

# **MINUTES**

of the

**2<sup>ND</sup> SPECIAL COUNCIL MEETING  
FOR THE YEAR 2017**

of

**MATJHABENG MUNICIPALITY**

held on

**THURSDAY, 11 MAY 2017**

at

**16:00**

**COUNCIL CHAMBERS, CIVIC CENTRE,  
WELKOM**

## COUNCILLORS ATTENDANCE

### 2<sup>ND</sup> SPECIAL COUNCIL MEETING MINUTES: 11 MAY 2017

<b>PROPORTIONAL</b>			
1.	Stofile B ( <b>Speaker</b> )	19.	Moipatle KSV
2.	Sephiri MJ ( <b>Chief Whip</b> )	20.	Mthebere NA ( <b>Absent</b> )
3.	Speelman NW ( <b>Executive Mayor</b> ) ( <b>Apology</b> )	21.	Nqeobo ME
4.	Badenhorst MJ	22.	Ntsebeng MH
5.	Botha PF	23.	Phofeli NM
6.	Direko DR	24.	Presente LN
7.	Jacobs EJ	25.	Radebe MC
8.	Kabi M	26.	Radebe ML
9.	Khetsi LE ( <b>Absent</b> )	27.	Rakaki MM
10.	Letlhake TW	28.	Ramabodu BM
11.	Lushaba TB ( <b>Apology</b> )	29.	Senxezi ME ( <b>Absent</b> )
12.	Macingwane MT ( <b>Absent</b> )	30.	Sithole AM ( <b>Absent</b> )
13.	Mafaisa MG ( <b>Absent</b> )	31.	Styger A
14.	Manenye AJ	32.	Taljaard SDM
15.	Manese SD	33.	Thelingoane NE ( <b>Absent</b> )
16.	Marais JS ( <b>Apology</b> )	34.	Tshopo ME ( <b>Apology</b> )
17.	Masina XN	35.	Tsoaeli MS ( <b>Absent</b> )
18.	Mawela VE	36.	Tsupa MR
<b>WARD</b>			
37.	Badenhorst HS	55.	Moshoeu ZS ( <b>Apology</b> )
38.	Chaka MS	56.	Mosia TJ
39.	Daly A ( <b>Apology</b> )	57.	Mphikeleli MA
40.	Khalipha TD	58.	Nkonka BB
41.	Khothule MJ	59.	Nthako TD ( <b>Apology</b> )
42.	Liphoko SJ	60.	Ntuli BN
43.	Mafa DM	61.	Pholo SJ
44.	Mahlumba BH	62.	Poo IP
45.	Malherbe C	63.	Ramalefane SJ
46.	Manzana NR ( <b>Apology</b> )	64.	Ramatisa PT ( <b>Apology</b> )
47.	Masienyane MD	65.	Schlebusch CJ ( <b>Apology</b> )
48.	Meli TS	66.	Sebotsa MM
49.	Mokhomo HA	67.	Thelingoane TJ
50.	Molefi M	68.	Tlake KR
51.	Molelekoa PMI	69.	Tsatsa SJ
52.	Moloja NJ	70.	Tshabangu SE ( <b>Absent</b> )
53.	Monjovo NE ( <b>Apology</b> )	71.	Van Rooyen MS
54.	Morris VR	72.	Van Schalkwyk HCT



## **EXECUTIVE MANAGEMENT**

Mr ET Tsoaeli	:	Acting Municipal Manager
Mr T. Makofane	:	Executive Director: Strategic Support Services
Me HB Maswanganyi	:	Executive Director: Infrastructure
Mr FF Wetes	:	Executive Director: Corporate Services ( <i>leave</i> )
Mr MT Atolo	:	Acting Executive Director: Community Services
Me M. Mothekhe	:	Acting Executive Director: LED, P & HS
Me L. Williams	:	Acting Chief Financial Officer

## **COUNCIL ADMINISTRATION SECRETARIAT**

Me L. Ramakhale	:	Acting Senior Manager: Council Admin
Me PP Seleka	:	Admin Officer (Corporate Services)

### III

<b>(a)</b>	<b>Opening</b> The Speaker welcomed everybody present at the 2 <sup>nd</sup> Special Council meeting of the year 2017 and declared the meeting open.
<b>(b)</b>	<b>Applications for leave of absence</b> See Councillors' attendance list on page I of these minutes.  The Speaker informed members that the EFF Councillors were not allowed to enter the Council Chambers as they were not properly dressed in compliance with the approved dress code.
<b>(c)</b>	<b>Official announcements of the Speaker</b> The Speaker announced that the IDP & Budget processes were still continuing and he appealed to all Councillors to attend the meetings for the benefit of the Municipality, in order to enrich discussions, as the Municipality is required by law to adopt the IDP & Budget.
<b>(d)</b>	<b>Motions of sympathy and congratulations</b> None
<b>(e)</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 personal/financial interest on any matter for consideration by Council, such Councillor has to declare his/her interest in the meeting.
<b>(f)</b>	<b>Matters for discussion</b>  <b>C2/2017 &amp; SA4/2017 – SA7/2017</b>
<b>(g)</b>	<b>Closing</b> The Speaker thanked everyone who attended and closed the meeting at <b>17h35</b> .

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

.....  
**DATE**

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**C2/2017**

## **REPORT ON THE EXPIRY OF THE CONTRACT OF EMPLOYMENT OF THE MUNICIPAL MANAGER (EXECUTIVE MAYOR) (5/3/2/1)**

### **PURPOSE**

The purpose of the item is to inform Council about the date of the expiry of the contract of employment of the Municipal Manager, Adv. MF Lepheana.

