

MAKHADO LOCAL MUNICIPALITY
OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE ONE HUNDRED AND SEVENTY NINTH (179th) URGENT SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD AT THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, MAKHADO ON WEDNESDAY, 15 NOVEMBER 2023 AT 14:00.

PRESENT

Councillors

BALOYI, R	MASIPA, P N
BALOYI, R S	MASUKA, S
BALOYI S E	MATHALISE, L M
CHILILO N F	MATIDZA, T R
DZHIVHUHO, A S	MATUMBA, N J
ESTERHUIZEN, W L	MBOYI, M D
FURUMELE, M G	MPASHE M J
GABARA, M J	MUDUNUNGU N A
HLANGWANI, B	MUKHELI, K
JONES, N B	MUKHUBA R
KUTAMA, N	MUKHUDWANA, R
KUTAMA, T	MUKOSI M
MABASA, W	MUKOSI, M R
MABUDU H G	MUKWEVHO-MITILENI, G T
MADAVHA, A	MULAUDZI, M E
MADZHIGA, F N	MULEFU, M E
MAGADA, M R	MUNYAI, N
MAHOSI, N S	MUNYAI N S
MAINGO, R T	MUSHANDANA, T T
MAKAMU, T T	NDOU, M D
MAKHUBELE, F P	NEMUDZIVHADI, N S
MAKWALA M R	PHANGAMI, M L
MALANGE, M C	PHULUWA, M I
MALANGE, T M	RALIPHADA, R
MALIVHA, N V	RAMALATA T T
MALULEKE, H G	RAMALIVHANA, M
MAMAFHA T C	RAMALWA, M W
MAMAFHA, T J	RAVELE, T R
MANGANYE, K N	SEBOLA, D J
MAPHAKELA KP	SIMANGWE, N J
MAPHUBU, K	SITHI, E T
MARAGA, M	SMALLE, P A
MASHAMBA, L	SWALIVHA, M
MASHAU P	TSHIDAVHU I A
MASHAU, T C	TSHILAMBYANA, M S

Officials

K M NEMANAME	(MUNICIPAL MANAGER)
S G MAGUGA	(DIRECTOR: CORPORATE SERVICES)
A MABUNDA	(DIRECTOR: DEVELOPMENT PLANNING)
D G SIBOIBOI	(DIRECTOR: TECHNICAL SERVICES)
H J LUKHELI	(DIRECTOR: COMMUNITY SERVICES)
M MABALA	(ASSISTANT MANAGER: COMMITTEES)
M G RATHANDO	(MANAGER: COUNCIL SUPPORT)
D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)

Guest

R C NGOBENI

(COGHSTA)

Traditional Leaders

None

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REMARK:

The Municipal Manager, Mr K M Nemaname acted in terms of the provisions of Section 29(2) of the Municipal Structures Act, 1998, as amended, as Chairperson of the meeting for all the business up to and including the election of a councilor in the Office of Speaker.

The Municipal Manager, Mr K M Nemaname, said that he received the resignation letter dated 14 November 2023 from the Speaker, Cllr M D Mboyi, who resigned as Speaker of Makhado Local Municipality. In terms of Section 41 of the Municipal Structures Act no. 117 of 1998, which stipulates that *If the speaker of a municipal council is absent or not available to perform the functions of speaker, or during a vacancy, the council must elect another Councillor to act as speaker.* In this case, it will be proper to elect a Speaker for the period 2023/2024 to 2026/2027 terms of office because the Speaker has resigned.

The Municipal Manager, Mr K M Nemaname read item A.109.15.11.23. Election: Resignation and Filling Of Vacancy in the Office of the Speaker: 2023/2024 to 2026/2027 term of office

The Municipal Manager, Mr K M Nemaname, then called for nomination of the candidate for the position of Speaker.

Cllr N Munyai proposed, and duly seconded by Cllr E T Sithi, that Cllr G T Mukwevho-Mitileni be elected as the Speaker of Makhado Local Municipality. Cllr G T Mukwevho-Mitileni accepted the nomination.

The Municipal Manager, Mr K M Nemaname, declared Cllr G T Mukwevho-Mitileni duly elected unopposed in the Office of Speaker of Council for the term of office that ends with the next general municipal elections.

Council briefly adjourned for five minutes while the Speaker prepare to take the chairpersonship of the Council.

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REMARK

Council resumed after a brief adjournment of five minutes and the newly elected Speaker, Cllr G T Mukwevho-Mitileni took over and proceeded with the business of the Council as Chairperson.

