

MINUTES

of the

**2nd ORDINARY COUNCIL MEETING
FOR THE YEAR 2014**

of

MATJHABENG MUNICIPALITY

held on

THURSDAY, 27 MARCH 2014

at

15:00

**COUNCIL CHAMBERS, CIVIC CENTRE,
WELKOM**

**COUNCILLORS ATTENDANCE: 2nd ORDINARY COUNCIL MEETING
MINUTES: 27 MARCH 2014**

ANC

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

DA

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

II

COPE

PROPORTIONAL			
69.	Malefane DE	71.	May FG
70.	Matlebe MM		

FF+

PROPORTIONAL	
72.	Taljaard SDM

OFFICIALS

Mr S Makubu	:	Executive Director Strategic Support Services
Mr MF Lepheana	:	Acting Municipal Manager
Mr X Msweli	:	Executive Director LED and Planning
		Acting Executive Director Social Services and Law Enforcement
Me L Williams	:	Acting Chief Financial Officer
Mr JKF Jankowitz	:	Snr Admin Officer (Corporate Services)

III

(a)	<p>Opening</p> <p>The Speaker welcomed everybody present at the 2nd Ordinary Council Meeting and declared the meeting opened.</p>
(b)	<p>Applications for leave of absence</p> <p>See Councillor's attendance list on pages I and II of these minutes.</p>
(c)	<p>Official announcements of the Speaker</p> <p>None</p>
(d)	<p>Reports received from the Speaker</p> <p>A9/2014</p>
(e)	<p>Motions of sympathy and congratulations by the Speaker</p> <p>None</p>
(f)	<p>Motions of sympathy and congratulations by other Councillors</p> <p>None</p>
(g)	<p>Deputation's and interviews</p> <p>None</p>
(h)	<p>Disclosure of interest</p> <p>None</p>
(i)	<p>Minutes of the previous meeting:</p> <p>Council resolved: (27 March 2014)</p> <ol style="list-style-type: none"> 1. That the minutes of the 1st Ordinary meeting held on 31 January 2014 be approved in conjunction with the following ammendment: <p style="margin-left: 20px;">A4/2014</p> <p style="margin-left: 20px;"><u>DRAFT ANNUAL REPORT 2012/2013: MATJHABENG MUNICIPALITY (MM)(12/1/1)</u></p> <p style="margin-left: 40px;">By edition of resoluion 4</p> <ol style="list-style-type: none"> 4. That the Municipal Manager SUBMIT an action plan on the Auditor General Queries at the next Council Meeting. 2. That the minutes of the 1st Special Council Meeting held on 12 February 2014 be approved in conjunction with the following amendments: <p style="margin-left: 20px;">Attendance Register: That it be indicated that Cllr MG Mlangeni submitted an apology.</p>

IV

(j)	Questions of which notice were given None
(k)	Report of the Executive Committee/Executive Mayor/Committee Reports A10/2014 - A18/2014 and C2/2014
(l)	Motions None
(m)	Closing The Speaker ended the meeting at 18:15

INDEX

ITEM	ITEM DESCRIPTION	PAGE
A9/2014	ELECTION OF COUNCILLOR REPRESENTATIVES TO THE GENERAL COMMITTEE OF THE FREE STATE MUNICIPAL PENSION FUND(EDCSS)(4/1/2/2)	1
A10/2014	DRAFT OVERSIGHT REPORT OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (2012/2013)(3/1/3/4)(12/1/1) (Chairperson of MPAC)	1
A11/2014	REVIEWED DRAFT INTEGRATED DEVELOPOMENT PLAN FOR THE FINANCIAL YEAR 2014/2015 (EDSSS) (18/1/18)	3
A12/2014	THE 2014-2015 DRAFT ANNUAL BUDGET FOR THE MATJHABENG MUNICIPALITY (ACFO)(6/1/1/1- (2014/15)	3
A13/2014	ACTION PLAN ON THE AG AUDIT QUERIES RAISED IN 2012/13 AUDIT REPORT (ACFO)(6/12/2/1)	4
A14/2014	PROGRESS REPORT ON COUNCIL RESOLUTIONS (ED: CSS)(2/2/2)	5
A15/2014	APPOINTMENT OF AN ACTING EXECUTIVE DIRECTOR INFRASTRUCTURE (MM) (5/5/2)	5
A16/2014	ALIENATION OF LAND (MM) (8/1/1)	6
A17/2014	REQUEST FOR LAND AVAILABILITY AGREEMENT FOR ERF 2/8835 (EXT17) AND ESTABLISHMMENT OF JOINT TECHNICAL AND POLITICAL TEAMS FOR DEVELOPMENT OF NELSON MANDELA SPORTS ARENA: MATJHABENG LOCAL MUNICIPALITY AND LEJWELEPUTSWA DISTRICT MUNICIPALITY (MM)(20/15/2)	6
A18/2014	REQUEST BY SOUTH AFRICAN SOCIAL SERVICES AGENCY (SASSA) TO LEASE THABONG FAR EAST HALL (ED: CSS) (9/1/3/12)	7
C2/2014	PROGRESS REPORT ON THE APPOINTMENT OF CHIEF FINANCIAL OFFICER (MM) (5/3/2/3)	7

1

Council unanimously appointed Cllr CP Chaka to Chair the Meeting in order to enable the Speaker to present his Item.

