

MINUTES

of the

**1st ORDINARY COUNCIL MEETING
FOR THE YEAR 2015**

of

MATJHABENG MUNICIPALITY

held on

TUESDAY, 27 JANUARY 2015

at

14:00

**COUNCIL CHAMBERS, CIVIC CENTRE,
WELKOM**

I

**COUNCILLORS ATTENDANCE: 1ST ORDINARY COUNCIL MEETING
MINUTES: 27 JANUARY 2015**

ANC

PROPORTIONAL			
1.	Stofile B (Speaker)	12.	Ntsebeng MH (Written Apology)
2.	Twala MJ(Chief Whip) (Absent)	13.	Petleki KI
3.	Ngangelizwe S (Executive Mayor)	14.	Radebe MC
4.	Chaka CP	15.	Radebe ML
5.	Kabi M (Absent)	16.	Rubulana L
6.	Kockera SC	17.	Sephiri MJ
7.	Mafa DM	18.	Speelman NW (Written Apology)
8.	Mafongosi ZV	19.	Tlhone ML (Written Apology)
9.	Mbana MA	20.	Tsubane ME
10.	Menyatso KJ (Absent)	21.	Vanga NM
11.	Motshabi MP	22.	Van Rooyen KV
WARD			
23.	Dali	38.	Morris VR
24.	Khalipha TD	39.	Mosala MS (Absent)
25.	Mabote TL (Absent)	40.	Mothege MA
26.	Madumise MM (Absent)	41.	Mphikeleli MA
27.	Makgowe PV	42.	Ntlele KI (Absent)
28.	Masienyane MD	43.	Phetise ME
29.	Mbambo AX (Absent)	44.	Qweshu GL
30.	Mfebe MSE	45.	Riet MI
31.	Vacant	46.	Sifatya Z
32.	Mokhomo HA	47.	Taliwe FE
33.	Molelekoa PA (Written Apology)	48.	Thateng MJ
34.	Molelekoa PMI	49.	Thelingoane TJ
35.	Molete TN	50.	Tlake KR
36.	Molupe RT	51.	Tsatsa SJ
37.	Monjovo NE	52.	Tsubella KS

DA

PROPORTIONAL			
53.	Banyane ME (Absent)	58.	Marais JS
54.	Badenhorst MJ	59.	Mholo PP
55.	Botha PF	60.	Mlangeni MG
56.	Fanie D	61.	Mokotedi TG
57.	Fourie JJC (Written Apology)	62.	Styger A
WARD			
63.	Beneke R (Absent)	66.	Smit DC
64.	De Villiers MT	67.	Van Rooyen
65.	Naude HJ (Written Apology)	68.	Van Schalkwyk HCT

II

COPE

PROPORTIONAL			
69.	Malefane DE	71.	Pina NJ
70.	Matlebe MM		

FF+

PROPORTIONAL	
72.	Taljaard SDM

OFFICIALS

Mr MF Lepheana	:	Municipal Manager
Mr X Msweli	:	Executive Director LED and Planning
Ms M Mogopodi	:	Executive Director Community Services
Mr T Tsoaeli	:	Chief Financial Officer
Mr B Golele	:	Acting Executive Director Corporate Services
Ms DF Ramakhale	:	Acting Snr/Chief Administration Officer

III

(a)	Opening The Speaker welcomed everybody present at the 1 st Ordinary Council Meeting and declared the meeting opened.
(b)	Applications for leave of absence See Councillors' attendance list on pages I and II of these minutes.
(c)	Official announcements of the Speaker None.
(d)	Reports received from the Speaker A1/2015 – A2/2015
(e)	Motions of sympathy and congratulations by the Speaker None.
(f)	Motions of sympathy and congratulations by other Councillors <u>Sympathy</u> <ol style="list-style-type: none">1. Cllr FE Taliwe conveyed a message of sympathy for the passing away of Cllr KJ Menyatso's grandfather.2. Cllr HA Mokhomo conveyed a message of condolences to the family of Cllr ML Thone for the passing away of her sister in law.3. Cllr TD Khalipha also conveyed a motion of sympathy to the family of the late Cllr LC Mokausi for the passing away of his sister.4. Cllr Eric also conveyed a message of condolences to the family of the late former National Commissioner, Mr J Selebi. <u>Congratulations</u> <ol style="list-style-type: none">1. Cllr CP Chaka congratulated the ANC for celebrating 103 years of leading people into the right direction.