1. OPENING

The Speaker, Cllr G T Mukwevho-Mitileni, 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, Cllr G T Mukwevho-Mitileni 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

- 3.1 The Speaker, Cllr G T Mukwevho-Mitileni, requested all Councillors to encourage young people who are eligible to vote in the upcoming general election to use the weekend of 18 and 19 November 2023 to register to vote. Registration Centres will open from 08:00 to 17:00.
- 3.2 The Speaker, Cllr G T Mukwevho-Mitileni, gave Mr Nthangeni from IEC two minutes opportunity to present about the registration weekend for the upcoming general election.

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 15 November 2023 to Cllrs N D Davhana, B F Hlongwane, M D Ndou, M R Mokgoadi, A Z Maphahla and M S Tshilambyana.

REMARK:

The following councillor was absent from the Urgent Special Council meeting held on 15 November 2023: Cllr M D Singo

5. MATTERS CONSIDERED

REMARK:

Due to the urgency of the matters, the reports are submitted directly to Council

ITEM A.109.15.11.23

ELECTIONS: RESIGNATION AND FILLING OF VACANCY IN THE OFFICE OF THE SPEAKER : 2023/24 TO 2026/27 TERM OF OFFICE (3/3/3)

REMARK:

1. The Municipal Manager was the Chairperson of the meeting when this matter was considered.
2. The Chairperson called for nomination of candidates to be elected in terms of the provisions of section 36 read with Schedule 3 of the Local Government: Municipal Structures Act, 17 of 1998, as amended, in the Office as Speaker of Council.
3. Cllr N Munyai proposed, duly seconded by Cllr E T Sithi that Cllr G T Mukwevho-Mitileni be elected in the Office of Speaker of Makhado Local Municipality. Cllr G T Mukwevho-Mitileni accepted the nomination.
4. The Chairperson declared Cllr G T Mukwevho-Mitileni duly elected unopposed in the Office of Speaker of Council for the term of office that ends with the next general municipal elections.

RESOLVED A.109.15.11.23 (COUNCIL)

1. THAT Council take note that Cllr M D Mboyi resigned as the Speaker and Chairperson of Council, effective from **14 November 2023**, which resulted in a vacancy in the Office of the Speaker. (DCS)

2. THAT it be noted that Cllr G T Mukwevho-Mitileni was duly elected unopposed in terms of the provisions of section 36, read with Schedule 3 of the Local Government: Municipal Structures Act, 17 of 1998, as amended, in the Office of Speaker of Council for the term that will end with the next general municipal elections. (DCS)

ElectionSpeaker_itm

REMARK:

The Municipal Manager, Mr K M Nemaname, congratulated Cllr G T Mukwevho-Mitileni for being elected as the Speaker of Council and then called her to take the chair and officiate in the further business of the Council's agenda for the day. The Speaker took the chair accordingly and presided over the business as Speaker of Council from this point onwards.

ITEM A.110.15.11.23

ELECTIONS: RESIGNATION AND FILLING OF VACANCY IN THE EXECUTIVE COMMITTEE

- (1) RECONSTITUTION OF EXECUTIVE COMMITTEE
 - (2) ELECTION OF MAYOR (CHAIRPERSON OF EXECUTIVE COMMITTEE)
 - (3) ELECTION OF REPRESENTATIVE AT VHEMBE DISTRICT MUNICIPALITY
- (3/3/3)

REMARK:

1. When this matter was considered, the Speaker requested the authorized representatives of political parties for the names of candidates that must be determined as Members of Executive Committee for the following seats:

PARTY	NUMBER OF SEATS IN EXECUTIVE COMMITTEE
African National Congress (ANC)	8
Democratic Alliance (DA)	1
Economic Freedom Fighters (EFF)	1
Number of Seats	10

2. Cllr T M Malange, proposed, duly seconded by Cllr S E Baloyi that the following Councillors be Members of the Executive Committee:

	Name	Party	Portfolio	Capacity
1	Cllr M D Mboyi	ANC	Mayor	
2	Cllr M R Magada	ANC	Finance and Budget	Full time
3	Cllr R Maingo	ANC	Community Services	
4	Cllr N Munyai	ANC	Development Planning	Full time
5	Cllr N J Matumba	ANC	Corporate Services	Full time
6	Cllr R Raliphada	ANC	Technical Services	Full time
7	Cllr E T Sithi	ANC	Youth & Special Programmes	
8	Cllr K Maphubu	ANC	Disaster and Moral Regeneration	
9	Cllr N B Jones	DA		
10	Cllr M W Ramalwa	EFF		

3. The Speaker, Cllr G T Mukwevho-Mitileni then declared the following members as duly determined in the Office of Member of Executive Committee and congratulated them on their achievements -

