

MAKHADO LOCAL MUNICIPALITY

OFFICE OF THE DIRECTOR CORPORATE SUPPORT AND SHARED SERVICES

MINUTES OF THE SEVENTY FOURTH (74TH) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD ON MONDAY, 27 FEBRUARY 2012 IN THE COUNCIL CHAMBER, CIVIC CENTRE, KROGH STREET, MAKHADO AT 14:00.

PRESENT

Councillors

BALIBALI, N P	MATHALISE, L M
BALOYI, S R	MATHAVHA, H F
CHILILO, N F	MATHOMA, M P
DAVHANA, N D	MATODZI, A M
DU PLOOY, A	MATUMBA, M T
GABARA, M J	MATUMBA, N J
HLABIOA, M M	MBOYI, M D
JOOMA, Z	MMBADI, T A
KUTAMA, N	MOGALE, L B
LERULE, M M	MTHOMBENI, S Z
LUDERE, R	MUKHAHA, A J
LUDUVHUNGU, V S	MULOVHEZI, M D
MACHETHE, M S	MUTAVHATSINDI, F D
MADAVHU, F F	MUTELE, T M
MADZHIGA, F N	NDWAMBI, M T
MADZIVHANDILA, M R	NDZOVELA, N G
MAHANI, M G	NELUVHOLA, A T
MAHLADISA, S V	NEMAFHOHONI, M G
MAKHUBELE, R T	NETSHIVHULANA, T P
MAKHUVHA, V S	NGOBENI, N E
MALANGE, T M	NKANYANE, R G
MALANGE, R	RASIMPHI, M P
MALIMA, M E	RATSHIKUNI, D T
MAMAFHA, T J	RATSHIVHOMBELA, M
MAMAFHA, T C	REKHOTSO, S M
MAMATSIARI, M S	RIKHOTSO, F J
MAMOROBELA, T P	SAKHWARI, I
MAPHAHLA, A Z	SHANDUKANI, M J
MAPHALA, O S	SINYOSI, S M
MASHIMBYE, P F	TSHILAMBYANA, M S
MASUKA, S	UNDERWOOD, J P

Traditional Leaders

KHOSI T R V MASHAU	KHOSI S A MULIMA
KHOSI T P NESENGANI	

Officials

A S TSHIKALANGE	(MUNICIPAL MANAGER)
T S NDOU	(DIRECTOR CORPORATE SUPPORT & SHARED SERVICES)
R H MALULEKE	(CHIEF FINANCIAL OFFICER)
E L MUGARI	(DIRECTOR COMMUNITY SERVICES)
M D SINTHUMULE	(DIRECTOR DEVELOPMENT & PLANNING)
M D MUNYAI	(ADMINISTRATIVE OFFICER: COMMITTEES)

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1. OPENING

The Speaker, Cllr F D Mutavhatsindi ruled that a minute of silence be observed for meditation and prayer, whereafter he declared the meeting officially opened.

2. APPLICATION FOR LEAVE OF ABSENCE

RESOLVED –

THAT leave of absence be granted in terms of the provisions of Rule 5 of the Council's Rules and Orders published under Provincial Gazette Notice no. 1391 dated 31 August 2007 in respect of the Special Council meeting held on 27 February 2012 to Cllrs B F Hlongwane, K A Hlungwani, M R Magada, M P Mazibuko, Khosi N T L Mashamba, Khosi S T Mkhari.

REMARK:

1. The following Councillors and Traditional Leaders were not present at the meeting: M O Ahmed, A Kennealy, E H Ludere, A M Matodzi, M F Mkhari, N S Munyai, S D Ramudzuli, T G Tshavhuyo as well as Hosi M S Bungeni, Khosi M C Masakona, Hosi H N Masakona, Khosi M W Netsianda, Hosi J Baloyi and Khosi V C Ramabulana.
2. That it be noted that one vacancy of Councillor existed in Ward 24 which was created when Cllr A S Gundula passed away on 8 November 2011. The By-elections in Ward 24 will be held on 28 March 2012.

