

MINUTES

of the

**1ST SPECIAL COUNCIL MEETING
OF THE 4TH TERM**

of

MATJHABENG MUNICIPALITY

held on

FRIDAY, 14 OCTOBER 2016

at

17:00

**COUNCIL CHAMBERS, CIVIC CENTRE,
WELKOM**

I

COUNCILLORS ATTENDANCE

**1ST SPECIAL COUNCIL MEETING OF THE 4TH TERM MINUTES
14 OCTOBER 2016**

PROPORTIONAL			
1.	Stofile B (Speaker)	19.	Moipatle KSV
2.	Sephiri MJ (Chief Whip)	20.	Mthebere NA (Absent)
3.	Speelman NW (Executive Mayor)	21.	Ngesi TM
4.	Badenhorst MJ	22.	Ntsebeng MH
5.	Botha PF	23.	Phofeli NM
6.	Direko DR	24.	Presente LN
7.	Jacobs EJ	25.	Radebe MC
8.	Kabi M (Apology)	26.	Radebe ML (Apology)
9.	Khetsi LE	27.	Rakaki MM
10.	Letlhake TW	28.	Ramabodu BM
11.	Lushaba TB	29.	Senxezi ME
12.	Macingwane MT (Apology)	30.	Sithole AM
13.	Mafaisa MG	31.	Styger A
14.	Manenye AJ	32.	Taljaard SDM (Apology)
15.	Manese SD	33.	Thelingoane NE
16.	Marais JS	34.	Tshopo ME (Apology)
17.	Masina XN	35.	Tsoaeli MS
18.	Mbana MA	36.	Tsupa MR
WARD			
37.	Badenhorst HS	55.	Moshoeu ZS
38.	Chaka MS	56.	Mosia TJ
39.	Daly A	57.	Mphikeleli MA
40.	Khalipha TD	58.	Nkonka BB
41.	Khothule MJ (Apology)	59.	Nthako TD
42.	Liphoko SJ	60.	Ntuli BN
43.	Mafa DM	61.	Pholo SJ
44.	Mahlumba BH	62.	Poo IP
45.	Malherbe C	63.	Ramalefane SJ
46.	Manzana NR	64.	Ramatisa PT
47.	Masienyane MD (Apology)	65.	Schlebusch CJ
48.	Meli TS	66.	Sebotsa MM
49.	Mokhomo HA (Apology)	67.	Thelingoane TJ
50.	Molefi M	68.	Tlake KR
51.	Molelekoa PMI	69.	Tsatsa SJ
52.	Moloja NJ	70.	Tshabangu SE
53.	Monjovo NE (Apology)	71.	Van Rooyen MS
54.	Morris VR (Apology)	72.	Van Schalkwyk HCT



EXECUTIVE MANAGEMENT

Mr MF Lepheana	:	Municipal Manager
Mr T. Makofane	:	Executive Director: Strategic Support Services
Mr ET Tsoaeli	:	Chief Financial Officer
Mr FF Wetes	:	Executive Director: Corporate Services
Mr X. Msweli	:	Executive Director: LED, Planning & HS
Me M. Mogopodi	:	Executive Director: Community Services
Me HB Maswanganyi	:	Executive Director: Infrastructure

COUNCIL ADMINISTRATION SECRETARIAT

Mr M. Atolo	:	Senior Manager: Council Admin
Me PP Seleka	:	Admin Officer (Corporate Services)

III

(a)	<p>Opening</p> <p>The Speaker welcomed everybody present at the 1st Special Council meeting of the 4th term and declared the meeting open.</p> <p>Cllr TM Ngesi raised his objection with regard to the rule that was used to convene the meeting and suggested that the Special Council meeting was supposed to be convened in terms of Rule 10 (B).</p> <p>Cllr PF Botha responded by confirming that the Rule 4 (1) that was used to convene the meeting was correct as it reads as follows: <i>“Determination of the time and venue of Special Council meetings – Subject to the provisions of Section 29(3) of the Structures Act, the Speaker may at any time convene a Special meeting of Council on the date, time and venue determined by him or her.”</i></p> <p>Cllr SE Tshabangu requested that his objection against the rule that was used to convene the meeting should be recorded.</p>
(b)	<p>Applications for leave of absence</p> <p>See Councillors’ attendance list on page I of these minutes.</p>
(c)	<p>Official announcements of the Speaker</p> <p>None</p>
(d)	<p>Taking of Oath by new Councillors</p> <p>The Speaker informed Council that Cllr ML Tlhone had ceased to be a member of Matjhabeng Local Council and her Party has replaced her with Cllr SD Manese and Cllr MS Mthunzi has tendered her resignation and her Party had replaced her with Cllr BM Ramabodu.</p> <p>He then handed over to the Magistrate, Mr S. Ferreira to administer the Oath.</p> <p>Cllr SD Manese and Cllr BM Ramabodu were duly sworn in as members of Matjhabeng Local Council in the presence of all Council members.</p>
(e)	<p>Motions of sympathy and congratulations</p> <p>None</p>
(f)	<p>Disclosure of interest</p> <p>The Speaker reminded Councillors to update their declaration forms at the office of the Municipal Manager each year, however if a Councillor has a personnel/financial interest on any matter for consideration by Council, such Councillor has to declare his/her interest in the meeting.</p>
(g)	<p>Matters for discussion</p> <p>SA36/2016 – SA38/2016</p>
(h)	<p>Closing</p> <p>The Speaker thanked everyone who attended and ended the meeting at 19h30.</p>

