

MINUTES

OF THE

**4TH ORDINARY MEETING
FOR THE YEAR 2002**

of

MATJHABENG MUNICIPALITY

held on

TUESDAY 30 APRIL 2002

at

16:00

COUNCILLORS PRESENT : COUNCIL MEETING : 30 APRIL 2002

ANC

PROPORTIONAL			
1.	Leeuw SJ (Executive Mayor)	14.	Dlova TW
2.	Matsepe TV (Speaker)	15.	Ikaneng MI
3.	Chao MK	16.	Mafantire JM
4.	Menong KS	17.	Mafongosi VZ
5.	Ramaisa KA	18.	Mashinini NL
6.	Tladi RE	19.	Alexander RR
7.	Thuthani ZA (Apology)	20.	Radebe ML
8.	Matosa AN	21.	Sephiri MJ
9.	Matlabe MMT	22.	Tlhone ML (Apology)
10.	Mbana MM	23.	Vanga M (Apology)
11.	Mokhathi PE	24.	Kotzee D (Absent without leave)
12.	Bengu VV	25.	Segalo SS (Apology)
13.	Dali VN	26.	Kujoana MA
WARD			
27.	Matsbukanye MM	42.	Mfebe MSE
28.	Tshabangu SE	43.	Mhlaba N
29.	Mohlodi PP	44.	Mokolutlo LA
30.	Mogole RR	45.	Montshioa BA
31.	Liphoko SJ	46.	Mosala MS
32.	Mokoena ME	47.	Nakwa TA
33.	Masienyane MD	48.	Ngangelizwe S
34.	Baaitjies M (Absent without leave)	49.	Radebe LLF
35.	Dassie YS	50.	Ramojela JN
36.	Dlamini SC	51.	Rubulana L
37.	James TH	52.	Seboholi CP
38.	Khalipha TD	53.	Taliwe FE (Apology)
39.	Mabuya FF	54.	Thoabala TE
40.	Manzana NR	55.	Tsoene TD
41.	Masoka NL (Apology)	56.	Tsatsa SJ

DA

PROPORTIONAL			
57.	Edeling JH	61.	Maqena AM
58.	Marais (Dr) JS	62.	Ntsala MM (Apology)
59.	Auret IH	63.	Olivier JJ
60.	Neumann VH	64.	Styger A
WARD			
65.	Bothma B	68.	Du Toit JJB
66.	Louw ML	69.	Van Rooyen HC
67.	Smit DC (Apology)	70.	Fourie JJC

II

UDM

PROPORTIONAL	
71.	Motshabi MP

PAC

PROPORTIONAL	
72.	Majoe TS

OFFICIALS

Mr. RSB Sesele	–	Municipal Manager
Mr. B Molatseli	–	Executive Manager : Corporate Services
Mr. R Spies	–	Corporate Executive Manager : Engineering Services
Ms. EJA van Tonder	–	Corporate Executive Manager : Financial Management
Mr. V Adonis	–	Corporate Executive Manager : Community Services and Social Development
Mr. TR Shiringani	–	Corporate Services

1. OPENING

Pastor Lesley Motalane and Pastor Willem Roode opened the meeting with Scripture reading and prayer.

2. OFFICIAL ANNOUNCEMENTS OF THE SPEAKER

The Speaker announced the programme for the activities of Workers' Day celebrations on 1 May 2002 at Unitas School and urged Councillors to attend the function.

3. REPORTS OF THE SPEAKER IN TERMS OF RULES 15(1) AND 99(4)

None

4. APPLICATIONS AND APPEALS FROM COUNCILLORS IN TERMS OF RULES 14(1), 67 AND 72

None

5. REPORTS RECEIVED FROM THE SPEAKER

None



6. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER

6.1 Congratulations

6.1.1 The Speaker congratulated the following Councillors and wished them a happy birthday:

James TH	03 May
Mfebe MSE	04 May
Dassie YS	05 May
Tlhone ML	06 May
Masoka NL	13 May
Masienyane MD	15 May
Vanga M	21 May
Dlova TW	24 May

6.1.2 Speaker congratulated all the persons, associations and businesses for organizing the successful Mayoral Dinner held on Wednesday, 17 April 2002.

