

MINUTES

of the

**3RD SPECIAL COUNCIL MEETING
FOR THE YEAR 2016**

of

MATJHABENG MUNICIPALITY

held on

TUESDAY, 17 MAY 2016

at

16:00

**COUNCIL CHAMBERS, CIVIC CENTRE,
WELKOM**

**COUNCILLORS ATTENDANCE: 3RD SPECIAL COUNCIL MEETING MINUTES:
17 MAY 2016**

PROPORTIONAL			
1.	Stofile B (Speaker)	19.	Mlangeni MG
2.	Twala MJ (Council Whip)	20.	Mokotedi TG
3.	Ngangelizwe S (Executive Mayor)	21.	Motshabi MP
4.	Badenhorst MJ	22.	Ntsebeng MH
5.	Banyane ME (Absent)	23.	Nqeobo EM
6.	Botha PF	24.	Petleki KI
7.	Chaka CP	25.	Pina NJ
8.	Fanie D	26.	Radebe MC (Apology)
9.	Fourie JJC	27.	Radebe ML
10.	Kabi M	28.	Rubulana L
11.	Kockera SC	29.	Sephiri MJ
12.	Mafa DM (Apology)	30.	Speelman NW (Apology)
13.	Mafongosi ZV	31.	Styger A
14.	Malefane DE (Apology)	32.	Taljaard SDM
15.	Marais JS	33.	Tihone ML
16.	Mbana MA	34.	Tsubane ME
17.	Menyatso KJ (Sick)	35.	Vanga NM
18.	Mholo PP	36.	Van Rooyen KV
WARD			
37.	Beneke R (Absent)	55.	Mosala MS
38.	De Villiers MT (Apology)	56.	Mothege MA (Apology)
39.	Dali VN (Absent)	57.	Mphikeleli MA
40.	Khalipha TD	58.	Naude HJ (Absent)
41.	Mabote TL	59.	Ntlele KI
42.	Madumise MM	60.	Phetise ME
43.	Makgowe PV	61.	Qwasha GL
44.	Masienyane MD	62.	Riet MI
45.	Mbambo AX	63.	Sifatya Z (Apology)
46.	Meli S	64.	Taliwe FE
47.	Mfebe MSE	65.	Thateng MJ
48.	Mokhomo HA	66.	Thelingoane TJ
49.	Molelekoa PA (Apology)	67.	Tlake KR
50.	Molelekoa PMI	68.	Tsatsa SJ
51.	Molete TN	69.	Tsubella KS
52.	Molupe RT	70.	Van Rooyen MS
53.	Monjovo NE	71.	Van Schalkwyk HCT
54.	Morris VR	72.	



OFFICIALS

Mr MF Lepheana	:	Municipal Manager
Mr T Makofane	:	Executive Director: Strategic Support Services
Mr FF Wetes	:	Executive Director: Corporate Services
Mr ET Tsoaeli	:	Chief Financial Officer
Me H.B. Tlhabani	:	Executive Director: Infrastructure
Me S. Nkungwana	:	Senior Manager: Compliance
Me PP Seleka	:	Admin Officer (Corporate Services)

III

(a)	<p>Opening</p> <p>The Speaker welcomed everybody present at the 3rd Special Council meeting and declared the meeting open.</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>The Speaker announced that the 3rd Ordinary Council meeting that is scheduled for the 31st May 2016 would be held in Ventersburg.</p>
(d)	<p>Reports received from the Speaker</p> <p>None</p>
(e)	<p>Motions of sympathy and congratulations</p> <p><u>Congratulations</u></p> <ol style="list-style-type: none"> 1. Cllr V.R. Morris congratulated the Office of the Premier and the Executive for the ruling of the ConCourt which did not find the Office of the Premier guilty of any corrupt activities with regard to Operation Hlasela. <p><u>Sympathy</u></p> <ol style="list-style-type: none"> 1. Cllr M.P. Motshabi conveyed a message of condolences on behalf of Council to the family of the Executive Director: Community Services, Me Matiro Mogopodi for the passing away of her mother. 2. Cllr M.D. Masienyane conveyed a message of sympathy to the Ledimo family for their grandmother who was raped and brutally murdered by a young boy in Ward 8, Virginia. 3. The Council Whip, Cllr M.J. Twala conveyed a message of condolences to the Baartman family for the passing away of Me Pumla Baartman who was residing in Cllr Van Rooyen Ward 27 as well as to the family of Me Rosemary Majwa who was a member of Mkhonto weSizwe Military Veteran Association and wished their souls to rest in peace. 4. Cllr C.P Chaka rose up to condemn the burning of 24 schools in Vuwani in Malamulele which left 60 000 learners stranded and encouraged South Africans to speak up against the violation of other people's rights during protests.
(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>SA11/2016 – SA27/2016</p>

