

# **MINUTES**

**OF THE**

**4<sup>th</sup> SPECIAL COUNCIL MEETING  
FOR THE YEAR 2011**

**of**

**MATJHABENG MUNICIPALITY**

**held on**

**FRIDAY, 26 AUGUST 2011**

**at**

**15:00**

**COUNCILLORS ATTENDANCE: SPECIAL COUNCIL MEETING: 26 AUGUST  
2011**

**ANC**

<b>PROPORTIONAL</b>			
1.	Ngangelizwe S ( <b>Executive Mayor</b> )	12.	Ntsebeng MH ( <b>Written Apology</b> )
2.	Chaka CP	13.	Petleki KI
3.	Kotzee D	14.	Radebe MC
4.	Lande ME	15.	Radebe ML
5.	Mafa DM	16.	Sephiri MJ ( <b>Chief Whip</b> )
6.	Mafongosi ZV	17.	Speelman NW ( <b>Written Apology</b> )
7.	Mbana MA	18.	Stofile B ( <b>Speaker</b> )
8.	Menyatso KJ ( <b>Absent</b> )	19.	Themhani PP ( <b>Absent</b> )
9.	Mkhusane NC	20.	Tihone ML
10.	Molefi MJ	21.	Tsubane ME
11.	Motshabi MP ( <b>Absent</b> )	22.	Vanga NM
<b>WARD</b>			
23.	Dali VN	38.	Morris VR
24.	Khalipha TD	39.	Mosala MS
25.	Mabote TL	40.	Mothege MA
26.	Madumise MM	41.	Mphikeleli MA
27.	Makgowe PV	42.	Ntlele KI
28.	Masienyane MD	43.	Phetise ME
29.	Mbambo AX	44.	Qwasha GL
30.	Mfebe MSE	45.	Riet MI
31.	Mokausi LC	46.	Sifatya Z
32.	Mokhomo HA	47.	Taliwe FE
33.	Molelekoa PA	48.	Thateng MJ ( <b>Absent</b> )
34.	Molelekoa PMI	49.	Thelingoane TJ
35.	Molete TN	50.	Tlake KR
36.	Molupe RT	51.	Tsatsa SJ
37.	Monjovo NE ( <b>Written Apology</b> )	52.	Tsubella KS

**DA**

<b>PROPORTIONAL</b>			
53.	Banyane ME	58.	Marais JS
54.	Beneke R	59.	Mholo PP ( <b>Written Apology</b> )
55.	Botha PF	60.	Mlangeni MG
56.	Fanie D	61.	Mokotedi TG
57.	Fourie JJC ( <b>Written Apology</b> )	62.	Styger A
<b>WARD</b>			
63.	De Villiers MT ( <b>Absent</b> )	66.	Smit DC
64.	Meyer KL	67.	Van Rooyen MS
65.	Naude HJ ( <b>Written Apology</b> )	68.	Van Schalkwyk HCT

## II

### COPE

PROPORTIONAL			
69.	Matlebe MM	71.	Thoabala TE
70.	May FG ( <b>Written Apology</b> )		

### FF+

PROPORTIONAL	
72.	Taljaard SDM

### OFFICIALS

Mr G Ramathebane : Municipal Manager  
Mr M Atolo : Acting Director Corporate Support Services  
Ms L Williams : Acting Chief Financial Officer  
Mr JKF Jankowitz : Council Administration

**III**

**SECTION A**

**1. OPENING**

The Speaker welcomed everybody present and declared the meeting open.

**2. APPLICATIONS FOR LEAVE OF ABSENCE**

Not entertained.

**3. OFFICIAL ANNOUNCEMENTS OF THE SPEAKER**

Not entertained.

**4. DISCLOSURE OF INTEREST**

Not entertained.

**5. MATTERS FOR DISCUSSION**

SA8/2011 – SA10/2011 and C1/2011

**6. ANNOUNCEMENTS**

None.

**7. CLOSURE**

The Speaker ended the meeting at 18H06

.....  
**B STOFIL (SPEAKER)**

.....  
**DATE**

# IV

## INDEX

ITEM NO	ITEM	PAGE
SA8/2011	BUDGET TIME TABLE 2012/2013 (6/1/1/1) (ACFO)	1
SA9/2011	MATJHABENG LOCAL MUNICIPALITY: A PROCESS PLAN FOR THE INTEGRATED DEVELOPMENT PLAN AND BUDGET FOR THE PERIOD 2012 – 2016 (18/1/18) (MM)	1
SA10/2011	PROVINCIAL MANDATE: SALARY NEGOTIATIONS (5/4/1/2/1) (MM)	2
C1/2011	<b>Confidential Report</b> REPORT ON THE DISCIPLINARY HEARING PROCESS OF THE EXECUTIVE DIRECTOR FOR CORPORATE SERVICES: MR M B NDUBULA (5/2/2) (MM)	Separate Cover

# 1

**//Council unanimously agreed that the addendum to the agenda be discussed.//**

**SA8/2011**

**BUDGET TIME TABLE 2012/2013 (6/1/1/1) (ACFO)**

## **PURPOSE**

To present to Council the Time Table for the compilation of the 2012/2013 budget in terms of section 21 (1)(b) of the Municipal Finance Management Act.

