

# **MINUTES**

**OF THE**

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

**of**

**MATJHABENG MUNICIPALITY**

**held on**

**THURSDAY, 28 OCTOBER 2010**

**at**

**14:00**

**COUNCILLORS ATTENDANCE: COUNCIL MEETING: 28 OCTOBER 2010**

**ANC**

<b>PROPORTIONAL</b>			
1.	Ngangelizwe S ( <b>Executive Mayor</b> )	14.	Radebe ML ( <b>Written Apology</b> )
2.	Baaitjies M	15.	Ramaisa KA
3.	Dlova TW	16.	Senoge MM
4.	Humphries MF	17.	Sephiri MJ ( <b>Chief Whip</b> )
5.	Masoleng NI ( <b>Absent</b> )	18.	Speelman NW ( <b>Written Apology</b> )
6.	Matlabe MMT	19.	Qwasha GL
7.	Sentle AN	20.	Thuthani ZA ( <b>Written Apology</b> )
8.	Mbana MA ( <b>Absent</b> )	21.	Radebe MC
9.	ZP Noveld ( <b>Written Apology</b> )	22.	Tihone ML
10.	Molefi MJ	23.	Tsubane ME
11.	Nyembe ME ( <b>Sick Leave</b> )	24.	Twanana M
12.	Petleki KI	25.	Vanga NM
13.	Qabela V	26.	Kotzee D
		27.	Majoe TS
<b>WARD</b>			
28.	Phokwana SL	44.	Mphikeleli MA
29.	Kotzee AP	45.	Nakwa TA ( <b>Written Apology</b> )
30.	Mahloko NN	46.	Ntsala NS
31.	Makgowe PV	47.	Peterson E
32.	Mbambo AX	48.	Phetise ME
33.	Manzana NR	49.	Radebe LLF
34.	Masienyane MD	50.	Rubulana L ( <b>Speaker</b> )
35.	Mathebula MA	51.	Nteo SD ( <b>Absent</b> )
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 ( <b>Written Apology</b> )
42.	Montshioa BA		
43.	Motshabi MP		

## II

### DA

PROPORTIONAL			
58.	Edeling JH	62.	Mhlafu BD <b>(Absent)</b>
59.	Fourie JJC	63.	Mokotedi TG
60.	Marais JS <b>(Written Apology)</b>	64.	Neumann VH
61.	Meyer KL		
WARD			
65.	Beneke R <b>(Written Apology)</b>	68.	Styger A
66.	Botha PF	69.	Van Rooyen HC <b>(Written Apology)</b>
67.	Smit DC		

### FF+

PROPORTIONAL	
70.	Coetzee BJA <b>(Absent)</b>

### ACDP

PROPORTIONAL	
71.	Meko MA <b>(Absent)</b>

### IND

WARD	
72.	Liphoko SJ

### OFFICIALS

Mr THE Pietersen	:	Municipal Manager
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 Pastor DM Leseka of the International Assemblies of God 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

The Speaker introduced the newly elected Councillor of Ward 19, Cllr AX Mbambo, to Council.

Cllr ZP Noveld congratulated and welcomed Cllr AX Mbambo at the Council meeting.

### 4. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER

The Speaker informed Council that the MEC for Community Development's mother was laid to rest and that Cllr JH Edeling's wife also passed away.

A moment of silence was observed.

### 5. DISCLOSURE OF INTEREST

None.

### 6. DEPUTATIONS AND INTERVIEWS

None.

### 7. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

None.

### 8. MINUTES OF THE PREVIOUS MEETING

#### COUNCIL RESOLVED (28 OCTOBER 2010)

1. That the minutes of the 6<sup>th</sup> Ordinary Council meeting held on 31 August 2010 **BE APPROVED** in conjunction with the following amendments:

## IV

**Attendance Register:** That it be indicated in the minutes that Cllr ME Nyembe was not absent but that he was on sick leave.

### **A48/2010 : MONTHLY FINANCIAL REPORT – JUNE 2010**

**Par. 3 :** That the words *the contents of* be included between the words *explaining and the*.

### **PRESENTATION OF RAMATHE FIVAZ REPORT**

That, although the item was discussed *in camera*, the following Council's resolution taken on the matter **BE INCLUDED** in the minutes:

### **COUNCIL RESOLVED (31 AUGUST 2010)**

1. That Council **COULD NOT ACT** on the report as it was still a draft.
2. That Ramathe Fivaz **MUST FINALISE** the report within 90 days.

