

# **MINUTES**

of the

**6<sup>TH</sup> ORDINARY COUNCIL MEETING  
FOR THE YEAR 2015**

of

**MATJHABENG MUNICIPALITY**

held on

**THURSDAY, 26 NOVEMBER 2015**

at

**15:00**

**COUNCIL CHAMBERS, CIVIC CENTRE,  
WELKOM**

**COUNCILLORS ATTENDANCE: 6<sup>TH</sup> ORDINARY COUNCIL MEETING  
MINUTES: 26 NOVEMBER 2015**

**ANC**

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

**DA**

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

## II

### COPE

PROPORTIONAL			
69.	Malefane DE	71.	Pina NJ
70.	Nqeobo EM		

### FF+

PROPORTIONAL	
72.	Taljaard SDM

### OFFICIALS

Mr MF Lepheana	:	Municipal Manager
Mr T Makofane	:	Executive Director: Strategic Support Services
Mr FF Wetes	:	Executive Director: Corporate Services ( <b>Apology</b> )
Mr ET Tsoaeli	:	Chief Financial Officer
Mr X. Msweli	:	Executive Director: LED & Planning
Me M. Mogopodi	:	Executive Director: Community Services
Me H.B. Tlhabani	:	Executive Director: Infrastructure
Mr M. Atolo	:	Senior Manager: Council Admin
Ms PP Seleka	:	Admin Officer (Corporate Services)

### III

<b>(a)</b>	<p><b>Opening</b></p> <p>The Speaker welcomed everybody present at the 6<sup>th</sup> Ordinary Council Meeting and declared the meeting open.</p> <p>He also apologized for the re-scheduling of the meeting which was caused by unforeseen circumstances and acknowledged that the re-scheduling of meetings causes inconvenience to Councillors' pre-planning.</p>
<b>(b)</b>	<p><b>Applications for leave of absence</b></p> <p>See Councillors' attendance list on pages <b>I</b> and <b>II</b> of these minutes.</p>
<b>(c)</b>	<p><b>Official announcements of the Speaker</b></p> <p>None</p>
<b>(d)</b>	<p><b>Reports received from the Speaker</b></p> <p><b>A118/2015 – A124/2015 and A153/2015</b></p>
<b>(e)</b>	<p><b>Motions of sympathy and congratulations by the Speaker</b></p> <p>None</p>
<b>(f)</b>	<p><b>Motions of sympathy and congratulations by other Councillors</b></p> <p><b><u>Sympathy</u></b></p> <ol style="list-style-type: none"> <li>1. Cllr VR Morris conveyed a message of sympathy to the family of a young boy by the name of Lyle Noël who was diagnosed with Lymphoma (blood cancer) and was due for a bone marrow transplant at Groote Schuur hospital the following month. He urged everyone to keep him in their prayers.</li> <li>2. Cllr HCT Van Schalkwyk conveyed a message of condolences to the family of Mr Lieb Kriek for the passing away of his wife, Mrs Alta Kriek, a former secretary of Naudeville Primary School who passed away when they were attending their son's wedding in Pretoria.</li> </ol> <p><b><u>Congratulations</u></b></p> <ol style="list-style-type: none"> <li>1. Cllr DE Malefane congratulated the Congress of the People for the picketing that took place in Welkom on the 19<sup>th</sup> November 2015.</li> <li>2. Cllr TD Khalipha congratulated the ANC for the mobilisation of thousands of people in defence of the Municipality from the few people who were picketing.</li> <li>3. He also congratulated Mr Msebenzi Zwane on his appointment as a Minister of Mineral Resources and stressed the importance of forming proper relations with him as Matjhabeng is a mining town.</li> <li>4. Cllr NJ Pina congratulated Cllr EM Nqeobo who was sworn in as a new Councillor the previous day, on the 25<sup>th</sup> of November 2015.</li> <li>5. Cllr ML Radebe reminded Councillors of the 16 Days of Activism for no Violence against Women and Children Campaign and urged all members to discourage abuse and encourage the community to speak against Women and Children abuse.</li> </ol>

## IV

**(g) Deputations and interviews**

**1<sup>st</sup> Presentation : Department of Water and Sanitation**

The Speaker welcomed Mr Masia Mgwambani from the Department of Water and Sanitation and allowed him to make his presentation.

Mr Mgwambani informed Council about the seriousness of the situation that is facing the country pertaining to water resources. He stated that the Free State Province was also affected and that was confirmed by the Declaration of the State of Drought issued by the Premier of the Free State on the 14<sup>th</sup> & 16<sup>th</sup> August 2015.