IV

h)	Announcements None
(i)	Closing The Speaker thanked everyone who attended and ended the meeting at 18h15 .

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CLLR B. STOFILÉ (SPEAKER)

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DATE

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SA10/2016

RESIGNATION OF CLLR D.C. SMIT AS A WARD COUNCILLOR OF WARD 9 IN MATJHABENG LOCAL MUNICIPALITY (SPEAKER) (3/1/4/2)

PURPOSE

The purpose of this item is to inform Council about the resignation of Cllr D. C. Smit as a Councillor representing DA in the Matjhabeng Local Council, for consideration.

DISCUSSION

The Speaker informed Council that the item had been dealt with at the previous Council meeting.

COUNCIL RESOLVED (17 MAY 2016)

1. That Council **ACKNOWLEDGES** the resignation of Cllr D.C. Smit.

SA11/2016

MONTHLY FINANCE REPORT – MARCH 2016 (CFO) (12/1/2/3)

PURPOSE

To submit to Council the Monthly Finance Report for March 2016 in terms of Section 71 of the Municipal Finance Management Act, No. 56 of 2003.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (17 MAY 2016)

1. That the Finance Report for March 2016 in terms of Section 71 of the Municipal Finance Management Act, No. 56 of 2003, **BE NOTED**.
2. That the Finance Report for March 2016 in terms of Section 71 of the Municipal Finance Management Act, No.56 of 2003, **BE SUBMITTED** to Provincial and National Treasury.

SA12/2016

THREE MONTHS FINANCE REPORT – JANUARY - MARCH 2016 (CFO)
(12/1/2/3)

PURPOSE

To submit to Council, the three Months Finance Report for January – March 2016 in terms of Section 52(d) of the Municipal Finance Management Act, No. 56 of 2003.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (17 MAY 2016)

1. That the Finance Report for the Quarter (January – March 2016) in terms of Section 52(d) of the Municipal Finance Management Act, No. 56 of 2003, **BE NOTED**.
2. That the Finance Report for the Quarter (January – March 2016) in terms of Section 52(d) of the Municipal Finance Management Act, No. 56 of 2003, **BE SUBMITTED** to Provincial and National Treasury.

SA13/2016

CURRENT STATUS OF THE MUNICIPAL INFRASTRUCTURE GRANT (MIG)
CAPITAL PROJECTS IN MATJHABENG LOCAL MUNICIPALITY (EDI) (6/4/1)

PURPOSE

To present to Council the current status and progress report on the implementation of capital projects funded through MIG for the financial year 2015/2016.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (17 MAY 2016)

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

SA14/2016

SUPPLY CHAIN MANAGEMENT REPORT FOR THE PERIOD JANUARY 2016 - MARCH 2016 (CFO) (12/1/2/3)

PURPOSE

To submit the Supply Chain Management Unit quarterly report, for the abovementioned period to Council for noting.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (17 MAY 2016)

1. That Council **TAKES NOTE** of the Supply Chain Management Report for the period of January 2016 - March 2016.

SA15/2016

SUPPLY CHAIN MANAGEMENT REPORT FOR THE PERIOD OCTOBER 2015- DECEMBER 2015 (CFO) (12/1/2/3)

PURPOSE

To submit the Supply Chain Management Unit quarterly report, for the above-mentioned period to Council for noting.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (17 MAY 2016)

1. That Council **TAKES NOTE** of the Supply Chain Management Report for the period of October 2015 - December 2015.

SA16/2016

SUBMISSION OF AUDIT COMMITTEE ACTION PLAN TIME FRAMES (MM) (IA)

PURPOSE

To submit the Audit Committee Action Plan time frames to Council for noting.