## **9. MATTERS ARISING FROM THE MINUTES**

### **A49/2010**

### **PROGRESS REPORT OF THE AG AUDIT QUERIES RAISED IN 2008/09 AUDIT REPORT AND PREPARATION OF ANNUAL FINANCIAL STATEMENTS (ACFO) (3/1/4/3) (6/12/2/1)**

Cllr Edeling wanted to know why the item of the mentioned report was not included in the agenda. He indicated that the Municipal Manager does not carry out Council's resolutions.

The Executive Mayor indicated that Cllr Edeling was correct and that the item must be submitted to the next Council meeting.

## **10. FORMAL SIGNING OF MINUTES**

The Speaker indicated that he would sign the minutes after the meeting.

### **SECTION B**

## **11. REPORTS OF THE SPEAKER IN TERMS OF RULES 15(1) AND 99(4)**

The Speaker indicated that he would submit a Confidential Report to Councillors as the last item on the agenda.

# V

## 12. REPORTS OF THE EXECUTIVE MAYOR

A62/2010 – A74/2010

## 13. MOTIONS

A73/2010

## 14. CLOSING REMARKS

None.

## 15. CLOSURE

The Speaker terminated the meeting at .

.....  
**L RUBULANA (SPEAKER)**

.....  
**DATE**

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# 1

**A62/2010**

## **MONTHLY FINANCIAL REPORT – JULY 2010 (ACFO) (12/1/2/3)**

### **PURPOSE**

To submit to Council the Financial Report for July 2010 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003.

### **DISCUSSIONS**

The Executive Mayor simultaneously presented items A62/2010 and A63/2010.

Cllr A Styger indicated that the Annexures on the August Report were the same as those of the July Report, only the heading was changed.

After discussion the Executive Mayor acknowledged the error and indicated that it would be corrected at the next Council meeting.

### **COUNCIL RESOLVED (28 OCTOBER 2010)**

That the Financial Report for July 2010 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED.**

**A63/2010**

## **MONTHLY FINANCIAL REPORT – AUGUST 2010 (ACFO) (12/1/2/3)**

### **PURPOSE**

To submit to Council the Financial Report for August 2010 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003.

### **DISCUSSIONS**

The Executive Mayor simultaneously presented items A62/2010 and A63/2010.

Cllr A Styger indicated that the Annexures on the August Report was the same as those of the July Report, only the heading was changed.

After discussion the Executive Mayor acknowledged the error and indicated that it would be rectified.

**COUNCIL RESOLVED (28 OCTOBER 2010)**

That the Financial Report for August 2010 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED**.

**A64/2010**

**VALUATION ROLL IMPLEMENTATION DATES : 2010/2011 (ACFO) (6/1/B)**

**PURPOSE**

To submit the Valuation Roll Implementation Dates for consideration.

**DISCUSSIONS**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED (28 OCTOBER 2010)**

1. That the Matjhabeng Local Municipality **RESOLVES TO IMPLEMENT** the Local Government: Municipal Property Rates Act, (Act No. 6 of 2004) **AND TO LEVY** rates on the properties in its area of jurisdiction.
2. That subject to the adoption of (1) above the **DATE OF IMPLEMENTATION** would be 01 July 2011.
3. That subject to the adoption of (2) above the **DATE OF GENERAL VALUATION** would be November 2010.
4. That subject to the adoption of (3) Matjhabeng Local Municipality **RESOLVES TO LEVY** different rates for different categories of properties.
5. That subject to the adoption of (4) above:
  - (i) That the criteria for the determination of a particular category **SHALL BE** the actual use of the property. A change in use will result in a change of category.
  - (ii) That in the case of vacant land, the permitted use in terms of any legislation **WILL DETERMINE** the category. In the absence of any legislation which regulates the use of properties, the category will be determined on the most feasible use.
6. That subject to the adoption of (5) above that: Multiple Purpose State Trust Land **WOULD BE VALUED AND ASSESSED** on the pro rata basis.