IV

<p>(g)</p>	<p>Deputations and interviews</p> <p>DISCUSSIONS</p> <p>The Speaker welcomed the Auditor General at the meeting and afforded him an opportunity to present the Auditor General report in terms of section 126(3) of the MFMA to Council.</p> <p>The Speaker afforded questions to be raised and answers were submitted by the Auditor General. (See item A7/2015 on page 4 of the Minutes).</p>
<p>(h)</p>	<p>Disclosure of interest</p> <p>That if a Councilor has personal/ financial interest on any matter for consideration by Council, such Councillor has to declare interest in the meeting.</p>
<p>(i)</p>	<p>Minutes of the previous meeting:</p> <p>Council resolved (27 January 2015):</p> <ol style="list-style-type: none">1. That the minutes of the of the 6th Ordinary Council meeting held on 25 November 2015 BE APPROVED in conjunction with the following corrections : <p>A38/2014</p> <p><u>APPLICATION TO BUY ERF 8122 THABONG (AMM) (8/3/2/45/8)</u></p> <p>That the omission of Council resolution on the above item be inserted to read as follows:</p> <ol style="list-style-type: none">2. The Municipal Manager BE AUTHORIZED to dispose of erf 8122 in compliance with the relevant legislation frame work at a value of R1, 5 million. <p>A58/2014</p> <p><u>PROCUREMENT OF LAPTOPS AND 3GS FOR ALL COUNCILLORS (SPEAKER) (2/4)</u></p> <p><u>COUNCIL RESOLVED (25 November 2014)</u></p> <p>That the Council Resolution be corrected to read as follows:</p> <ol style="list-style-type: none">1. That Council APPROVED migration to paperless administration to all Councillors in principle pending the investigations of the financial benefits and costs.

V

	<p>A66/2014</p> <p><u>DRAFT ALLOCATION POLICY FOR ALL SECTIONS OF HUMAN SETTLEMENTS IN MATJHABENG</u> (SENIOR MANAGER: TOWN PLANNING & HOUSING) (8/1/B)</p> <p>That the following point be added on the resolution:</p> <p><u>COUNCIL RESOLVED</u> (25 NOVEMBER 2014)</p> <p>2. That the Draft Human Settlement Plan BE SUBJECTED to Public Participation and be re-submitted to Council.</p>
(j)	<p>Matters arising from the minutes:</p> <p>Minutes 25 November 2014:</p> <p>A43/2014</p> <p><u>SOUTH AFRICAN POLICE SERVICE: APPLICATION TO PURCHASE A PORTION OF ERF 2591, KUTLWANONG FOR THE DEVELOPMENT OF A COMMUNITY POLICE STATION (LED) (8/3/2/47/5)</u></p> <p>Council Resolved (25 November 2014):</p> <p>That the following point be added on the resolution:</p> <p>5. That the valuation report BE SUBMITTED to Council.</p> <p>Councillor PF Botha requested that the valuation report be submitted at the next Ordinary Council meeting.</p>
(k)	<p>Questions of which notice were given</p> <p>A3/2015 - A6/2015</p>
(l)	<p>Report of the Executive Committee/Executive Mayor/Committee Reports</p> <p>A7/2015 - A15/2015 – C1 and C2</p>
(m)	<p>Motions</p> <p>None.</p>
(n)	<p>Closing</p> <p>The Speaker thanked everyone who participated in the meeting</p> <p>The Speaker ended the meeting at 18:40.</p>

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CLLR B STOFIE (SPEAKER)

.....
DATE

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1

Cllr Mokhomo HA was unanimously appointed to act as Chairperson in order to allow the Speaker to present items A1/2015 – A2/2015 to Council.

The Speaker welcomed the members of the Public in the Council meeting.

A1/2015

REPORT ON COUNCILLORS OWING THE MUNICIPALITY (SPEAKER) (6/18/1)

PURPOSE

To present the report on Councillors owing the Municipality as resolved by the Council on 25 November 2014.

COUNCIL RESOLVED: (27 JANUARY 2015)

That the item **BE WITHDRAWN**.

A2/2015

WARD COMMITTEES' REPORT FOR THE SECOND QUARTER OF 2014/2015 FINANCIAL YEAR (SPEAKER) (3/8/1/1)

PURPOSE

To present the quarterly report of ward committees to council in line with the SDBIP and the dictates of the “Back to Basics” Programme as expected from the Speaker.

DISCUSSION

The Speaker presented the item to Council

COUNCIL RESOLVED: (27 JANUARY 2015)

That Council **TAKES NOTE** the quarterly report on public participation for second quarter of 2014/2015.

A3/2015

QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR JJ FOURIE (MM) (3/1/1) (3/1/3/2)

PURPOSE

To submit the questions raised by Cllr JJ Fourie and the response thereon by the Municipal Manager.

DISCUSSION

The Speaker presented the item to Council

COUNCIL RESOLVED: (27 JANUARY 2015)

That the questions raised by Cllr JJ Fourie and the response thereon by the Municipal Manager **BE NOTED.**

A4/2015

QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR JJ FOURIE (MM) (3/1/1) (3/1/3/2)

PURPOSE

To submit the questions raised by Cllr JJ Fourie and the response thereon by the Municipal Manager.

