

MINUTES

OF THE

**6TH ORDINARY MEETING
FOR THE YEAR 2007**

of

MATJHABENG MUNICIPALITY

held on

TUESDAY, 20 NOVEMBER 2007

at

16:00

COUNCILLORS ATTENDANCE: COUNCIL MEETING: 20 NOVEMBER 2007

ANC

PROPORTIONAL			
1.	Leeto NS (Executive Mayor)	14.	Radebe ML (MMC)
2.	Baaitjies M	15.	Ramaisa KA
3.	Dlova TW (MMC)	16.	Senoge MM
4.	Humphries MF	17.	Sephiri MJ (Chief Whip)
5.	Masoleng NI	18.	Speelman NW (MMC)
6.	Matlabe MMT	19.	Qwesha GL
7.	Sentle AN (Written apology)	20.	Thuthani ZA (MMC) (Written apology)
8.	Ntsebeng MH (MMC)	21.	Tladi RE (MMC) (Sick Leave)
9.	ZP Noveld (MMC)	22.	Tihone ML
10.	Molefi MJ	23.	Tsubane ME
11.	Nyembe ME	24.	Twanana M (Written apology)
12.	Petleki KI	25.	Vanga NM
13.	Qabela V	26.	TD Khalipha
WARD			
27.	Dlamini SC (MMC)	43.	Montshioa BA (MMC)
28.	Kotzee AP (MMC)	44.	Motshabi MP
29.	Mahloko NN	45.	Mphikeleli MA (Written apology)
30.	Majwede MC	46.	Nakwa TA
31.	Makgowe PV	47.	Ntsala NS
32.	Mankayi NE	48.	Peterson E
33.	Manzana NR	49.	Radebe LLF
34.	Masienyane MD	50.	Rubulana L (Speaker)
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.	Mokapo TJ	55.	Taliwe FE
40.	Mokhuma MS	56.	Themhani PP
41.	Mokobori KE	57.	Tsatsa SJ
42.	Monjovo NE		

II

DA

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

FF+

PROPORTIONAL	
69.	Coetzee BJA

PAC

PROPORTIONAL	
70.	Majoe TS

ACDP

PROPORTIONAL	
71.	Mofoka MA

IND

WARD	
72.	Liphoko SJ

OFFICIALS

Dr B Malakoane	:	Municipal Manager
Dr L Moorosi	:	Chief Operations Officer
Me KR Maloka	:	Director Social Services and Law Enforcement
Mr LB de Bruyn	:	Acting Chief Financial Officer
Mr W Sephton	:	Manager: Electrical Engineering
Mr SA Moshodi	:	Acting Manager: Legal Services and Labour Relations
Mr T Molete	:	Senior Admin Officer: Legal Services
Me MV Mokhele	:	Acting Manager: Council Administration
Me G Mokgatle	:	Legal Administration Officer: Legal Services
Me DF Ramakhale	:	Administrative Officer (Corporate Services)

III

SECTION A

1. OPENING

Reverend M Lekoana of the Uniting Reformed Church opened 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 OF THE SPEAKER

- 3.1 The Speaker announced to the members that there will be a Millions Men's March on 25th November 2007 at Vista University Bloemfontein at 09:00.

The purpose is to acknowledge the importance of Strategic Partnerships in the eradication of violence against women and children.

- 3.2 Councillor MD Masienyane shared a Pledge against Women and Child abuse with council members on Tuesday, 20 November 2007 in the council meeting. Thereafter, on behalf of Council, Councillor Lennox Rubulana (Speaker) and Councillor Joseph Sephiri (Council Whip) signed the pledge which was adopted by Council.

- 3.3 The Executive Mayor announced the tragedy of two small children (ages 2 and 6) at Ward 20 in Kutlwanong who were burnt to death when their mother's shack was destroyed by fire. The burial will take place on Friday, 23 November 2007 at Kutlwanong Hall.

The Executive Mayor expressed the condolences on behalf of the Council to the bereaved family of Nceya.

Thereafter, a moment of silence was observed.

- 3.4 The Executive Mayor also announced to Council that the Mayor Bursary Fund received a donation of R450 000,00 from Harmony Gold Mining Company, this donation will enable Council to increase the number of students assisted with tertiary education to twenty (20).

4. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER

SYMPATHY

None

IV

CONGRATULATIONS

4.1 The Speaker congratulated the following Councillors on their birthdays:

Cllr NS Leeto	:	29 November 2007
Cllr M Baaitjies	:	15 November 2007
Cllr KE Mokobori	:	14 November 2007
Cllr MS Mokhuma	:	10 November 2007
Cllr ME Semela	:	09 November 2007
Cllr MC Majwede	:	07 November 2007
Cllr R Beneke	:	04 November 2007
Cllr NE Monjovo	:	04 November 2007

5. DISCLOSURE OF INTEREST

None

6. DEPUTATIONS AND INTERVIEWS

None

7. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

See Item **A67/2007**

8. MINUTES OF THE PREVIOUS MEETING

IT WAS RESOLVED: (2007-11-20)

8.1 That the Minutes of the 5th Ordinary Meeting of the Council held on 28 August 2007 **BE APPROVED** and **CONFIRMED**.

8.2 That the Minutes of the 2nd Special Meeting of the Council held on 27 September 2007 **BE APPROVED** and **CONFIRMED** subject to the following corrections:

By deletion of the word **absent** next to the name of **Councillor GL Qweshu** under the **Councillors Attendance List**.

9. FORMAL SIGNING OF MINUTES

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

V

10. MATTERS ARISING FROM THE MINUTES

None

SECTION B

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

A67/2007 – A79/2007

12. REPORTS OF THE EXECUTIVE MAYOR

A80/2007 – A86/2007

13. CLOSING REMARKS

None

14. CLOSURE

The Speaker adjourned the meeting at **19:39**.

.....
L RUBULANA (SPEAKER)

.....
DATE

INDEX

SECTION B REPORTS OF THE SPEAKER IN TERMS OF RULES 15(1) AND 99(4)		
ITEM NO	ITEM	PAGE
A67/2007	QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN IN TERMS OF RULE 52 OF THE STANDARD RULES AND ORDERS (3/1/1) (MUNICIPAL MANAGER)	1
A68/2007	TERMS OF REFERENCE FOR THE OVERSIGHT COMMITTEE (4/1/2/2) (OFFICE OF THE SPEAKER)	1
SECTION C REPORTS OF THE EXECUTIVE MAYOR		
ITEM NO	ITEM	PAGE
FINANCE		
ITEM A69/2007 – A75/2007		
A69/2007	WRITE-OFF OF ACCOUNT BALANCES (ACFO) (6/10/1)	2
A70/2007	MATJHABENG LOCAL MUNICIPALITY: RESTRUCTURING OF DBSA LOANS OF MATJHABENG (ACFO) (6/3/1/2)	2
A71/2007	LEVIES ON FLATS AND/OR HOSTEL DWELLERS (20/14/4/5/2) (ACFO)	2
A72/2007	QUARTERLY BUDGET REPORT – JULY 2007 – SEPTEMBER 2007 IN TERMS OF SECTION 71 OF THE MUNICIPAL FINANCE MANAGEMENT ACT 56 OF 2003 (6/1/1/1) (ACFO)	3
A73/2007	INDUSTRIAL RAILWAY SERVICE AGREEMENTS (19/10/3) (ACFO)	3
A74/2007	TRANSFER OF INDIGENT PROPERTIES (6/4/25) (ACFO)	4

- (ii) -

ITEM NO	ITEM	PAGE
A75/2007	WRITE OFF OF ACCOUNTS – DE BRON INFORMAL SETTLEMENT (6/10/1) (ACFO)	4
GOVERNANCE, ADMINISTRATION AND HUMAN DEVELOPMENT ITEM A76/2007 - A77/2007		
A76/2007	APPLICATION TO DO PRIVATE WORK: MS MMG MOTHEKHE (MANAGER: HOUSING DEVELOPMENT) (P/F) (EDCSS)	5
A77/2007	EMPLOYMENT EQUITY REPORT FOR 2006/2007 (5/3/B) (DCSS)	5
ECONOMIC AND INFRASTRUCTURE DEVELOPMENT ITEM A78/2007 - A79/2007		
A78/2007	REPORT ON MUNICIPAL IMMOVABLE PROPERTIES (LAND) FOR THE MONTHS OF MAY TO SEPTEMBER 2007 (8/1/2/4) (EDI)	6
A79/2007	STATUS REPORT: MATJHABENG BUCKET ERADICATION AND CAPITAL PROJECTS 2007/2008 (PMU) (3/3/27)	6
EXECUTIVE MAYOR A80/2007 – A86/2007		
A80/2007	SWITCHING ON OF CHRISTMAS LIGHTS (EXECUTIVE MAYOR) (19/3/4)	6

