

## MAKHADO LOCAL MUNICIPALITY

### OFFICE OF THE DIRECTOR CORPORATE SUPPORT AND SHARED SERVICES

MINUTES OF THE SEVENTY EIGHTH (78<sup>TH</sup>) SPECIAL COUNCIL MEETING OF MAKHADO MUNICIPALITY WHICH WAS HELD ON MONDAY, 25 JUNE 2012 IN THE COUNCIL CHAMBER, CIVIC CENTRE, KROGH STREET, MAKHADO AT 10:00.

#### PRESENT

##### Councillors

BALIBALI, N P  
BALOYI, S R  
CHILILO N F  
DAVHANA, N D  
DU PLOOY, A  
GABARA, M J  
HLABIOA, M M  
HLONGWANE, B F  
HLUNGWANI K A  
KUTAMA, N  
LERULE M M  
LUDUVHUNGU, V S  
MACHETHE, M S  
MADZHIVHANDILA, M R  
MAHANI, M G  
MATHLADISA, S V  
MAKHUBELE, R T  
MAKHUVHA, V S  
MALANGE, T M  
MAMAFHA T C  
MAMAFHA, T J  
MAMATSIARI, M S  
MAMOROBELA, T P  
MAPHAHLA, A Z  
MAPHALA, O S  
MASHIMBYE, P F  
MATHALISE, L M

MATHAVHA, H F  
MATODZI, A M  
MATUMBA, N J  
MOGALE, L B  
MTHOMBENI S Z  
MUKHAHA, A J  
MUKHARI M F  
MUTELE, T M  
NDWAMMBI, M T  
NELUVHOLA, A T  
NEMAFHOHONI, M G  
NETSHIVHULANA, T P  
NGOBENI, N E  
RAMUDZULI S D  
RASIMPHI, M P  
RATSHIKUNI, D T  
RATSHIVHOMBELA, M  
REKHOTSO, S M  
RIKHOTSO, F J  
SAKHWARI, I  
SELEPE, M R  
SHANDUKANI, M J  
SINYOSI, S M  
THANDAVHATHU, R  
TSHAVHUYO, T G  
TSHILAMBYANA, M S  
UNDERWOOD, J P

##### Traditional Leaders

KHOSI S A MULIMA  
KHOSI T R V MASHAU

KHOSI T P NESENGANI

##### Officials

E L MUGARI

(ACTING MUNICIPAL MANAGER & DIRECTOR COMMUNITY SERVICES)

T S NDOU

(DIRECTOR CORPORATE SUPPORT & SHARED SERVICES)

P G MATPHETO

(ACTING CHIEF FINANCIAL OFFICER)

M D SINTHUMULE

(DIRECTOR DEVELOPMENT & PLANNING)

T E RALULIMI

(DIRECTOR TECHNICAL SERVICES)

N J LUKHELI

(ASSISTANT MANAGER: COUNCIL AFFAIRS)

A L BOBODI

(ASSISTANT MANAGER: COMMUNICATION)

M D MUNYAI

(ADMINISTRATIVE OFFICER: COMMITTEES)

T E SHIRINGANI

(ADMINISTRATIVE OFFICER: COMMITTEES)

**1. OPENING**

The Acting Speaker, Cllr T P Mamorobela ruled that a minute of silence be observed for meditation and prayer, whereafter she 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 25 June 2012 to Cllrs F F Madavhu, F N Madzhiga, T A Mmbadi, M D Mulovhedzi, N S Munyai, F D Mutavhatsindi, R G Nkanyane, R Malange, N G Ndzovela and M R Magada.

**REMARK:**

The following Councillors and Traditional Leaders were not present at the meeting: M O Ahmed, Z Jooma, A Kennealy, E H Ludere, R Ludere, M P Mathoma, M T Matumba, M P Mazibuko, M Mmboyi, M E Malima and S Masuka as well as Khosi Mashamba N T L, Hosi Bungeni M S, Hosi Mukhari S T, Hosi Baloyi J, Khosi Masakona M C, Khosi Ramabulana V C, Hosi Majosi H M and Khosi Netsianda M W.

**3. OFFICIAL ANNOUNCEMENTS**

The Acting Speaker, Cllr T P Mamorobela announced that the meeting between Ward Councillors, Makhado Local Municipality and Vhembe District Municipality which was convened for Tuesday, 26 June 2012 has been postponed to Friday, 29 June 2012 at Council Chamber.

