

# **MINUTES**

**OF THE**

**3<sup>RD</sup> ORDINARY MEETING  
FOR THE YEAR 2006**

**of**

**MATJHABENG MUNICIPALITY**

**held on**

**THURSDAY, 22 JUNE 2006**

**at**

**16:00**

**COUNCILLORS PRESENT: COUNCIL MEETING: 22 JUNE 2006**

**ANC**

<b>PROPORTIONAL</b>			
1.	Mokapo NS ( <b>Executive Mayor</b> ) <b>(Apology)</b>	14.	Radebe ML ( <b>MMC</b> )
2.	Baaitjies M	15.	Ramaisa KA
3.	Dlova TW ( <b>MMC</b> )	16.	Senoge MM
4.	Humphries MF	17.	Sephiri MJ ( <b>Chief Whip</b> )
5.	Masoka NL ( <b>MMC</b> )	18.	Speelman NW ( <b>MMC</b> )
6.	Matlabe MMT ( <b>Written Apology</b> )	19.	Thoabala TE
7.	Matosa AN ( <b>Written Apology</b> )	20.	Thuthani ZA ( <b>MMC</b> )
8.	Ntsebeng MH ( <b>MMC</b> )	21.	Tladi RE ( <b>MMC</b> )
9.	Mogopodi MRE ( <b>MMC</b> ) ( <b>Written Apology</b> )	22.	Tlhone ML ( <b>Written Apology</b> )
10.	Molefi MJ	23.	Tsubane ME
11.	Nyembe ME	24.	Twanana M
12.	Petleki KI	25.	Vanga NM
13.	Qabela V	26.	TD Khalipha
<b>WARD</b>			
27.	Dlamini SC ( <b>MMC</b> )	43.	Montshioa BA
28.	Kotzee AP ( <b>MMC</b> ) ( <b>Absent</b> )	44.	Motshabi MP
29.	Mahloko NN	45.	Mphikeleli MA
30.	Majwede MC	46.	Nakwa TA
31.	Makgowe PV	47.	Ntsala NS
32.	Mankayi NE	48.	Peterson E ( <b>Written Apology</b> )
33.	Manzana NR	49.	Radebe LLF ( <b>Written Apology</b> )
34.	Masienyane MD	50.	Rubulana L ( <b>Speaker</b> )
35.	Mathebula MA	51.	Sebeela SD
36.	Mfebe MSE	52.	Sejane LM
37.	Mkhusane NC	53.	Semela ME
38.	Moahlodi 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	62.	Mokotedi TG
59.	Fourie JJC	63.	Neumann VH
60.	Marais JS	64.	Styger A ( <b>Written Apology</b> )
61.	Mhlafu BD		
WARD			
65.	Beneke R ( <b>Written Apology</b> )	67.	Smit DC ( <b>Written Apology</b> )
66.	Botha PF	68.	Van Rooyen HC ( <b>Written Apology</b> )

### FF+

PROPORTIONAL	
69.	Coetzee BJA

### PAC

PROPORTIONAL	
70.	Majoe TS ( <b>Written Apology</b> )

### ACDP

PROPORTIONAL	
71.	Mofoka MA

### IND

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

### OFFICIALS

Dr B Malakoane : Municipal Manager  
Mr TR Shiringani : Acting Executive Manager: Corporate Services  
Mr SD Mana : Caretaker (Corporate Services)  
Mr JKF Jankowitz : Senior Administrative Officer (Corporate Services)

### III

#### **11 OPENING**

Pastor LM Tshabalala opened the meeting with Scripture reading and prayer.

#### **12 APPLICATIONS FOR LEAVE OF ABSENCE**

See Attendance List above.

#### **13 OFFICIAL ANNOUNCEMENTS OF THE SPEAKER**

None

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

None

#### **5. APPLICATIONS AND APPEALS FROM COUNCILLORS IN TERMS OF RULES 14(1), 67 AND 72**

None

#### **6. REPORTS RECEIVED FROM THE SPEAKER**

None

#### **7. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER**

##### **7.1 SYMPATHY**

None

##### **7.2 CONGRATULATIONS**

None

#### **8. MOTIONS OF SYMPATHY AND CONGRATULATIONS FROM OTHER MEMBERS**

8.1 Cllr NL Masoka congratulated Cllr RE Tladi on being the Acting Executive Mayor.

Cllr NL Masoka informed the meeting about the passing away of the Mayor and Chief Whip of Nala Municipality. A moment of silence was observed.

The Speaker informed the meeting that the Executive Mayor was admitted to hospital and they wished her a speedy recovery.

## IV

### 9. DEPUTATIONS AND INTERVIEWS

None

### 10. DISCLOSURE OF INTEREST

None

### 11. MINUTES OF THE PREVIOUS MEETINGS

#### **COUNCIL RESOLVED (22 JUNE 2006)**

11.1 That the minutes of the 2<sup>nd</sup> Ordinary Meeting of the Council held on 25 April 2006 **BE APPROVED** and **CONFIRMED** as a true reflection of what transpired at the meeting.