DISCUSSION

The Speaker presented the item to Council

COUNCIL RESOLVED: (27 JANUARY 2015)

That the questions raised by Cllr JJ Fourie and the response thereon by the Municipal Manager **BE NOTED.**

3

A5/2015

QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR JJ FOURIE (MM) (3/1/1) (3/1/3/2)

PURPOSE

To submit the questions raised by Cllr JJ Fourie and the response thereon by the Municipal Manager.

DISCUSSION

The Speaker presented the item to Council

COUNCIL RESOLVED: (27 JANUARY 2015)

That the questions raised by Cllr JJ Fourie and the response thereon by the Municipal Manager **BE NOTED.**

A6/2015

QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR PF BOTHA (MM) (3/1/1) (3/1/3/2)

PURPOSE

To submit the questions raised by Cllr PF Botha and the response thereon by the Municipal Manager.

DISCUSSION

The Speaker presented the item to Council

COUNCIL RESOLVED: (27 JANUARY 2015)

That the questions raised by Cllr PF Botha and the response thereon by the Municipal Manager **BE NOTED.**

The Speaker resumed his position.

A7/2015

DRAFT ANNUAL REPORT 2013/2014: MATJHABENG MUNICIPALITY (MM)
(12/1/1)

PURPOSE

The purpose of the report is to table the Draft Annual Report of the financial year 2013/14 to Council for consideration.

DISCUSSION

The Executive Mayor presented the item to Council

COUNCIL RESOLVED: (27 JANUARY 2015)

1. That Council **TAKES NOTE** of the Auditor General's Report.
2. That Council **TAKES NOTE** of the Draft Annual Report for the financial year 2013/14
3. That the Annual Report for the 2013/14 financial year **BE FORWARDED** to the Municipal Public Accounts Committee (MPAC) for further processing and finalization.
4. That the Municipal Manager **MUST DEVELOP** an action Plan and same be submitted at the next Ordinary Council meeting to be held on March 2015.
5. That the Executive Summary on the Draft Annual Report for Public Participation **BE PRODUCED**.

\\At 18:05 the ANC requested a 5 minutes caucus, which was granted

A8/2015

MUNICIPAL ADJUSTMENT BUDGET (6/1/1/1 2014/2015) (CFO)

PURPOSE

To submit to Council a Recommendation for an Adjustment Budget in terms of Section 28 of the Municipal Finance Management Act no.56 of 2003.

DISCUSSION

The Executive Mayor presented the item to Council

COUNCIL RESOLVED: (27 JANUARY 2015)

1. That Council **APPROVES** the 2014/2015 Adjustment Budget.
2. That Bulk water and Bulk electricity **SHOULD NOT** be adjusted.
3. That the Expenditure Budget **BE FUNDED** through austerity measures from General Expenditure.

A9/2015

MID-YEAR BUDGET AND PERFORMANCE REPORT- 1 JULY 2014 - 31 DECEMBER 2014 (EDSSS)

PURPOSE

To present to Council a report on the performance of the Municipality for the period 1 July 2014 to 31 December 2014 as required by legislation.

DISCUSSION

The Executive Mayor presented the item to Council

COUNCIL RESOLVED: (27 JANUARY 2015)

That Council **TAKES NOTE** of the report and deal with it in terms of Sections 72 and 54 of Municipal Finance Management Act.

A10/2015

REPORT ON THE LAND AVAILABILITY AGREEMENT BETWEEN MATJHABENG MUNICIPALITY AND BARUCH BUILDING CONSTRUCTION CC (AED: CSS) (20/14/4/3)

PURPOSE

The purpose of this item is to submit for consideration a report to Council about the status quo of the Land Availability Agreement between Matjhabeng Local Municipality and Baruch Building Construction CC.

DISCUSSION

The Executive Mayor presented the item to Council

COUNCIL RESOLVED: (27 JANUARY 2015)

1. That Council **TAKES NOTE** of the report.
2. That Council resolves that the Municipal Manager **BE MANDATED** to implement the legal opinion.
3. That Baruch **BE INSTRUCTED** to hand over the list of the beneficiaries to the Municipality.
4. That the Municipal Manager **HANDS OVER** the list of beneficiaries to the Department of Cooperative Governance and Traditional Affairs in the Free State.
5. That the remainder of **ERF T 11 Phase 2 Thabong, in the District of Welkom (the Land)** **BE HANDED** over to the Department of Cooperative Governance and Traditional Affairs for development.

A11/2015

REPORT OF THE MAYORAL STRATEGIC PLANNING SESSION HELD ON THE 13TH AND 14TH JANUARY (AEDCSS) (3/1/4/3)

PURPOSE

To submit to Council the report of the Mayoral Strategic Planning session together with the Departmental action plans generated from the Mayoral Strategic Planning Session.

