

MINUTES

OF THE

**3rd ORDINARY MEETING
FOR THE YEAR 2010**

of

MATJHABENG MUNICIPALITY

held on

TUESDAY, 30 MARCH 2010

at

16:00

COUNCILLORS ATTENDANCE: COUNCIL MEETING: 30 MARCH 2010

ANC

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

II

DA

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

FF+

PROPORTIONAL	
70.	Coetzee BJA

ACDP

PROPORTIONAL	
71.	Meko MA

IND

WARD	
72.	Liphoko SJ (Absent)

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
Me C Strickett	:	Chief Financial Officer
Mr JKF Jankowitz	:	Administrative Officer (Corporate Services)

III

SECTION A

1. OPENING

The Speaker welcomed the residents of Matjhabeng present in the gallery as well as the Leadership of the ANC.

The Speaker also welcomed the Mayor of Nala Municipality in the gallery and requested Reverend SM Skhosana of Cedar House 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 indicated that Items A17/2010 and A22/2010 would be dealt with as the last item on the agenda.

4. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER

None.

5. DISCLOSURE OF INTEREST

None.

6. DEPUTATIONS AND INTERVIEWS

None.

7. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

See Items A24/2010 and A26/2010.

8. MINUTES OF THE PREVIOUS MEETING

IT WAS RESOLVED (30 MARCH 2010)

That the minutes of the 2nd Ordinary Council Meeting held on 23 February 2010 **BE APPROVED** in conjunction with the following amendments:

- (a) That Cllr GL Qwesha and Cllr E Peterson **be indicated** as present in the previous meeting.

IV

(b) A14/2010 Motion: Councillor J Fourie: Residential Erven used for Taverns and Shebeens against the Title Concitions of the Erven

That the paragraph under discussions **BE AMENDED** to read as follows:

The Speaker informed Council that because Cllr J Fourie was not present at the meeting, the item be discussed at the next meeting.

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

A17/2010 – A26/2010

13. MOTIONS

See Item A25/2010

14. CLOSING REMARKS

None

15. CLOSURE

The Speaker terminated the meeting at **18:20**.

.....
L RUBULANA (SPEAKER)

.....
DATE

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11.	SECTION B REPORTS OF THE SPEAKER IN TERMS OF RULES 15(1) AND 99(4)	
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A17/2010

EXECUTIVE SUMMARY OF THE 2010-2011 ANNUAL BUDGET FOR THE MATJHABENG MUNICIPALITY (6/1/1/1 – 2010/2011) (CFO)

PURPOSE

To submit to Council the annual budget for the 2010-2011 financial year.

DISCUSSIONS

The Executive Mayor presented the item to Council, indicating that **Items A17/2010 and A22/2010 would be presented simultaneously.**

The Executive Mayor presented Points to Note in the item to Council and indicated that stakeholders should be engaged in the Draft Budget.

The Executive Mayor requested the Chief Financial Officer to elaborate on the Budget.

The Chief Financial Officer, in short, gave feedback to Council on compliance, basis for Operational Budget tariffs, realistic revenue collected, challenges, the Capital Budget summary and the Capital Budget Challenges.

Cllr Dr J Marais referred to a circular dated 23 March 2010 indicating percentages to be implemented with regard to electricity.

The Speaker requested that the document be handed to him as the document was not submitted to Council. Council accepted the document as a document of Council.

After further discussions

COUNCIL RESOLVED (30 MARCH 2010)

1. That Council **ACCEPTS** the Draft IDP document and the Draft Budget.
2. That the public participation process **SHOULD TAKE PLACE.**

A18/2010

WRITE-OFF OF BAD DEBT/IRRECOVERABLE DEBT (6/18/1) (CFO)

[ITEM WITHDRAWN FROM AGENDA]

A19/2010

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

PURPOSE

To submit for election of Councillor Representatives to the Municipal Pension Fund.

DISCUSSIONS

The Speaker requested Council to appoint an Acting Speaker in order to enable him to present the item to Council.

Cllr ZA Thuthani was unanimously appointed as Acting Speaker.

Cllr L Rubulana presented the item to Council indicating the names of the Councillors to be elected. Cllr Dr Marais requested that the name of Cllr VH Neumann be substituted with the name of Cllr HC van Rooyen.

COUNCIL RESOLVED (30 MARCH 2010)

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

Cllr L Rubulana
Cllr MC Radebe
Cllr E Peterson
Cllr KA Ramaisa and
Cllr HC van Rooyen.

A20/2010

AMENDMENT OF THE RULES AND ORDERS (3/1B) (EDCSS)

PURPOSE

To submit the amendments to the Rules and Orders to Council for consideration.

