

# **MINUTES**

**OF THE**

**5<sup>th</sup> ORDINARY MEETING  
FOR THE YEAR 2010**

**of**

**MATJHABENG MUNICIPALITY**

**held on**

**TUESDAY, 29 JUNE 2010**

**at**

**16:00**

**COUNCILLORS ATTENDANCE: COUNCIL MEETING: 29 JUNE 2010**

**ANC**

<b>PROPORTIONAL</b>			
1.	Ngangelizwe S ( <b>Executive Mayor</b> )	14.	Radebe ML
2.	Baaitjies M ( <b>Written Apology</b> )	15.	Ramaisa KA
3.	Dlova TW	16.	Senoge MM ( <b>Written Apology</b> )
4.	Humphries MF ( <b>Written Apology</b> )	17.	Sephiri MJ ( <b>Chief Whip</b> )
5.	Masoleng NI ( <b>Written Apology</b> )	18.	Speelman NW
6.	Matlabe MMT	19.	Qweshu GL
7.	Sentle AN	20.	Thuthani ZA
8.	Ntsebeng MH	21.	Radebe MC
9.	ZP Noveld	22.	Tihone ML
10.	Molefi MJ ( <b>Written Apology</b> )	23.	Tsubane ME
11.	Nyembe ME	24.	Twanana M
12.	Petleki KI	25.	Vanga NM
13.	Qabela V	26.	KhaliphaTD
		27.	Majoe TS
<b>WARD</b>			
28.	Phokwana SL	44.	Mphikeleli MA
29.	Kotzee AP ( <b>Written Apology</b> )	45.	Nakwa TA
30.	Mahloko NN	46.	Ntsala NS
31.	Makgowe PV	47.	Peterson E
32.	Mankayi NE	48.	Phetise ME
33.	Manzana NR	49.	Radebe LLF ( <b>Absent</b> )
34.	Masienyane MD	50.	Rubulana L ( <b>Speaker</b> )
35.	Mathebula MA	51.	Nteo SD
36.	Mfebe MSE	52.	Sejane LM
37.	Mkhusane NC	53.	Semela ME
38.	Moahloli MS	54.	Sithole B
39.	Mokhuma MS	55.	Taliwe FE
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
61.	Meyer KL ( <b>Written Apology</b> )		
WARD			
65.	Beneke R	68.	Styger A
66.	Botha PF	69.	Van Rooyen HC
67.	Smit DC		

### FF+

PROPORTIONAL	
70.	Coetzee BJA

### ACDP

PROPORTIONAL	
71.	Meko MA

### IND

WARD	
72.	Liphoko SJ ( <b>Absent</b> )

### OFFICIALS

Mr THE Pietersen	:	Municipal Manager
Mr S Makhubu	:	Executive Director: Strategic Support Services
Mr M Besani	:	Executive Director: Infrastructure
Mr MP Matsie	:	Acting Executive Director: Corporate Support Services
Mr E Motheoane	:	Acting Executive Director: Social Services and Law Enforcement
Mr JKF Jankowitz	:	Administrative Officer (Corporate Services)

### III

#### SECTION A

##### 1. OPENING

The Speaker welcomed everybody present and requested Reverend Lekoana of the Uniting Reformed Church 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

Cllr BA Montshioa congratulated National Government on the hosting of the Soccer Worldcup as well as Bafana Bafana.

##### 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 Item A45/2010.

##### 8. MINUTES OF THE PREVIOUS MEETING

#### IT WAS RESOLVED (29 JUNE 2010)

That the minutes of the 4<sup>th</sup> Ordinary Council Meeting held on 31 May 2010 **BE APPROVED** in conjunction with the following amendments:

(a) That Cllr ME Semela **be indicated** as present in the previous meeting.

# IV

## 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)

A46/2010

## 12. REPORTS OF THE EXECUTIVE MAYOR

A37/2010 – A45/2010

## 13. MOTIONS

See Items A43/2010 and A44/2010

**Council accepted the two motions due to the fact that the first one should already have served before Council on 31 May 2010, but, as per understanding, it was not included in the agenda.**

## 14. CLOSING REMARKS

None.

## 15. CLOSURE

The Speaker terminated the meeting at **18:30**.

.....  
L RUBULANA (SPEAKER)

.....  
DATE

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# 1

**A37/2010**

**MATJHABENG SPATIAL DEVELOPMENT FRAMEWORK FOR 2010/2011 (18/1/10)(LED)**

**PURPOSE OF REPORT**

The purpose of the report is to present the Council with the updated Matjhabeng Spatial Development Framework for 2010/2011 for consideration.

**DISCUSSIONS**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED (29 JUNE 2010)**

That the item **BE WITHDRAWN** from the agenda in order to include the 2030 Vision of Matjhabeng in the document.

