

MINUTES

of the

**2ND ORDINARY COUNCIL MEETING
FOR THE 4TH TERM**

of

MATJHABENG MUNICIPALITY

held on

TUESDAY, 06 SEPTEMBER 2016

at

18:00

**COUNCIL CHAMBERS, CIVIC CENTRE,
WELKOM**

COUNCILLORS ATTENDANCE

**2ND ORDINARY COUNCIL MEETING OF THE 4TH TERM MINUTES:
06 SEPTEMBER 2016**

PROPORTIONAL			
1.	Stofile B (Speaker)	19.	Mthebere NA
2.	Sephiri MJ (Chief Whip)	20.	Mthunzi MS
3.	Speelman NW (Executive Mayor)	21.	Ngesi TM
4.	Badenhorst MJ	22.	Ntsebeng MH
5.	Botha PF (Apology)	23.	Phofeli NM
6.	Direko DR	24.	Presente LN
7.	Jacobs EJ	25.	Radebe MC
8.	Kabi M	26.	Radebe ML
9.	Khetsi LE	27.	Rakaki MM
10.	Letlhake TW	28.	Senxezi ME
11.	Lushaba TB	29.	Sithole AM
12.	Macingwane MT	30.	Styger A
13.	Mafaisa MG	31.	Taljaard SDM (released at 22h30)
14.	Manenye AJ	32.	Thelingoane NE
15.	Marais JS	33.	Tihone ML
16.	Masina XN	34.	Tshopo ME
17.	Mbana MA	35.	Tsoaeli MS
18.	Moipatle KSV	36.	Tsupa MR
WARD			
37.	Badenhorst HS (Apology)	55.	Moshoeu ZS
38.	Chaka MS	56.	Mosia TJ
39.	Daly A	57.	Mphikeleli MA
40.	Khalipha TD	58.	Nkonka BB
41.	Khothule MJ	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	65.	Schlebusch CJ
48.	Meli TS	66.	Sebotsa MM
49.	Mokhomo HA	67.	Thelingoane TJ
50.	Molefi M	68.	Tlake KR
51.	Molelekoa PMI	69.	Tsatsa SJ (Apology)
52.	Moloja NJ	70.	Tshabangu SE
53.	Monjovo NE	71.	Van Rooyen MS
54.	Morris VR	72.	Van Schalkwyk HCT

II

OFFICIALS

EXECUTIVE MANAGEMENT

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

Me S. Nkungwana : Snr. Manager: Communications

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 2nd Ordinary Council Meeting of the 4th term and declared the meeting open.</p> <p>As result of an objection with regard to the Rule that was applied in convening the meeting, Council resolved as follows:</p> <ol style="list-style-type: none"> 1. That the first page of the Agenda be corrected to reflect the said meeting as the 2nd Ordinary Council meeting of the 4th term and not the 5th Ordinary Council meeting. 2. That the signature on the second page of the Agenda be corrected as the Agenda is supposed to be signed by the Speaker and not by the Municipal Manager as per Rule 10 (1) of the gazetted Standard Rules and Orders.
(b)	<p>Applications for leave of absence</p> <p>See Councillors' attendance list on page I of these minutes.</p> <p>Cllr TM Ngesi requested that it should be recorded that the Municipal Manager was not present at the meeting.</p>
(c)	<p>Official announcements by the Speaker</p> <p>None</p>
(d)	<p>Taking of Oath of Office by a new Councillor</p> <p>The Speaker informed Council that Councillor Z. Mashiqa had tendered his resignation and his Party had replaced him with Mr MS Tsoaeli. He then handed over to the Magistrate to administer the Oath.</p> <p>Cllr MS Tsoaeli was duly sworn in as a member of Matjhabeng Local Council by the Senior Magistrate, Mr S. Ferreira in the presence of all Council members.</p>
(e)	<p>Reports received from the Speaker</p> <p>A60/2016 – A69/2016</p> <ol style="list-style-type: none"> 1. The Speaker requested Cllr T.M. Ngesi to wear a tie during the Council meeting as per the stipulations of Standard Rules and Orders. 2. He also reminded the EFF Councillors to stick to the decorum of Council as outlined.
(f)	<p>Motions of sympathy and congratulations by the Speaker</p> <p><u>Sympathy</u></p> <p>The Speaker, Cllr B. Stofile on behalf of Council conveyed a message of sympathy to the family of Ramaeba for the passing on of Mr Joseph Ramaeba, an employee from the Office of the Municipal Manager who was killed in a shooting incident in Thabong.</p>

