

# **MINUTES**

**OF THE**

**1<sup>st</sup> ORDINARY MEETING  
FOR THE YEAR 2011**

**of**

**MATJHABENG MUNICIPALITY**

**held on**

**THURSDAY, 27 JANUARY 2011**

**at**

**14:00**

## COUNCILLORS ATTENDANCE: COUNCIL MEETING: 27 JANUARY 2011

### ANC

PROPORTIONAL			
1.	Ngangelizwe S ( <b>Executive Mayor</b> ) <b>(Until 15:00)</b>	14.	Radebe ML ( <b>Written Apology</b> )
2.	Baaitjies M	15.	Ramaisa KA
3.	Dlova TW	16.	Senoge MM
4.	Humphries MF ( <b>Sick</b> )	17.	Sephiri MJ ( <b>Chief Whip</b> )
5.	Masoleng NI	18.	Speelman NW
6.	Matlabe MMT	19.	Qwasha GL
7.	Sentle AN	20.	Thuthani ZA
8.	Mbana MA ( <b>Written Apology</b> )	21.	Radebe MC
9.	ZP Noveld	22.	Tlhone ML
10.	Molefi MJ	23.	Tsubane ME
11.	Nyembe ME ( <b>Written Apology</b> )	24.	Twanana M
12.	Petleki KI	25.	Vanga NM
13.	Qabela V	26.	Kotzee D
		27.	Majoe TS
WARD			
28.	Phokwana SL	44.	Mphikeleli MA
29.	Kotzee AP	45.	Nakwa TA
30.	Mahloko NN ( <b>Written Apology</b> )	46.	Ntsala NS
31.	Makgowe PV	47.	Peterson E
32.	Mbambo AX	48.	Phetise ME
33.	Manzana NR	49.	Radebe LLF
34.	Masienyane MD	50.	Rubulana L ( <b>Speaker</b> )
35.	Mathebula MA	51.	Nteo SD
36.	Mfebe MSE	52.	Sejane LM
37.	Mkhusane NC	53.	Semela ME
38.	Moahloli MS	54.	Sithole B
39.	Mokhuma MS	55.	Taliwe FE ( <b>Written Apology</b> )
40.	Mokobori KE ( <b>Sick Leave</b> )	56.	Themhani PP
41.	Monjovo NE ( <b>Written Apology</b> )	57.	Tsatsa SJ
42.	Montshioa BA		
43.	Motshabi MP		

## II

### DA

PROPORTIONAL			
58.	Edeling JH ( <b>Written Apology</b> )	62.	Mhlafu BD ( <b>Absent</b> )
59.	Fourie JJC ( <b>Absent</b> )	63.	Mokotedi TG
60.	Marais JS ( <b>Written Apology</b> )	64.	Neumann VH
61.	Meyer KL		
WARD			
65.	Beneke R ( <b>Absent</b> )	68.	Styger A
66.	Botha PF	69.	Van Rooyen HC ( <b>Written Apology</b> )
67.	Smit DC		

### FF+

PROPORTIONAL	
70.	Coetzee BJA

### ACDP

PROPORTIONAL	
71.	Meko MA

### IND

WARD	
72.	Liphoko SJ ( <b>Written Apology</b> )

### OFFICIALS

Mr THE Pietersen	:	Municipal Manager
Mr S Makhubu	:	Executive Director: Strategic Support Services
Mr TR Shiringani	:	Acting Executive Director: Corporate Support Services
Mr E Motheoane	:	Acting Executive Director: Social Services and Law Enforcement
Mr LB de Bruyn	:	Acting Chief Financial Officer
Mr JKF Jankowitz	:	Administrative Officer (Corporate Services)

### III

#### SECTION A

##### 1. OPENING

The Speaker welcomed everybody present and requested Rev Piet Kraai of the Arrive and Shine Lighthouse Ministry to open the meeting with Scripture reading and prayer.

##### 2. APPLICATIONS FOR LEAVE OF ABSENCE

See Councillors Attendance List on **pages I and II.**

##### 3. OFFICIAL ANNOUNCEMENTS

3.1 The Speaker raised his concern about the late distribution of the agenda and indicated that there were different interpretations of the Standard Rules and Orders with regard to the 48 hours rule.

Cllr Styger indicated that he interprets it that the agendas should have been delivered 48 hours prior to the meeting.