COUNCIL RESOLVED: (27 JANUARY 2015)

1. That the Council **TAKES NOTE** of this report.
2. That the Municipal Manager, Executive Directors and the Senior Managers **IMPLEMENT** the action plan and report to the Mayoral Committee on a monthly basis.

A12/2015

APPOINTMENT OF SELECTION PANEL FOR THE FILLING OF THE VACANT POSITION OF THE EXECUTIVE DIRECTOR CORPORATE SUPPORT SERVICES (MM) (5/3/2/1)

PURPOSE

To request Council to appoint the selection panel for the purpose of making recommendations for the appointment of the Executive Director: Corporate Support Services.

DISCUSSION

The Executive Mayor presented the item to Council

COUNCIL RESOLVED: (27 JANUARY 2015)

That Council **APPOINTS** the following selection panel for the filling of the vacant position of the Executive Director: Corporate Support Services:

1. SALGA
2. CoGTA
3. Municipal Manager – Matjhabeng Municipality.
4. Councillor A Styger and Councillor MSE Mfebe

A13/2015**DEPARTMENT OF HEALTH: REQUEST FOR THE ALIENATION OF ERVEN FOR THE DEVELOPMENT OF NEW COMMUNITY CLINICS IN MATJHABENG (LED) (8/3)****PURPOSE OF REPORT**

The purpose of the report is to motivate the alienation of erven to the Department of Health for the development of new clinics in the following areas:

- a) Rheeder Park
- b) Riebeeckstad
- c) Mmamahabane

DISCUSSION

The Executive Mayor presented the item to Council

COUNCIL RESOLVED: (27 JANUARY 2015)

1. That since Erven 6050 Rheeder Park, 5821 Riebeeckstad and erven 2189 and 2190 MMamahabane are not required by the Municipality now or in future to provide the minimum level of basic municipal services to the community, the alienation thereof to the Department of Health **BE SUPPORTED**.
2. That the alienation of the following erven at full market value be approved and that the Municipal Manager **BE AUTHORIZED** to finalize the sales agreement with the Department of Health in accordance with the conditions of alienation and development as contemplated in the report:

SITE DESCRIPTION	AREA
RHEEDER PARK	
ERF 6050	3843
RIEBEECKSTAD	
Erf 5821	6993
MAMMAHABANE	
Erf 2189	2937
Erf 2190	2876

3. That Erf 2189 and Erf 2190 at Mammahabane **BE CONSOLIDATED** and rezone for the development of Clinic.
4. That the Municipal Manager **MUST WRITE** a letter to the Department of Health.

A14/2015

PROGRESS REPORT ON COUNCIL RESOLUTIONS (AED: CSS) (2/2/2)

PURPOSE

To submit a progress report to Council, on Council Resolutions for noting.

DISCUSSION

The Executive Mayor presented the item to Council

COUNCIL RESOLVED: (27 JANUARY 2015)

That the progress report on Council Resolutions Audit **BE NOTED**.

A15/2015

APPOINTMENT OF SELECTION PANEL FOR THE FILLING OF THE VACANT POSITION OF THE EXECUTIVE DIRECTOR INFRASTRUCTURE (MM) (5/3/2/1)

PURPOSE

To request Council to appoint the selection panel for the purpose of making recommendations for the appointment of the Executive Director: Infrastructure.

DISCUSSION

The Executive Mayor presented the item to Council

COUNCIL RESOLVED: (27 JANUARY 2015)

That Council **APPOINTS** the following selection panel for the filling of the vacant position of the Executive Director Infrastructure:

1. SALGA
2. CoGTA
3. Municipal Manager – Matjhabeng Municipality
4. Councillor KJ Menyatso and Councilor A Styger

Items C1/2015 and C2/2015 were handled in-Committee

C1/2015

EXTENSION OF THE ACTING PERIOD OF THE ACTING EXECUTIVE DIRECTOR CORPORATE SUPPORT SERVICES (MM)(5/5/2)

PURPOSE

DISCUSSION

The Executive Mayor presented the item to Council

COUNCIL RESOLVED: (27 JANUARY 2015)

That Mr M Atolo **BE APPOINTED** as acting Executive Director Corporate Services.

C2/2015

EXTENSION OF THE ACTING PERIOD OF THE ACTING EXECUTIVE DIRECTOR INFRASTRUCTURE (ACTING MM) (5/5/2)

PURPOSE

The purpose of the item is to request Council to consent to the application for the extension of the acting period of the Acting Executive Director: Infrastructure in line with the Municipal Systems Amendment Act.

DISCUSSION

The Executive Mayor presented the item to Council

COUNCIL RESOLVED: (27 JANUARY 2015)

That Mr T Makofane Executive Director Strategic Support Services **BE APPOINTED** as acting Executive Director: Infrastructure.