4

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (17 MAY 2016)

1. That the developed draft time table **BE NOTED**.
2. That the draft schedule **BE DISTRIBUTED** to all role players for committee usage.
3. That the Section 80 Committee meetings **BE SCHEDULED** preferable for 14h00 in the afternoons to enable Councillors who are working to be able to attend.

SA17/2016

DRAFT SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN FOR 2016/17 FINANCIAL YEAR (ED: SSS) (6/1/1)

PURPOSE

The purpose of this item is to submit the Draft Service Delivery and Budget Implementation Plan for 2016/17 Financial Year to Council for noting.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (17 MAY 2016)

1. That Council **TAKES NOTE** of the Draft Service Delivery and Budget Implementation plan for 2016/2017 Financial Year.

SA18/2016

PROGRESS REPORT ON COUNCIL RESOLUTIONS (ED: CSS) (2/2/2)

PURPOSE

To submit a progress report on Council Resolutions to Council for noting.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (17 MAY 2016)

1. That Council **TAKES NOTE** of the Council Resolution Audit.
2. That Council Administration **MUST COMPILE** a booklet of Council resolutions that were taken during the last four years.

SA19/2016

BUDGET MAINTENANCE APPROVAL (PMU) (EDI) (6/1/1/1)

PURPOSE

The purpose of this item is to present before Council the current status and progress report on the New Indoor Sports and Recreational Facility in Thabong Far East in compliance with the Municipal Systems Act 32 of 2000; Section 73 (1).

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (17 MAY 2016)

1. That in terms of Section 73(1) Municipal Systems Act, Council **APPROVES** these projects for application for budget maintenance as planned in our MIG Implementation Plan.

SA20/2016

APPLICATION FOR MANUFACTURING AIRCRAFTS AND OPENING OF A FLYING SCHOOL AT WELKOM AIRPORT (ED: LED, P & HS) (10/5/2)

PURPOSE

To submit the application to manufacture Aircrafts and opening of a Flying School at the Welkom Airport, received from Columbo Aviation, to Council for consideration.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (17 MAY 2016)

1. That a piece of land at the Airport **BE MADE AVAILABLE** to accommodate the Assemble Plant, Flying School facility, workshops, new hangers and an office block.

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2. That a Lease Agreement that is renewable every 10 years **BE DRAFTED AND SIGNED** for a period of 9 years 11 months, on condition that the lease will result in basically employment of local communities and Industrialization for Economic Growth.
3. That an additional agreement **BE ENTERED INTO** for keeping the facility in compliance with CAR and ICAO.
4. That prior to the signing of the agreement, the development plan of workshop, office block and hangers **BE SUBMITTED**, indicating the following information:-
 - (a) All structural building plans intended.
 - (b) Certification from Department of Transport and South African Civil Aviation Authority on Accreditations.
5. That a Penalty Clause **BE INCLUDED** in the Lease Agreement for the developer to pay the Municipality the potential revenue that would have been accrued had the development proceeded.
6. That if the development is not done within a year from date of Council resolution, the Lease Agreement **BE TERMINATED**.
7. That Council **MANDATES** the Municipal Manager to **DRAFT** the Lease Agreement and submit it to Council before it is signed by parties involved.
8. That the contract which was concluded with the previous company for the same land must **BE TERMINATED**.

SA21/2016

TOWNSHIP MINI – BUTCHERIES DEVELOPMENT AS PART OF THE TOWNSHIP REVITALIZATION PROGRAMME (ED: LED, P & HS) (18/2/1)

PURPOSE

The purpose of this report is to present before Council on progress made in regard to Township Revitalization Programme (TRP) towards improvement of local butcheries around Matjhabeng Local Municipality Jurisdiction.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (17 MAY 2016)

1. That Council **SUPPORTS** the Township Mini-Butcheries Development.

2. That Council **AGREES TO CONCLUDE** a Memorandum of Agreement with all parties involved.
3. That Council **MANDATES** the Municipal Manager to **DRAFT** a Memorandum of Agreement and **SUBMIT** it to Council for approval.