After lengthy discussion the Speaker and the Executive Mayor indicated that it would be the last time that the late distribution of agendas would be tolerated and the Municipal Manager **must ensure** that agendas are delivered on time.

##### 4. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER

The meeting was informed that the Speaker, Cllr L Rubulana and Cllr R Beneke's mothers passed away.

A moment of silence was observed.

##### 5. DISCLOSURE OF INTEREST

None.

##### 6. DEPUTATIONS AND INTERVIEWS

The Auditor General presented Item A1/2011.

##### 7. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

None.

## IV

### 8. MINUTES OF THE PREVIOUS MEETING

#### COUNCIL RESOLVED (27 JANUARY 2011)

1. That the minutes of the 8<sup>th</sup> Ordinary Council meeting held on 14 December 2010 **BE APPROVED** in conjunction with the following amendments:

**Page 1, Councillors Attendance:** That Cllr MF Humphries be indicated as sick and not absent.

**Page 5, A83/2010**

#### PURCHASE OF WELKOM SPORTS CLUB AND CONFERENCE CENTRE (MM) (2/1)

That paragraph 2 of the resolution which read as follows, **BE DELETED:**

*“That the funds to purchase the Welkom Sports and Conference Centre **BE SOURCED** from the Equitable Share.”*

2. That the minutes of the 4<sup>th</sup> Special Council meeting held on 21 December 2010 **BE APPROVED** in conjunction with the following amendment:

**Page 1, Councillors Attendance:** That the abbreviation **(MMC)** next to Cllr BA Montshioa’s name **BE DELETED.**

### 9. MATTERS ARISING FROM THE MINUTES

**14 DECEMBER 2010**

**Page 2, A78/2010**

#### REPORT ON HARMONY GOLD’S DESIRE TO DONATE SOME OF THE MINE PROPERTIES (SNR MANAGER TP AND HS) (8/1/1)

#### COUNCIL RESOLVED (27 JANUARY 2011)

That the written commitment from Harmony Gold as requested in the meeting of 14 December 2010 **BE SUBMITTED** at the next Council meeting.

# V

Page 5, A83/2010

## PURCHASE OF WELKOM SPORTS CLUB AND CONFERENCE CENTRE (MM) (2/1)

Cllr A Styger indicated that the report on the reasons why the Council resolution was not implemented was not included in the agenda.

The Executive Mayor indicated that the report would be submitted at the next Council meeting.

### **10. FORMAL SIGNING OF MINUTES**

The Speaker indicated that he would sign the minutes after the meeting.

### **SECTION B**

### **11. REPORTS OF THE SPEAKER IN TERMS OF RULES 15(1) AND 99(4)**

None.

### **12. REPORTS OF THE EXECUTIVE MAYOR**

A1/2011 – A16/2011

### **13. MOTIONS**

See Items A10/2011 to A12/2011.

### **14. CLOSING REMARKS**

None.

### **15. CLOSURE**

The Speaker terminated the meeting at **17:20**.

.....  
**L RUBULANA (SPEAKER)**

.....  
**DATE**

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<b>ITEM</b>	<b>ITEM DESCRIPTION</b>	<b>PAGE</b>
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# 1

**The Speaker requested that Council appoints an acting Speaker to chair the meeting as he had requested to be excused earlier due to other commitments.**

**Cllr TS Majoe was unanimously appointed as acting Speaker.**

**A1/2011**

## **REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2010 (6/12/2/1) (ACFO)**

### **PURPOSE**

To inform Council regarding the report of the Auditor General on the financial statements for the year ended 30 June 2010.

### **DISCUSSIONS**

The Executive Mayor introduced the Auditor General and afforded him the opportunity to present the report to Council.

### **COUNCIL RESOLVED (27 JANUARY 2011)**

1. That Council **TAKES NOTE** of the report of the Auditor-General of the Matjhabeng Local Municipality.
2. That management **IMPLEMENTS** recommendations of the Auditor General and report to the Mayoral Committee on a monthly basis.
3. That appropriate action **BE TAKEN** against the Municipal Manager and staff for not adhering to the requirements as laid down by legislation contributing to the queries.
4. That the Municipal Manager **BE ASSIGNED** to compile an action plan to address and rectify the queries indicated in the report.
5. That the said action plan **BE SUBMITTED** at the next Council meeting.
6. That the Municipal Manager **MUST SUBMIT** a report on how to get the Audit Committee functional again to the next Council meeting.

