

MAKHADO LOCAL MUNICIPALITY
OFFICE OF THE DIRECTOR CORPORATE SERVICES

MINUTES OF THE ONE HUNDRED AND EIGHTY FOURTH (184th) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD AT THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC CENTRE, MAKHADO ON MONDAY, 22 JULY 2024 AT 12:00.

PRESENT

Councillors

BALOYI, S E
 CHILILO N F
 DAVHANA, N D
 ESTERHUIZEN, W L
 FURUMELE, M G
 GABARA, M J
 HLONGWANE, B F
 JONES, N B
 KUTAMA, T
 MABUDU, H G
 MADAVHA, A
 MAGADA, M R
 MAINGO, R T
 MAKHUBELE, F P
 MALANGE, M C
 MALANGE T M
 MALULEKE H G
 MAMAFHA, T C
 MAPHAHLA, A Z
 MAPHAKELA, K P
 MASHAU, P
 MASIPA, P N

MASUKA, S
 MATIDZA, T R
 MBOYI, M D
 MPASHE M J
 MUDUNUNGU, N A
 MUKHUDWANA, R
 MUKOSI, M R
 MULEFU, M E
 MUNYAI, N
 MUSHANDANA, T T
 NDOU, M D
 NEMUDZIVHADI, N S
 PHANGAMI, M L
 RAMALATA T T
 RAMALWA, M W
 SEBOLA, D J
 SIMANGWE, N J
 SINGO, M D
 SMALLE, P A
 SWALIVHA, M
 TSHIDAVHU, I A
 TSHILAMBYANA, M S

Officials

K M NEMANAME	(MUNICIPAL MANAGER)
H J LUKHELI	(DIRECTOR: COMMUNITY SERVICES)
S G MAGUGA	(DIRECTOR: CORPORATE SERVICES)
A MABUNDA	(DIRECTOR DEVELOPMENT PLANNING)
L A THULARE	(ACTING DIRECTOR: TECHNICAL SERVICES)
M G RATHANDO	(MANAGER COUNCIL AFFAIRS)
M MANYUMA	(ASSISTANT ADMIN)

Traditional Leaders

None

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1. OPENING

The Municipal Manager, Mr K M Nemaname, ruled that a moment of silence be observed for meditation and prayer, whereafter he declared the meeting officially opened.

2. NOTICE OF THE MEETING

The Municipal Manager expressed that everyone 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”

He further confirmed that all Councillors 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 Special Council meeting held on 22 July 2024 to Cllr K N Manganye.

REMARK:

1. The following councillors were absent from the Special Council meeting held on 22 July 2024: Cllrs R Baloyi, R S Baloyi, A S Dzihvhuwo, B Hlangwani, N Kutama, W Mabasa, F N Madzhiga, N S Mahosi, T T Makamu, N V Malivha, T J Mamafha, K Maphubu, M Maraga, L Mashamba, T C Mashau, L M Mathalise, N J Matumba, K Mukheli, R Mukhuba, M Mukosi, G T Mukwevho-Mtileni, M E Mulaudzi, N S Munyai, M I Phuluwa, R Raliphada, M Ramalivhana, T R Ravele, M D Singo, E T Sithi.
2. That it be noted that there is a vacant seat due to the passing of the late Cllr M R Mokgoadi on 23 May 2024.

5. MATTERS CONSIDERED

5.1 Recommendations of urgent matters which in terms of clause 8 of the Standing Rules of Order, 2016 was tabled directly to Council

ITEM A.80.22.07.24

JUDICIAL MATTER: LITIGATION AGAINST COUNCIL AND OTHERS: GODFREY NDIAMBANI RALIPHADA // MAKHADO LOCAL MUNICIPALITY AND OTHERS (7/3/2/3/34; 13/1/1 & 13/4)

REMARK:

1. Cllr N F Chililo proposed, and duly seconded by Cllr M C Malange that Mr N G Raliphada be appointed as Chief Financial Officer in line with the court judgement. The proposal was accepted in general and became Council’s Resolution as recorded herein below.
2. Cllr M W Ramalwa proposed that the legal cost be carried out by all respondents, the proposal was not seconded.

RESOLVED A.80.22.07.24 (COUNCIL)

1. THAT Council appoint Mr N G Raliphada as Chief Financial Officer on a permanent basis as advertised in order to comply with court order of the 6th of February 2024, as fully explained in the court order attached as Annexure A, as well as the selection panel's recommendation dated 17 May 2023 attached as Annexure B to the report in this regard.

(DCS)

2. THAT the Municipal Manager be vested with the power to negotiate the all-inclusive remuneration package on a cost-to-council basis with the Chief Financial Officer referred to in paragraph 1 above as arranged in terms of the provisions of upper limits of total remuneration packages payable to Municipal Managers and managers directly accountable to Municipal Managers, promulgated under General Notice (Department of Co-operative Governance and Traditional Affairs, No 4897 of 2024 in Government Gazette No 50737 dated 30 May 2024).

(MM/DCS)

3. THAT the Municipal Manager sign the Employment Contract and Performance Agreement of the Chief Financial Officer on behalf of Makhado Local Municipality as dictated by legislation.

(MM/DCS)

4. THAT the MEC for Local Government be notified of the appointment.

(DCS)

ITEM A.81.22.07.24

COUNCIL COMMITTEES: REINSTATEMENT OF CHAIRPERSONS OF SECTION 79 COMMITTEES
(4/1/B)

REMARK:

1. Cllr S Masuka proposed, and duly seconded by Cllr N D Davhana that Section 79 Chairpersons who were unfairly removed, be reinstated to their positions. The proposal was accepted in general and became Council's Resolution as recorded herein below.
2. Cllr N F Chililo proposed, duly seconded by Cllr N D Davhana that payment of those Chairpersons be made retrospectively from the month they were unfairly removed to date.

RESOLVED A.81.22.07.24 (COUNCIL)

1. THAT Council reinstate Chairpersons in the following Section 79 Oversight and Standing committees as follows, with immediate effect:

- Chairperson of section 79 Oversight Corporate Services: Cllr I.A Tshidavhu.
- Chairperson of section 79 Oversight Development Planning: Cllr M.D. Ndou
- Chairperson of section 79 Oversight Technical Services: Cllr N.S. Nemudzivhadi
- Chairperson of section 79 Standing Committee: Women Caucus: Cllr T.M Malange

(DCS)

2. THAT payment to those Chairpersons be made retrospectively from the month they were unfairly removed to date.

(CFO)

3. THAT the Speaker, Cllr G T Mukwevho-Mtileni appear before the Ethics Committee for unlawfully removing Chairpersons of the above-mentioned Section 79 Oversight and Standing Committees. (DCS)

The meeting was closed and adjourned at 13:22.

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 April 2025.

CHAIRPERSON