Condolences

The Speaker, on behalf of the Council, **expressed** his sincere condolences to the family of Councillor SS Segalo who has lost his father.

The Speaker, on behalf of the Council, **expressed** his sincere condolences to the family of Mr Mziwonke Simon Malawu, a member of Ward 35 Committee, who passed away.

The Speaker, on behalf of the Council, **expressed** his sincere condolences to the family of Councillor Dora Kotzee who lost her nephew in a car accident.

7. MOTIONS OF SYMPATHY AND CONGRATULATIONS FROM OTHER MEMBERS

7.1 Congratulations

7.1.1 Councillor AM Maqena **congratulated** her daughter for disclosing her HIV status, the copy of which is attached to these minutes as Annexure "A"

IV

After the complement by Cllr Maqena, the Speaker indicated that he has drawn up a declaration, that expresses the commitment of Councillors to be on the forefront in the fight against HIV / AIDS and requested Councillors to commit themselves on a voluntary basis by signing the declaration. The declaration is attached to these minutes as Annexure "B".

Condolences

The ANC Chief Whip, Councillor JM Mafantire, paid tribute to the late Minister of Safety and Security, Mr Steve Tshwete.

The Speaker afforded all the parties represented in Council to pay tribute to the late Minister and the following people represented their parties:

Cllr Dr JS Marais for the DA
Cllr TS Majoe for the PAC
Cllr MP Motshabi for the UDM

A moment of silence was observed in respect of those who passed away.

8. DEPUTATIONS AND INTERVIEWS

A deputation consisting of Messrs T.A. Jonas, IDP Manager, M Leemisa and H. Wolmarans from LS and B Consultants furnished Councillors with the status of the IDP process and made a presentation on the matter, whereafter the Council **RESOLVED** :

That the status and the presentation of the IDP process **BE NOTED**.

9. DISCLOSURE OF INTEREST

None

10. MINUTES OF THE PREVIOUS MEETING

IT WAS RESOLVED BY COUNCIL : (30 APRIL 2002)

That the minutes of the meeting held on 26 March 2002 **BE APPROVED** and **CONFIRMED**.

MATTERS ARISING FROM THE MINUTES

None

V

12. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

None

13. REPORTS OF THE EXECUTIVE MAYOR AND COMMITTEES

The Executive Mayor informed Councillors that he intends to convene a Special Council meeting on 13 May 2002 to discuss the Draft Budget and the Draft IDP.

The Executive Mayor presented his report to Council, which was considered and the resolutions in this regard are on page 1 to 5 of these minutes.

14. REPORTS OF DECISIONS TAKEN UNDER DELEGATED POWERS

The Executive Mayor presented his report on decisions taken under delegated powers and the resolution in this regard is on page 6 of these minutes.

15. MOTIONS

None

CLOSURE

The meeting ended at **18:45**.

.....
DATE

.....
TV MATSEPE (SPEAKER)

1

A15/2002

REPORT OF THE AUDITOR-GENERAL ON THE ANNUAL FINANCIAL STATEMENTS OF THE FORMER HENNENMAN TRANSITIONAL LOCAL COUNCIL FOR THE FINANCIAL YEAR ENDED 30 JUNE 2000 (6/12/2/2) (MM-MIA)(P 1 : ANNEXURES P 1 – 5)

IT WAS RESOLVED BY COUNCIL : (30 APRIL 2002)

- [MIA] 1. That the report of the Auditor-General on the annual financial statements of the former Hennenman Transitional Local Council for the financial year ended 30 June 2000, together with the comments of Management, as well as the comments of the Performance Audit Committee pertaining thereto, **BE NOTED** and **ACCEPTED** as being Council's comments.
- [MIA] 2. That the Manager : Internal Auditing **INFORMS** the Auditor-General regarding paragraph 1 above.
- [CEMFM] 3. That a Departmental Management Audit **BE ESTABLISHED** for Matjhabeng Municipality.