3. OFFICIAL ANNOUNCEMENTS

- 3.1 The Speaker, Cllr F D Mutavhatsindi announced that all Ward Councillors were required to stay behind after the Special Council meeting, to confirm submissions regarding the IDP 2012/2013 to 2016/2017 document.
- 3.2 The Speaker, Cllr F D Mutavhatsindi announced that Cllr M O Ahmed had resigned as a Councillor of Makhado Local Municipality. However, administration had not yet received a letter of resignation from the Councillor.

4. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY THE SPEAKER

None

5. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY OTHER COUNCILLORS

- 5.1 Cllr M T Matumba proposed congratulations to Cllr O S Maphala for being awarded a Certificate of Appreciation by Mavhunga Community; the Certificate was for her efforts and hard work to uplift the community.
- 5.2 Cllr F N Madzhiga proposed condolences to the bereaved family of Cllr M R Magada who had lost a brother.
- 5.3 Cllr M T Ndwambi proposed condolences to the bereaved family of the Chief of Mauluma who had died.

6. THE REPORT OF THE EXECUTIVE COMMITTEE:

6.1 Resolutions of the Council in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): 74th Special Council Meeting: 27 February 2012

ITEM A.17.27.02.12

FINANCES: MUNICIPAL ADJUSTMENT BUDGET: 2011/2012 FINANCIAL YEAR (6/1/1(11/12))

RESOLVED A.17.27.02.12 –

1. THAT Council approves the Adjustment Budget for the 2011/2012 financial year as presented and more fully recorded in Annexure A and Annexure B attached to the report in this regard. (CFO)
2. THAT the Adjustment Budget 2011/2012 be submitted to Provincial and National Treasuries in terms of section 24 of the Municipal Budget and Reporting Regulations. (CFO)
3. THAT it be approved that the Operational Expenditure and Income be adjusted as follows:

SUMMARY OF THE OPERATIONAL BUDGET ADJUSTMENT

Description	Original	Adjustment	Adjusted
Operational Income	(706,447,493.14)	124,176,061.64	(582,271,431.50)
Operational Expenditure	774,071,146.00	(113,938,578.74)	660,132,567.26
	67,623,652.86	10,237,482.90	77,861,135.76

(CFO)

4. THAT it be approved that the Capital Budget be adjusted as follows:

SUMMARY OF CAPITAL BUDGET ADJUSTMENT

Description	Original	Expenditure	Adjustment	Adjusted
Income	57,772,201.00	15,415,449	(18,890,293.00)	38,881,908.00
MIG	55,562,000.00	21,688,431	19,446,070.00	75,008,070.00
VDM	-	426,394	2,387,696.67	2,387,696.67
DBSA	-	300,628	11,359,122.19	11,359,122.19
DSD	-	-	207,368.86	207,368.86
INEP	3,500,000.00	3,499,924	23,917.49	3,523,917.49
FMG	100,000.00	84,456	2,073,179.00	2,173,179.00
Loan	100,000,000.00	-	(95,000,000.00)	5,000,000.00
Php	-	6,721	357,982.02	357,982.02
	216,934,201.00	41,422,003.19	(78,034,956.77)	138,899,244.23

(CFO)

ITEM A.23.27.02.12 (originally A.23.29.03.12)**TOWN-PLANNING AND CONTROL: OFFER TO PURCHASE A SITE IN EXTENT ONE (1) HECTARE ON PORTION 1 OF THE FARM STYLDRIFT 46 LT FOR THE PURPOSE OF CEMETERY
(7/4/1/3)****REMARK:**

Cllr S Masuka proposed, duly seconded by Cllr R Ludere, that Council agree in principle that the land be purchased. However, the final purchase price for the land must first be submitted to Council for approval. The proposal was accepted in general and recorded below as Council Resolution.