A9/2014

ELECTION OF COUNCILLOR REPRESENTATIVES TO THE GENERAL COMMITTEE OF THE FREE STATE MUNICIPAL PENSION FUND (EDCSS) (4/1/2/2)

PURPOSE

To submit an item for the election of Councillor Representatives to the Free State Municipal Pension Fund.

DISCUSSION

The Speaker presented the item to Council.

COUNCIL RESOLVED (27 March 2014)

That following five Councillors **BE ELECTED** to serve on the General Committee of the Free State Municipal Pension Fund:

Cllr L Rubulana
Cllr MI Riet
Cllr DM Mafa
Cllr MT De Villiers
Cllr PV Makgowe

The Speaker resumed his position.

A10/2014

DRAFT OVERSIGHT REPORT OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (2012/2013) (3/1/3/4) (12/1/1) (Chairperson of MPAC)

PURPOSE

To report to Council the findings of the Municipal Public Accounts Committee on their mandate which was to consider the Annual Report, receive input from various role players and to prepare a draft Oversight Report for consideration by Council.

DISCUSSION

The Chairperson of MPAC presented the item to Council

COUNCIL RESOLVED (27 March 2014)

That Council adopt the Oversight Report that contains the following Council comments on the Annual Report:

1. That Council **APPROVES** the Annual Report without reservations.
2. That all recommendations per Department **BE IMPLEMENTED** immediately and report back by Departments be done quarterly.
3. That the Executive Mayor **BE REQUESTED** to report to Council on a regular basis on decisions taken under his Delegated Powers.
4. That Council **ALLOWS** MPAC to resolve issues raised by the Auditor-General.
5. That the Municipal Manager **MUST INVESTIGATE** and report back within three months on reasons why the previous recommendations of MPAC were not implemented.
6. That MPAC as a Committee of Council **CONSIDERS** the recoverability of unauthorized, fruitless, wasteful and irregular expenditure as stipulated under section 15 and 30 of the Auditor-General's report, and to submit a recommendation to Council.
7. That the MPAC Oversight Report **BE A STANDING ITEM** in all Section 80 Portfolio Committees to enable the Committees to make follow up on the implementation of the recommendations by MPAC.
8. That **FOLLOW UP** be done by end of May 2014 with the office of the Municipal Manager on Council Resolutions that were not implemented.
9. That the Speaker **BE MANDATED** to investigate and report back to Council on Councillors implicated in the Financial Statements owing Council money in respect of service accounts.
10. That the 2013/2014 Annual Report **SHOULD** also reflect Officials arrear service accounts. (more than 30 days)
11. That the MPAC Oversight Report **BE SUBMITTED** to Provincial and National Treasury and also be made public within 7 days after Council adopted the report.

3

12. That the recommendations by MPAC **BE INCORPERATED** in the IDP and Budget of the Financial Year.

The Executive Mayor presented Item A11/2014 and A12/2014 similtaneously.

A11/2014

REVIEWED DRAFT INTEGRATED DEVELOPOMENT PLAN FOR THE FINANCIAL YEAR 2014/2015 (EDSSS) (18/1/18)

PURPOSE

To present to Council the reviewed Draft Integrated Development Plan (IDP) for the Financial Year 2014/2015 for consideration in terms of Chapter 5 of the Municipal Systems Act.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (27 March 2014)

1. That Council **ADOPTS** the Reviewed Draft IDP for the Financial Year 2014/2015 as representing work *in progress*.
2. That the Public Participation and Stakeholder consultation process **SHOULD CONTINUE**.

A12/2014

THE 2014-2015 DRAFT ANNUAL BUDGET FOR THE MATJHABENG MUNICIPALITY (ACFO) (6/1/1/1- (2014/15)

PURPOSE

To submit to Council the draft annual budget for the 2014/2015 financial year.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (27 March 2014)

1. That the Operating Budget of **R 1 932 071 637**[**R 1 587 153 696 (billing revenue) plus anticipated bad debts due to 17.85% non collection of revenue**] of **R 344 917 941** and the **Capital Budget of R 166 246 000 BE ADOPTED**. The split up of Capital Budget allocation is as follows:

MIG	R 156 246 000
Internally generated funds	R 10 000 000
Total Capital Funding:	R 166 246 000

2. That the step up tariff **MUST BE INTRODUCED** on Water n Electricity in order to balance the general tariffs
3. That the funds **BE ALLOCATED** to different department.
4. That the Operation Patala **BE PRIORITIZED** by all Directors, Senior Managers and the Municipal Manager to achieve 72%.
5. That Ward based debts awareness (door to door) **BE INTRODUCED**.