### 3

7. That subject to the adoption of (6) above that all other multiple purposes properties **WOULD BE ASSESSED** on the basis of dominants use.
8. That subject to the adoption of (7) above the following categories of properties **WERE IDENTIFIED** for the purpose of differential rating:-
  - Agricultural properties including those previously rated as well as small holdings
  - State Trust Land
  - Multiply Purpose State Trust Land
  - National public service infrastructure
  - Provincial public service infrastructure
  - Municipal public service infrastructure
  - Residential which should include:
    - single residential
    - sectional title residential
    - general residential (incl. flats/boarding houses/hostels)
    - RDP housing
    - vacant residential land
  - Commercial
    - general business properties
    - sectional title shops/ offices
    - vacant commercial
  - Industrial
    - industrial properties
    - sectional title industrial
    - vacant commercial/industrial land
  - Specialized properties
    - abattoirs
    - airports
    - casino's
    - civic centre
    - clinics
    - crèches
    - crematorium/cemeteries
    - eco-tourism wild life reserves
    - golf courses
    - grain depots
    - grain co-ops
    - heavy manufacturing
    - hospitals (private and state)
    - hotels/ resorts/ conference centers

## 4

- law courts
- libraries
- military bases
- mines
- old age/retirement houses
- petrol filling stations
- places of worship
- police stations
- prisons
- quarries
- post offices
- power stations
- racetracks
- schools (private and state)
- shopping centers
- sport facilities (including stadiums)
- stations and shunting yards
- substations
- vacant other land
- parks
- dams
- multiple purpose properties
- other uses not describe above

9. That subject to the adoption of (7) above a draft Municipal Rates Policy **BE PREPARED**.
10. That subject to the adoption of (9) above draft Rates By-laws for the implementation of the draft Rates Policy **BE PREPARED**.
11. That subject to the adoption of (10) above a communication strategy and public participation processes with regard to the implementation of Act 6 of 2004 **BE IMPLEMENTED**.
12. That subject to the adoption of (11) above and in terms of section 33 of Act 6 of 2004, Mr Tinus Nel, registration number 2046/2, **WAS ALREADY DESIGNATED** as the municipal valuer for Matjhabeng Local Municipality, with effect from 30 September 2009 subject to 05 July 2011.
  - (a) the provisions of the Act,
  - (b) the conditions of the Memorandum of Agreement between the municipality and the said DDP Valuers. All other contracts and agreements related to Bid No 27/2009.

## 5

13. That subject to the adoption of (12) above and subject to financial provisions therefore, that the Project Execution Plan **BE IMPLEMENTED**.

**A65/2010**

### **QUARTERLY REPORT FOR JULY 2010 TO SEPTEMBER 2010 (ACFO)(12/1/2/3)**

#### **PURPOSE**

To submit to Council the Quarterly report for the quarter ending 30 September 2010 in terms of Section 52 of the Municipal Finance Management Act number 56 of 2003.

#### **DISCUSSIONS**

The Executive Mayor presented the item to Council.

Clr A Styger indicated that the notes underneath the Table on Expenditure Results Against Budget were not correct, e.g. point 3 stated that the budget amount for electricity was more than the actual, but in actual fact, it was less.

After discussion

#### **COUNCIL RESOLVED (28 OCTOBER 2010)**

That Council **TAKES NOTE** of the Quarterly Report for July 2010 to September 2010.

**A66/2010**

### **PROGRESS REPORT: THE GOLDFIELDS MALL DEVELOPMENT (LED)** **(8/3/2/10)**

#### **PURPOSE**

The purpose is to provide basic information on the new development and to report on the progress with the development of the Goldfields Mall.

#### **DISCUSSIONS**

The Executive Mayor presented the item to Council.

#### **COUNCIL RESOLVED (28 OCTOBER 2010)**

That Council **TAKES NOTE** of the Progress Report on the Goldfields Mall Development.

# 6

**A67/2010**

**RESIGNATION OF EXECUTIVE DIRECTOR COMMUNITY SERVICES (5/2/2)**  
**(MM)**

**PURPOSE OF REPORT**

To report to Council the resignation of the Executive Director Community Services, Me K Maloka.

**DISCUSSIONS**

The Executive Mayor presented the item to Council and requested the Officials to submit the letter of resignation from Me K Maloka to Council for Council to consider the item as it was not attached to the Annexures.

The Executive Mayor read the resignation letter to Council.

**COUNCIL RESOLVED (28 OCTOBER 2010)**

That Council **ACCEPTS** the resignation of Me K Maloka.

**A68/2010**

**PROGRESS REPORT: NEIGHBORHOOD DEVELOPMENT PARTNERSHIP GRANT (LED & PLANNING) (12/1/2/1)**

**PURPOSE OF REPORT**

To inform Council on progress made to date on Neighbourhood Development Partnership Grant from National Treasury.