**A2/2011**

**MONTHLY BUDGET REPORT – DECEMBER 2010 (ACFO) (12/1/2/3)**

**PURPOSE**

To submit to Council the Budget Report for December 2010 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003.

**DISCUSSIONS**

The Executive Mayor presented the item and indicated that he was not satisfied with the progress of the MIG projects.

**COUNCIL RESOLVED (27 JANUARY 2011)**

1. That the Budget Report for December 2010 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED**.
2. That the report **BE SUBMITTED** to National and Provincial Treasury.

**A3/2011**

**MID-YEAR PERFORMANCE REPORT – JULY 2010 TO DECEMBER 2010 (6/1/1/1) (AEDCSS)**

**PURPOSE**

To submit to Council the Mid-Year Performance Reports in terms of Section 72 of the Municipal Finance Management Act Number 56 of 2003 for six months ended 31 December 2010.

**DISCUSSIONS**

The Executive Mayor presented the item.

**COUNCIL RESOLVED (27 JANUARY 2011)**

1. That the Mid-year Performance Report for the six months ended 31 December 2010 **BE NOTED**.
2. That the report **BE SUBMITTED** to National and Provincial Government.

**A4/2011**

**DRAFT ANNUAL REPORT 2009/10: MATJHABENG MUNICIPALITY (2/1) (MM)**

**PURPOSE**

The purpose of the report is to table the draft Annual Report of the financial year 2009/10 for consideration.

**DISCUSSIONS**

The Executive Mayor presented the report.

**COUNCIL RESOLVED (27 JANUARY 2011)**

1. That Council **TAKES NOTE** of the Annual Report for the Financial Year 2009/2010.
2. That the Annual Report for the Financial Year 2009/2010 **BE FORWARDED** to the Oversight Committee for finalization.
3. That Management **MUST ASSIST** the Oversight Committee in their proceedings on the Annual Report.

**A5/2011**

**IDP PROCESS PLAN FOR 2011/2012 FINANCIAL YEAR (DSSS) (12/1/2/3)**

**PURPOSE**

To submit to Council the IDP Process Plan for 2011/2012 financial year.

**DISCUSSIONS**

The Executive Mayor presented the item.

**COUNCIL RESOLVED (27 JANUARY 2011)**

That Council **TAKES NOTE** of the IDP Process Plan for 2011/2012 financial year.

**A6/2011**

**DRAFT POLICY ON THE DISPOSAL OF IMMOVABLE ASSETS FOR MATJHABENG MUNICIPALITY (SMTP & HS) (8/1/B)**

**PURPOSE**

To present before Council a draft policy on the disposal of immovable assets for consideration.

**DISCUSSIONS**

The Executive Mayor presented the item.

**RECOMMENDATION**

1. That Council **TAKES NOTE** of the contents of the draft policy on the Disposal of Immovable assets.
2. That the draft policy **BE MADE AVAILABLE** for the public participation process for a period of 30 days whereafter it must be re-submitted to Council.

**A7/2011**

**DRAFT PROPERTY RATES POLICY (ACFO) (6/1/B)**

**PURPOSE**

To submit to Council the draft Property Rates Policy for adoption.

**DISCUSSIONS**

The Executive Mayor presented the item.

**COUNCIL RESOLVED (27 JANUARY 2011)**

That Council **ADOPTS** the Second Draft Property Rates Policy as a policy of Council.

## 5

**A8/2011**

### **MUNICIPAL BUDGET ADJUSTMENT: 2010/11 (ACFO) (6/1/1-2010/11)**

#### **PURPOSE**

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

#### **DISCUSSIONS**

The Executive Mayor presented the item.

#### **COUNCIL RESOLVED (27 JANUARY 2011)**

That the 2010/11 Capital Adjustment Budget, as contained in the Annexures, **BE APPROVED.**

**A9/2011**

### **REPORT ON PROCESS TAKEN FOR THE RELOCATION OF ROVERS RUGBY CLUB TO NORTH WEST RUGBY STADIUM (AEDCS) (10/1/1/3)**

#### **PURPOSE**

To report to Council about the process taken for the relocation of Rovers Rugby Club to North West Rugby Stadium.

#### **DISCUSSIONS**

The Executive Mayor requested that he be allowed to handle the matter and report back to Council at the next meeting.