He therefore urged Matjhabeng to follow suit and find measures to be implemented to address and mitigate the challenges experienced with regard to water resources.

**2<sup>nd</sup> Presentation : Audit Committee Report**

The Speaker welcomed Mr Donovan Nadison, a newly appointed Audit Committee Chairperson and allowed him to make his presentation.

He thanked the Council for the appointment of the Audit Committee and promised that they will make everything in their power to ensure that Matjhabeng gets a clean Audit.

He presented his report and indicated that they had already sat twice. He also informed members that he had intense discussions with the Municipal Manager and the CFO with regard to Internal Controls, Financial Governance and Performance Information.

He mentioned that if Matjhabeng is determined to achieve good Audit outcomes, it should; among others

- ✓ Appoint people who have adequate qualifications for the positions they occupy;
- ✓ Increase the number of qualified accountants as that would improve financial reporting;
- ✓ Implement internal controls;
- ✓ Work on souls of people – encourage dedication, commitment and work ethics
- ✓ Commit to Effective governance

The Speaker raised his concerns with regard to:-

- Non-integration of the Audit Plan to another Committee of Council, which is MPAC as the idea of appointing Committees is to share notes, visions and what needs to be achieved.
- Identification of skills shortage in those positions that are needed.

He then thanked Messrs Mgwambani and Nadison for their presentations.

## V

<b>(h)</b>	<p><b>Disclosure of interest</b></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>
<b>(i)</b>	<p><b>Taking of Oath of office by new Councillor</b></p> <p>The Speaker informed Council that Cllr EM Nqeobo was sworn in as a new Councillor of Matjhabeng Local Municipality by the Senior Magistrate, Mr S. Ferreira on the 25<sup>th</sup> November 2015.</p> <p>He then congratulated and welcomed her in Council.</p>
<b>(j)</b>	<p><b>Minutes of the previous meeting: 01 September 2015</b></p> <p>Council resolved (26 November 2015):</p> <ol style="list-style-type: none"> <li>1. That the minutes of the 5<sup>th</sup> Ordinary Council meeting held on 01 September 2015 <b>BE ADOPTED</b> as a true reflection of the deliberations of the meeting.</li> </ol> <p><b>Minutes of the previous meeting: 27 October 2015</b></p> <p>Council resolved (26 November 2015):</p> <p>That the minutes of the 3<sup>rd</sup> Special Council meeting held on 27 October 2015 <b>BE ADOPTED</b> subject to the inclusion of Resolution 4 which was omitted in Item SA10/2015, as follows:</p> <p>“4. That the Municipal Manager <b>BE AUTHORISED</b> to conclude the MOU with Sedibeng Water Board as <b>attached on page 57 to page 63 of the Annexures.</b>”</p>
<b>(k)</b>	<p><b>Matters arising from the minutes: Minutes of 01 September 2015</b></p> <p><b>A97/2015</b></p> <ol style="list-style-type: none"> <li>1. Cllr K.R. Tlake raised his concern with regard to the disposal of the land for churches which was not implemented by administration yet.</li> </ol> <p><b>A98/2015</b></p> <ol style="list-style-type: none"> <li>1. Cllr K.R. Tlake raised his concern with regard to sites that were donated to Hani Park and wanted clarity on the delay in the issuing of letters to the developer as Council resolved in <b>Resolution 6</b> that the developer could start immediately.</li> <li>2. The Municipal Manager explained that administration was attending to the matter and promised that it would be finalized soon.</li> </ol> <p><b>A101/2015</b></p> <ol style="list-style-type: none"> <li>1. Cllr JS Marais raised his concern with regard to Resolution 2 of the item and wanted to know whether consumers were being charged according to rates approved by NERSA or by the rates approved on Council’s Budget meeting.</li> <li>2. The CFO explained that residents were charged according to NERSA tariffs.</li> </ol>