IV

(g)	<p>Motions of sympathy and congratulations by other Councillors</p> <p><u>Congratulations</u></p> <ol style="list-style-type: none"> 1. The Executive Mayor, Cllr NW Speelman congratulated Ms Caster Semenya for her good performance in winning the gold medal in Rio, the diamond trophy at the Diamond League in Zurich and qualifying to participate in the final Diamond League in Brussels. 2. Cllr VR Morris congratulated himself for doing well during his examination at Fort Hare University after he was nearly suspended by his dear friend and expressed that he was looking forward to his second year so that by 2019 he would be called Advocate Morris. 3. Cllr JS Marais congratulated the Executive Mayor for appointing Cllr VR Morris as a member of the Mayoral Committee.
(h)	<p>Deputations and interviews</p> <p>The Speaker indicated that they had requested the Magistrate to swear in one of the Councillors as witnessed by all members earlier.</p>
(i)	<p>Disclosure of interest</p> <p>The Speaker informed Councillors that they are required to declare any interest they might have, by filling in the declaration forms which would be distributed by Management and return them within 24 hours to the Office of the Municipal Manager.</p>
(j)	<p>Minutes of the previous meetings:</p> <p>Council resolved (06 September 2016):</p> <ol style="list-style-type: none"> 1. That the minutes of the 4th Ordinary Council meeting held on 29 June 2016 BE ADOPTED as a true reflection of what transpired in the meeting. 2. That the minutes of the 4th Special Council meeting held on 20 July 2016 BE ADOPTED as a true reflection of what transpired in the meeting. 3. That the minutes of the 1st Extra-Ordinary Council meeting held on 28 July 2016 BE ADOPTED as a true reflection of what transpired in the meeting. 4. That the minutes of the Inaugural Council meeting held on 16 August 2016 BE ADOPTED as a true reflection of what transpired in the meeting.
(k)	<p>Matters arising from the minutes</p> <p>None.</p>
(l)	<p>Questions of which notice was given</p> <p>None.</p>
(m)	<p>Report of the Executive Committee/Executive Mayor/Committee Reports</p> <p>A70/2016 – A74/2016</p>
(n)	<p>Motions</p> <p>None</p>

V

(o)	Announcements <ol style="list-style-type: none">1. The Executive Mayor informed Council that he had appointed the following Councillors as members of the Mayoral Committee: TD Khalipha, MC Radebe, A. Mbana, VR Morris, ME Tshopo, M Kabi, ML Radebe, DR Direko, TB Lushaba and the last one was still being considered.2. He also informed Council that there was a serious sewer problem in Ward 33 in Lena Street, Naudeville but the matter was being attended to.
(p)	Closing <p>In his closing remarks, the Speaker requested Councillors to note the following:</p> <ol style="list-style-type: none">1. That as they leave the Council Chambers, each Councillor should fill in the declaration of personal/financial interest forms and return them for filing and auditing purposes.2. That in the next meeting going forward, the Councillor from COPE should oblige by the rules and all other Councillors who had not adhered to the prescripts and provisions of the rules should do so and he would communicate with them in writing. <p>The Speaker thanked everyone who participated and ended the meeting at 23h50.</p>

.....
CLLR B. STOFIE (SPEAKER)

.....
DATE

INDEX

ITEM NO	ITEM DESCRIPTION	PAGE
A60/2016	ELECTION OF THE OUTSTANDING REPRESENTATIVE OF THE MUNICIPALITY IN THE LEJWELEPUTSWA DISTRICT COUNCIL (SPEAKER) (4/1/2/2)	1
A61/2016	APPOINTMENT OF A FULL-TIME COUNCIL WHIP (SPEAKER) (3/8/1/3)	1-2
A62/2016	ESTABLISHMENT OF WARD COMMITTEES IN ALL 36 WARDS (SPEAKER) (3/8/1/1)	3-4
A63/2016	ESTABLISHMENT OF MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (SPEAKER) (4/1/2/2)	4-5
A64/2016	ESTABLISHMENT OF THE RULES AND ETHICS COMMITTEE (SPEAKER) (3/8/1/2)	5-6
A65/2016	ESTABLISHMENT OF THE AD HOC COMMITTEE ON NAMING AND RENAMING OF STREETS AND PUBLIC AMENITIES (SPEAKER) (19/4/3)	6-7
A66/2016	ESTABLISHMENT OF THE DISPUTE RESOLUTION COMMITTEE (SPEAKER) (8/1/2))	7
A67/2016	ESTABLISHMENT OF THE STANDING COMMITTEE OF CHAIRPERSONS (SPEAKER) (3/8/1/4)	8
A68/2016	STANDARD RULES AND ORDERS AS AMENDED (SPEAKER) (3/1B)	9
A69/2016	APPOINTMENT OF THE MEMBERS FOR THE MUNICIPAL PLANNING TRIBUNAL IN TERMS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT (SPEAKER) (1/1/40)	9
A70/2016	DELEGATION OF POWERS (MM) (3/4/3)	9-10
A71/2016	REQUEST TO SUBMIT ANNUAL FINANCIAL STATEMENTS FOR 2015/2016 FINANCIAL YEAR END ON THE 30 TH SEPTEMBER 2016 (MM) (6/12/2/1)	10
A72/2016	INTEGRATED DEVELOPMENT PLAN - PROCESS PLAN- 2017-2022 (ED: SSS) (18/1/8) (12/1/2/12)	11

II

A73/2016	BUDGET AND IDP TIME TABLE 2017/2018 (CFO) (18/1/18)	11
A74/2016	FIVE YEAR TERM HAND-OVER REPORT- 2011-2016 (MM) (4/1/2/1)	11-12

Cllr H.A. Mokhomo was appointed to preside in order to allow the Speaker to present Items A60/2016 – A69/2016 to Council.

A60/2016

ELECTION OF THE OUTSTANDING REPRESENTATIVE OF THE MUNICIPALITY IN THE LEJWELEPUTSWA DISTRICT COUNCIL (SPEAKER) (4/1/2/2)

PURPOSE

To submit an item on the election of the outstanding representative of the Municipality to the Lejweleputswa District Council to Council, for consideration.

