

# **MINUTES**

**OF THE**

**2<sup>nd</sup> ORDINARY MEETING  
FOR THE YEAR 2010**

**of**

**MATJHABENG MUNICIPALITY**

**held on**

**TUESDAY, 23 FEBRUARY 2010**

**at**

**16:00**

## COUNCILLORS ATTENDANCE: COUNCIL MEETING: 23 FEBRUARY 2010

### ANC

PROPORTIONAL			
1.	Leeto NS ( <b>Executive Mayor</b> )	14.	Radebe ML ( <b>MMC</b> )
2.	Baaitjies M	15.	Ramaisa KA
3.	Dlova TW ( <b>MMC</b> )	16.	Senoge MM
4.	Humphries MF( <b>MMC</b> )	17.	Sephiri MJ ( <b>Chief Whip</b> )( <b>Written Apology</b> )
5.	Masoleng NI	18.	Speelman NW ( <b>MMC</b> )
6.	Matlabe MMT	19.	Qwasha GL ( <b>Absent</b> )
7.	Sentle AN	20.	Thuthani ZA ( <b>MMC</b> ) ( <b>Written Apology</b> )
8.	Ntsebeng MH ( <b>MMC</b> )	21.	Radebe MC
9.	ZP Noveld ( <b>MMC</b> ) ( <b>Written Apology</b> )	22.	Tlhone ML ( <b>Absent</b> )
10.	Molefi MJ	23.	Tsubane ME
11.	Nyembe ME	24.	Twanana M
12.	Petleki KI ( <b>Absent</b> )	25.	Vanga NM
13.	Qabela V	26.	KhaliphaTD
		27.	Majoe TS
WARD			
28.	Phokwana SL	44.	Mphikeleli MA
29.	Kotzee AP ( <b>MMC</b> ) ( <b>Written Apology</b> )	45.	Nakwa TA
30.	Mahloko NN	46.	Ntsala NS
31.	Makgowe PV	47.	Peterson E ( <b>Absent</b> )
32.	Mankayi NE	48.	Phetise ME
33.	Manzana NR	49.	Radebe LLF
34.	Masienyane MD ( <b>Absent</b> )	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
40.	Mokobori KE	56.	Themhani PP
41.	Monjovo NE	57.	Tsatsa SJ
42.	Montshioa BA ( <b>MMC</b> )		
43.	Motshabi MP		

## II

### DA

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

### FF+

PROPORTIONAL	
70.	Coetzee BJA

### ACDP

PROPORTIONAL	
71.	Meko MA <b>(Written Apology)</b>

### IND

WARD	
72.	Liphoko SJ <b>(Absent)</b>

### OFFICIALS

Mr THE Pietersen	:	Municipal Manager
Mr S Makhubu	:	Executive Director: Strategic Support Services
Mr MB Ndubula	:	Executive Director: Corporate Support Services
Me KR Maloka	:	Executive Director: Social Services and Law Enforcement
Mr JKF Jankowitz	:	Administrative Officer (Corporate Services)

### III

#### SECTION A

**1. OPENING**

Pastor G Mattheus from the International Assemblies of God opened 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**

None

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

Cllr TW Dlova congratulated the ruling party on the commemoration of the 20<sup>th</sup> anniversary of Mr Mandela's release from prison.

**5. DISCLOSURE OF INTEREST**

None.

**6. DEPUTATIONS AND INTERVIEWS**

None

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

See Item A13/2010

**8. MINUTES OF THE PREVIOUS MEETING**

**IT WAS RESOLVED: (23 February 2010)**

That the minutes of the 1<sup>st</sup> Ordinary Council Meeting held on 22 January 2010 **BE APPROVED** in conjunction with the following amendment:

That Cllr PV Makgowe **be indicated** as present in the previous meeting.

[The Speaker indicated that the Attendance Register was not allowed in the Chambers. Councillors must sign on at the Municipal Manager's Reception.]

## **IV**

### **9. FORMAL SIGNING OF MINUTES**

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

### **10. MATTERS ARISING FROM THE MINUTES**

None

### **SECTION B**

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

None

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

A4/2010 – A16/2010

### **13. MOTIONS**

See Item A14/2010

### **14. CLOSING REMARKS**

None

### **15. CLOSURE**

The Speaker terminated the meeting at **16:45**.

