

DIPALESENG LOCAL MUNICIPALITY



ORDINARY COUNCIL RESOLUTION IMPLEMENTATION REGISTER FOR 30 MAY 2023 MEETING

COLOR STATUS LEGEND:

Green – work done, can be move to Finalized Decisions register once reported on

Amber – work in progress and within time frame

Red – Work not yet started

RESOLUTIONS OF THE 04TH/2023 SPECIAL COUNCIL MEETING OF THE DIPALESENG LOCAL MUNICIPALITY HELD COUNCIL CHAMBER, BALFOUR ON TUESDAY, THE 30TH MAY 2023 AT 10H00.

RESOLUTION NO.	RESOLUTION	RESPONSIBILITY
C 153/05/23	APPROVAL AND ADOPTION OF THE FINAL REVISED 2023/2024 INTERGRATED DEVELOPMENT PLAN (IDP) FOR DIPALESENG LOCAL MUNICIPALITY (13/3/21/3/2)	<p>RESOLVED</p> <ol style="list-style-type: none"> 1. THAT the Council TAKES NOTE of the content of report on the Final Revised 2023/2024 Integrated Development Plan (IDP) 2. THAT the Final Revised 2023/2024 IDP, attached as Annexure “A”, BE APPROVED and ADOPTED; 3. THAT an advertisement BE PLACED on the official website of the Municipality and in the Local newspaper, notifying the public that the Final Revised 2023/2023 IDP has been approved and adopted by the Council. 4. THAT Cllr C Pienaar registered a dissention vote on the item