DISCUSSION

The Speaker reminded Council that as a result of an equal score between the FF+ and the Independent Councillor, Council could not allocate the remaining seat and therefore was advised by the IEC to seek the advice of the MEC for COGTA. The MEC gave a directive that the unallocated seat be filled by drawing of lots and the process be facilitated by the IEC.

The Speaker thereafter allowed the IEC to facilitate the process and the Party that was drawn from the lot was FF+.

COUNCIL RESOLVED: (06 SEPTEMBER 2016)

1. That the unallocated seat for the outstanding representative of Matjhabeng Municipality in Lejweleputswa District Council **BE ALLOCATED** to the FF+ as a result of lot.

A61/2016

APPOINTMENT OF A FULL-TIME COUNCIL WHIP (SPEAKER) (3/8/1/3)

PURPOSE

To submit the item in order to enable Council to appoint a full-time Whip.

DISCUSSION

The Speaker presented the item to Council.

During the deliberation of this item, a concern was raised that the information from the Municipal Manager with regard to appointment of full-time Councillors in terms of Rules 70, 71 and 73 was not submitted to Council as stipulated.

2

After lengthy discussions, a proposal was made that the item should be approved and the Municipal Manager must submit a full report as per Rule 70 at the next Council meeting and also explain to the Executive Mayor and the Speaker the reason why he did not fully comply with the rules, in writing. The proposal was seconded.

Another proposal was made that the item be referred back and be re-submitted with all relevant reports in terms of Rule 70.

The Speaker explained that the establishment of Section 79 Committees of Council is a responsibility of Council and this Council is at establishment Phase. All his presentations are reports prepared by the Municipal Manager guided by the Municipal Structures Act & Rules and therefore there should be no allusion that these reports are not from the Municipal Manager. If there are gaps in the reports, Council must say so instead of saying the item must be referred back. However, if Councillors strongly feel that they want to vote for this item, they must just say so.

On the basis of lack of consensus as well as the two motions/proposals presented, the Chairperson followed one of the democratic means, which is to place the two views/proposals for a vote.

Voting was done by means of raising hands.

The results were as follows:

Councillors who supported Proposal 1 (<i>Appointment of Council Whip</i>)	=	44
Councillors who supported Proposal 2 (<i>Item to be referred back</i>)	=	23

*** **Attached on page 1 of the Appendage to the Minutes** are the names of Councillors who voted for and against the two proposals as per stipulations of Rule 46 (2) (d).

Cllr JS Marais requested that it should be recorded in terms of Rule 83 (2) (a) that he voted for the second Proposal that the item be referred back and be re-submitted with all relevant reports in terms of Rule 70.

COUNCIL RESOLVED: (06 SEPTEMBER 2016)

1. That Council **APPOINTS** Cllr MJ Sephiri as a full-time Council Whip of Matjhabeng Local Municipality.
2. That the Office of the Speaker **MUST ENSURE** that the Council Whip's office is supplied with adequate human and financial resources to enable it to perform its functions effectively and efficiently.
3. That all outstanding reports from the Municipal Manager as stipulated in Rules 70, 71 and 73 **BE SUBMITTED** at the next Council meeting.
4. That Council **ACKNOWLEDGES** the omissions that were highlighted and the Municipal Manager will account to the Executive Mayor and the Speaker.

A62/2016

ESTABLISHMENT OF WARD COMMITTEES IN ALL 36 WARDS (SPEAKER) (3/8/1/1)

PURPOSE

To present the item to Council for approval.

DISCUSSION

The Speaker presented the item to Council.

He informed Council that the Executive Committee of the Free State Province would be meeting during the following week to look into the guideline of what needs to be done in terms of appointing Ward Committees.

A concern was raised that the item did not conform to the prerequisites of Rule 150 (2, 3, 4 and 5) and therefore should be referred back.

After lengthy deliberations in which Councillors could not agree on whether the item should be approved or referred back, a proposal was made in terms of Rule 42 (1, 2, 3) that the meeting be adjourned as the item did not conform to Rule 150. The proposal was seconded.

A second proposal was made that the item be approved and the report from the Municipal Manager would be submitted at the next Council meeting.

On the basis of lack of consensus, the Chairperson invited Council to vote on the motions/proposals made.

Voting was done by means of raising hands.

The results were as follows:

Councillors who supported Proposal 1 (<i>Meeting adjournment</i>)	=	22
Councillors who supported Proposal 2 (<i>Item approval and report at next Council</i>)	=	44
Councillors who abstained	=	1

*** Attached on page 2 of the Appendage to the Minutes are the names of Councillors who voted for and against the two proposals as per stipulations of Rule 46 (2) (d).

Cllr SE Tshabangu requested that it should be recorded that he voted for the first Proposal that the meeting be adjourned.

COUNCIL RESOLVED: (06 SEPTEMBER 2016)

1. That Council **APPROVES** the proposal for establishment of Ward Committees for 2016 – 2021 term of Council.

4

2. That Council **REAFFIRMS** the resolution to pay R1000.00 per Ward Committee member as an out-of-pocket expense.
3. That Council **SHOULD DELEGATE** the Speaker to conclude the program of establishment and induction of Ward Committees.
4. That the outstanding reports from the Municipal Manager **BE SUBMITTED** at the next Council meeting.

A63/2016

ESTABLISHMENT OF MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (SPEAKER) **(4/1/2/2)**

PURPOSE

To present for approval to Council the establishment of Municipal Public Accounts Committee.