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

.....  
**DATE**

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**A4/2010**

## **REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2009 (6/12/2/1) (CFO)**

### **PURPOSE**

To inform the Council regarding the report of the Auditor General on the financial statements for the year ended 30 June 2009.

### **DISCUSSIONS**

The Speaker welcomed the Auditor General at the meeting and offered him the opportunity to table his report.

After the report was tabled, the Speaker allowed questions and clarities in respect of the report.

### **COUNCIL RESOLVED (23 FEBRUARY 2010)**

1. That Council **TAKES NOTE** of the report of the Auditor-General of the Matjhabeng Local Municipality.
2. That management **IMPLEMENTS** the recommendations of the Auditor General and **REPORT** to the Mayoral Committee on a monthly basis.
3. That an ad-hoc committee consisting of 7 members (5 ANC + 2 DA) **BE ESTABLISHED** to investigate irregularities indicated in the Audit Report and **REPORT BACK** to Council.
4. That the names of members **BE SUBMITTED** to the Office of the Speaker.
5. That the Speaker **DETERMINES** the terms of reference of the ad-hoc committee.

**A5/2010**

## **AUDIT QUERY ACTION PLAN ON THE AUDIT QUERIES OF 2008/09 AFS (CFO)(6/12/2/1)**

### **PURPOSE**

To inform Council of the intended Audit Query Action Plan for the resolution of the 2008/09 financial year.



**DISCUSSIONS**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED (23 FEBRUARY 2010)**

1. That Council **TAKES NOTE** of the Audit Query Action Plan.
2. That management **IMPLEMENTS** the action plan and report to the Mayoral Committee on a monthly basis and to Council on a quarterly basis, on the progress.

**A6/2010**

**MONTHLY BUDGET REPORT – JANUARY 2010 (CFO) (12/1/2/3)**

**PURPOSE**

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

**DISCUSSIONS**

The Executive Mayor presented the item to Council.

Questions were raised and answers given.

**COUNCIL RESOLVED (23 FEBRUARY 2010)**

That the Budget Report for January 2010 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED**.

**A7/2010**

**MUNICIPAL BUDGET ADJUSTMENT (CFO) (6/1/1/1 - 2009/10)**

**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 to Council.

### 3

Questions were raised and answers given.

#### **COUNCIL RESOLVED (23 FEBRUARY 2010)**

1. That the Operational Budget **REMAINS UNADJUSTED**.
2. That the Capital Budget **BE ADJUSTED** to reflect an amount of R260 388 000 broken down as follows:

<b>Description</b>	<b>Amount</b>
Capital for service delivery from MIG, DBSA, DETEA, DME, DWAF, Lotto, Province Roads	R224 388 000
Capital Funding from Matjhabeng Local Municipality (Counter Funding)	R25 000 000
Capital for furniture and office equipment	R1 000 000
Capital for vehicles and fleet equipment	R10 000 000

3. That the acquisition of fleet **BE MADE** an urgent priority.
4. That the following **BE INCLUDED** in the adjustment budget:
  - (a) R22 million towards sewerage projects in Calabria, Kutlwanong and Phomolong.
  - (b) R2 million for the Community Radio Station.
  - (c) R2 million towards the High Performance Sport Centre in Thabong.

**A8/2010**

#### **MID-YEAR BUDGET AND PERFORMANCE REPORT – DECEMBER 2009** **(6/1/1) (CFO)**

##### **PURPOSE**

To submit to the Council the Budget reports in terms of Section 72 of the Municipal Finance Management Act Number 56 of 2003 for six months ended 31 December 2009.

##### **DISCUSSIONS**

The Executive Mayor presented the item to Council.

Questions were raised and answers given.

**COUNCIL RESOLVED (23 FEBRUARY 2010)**

That the Mid-year Budget and Performance Report for the six months ended 31 December 2009 **BE NOTED**.

[Cllr Van Rooyen requested a report on the huge discrepancies between the budget and the actual figures.]

