

# **MINUTES**

of the

**4<sup>TH</sup> SPECIAL COUNCIL MEETING  
FOR THE YEAR 2016**

of

**MATJHABENG MUNICIPALITY**

held on

**WEDNESDAY, 20 JULY 2016**

at

**14:00**

**COUNCIL CHAMBERS, CIVIC CENTRE,  
WELKOM**

**COUNCILLORS ATTENDANCE: 4<sup>TH</sup> SPECIAL COUNCIL MEETING MINUTES:  
20 JULY 2016**

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



## **OFFICIALS**

### **EXECUTIVE MANAGEMENT**

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

Me S. Nkungwana : Snr. Manager: Communications

### **COUNCIL ADMINISTRATION SECRETARIAT**

Mr M. Atolo : Senior Manager: Council Admin  
Me PP Seleka : Admin Officer (Corporate Services)



<b>(a)</b>	<b>Opening</b> 1. The Speaker welcomed everybody present at the 4 <sup>th</sup> Special Council meeting held during the month of the world icon, the late former President, Mr Nelson Mandela and declared the meeting open. 2. The ANC requested a 15 minutes caucus which was granted by the Speaker.
<b>(b)</b>	<b>Applications for leave of absence</b> See Councillors' attendance list on page <b>I</b> of these minutes.
<b>(c)</b>	<b>Official announcements of the Speaker</b> The Speaker announced that all Councillors are requested to go to Room 428 after the meeting in order to receive their certificates of appreciation.
<b>(d)</b>	<b>Reports received from the Speaker</b> <b>SA28/2016 – SA29/2016</b>
<b>(e)</b>	<b>Motions of sympathy and congratulations</b> None
<b>(f)</b>	<b>Disclosure of interest</b> 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.
<b>(g)</b>	<b>Matters for discussion</b> <b>SA30/2016 – SA35/2016</b>
<b>(h)</b>	<b>Farewell message from Political Parties</b> <b><u>Message from the Congress of the People (COPE)</u></b> Cllr N.J. Pina on behalf of COPE thanked every Councillor from all Political Parties for the good working relations that his Party experienced in Matjhabeng Council and also expressed his gratitude to all Councillors for welcoming him since he came in 2014 as a replacement for Cllr F.G. May. He particularly thanked the Speaker, Cllr B. Stofile for his ability to lead and direct everyone to the right direction. He further expressed his appreciation to the Executive Mayor, Cllr S. Ngangelizwe for being such a humble leader who as a caring father supported everyone with loving tenderness and also thanked him for appointing himself to be part of Ad-hoc Committees where he learnt a lot and gained much experience. Lastly, he wished all fellow Councillors good luck and hoped that they would meet again after the 3 <sup>rd</sup> of August 2016. <b><u>Message from the Democratic Alliance (DA)</u></b> Cllr J.S Marais on behalf of the Opposition Party, the DA reminded Councillors that when they were elected in May 2011 they promised to make Matjhabeng a better place for all its residents. He prompted them to ponder and consider whether they have achieved that objective or not, whether they are leaving Matjhabeng a better place in 2016 than it was in 2011.

## IV

He stated that statistics of houses built, supplied with electricity and water do not matter to the person who did not get anything. He then urged Councillors to prioritize Service Delivery issues such as water and electricity supply, sewerage and refuse removal, maintenance of roads and open spaces, at the next term. He further stated that if Councillors could work as a collective to address the needs of the community, Matjhabeng could benefit much from their collective knowledge and experience.

He further saluted the Speaker, Cllr B. Stofile for his insight in deliberations, his ability to summarize arguments satisfactorily, his ability to control his meetings, allowing everyone to voice their views.

Cllr J.S. Marais expressed his appreciation to the Executive Mayor, Cllr S. Ngangelizwe for his good working relations and willingness to listen and take into cognizance the inputs from other parties as well.

He lastly thanked all the fellow Councillors and urged those who would be coming back to guide the new incoming Councillors, to stand together and work towards a clean audit, ensure that there is no unauthorized expenditure, fight against cadre deployment and ensure that the Municipality has a better disciplined workforce.

### **Message from the African National Congress (ANC)**

Cllr T.D. Khalipha on behalf of the ANC thanked the Speaker, Cllr B. Stofile for performing his role as Speaker with such excellence.

He expressed his gratitude to the Executive Mayor, Cllr S. Ngangelizwe for being such a good father who led the Municipality into the right direction and brought hope to the community of Matjhabeng. He applauded him for his good work, for bringing peace and minimizing protests which were common in places such as Hennenman, Virginia and Odendaaalsrus in previous years. He praised him for remaining humble despite occupying a high position.

He also thanked the Council Whip, Cllr M.J. Twala for her potential to lead everyone towards a peaceful co-existence, her intellect and ability to learn fast and declared that women are ready to lead in any position.

He also thanked other parties for the role they played for having the interest of Matjhabeng and its people at heart. He specifically thanked Cllr J.S. Marais for leading by example always as well as Cllr A. Styger and acknowledged him as one of the best Councillors who unselfishly advised Council on legal matters without expecting any compensation. He further thanked Cllr P.F. Botha for his firm leadership.