DISCUSSION

The Speaker presented the item to Council.

A concern was raised in terms of Rule 108 (2) (a-i) that a report from the Municipal Manager was supposed to be submitted before Council and in terms of Rule 109 Council is expected to consider the Municipal Manager's report when the Committee is established. As result, a proposal was made that the item be referred back.

The Executive Mayor placed on record that the document before Council was the report from the Municipal Manager guided by the Guideline for the establishment of MPAC Committees from the Department of Cooperative Governance and National Treasury, which is attached on page 3-16 of the distributed Annexures. It was also emphasized that the establishment of this Committee is also guided by the Municipal Finance Management Act.

As Councillors could not reach consensus, the Chairperson invited Council to vote on the motion/proposal made as well as on the recommendations of the item.

Voting was done by means of raising hands.

The results were as follows:

Councillors who supported Proposal 1 (<i>Item to be referred back</i>)	=	23
Councillors who supported the recommendations of the item	=	44

*** **Attached on page 3 of the Appendage to the Minutes** are the names of Councillors who voted for and against the two proposals as per stipulations of Rule 46 (2) (d).

Councillor SE Tshabangu wanted to place on record that the Chairperson denied him advice from the Acting Municipal Manager, Mr T. Makofane.

COUNCIL RESOLVED: (06 SEPTEMBER 2016)

1. That Council **APPROVES** the establishment of MPAC for 2016 – 2021 term of Council.
2. That Council **APPROVES** the principle of commitment to minimization of conflict of interest as a guiding principle that must inform the MPAC membership and composition by ensuring that members appointed in MPAC do not serve in any Council Committees.
3. That Council **APPROVES** terms of reference of MPAC.
4. That Council **APPOINTS** eight (8) members to serve as MPAC Committee members.
5. That out of the eight members, one of them should **BE ELECTED** as Chairperson.
6. That Cllr M.D Masienyane **BE ELECTED** as Chairperson of the MPAC Committee.

//Items A64/2016 – A67/2016 were presented in bulk//

A64/2016

ESTABLISHMENT OF THE RULES AND ETHICS COMMITTEE (SPEAKER) (3/8/1/2)

PURPOSE

To present to Council the item that establishes the Rules and Ethics Committee for approval.

DISCUSSION

The Speaker presented the item to Council.

A concern was raised in terms of Rule 108 (2) that a report from the Municipal Manager was supposed to be submitted before Council and in terms of Rule 109 Council is expected to consider the Municipal Manager's report when the Committee is established. As result, a proposal was made that the item be referred back.

An advice was sought from the Acting Municipal Manager, Mr T. Makofane who acknowledged the outstanding information but advised that the items could be approved and the lacking information would be submitted at the next Council meeting.

The Executive Mayor indicated that he supported the proposal that the item be approved and in terms of Rule 111, Political parties are requested to submit the names of the Councillors nominated to serve in the Committee at the Office of the Speaker.

As Councillors could not reach consensus, the Chairperson invited Council to vote on motions/ proposals made.

6

Voting was done by means of raising hands.

The results were as follows:

Councillors who supported Proposal 1 (<i>Item to be referred back</i>)	=	22
Councillors who supported Proposal 2 (<i>Item approval and report at next Council</i>)	=	44
Councillors who were released before the end of the meeting	=	1

*** **Attached on page 4 of the Appendage to the Minutes** are the names of Councillors who voted for and against the two proposals as per stipulations of Rule 46 (2) (d). *Cllr SDM Taljaard was already released.*

COUNCIL RESOLVED: (06 SEPTEMBER 2016)

1. That Council **APPROVES** the Rules and Ethics Committee with its terms of reference.
2. That the outstanding reports from the Municipal Manager **BE SUBMITTED** at the next Council meeting.

A65/2016

ESTABLISHMENT OF THE AD HOC COMMITTEE ON NAMING AND RENAMING OF STREETS AND PUBLIC AMENITIES (SPEAKER) (19/4/3)

PURPOSE

To recommend to Council the establishment of the Ad Hoc Committee for Naming and Renaming of Streets and Public Amenities.

DISCUSSION

The Speaker presented the item to Council.

As Councillors could not reach consensus on the item, the Chairperson invited Council to vote on proposals either to approve the item or to refer it back.

Voting was done by means of raising hands.

The results were as follows:

Councillors who supported Proposal to approve	=	44
Councillors who supported Proposal to refer back	=	22
Councillors released before the end of the meeting	=	1

*** **Attached on page 5 of the Appendage to the Minutes** are the names of Councillors who voted for and against the two proposals as per stipulations of Rule 46 (2) (d). *Cllr SDM Taljaard was already released.*

7

COUNCIL RESOLVED: (06 SEPTEMBER 2016)

1. That Council **APPROVES** the proposal to establish the Naming and Renaming Committee as guided by the geographical name change, Free State and so forth.
2. That Council **MUST APPOINT** not more than eight (8) members into the Committee.
3. That the outstanding reports from the Municipal Manager **BE SUBMITTED** at the next Council meeting.

A66/2016

ESTABLISHMENT OF THE DISPUTE RESOLUTION COMMITTEE (SPEAKER) (3/1B)

PURPOSE

To present to Council for approval the establishment of the Dispute Resolution Committee for 2016 – 2021 term of Council.

DISCUSSION

The Speaker presented the item to Council.