## VI

	<p>3. Cllr DC Smit also wanted to know whether the Executive Mayor had done the investigation on Property Valuation as agreed upon in Resolution 3 of the item.</p> <p><b><u>COUNCIL RESOLVED: 26 NOVEMBER 2015</u></b></p> <p>1. That the Executive Mayor should investigate the overcharging on Property Valuation and <b>SUBMIT</b> a report to Council on the basis of Resolution 2 &amp; 3 taken in the meeting that was held on 01 September 2015.</p>
<b>(l)</b>	<p><b>Questions of which notice were given</b></p> <p>1. Cllr HCT van Schalkwyk acknowledged the response from the Municipal Manager with regard to <b>Item 120/2015</b> and requested Council to consider the involvement of Ward Councillors in projects involving their wards, in future.</p> <p>2. Cllr PP Mholo expressed his appreciation to the Municipal Manager for his response with regard to <b>Item 122/2015</b> and hoped that the matter would be finalized as envisaged in the letter.</p> <p>3. He also indicated that he was not adequately addressed with regard to <b>Item A123/2015</b> and requested the Municipal Manager to submit all the lease agreements concluded irrespective of categories, whether they were for farms, commercial, traffic circles etc.</p> <p>4. Cllr HCT van Schalkwyk thanked all the role players for making the discipline around the FET College much better and indicated that Traffic Officers had not been placed during peak hours yet and there were no waste bins there.</p>
<b>(m)</b>	<p><b>Report of the Executive Committee/Executive Mayor/Committee Reports</b></p> <p><b>A125/2015 – A156/2015 and C7/2015</b></p>
<b>(n)</b>	<p><b>Motions</b></p> <p>None</p>
<b>(o)</b>	<p><b>Closing</b></p> <p>The Speaker thanked everyone who participated in the meeting.</p> <p>The Speaker ended the meeting at <b>21h00</b>.</p>

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

.....  
**DATE**

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# 1

**Cllr CP Chaka was appointed to preside in order to allow the Speaker to present Items A118/2015 – A124/2015 and A153/2015 to Council.**

**A118/2015**

## **WARD COMMITTEES AND PUBLIC PARTICIPATION REPORT OF THE 1<sup>ST</sup> QUARTER OF 2015/2016 FINANCIAL YEAR (SPEAKER) (3/8/1/1)**

### **PURPOSE**

To present the quarterly report of Ward Committees to Council in line with the SDBIP and the dictates of the “Back to Basics” Programme as expected from the Speaker.

### **DISCUSSION**

The Speaker presented the item to Council.

### **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **TAKES NOTE** of the Quarterly Report on Public Participation for first quarter of 2015/2016.
2. That Council **APPROVES** the redeployment of CLOs to the Office of the Speaker for strengthening of capacity to support and monitor Ward Committees.
3. That Council **TAKES NOTE** of the correction made by Cllr PV Makgowe with regard to the error of placing information that belongs to Ward 18 in the Ward 16 report.

**A119/2015**

## **AUDIT COMMITTEE REPORT (SPEAKER) (6/12/2/1)**

### **PURPOSE**

To submit the First Quarter Audit Committee Report to Council for consideration.

### **DISCUSSION**

The Speaker presented the item to Council.

### **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **APPROVES** the First Quarter Audit Committee Report

**A120/2015**

**QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR HCT VAN SCHALKWYK (MM) (3/1/3/2)**

**PURPOSE**

To submit the questions raised by Cllr HCT Van Schalkwyk and the response thereon by the Municipal Manager.

**DISCUSSION**

The Speaker presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **TAKES NOTE** of the Municipal Manager's response.

**A121/2015**

**QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR R. BENEKE (MM) (3/1/3/2)**

**PURPOSE**

To submit the questions raised by Cllr R. Beneke and the response thereon by the Municipal Manager.

**DISCUSSION**

The Speaker presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **TAKES NOTE** of the Municipal Manager's response.

**A122/2015**

**QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR PP MHOLO (MM) (3/1/3/2)**

**PURPOSE**

To submit the questions raised by Cllr PP Mholo and the response thereon by the Municipal Manager.

### 3

#### **DISCUSSION**

The Speaker presented the item to Council.

#### **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **TAKES NOTE** of the Municipal Manager's response.

**A123/2015**

#### **QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR PP MHOLO (MM) (3/1/3/2)**

#### **PURPOSE**

To submit the questions raised by Cllr PP Mholo and the response thereon by the Municipal Manager.

#### **DISCUSSION**

The Speaker presented the item to Council.

#### **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **TAKES NOTE** of the Municipal Manager's response.
2. That the Municipal Manager **SUBMITS** all the lease agreements concluded irrespective of categories, whether they were for farms, commercial, traffic circles etc.