**DISCUSSIONS**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED (28 OCTOBER 2010)**

1. That Council **TAKES COGNISANCE** of the report.
2. That Council **CONDONES** the approval of Municipal Contribution towards the NDP programme as stipulated on “item 4” (i.e. R561 000).

**A69/2010**

**SOUTH AFRICAN LOCAL AUTHORITIES PENSION FUND : HOUSING LOANS**  
**(5/4/2/5) (EDCSS)**

**PURPOSE**

To inform the Council regarding the re-instatement of the housing loan facility to SALA members.

**DISCUSSIONS**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED (28 OCTOBER 2010)**

That Council **TAKES NOTE** of the re-instatement of SALA Housing Loans available to SALA members.

**A70/2010**

**REPORT ON PROGRESS FOR BNG HOUSING SUBSIDY ALLOCATIONS FOR**  
**2010/2011 FINANCIAL YEAR (20/14/1/2) (SNR MANAGER TP AND HS)**

**PURPOSE OF REPORT**

The purpose of the report is to inform Council about housing subsidy allocations awarded by the Provincial Department of Human Settlements for 2010/11 financial year.

**DISCUSSIONS**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED (28 OCTOBER 2010)**

That Council **TAKES NOTE** of the report.

## 8

**A71/2010**

**PROGRESS REPORT ON OPERATION COCA : SEPTEMBER 2010 (AEDCS)**  
**(20/16/3)**

**PURPOSE**

To report and inform the Council about the progress on Operation COCA activities according to the Wards attended to from 1 September 2010 to 31 September 2010.

**DISCUSSIONS**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED (28 OCTOBER 2010)**

That Council **TAKES NOTE** of the report.

**A72/2010**

**DEVIATION FROM NORMAL PROCUREMENT PROCEDURES DURING THE**  
**PROCUREMENT OF FLEET AND EQUIPMENT (ACFO) (7/2/1/1)**

**PURPOSE**

To submit to Council the motivation for the deviation from normal procurement procedures during the procurement of fleet and equipment for Community Services and the municipality as a whole.

**DISCUSSIONS**

The Executive Mayor presented the item to Council.

After lengthy discussions on the recommendation regarding Council condoning the deviation.

**COUNCIL RESOLVED (28 OCTOBER 2010)**

That Council **TAKES NOTE** of the report as requested.



**A73/2010**

**MOTION: COUNCILLOR PF BOTHA: SUSPENSION OF OFFICIALS MENTIONED IN THE RAMATHE FIVAZ REPORT (3/2/3/2) (EDCSS)**

**PURPOSE**

To submit to Council the motion received from Councillor PF Botha for consideration.

**DISCUSSIONS**

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

Cllr Botha requested Council's permission to make an amendment to his motion, i.e. That point 4, viz. That criminal charges be laid against those officials where appropriate, be deleted from the motion.

Council unanimously agreed to the request.

Cllr Botha further requested that the Motion be referred to the next Council meeting for discussion.

**COUNCIL RESOLVED (28 OCTOBER 2010)**

That the motion of Cllr PF Botha **BE WITHDRAWN**.

**A74/2010**

**MATJHABENG LOCAL MUNICIPALITY OPERATIONAL PLAN OF THE MUNICIPALITY FOR 2010/2011 FINANCIAL YEAR - PERFORMANCE REVIEW REPORT FOR THE PERIOD JULY – SEPTEMBER 2010 (MM) (6/18/1)**

**PURPOSE**

To submit to Council a Performance Review Report for the period July – September 2010 for noting.

**DISCUSSIONS**

The Executive Mayor presented the item to Council.

The Executive Mayor requested that the item be referred to the next Council meeting in order to enable the officials to correct the format of the report.

**COUNCIL RESOLVED (28 OCTOBER 2010)**

That the report **BE REFERRED** to the next Council meeting.

**C1/2010**

**REPORT OF THE SPEAKER: NON-ATTENDANCE OF MEETINGS – CLLR SJ LIPHOKO (3/1/4/2) (SPEAKER)**

**PURPOSE**

To submit to Council a report in terms of section 15(1) of the Council's Standard Rules and Orders.

**DISCUSSIONS**

The Speaker presented the item to Council.

After discussions

**COUNCIL RESOLVED (28 OCTOBER 2010)**

1. That Council **TAKES NOTE** of the report.
2. That the Office of the Speaker **ARRANGES** counseling sessions for 3 months for Cllr Liphoko.
3. That a progress report, on the counseling, **BE SUBMITTED** to Council.