He lastly thanked the Officials of the Municipality and the Municipal Manager, Mr M.F. Lepheana for persevering in spite of all the challenges and legal issues that are facing the Municipality.

### **Message from the Council Whip**

On her opening remarks, the Council Whip, Cllr M.J. Twala quoted an African saying: **“A single bracelet doesn’t jingle”** to portray the importance of working together.

On behalf of ANC Councillors, the Council Whip thanked everyone for the opportunity

## V

	<p>that was afforded to them to serve the community of Matjhabeng as a collective.</p> <ul style="list-style-type: none"><li>➤ She stated that the first term of democratic local government, which ranged between 2000 and 2005 saw the dismantling of apartheid and restructuring of community life.</li><li>➤ The second term of democracy which ranged between 2005 and 2011 witnessed the deepening of democratic processes and embracing of challenges to overcome the legacies of the past.</li><li>➤ The third term of democracy which ranged between 2011 and 2016 reflects the deepening of democracy and a new sense of identity.</li></ul> <p>She mentioned that it is not diversity, religion, ethnicity nor culture that divides people but the difference between those who cherish democracy and those who do not.</p> <p>She also stated that since they have crossed many rivers together and gained much experience since 1994 and since 2000 in local government, she wished that during the 4<sup>th</sup> term of the democratic local government ranging between 2016 and 2021, they would consolidate the lessons gained since 2000 to further deepen the gains of freedom.</p> <p>The Council Whip, Cllr M.J. Twala wished for peaceful elections and encouraged everyone to vote wisely and carefully. She wished that the focus at the next term would be building schools, assisting disadvantaged children with bursaries, building hospitals and clinics, ensuring that streets are accessible, ensuring water and electricity access, as well as availing land for development.</p> <p>In conclusion, she wished all those fellow Councillors who were not coming back like herself strength in their other endeavours and wished that the good LORD would sustain them.</p> <p>Lastly, she thanked all municipal employees both from Political and administrative offices, led by the Municipal Manager, Mr M.F. Lepheana administratively, for their energetic inputs contributed in the endeavours by the Municipality to better the lives of the community of Matjhabeng.</p> <p>She concluded by encouraging everyone to remain together at all times.</p>
(i)	<p><b>Closing</b></p> <p>The Speaker thanked everyone who attended the last Council meeting for the term and ended the meeting at <b>16h05</b>.</p>

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

.....  
**DATE**

# INDEX

ITEM NO	ITEM DESCRIPTION	PAGE
SA28/2016	REPORT ON MPAC INVESTIGATION ON PRIOR PERIOD SUSPENSE ACCOUNTS (MPAC CHAIRPERSON) (6/1/1/1)	1
SA29/2016	MPAC REPORT ON PROPOSED REVERSAL OF THE PRIOR PERIOD BANK RECONCILIATION JOURNAL (MPAC CHAIRPERSON) (15/2/1/3)	1
SA30/2016	DISPOSAL OF CAPITAL ASSET – ALIENATION OF IMMOVABLE PROPERTIES: RESIDENTIAL SITES IN MATJHABENG (ED: LED, P & HS) (8/3/1)	2
SA31/2016	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)	2
SA32/2016	THE SWOPPING OF 390 SITES AT LEEUBOSCH TO THE DEPARTMENT OF HUMAN SETTLEMENTS FOR THE CONSTRUCTION OF HOUSES FOR MAROBE CLAIMANTS (FORMER ODENDAALSRUS OLD LOCATION) (ED: LED, P & HS) (8/3/2/47/5)	3
SA33/2016	PROGRESS REPORT: PROJECT PROPOSAL FOR THE DEVELOPMENT OF 500 MEGAWATT SOLAR POWER PANELS MANUFACTURING FACTORY BY SUNELEX (ED: LED, P & HS) (19/3/2/1)	3-4
SA34/2016	REQUEST FOR INTRODUCTION OF PAYMENT OF ADMINISTRATIVE FEE PER ALLOCATION OF SITES (ED: LED, P & HS) (8/3/1)	4
SA35/2016	BUDGET MAINTENANCE APPROVAL (EDI) (PMU) (6/1/1/1)	5

# 1

**SA28/2016**

**REPORT ON MPAC INVESTIGATION ON PRIOR PERIOD SUSPENSE ACCOUNTS (MPAC CHAIRPERSON) (6/1/1)**

**PURPOSE**

To present the MPAC report regarding the investigation on prior period Suspense Accounts to Council for consideration.

**DISCUSSION**

The MPAC Chairperson presented the item to Council.

**COUNCIL RESOLVED: (20 JULY 2016)**

1. That Council **APPROVES** the writing off of the 9000003010008 Suspense Account to the amount of R655 143.70 and that value should **BE TRANSFERRED** to the accumulated surplus/ deficit.
2. That the matter **SHOULD NOT RECUR** going forth as the actual figures are used and not estimates.

