



**RESOLUTIONS ARISING FROM THE EXTRAORDINARY
COUNCIL MEETING HELD ON TUESDAY, 31 JANUARY 2017**

A03/01/2017

**2016/17 MID-YEAR BUDGET AND FINANCIAL PERFORMANCE ASSESSMENT
REPORT FOR THE PERIOD ENDING 31 DECEMBER 2016**

(JMM)

(6/1/1-15/16)

RESOLVED

1. That the 2016/2017 Mid-year Financial Assessment Report for the period ending 31 December 2016 (as contained in the Mayoral Committee meeting agenda dated 30 January 2017) **BE ACKNOWLEDGED** and **ADOPTED** as tabled in terms of Section 72 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, read with Section 54 of same.
2. That the approved 2016/2017 Budget **BE ADJUSTED** to shift funds between votes to fund prioritized projects and to pay creditors.
3. That a copy of the 2016/2017 Mid-year Financial Assessment Report **BE SUBMITTED** to the Provincial and National Treasury and **BE PLACED** on the municipal website within five working days from the 31st of January 2017 in compliance with Section 72(1)(b) of the Local Government: Municipal Finance Management Act, Act 56 of 2003.
4. That the Chief Financial Officer **DEVELOP** a new Revenue Enhancement Plan and that it **BE TABLED** at the Council meeting to be held on Friday, 24 February 2017.

A04/01/2017

2015/2016 ANNUAL REPORT

(MFM)

(10/1/1)

RESOLVED

1. That it **BE ACKNOWLEDGED** that the 2015/2016 Annual Report for the financial year ending 30 June 2016, was prepared and submitted as contemplated in Section 46 of the Local Government: Municipal Systems Act, Act 32 of 2000, read with Chapter 12 of the Local Government: Municipal Finance Management Act, Act 56 of 2003.
2. That the 2015/2016 Annual Report **BE APPROVED** for public comments in terms of Sections 21(a) and (b) of the Local Government: Municipal Systems Act, Act 32 of 2000, read with Section 127(5)(a)(i) of the Local Government: Municipal Finance Management Act, Act 56 of 2003.
3. That it **BE ACKNOWLEDGED** that the closing date for the submission of public comments on the 2015/2016 Annual Report is the 24th of February 2017.
4. That the 2015/2016 Annual Report **BE REFERRED** to the Municipal Public Accounts Committee for scrutiny.
5. That once the Municipal Public Accounts Committee has finalized the detailed analysis and review of the annual report, the committee is to **DRAFT** an Oversight Report to **BE TABLED** to Council in March 2017 for adoption in terms of Section 129 of the Local Government: Municipal Finance Management Act, Act 56 of 2003.

A05/01/2017

2016/2017 MID-YEAR PERFORMANCE ASSESSMENT REPORT

(NSW)

(5/2/1/7)

RESOLEVED

1. That the 2016/2017 Mid-term Performance Evaluation Report for the period ending 31 December 2016 **BE ACKNOWLEDGED**.
2. That the errors in the various departmental reports **BE CORRECTED** through the respective Portfolio Committees.

A06/01/2017

STRATEGY WORKSHOP REPORT NOVEMBER 2016

(NSW)

(2/2/P)

This report was withdrawn.

A07/01/2017

PUBLIC PRIVATE PARTNERSHIP: GREEN ENERGY INITIATIVES

(ETZ)

(8/4/R)

RESOLVED

1. That approval **BE GRANTED** to enter into an unsolicited Public Private Partnership with Mzilampi 2 (Pty.) Ltd. through the Department Community Services.
2. That a Public Private Partnership **BE REGISTERED** with Department of National Treasury as per the provisions of National Treasury Practice Note 11 of 2008/2009.
3. That the provisions of MFMA Section 33 **BE FOLLOWED** immediately to expedite the process.
4. That the following Steering Committee **BE ESTABLISHED** to scrutinize the detailed proposal to be submitted and to register the Public Private Partnership as resolved above:
 - Director Community Services;
 - Director Corporate Services;
 - Chief Financial Officer;
 - Director Technical Services; and
 - Representatives of the funders.