As Councillors could reach consensus on the item, the Chairperson invited Council to vote on proposals either to approve the item or to refer it back.

Voting was done by means of raising hands.

The results were as follows:

Councillors who supported Proposal to approve	=	44
Councillors who supported Proposal to refer back	=	21
Councillors who abstained	=	1
Councillors released before the end of the meeting	=	1

*** Attached on page 6 of the Appendage to the Minutes are the names of Councillors who voted for and against the two proposals as per stipulations of Rule 46 (2) (d). *Cllr SDM Taljaard was already released.*

COUNCIL RESOLVED: (06 SEPTEMBER 2016)

1. That Council **APPROVES** the establishment of the Dispute Resolution Committee for 2016 – 2021 term of Council.
2. That Council **SHOULD APPOINT** not more than nine (9) members into the Committee.
3. That the outstanding reports from the Municipal Manager **BE SUBMITTED** at the next Council meeting.

A67/2016

ESTABLISHMENT OF THE STANDING COMMITTEE OF CHAIRPERSONS (SPEAKER) (3/8/1/4)

PURPOSE

To recommend to Council the establishment of the Standing Committee of Chairpersons.

DISCUSSION

The Speaker presented the item to Council.

As Councillors could not reach consensus on the item, the Chairperson invited Council to vote on proposals either to approve the item or to refer it back.

Voting was done by means of raising hands.

The results were as follows:

Councillors who supported Proposal to approve	=	44
Councillors who supported Proposal to refer back	=	22
Councillors released before the end of the meeting	=	1

*** **Attached on page 7 of the Appendage to the Minutes** are the names of Councillors who voted for and against the two proposals as per stipulations of Rule 46 (2) (d). *Cllr SDM Taljaard was already released.*

COUNCIL RESOLVED: (06 SEPTEMBER 2016)

1. That Council **APPROVES** the establishment of the Standing Chairpersons Committee for 2016-2021 term.
2. That Council **ENDORSES** the terms of reference for the Chairpersons Committee.
3. That Council **EMPOWERS** the Chairpersons Committee to consider means to strengthen the Committee for desired impact and success.
4. That Cllr MA Mphikeleli **BE APPOINTED** as Chairperson of the Committee.
5. That the outstanding reports from the Municipal Manager **BE SUBMITTED** at the next Council meeting.

A68/2016

STANDARD RULES AND ORDERS AS AMENDED (SPEAKER) (3/1B)

PURPOSE

This serves to submit the Standard Rules and Orders as amended, to Council for noting and/ or adoption.

DISCUSSION

The Speaker presented the item to Council.

COUNCIL RESOLVED: (06 SEPTEMBER 2016)

1. That Council **NOTES AND ADOPTS** the amended Standard Rules and Orders under government gazette No. 48 as the stipulated Law that should be implemented.

A69/2016

APPOINTMENT OF THE MEMBERS FOR THE MUNICIPAL PLANNING TRIBUNAL IN TERMS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT (SPEAKER) (1/1/40)

THE PURPOSE OF THIS REPORT

To solicit the approval of Council for the reviewal of the composition of the Municipal Planning Tribunal.

DISCUSSION

The Speaker presented the item to Council.

COUNCIL RESOLVED: (06 SEPTEMBER 2016)

- 1 That the item **BE REFERRED BACK** and be re-submitted at the next Council meeting.

A70/2016

DELEGATION OF POWERS (MM) (3/4/3)

PURPOSE OF THE REPORT

To submit the Delegated Powers to the Council, for adoption for 2016 – 2021 term of Council.

DISCUSSION

The Executive Mayor presented the item to Council. He requested that the date that is reflected on page 12 of the Agenda under background of the item be corrected to read as “26 November 2015”.

COUNCIL RESOLVED: (06 SEPTEMBER 2016)

1. That Council **ADOPTS** the Delegation of Powers for 2016 – 2021 term of Council as a draft for further inputs in the Workshop.
2. That a workshop **BE CONDUCTED** as a matter of urgency to familiarize all Councillors on delegated powers.
3. That the relevant provisions of the new SPLUMA Act should **BE INCORPORATED** in the delegation of powers.
4. That the power in Section 118 relating to issuing of rates clearance certificates, which is reflected on page 65 of the Delegation of Power document, **BE DELEGATED** to the CFO as well.
5. That the final document **BE SUBMITTED** to Council for approval.

//The Speaker resumed his position//

A71/2016

REQUEST TO SUBMIT ANNUAL FINANCIAL STATEMENTS FOR 2015/2016 FINANCIAL YEAR END ON 30 SEPTEMBER 2016 (MM) (6/12/2/1)

PURPOSE

To submit a request to submit the Annual Financial Statement on the 30th of September 2016 instead of the 31 August 2016 as per Municipal Finance Management Act, Section 126.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (06 SEPTEMBER 2016)

1. That Council **APPROVES** the submission of the Annual Financial Statements for 2015/2016 on the 30 September 2016.
2. That approval for late submission of the 2015/2016 Annual Financial Statements **BE SOUGHT** from Free State Provincial Treasury.
3. That the Free State Department of Corporative Governance and Traditional Affairs and the office of the Auditor General South Africa **BE INFORMED** of the Council decision to submit the Annual Financial Statements for 2015/2016 on the 30th September 2016.