**A38/2010**

**SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN FOR THE 2010/11 FINANCIAL YEAR (6/18/1) (MM)**

**PURPOSE**

To present to Council the Service Delivery and Budget Implementation Plan (SDBIP) for information.

**DISCUSSIONS**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED (29 JUNE 2010)**

That Council **TAKES NOTE** of the Service Delivery and Budget Implementation Plan (SDBIP).

A39/2010

**REINTRODUCTION OF SECTION 80 COMMITTEES (4/1/2/2) (MM)**

**PURPOSE**

To enable Council to resolve on the establishment and re-implementation of the Council Committee System.

**DISCUSSIONS**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED (29 JUNE 2010)**

1. That Council **TAKES NOTE** of the re-establishment of the Section 80 and Section 79 Committees constituted as follows:

**1. Finance**

MA Mbana (Chairperson)  
NI Masoleng  
NR Manzana  
FE Taliwe  
A Styger  
JS Marais  
NS Ntsala  
AN Sentle

**2. Technical Services**

ZP Noveld (Chairperson)  
MD Masienyane  
NE Monjovo  
A Styger  
K Meyer  
LL Radebe  
SJ Phokoane  
MP Motshabi

**3. Strategy and Policy Development**

MS Mfebe (Chairperson)  
B Sithole  
NI Masoleng  
LM Sejane



VH Neumann  
AP Kotzee  
SJ Liphoko  
BA Montshioa

**4. Housing**

MMT Matlabe (Chairperson)  
TM Majoe  
KA Ramaisa  
L Qweshu  
T Nakwa  
L Sejane  
MA Meko  
ME Nyembe

**5. Public Safety**

L Humphries (Chairperson)  
MJ Molefi  
M Mpikeli  
ME Tsubane  
Van Rooyen  
MS Moahloli  
NC Mkhosana  
NM Vanga

**6. Social Services**

ML Radebe (Chairperson)  
ML Tlhoni  
PP Thembani  
R Beneke  
NA Sentle  
JH Edeling  
B Petleki  
SL Phokoana

**7. Community Services**

N Speelman (Chairperson)  
PM Motshabi  
PF Botha  
BA Montshioa  
MA Mathebula

PV Makgowe  
NE Mankayi  
NM Mahloko

**8. Local Economic Development**

Z Thuthani (Chairperson)  
SM Mkhuma  
D Smit  
FE Taliwe  
MC Radebe  
SJ Tsatsa  
N Tsala  
KE Mokobori

**9. Corporate Services**

T Dlova (Chairperson)  
E Peterson  
V Qabela  
TM Majoe  
JJC Fourie  
MM Senoge  
BJA Coetzee  
M Twanana

**10. Special Programmes**

D Kotzee (Chairperson)  
SD Nteo  
M Baaitjies  
ME Semela  
ME Nyembe  
ME Phetise  
TG Mokotedi  
NR Manzana

**SECTION 79 COMMITTEES**

- Rules Committee
- Audit Committee
- Oversight Committee
- Dispute Committee

## 5

2. That the Municipal Manager urgently reviews Council Administration to cater for the work required for the Council and Committees to function in a proper and co-ordinated manner.

**[Cllr JS Marais requested that Cllr BD Mhlahu be included in the Section 80 Committees.]**

**A40/2010**

**REVISED EMPLOYMENT CONTRACT OF THE MUNICIPAL MANAGER AND SUBMISSION OF THE PERFORMANCE AGREEMENT FOR THE 2010/2011 FINANCIAL YEAR (5/3/2/1) (MM)**

**PURPOSE**

To submit to Council the revised employment contract of the Municipal Manager and Performance Agreement for 2010/2011 financial year.

**DISCUSSIONS**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED (29 JUNE 2010)**

That Council **ACCEPTS** the amendments to the Employment Contract and Performance Agreement of the Municipal Manager for the 2010/2011 financial year.

**A41/2010**

**INCREASE OF THE MUNICIPAL MANAGER'S REMUNERATION IN LINE WITH ANNUAL INCREMENTS (MM) (5/4/1/2/1)**

**PURPOSE**

To implement the contractual obligations for the annual increment of the remuneration of the Municipal Manager.

**DISCUSSIONS**

The Executive Mayor presented the item to Council.

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### **COUNCIL RESOLVED (29 JUNE 2010)**

1. That the annual increment of the Municipal Manager **BE CORRECTED AND EFFECTED** as from the date of his engagement with the Municipality.
2. That the Consumer Price Index CPIX figure for the corresponding years from 2008 to 2009 **BE USED** to adjust the increment of the remuneration of the Municipal Manager.