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CLLR B. STOFILE (SPEAKER)

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DATE

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Cllr M.A. Mphikeleli was appointed to preside in order to allow the Speaker to present Items SA36/2016 – SA38/2016 to Council.

Cllrs TM Ngesi and SE Tshabangu objected to the vacation of the chair by the Speaker and suggested that the Speaker was only allowed to vacate his chair when he presents a report in terms of Rule 99. Their objection was noted by Council.

SA36/2016

PUBLIC PARTICIPATION POLICY FOR MATJHABENG LOCAL MUNICIPALITY (SPEAKER) (14/1/B)

PURPOSE

To submit to Council, for adoption, the proposed Public Participation Policy for 2016-2021 term of Council for purposes of consultation with the community.

DISCUSSION

The Speaker presented the item to Council.

COUNCIL RESOLVED: (14 OCTOBER 2016)

1. That Council **ADOPTS** the Participation Policy for consultation with communities.
2. That Council **TAKES NOTE** of the schedule for establishment of ward committees.
3. That Council **TAKES NOTE** of the information disseminated on local newspapers as part of awareness campaign regarding the establishment, roles and functions of ward committees.
4. That the policy should **BE SUBJECTED** to public participation and should be re-submitted to Council for finalization.

SA37/2016

PROPOSED WITHDRAWAL OF THE MATJHABENG LOCAL MUNICIPAL COUNCILLORS FROM THE MUNICIPAL COUNCILLORS' PENSION FUND (MCPF) (SPEAKER) (5/4/4/1/1)

PURPOSE

To submit to Council, for consideration and adoption, the proposal for withdrawal from the MCPF and affiliation to another Fund.

DISCUSSION

The Speaker presented the item to Council.

COUNCIL RESOLVED: (14 OCTOBER 2016)

1. That Council **INSTRUCTS** the Administration **TO ENSURE** that three (3) reputable Service Providers in the field of Pension administration are identified within seven (7) days from the date of Council.
2. That Council **APPOINTS** a Multi-Party Committee comprising of nine (9) members who have insight into the affairs of Pension Funds, to look into all possibilities, find best options that would be beneficial to all Councillors and **SUBMIT** feedback at the next Council meeting.
3. That the identified Service Providers should **MAKE** a presentation to Councillors before the 31st of October 2016.
4. That the Administration **MUST ENSURE** that SARS is also part of the session to advise Councillors on tax implications.
5. That a report **BE SUBMITTED** to Council within 14 days after the presentation, for finalization.
6. That SALGA **BE REQUESTED** to expedite the investigation into the current affairs of the MCPF and if need be, legal action be taken against implicated officials or board members.
7. That Councillors who were members of the Fund **SHOULD CONTINUE** to contribute until Council takes a final decision to withdraw from the Fund.

SA38/2016

ELECTION OF COUNCILLOR REPRESENTATIVE TO THE GENERAL COMMITTEE OF THE FREE STATE PENSION FUND (SPEAKER) (5/4/4/1/1)

PURPOSE

To submit to Council, a proposal for the election of Councillor Representatives to the General Committee of the Free State Pension Fund.

DISCUSSION

The Speaker presented the item to Council.

COUNCIL RESOLVED: (14 OCTOBER 2016)

1. That Council **ELECTS** four new members, namely Cllrs KR Tlake, BH Mahlumba, PMI Molelekoa, and A Styger in addition to the existing Cllr DM Mafa, to represent it to the General Committee of the Free State Pension Fund.
2. That Council **INSTRUCTS** the Municipal Manager to communicate this decision to the Independent Electoral Institution (Du Randt and Louw Inc.) within 5 days.