DISCUSSIONS

Cllr L Rubulana presented the item to Council.

After lengthy discussions and submissions made by Cllr JJC Fourie on Section 85(1) of the Standing Rules and Orders

COUNCIL RESOLVED (30 MARCH 2010)

1. That Council **ADOPTS** the Standard Rules and Orders with the proposed amendments with exception of Section 85(1).
2. That Section 85(1) of the Standard Rules and Orders **BE REFERRED** to the Rules Committee.

[The Speaker, Cllr Rubulana, resumed his position.]

A21/2010

REPORT OF THE MAYORAL LEKGOTLA HELD FROM 01 TO 03 FEBRUARY 2010 IN THE HALL OF FAME, WELKOM (MM) (ED: SSS) (3/1/4/3)

PURPOSE

The purpose is to submit to Council the report of the Mayoral Lekgotla together with draft resolutions for consideration and approval.

DISCUSSIONS

The Executive Mayor presented the item to Council indicating that the item should be referred back to the Mayoral Committee before submission to Council.

Cllr Dr J Marais requested that time-frames on resolutions/actions be indicated in the report.

COUNCIL RESOLVED (30 MARCH 2010)

That the Report of the Mayoral Lekgotla **BE REFERRED** to the next Mayoral Committee meeting before submission to Council.

A22/2010

IDP REVIEW 2010/2011 (18/1/18) (MM)

PURPOSE

To present to Council the draft IDP review for adoption.

[This item was dealt with in conjunction with Item A17/2010.]

A23/2010

REPORT OF THE OVERSIGHT COMMITTEE (3/1/3/4) (MM)

PURPOSE

To report to Council the findings of the Oversight 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.

DISCUSSIONS

The Chairperson of the Oversight Committee submitted the item to Council.

After lengthy discussions

COUNCIL RESOLVED (30 MARCH 2010)

1. That Council, having fully considered the annual report, **ADOPTS** the oversight report without reservations.
2. That the following recommendations contained in the oversight report **ARE ATTENDED TO** by management:
 - (a) That all recommendations as per directorate **BE IMPLEMENTED** by management and a quarterly progress report **BE SUBMITTED** to Council.
 - (b) That Mrs C Strickett immediately **BE REPLACED** as a Member of the Audit Committee.
 - (c) That a report **BE SUBMITTED** to Council by the Municipal Manager on his failure to attend Oversight Committee meetings as required by legislation.
 - (d) That a report **BE SUBMITTED** to Council on steps undertaken by the Accounting Officer against officials who failed to attend community meetings.

A24/2010

RESPONSE TO QUESTIONS RAISED BY DA COUNCILLOR(S) IN TERMS OF THE STANDARD RULES AND ORDERS (MM)

PURPOSE

To submit response to questions, motions and other correspondence from various DA Councillors to Council for consideration.

DISCUSSIONS

The Speaker submitted the item to Council and indicated that in future submissions of questions raised, councillors' names must be indicated in the heading.

COUNCIL RESOLVED (30 MARCH 2010)

That Council **TAKES NOTE** of responses to questions raised by Cllrs J Fourie and JHA Edeling in accordance with the Standard Rules and Orders.

A25/2010

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 afforded Cllr J Fourie the opportunity to present his motion to Council.

Cllr Fourie submitted his motion to Council as per the annexures.

Cllr Khalipha indicated that currently a Bill is being prepared for Parliament regarding taverns. He also indicated that Council should not wait for the Act to be promulgated, but that the Municipal Manager must act according to Council's By-laws.

Cllr Montshioa also indicated that he supports the Motion of Cllr Fourie, but that Council must wait for the Bill to be adopted by Parliament.

The Executive Mayor indicated that to fast track such matters, discussion must take place and items be submitted through the right channels to enable Council to act fast on critical issues.

COUNCIL RESOLVED (30 MARCH 2010)

That the by-laws on taverns and shebeens **BE RECTIFIED** according to the existing legislation and **BE RESUBMITTED** to Council for approval.

A26/2010

RESPONSE TO QUESTIONS RAISED BY DA COUNCILLOR(S) IN TERMS OF THE STANDARD RULES AND ORDERS (MM) (3/1/3/2)

PURPOSE

To submit response to questions, motions and other correspondence from various DA Councillors to Council for consideration.

DISCUSSIONS

The Speaker presented the item to Council.

COUNCIL RESOLVED (30 MARCH 2010)

That Council **TAKES NOTE** of responses to questions raised by Cllrs J Fourie and BD Mhlafu in accordance with the Standard Rules and Orders.