A16/2002

SPECIAL COMMITTEE: INVESTIGATION INTO ALLEGATIONS LEVELLED AGAINST COUNCILLOR MP MOTSHABI OF THE UNITED DEMOCRATIC MOVEMENT (UDM) AS WELL AS THE ALLEGATIONS OF CERTAIN IRREGULARITIES BY COUNCILLOR TS MAJOE OF THE PAN AFRICAN CONGRESS (PAC): PROGRESS REPORT (3/1/4/1) (MM) (P 2 : ANNEXURES P 6 – 10)

IT WAS RESOLVED BY COUNCIL : (30 APRIL 2002)

- [EMCS] That the request of the Executive Mayor that this item **BE WITHDRAWN** from the agenda to enable him to correct certain information **BE ADHERED TO**.

A17/2002

DRAFT POLICY ON THE USE OF MUNICIPAL SPORT AND RECREATION FACILITIES (9/2/2) (CEMCSSD) (P 4)

IT WAS RESOLVED BY COUNCIL : (30 APRIL 2002)

- [CEMCSSD] 1. That the following Draft Policy on the use of Sport and Recreation Facilities as mentioned in paragraph 3 – 5 **BE APPROVED** and **BE PUBLISHED** for public discussion and comments in accordance with Rule 9 of the Standard Rules and Orders, as amended.

2

- [EMCS] 2. That the Executive Mayor and Municipal Manager **BE DELEGATED TO APPROVE** the request for free use of the Municipal Sports and Recreation facilities.

That in the following instances facilities **CAN BE MADE AVAILABLE** free of charge:-

- 3.1 Where an activity or programme is presented in co-operation with the Municipality e.g. HIV campaign by the Provincial Government, Road Safety Awareness, Sport Development etc. Activities by the Provincial Government, not relating to Municipal matters, will be charged the normal fee.

Where a team, choir, dance group etc. has been selected or qualified to represent Matjhabeng at a recognised provincial or national competition or event, the facility can be made available for practice purposes. Council reserves the right to change permission for practice should a person/organisation book and pay for the facilities.

(Groups, teams, choirs etc. mentioned under paragraph 3.2 above, will be charged a refundable deposit and must also be liable to clean the facilities after they used same.)

- 3.3 To Councillors for report back meetings to their constituencies and other official municipal matters.
- 3.4 Councillors must book well in advance to ensure that a facility is available, as bookings already made and being paid for by the community will not be cancelled to accommodate them and the necessary forms must be completed for the facility to be used, before the date of use.
- 3.5 For the registration and paying of pensioners.
- 3.6 That any application that cannot be handled in terms of the above-mentioned guidelines be referred to the Mayoral Committee for consideration.
4. That the user **WILL BE HELD RESPONSIBLE** for any breakage or any other additional costs incurred by the Municipality.
5. That applications **MUST** be made in good time as bookings already made cannot be cancelled to accommodate people that make free use of a facility.

3

[CEMCSSD] That the public address systems belonging to the municipality **WILL ONLY BE USED** for municipal purposes and **WILL NOT BE MADE AVAILABLE** for use by private organisations, N.G.O.'S. or C.B.O'S.

A18/2002

ADDITIONAL WORKLOAD ALLOWANCES (5/4/1/21) (MM) (P 9 : ANNEXURES P 11 – 13)

IT WAS RESOLVED BY COUNCIL : (30 APRIL 2002)

- [CEMFM] 1. That the allowance of Mr JJ Van Niekerk **BE STOPPED** as from 1 March 2002 and that he **BE NOT HELD LIABLE TO REPAY** Council the allowance that he has already received.
- [CEMFM] 2. That the allowance of R416,66 per month payable to Mr TL Swart for managing three additional departments, as per the former Odendaalsrus Municipality's resolution, **STILL BE PAID** to him until the Uniform Conditions of Service for the Matjhabeng Local Municipality are implemented .
- [EMHR] 3. That the Executive Manager : Human Resources **INFORMS** Messrs Van Niekerk and Swart in accordance with paragraphs 1 and 2 above.