## **DISCUSSIONS**

The Executive Mayor presented the item.

**COUNCIL RESOLVED (26 AUGUST 2011)**

That the Budget Time Table for 2012/2013 **BE APPROVED AND IMPLEMENTED.**

**SA9/2011**

**MATJHABENG LOCAL MUNICIPALITY: A PROCESS PLAN FOR THE INTEGRATED DEVELOPMENT PLAN AND BUDGET FOR THE PERIOD 2012 – 2016 (18/1/18) (MM)**

## **PURPOSE**

This item is presented against background that a process plan and its accompanying IDP and budget for the Financial Year 2011 – 2012 were adopted by the previous Council as part of the prescripts of Circular 53 of National Treasury, and to date, that IDP serves as the basis for Council business.

Laws governing local government dictate that municipalities must produce a five year IDP during a single political term. In light if this, four outer financial years remain unaccounted for.

The primary purpose of this item, therefore, is to present a process plan for the development of the municipal Integrated Development Plan (IDP) and budget for the remaining outer years covered by the period 2012 – 2016 for adoption by Council as per the prescripts of Chapter Five of the Municipal Systems Act.

**DISCUSSIONS**

The Executive Mayor presented the item.

**COUNCIL RESOLVED (26 AUGUST 2011)**

That Council **ADOPTS** the proposed process plan for the development of its Integrated Development Plan and budget for the remaining outer financial years covering the period 2012 – 2016 as prescribed by applicable laws governing local government.

**SA10/2011**

**PROVINCIAL MANDATE: SALARY NEGOTIATIONS (5/4/1/2/1) (MM)**

**PURPOSE**

To obtain a mandate from Council for SALGA salary negotiations.

**DISCUSSIONS**

The Executive Mayor presented the item.

**COUNCIL RESOLVED (26 AUGUST 2011)**

That Council **MANDATES** SALGA to negotiate for a 6,5% salary increase.

**CONFIDENTIAL**

EXTRACT OF CONFIDENTIAL ITEM FROM THE

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C1/2011	REPORT ON THE DISCIPLINARY HEARING PROCESS OF THE EXECUTIVE DIRECTOR FOR CORPORATE SERVICES: MR M B NDUBULA (5/2/2) (MM)	1

**//The Speaker informed the members of the public and officials attending the meeting that the matter was going to be discussed *in camera*, and requested them to excuse themselves.//**

**C1/2011**

**REPORT ON THE DISCIPLINARY HEARING PROCESS OF THE EXECUTIVE DIRECTOR FOR CORPORATE SERVICES: MR M B NDUBULA (5/2/2) (MM)**

**PURPOSE**

To submit to Council a report on the outcome of the disciplinary hearing process of the Executive Director for Corporate Services, Mr M B Ndubula.

**DISCUSSIONS**

The Executive Mayor presented the item and indicated that the services of the Executive Director for Corporate Services, Mr MB Ndubula should be terminated with immediate effect and that the sanction of the presiding officer be implemented.

Clr DC Smit indicated that a legal opinion must be sought as Mr Ndubula submitted a sick note which was not attached to the sanction of the presiding officer.

The ANC requested a caucus which was granted.

The following was proposed by the ANC after the caucus:

That the sanction of the presiding officer be implemented and Mr MB Ndubula's services be terminated with immediate effect.

The DA indicated again that a legal opinion must be sought on the matter before Council could take a decision.

The matter was put to the vote and the outcome was as follows:

**47** Votes for the proposal of the ANC

**14** Votes for the proposal of the DA

The following councillors indicated that their votes against the decision be recorded in terms of rule 83 (2) (a) of standard rules and orders:

1. Banyane ME
2. Beneke R
3. Botha PF

4. Fanie D
5. Marais JS
6. Mlangeni MG
7. Mokotedi TG
8. Styger A
9. Meyer KL
10. Smit DC
11. Van Rooyen MS
12. Van Schalkwyk HCT
13. Matlebe MM
14. Thoabala TE

**COUNCIL RESOLVED (26 AUGUST 2011)**

1. That the services of the Executive Director Corporate Support Services, Mr MB Ndubula, **BE TERMINATED** with immediate effect.
2. That the Municipal Manager **IMPLEMENTS** the aforementioned council decision.