	Name	Party	Portfolio	Capacity
1	Cllr M D Mboyi	ANC	Mayor	
2	Cllr M R Magada	ANC	Finance and Budget	Full time
3	Cllr R Maingo	ANC	Community Services	
4	Cllr N Munyai	ANC	Development Planning	Full time
5	Cllr N J Matumba	ANC	Corporate Services	Full time
6	Cllr R Raliphada	ANC	Technical Services	Full time
7	Cllr E T Sithi	ANC	Youth and Special Programmes	
8	Cllr K Maphubu	ANC	Disaster and Moral Regeneration	
9	Cllr N B Jones	DA		
10	Cllr M W Ramalwa	EFF		

6. The Speaker, Cllr G T Mukwevho-Mitileni, then called for nomination of candidates for election in terms of the provisions of section 48, read with Schedule 3 of the Local Government: Municipal Structures Act, 117 of 1998, as amended, in the Office of Mayor and Chairperson of the Executive Committee of Makhado Local Municipality.
7. Cllr R Raliphada proposed, duly seconded by Cllr N J Matumba, that Cllr M D Mboyi be elected as the Mayor of Makhado Local Municipality and Chairperson of the Executive Committee. Cllr M D Mboyi accepted the nomination as candidate.
8. The Speaker, Cllr G T Mukwevho-Mitileni called for further nominations. Since no further nominations were received the Speaker declared Cllr M D Mboyi duly elected unopposed in the Office of Mayor and Chairperson of the Executive Committee, for the period ending with the next general municipal elections.
9. Cllr T M Malange proposed, duly seconded by Cllr S E Baloyi that Cllr N S Munyai replaces Cllr I A Tshidavhu as representative councillor from Makhado Local Municipality to Vhembe District Municipality with effect from the date of this Council Resolution. The proposal was accepted in general and recorded in the Council Resolution herein below.
10. The Speaker, then requested the Director: Corporate Services to officiate in bestowing the Mayoral Chain to the Mayor.
11. Hereupon the Mayor delivered her maiden speech as follows:

“Madam Speaker, Chief Whip of the Major Party and Council, Members of the Executive Committee, all Councillors, Traditional Leaders, Presiding Judge, Municipal Manager and the entire administrative component, Leadership of organised labour, Leadership of the African National Congress and broader mass democratic movement, Media House, Distinguished Guests

Let me start by appreciating the African National Congress for giving me an opportunity and the mandate to lead over 600 000 people of Makhado Municipality.

I am also standing before you grateful for the trust and overwhelming mandate that people of Makhado had bestowed to the ANC in 2021 local government elections. Allow me to extend a word of appreciation to Comrade Munyai Ntavhanyeni Samuel for leading this municipality from 2018 to 2023.

The ANC led administration has achieved a lot for the past five years. Some of the key achievements are as follows:

- ❖ *Improvement of audit opinion*
- ❖ *Financial stability of the municipality*
- ❖ *Focus on service delivery*

- ❖ *Constructions of access roads in rural municipality, rehabilitations of roads inn Louis Trichardt and R293 towns*
- ❖ *100% spending of Municipal Infrastructure grant*

I also wish to extend a hand of friendship and willingness to work together with all opposition parties, for the common course of serving our people. That like the ferocious sharks and the beautiful yellow fish, swimming together in the same water, we are bound to work together as team. Through robust debates and diverse opinions, we will build a better and prosperous Makhado Municipality. After all, we are all brought together by the common objective of achieving a better life for all.

Madam Speaker, Section 152 chapter seven of South African Constitution clearly elaborate the objects of local government as follows:

- 1. To provide democratic and accountable government for local communities,*
- 2. To ensure the provision of services to communities in a sustainable manner,*
- 3. To provide social and economic development,*
- 4. To promote safe and healthy environment,*
- 5. To encourage the involvement of communities and community organisations in the matter of local government,*

Madam Speaker, I accept this responsibility fully aware that our Municipality had the following known challenges:

- 1. Poverty*
- 2. Unemployment*
- 3. Inequality*
- 4. Suffering from the effects of Covid 19*
- 5. Poor revenue collection*
- 6. Challenges of Service delivery in some communities*

Madam Speaker, the above-mentioned challenges have negatively affected the confidence of our people to us as the leadership of the municipality. All of us as elected by the people of Makhado we have an obligation to restore the confidence of the people to us as public representatives by ensuring that every community has access to basic services and by also ensuring that we built an administration which is corrupt free and accountable to the people of Makhado as a whole.

Madam Speaker, as I have alluded the challenges facing us, it will require all of us to work diligently to tackle and resolve this daunting challenges. I call upon the Municipal Manager and the whole management team to work very hard to ensure that quality services are rendered to our impoverished communities.

As the leadership we have an obligation to ensure that we create a good working environment with the organised labour. Without a sound working relationship with the organised labour it will be almost difficult for us to achieve our constitutional obligations.