A72/2016

INTEGRATED DEVELOPMENT PLAN - PROCESS PLAN- 2017-2022 (ED: SSS) (18/1/8)
(12/1/2/12)

PURPOSE

To present to Council for consideration IDP Process-plan for Development of 4th Generation of IDP in terms of chapter 5 of the Municipal Systems Act.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (06 SEPTEMBER 2016)

1. That the item **BE REFERRED BACK** and be submitted at the next Council meeting with all IDP and Budget items.

A73/2016

BUDGET AND IDP TIME TABLE 2017/2018 (CFO) (18/1/18)

PURPOSE

To present to Council the Time Table for the compilation of the 2017/2018 Budget and IDP in terms of section 21 (1) (b) of the Municipal Finance Management Act.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (06 SEPTEMBER 2016)

1. That the Budget and IDP Time Table for 2017/2018 **BE APPROVED AND IMPLEMENTED** by Council.

A74/2016

FIVE YEAR TERM HAND-OVER REPORT- 2011-2016 (MM) (4/1/2/1)

PURPOSE

The purpose of this item is to re-submit to the new Council a five year term report for noting.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (06 SEPTEMBER 2016)

1. That Council **TAKES NOTE** of the 5 year term hand-over report.

APPENDAGE TO THE MINUTES

Councillors who voted for Approval of Item A61/2016 (Appointment of Council Whip)			
1.	Stofile B (Speaker)	23.	Monjovo NE
2.	Sephiri MJ (Chief Whip)	24.	Morris VR
3.	Speelman NW (Executive Mayor)	25.	Moshoeu ZS
4.	Chaka MS	26.	Mosia TJ
5.	Direko DR	27.	Mphikeleli MA
6.	Kabi M	28.	Nkonka BB
7.	Khalipha TD	29.	Nthako TD
8.	Khothule MJ	30.	Ntsebeng MH
9.	Liphoko SJ	31.	Ntuli BN
10.	Lushaba TB	32.	Pholo SJ
11.	Mafa DM	33.	Poo IP
12.	Mafaisa MG	34.	Radebe MC
13.	Mahlumba BH	35.	Radebe ML
14.	Manzana NR	36.	Ramalefane SJ
15.	Masienyane MD	37.	Ramatisa PT
16.	Masina XN	38.	Sebotsa MM
17.	Mbana MA	39.	Thelingoane NE
18.	Meli TS	40.	Thelingoane TJ
19.	Moipatle KSV	41.	Tlake KR
20.	Molefi M	42.	Tlhone ML
21.	Molelekoa PMI	43.	Tshopo ME
22.	Moloja NJ	44.	Tsupa MR
Councillors who voted for referring Item A61/2016 back (Appointment of Council Whip)			
1.	Badenhorst MJ	13.	Presente LN
2.	Daly A	14.	Rakaki MM
3.	Jacobs EJ	15.	Senxezi ME
4.	Khetsi LE	16.	Sithole AM
5.	Letlhake TW	17.	Styger A
6.	Macingwane MT	18.	Taljaard SDM
7.	Malherbe C	19.	Tsoaeli MS
8.	Manenye AJ	20.	Schlebusch CJ
9.	Marais JS	21.	Tshabangu SE
10.	Mthebere NA	22.	Van Rooyen MS
11.	Ngesi TM	23.	Van Schalkwyk HCT
12.	Phofeli NM		

**Councillors who voted for Approval of Item A62/2016
(Establishment of Ward Committees in all 36 Wards)**

1.	Stofile B (Speaker)	23.	Monjovo NE
2.	Sephiri MJ (Chief Whip)	24.	Morris VR
3.	Speelman NW (Executive Mayor)	25.	Moshoeu ZS
4.	Chaka MS	26.	Mosia TJ
5.	Direko DR	27.	Mphikeleli MA
6.	Kabi M	28.	Nkonka BB
7.	Khalipha TD	29.	Nthako TD
8.	Khothule MJ	30.	Ntsebeng MH
9.	Liphoko SJ	31.	Ntuli BN
10.	Lushaba TB	32.	Pholo SJ
11.	Mafa DM	33.	Poo IP
12.	Mafaisa MG	34.	Radebe MC
13.	Mahlumba BH	35.	Radebe ML
14.	Manzana NR	36.	Ramalefane SJ
15.	Masienyane MD	37.	Ramatisa PT
16.	Masina XN	38.	Sebotsa MM
17.	Mbana MA	39.	Thelingoane NE
18.	Meli TS	40.	Thelingoane TJ
19.	Moipatle KSV	41.	Tlake KR
20.	Molefi M	42.	Tlhone ML
21.	Molelekoa PMI	43.	Tshopo ME
22.	Moloja NJ	44.	Tsupa MR

**Councillors who voted for meeting adjournment during discussion of Item A62/2016
(Establishment of Ward Committees in all 36 Wards)**

1.	Badenhorst MJ	13.	Presente LN
2.	Daly A	14.	Rakaki MM
3.	Jacobs EJ	15.	Senxezi ME
4.	Khetsi LE	16.	Sithole AM
5.	Letlhake TW	17.	Styger A
6.	Macingwane MT	18.	Taljaard SDM
7.	Malherbe C	19.	Tsoaeli MS
8.	Manenye AJ	20.	Schlebusch CJ
9.	Marais JS	21.	Tshabangu SE
10.	Mthebere NA	22.	Van Rooyen MS
11.	Ngesi TM	23.	Van Schalkwyk HCT
12.	Phofeli NM		

Administration is uncertain of the Councillor who did not vote for this Item.

