

MAKHADO LOCAL MUNICIPALITY
OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE ONE HUNDRED AND SEVENTY SEVENTH (177th) URGENT SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD AT THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, MAKHADO ON MONDAY, 18 SEPTEMBER 2023 AT 13:00.

PRESENT

Councillors

BALOYI, R
 BALOYI, R S
 BALOYI S E
 CHILILO N F
 DAVHANA N D
 DZHIVHUHO, A S
 FURUMELE, M G
 GABARA, M J
 HLANGWANI, B
 HLONGWANI, B F
 JONES, N B
 KUTAMA, N
 KUTAMA, T
 MABASA, W
 MABUDU H G
 MADAVHA, A
 MADZHIGA, F N
 MAGADA, M R
 MAHOSI, N S
 MAINGO, R T
 MAKAMU, T T
 MAKHUBELE, F P
 MAKWALA M R
 MALANGE, M C
 MALIVHA, N V
 MALULEKE, H G
 MAMAFHA, T J
 MANGANYE, K N
 MAPHAHLA, Z A
 MAPHAKELA KP
 MAPHUBU, K
 MARAGA, M
 MASHAU, T C

MASIPA, P N
 MASUKA, S
 MATHALISE, L M
 MATIDZA, T R
 MATUMBA, N J
 MBOYI, M D
 MOKGOADI, M R
 MPASHE M J
 MUDUNUNGU N A
 MUKHELI, K
 MUKHUBA R
 MUKOSI M
 MUKOSI, M R
 MUKWEVHO-MITILENI, G T
 MULAUDZI, M E
 MULEFU, M E
 MUNYAI N S
 MUSHANDANA, T T
 NEMUDZIVHADI, N S
 PHANGAMI, M L
 PHULUWA, M I
 RALIPHADA, R
 RAMALATA T T
 RAMALIVHANA, M
 RAMALWA, M W
 RAVELE, T R
 SEBOLA, D J
 SIMANGWE, N J
 SINGO, M D
 SITHI, E T
 SMALLE, P A
 SWALIVHA, M
 TSHIDAVHU I A

Officials

K M NEMANAME
 S G MAGUGA
 A MABUNDA
 D G SIBOIBOI
 H J LUKHELI
 M MABALA
 M G RATHANDO
 D MUNYAI

(MUNICIPAL MANAGER)
 (DIRECTOR CORPORATE SERVICES)
 (DIRECTOR DEVELOPMENT PLANNING)
 (DIRECTOR TECHNICAL SERVICES)
 (DIRECTOR COMMUNITY SERVICES)
 (ASSISTANT MANAGER COMMITTEES)
 (MANAGER COUNCIL AFFAIRS)
 (ADMINISTRATIVE OFFICER: COMMITTEES)

Traditional Leaders

None

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1. OPENING

The Speaker, 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

None

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 Urgent Special Council meeting held on 18 September 2023 to Cllrs L Mashamba, P Mashau, M D Ndou, T M Malange, M S Tshilamyana and N Munyai.

REMARK:

The following councillors were absent from the Special Council meeting held on 18 September 2023: Cllrs W L Esterhuizen, R Mukhudwana and T C Mamafha.

5. REPORT OF THE EXECUTIVE COMMITTEE

5.1 Report of the Executive Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): September 2023

588th Executive Committee meeting held on 18 September 2023

5.2 Recommendation of the Section 79 Oversight Committee in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): September 2023

109th Section 79 Oversight Committee: Corporate Services meeting: 18 September 2023

ITEM A.100.18.09.23**PERSONNEL: RESCINDMENT OF COUNCIL RESOLUTION ON SPECIAL LEAVE OF FORMER ACTING CHIEF FINANCIAL OFFICER: MR N G RALIPHADA (7/3/2/3/34; 13/1/1 & 13/4)****REMARK:**

1. When this matter was considered Cllr M G Furumele proposed, duly seconded by Cllr P A Smalle that the DA is opposing the recommendation and that they request the Council to rescind its decision to place Mr N G Raliphada on special leave.
2. Cllr M W Ramalwa proposed, duly seconded by Cllr K N Manganye that placing of Mr N G Raliphada on special leave is inconsistent with the Makhado Local Municipality policies, therefore the Council must rescind its decision to place Mr N G Raliphada on special leave.
3. Cllr M A Mudunungu proposed, duly seconded by Cllr N V Malivha that the recommendation number 1 be changed to read as follows: *“THAT the Council terminate the acting tenure of Mr N G Raliphada as Acting Chief Financial Officer to avoid conflict of interest.”*
4. Cllr N F Chililo proposed, duly seconded by Cllr N D Davhana that the Speaker should apply rule 12.6 of the Standing Rules of Order, 2016 wherein the Speaker, Cllr M D Mboyi rule that the voting will be by the show of hands.
5. During the voting process Cllr S Masuka recused himself and other councillors abstained from voting wherein the proposal by Cllr M G Furumele received 11 votes, the proposal by Cllr M W Ramalwa received 11 votes and the proposal by Cllr N A Mudunungu received 48 votes.
6. Then the proposal that the Council terminates the acting tenure of Mr N G Raliphada as Acting Chief Financial Officer to avoid conflict of interest was accepted in general and became Council's Resolution herein below.

RESOLVED A.100.18.09.23 (COUNCIL)

1. THAT the Council terminate the acting tenure of Mr N G Raliphada as Acting Chief Financial Officer to avoid conflict of interest. (DCS)
2. THAT Mr N G Raliphada must continue with his responsibility as Manager Budget and Financial Reporting. (DCS)

SpecialLeaveCFO_itm

ITEM A.101.18.09.23**PERSONNEL: RE-APPOINTMENT OF ACTING CHIEF FINANCIAL OFFICER (5/3/B, 5/3/4/3)****REMARK:**

When this matter was considered, Cllr S Masuka recused himself from participating in the item.

RESOLVED A.101.18.09.23 (COUNCIL)

THAT Council must request the MEC for Co-operative Governance, Human Settlement and Traditional Affairs (Coghsta) to second an official to act in the position of Chief Financial Officer until the position is filled. (DCS)

ReAppointmentCFO_itm

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The meeting was closed and adjourned at 15:50.

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 October 2023.

CHAIRPERSON

MDM/mm/SpecialCouncilMinutes_177