Madam Speaker, we remain committed to develop and strengthen the local economy, to promote growth that will create enabling environment for Job creation. Comrade Nelson Mandela once said that "Overcoming poverty is not a task of charity, it is an act of justice"

Madam Speaker, both the Provincial and National governments have declared Makhado and Musina as a Special Economic Zone. This declaration will facilitate the development of Makhado and Musina to be amongst the first cities to be constructed by the Post-Apartheid government.

Madam Speaker, our role as Makhado Municipality will be to provide support and required services to ensure that the Special Economic Zone becomes a living reality. Furthermore we have an obligation to ensure that the people of our municipality becomes the active participants and the beneficiaries.

To all councillors, we say it is time to put our differences aside and unite in the delivery of services to the citizens of Makhado especially our impoverished rural communities.

Madam Speaker, we therefore looking forward to enhance our methodologies to continuing to delivery quality service to the community. I wish the new members of the Executive Committee all the best during the execution of their daily responsibilities and hope that this will be a greater milestone towards achieving our spirations to improve the lives of the communities we serve.

Ladies and gentlemen, I am both mindful and grateful of the confidence shown in me by this council. I also want to thank my political party, the glorious movement for deploying me to the responsibility. This will indeed bear fruit to the people of Makhado.

We will ensure that we work together with our communities to accelerate service delivery, improve the quality of lives by creating conducive environment for investors to create jobs, ensure that we create a culture of clean and transparent governance. We will walk side by side with communities to fight corruption and maladministration. With the support of all community stakeholders we will succeed to fight corruption, improve audit opinion, restore the dignity of our great Makhado, revive public confidence to us as Councillors and lastly to provide sustainable and uninterrupted services to the most needy communities of our municipality.

Amilcar Cabral once said that “Hide nothing from the masses of our people. Tell no lies. Expose lies whenever they are told. Mask no difficulties, mistakes and failures. Claim no easy victories ”

Honourable Councillors the task of changing the lives of our communities is not an easy task it will need all of us to remain focused in implementing the 2021 local government manifesto of the African National Congress as ruling party in the council. Today we are declaring a war against poverty, unemployment and inequalities.

Let me conclude by borrowing the words of one of the finest and greatest son of Africa Julius Nyerere “If real development is to take place, the people have to be involved. ”

Madam Speaker allow to extend my words of gratitude to my entire family, especially my two daughters and two sons for always supporting me.

I thank you.”

RESOLVED A.110.15.11.23 (COUNCIL)

1. THAT Council takes note that Cllr N S Munyai resigned as Mayor and Chairperson of Executive Committee, effective on **15 November 2023**, which resulted in a vacancy in the Executive Committee and the Office of Mayor. (DCS)
2. THAT the number of seats in the Executive Committee be composed under the provisions of section 43 of the Local Government: Municipal Structures Act, 1998 read with Amendment Act No 3 of 2021 and **the award of seats on the executive committee to political parties or political interests must be as arranged under** section 43(2) of the Structures Act, as quoted in the report. (DCS)
3. THAT Council determined from amongst its members councilors in the following offices in terms of the provisions of the Local Government: Municipal Structures Act, 117 of 1998 read with Amendment Act No 3 of 2021:

Ten (10) Members of Executive Committee

	Name	Party	Portfolio	Capacity
1	Cllr M D Mboyi	ANC	Mayor	
2	Cllr M R Magada	ANC	Finance and Budget	Full time
3	Cllr R Maingo	ANC	Community Services	
4	Cllr N Munyai	ANC	Development Planning	Full time
5	Cllr N J Matumba	ANC	Corporate Services	Full time
6	Cllr R Raliphada	ANC	Technical Services	Full time
7	Cllr E T Sithi	ANC	Youth & Special Programmes	
8	Cllr K Maphubu	ANC	Disaster and Moral Regeneration	
9	Cllr N B Jones	DA		
10	Cllr M W Ramalwa	EFF		

(DCS)

4. THAT it be noted that Cllr M D Mboyi and Cllr E T Sithi were duly elected unopposed in terms of the provisions of section 48, read with Schedule 3 of the Local Government: Municipal Structures Act, 17 of 1998, as amended, as members of the Executive Committee for the term that will end with the next general municipal elections.

(DCS)

5. THAT it be noted that Cllr M D Mboyi was duly elected unopposed in terms of the provisions of section 48, read with Schedule 3 of the Local Government: Municipal Structures Act, 17 of 1998, as amended, in the Office of Mayor of Makhado Local Municipality and Chairperson of the Executive Committee for the term that will end with the next general municipal elections.

(DCS)

6. THAT Cllr N S Munyai replace Cllr I A Tshidavhu as representative councillor from Makhado Local Municipality to Vhembe District Municipality with effect from the date of this Council Resolution.

(DCS)

ElectionMayor_itm

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The meeting was closed and adjourned at 15:20.

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 29 April 2024.

CHAIRPERSON

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