**Councillors who voted for Approval of Item A63/2016
(Establishment of Municipal Public Accounts Committee)**

1.	Stofile B (Speaker)	23.	Monjovo NE
2.	Sephiri MJ (Chief Whip)	24.	Morris VR
3.	Speelman NW (Executive Mayor)	25.	Moshoeu ZS
4.	Chaka MS	26.	Mosia TJ
5.	Direko DR	27.	Mphikeleli MA
6.	Kabi M	28.	Nkonka BB
7.	Khalipha TD	29.	Nthako TD
8.	Khothule MJ	30.	Ntsebeng MH
9.	Liphoko SJ	31.	Ntuli BN
10.	Lushaba TB	32.	Pholo SJ
11.	Mafa DM	33.	Poo IP
12.	Mafaisa MG	34.	Radebe MC
13.	Mahlumba BH	35.	Radebe ML
14.	Manzana NR	36.	Ramalefane SJ
15.	Masienyane MD	37.	Ramatisa PT
16.	Masina XN	38.	Sebotsa MM
17.	Mbana MA	39.	Thelingoane NE
18.	Meli TS	40.	Thelingoane TJ
19.	Moipatle KSV	41.	Tlake KR
20.	Molefi M	42.	Tlhone ML
21.	Molelekoa PMI	43.	Tshopo ME
22.	Moloja NJ	44.	Tsupa MR

**Councillors who voted for referring Item A63/2016 back
(Establishment of Municipal Public Accounts Committee)**

1.	Badenhorst MJ	13.	Presente LN
2.	Daly A	14.	Rakaki MM
3.	Jacobs EJ	15.	Senxezi ME
4.	Khetsi LE	16.	Sithole AM
5.	Letlhake TW	17.	Styger A
6.	Macingwane MT	18.	Taljaard SDM
7.	Malherbe C	19.	Tsoaeli MS
8.	Manenye AJ	20.	Schlebusch CJ
9.	Marais JS	21.	Tshabangu SE
10.	Mthebere NA	22.	Van Rooyen MS
11.	Ngesi TM	23.	Van Schalkwyk HCT
12.	Phofeli NM		

**Councillors who voted for Approval of Item A64/2016
(Establishment of the Rules and Ethics Committee)**

1.	Stofile B (Speaker)	23.	Monjovo NE
2.	Sephiri MJ (Chief Whip)	24.	Morris VR
3.	Speelman NW (Executive Mayor)	25.	Moshoeu ZS
4.	Chaka MS	26.	Mosia TJ
5.	Direko DR	27.	Mphikeleli MA
6.	Kabi M	28.	Nkonka BB
7.	Khalipha TD	29.	Nthako TD
8.	Khothule MJ	30.	Ntsebeng MH
9.	Liphoko SJ	31.	Ntuli BN
10.	Lushaba TB	32.	Pholo SJ
11.	Mafa DM	33.	Poo IP
12.	Mafaisa MG	34.	Radebe MC
13.	Mahlumba BH	35.	Radebe ML
14.	Manzana NR	36.	Ramalefane SJ
15.	Masienyane MD	37.	Ramatisa PT
16.	Masina XN	38.	Sebotsa MM
17.	Mbana MA	39.	Thelingoane NE
18.	Meli TS	40.	Thelingoane TJ
19.	Moipatle KSV	41.	Tlake KR
20.	Molefi M	42.	Tlhone ML
21.	Molelekoa PMI	43.	Tshopo ME
22.	Moloja NJ	44.	Tsupa MR

**Councillors who voted for referring Item A64/2016 back
(Establishment of the Rules and Ethics Committee)**

1.	Badenhorst MJ	12.	Phofeli NM
2.	Daly A	13.	Presente LN
3.	Jacobs EJ	14.	Rakaki MM
4.	Khetsi LE	15.	Senxezi ME
5.	Letlhake TW	16.	Sithole AM
6.	Macingwane MT	17.	Styger A
7.	Malherbe C	18.	Tsoaeli MS
8.	Manenye AJ	19.	Schlebusch CJ
9.	Marais JS	20.	Tshabangu SE
10.	Mthebere NA	21.	Van Rooyen MS
11.	Ngesi TM	22.	Van Schalkwyk HCT