A19/2002

PROPOSED POLICY ON ACQUIRING BACK OF ERVEN IN MATJHABENG (EMHDEC) (P 11)

IT WAS RESOLVED BY COUNCIL : (30 APRIL 2002)

- [EMCS] 1. That the proposed policy on acquiring back of in Matjhabeng erven **BE PUBLISHED** for public discussion and comments in accordance with Rule 9 of the Standard Rules and Orders, as amended.
2. That the re-transfer of erven **SHOULD BE HANDLED** on an individual basis to determine the merits of each case.
- [EMHDEM] 3. That a Land/Erven Re-transfer Committee made up of two Councillors (the Chairpersons of both Housing and Finance Section 80 - Committees) and two officials (Heads of Department of both Housing and Finance Departments) **BE ESTABLISHED** and that this Committee **WILL HAVE TO REPORT** to the relevant Section 80 - Committee on its work.

4

4. That the recommendations of the Land/Erven Re-transfer Committee **BE BASED** on consensus.
5. That all re-transfers **BE** at the cost of the applicant and only the Executive Mayor, in consultation with the Municipal Manager, may grant an exception after recommendation from the Section 80 - Committee.
6. That for every re-transfer that has been approved, Council **WILL WRITE-OFF** the arrears only in the case of insolvency, at the recommendation of the Committee mentioned in paragraph 2 above.

A20/2002

SKILLS DEVELOPMENT POLICY FOR MATJHABENG MUNICIPALITY AND TERMS OF REFERENCE OF THE SKILLS DEVELOPMENT COMMITTEE (5/6/3) (EMHR) (P 14 : ANNEXURES 14 – 21)

IT WAS RESOLVED BY COUNCIL : (30 APRIL 2002)

- [EMCS]
1. That the Skills Development policy for Matjhabeng Municipality be published for public comments and discussion in accordance with Rule 9 of the Standard Rules and Orders, as amended.
 2. That further inputs regarding the matter **BE SUBMITTED** by other Managers and Councillors.
 3. That should no further inputs be received, the Skills Development Policy for Matjhabeng Municipality, as well as Terms of Reference, **BE ADOPTED** as submitted after paragraph 1 above has been finalised.

A21/2002

INTEGRATED DEVELOPMENT PLAN (IDP): PROGRESS REPORT ON THE PROGRAMME (18/1/8) (MM-IDPM) (P 15 : ANNEXURES P 22 – 25)

IT WAS RESOLVED BY COUNCIL : (30 APRIL 2002)

- [MIDP]
1. That the Council **TAKE NOTE** that the deadline for the submission of projects at the end of March 2002 **WILL NOT BE MET**.
 2. That the IDP Manager and the IDP Steering Committee **BE REQUESTED TO ENSURE** that Council **ADOPT** the final IDP document by the end of May 2002.

5

A22/2002

MONTHLY FINANCIAL REPORT – MARCH 2002 (12/1/2/3) (CEMFM) (P 17 : ANNEXURES P 26 – 28)

IT WAS RESOLVED BY COUNCIL : (30 APRIL 2002)

[CEMFM] That the Financial Statements for the month of March 2002 **BE NOTED** and that the comments of both the Engineering Services and Financial Management Departments **BE ALIGNED** much better in future.

A23/2002

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN (3/1/1) (EMCS) (P 18 : ANNEXURES P 29 – 33)

IT WAS RESOLVED BY COUNCIL : (30 APRIL 2002)

[EMCS] That the response made on the questions raised by Councillor DC Smit in terms of Rule 53(1)(a) of the Standard Rules and Orders, amended, **BE NOTED**.

A24/2002

SEED FUNDING FOR THE PREPARATION OF APPLICATIONS TO THE LOCAL GOVERNMENT RESTRUCTURING GRANT : 2001/2002 FINANCIAL YEAR (6/4/1) (CEMFM) (ADDENDUM P 1 : ANNEXURES P 34 -)

IT WAS RESOLVED BY COUNCIL : (30 APRIL 2002)

That the Council **ACCEPT** the following conditions:

The submission of a process plan for a Restructuring Grant application by 10 May 2002 which should outline a work programme, timeframes and the division of responsibilities in the preparation of such an application.