That the minutes of the Special Meeting of the Council held on 12 May 2006 **BE APPROVED** and **CONFIRMED** as a true reflection of what transpired at the meeting.

That the minutes of the Special Meeting of Council held on 31 May 2006 **BE APPROVED** and **CONFIRMED** as a true reflection of what transpired at the meeting.

That Cllr TD Khalipha's name **BE PUT** under Proportional Councillors for all three above-mentioned meetings.

### 12. FORMAL SIGNING OF MINUTES

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

### 13. MATTERS ARISING FROM THE MINUTES

None

### 14. QUESTIONS OF WHICH NOTICE WAS GIVEN

None

### 15. REPORTS OF THE EXECUTIVE MAYOR AND COMMITTEES

**A30/2006 – A50/2006**

# V

**16. REPORTS OF DECISIONS TAKEN UNDER DELEGATED POWERS**

None

**17. MOTIONS**

**A37/2006**

**18. CLOSURE**

The Speaker terminated the meeting at **17:40**.

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

.....  
**DATE**

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# 1

**A30/2006**

## **PURIFIED EFFLUENT WATER SUPPLY TO SPARTA FOODS (19/8/3/1) (CEMES)**

### **PURPOSE OF THE REPORT**

To report back on negotiations with SPARTA FOODS regarding their requests for a pricing structure for purified sewerage effluent, and to make recommendations in this regard.

### **COUNCIL RESOLVED (22 JUNE 2006)**

- [CEMES]  
[CFO]  
[Neg.Team]  
[CEMES]
1. That a Purified Sewerage Effluent Water tariff of R1.80/kl be offered to Sparta.
  2. That a fresh water tariff of R6.00/kl to Sparta, as an interim incentive, until Council's Purified Sewerage Effluent pipeline in Power Road was put into operation, or for the next 12 months, whichever is the lesser period **BE REFERRED TO** the appointed Negotiation Team for further investigation and a report **BE SUBMITTED** at the next Council meeting.
- [Neg.Team]  
[CEMES]
3. That a proposal on the amendment of water tariffs to allow industrial and all other consumers to pay a reduced fresh water tariff **BE REFERRED TO** the appointed Negotiation Team for further investigation and a report **BE SUBMITTED** at the next Council meeting.

**A31/2006**

## **APPLICATION FOR THE CONVERSION OF THE TEMPORARY CASINO ON SUBDIVISION 2 OF ERF 8, CENTRAL BUSINESS AREA, WELKOM INTO A PERMANENT CASINO (18/4/1/8) (EMEDSP)**

### **PURPOSE OF REPORT**

To submit an application from Messrs. Laubscher Slabbert and Brink on behalf of the casino owners to convert the temporary casino on Subdivision 2 of Erf 8, Central Business Area, Welkom into a permanent casino.

### **COUNCIL RESOLVED (22 JUNE 2006)**

- [EMEDSP]
1. That Council's intention to give permission to convert the temporary consent to a permanent consent for a casino on Subdivision 2 of Erf 8, Central Business Area, Welkom, **BE PUBLISHED** for public comment.
  2. That the item **BE RESUBMITTED** at the next Council meeting.
- [MM]
3. That the Municipal Manager **INVESTIGATES** the present zoning of the stand seeing that the zoning provided for a casino to operate from the erf.

**A32/2006**

**REPORT BACK ON THE SALARY PACKAGE OF THE MUNICIPAL MANAGER (EXECUTIVE MAYOR) (5/3/2/1)**

**PURPOSE**

To report back to Council on the outcome pertaining the negotiations around the remuneration package of Municipal Manager.

**COUNCIL RESOLVED (22 JUNE 2006)**

That the remuneration package of R650 000 at total cost to the employer as the salary package of the Municipal Manager, as negotiated by the Executive Mayor, **BE ACCEPTED.**

**A33/2006**

**REPORT BACK ON THE MUNICIPAL MAYORAL LEKGOTLA HELD ON THE 7<sup>TH</sup> TO THE 9<sup>TH</sup> MAY 2006 (3/1/4/8) (EXECUTIVE MAYOR)**

**PURPOSE**

To report back on Strategic Mayoral Lekgotla that was held on the 7<sup>th</sup> to the 9<sup>th</sup> May 2006.

That the report on the Mayoral Lekgotla including the draft Business Plan be adopted by Council.

**COUNCIL RESOLVED (22 JUNE 2006)**

[Exec.Mayor] That the report on the Mayoral Lekgotla, including the draft Business Plan, **BE ADOPTED**  
[MM] by Council as a working document.

**A34/2006**

**AMENDMENT OF INDIGENT POLICY (5/2/2) (MM)**

To submit to Council proposal for the amendment of the Indigent Policy to exempt indigents from being charged rates and taxes, sewer and refuse on their accounts.