**A42/2010**

### **INCREASE OF THE SECTION 56 MANAGERS' REMUNERATION IN LINE WITH ANNUAL INCREMENTS (MM) (5/4/1/2/1)**

#### **PURPOSE**

To implement the contractual obligations for the annual increment of the remuneration of the Section 56 Managers.

#### **DISCUSSIONS**

The Executive Mayor presented the item to Council.

### **COUNCIL RESOLVED (29 JUNE 2010)**

1. That the annual increment of Managers reporting directly to the Municipal Manager **BE CORRECTED AND EFFECTED** as from the date of engagement with the Municipality.
2. That the Consumer Price Index (CPIX) figure for the corresponding years from 2007 to 2009 **BE USED** to adjust the increment of the remuneration of Managers reporting directly to the Municipal Manager.

**A43/2010**

### **MOTION: CLLR PF BOTHA IN TERMS OF RULE 54 OF THE STANDING RULES AND ORDERS OF COUNCIL (3/1/3/2) (MM)**

#### **PURPOSE**

To submit to Council the motion raised by Councillor PF Botha for consideration.

**DISCUSSIONS**

The Speaker afforded Cllr PF Botha the opportunity to present his motion to Council.

The Executive Mayor indicated that the Office of the Public Prosecutor was busy compiling a report on the matter.

After lengthy discussions

**COUNCIL RESOLVED (29 JUNE 2010)**

1. That Council **TAKES NOTE** of the motion.
2. That the Public Protector **BE GIVEN** a fair chance to complete his report and it **BE SUBMITTED** to Council on receipt.

**A44/2010**

**MOTION: CLLR PF BOTHA IN TERMS OF RULE 54 OF THE STANDING RULES AND ORDERS OF COUNCIL (3/1/3/2) (MM)**

**PURPOSE**

To submit to Council the motion raised by Councillor PF Botha for consideration.

**DISCUSSIONS**

The Speaker afforded Cllr PF Botha the opportunity to present his motion to Council.

**//Cllr PF Botha requested a 10 min caucus before presenting his motion, which was granted at 17:30.//**

After the caucus Cllr PF Botha requested that only paragraph 1 of the motion be dealt with.

After lengthy discussions

**COUNCIL RESOLVED (29 JUNE 2010)**

That the full/progress report from Latitude on Ramathe Fivaz **BE MADE AVAILABLE** to all Councillors as a matter of urgency.

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**A45/2010**

**QUESTIONS OF WHICH NOTICE WAS GIVEN (3/1/1) (3/1/3/2) (MM)**

**PURPOSE**

To respond to questions asked by Cllr PF Botha.

**DISCUSSIONS**

The Speaker presented the item to Council.

**COUNCIL RESOLVED (29 JUNE 2010)**

That Council **TAKES NOTE** of the response to the questions asked by Cllr PF Botha.

**[Council unanimously resolved to accept the addendum for discussion.]**

*//The Speaker requested Council to appoint an Acting Speaker in order to enable him to present item A46/2010 to Council.*

*Cllr KA Ramaisa was unanimously appointed as Acting Speaker.//*

**A46/2010**

**ESTABLISHMENT OF A DISPUTE RESOLUTION COMMITTEE (Office of the Speaker) (4/1/2/2)**

**PURPOSE OF REPORT**

To submit to the Council the proposal from the Speaker, regarding the establishment of a Dispute Resolution Committee.

**DISCUSSIONS**

Cllr Rubulana presented the item to Council.

**COUNCIL RESOLVED (29 JUNE 2010)**

1. That Council **APPROVES** the establishment of a Dispute Resolution Committee in terms of Section 79 of the Municipal Structures Act (No 117 of 1998).

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2. That the Dispute Resolution Committee **CONSISTS** of the following members:

Cllr MD Masienyane (Chairperson)

Cllr KA Ramaisa

Cllr NI Masoleng

Cllr TS Majoe

Cllr NM Vanga

Cllr JJC Fourie

Cllr A Styger

Cllr BJA Coetzee

Cllr MA Meko

3. That Council **ACCEPTS** the following duties and functions of the Dispute Resolution Committee:

(a) The power to convene meetings.

(b) Decide the venue where the meeting will be held.

(c) Decide who will attend such meeting as observers if need be.

(d) The power to call witnesses to such meetings.

(e) The power to interview other witnesses who are unable to go to such meetings.

(f) The power to take statements from witnesses who are unable to give *viva voce* evidence.

(g) The power to request any other Councillor to appear before it to give evidence where necessary.

(h) The power to advise any of the parties to seek further legal advice if need be.

(i) The power to adjudicate on all disputes and make recommendations to the Council regarding their finding and outcome of the proceedings.