RESOLVED A.23.27.02.12 –

1. THAT subject to paragraph 8 below, the Council approves the purchase of the site in extent one (1) hectare for the purpose of a cemetery on Portion 1 of the Farm Styldrif 46 LT. (DDP)
2. THAT the Council with the responsibility of the Director Development Planning appoint a professional land surveyor to demarcate a site in extent two (2) hectares wherein one (1) hectare will be for the Makhado Municipality and the Remainder for the Njhakanjhaka Traditional Council. (DDP)
3. THAT after subdivision, the valuation of one (1) to be purchased by the Council should be done. (DDP)
4. THAT Community resolution in terms of the IPILRA in the presence of the representative from the Department of Rural Development and Land Reform must be taken. (DDP)
5. THAT the Council with the responsibility of Director Development Planning appoint an Independent Environmental Practitioner to conduct an Environmental Impact Assessment for the remainder portion to cover the area in extent one (1) hectare. (DDP)
6. THAT Makhado Municipality must pay funds to the Community Trust account to enable registration of land into the Council's name. (DDP)
7. THAT the Council with the responsibility of the Director Technical Services is responsible for the fencing of site which will belong to the Makhado Municipality. (DDP)
8. THAT Council agrees in principle that the land be purchased, but that the final purchase price for the land should be first submitted to Council for consideration. (DDP)

ITEM A.26.27.02.12**PERSONNEL: RESIGNATION: CHIEF FINANCIAL OFFICER, MR H R MALULEKE:
FEBRUARY 2012
(SP 3/1; 5/3/4/3/30)**

RESOLVED A.26.27.02.12 -

1. THAT note be taken that Mr H R Maluleke, Chief Financial Officer, has ended the Employment Contract with Makhado Local Municipality with effect of 29 February 2012 and that Council wishes him well in furthering his career in the field. (DCSS)
2. THAT the Municipal Manager's recommendation to Council that Mr. P G Mapheto, Manager: Budget and Control, act as Chief Financial Officer for the period until the vacancy is filled in terms of Section 56 of the Local Government Municipal Systems Act, 2000, is in order. (DCSS/CFO)
3. THAT the Municipal Manager proceeds as matter of urgency with the recruitment process for a section 56 manager in the capacity as Chief Financial Officer. (DCSS)

ResignationCFO_itm

ITEM A.27.27.02.12**COUNCIL COMMITTEES: APPOINTMENT OF AUDIT AND PERFORMANCE
COMMITTEE MEMBERS
(4/11/1)**

RESOLVED A.27.27.02.12 -

1. THAT it be noted that the existing contracts between Makhado Municipality and the previous Audit Committee members expired on 31 December 2011. (MM)
2. THAT Mr. B. Mbewu, Dr J. Zaaiman, Ms. SJ. Masite, and Mr. ZL. Luxolo because of their qualifications and appropriate experience be appointed to serve as the Council of Makhado Municipality's Audit and Performance Audit Committee members to comply with Local Government: Municipal Finance Management Act, 2003 (no 56 of 2003) (Chapter 14, Section 166) and Municipal Planning and Performance Management Regulations, Regulation 14 (2) (a) and (c). (MM)
3. THAT Mr. B. Mbewu be appointed as the chairperson of the Committee because he has previously served in Makhado Municipality Audit Committee as member and he understands the municipality's environment. (MM)

4. THAT the Audit and Performance Audit Committee members be appointed for a period of thirty six (36) months with effect from the date of Council Resolution. (MM)
5. THAT Committee members be remunerated for preparation and attendance of meetings according to National Treasury Regulation that regulate the remuneration of commission and committee and also be reimbursed for expenses incurred for attending audit committee meetings. (CFO)
6. THAT members who hold the highest professional qualifications in their field be remunerated in line with the Auditor General (SA) rates for a maximum of eight (8) hours per meeting including preparation. (CFO)
7. THAT the Audit and Performance Audit Committee must commence with its oversight functions with effect from the date on which members accepted their appointment in writing. (MM/CFO)
8. THAT the Audit and Performance Audit Committee members must sign a service level agreement from date of acceptance of appointment in this regard. (MM)

AppointmentAuditCom_itm

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The meeting was closed and adjourned at 15:20.

Approved and confirmed in terms of the provisions of Clause 34 of the Rules and Orders, 2007 promulgated in Provincial Gazette No. 1391 of 31 August 2007 under Local Authority Notice 228, by a resolution of the Council passed at the meeting held on 29 March 2012.

CHAIRPERSON

MDM/lh/SpecialCouncilMinutes_74