A13/2014

ACTION PLAN ON THE AG AUDIT QUERIES RAISED IN 2012/13 AUDIT REPORT
(ACFO)(6/12/2/1)

PURPOSE

To submit to Council the progress on the Audit Query Action Plan for the audit queries raised during the 2012/13 reporting year.

DISCUSSIONS

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (27 March 2014)

1. That the Audit Query Action Plan in terms of Section 122, 126 and 131 of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED**.
2. That the Municipal Manager **SUBMITS** a quaterly progress report to Council.
3. That the Executive Mayor **ENSURE** that Officials implement the Action Plan.

5

A14/2014

PROGRESS REPORT ON COUNCIL RESOLUTIONS (ED: 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 March 2014)

1. That Council **TAKES NOTE** of the progress report on Council resolutions.
2. That Councillors **IDENTIFY** and **SUBMIT** outstanding issues to the Executive Mayor.

A15/2014

APPOINTMENT OF AN ACTING EXECUTIVE DIRECTOR INFRASTRUCTURE (MM) (5/5/2)

PURPOSE

The purpose of the item is to request Council to appoint an acting Executive Director Infrastructure.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (27 March 2014)

1. That Council **APPOINTS** Mr Jan Blom as acting Executive Director Infrastructure.
2. That the acting period **SHOULD NOT** exceeds three (3) months.
3. That the Accounting Officer **MUST FINALIZE** the process of the recruitment and selection of candidates within the period of three months from the date thereof.

6

A16/2014

ALIENATION OF LAND (MM) (8/1/1)

PURPOSE

To obtain Council approval to allow the Municipal Manager to enter into a Land Availability Agreement with prospective land developers regarding residential (housing) development.

DISCUSSION

The Executive Mayor presented the item to Council

COUNCIL RESOLVED (27 March 2014)

That the item **BE REFERRED** to a Special Council Meeting to be held on Thursday 3 April 2014.

A17/2014

REQUEST FOR LAND AVAILABILITY AGREEMENT FOR ERF 2/8835 (EXT17) AND ESTABLISHMENT OF JOINT TECHNICAL AND POLITICAL STEERING COMMITTEES FOR DEVELOPMENT OF NELSON MANDELA SPORTS ARENA: MATJHABENG LOCAL MUNICIPALITY AND LEJWELEPUTSWA DISTRICT MUNICIPALITY (20/15/2)

PURPOSE

The purpose of this item is to present to Council for approval a proposal by the Lejweleputswa District Municipality for the development of a Sports Arena on Erf 2/8835 (Ext 17) as well as establishment of joint Technical and Political Teams between the two municipalities.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (27 March 2014)

1. That Council **DONATES** erf 2/8835, Ext 7 Welkom to Lejweleputswa District Municipality for free.
2. That Lejweleputswa District Municipality **BE RESPONSIBLE** for all costs associated for town planning and transfer costs of the site referred to above (erf 2/8835, Welkom (Ext 7)".

3. That in the event the District Municipality decides not to continue with planned development the District Municipality **WILL TRANSFER** the property back to Matjhabeng Local Municipality.
4. That the Executive Mayor and the Municipal Manager **BE ASSIGNED** to appoint people to serve on the Joint Steering Committee.

A18/2014

REQUEST BY SOUTH AFRICAN SOCIAL SERVICES AGENCY (SASSA) TO LEASE THABONG FAR EAST HALL (ED: CSS) (9/1/3/12)

PURPOSE

The purpose of this item is to submit to Council for consideration and approval a request by the South African Social Services Agency (SASSA) to lease Thabong Far East hall for rendering of their services to the community.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (27 March 2014)

That the item **BE REFERRED** to the Mayoral Committee.

C1/2014

PROGRESS REPORT ON THE APPOINTMENT OF CHIEF FINANCIAL OFFICER (MM) (5/3/2/3)

PURPOSE

To provide a report on the progress with regards to the appointment of Chief Financial Officer as per the Council resolution under item C5/2013.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (27 March 2014)

1. That Council **TAKES NOTE** of the report.

2. The advert of the 21 March 2013 **BE CONSIDERED** as still valid and the interviewed candidates together with the three headhunted candidates be interviewed as a matter of extreme urgency.
3. The Municipal Manager **SHOULD COMPLY** with regulations 13 and 14 of the Local Government Regulations of Appointment and Conditions of Employment of Senior Managers.
4. That Council **APPOINTS** the selection panel in line with regulations 12(4) of Local Government Regulations of Appointment and Conditions of Employment of Senior Managers.
5. The **RECOMMENDED PANELLISTS** are:-
 - 5.1 Mr G. Ramathebane – Matjhabeng Municipal Manager
 - 5.2 Mr K F. Ralikontsane – DG
 - 5.3 Mr. Zwe Ndlala – Acting Provincial Executive Officer, SALGA Free State
 - 5.4 Cllr Archie Mambana
 - 5.5 Cllr Andre Styger