**A124/2015**

#### **RESPONSE ON CLLR HCT VAN SCHALKWYK MOTION: IMPROVED TRAFFIC MANAGEMENT AND CONTROL OF VENDORS AROUND THE GOLDFIELDS FET COLLEGE (MM) (3/1/3/2)**

#### **PURPOSE**

To submit to Council the response from the Municipal Manager with regard to motion A39/2015 that was tabled by Cllr HCT Van Schalkwyk, for noting.

#### **DISCUSSION**

The Speaker presented the item to Council.

#### **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **TAKES NOTE** of the Municipal Manager's response.

**A125/2015**

**MODERATION REPORT FROM ROAD TRAFFIC MANAGEMENT CORPORATION (RTMC) (ED: CS) (15/2/1/7)**

**PURPOSE**

The purpose of the report is to submit a Moderation report to Council for noting.

**DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **TAKES NOTE** of the report on Moderation from Road Traffic Management Corporation (RTMC).

**A126/2015**

**MONTHLY FINANCE REPORT – AUGUST 2015 (CFO) (12/1/2/3)**

**PURPOSE**

To submit to Council the Monthly Finance Report for August 2015 in terms of Section 71 of the Municipal Finance Management Act, No. 56 of 2003.

**DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That the Finance Report for August 2015 in terms of Section 71 of the Municipal Finance Management Act, No.56 of 2003, **BE NOTED**.
2. That the Finance Report for August 2015 in terms of Section 71 of the Municipal Finance Management Act, No 56 of 2003, **BE SUBMITTED** to Provincial and National Treasury as well as COGTA.

**A127/2015**

**MONTHLY FINANCE REPORT – SEPTEMBER 2015 (CFO) (12/1/2/3)**

**PURPOSE**

To submit to Council, the Monthly Finance Report for September 2015 in terms of Section 71 of the Municipal Finance Management Act, No. 56 of 2003.

## 5

### DISCUSSION

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

#### **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That the Finance Report for September 2015 in terms of Section 71 of the Municipal Finance Management Act, No. 56 of 2003, **BE NOTED**.
2. That the Finance Report for September 2015 in terms of Section 71 of the Municipal Finance Management Act, No. 56 of 2003, **BE SUBMITTED** to Provincial and National Treasury as well as COGTA.

#### **A128/2015**

#### **THREE MONTHS FINANCE REPORT – JULY - SEPTEMBER 2015 (CFO)** **(12/1/2/3)**

### PURPOSE

To submit to Council, the three Months Finance Report for July - September 2015 in terms of Section 52 (d) of the Municipal Finance Management Act, No. 56 of 2003.

### DISCUSSION

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

#### **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That the Finance Report for the Quarter (July - September) 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 (July - September) 2015 in terms of Section 52(d) of the Municipal Finance Management Act, No. 56 of 2003, **BE SUBMITTED** to Provincial and National Treasury as well as COGTA.
3. That the Municipal Manager **BE AUTHORIZED** to investigate the services as provided by both ESKOM and Sedibeng to determine the following:
  - (a) payment of servitudes as concluded to each party (ESKOM & Sedibeng);
  - (b) the value of the debt owed to both entities that should have / be prescribed and to be written off accordingly;
  - (c) whether have any service contracts been concluded by both entities within the Matjhabeng area of jurisdiction to other clients;



## 6

- (d) whether there were any authorization granted by the Municipality for these service providers to conclude Service Level Agreements to other clients as referred to in recommendation 3 (c) above; and
- (e) whether the entities are using any Municipal infrastructure in the provision of these services to other clients they have concluded contracts with as referred herein on recommendation 3 (c) above.
- (f) That information on page 79 of the Annexures **SHOULD BE** purified as some of the companies, such as President Steyn Mine 11 and Flamingo Lake Development had been liquidated.

### **A129/2015**

#### **MONTHLY FINANCE REPORT – OCTOBER 2015 (CFO) (12/1/2/3)**

##### **PURPOSE**

To submit to Council, the Monthly Finance Report for October 2015 in terms of Section 71 of the Municipal Finance Management Act, No. 56 of 2003.

##### **DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

##### **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That the Finance Report for October 2015 in terms of Section 71 of the Municipal Finance Management Act, No. 56 of 2003, **BE NOTED**.
2. That the Finance Report for October 2015 in terms of Section 71 of the Municipal Finance Management Act, No.56 of 2003, **BE SUBMITTED** to the Provincial and National Treasury as well as COGTA.

