29.06.22

MPAC: FINANCES: ASSESSMENT OF PERFORMANCE OF CONTRACTED SERVICE PROVIDERS: QUARTER 3 : 2021/22 FINANCIAL YEAR (10/1/5/2)

RESOLVED A.88.29.06.22 (COUNCIL)

THAT the Municipality must monitor service providers who are not performing. (CFO)

MPACAssessmentQ3ServiceProviders_itm

ITEM A.89.29.06.22**MPAC: REPORTS AND SURVEYS: OUTSTANDING MATTERS: COUNCIL RESOLUTIONS – QUARTER 3: 2021/22 FINANCIAL YEAR (10/1/6/1)****RESOLVED A.89.29.06.22(COUNCIL)**

THAT the Municipality must implement all Council Resolutions of 2021/2022 in time.

(MM/ALL DIRS)

MPACCouncilResolutionImplementationQ3-2021-2022_itm

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The meeting was closed and adjourned at 14:52.

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 July 2022.

CHAIRPERSON

MDM/lh/SpecialCouncilMinutes_169