- (iii) -

ITEM NO	ITEM	PAGE
A81/2007	ANNUAL PERFORMANCE EVALUATION OF THE MUNICIPAL MANAGER: MATJHABENG LOCAL MUNICIPALITY (5/3/2/1) (EXECUTIVE MAYOR)	7
A82/2007	REPORT BACK ON THE MUNICIPAL MAYORAL LEKGOTLA HELD ON THE 9 TH TO THE 11 TH OCTOBER 2007	7
A83/2007	MOTOR VEHICLE SCHEME FOR MATJHABENG (5/4/2/2) (ACFO)	8
A84/2007	APPOINTMENT OF RESPONSIBLE OFFICERS IN TERMS OF THE GATHERINGS ACT, 205 OF 1993 (2/1) (MM)	8
A85/2007	RESIGNATION OF EXECUTIVE DIRECTOR: INFRASTRUCTURE (2/1) (MM)	8
A86/2007	RESIGNATION OF MESSRS RN PITSO AND NJ MOTSEKI (5/2/2) (MM)	9

1

A67/2007

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN IN TERMS OF RULE 52 OF THE STANDARD RULES AND ORDERS (3/1/1) (MUNICIPAL MANAGER) (P 1: ANNEXURES P 1 – P 198)

PURPOSE

To present to Council Questions raised by Councillor DC Smit in terms of Rule 52 of the Standard Rules and Orders.

COUNCIL RESOLVED: (2007-11-20)

That Councillor DC Smit **BE REQUESTED TO TAKE UP** the matter regarding unclear answers with the Municipal Manager.

A68/2007

TERMS OF REFERENCE FOR THE OVERSIGHT COMMITTEE (4/1/2/2) (OFFICE OF THE SPEAKER) (P 2: ANNEXURES P 99 – P 102)

PURPOSE

To submit to Council the Terms of Reference for the Oversight Committee for approval.

COUNCIL RESOLVED: (2007-11-20)

1. That the Terms of Reference for the current appointed Oversight Committee **BE APPROVES**.
2. That the Oversight Committee **MAKE USE** of the assistance of the Audit Committee, as a major source of independent specialist advice, in the review processes.
3. That Councillor M Baaitjies **BE APPOINTED** as a member of the Oversight Committee in terms of Rule 110(1) (b) of the Standard Rules and Orders.

A69/2007

WRITE-OFF OF ACCOUNT BALANCES (ACFO) (6/10/1) (P 4: ANNEXURES P 103 – P 120)

PURPOSE

To submit to the Council for an approval of the write-off of accounting balances for the purpose of cleaning up of the accounting records of the Matjhabeng Local Municipality.

COUNCIL RESOLVED: (2007-11-20)

That the account balances **BE WRITTEN-OFF** as a correction of error in terms of the GRAP 3 (Generally Recognized Accounting Practice) standards.

A70/2007

MATJHABENG LOCAL MUNICIPALITY: RESTRUCTURING OF DBSA LOANS OF MATJHABENG (ACFO) (6/3/1/2) (P 6: ANNEXURES P 121 – P 124)

PURPOSE

The purpose of the report is to request Council to approve the restructuring of DBSA loans of Matjhabeng.

COUNCIL RESOLVED: (2007-11-20)

That option 2 for the restructuring of the DBSA loans of Matjhabeng, as mentioned below **BE APPROVED.**

<i>6 monthly @ various rates</i>	<i>6 monthly @ 12.50% over 5 years</i>	
<i>3,012,601-18</i>	<i>2,780,716-33</i>	<i>231,884-85</i>

A71/2007

LEVIES ON FLATS AND/OR RENTAL UNITS (20/14/4/5/2) (ACFO) (P 7: ANNEXURES P 125 – P 126)

PURPOSE

To request Council to consider consistent market related levies for Hostel dwellers as well as the level of services rendered to hostel dwellers.

COUNCIL RESOLVED: (2007-11-20)

1. That the item **BE REFERRED BACK** for the establishment of Ad-hoc Committee to ascertain the validity of details of the occupants.
2. That the report **BE SUBMITTED** at the next Council Meeting.