### **A130/2015**

#### **CURRENT STATUS OF CAPITAL PROJECTS FOR MIG IN MATJHABENG LOCAL MUNICIPALITY (EDI) (6/4/1)**

##### **PURPOSE**

To present before Council, the Current Status and/or Progress Report on the implementation of capital projects for the financial year 2015/2016 for the month of October 2015.

**DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **TAKES NOTE** of the current status of capital projects for MIG in Matjhabeng Local Municipality.
2. That a correction **SHOULD BE MADE** on the Spreadsheet column that reflects Nyakallong WWTP Upgrade as the planned date for the tender to be advertised and the planned date for the Contractor to start is the same.

**A131/2015**

**PROGRESS REPORT ON THE BACK TO BASICS ACTION PLAN FOR SEPTEMBER 2015 (ED: SSS) (6/4/1)**

**PURPOSE**

To submit the draft Back to Basics Action Plan for the month of September 2015 monthly report to Council for noting.

**DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **TAKES NOTE** of the progress report on the Back to Basics Action Plan in the Municipality.
2. That the progress report **BE SUBMITTED** to relevant Provincial and National Departments.

**A132/2015**

**PROGRESS REPORT ON BACK TO BASICS ACTION PLAN FOR OCTOBER 2015 (ED: SSS) (6/4/1)**

**PURPOSE**

To submit the draft Back to Basics Action Plan for the month of October 2015 monthly report to Council for noting.

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### **DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

### **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **TAKES NOTE** of the progress report on the Back to Basics Action Plan in the Municipality.
2. That the progress report **BE SUBMITTED** to relevant Provincial and National Departments.

**A133/2015**

### **SUBMISSION OF BACK TO BASICS MONTHLY REPORT FOR SEPTEMBER 2015 (ED: SSS) (6/4/1)**

### **PURPOSE**

To submit the draft Back to Basics September 2015 monthly report to Council, for noting.

### **DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

### **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **TAKES NOTE** of the monthly report on the Back to Basics Programme in the Municipality.
2. That the monthly report **BE SUBMITTED** to relevant Provincial and National Departments.

**A134/2015**

### **SUBMISSION OF BACK TO BASICS MUNICIPAL MONTHLY REPORT FOR OCTOBER 2015 (ED: SSS) (6/4/1)**

### **PURPOSE**

To submit the draft Back to Basics October 2015 monthly report to Council for noting.

### **DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

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### **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **TAKES NOTE** of the monthly report on the Back to Basics Programme in the Municipality.
2. That the monthly report **BE SUBMITTED** to relevant Provincial and National Departments.

**A135/2015**

### **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 Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

### **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That the progress report on Council Resolutions Audit **BE NOTED**.
2. That it **SHOULD BE SPECIFIED** in the next Council meeting whether the resolutions were implemented or not.

**A136/2015**

### **ESTABLISHMENT OF INDOOR AND OUTDOOR SHOOTING RANGES (ED: CS) (10/1/1/4)**

#### **PURPOSE**

The purpose is to request permission from Council to establish both indoor and outdoor shooting ranges. The aim is to have our own facilities, to save funds and time, by training Traffic Learners and the employees of Municipality in terms of Fire Arm Control Act.

#### **DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

### **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That the item **BE REFERRED BACK** for detailed analysis of revenue that would be generated from the training of Traffic Officers.

2. That the item **BE RE-SUBMITTED** with comprehensive information that would enable Council to take informed decisions.

**A137/2015**

**MUNICIPAL FINANCE IMPROVEMENT PROGRAMME PHASE II – SUPPORT PLAN (CFO) (6/4/1)**

**PURPOSE**

To submit to Council the Municipal Finance Improvement Programme Phase II – Support Plan.

**DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That the delegation framework **BE SUBMITTED** to Council.
2. That the Finance Section 80 Committee would henceforth **PLAY THE ROLE** of the Steering Committee as required by the Support Programme.
3. That the Municipal Finance Improvement Programme Phase II for Matjhabeng Local Municipality Support Plan **BE ADOPTED** by Council.

**A138/2015**

**THE ADDENDUM TO THE MUNICIPAL EPWP POLICY (PMU) (EDI) (3/3/27)**

**PURPOSE**

To request Council's approval to adopt the addendum to the adopted EPWP Policy.

**DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That the proposed Addendum on the Municipal EPWP Policy **BE ADOPTED** by Council.
2. That the funding for the training of EPWP participants **BE SOURCED** from LGSETA and other sources that could assist.