SA22/2016

MASINGITA GROUP OF COMPANIES: APPLICATION FOR AN UNSOLICITED BID FOR THE PURCHASE OF ERVEN R/19144 THABONG FOR DEVELOPMENT OF COMMUNITY SHOPPING CENTRE AND 24 HOUR FILLING STATION (ED: LED, P & HS) (11/3)

PURPOSE

The purpose of this item is to submit to Council for consideration, an application by Masingita Holdings for acquisition of Erven R/19144 through unsolicited bid.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (17 MAY 2016)

1. That the item **BE REFERRED BACK**.

SA23/2016

MATJHABENG: MOTIVATION FOR THE INVITATION OF DEVELOPMENT PROPOSALS FOR THE ALIENATION OF HIGH POTENTIAL COMMERCIAL AND INDUSTRIAL LAND VIA THE PUBLIC BIDDING PROCESS (ED: LED, P & HS) (8/3)

PURPOSE

The purpose of the report is to motivate the alienation of vacant municipal owned land for commercial and industrial development by means of the invitation of development proposals.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (17 MAY 2016)

1. That the item **BE REFERRED BACK**.

SA24/2016

NATIONAL ENERGY REGULATOR OF SOUTH AFRICA (NERSA) GUIDELINE ON MUNICIPAL ELECTRICITY PRICE INCREASE FOR THE 2016/17 FINANCIAL YEAR (CFO) (6/5/1/1) (2016/17)

PURPOSE

To submit to Council the approved National Energy Regulator of South Africa (NERSA) guideline on municipal electricity price increase for the 2016/17 financial year.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (17 MAY 2016)

1. That the Guideline on Municipal Electricity price increase for 2016/17 of 7.4% from National Energy Regulator of South Africa (NERSA) **BE APPROVED** as guided by NERSA and **APPLIED** as the Municipal tariff.

SA25/2016

REQUEST FOR THE APPROVAL OF THE DRAFT LAND ALLOCATION PLAN AND PROCEDURES (ED: LED, P & HS) (8/3)

PURPOSE

To solicit the approval of the site allocation plan and procedures by Council.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (17 MAY 2016)

1. That the item **BE REFERRED BACK**.

SA26/2016

DISPOSAL OF CAPITAL ASSET – ALIENATION OF IMMOVABLE PROPERTIES: RESIDENTIAL SITES IN MATJHABENG (ED: LED, P & HS) (8/3/1)

PURPOSE

To obtain Council approval for the alienation of certain immovable properties that form part of Council's capital assets.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (17 MAY 2016)

1. That the item **BE REFERRED BACK**.

SA27/2016

REPORT ON THE UNAUTHORISED, IRREGULAR AND FRUITLESS AND WASTEFUL EXPENDITURE INCURRED FOR THE PERIOD ENDING JUNE 2015 AND PRIOR FINANCIAL PERIODS (CFO) (6/1/2/2)

PURPOSE

To submit to Council a report on unauthorised, irregular and fruitless and wasteful expenditure incurred for the financial period ended 30 June 2015 and prior financial periods.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED (17 MAY 2016)

1. That Council **TAKES NOTE** of the report.
2. That Council **APPOINTS** a Section 32 Ad-hoc Committee in terms of Section 32 of the MFMA comprising of 4 ANC Councillors, 2 DA Councillors, 1 COPE Councillor, 1 FF+ Councillor, 1 Audit Committee member and representatives from SALGA and Provincial Treasury to be tasked for a period of two weeks to do the investigations.
3. That the Committee **PERFORMS** an investigation as guided by National Treasury MFMA Circular No. 68 and MFMA Section 32 and **SUBMIT** a report to Council with recommendations for consideration.