### **DISCUSSION**

The acting Executive Mayor, Cllr SD Manese presented the item to Council.

### **COUNCIL RESOLVED: (11 MAY 2017)**

1. That the Municipal Manager's precautionary leave **BE EXTENDED** until the end of May 2017.
2. That the Executive Mayor at an Ordinary Council meeting scheduled for the 30<sup>th</sup> May 2017 **MUST SUBMIT** a full report pertaining to the matter.
3. That a Panel of 5 members comprising of 1 representative from COGTA, 1 representative from SALGA, the Executive Mayor or his appointee, the MMC of Corporate Services and Cllr A Styger **IS APPOINTED** to conduct the short-listing and interviews for the advertised position of the Municipal Manager.

**SA4/2017**

## **EXTENSION OF THE ACTING PERIOD OF THE ACTING MUNICIPAL MANAGER (EXECUTIVE MAYOR) (5/5/2)**

### **PURPOSE**

The purpose of the item is to request Council to consent to the extension of the acting period of the Municipal Manager as provided for in the Municipal Systems Amendment Act.

### **DISCUSSION**

The acting Executive Mayor, Cllr SD Manese presented the item to Council.

**COUNCIL RESOLVED: (11 MAY 2017)**

1. That Council **APPROVES** that an application be submitted to the MEC of CoGTA for the extension of the acting period of Mr ET Tsoaeli in line with the Municipal Systems Amendment Act.
2. That the application for extension should **NOT EXCEED** three (3) months as per the requirement of the law.
3. That the Executive Mayor **BE DELEGATED** to submit the application to the MEC.
4. That the extension of the acting period beyond three months should **NOT BE CONSTRUED** to create a legitimate expectation of appointment by the incumbent.

**SA5/2017**

**REQUEST FOR EXTENSION OF THE ACTING PERIOD OF THE CHIEF FINANCIAL OFFICER (MM) (5/5/2)**

**PURPOSE**

The purpose of the item is to request Council to approve an application to the MEC for COGTA to grant permission for the extension of the acting period of the Chief financial Officer (CFO).

**DISCUSSION**

The acting Executive Mayor, Cllr SD Manese presented the item to Council.

**COUNCIL RESOLVED: (11 MAY 2017)**

1. That Council **APPROVES** the request for an application for the extension of the acting period of Ms. L Williams in terms of section 56(1) (c) of the MSA as amended.
2. That the Executive Mayor **IS DELEGATED** to depose the letter to the MEC of Local Government.
3. That the extension of the acting period beyond three months should **NOT BE CONSTRUED** to create a legitimate expectation of appointment by the incumbent.

*//The Council Whip requested a 10 minute caucus at 16h46 which was granted by the Speaker and the meeting resumed at 17h17//*

SA6/2017

**REQUEST FOR EXTENSION OF THE ACTING PERIOD OF EXECUTIVE DIRECTOR: LED, PLANNING & HUMAN SETTLEMENTS AND APPOINTMENT OF ACTING EXECUTIVE DIRECTOR: COMMUNITY SERVICES (MM) (5/5/2)**

**PURPOSE**

The purpose of the item:

- Is to request Council to approve an application to the MEC for COGTA to grant permission for the extension of the acting period of Executive Director for LED, Planning & Human Settlements;
- To appoint an acting Executive Director for Community Services.

**DISCUSSION**

The acting Executive Mayor, Cllr SD Manese presented the item to Council.

**COUNCIL RESOLVED: (11 MAY 2017)**

1. That Council **APPROVES** the request for an application for the extension of the acting period of Ms M Mothekhe in terms of section 56(1) (c) of the MSA as amended.
2. That the Executive Mayor **IS DELEGATED** to depose the letter to the MEC of Local Government.
3. That a Panel of 5 members comprising of 1 representative from COGTA, 1 representative from SALGA, the Executive Mayor or his appointee, the MMC of Corporate Services and Cllr A Styger **IS APPOINTED** to conduct the short-listing and interviews for the advertised positions of Executive Director: LED, Planning & Human Settlements and Executive Director: Community Services.
4. That the extension of the acting period beyond three months should **NOT BE CONSTRUED** to create a legitimate expectation of appointment by the incumbent.
5. That Council **APPOINTS** Mr J. Molawa to act as the Executive Director: Community Services with effect from 1<sup>st</sup> June 2017.
6. That the acting period should **NOT EXCEED** three (3) months.



SA7/2017

**REPORT ON ALLEGED ILLEGAL SALE OF LAND ERF PORTION 1 AND REMAINING EXTENT OF ERF 10707 (EXTENSION 31) WELKOM (VACANT LAND NEXT TO MAGISTRATE COURT) (LAND ADHOC COMMITTEE CHAIRPERSON) (8/3/2/41)**

**PURPOSE**

To inform Council on the investigation of the alleged illegal alienation of certain erven and to seek a Council resolution to address the matter.

**DISCUSSION**

The acting Executive Mayor, Cllr SD Manese presented the item to Council.

**COUNCIL RESOLVED: (11 MAY 2017)**

1. That the item **BE DEFERRED** to the next Council meeting scheduled for the 30<sup>th</sup> May 2017 to allow the Ad-hoc Committee dealing with alleged illegal sale of Land to prepare it properly.
2. That the item should **BE SUBMITTED** under confidential items.