#### **COUNCIL RESOLVED (27 JANUARY 2011)**

That the item **BE WITHDRAWN.**

## 6

**A10/2011**

**MOTION: COUNCILLOR JHA EDELING: PAYMENT OF ARREARS BY COUNCILLORS AND OFFICIALS (3/1/3/2) (AEDCSS)**

**PURPOSE**

To submit to Council the motion received from Councillor JHA Edeling for consideration.

**DISCUSSIONS**

The Acting Speaker indicated that Cllr JHA Edeling was not present at the meeting at requested that the motion be referred to the next meeting.

**COUNCIL RESOLVED (27 JANUARY 2011)**

That the item **BE REFERRED** to the next Council meeting.

**A11/2011**

**MOTION: COUNCILLOR J FOURIE : BY- LAWS (3/1/3/2) (AEDCSS)**

**PURPOSE**

To submit to Council the motion received from Councillor J Fourie for consideration.

**DISCUSSIONS**

The Acting Speaker indicated that Cllr J Fourie was not present at the meeting at requested that the motion be referred to the next meeting.

**COUNCIL RESOLVED (27 JANUARY 2011)**

That the item **BE REFERRED** to the next Council meeting.

**A12/2011**

**MOTION: COUNCILLOR PF BOTHA : SUSPENSION OF OFFICIALS MENTIONED IN THE RAMATHE FIVAZ REPORT (3/1/3/2) (AEDCSS)**

**PURPOSE**

To submit to Council the motion received from Councillor PF Botha for consideration.

**DISCUSSIONS**

Cllr Styger requested clarity if the item was not to be handled *in camera* as it was previous done.

The Acting Speaker indicated that the item would be discussed *in camera* and requested officials and members of the public to leave the Council Chambers.

**COUNCIL RESOLVED (27 JANUARY 2011)**

That the MEC **BE REQUESTED** to submit the report on the investigation conducted in terms of section 106 of the Municipal Systems Act, Nr 32 of 2000 to Council as a matter of urgency.

**A13/2011**

**SCHEDULE: COUNCIL MEETINGS 2011 (3/1/3/1) (SPEAKER)**

**PURPOSE**

To submit to Council the proposed dates for Council meetings for 2011.

**DISCUSSIONS**

The Executive Mayor presented the item.

**COUNCIL RESOLVED (27 JANUARY 2011)**

That Council **TAKES NOTE** of the following dates of Council meetings as submitted:

# 8

## PROPOSED DATES FOR COUNCIL MEETINGS 2011

MONTH	
Tuesday, 22 February 2011	- Council Chamber
Tuesday, 29 March 2011	- Council Chamber
Tuesday, 19 April 2011	- Council Chamber

A14/2011

### **REPORT ON THE DELIMITATION OF WARDS OF MATJHABENG LOCAL MUNICIPALITY(FS 184) (Office of the Speaker) (18/1/1)**

#### **PURPOSE**

To report to Council on the delimitation process undertaken by the Municipal Demarcation Board for the 2011 Local Government Elections.

#### **DISCUSSIONS**

The Executive Mayor presented the item.

#### **COUNCIL RESOLVED (27 JANUARY 2011)**

That the Executive Mayor **BE DELEGATED** to pursue the delimitation of wards with the relevant authorities and if necessary, seek recourse through the courts of law.

A15/2011

### **PUBLICATION OF VALUATION ROLL (ACFO) (6/22/5)**

#### **PURPOSE**

To inform Council regarding the publication of the Valuation Roll.

#### **DISCUSSIONS**

The Executive Mayor presented the item.



## 9

### **COUNCIL RESOLVED (27 JANUARY 2011)**

That Council **TAKES NOTE** of the publication of the Valuation Roll for inspection.

**A16/2011**

### **REPORT ON NEGOTIATIONS BETWEEN THE MUNICIPALITY AND OWNER OF WELKOM CLUB FACILITY (EDCS) (2/1)**

#### **PURPOSE**

To report to Council about the negotiations held between the Municipality and the owner of Welkom Club Facility to reduce the purchase price from R8 200 000.00 to R3 500 000.00 as per Council Resolution A83/2010.

#### **DISCUSSIONS**

The Executive Mayor requested that he be allowed to handle the matter and report back to Council at the next meeting.

### **COUNCIL RESOLVED (27 JANUARY 2011)**

That the item **BE WITHDRAWN**.