**A9/2010**

**APPOINTMENT OF EXECUTIVE DIRECTOR: STRATEGIC SUPPORT SERVICES (5/3/2/1) (EDCSS)**

**PURPOSE**

To rectify an error in the capturing of resolution SA11/2009.

**DISCUSSIONS**

The Executive Mayor requested that the item be withdrawn seeing that she have the minutes of the Council meeting held on 18 November 2009 indicating that Mr S Makhubu was appointed as Executive Director Strategic Support Services.

**COUNCIL RESOLVED (23 FEBRUARY 2010)**

That the item **BE WITHDRAWN** from the agenda.

**A10/2010**

**MATJHABENG LOCAL MUNICIPALITY: DRAFT PERFORMANCE MANAGEMENT SYSTEM (PMS) (EDCSS) (5/3B)**

**PURPOSE**

To submit the draft Performance Management System (PMS) to Council for consideration.

**DISCUSSIONS**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED (23 FEBRUARY 2010)**

1. That Council **APPROVES** the Performance Management System.
2. That the item **BE SUBMITTED** to the Local Labour Forum for information.

**A11/2010**

**RECORDS MANAGEMENT POLICY (2/3B) (EDCSS)**

**PURPOSE**

To submit for approval the Records Management Policy

**DISCUSSIONS**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED (23 FEBRUARY 2010)**

That the Records Management Policy **BE APPROVED**.

**A12 /2010**

**RECORDS MANAGEMENT STRATEGY (2/3B) (EDCSS)**

**PURPOSE**

To submit for approval the Records Management Strategy.

**DISCUSSIONS**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED (23 FEBRUARY 2010)**

That the Records Management Strategy **BE APPROVED**.

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**A13/2010**

**QUESTIONS OF WHICH NOTICE WAS GIVEN (3/1/1) (3/1/3/2) (MM)**

**PURPOSE**

To respond to questions asked by DA Councillors.

**DISCUSSIONS**

The Speaker presented the item to Council.

**COUNCIL RESOLVED (23 FEBRUARY 2010)**

That Council **TAKES NOTE** of questions raised and answers given.

**A14/2010**

**MOTION: COUNCILLOR J FOURIE: RESIDENTIAL ERVEN USED FOR TAVERNS AND SHEBEENS AGAINST THE TITLE CONDITIONS OF THE ERVEN (18/4/5) (EDCSS)**

**PURPOSE**

To submit to Council the motion raised by Councillor J Fourie for consideration.

**DISCUSSIONS**

The Speaker informed the meeting that Cllr J Fourie requested that the item be discussed at the next meeting due to his absence.

**COUNCIL RESOLVED (23 FEBRUARY 2010)**

That the item **BE REFERRED** to the next Council meeting seeing that Cllr J Fourie was absent and could not present his motion.

**A15/2010**

**STATUS REPORT ON PMU (3/3/27) (PMU)**

**PURPOSE**

The objective of this report is to inform the Council on the current status, the overall progress and expenditure on municipal projects managed through the PMU. Again a summary has been tabulated at the end of the report outlining:

- The status of each project;
- The appointment of consultants for future projects;
- Financial status of MIG projects;
- Revised MIG Action Plan.

**DISCUSSIONS**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED (23 FEBRUARY 2010)**

That Council **TAKES NOTE** of the item.

**A16/2010**

**ALIENATION OF PORTION 1 OF ERF 150, WELKOM (8/3/2/10) (SMTP&H)**

**PURPOSE**

To request Council to consider the alienation of Portion 1 of Erf 150, Welkom.

**DISCUSSIONS**

The Executive Mayor indicated that in accordance to the MFMA, Council should consider if the immovable asset, to be disposed of, was not needed for any basic services, as well as a fair market value.

**COUNCIL RESOLVED (23 FEBRUARY 2010)**

1. That Portion 1 of Erf 150, Welkom **WAS NOT NEEDED** for the provision of basic services as it is a parking area.

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2. That the Municipal Manager **PROCEEDS** with the alienation of Portion 1 of Erf 150, Welkom, through competitive bidding.
3. That, before finalization of the process, a report which indicates the market related value, **BE PRESENTED** to Council.