**SA29/2016**

**MPAC REPORT ON PROPOSED REVERSAL OF THE PRIOR PERIOD BANK RECONCILIATION JOURNAL (MPAC CHAIRPERSON) (15/2/1/3)**

**PURPOSE**

To report to Council on the findings and recommendations of MPAC regarding the investigation of the Bank Reconciliation Journal.

**DISCUSSION**

The MPAC Chairperson presented the item to Council.

**COUNCIL RESOLVED: (20 JULY 2016)**

1. That Council takes note of the MPAC report.
2. That Council **APPROVES** the reversal of the Journal amounting to R 1 103 777.84 and that the matter **BE REFERRED** to Administration for processing.



SA30/2016

**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: (20 JULY 2016)**

1. That the item **BE REFERRED BACK** in order to address the issues raised pertaining to verification of ownership and Administration should prepare notes illustrating the differences between the municipal and market values and submit a report at the next Council meeting.

SA31/2016

**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 OF REPORT**

The purpose of the report is to motivate the alienation of vacant municipality 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: (20 JULY 2016)**

1. That the item **BE REFERRED BACK** in order to address the issues raised pertaining to verification of ownership and Administration should prepare notes illustrating the differences between the municipal and market values and submit a report at the next Council meeting.

SA32/2016

**THE SWOPPING OF 390 SITES AT LEEUBOSCH TO THE DEPARTMENT OF HUMAN SETTLEMENTS FOR THE CONSTRUCTION OF HOUSES FOR MAROBE CLAIMANTS (FORMER ODENDAALSRUS OLD LOCATION) (ED: LED, P & HS) (8/3/2/47/5)**

**PURPOSE**

To solicit the approval of Council on the swopping of Land for Marobe Land claim Restitution Project.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (20 JULY 2016)**

1. That the item **BE REFERRED BACK** in order to address the issues raised pertaining to verification of ownership and Administration should prepare notes illustrating the differences between the municipal and market values and submit a report at the next Council meeting.

SA33/2016

**PROGRESS REPORT: PROJECT PROPOSAL FOR THE DEVELOPMENT OF 500 MEGAWATT SOLAR POWER PANELS MANUFACTURING FACTORY BY SUNELEX (ED: LED, P & HS) (19/3/2/1)**

**PURPOSE**

To update Council on the progress of Solar Power project.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (20 JULY 2016)**

1. That Council **TAKES NOTE** of the SUNELEX progress report.
2. That the Municipal Manager, in his engagement with Sunelex Agreement **SHOULD TAKE** into cognisance of the following:
  - 2.1 That the Municipality **WILL ONLY BUY** the electricity from Sunelex in accordance with its needs and that the excess energy produced will be the concern of Sunelex.

## 4

2.2 That the Municipality will **ONLY PURCHASE** electricity from Sunelex if it is at a cheaper rate than Eskom's rate at that specific period of the day and **LESS THAN** the off-peak tariff of Eskom. It was further emphasized that averages **SHOULD NOT** be used by SUNELEX.

2.3 **“That clauses relating to Insurance, Guarantee and, Buyer's Responsibilities (as indicated in paragraph 8.2 of the draft Power Purchase Agreement) be revised and/or removed in where necessary.”**

Council resolved that matter in 2.3 has already been resolved.

2.4 **“That the Maintenance of the Plant be done by Sunelex and not by the Municipality until the plant is handed over to the Municipality.”**

Council resolved that the matter in 2.4 has already been resolved.

3. That **NO** other Agreements **SHOULD BE SIGNED** until the Power Purchase Agreement has been agreed to by the Municipality and the Developer.

4. That the Municipal Manager **CAN CONCLUDE** the Power Purchase Agreement and the Land Lease Agreement.

**SA34/2016**

### **REQUEST FOR INTRODUCTION OF PAYMENT OF ADMINISTRATIVE FEE PER ALLOCATION OF SITES (ED: LED, P & HS) (8/3/1)**

#### **PURPOSE**

To solicit the approval of Council on a proposal to introduce payment of administrative fee on allocation of sites.

#### **DISCUSSION**

The Executive Mayor presented the item to Council.

#### **COUNCIL RESOLVED: (20 JULY 2016)**

1. That Council **APPROVES** the proposed introduction of the Administrative fee to the amount of R250.00 for implementation in 2016/17 financial year.

**SA35/2016**

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

**PURPOSE**

The purpose of this item is to present before Council the current status and progress report on the Upgrading of Thabong Stadium Phase 2, in compliance with Section 73 (3) of the Municipal Systems Act 32 of 2000 and also to request approval of the budget maintenance.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (20 JULY 2016)**

1. That Council **APPROVES** the budget maintenance with the shortfall of R11 260 816.16, including the omitted items amounting to R8 919 917.50 resulting to a total of R20 180 733.60.
2. That in terms of Section 73(1) Municipal Systems Act, this project **BE CONSIDERED** for application of budget maintenance.
3. That the approved budget maintenance application **SHOULD NOT AFFECT** the prioritized projects.