<p>C 154/05/23</p>	<p>TABLING OF FINAL BUDGET FOR THE 2023/24 FINANCIAL YEAR FOR DIPALESENG LOCAL MUNICIPALITY.</p>	<p>RESOLVED</p> <ol style="list-style-type: none"> 1. THAT Council approves the report on the Final Medium Term Revenue and Expenditure Framework for 2023/2024 and two outer years. 2. THAT Council approves and adopts the budget comprising of operating Income budget of R 354.2 million, operating expenditure budget of R 349 million and capital budget of R 36.7 million as set out in the report to ensure compliance with section 16 (2) of the Municipal Finance Management Act (No 56 of 2003) 3. THAT Council approves the proposed Tariff Increases. 4. THAT Council approves that the Final Annual Budget and supporting documents be made public in terms of section 21A of the Municipal Systems Act, that is, be made available for viewing at selected libraries, the main municipal offices, and be placed on the municipal website. 5. THAT Council approves and adopts the Budget Related Policies and By- Laws with the Final 2023/24 Annual Budget. 6. THAT Cllr C Pienaar registered a dissention vote on the item
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<p>C 155/05/23</p>	<p>APPROVAL AND ADOPTION OF THE REVIEWED 2023/2024 HUMAN RESOURCE MANAGEMENT AND OTHER IDP RELATED POLICIES</p>	<p>RESOLVED</p> <ol style="list-style-type: none"> 1. THAT the Council CONSIDERS the content of the report regarding the approval and adoption of the Review 2023/2024 Human Resource Management and other IDP related policies. 2. THAT it should also be NOTED THAT some of the Policies have financial implications that need to be catered in the budget for 2023/2024 financial year. 3. THAT Council should NOTE THAT 2 (two) formal invitations were sent via emails to Organized Labour for the purpose of consultation. 4. THAT Council MUST ALSO NOTE Human Resources Management and other IDP related Policies were presented to Policy and By-Laws Committee on the 19th May 2023 for their consideration. 5. THAT Council CONSIDERS the approval of the following Human Resource Management and other IDP related Policies. <ul style="list-style-type: none"> • Annexure “A” – Recruitment and Selection policy; • Annexure “B” – Acting Policy; • Annexure “C” – Overtime Policy; • Annexure “D” – Training and Development Policy; • Annexure “E” – Funeral Policy; • Annexure “F” – Occupational, Health and Safety Policy; • Annexure “G” – Employment Equity Policy; • Annexure “H” – HIV / AIDS Policy; • Annexure “I” – Leave Policy;
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<p>C 156/05/23</p>	<p>REPORT ON THE PROGRESSIVE REVIEWAL ON THE ORGANISATIONAL STRUCTURE OF THE DIPALESENG LOCAL MUNICIPALITY</p> <p>RESOLVED</p> <ol style="list-style-type: none"> 1. THAT Council TAKES NOTE of the content of the report on reviewal of the Organisational Structure for 5 year period. 2. THAT Council TAKES NOTE of the changes made in various departments; 3. THAT the Council TAKES NOTE the high rate of unfunded positions will have the negative impact on service delivery and entire organizational performance; 4. THAT Council further TAKES NOTE that the implementation of Chapter 2 on Staff Establishment is effective as 01 July 2023; 5. THAT Council APPROVES and ADOPTS the reviewed Organisational structure. 	<ul style="list-style-type: none"> • Annexure “J” – Retention Policy; • Annexure “K” – Dress Code policy; • Annexure “L” – Placement policy; • Annexure “M” – Transfer policy; • Annexure “N” – Cell phone policy; • Annexure “O” – Danger allowance policy; • Annexure “P” – Travelling and Subsistence policy; <p>BTO</p>
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<p>C 157/05/23</p>	<p>REPORT ON THE REPLACEMENT OF MEMBERS OF THE MUNICIPAL FINANCIAL MISCONDUCT DISCIPLINARY BOARD</p>	<p>RESOLVED</p> <ol style="list-style-type: none"> 1. THAT the Council TAKES NOTE the content of the replacement of members of the Municipal Financial Misconduct Disciplinary Board. 2. THAT the Council FURTHER TAKES NOTE the recommendations made by the Section 106 adhoc committee. 3. THAT Council appoint the following two (2) additional members to assist the Municipal Financial Misconduct Disciplinary Board: <ul style="list-style-type: none"> ➤ Mr E.Nkuna from Provincial Treasury ➤ Mr S. Mofokeng Chairperson of the Risk Committee 4. The Disciplinary Board must be reconstituted as follows for the period not exceeding three years: <ul style="list-style-type: none"> ✓ Head of the municipality's internal Audit Unit (Ms. M.M. Ngwenya) ✓ One member of the Audit Committee (Chairperson of Audit Committee Ms. S.J Masite) ✓ A senior manager from the Legal division ✓ Mr S.Mofokeng - Chairperson of Risk Management Committee ✓ Provincial Treasury (Mr. E Nkuna) ✓ Representative from GSDM
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<p>B 13/05/23</p>	<p>INFRASTRUCTURE SERVICES</p>	<p>RESOLVED</p> <ol style="list-style-type: none"> 1. THAT the report regarding the appointment of an Acting Director Infrastructure Services, due to the expiry acting period of the current incumbent, BE NOTED; 2. THAT Council IMPLEMENTS the advice and recommendations rendered by the MEC of Local Government and Traditional Affairs in Mpumalanga in respect of the Acting Director Infrastructure Services. 3. THAT Council RESCINDS its decision dated 25th April 2023 taken under item B 09/04/23 to extend the acting period of Mr. T.H. Masoue for the position of the Director Infrastructure Services. 4. THAT Council ALSO CONDONES the continued acting capacity of Mr. T.H. Masoue as from 01st May 2023 up until the implementation of (2) above, and that Mr. T.H. Masoue BE REMUNERATED for his acting period post the expiry of 30th April 2023 until 30th May 2023. 5. THAT the MEC of Local Government and Traditional Affairs in Mpumalanga BE REQUESTED on an urgent basis to second an incumbent to act in the position of Director Infrastructure Services until the finalization of the recruitment process for a permanent incumbent considering the advanced stages of the latter. 6. THAT in the meantime, Mr. P. Makhene who previously acted in this position and poses the minimum requisite skills, expertise, competencies and qualifications BE APPOINTED to temporarily act in the position of Director Infrastructure Services until the conclusion of recommendation (5) above to avert a vacuum in senior leadership of the department. 7. THAT the MEC of Local Government and Traditional Affairs BE RESPONDED to as per his advice on an urgent basis.