<p align="center">Councillors who voted for Approval of Item A65/2016 (Establishment of the Ad-hoc Committee on naming & renaming of Streets and Public Amenities)</p>			
1.	Stofile B (Speaker)	23.	Monjovo NE
2.	Sephiri MJ (Chief Whip)	24.	Morris VR
3.	Speelman NW (Executive Mayor)	25.	Moshoeu ZS
4.	Chaka MS	26.	Mosia TJ
5.	Direko DR	27.	Mphikeleli MA
6.	Kabi M	28.	Nkonka BB
7.	Khalipha TD	29.	Nthako TD
8.	Khothule MJ	30.	Ntsebeng MH
9.	Liphoko SJ	31.	Ntuli BN
10.	Lushaba TB	32.	Pholo SJ
11.	Mafa DM	33.	Poo IP
12.	Mafaisa MG	34.	Radebe MC
13.	Mahlumba BH	35.	Radebe ML
14.	Manzana NR	36.	Ramalefane SJ
15.	Masienyane MD	37.	Ramatisa PT
16.	Masina XN	38.	Sebotsa MM
17.	Mbana MA	39.	Thelingoane NE
18.	Meli TS	40.	Thelingoane TJ
19.	Moipatle KSV	41.	Tlake KR
20.	Molefi M	42.	Tlhone ML
21.	Molelekoa PMI	43.	Tshopo ME
22.	Moloja NJ	44.	Tsupa MR
<p align="center">Councillors who voted for referring Item A65/2016 back (Establishment of the Ad-hoc Committee on naming & renaming of Streets and Public Amenities)</p>			
1.	Badenhorst MJ	12.	Phofeli NM
2.	Daly A	13.	Presente LN
3.	Jacobs EJ	14.	Rakaki MM
4.	Khetsi LE	15.	Senxezi ME
5.	Letlhake TW	16.	Sithole AM
6.	Macingwane MT	17.	Styger A
7.	Malherbe C	18.	Tsoaeli MS
8.	Manenye AJ	19.	Schlebusch CJ
9.	Marais JS	20.	Tshabangu SE
10.	Mthebere NA	21.	Van Rooyen MS
11.	Ngesi TM	22.	Van Schalkwyk HCT

**Councillors who voted for Approval of Item A66/2016
(Establishment of the Dispute Resolution Committee)**

1.	Stofile B (Speaker)	23.	Monjovo NE
2.	Sephiri MJ (Chief Whip)	24.	Morris VR
3.	Speelman NW (Executive Mayor)	25.	Moshoeu ZS
4.	Chaka MS	26.	Mosia TJ
5.	Direko DR	27.	Mphikeleli MA
6.	Kabi M	28.	Nkonka BB
7.	Khalipha TD	29.	Nthako TD
8.	Khothule MJ	30.	Ntsebeng MH
9.	Liphoko SJ	31.	Ntuli BN
10.	Lushaba TB	32.	Pholo SJ
11.	Mafa DM	33.	Poo IP
12.	Mafaisa MG	34.	Radebe MC
13.	Mahlumba BH	35.	Radebe ML
14.	Manzana NR	36.	Ramalefane SJ
15.	Masienyane MD	37.	Ramatisa PT
16.	Masina XN	38.	Sebotsa MM
17.	Mbana MA	39.	Thelingoane NE
18.	Meli TS	40.	Thelingoane TJ
19.	Moipatle KSV	41.	Tlake KR
20.	Molefi M	42.	Tlhone ML
21.	Molelekoa PMI	43.	Tshopo ME
22.	Moloja NJ	44.	Tsupa MR

**Councillors who voted for referring Item A66/2016 back
(Establishment of the Dispute Resolution Committee)**

1.	Badenhorst MJ	12.	Phofeli NM
2.	Daly A	13.	Presente LN
3.	Jacobs EJ	14.	Rakaki MM
4.	Khetsi LE	15.	Senxezi ME
5.	Letlhake TW	16.	Sithole AM
6.	Macingwane MT	17.	Styger A
7.	Malherbe C	18.	Tsoaeli MS
8.	Manenye AJ	19.	Schlebusch CJ
9.	Marais JS	20.	Tshabangu SE
10.	Mthebere NA	21.	Van Rooyen MS
11.	Ngesi TM	22.	Van Schalkwyk HCT

Administration is uncertain of the Councillor who did not vote for this Item.

**Councillors who voted for Approval of Item A67/2016
(Establishment of the Standing Committee of Chairpersons)**

1.	Stofile B (Speaker)	23.	Monjovo NE
2.	Sephiri MJ (Chief Whip)	24.	Morris VR
3.	Speelman NW (Executive Mayor)	25.	Moshoeu ZS
4.	Chaka MS	26.	Mosia TJ
5.	Direko DR	27.	Mphikeleli MA
6.	Kabi M	28.	Nkonka BB
7.	Khalipha TD	29.	Nthako TD
8.	Khothule MJ	30.	Ntsebeng MH
9.	Liphoko SJ	31.	Ntuli BN
10.	Lushaba TB	32.	Pholo SJ
11.	Mafa DM	33.	Poo IP
12.	Mafaisa MG	34.	Radebe MC
13.	Mahlumba BH	35.	Radebe ML
14.	Manzana NR	36.	Ramalefane SJ
15.	Masienyane MD	37.	Ramatisa PT
16.	Masina XN	38.	Sebotsa MM
17.	Mbana MA	39.	Thelingoane NE
18.	Meli TS	40.	Thelingoane TJ
19.	Moipatle KSV	41.	Tlake KR
20.	Molefi M	42.	Tlhone ML
21.	Molelekoa PMI	43.	Tshopo ME
22.	Moloja NJ	44.	Tsupa MR

**Councillors who voted for referring Item A67/2016 back
(Establishment of the Standing Committee of Chairpersons)**

1.	Badenhorst MJ	12.	Phofeli NM
2.	Daly A	13.	Presente LN
3.	Jacobs EJ	14.	Rakaki MM
4.	Khetsi LE	15.	Senxezi ME
5.	Letlhake TW	16.	Sithole AM
6.	Macingwane MT	17.	Styger A
7.	Malherbe C	18.	Tsoaeli MS
8.	Manenye AJ	19.	Schlebusch CJ
9.	Marais JS	20.	Tshabangu SE
10.	Mthebere NA	21.	Van Rooyen MS
11.	Ngesi TM	22.	Van Schalkwyk HCT