**4. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY THE ACTING SPEAKER**

The Acting Speaker, Cllr T P Mamorobela proposed condolences to the family of a General Manager at Vhembe District Municipality, Mr T T Nyathela, who had passed on.

**5. PROPOSALS OF CONDOLENCE OR CONGRATULATIONS BY OTHER COUNCILLORS**

None

**6. MATTERS CONSIDERED:**

**6.1 Resolutions of the Council in terms of section 59 (1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000): 78<sup>th</sup> Special Council Meeting: 25 June 2012**

**ITEM A.75.25.06.12**

**PERSONNEL: EXTENDING PERIOD OF ACTING MUNICIPAL MANAGER: JULY TO SEPTEMBER 2012  
(5/3/4/3/30; 5/6/4)**

**REMARK:**

This matter was considered after item A.76.25.06.12.

**RESOLVED A.75.25.06.12 -**

1. THAT it be noted that recruitment process to appoint a suitable candidate in the vacant post of Municipal Manager did not follow and comply with the competency requirements of the post and experience of at least 5 years. (DCSS)
2. THAT the vacant post of Municipal Manager be re-advertised and therefore an extension of the period for which an acting person will officiate in the post with another final three months is approved. (DCSS)
3. THAT subject to approval by the MEC for Local Government, Council approves thereof that Mr E L Mugari acts as Municipal Manager for a further final three (3) months from 1 July 2012 to 30 September 2012 in order to enable the Council to conclude on the recruitment and appointment process of a suitable candidate as Municipal Manager. (DCSS)
4. THAT an appeal be lodged with the MEC for Local Government for approval of the acting arrangements as recorded in paragraph 3 above. (DCSS)
5. THAT it be noted that as soon as the process of recruitment has been finalized, a suitable candidate must be appointed in the post of Municipal Manager even if it is before the end of the extended three (3) months' period of acting arrangements. (DCSS)
6. THAT all those who previously applied for the vacant post of Municipal Manager need not re-apply as their existing applications will be considered together with the applications received from re-advertisement. (DCSS)

Extend MM acting

**ITEM A.76.25.06.12****ELECTIONS: SPEAKER OF COUNCIL****(3/3/3)****REMARK:**

This matter was considered as first item of the report of the Executive Committee.

Since there was a matter of election of a Speaker of the Council, the Acting Speaker of Council, Cllr T P Mamorobela called the Acting Municipal Manager, Mr E L Mugari to act as the Chairperson of the meeting until the matter of election of Speaker of Council has been considered. This arrangement was in terms of the provisions of the Local Government: Municipal Structures Act, No. 117 of 1998.

The Acting Municipal Manager, Mr E L Mugari took the chair and 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, Act no. 17 of 1998 in the Office of Speaker of Council.

Cllr T G Tshavhuyo proposed, duly seconded by Cllr L M Mathalise that Cllr L B Mogale be elected in the Office of Speaker of Makhado Local Municipality. Cllr L B Mogale accepted the nomination.

No further nominations were received and the Acting Municipal Manager declared Cllr L B Mogale duly elected in the Office of Speaker of Council for the term of office that will end with the next general municipal elections.

The Acting Municipal Manager, Mr E L Mugari congratulated Cllr L B Mogale with her election as Speaker of Council and then called her to take the chair and to officiate in the further business of the Council agenda for the day.

The Speaker took the chair accordingly and conducted the further business as Speaker of Council from this point onwards.

RESOLVED A.76.25.06.12 -

THAT it be noted that Cllr L B Mogale was elected unopposed in terms of the provisions of section 36 to 41 of the Local Government: Municipal Structures Act, 1998 as Speaker of Council with effect of 25 June 2012 for the period ending with the next general municipal elections.

ActingSpeaker-itm

(DCSS & CFO)

**ITEM A.77.25.06.12****REDETERMINATION OF MUNICIPAL BOUNDARIES****(15/1)****REMARK:**

The report of the Executive Committee was tabled at the meeting.

RESOLVED A.77.25.06.12 -

1. THAT Council accepts the proposed technical re-alignment as per DEM 4365. (DDP)
2. THAT Council rejects the proposed technical re-alignment with regard to DEM 4376 and that the current boundary must remain as it is, since the Municipality cannot divide land which belongs to a traditional chief. (DDP)

Redetermination of Municipal Boundaries \_itm

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The meeting was closed and adjourned at 11:35.

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 26 July 2012.

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**CHAIRPERSON**

MDM/lh/SpecialCouncilMinutes\_78