A08/01/2017

EXTENSION OF SECONDMENT OF THE MANAGER LEGAL SERVICES & MUNICIPAL COURT TO THE DIPALESENG MUNICIPALITY

(ZLM)

(2/1/5)

RESOLVED

1. That it **BE ACKNOWLEDGED** that the Honourable MEC for Co-operative Governance & Traditional Affairs in Mpumalanga, Ms. RM Mtshweni, has seconded the Manager Legal Services & Municipal Court, Mr. SL Netsivhale, to the Dipaleseng Municipality as Acting Municipal Manager, with effect from the 1st of March 2016.
2. That it **BE ACKNOWLEDGED** that the Honourable MEC for Co-operative Governance & Traditional Affairs in Mpumalanga, Ms. RM Mtshweni, has for a second time extended the period of Mr. Netsivhale's secondment for a further three months until the 28th of February 2017.

A09/01/2017

2016/2017 FINANCIAL PERFORMANCE REPORT FOR THE SECOND QUARTER ENDED 31 DECEMBER 2014

(JMM)

(6/1/1-16/17)

RESOLVED

1. That the 2016/2017 Financial Performance Report for the second quarter ending 31 December 2016, as contained in the Council meeting agenda dated 31 January 2017, and submitted in terms of Sections 52(d) and 71 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, and Section 28 of the Government Notice No. 32141, **BE ACKNOWLEDGED**.
2. That the deviations from the Supply Chain Management Regulations as contained in APPENDIX B of the quarterly report **BE ACKNOWLEDGED** and **BE DISCLOSED** as a note to the Annual Financial Statements as prescribed in Section 36(2) of the Local Government Municipal Finance Management Act, Act 56 of 2003, and the Supply Chain Management Policy.
3. That purchases above R100 000-00 for the quarter ending 31 December 2016 **BE ACKNOWLEDGED**.
4. That it **BE ACKNOWLEDGED** that as a result of the late payment of the Eskom bulk account, fruitless and wasteful expenditure in the amount of R4 932 447 (interest and penalties) has been incurred and will be reported in terms of the requirements of the MFMA.
5. That in order to comply with Section 31(1) of the Government Gazette No 32141 of 17 April 2009, this report **BE SUBMITTED** to the National Treasury and the relevant Provincial Treasury within five days from the 31st of January 2017, in both a Council approved document and in electronic format.
6. That in terms of Section 23(f) of the Credit Control & Debt Collection Policy, the provisions of Section 23(a)(i) with respect to payment of 50% of the total debt with payment of current account and the last two months prior to signing the agreement **BE RELAXED** until such time as Council has approved a new Debt Incentive Scheme.

A10/01/2017

2015/2016 INDIGENT MANAGEMENT REPORT

(JMM)

(6/1/1/-16/17)

RESOLVED

1. That it be acknowledged that a total number of 4 805 indigent applications were received during the 2015/2016 financial year and that the 4 411 (72 indigent consumers with a credit balance and 4 339 indigent consumers with a debit balance) applications that met the criteria as set out in the Indigent Management Policy **BE APPROVED**.
2. That a total amount of R45 208 904.44 in respect of the irrecoverable bad debt in respect of 4339 registered indigents for the 2016/2017 financial year **BE WRITTEN-OFF** against the provision for bad debt in terms of Section 25 of the Credit Control & Debt Collection Policy.
3. That the Chief Financial Officer **DEVELOP** a program to monitor the water and electricity consumption of registered indigents and to conduct further analysis should the status change.

CA02/01/2017

EXPIRY OF EMPLOYMENT CONTRACT: CHIEF FINANCIAL OFFICER

(MFM)

(5/3/3/1)

RESOLVED

1. That it **BE ACKNOWLEDGED** that the employment contract of the Chief Financial Officer, Mr. J Mokgatsi, will expire on the 31st of May 2017.
2. That the position of Chief Financial Officer **BE ADVERTIZED** in at least two national papers in compliance with Subsection 54A(4)(a) of the Local Government: Municipal Systems Amendment Act, Act 7 of 2011, read with Section 7 of the Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers.

CA03/01/2017

ALLOWANCES FOR MAYORAL DRIVER AND PROTECTION OFFICER: OFFICE OF THE EXECUTIVE MAYOR

(MFM)

(5/5/1)

RESOLVED

1. That the following allowances **BE DETERMINED** for the Mayoral Driver and Protection Officer:
 - 1.1. An annual clothing allowance of R5 000.00.
 - 1.2. A monthly inconvenience allowance of R2 500.00 in lieu of overtime and standby.
 - 1.3. A fixed monthly Overnight Subsistence Allowance of R1 000.00.
 - 1.4. A monthly Cellphone Allowance of R468.40.
2. That provision for these expenditures **BE MADE** in the adjustment budget and only **BE IMPLEMENTED** after approval of the Adjustment Budget.
3. That the Department Corporate Services **DEVELOP** a policy in this regard.