The submission of a credible urban/rural economic development review and a projection of local economic sustainability by 10 August 2002 which should include:

- A review of the current status and trends in the major sectors of the local economy;
- [CEMFM] - An evaluation of the cross-cutting issues affecting investment and job creation; and
- A projection of the likely impacts over the next 10 years (until 2012) of current trends on the local economy and the municipality.

6

Evidence of the implementation of a revenue enhancement strategy, specifically:

An assessment of the current and projected future (over a 10 year period) financial position of the municipality (revenue, expenditure and borrowing) by 10 October 2002.

A 3% annualised improvement in revenue performance by 10 January 2003, measured as annualised monthly collections relative to billings.

A commitment to submit a Restructuring Grant application by 10 November 2002.

Submission of monthly reports on expenditure of funds and progress in meeting conditions, by the 10th day of each subsequent month.

A25/2002

REPORT ON DECISIONS TAKEN UNDER DELEGATED POWERS (3/1/2) (MM)
(EXECUTIVE MAYOR'S REPORT PAGE 1 – 82)

IT IS RESOLVED BY COUNCIL : (30 APRIL 2002)

[EMCS] That the reports as presented in MC86/2002 to MC127/2002 as they appear on the Annexures marked **Executive Mayor's report**, taken by the Executive Mayor under delegated powers, **BE CONFIRMED**.

-oOo-

INDEX

ITEM NO	ITEM	PAGE
A15/2002	REPORT OF THE AUDITOR-GENERAL ON THE ANNUAL FINANCIAL STATEMENTS OF THE FORMER HENNENMAN TRANSITIONAL LOCAL COUNCIL FOR THE FINANCIAL YEAR ENDED 30 JUNE 2000 (6/12/2/2) (MM-IA)	1
A16/2002	SPECIAL COMMITTEE : INVESTIGATION INTO ALLEGATIONS LEVELLED AGAINST COUNCILLOR MP MOTSHABI OF THE UNITED DEMOCRATIC MOVEMENT (UDM) AS WELL AS THE ALLEGATIONS OF CERTAIN IRREGULARITIES BY COUNCILLOR TS MAJOE OF THE PAN AFRICAN CONGRESS (PAC) : PROGRESS REPORT (3/1/4/1) (MM)	1
A17/2002	DRAFT POLICY ON THE USE OF MUNICIPAL SPORT AND RECREATION FACILITIES (9/2/2) (CEMCSSD)	1
A18/2002	ADDITIONAL WORKLOAD ALLOWANCES (5/4/1/21) (MM)	3
A19/2002	PROPOSED POLICY ON BUYING BACK OF ERVEN IN MATJHABENG (EMHEDC)	3
A20/2002	SKILLS DEVELOPMENT POLICY FOR MATJHABENG MUNICIPALITY AND TERMS OF REFERENCE OF THE SKILLS DEVELOPMENT COMMITTEE (5/6/3) (EMHR)	4
A21/2002	INTEGRATED DEVELOPMENT PLAN (IDP) PROGRESS : REPORT ON THE PROGRAMME (18/1/8) (MM-IDPM)	4
A22/2002	MONTHLY FINANCIAL REPORT – MARCH 2002 (12/1/2/3) (CEMFM)	5
A23/2002	QUESTIONS OF WHICH NOTICE WAS GIVEN (3/1/1) (EMCS)	5

2

ITEM NO	ITEM	PAGE
A24/2002	SEED FUNDING FOR THE PREPARATION OF APPLICATIONS TO THE LOCAL GOVERNMENT RESTRUCTURING GRANT : 2001/2002 FINANCIAL YEAR (6/4/1) (CEMFM)	5
A25/2002	REPORT ON DECISIONS TAKEN UNDER DELEGATED POWERS (3/1/2) (MM)	6

ANNEXURE “A”

30 APRIL 2002

ANNEXURE “B”

30 APRIL 2002