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<p>B 14/05/23</p>	<p>CORPORATE SERVICES</p>	<p>RESOLVED</p> <ol style="list-style-type: none"> 1. THAT the report regarding the concurrence of the MEC of CoGTA in Mpumalanga on the extension of the acting period of the Acting Director Corporate Services, BE NOTED; 2. THAT the acting period of Ms M.T. Mngomezulu BE EXTENDED for another three (3) months in accordance with Section 56(1)(c) of the MSA effective from 01st May 2023 until 31st July 2023 or if the finalization of the appointment of a permanent Director Corporate Services comes earlier (considering the advanced stages of the recruitment process) subject to the concurrence of the MEC of Local Government in Mpumalanga; 3. THAT the Honorable Executive Mayor BE MANDATED respond to the MEC's letter as directed therein and RE-APPLIES for the extension of the acting period of the Acting Director Corporate Services, Ms M.T. Mngomezulu; 4. THAT Council ALSO CONDONES the continued acting capacity of Ms M.T. Mngomezulu as from 01st May 2023 up until the implementation of (2) above, and that Ms. M.T. Mngomezulu BE REMUNERATED for her acting period post the expiry date of 30th April 2023 until 30th May 2023.
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<p>B 15/05/23</p>	<p>PLANNING AND ECONOMIC DEVELOPMENT</p>	<p>RESOLVED</p> <ol style="list-style-type: none"> 1. THAT the report regarding the appointment of an Acting Director Planning and Economic Development, due to the expiry acting period of the current incumbent, BE NOTED; 2. THAT Council IMPLEMENTS the advice and recommendations rendered by the MEC of Local Government and Traditional Affairs in Mpumalanga as per the letter dated 10th May 2023. 3. THAT Council RESCINDS its decision dated 25th April 2023 taken under item B 11/04/23 to extend the acting period of Mr. N. Bhembe for the position of the Director Planning and Economic Development. 4. THAT Council ALSO CONDONES the continued acting capacity of Mr. N. Bhembe as from 01st May 2023 up until the implementation of (3) above, and that Mr. N. Bhembe BE REMUNERATED for his acting period post the expiry date of 30th April 2023 until 30th May 2023. 5. THAT Ms I.S. Mlonyeni, who poses the minimum requisite skills, expertise, competencies and qualifications BE APPOINTED in accordance with Section 56(1)(a)(ii) of the MSA to act in the position of Director Planning and Economic Development for a period of three (3) months effective from 31st May 2023 until 31st August 2023 or until the finalization of the recruitment process of a permanent incumbent taking into consideration the advanced stages of the latter. 6. THAT Council APPROVES the remuneration of the acting incumbent in accordance with the Acting Policy of Council and other applicable legislations. 7. THAT the MEC of Local Government and Traditional Affairs BE RESPONDED to as per his letter dated 10th May 2023 on an urgent basis
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<p>B 16/05/23</p>	<p>PROGRESS REPORT ON THE IMPLEMENTATION OF THE FINDINGS OF AN INVESTIGATION COMMISSIONED IN TERMS OF SECTION 106 (1) (B) OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (NO. 32 OF 2000) FOR THE PERIOD ENDING MAY 2023</p>	<p>RESOLVED</p> <ol style="list-style-type: none"> 1. THAT the progress report on the implementation of the findings of an investigation commission in terms of Section 106(1)(b) of the Local Government: Municipal Systems Act, 2000 (No. 32 of 2000) for the period ending May 2023 BE NOTED; 2. THAT the progress on the implementation of the Action Plan as per Annexure “A” of this report ALSO BE NOTED; 3. THAT the Financial Misconduct Disciplinary Board which had been established in accordance with Council’s resolution C 145/06/22 dated 22nd June 2022 could not perform its duties due to its decorum after the unexpected resignation of its key municipal officials who serve in the aforementioned board. These officials include the Chief Audit Executive (CAE), Ms N. Ngwenya and Legal Manager, Advocate B. Ntuli who tendered their resignations from employment of the municipality on 31st August 2022 and 30th September 2022 respectively. The board BE RESUSCITATED through the appointing the following members: <ul style="list-style-type: none"> ▪ Head of the municipality’s internal Audit Unit (Ms. MM. Ngwenya) ▪ One member of the Audit Committee (Chairperson of Audit Committee) ▪ A senior manager from the Legal division ▪ Mr. E. Nkuna (Provincial Treasury) ▪ Mr. S. Mofokeng (Chairperson of Risk Committee); and ▪ Representative from GSDM 4. THAT all municipal official implicated in the report BE REFERRED to the Financial Misconduct Disciplinary Board resuscitated as outlined in paragraph (3) above read in conjunction with Council’s resolution C 157/05/23 dated 30th May 2023;
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		<p>5. THAT recent developments of resuscitating the Municipal Public Accounts Committee (MPAC) also be noted since the appointment of its Chairperson, Councillor D.M. Makhoba after the untimely passing away of the late Councillor K. Mntamade on 30th December 2022. The MPAC has already commenced with discharging its duties;</p> <p>6. THAT letters of demands issued through the offices of the various Sheriffs of Court BE NOTED and subsequent challenges previously encountered to locate Mr C.G. Letsoalo, Mr L.N. Msibi and Mr P. Mutshinyali from their last known addresses. The appointed attorneys, Mjali and Associates Attorneys, had to resort to utilizing tracing agents to locate the aforementioned individuals. (Attached hereto as an Annexure is the most recent status as from Friday, 19th May 2023 on the serving the letters of demands to Mr L. Msibi and Mr C.G. Letsoalo);</p> <p>7. THAT the former Councillor, Mr D.M. Khanye also be served with a letter of demand on or before the 19th May 2023 in order to recoup monies that were wrongly paid in his favour. (A reliable email address of Mr D.M. Khanye is being sought after noting that the former email address is bouncing back);</p> <p>8. THAT it also be noted that Municipality has been consistent with the tabling of its Ad-Hoc Committee reports to the Council meetings and subsequently presented progress reports on regular intervals to CoGTA. The dates mentioned hereunder are dates wherein reports were tabled at the Council:</p> <ul style="list-style-type: none"> • 30th August 2022; • 22nd October 2022; and • 30th March 2023. <p>9. THAT the following new reporting dates to CoGTA for the 2023/24 financial BE NOTED as follows:</p> <ul style="list-style-type: none"> • 30th June 2023;
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