**A139/2015**

**REPORT ON THE FRUITLESS AND WASTEFUL EXPENDITURE INCURRED FOR THE FIRST QUARTER OF THE FINANCIAL YEAR 2015/16 (CFO) (6/1/1/2)**

**PURPOSE**

To submit to Council a report on the fruitless and wasteful expenditure incurred for the first quarter of the Financial years 2015/16 (1 July 2015 to 30 September 2015).

**DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That the fruitless and wasteful expenditure incurred for 2015/16 financial year (1 July 2015 to 30 September 2015) **BE REFERRED** to Municipal Public Accounts Committee (MPAC) for investigation.

**A140/2015**

**THE APPROVAL OF THE DRAFT DELEGATION OF POWERS (MM) (3/4/3)**

**PURPOSE**

To submit to Council, the Matjhabeng Local Municipality Delegation of Powers, for tabling in the Municipal Council for approval as required by Section 59 of the Municipal Systems Act.

**DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That the power conferred to the Municipal Manager with regard to issuing of clearance certificates in Section 118 on page 65 of the Separate Cover **COULD BE** sub-delegated to the CFO and other responsible officials in order to speed up the process.
2. That Sections starting from 101(1) in page 224 up to 129(2)(b)(ii) in page 227 **BE DELETED** from the Separate Cover 1 as they have been repealed.
3. That the delegated body in Section 12(1) on page 97 of the Separate Cover **BE REFLECTED** as Council.
4. That the delegated body in Section 21(2)(e) on page 102 of the Separate Cover **BE REFLECTED** as None or the relevant MMC.

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5. That the delegated body in Section 32(7) on page 110 of the Separate Cover **BE REFLECTED** as Council.
6. That the Matjhabeng Local Municipality Revised Delegations of Powers as obtained from Annexures (B-F) **BE APPROVED** by Council with corrections made.

### **A141/2015**

#### **ESTABLISHMENT OF CO-LOCATION (ONE STOP SHOP) PROGRAMME AT MATJHABENG INDUSTRIAL PARK – INITIATED BY DEPARTMENT OF SMALL BUSINESS DEVELOPMENT (ED: LED, P & HS) (3/3/20)**

##### **PURPOSE**

The purpose of this report is to brief Council of the establishment of Co-location of Business Development and Support Services Programme.

This is also intended for the preparation that will be held with all relevant stakeholders in the Municipality who will be part of the hub upon its establishment in the Matjhabeng Industrial Park.

##### **DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

##### **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **SUPPORTS** the piloting of Co-location Programme.
2. That the Municipality **AVAIL** resources that will be required for the success of this initiative.
3. That Council **AUTHORIZES** the processing of the application to the Department of Small Business Development for the required funding.

### **A142/2015**

#### **PROGRESS REPORT ON THE COMPILATION OF A WAITING LIST OF SITES FOR RESIDENTS IN ALL 36 WARDS (ED: LED, P & HS) (8/3/2)**

##### **PURPOSE**

The purpose of the report is to solicit the approval of the waiting list for all 36 wards of Matjhabeng Municipality.

##### **DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

## **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **ADOPTS** the draft waiting list of sites for residents in all 36 Wards of Matjhabeng Municipality and land allocation.
2. That the outstanding information from the Ward Councillors **MUST BE** included in the continuous verification of lists.
3. That Council **NOTES** the report and caution Councillors and Management to ensure that the list must be all inclusive and not selective and any resident who wishes to stay in any Ward in Matjhabeng should not be prohibited.

### **A143/2015**

## **INDIGENTS PER WARD (CFO) (6/10/1)**

### **PURPOSE**

To report to Council on the Indigents per ward, for the month ending on 30<sup>th</sup> September 2015.

### **DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

## **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **TAKES NOTE** of the Report on the Indigents per ward.
2. That all wards with qualifying Indigents **BE ENCOURAGED** to register and submit their forms to the Credit Control Section for processing.

### **A144/2015**

## **IPOLOKE PROJECT (ED: CS) (3/7/1/4)**

### **PURPOSE**

To inform Council about the Ipoloke Project that was identified for this year.

### **DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

## **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **TAKES NOTE** of the Ipoloke Project that was identified for the year 2015.



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**A145/2015**

**REVISED AUDIT COMMITTEE CHARTER (ED: SSS) (6/12/3/2)**

**PURPOSE**

To submit the Revised Audit Committee Charter to Council for consideration.

**DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **APPROVES** the Revised Audit Committee Charter.

**A146/2015**

**AUDIT COMMITTEE EVALUATION MATRIX (ED: SSS) (6/12/3/1)**

**PURPOSE**

To submit the Audit committee evaluation matrix to Council for recommendation.

**DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **APPROVES** the Audit Committee Evaluation Matrix.

**A147/2015**

**SUPPLY CHAIN MANAGEMENT REPORT FOR PERIOD JULY 2015 - SEPTEMBER 2015 (CFO) (11/5)**

**PURPOSE**

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

**DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

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## **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **TAKES NOTE** of the Supply Chain Management Unit quarterly report for period July 2015 – September 2015.
2. That the Supply Chain Management Unit quarterly report for the period July-September 2015 **BE REFERRED** to MPAC for investigation.

**A148/2015**

## **DRAFT REVISED RISK MANAGEMENT IMPLEMENTATION PLAN FOR THE YEAR 2015/16 (ED: SSS) (6/12/2/1)**

### **PURPOSE**

To present to Council the Risk Management Implementation Plan for the year 2015/16 for noting.

### **DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

## **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **APPROVES** the draft revised Risk Management Implementation Plan for the year 2015/16.
2. That the Risk Management Implementation Plan **BE IMPLEMENTED** as planned.

**A149/2015**

## **DRAFT REVIEWED RISK MANAGEMENT POLICY FOR THE YEAR 2015/16 (ED: SSS) (6/12/2/1)**

### **PURPOSE**

To present to Council the reviewed draft Risk Management Policy for the year 2015/16 for approval.

### **DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

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## **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **TAKES NOTE** of the draft reviewed Risk Management Policy for the year 2015/16.
2. That all the amendments made in the Policy **MUST BE** underlined.
3. That Council **APPROVES** the reviewed draft Risk Management Policy for the year 2015/16.

### **A150/2015**

## **DRAFT REVIEWED RISK MANAGEMENT STRATEGY FOR THE YEAR 2015/16 (ED: SSS) (6/12/2/1)**

### **PURPOSE**

To present to Council the reviewed Risk Management Strategy for the year 2015/16 for noting.

### **DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

## **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **TAKES NOTE** of the draft reviewed Risk Management Strategy for the year 2015/16.
2. That all the amendments made in the Strategy **MUST BE** underlined.
3. That Council **APPROVES** the draft reviewed Risk Management Strategy for the year 2015/16.

### **A151/2015**

## **TABLING OF THE MUNICIPAL SCOA (CFO) (6/12/1)**

### **PURPOSE**

To present to Council the Municipal SCOA (mSCOA) in terms of section 168 of the Local Government: Municipal Finance Management Act, 2003.

### **DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **APPROVES** the Municipal SCOA in terms of section 168 of the Local Government: Municipal Finance Management Act, 2003 as presented.

**A152/2015**

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

**PURPOSE OF REPORT**

The purpose of the report is to report on the progress to date and to highlight which inputs are now required from the Municipality.

**DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That the progress with the development of the SUNELEX project **BE NOTED**.
2. That the CFO **SHOULD ESTABLISH** the authenticity of the Proof of Funds letter by HSBC Bank which is attached in page 268 of the Annexures.

**A153/2015**

**PARTICIPATION OF COUNCILLORS IN LAW AND CERTIFICATE PROGRAMME OFFERED BY THE UNIVERSITY OF FORT HARE FOR 2015 (SPEAKER) (5/4/3/6)**

**PURPOSE**

To present to Council the report of the enrolment of Matjhabeng Local Municipality (MLM) Councillors in Law and Administration Certificate Programme for 2015 which is offered by the Fort Hare University through its partnership with SALGA Free State.

**DISCUSSION**

The Speaker presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. Council **NOTES AND RATIFIES** the participation of 25 Councillors in Law and Administration Programme offered by the University of Fort Hare.

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2. Council **RATIFIES** the decision to use MSIG in line with the provisions of 2015 Determination of Upper Limits of Salaries, Allowance and Benefits of different members of Municipal Councils.

**A154/2015**

**THABONG T16: PROVISION OF WATERBORNE SANITATION FOR 1300 STANDS - BUDGET MAINTENANCE APPROVAL (PMU) (EDI) (6/1/1)**

**PURPOSE**

The purpose of this item is to seek Council's approval to correct the MIG budget maintenance amount of the Thabong T16: Provision of Waterborne Sanitation for 1300 stands project, in compliance with Municipal Systems Act 32 of 2000 Section 73 (1), submitted to COGTA for approval.

**DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That Council **CORRECTS** Resolution **A103/2015 1(c)** that was taken in the meeting held on 01 September 2015 as follows:-
  - a) That Council **APPROVES** the budget maintenance of Thabong T16: Provision of Waterborne Sanitation for 1300 stands and toilet structures, from the original budget of R 37 947 674.97 to a new budget of R61 899 139.00.
  - b) That the budget maintenance **WILL BE PAID** from MIG funding.

**A155/2015**

**PROPOSAL FOR THE LONG TERM LEASE AGREEMENT FOR THE REMAINDER OF PORTION 1 OF ERF 10375 AND ERF 10376 FOR THE REDEVELOPMENT OF THE PEDESTRIAN MALL TO PARKING FACILITIES BY THE WELKOM BUSINESS PROPERTY OWNERS ASSOCIATION (ED: LED, P & HS) (8/3)**

**PURPOSE OF REPORT**

The purpose of the report is to:

Solicit Council's approval for the long term lease agreement of the Remainder of Portion 1 of Erf 10375 and Erf 10376 for the redevelopment of the pedestrian mall to parking facilities by the Welkom Business Property Owners Association.

## DISCUSSION

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

### **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That the **RE-DEVELOPMENT** proposal of the Welkom Business Property Owners Association to re-develop and manage the Welkom pedestrian mall as contemplated in Par. 2.9 of the report **BE APPROVED**.
2. That the Municipal Manager **BE AUTHORIZED** to conclude the lease agreement with the Welkom Business Owners Association for a period of not more than 20 Years renewable.
3. That any material to be removed from this development **MUST BE USED** for the benefit of the Community.

### **A156/2015**

### **IMPLEMENTATION OF RESTRICTIVE MEASURES TO PROMOTE WATER SAVINGS AND CONSERVATION IN MATJHABENG MUNICIPALITY (EDI) (19/3/2)**

#### **PURPOSE**

The purpose is to:

- Inform the Council about the Drought Disaster Declaration signed by the Premier of the Free State, Honourable Ace Magashule;
- To propose to the Council steps that must be taken by the Municipality, to ensure adherence to the objectives of the Drought Disaster Declaration.

## DISCUSSION

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

### **COUNCIL RESOLVED: (26 NOVEMBER 2015)**

1. That the Short-term Drought Mitigation Plan **BE APPROVED** by Council *apart from point 4 of the Short-term Drought Mitigation Plan attached in page 4 of the Further Annexures* and Council instructs the Municipal Manager to implement it.
2. A Drought Mitigation Task Team, comprising of relevant representatives from the Political Office, Office of the Municipal Manager, Infrastructure, Community Services, Corporate Services, Local Economic Development, Finance and Spatial Planning Directorate, **BE ESTABLISHED** to determine medium to long term water restrictive measures that must be implemented by the Municipality.

3. That the Department of Water and Sanitation and Sedibeng Water Board **BE CONSULTED** to provide support to the Task Team.
4. That the Water Services By-Laws **BE AMENDED** to include the drought mitigating and punitive measures that Council will impose to water users with immediate effect and approved by a Special Council Sitting.
5. That the Office of the Speaker **BE REQUESTED** to develop a Consumer Education and Awareness Programme, in consultation with the Office of the Municipal Manager and thereby implement it.
6. That Point 4 of the short-term Drought Mitigation Plan which refers to Pressure reduction **BE REFERRED** to the Water Ad-hoc Committee.

**C7/2015**

**DISCLOSURE TO COUNCIL ON IRREGULAR EXPENDITURE REGARDING 95 MONTH-TO-MONTH FIXED TERM CONTRACT WORKERS AND SEEKING COUNCIL APPROVAL ON CORRECTION THEREOF BY MANDATING THE MUNICIPAL MANAGER TO CONCLUDE NEW PERMANENT EMPLOYMENT CONTRACTS WITH THE AFFECTED EMPLOYEES (ED: CSS) (5/3/1)**

**PURPOSE**

The purpose of this item is to seek the condonation of the irregular expenditure incurred as a result of the open-ended Fixed Term Month-to- Month contracts of employment and to solicit Council approval for the Municipal Manager to conclude new permanent employment contracts with the affected employees.

**DISCUSSION**

The Acting Executive Mayor, Cllr L. Rubulana presented the item to Council.

**COUNCIL RESOLVED: (26 NOVEMBER 2015)**

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