A72/2007

QUARTERLY BUDGET REPORT – JULY 2007 – SEPTEMBER 2007 IN TERMS OF SECTION 71 OF THE MUNICIPAL FINANCE MANAGEMENT ACT 56 OF 2003 (6/1/1) (ACFO) (P 10: ANNEXURES P 127 – P 137)

PURPOSE

To submit the Budget report for July – September 2007 in terms of Section 71 of the Municipal Finance Management Act 56 of 2003.

COUNCIL RESOLVED: (2007-11-20)

That the Budget Report for July – September 2007, in terms of Section 71 of the Municipal Finance Management Act 56 of 2003, **BE NOTED.**

A73/2007

INDUSTRIAL RAILWAY SERVICE AGREEMENTS (19/10/3) (ACFO) (P 11: ANNEXURES P 138 – P 152)

PURPOSE

To request approval from Council to cease raising levies and cost recovery with regard to Siding Agreements and to consider writing-off amounts owed in respect of Industrial Railway Siding Agreements.

COUNCIL RESOLVED: (2007-11-20)

1. That the write off of all amounts outstanding with regard to railway siding agreement **BE APPROVED.**
2. That Finance Department **CEASES** any future levies of railway siding agreements.
3. That Corporate Support Service Department **REMOVE** all the industrial railway siding agreements for the sale or transfer of industrial properties in its custody.

4

4. That Corporate Support Service Department **REVIEWS** Siding Agreement dated 27 June 1950 and **REFERS** the matter to Legal Services.

A74/2007

TRANSFER OF INDIGENT PROPERTIES (6/4/25) (ACFO) (P 14)

PURPOSE

To request the Council to consider the mechanisms to facilitate the transfer of immovable properties to an indigent heir.

COUNCIL RESOLVED: (2007-11-20)

1. That Matjhabeng Municipality **INVITES** proposals from Conveyancers for transfer of properties of Indigents.
2. That the Municipal Manager **BE MANDATED TO NEGOTIATE** a nominal legal fee for transfers.

A75/2007

WRITE OFF OF ACCOUNTS – DE BRON INFORMAL SETTLEMENT (6/10/1) (ACFO) (P 16)

PURPOSE

To request Council to consider writing-off of the outstanding debt of De Bron Informal Settlement.

COUNCIL RESOLVED: (2007-11-20)

1. That the De Bron debt to the amount of R20,464,431.18 **BE WRITTEN-OFF**.
2. That a report from Infrastructure Department on the status of De Bron **BE SUBMITTED** to the Council.
3. That Finance Department **CEASES** any future levies to the informal settlement residents.

A76/2007

APPLICATION TO DO PRIVATE WORK: MS MMG MOTHEKHE (MANAGER: HOUSING DEVELOPMENT) (P/F) (EDCSS) (P 18: ANNEXURES P 153)

COUNCIL RESOLVED: (2007-11-20)

PURPOSE OF REPORT

To submit an application to do private work from Ms MMG Mothekhe, Manager: Housing Development for approval.

COUNCIL RESOLVED: (2007-11-20)

1. That Ms Mothekhe's application to do private work (part time lecturing in Industrial Psychology) after her normal working hours **BE APPROVED**.
2. That the private work **MUST NOT INTERFERE** with her official duties as an employee of Matjhabeng Municipality.
3. That the time and resources of the Municipality **MUST NOT BE UTILISED**.

A77/2007

EMPLOYMENT EQUITY REPORT FOR 2006/2007 (5/3/B) (DCSS) (P 20: ANNEXURES P 154 – 189)

PURPOSE

To inform Council on the Employment Equity Report in terms of the requirements of the Employment Equity Act, 1998 (Act No 55 of 1998).

COUNCIL RESOLVED: (2007-11-20)

That the item **BE WITHDRAWN AND SUBMITTED** at the next Council Meeting.

6

A78/2007

REPORT ON MUNICIPAL IMMOVABLE PROPERTIES (LAND) FOR THE MONTHS OF MAY TO SEPTEMBER 2007 (8/1/2/4) (EDI) (P 21: ANNEXURES P 190 – P 193)

PURPOSE

To submit to the Council a report on the Alienation of Municipal Immovable properties for the months of May to September, 2007.

COUNCIL RESOLVED: (2007-11-20)

That the item **BE WITHDRAWN** due to the fact that it was not processed.

A79/2007

STATUS REPORT: MATJHABENG BUCKET ERADICATION AND CAPITAL PROJECTS 2007/2008 (PMU) (3/3/27) (P 23: ANNEXURES P 194 – 196)

PURPOSE

To report to the Council on the status of Bucket Eradication and Capital projects in Matjhabeng Municipal area.

COUNCIL RESOLVED: (2007-11-20)

That the item **BE WITHDRAWN** due to the fact that it was not processed.

A80/2007

SWITCHING ON OF CHRISTMAS LIGHTS (EXECUTIVE MAYOR) (19/3/4) (P 24)

PURPOSE

To request endorsement of the involvement and expenditure by the Office of the Executive Mayor in the event of the official switching on of the Christmas lights.

COUNCIL RESOLVED: (2007-11-20)

That the involvement and accompanying expenditure by the Office of the Executive Mayor in the event of the official switching on of the Christmas lights that will take place on the 7th December 2007 on the North Park **BE ENDORSED**.

A81/2007

**ANNUAL PERFORMANCE EVALUATION OF THE MUNICIPAL MANAGER:
MATJHABENG LOCAL MUNICIPALITY (5/3/2/1) (EXECUTIVE MAYOR) (P 25)
(SEPARATE COVER)**

Before the above item was discussed, the Municipal Manager and Members of the Public were excused.

Proposal by the Executive Mayor:

1. That the Annual Performance Evaluation of the Municipal Manager be approved.
2. That the Municipal Manager be remunerated a performance bonus of 9% of R732 900 which amounts to R65 961, 00.

The motion was put on vote as follows:

47 Votes supported the motion by the Executive Mayor.

9 voted against the motion by the Executive Mayor.

1 Abstained from voting.

COUNCIL RESOLVED: (2007-11-20)

1. That the Annual Performance Evaluation of the Municipal Manager **BE APPROVED**.
2. That the Municipal Manager **BE REMUNERATED** a performance bonus of 9% of R732 900 which amounts to R65 961, 00.

A82/2007

**REPORT BACK ON THE MUNICIPAL MAYORAL LEKGOTLA HELD ON THE
9TH TO THE 11TH OCTOBER 2007 (1ST ADDENDUM P 27: FURTHER
ANNEXURES – SEPARATE COVER)**

PURPOSE

To report back on the Strategic Mayoral Lekgotla that was held on the 9th to the 11th October 2007 thereto.

COUNCIL RESOLVED: (2007-11-20)

That the item **BE WITHDRAWN** due to the fact that it was not processed.

8

A83/2007

MOTOR VEHICLE SCHEME FOR MATJHABENG (5/4/2/2) (ACFO) (1ST ADDENDUM P 28 FURTHER ANNEXURES P 97 – P 207)

PURPOSE

To request approval and implementation of the Motor Vehicle Scheme for Matjhabeng Local Municipality as a replacement scheme policy to all previous schemes used by different Transitional Local Councils before the amalgamation in the year 2000.

COUNCIL RESOLVED: (2007-11-20)

That the item **BE WITHDRAWN** due to the fact that it was not processed.

A84/2007

APPOINTMENT OF RESPONSIBLE OFFICERS IN TERMS OF THE GATHERINGS ACT, 205 OF 1993 (2/1) (MM) (2ND ADDENDUM P 30: FURTHER ANNEXURES P 208 – P 217)

PURPOSE

To submit to Council the names of people designated as Responsible Officer and Deputy Responsible Officer in terms of the Regulation of Gatherings Act, No 205 of 1993 for consideration.

COUNCIL RESOLVED: (2007-11-20)

That the item **BE WITHDRAWN** due to the fact that it was not processed.

A85/2007

RESIGNATION OF EXECUTIVE DIRECTOR: INFRASTRUCTURE (2/1) (MM) (2ND ADDENDUM P 32: FURTHER ANNEXURES P 218)

PURPOSE

To submit a resignation of Executive Director: Infrastructure to Council for approval.

COUNCIL RESOLVED: (2007-11-20)

That the resignations of Executive Director: Infrastructure **BE ACCEPTED**.

A86/2007

RESIGNATION OF MESSRS RN PITSO AND NJ MOTSEKI (5/2/2) (MM)
(2ND ADDENDUM P 34: ANNEXURES 219 - 220)

PURPOSE

The purpose of the item is to present to the Council the resignation of Messrs RN Pitso and NJ Motseki.

COUNCIL RESOLVED: (2007-11-20)

That the resignations of Messrs RN Pitso and NJ Motseki **BE ACCEPTED**.