**COUNCIL RESOLVED (22 JUNE 2006)**

[ACFO]  
[MM]

That the appointed Task Team consisting of the following Councillors, AP Kotzee, N Masoka, P Botha (DA), NW Speelman (Convener) and the Municipal Manager **EMBARK** on reviewing the Matjhabeng Indigent Policy and **TO COMPARE** the latter with Tshwane Metro, Mangaung Local Municipality and other Municipalities' Indigent Policies.

**A35/2006**

**ESTABLISHMENT OF A MULTI-PURPOSE SPORTS STADIUM AS A PRACTICE HOME FOR THE SOCCER WORLD CUP 2010 AND BEYOND (MLS) (20/15/1)**

**PURPOSE OF THE REPORT:**

The objective of the report is to inform the Council of the progress made with regard to consultations made as well as the clarity pertaining to Matjhabeng Multi-Purpose Sports Stadium as requested by Council's resolution **SA2/2006** taken on 24 January 2006.

**COUNCIL RESOLVED (22 JUNE 2006)**

[Exec Mayor]  
[MM]

That the item **BE REFERRED** to the Office of the Executive Mayor and Municipal Manager for further interaction with relevant stakeholders and finalization of the matter.

**A36/2006**

**SOUTH AFRICAN LOCAL AUTHORITIES PENSION FUND: ELECTION OF NEW EMPLOYEE AND EMPLOYER REPRESENTATIVES (4/1/2/2) (EMHR)**

**PURPOSE**

To request Matjhabeng Municipality to elect a Councillor representative to serve on the South African Local Authorities Pension Fund and to seek approval for a general meeting for SALA members to elect an employee representative.

**COUNCIL RESOLVED (22 JUNE 2006)**

[EMHR]

That Cllrs AN Matosa and MMT Matlabe **BE NOMINATED** as Council's representatives to the South African Local Authorities Pension Fund (SALA).

**A37/2006**

**MOTION PUT BY CLLR PF BOTHA – POOR STATE OF COUNCIL VEHICLES AND LACK OF AVAILABILITY (3/1/3/4) (MM)**

**PURPOSE**

To submit to Council a motion from DA Councillor PF Botha and responses thereof from the Municipal Manager.

**COUNCIL RESOLVED (22 JUNE 2006)**

- [MM]
1. That the Municipal Manager **SHOULD URGENTLY REVIEW** the system to make money available for the reparation of vehicles.
  2. That Council **CONSIDERS** leasing options for heavy and/or specialized vehicles.
  3. That the subsidized vehicle scheme for smaller vehicles **BE REVIEWED AND EXTENDED** to all officials who require official transport.

**A38/2006**

**REPORT ON THE IMPLEMENTATION OF COUNCIL RESOLUTION SA10/2006 (MM) (6/9/2)**

**PURPOSE**

To report on the implementation of Council resolution SA10/2006 regarding the termination of the services of Mayihlome Electrical (Pty) Ltd.

**COUNCIL RESOLVED (22 JUNE 2006)**

- [MM]
- That Council **MANDATES** the Municipal Manager to file a Notice to Oppose by not later than 23 June 2006 and within 15 (fifteen) days file a Replying Affidavit as defence in the matter as failure to do so would result in an Order being granted against the Municipality.

A39/2006

**REMUNERATION FOR TRAVELLING ALLOWANCE OF METER MONITORS (5/4/2/2) (EMHR)**

**PURPOSE OF REPORT**

To request the Council to review the traveling allowance in terms of Committee of 11 Resolution dated 22 August 2000.

**COUNCIL RESOLVED (22 JUNE 2006)**

[EMHR] That the item **BE WITHDRAWN** from the agenda and the matter **BE DEALT WITH** administratively.

A40/2006

**LEJWELEPUTSWA DISTRICT MUNICIPALITY: LOCAL ECONOMIC REGENERATION STUDY STRATEGY AND ESTABLISHMENT OF A DEVELOPMENT AGENCY (15/2/1/28) (EMED&SP)**

**PURPOSE**

To submit to Council for information two documents from the Lejweleputswa District Council:

Local Economic Development Regeneration Study Strategy

Concept document: Establishment of a Development Agency

**COUNCIL RESOLVED (22 JUNE 2006)**

1. That Council **TAKES NOTE** of the contents of the said two documents and supports it in principle.
2. That discussions and negotiations **BE ENTERED INTO** between Lejweleputswa District Council and Matjhabeng Local Council on the matter of what role will be played by Matjhabeng Local Municipality on the five (5) Sector projects implementation.

[MM]  
[EMEDSP]

# 6

**A41/2006**

## **STRATEGIC FRAMEWORK FOR THE DISPOSAL OF PURIFIED EFFLUENT IN THE GREATER WELKOM AREA (CEMES) (2/1)**

### **PURPOSE OF THE REPORT**

To request Council to approve the strategic and design report for the purified sewer (effluent) network upgrading and emergency release pipeline and to implement the project.

### **COUNCIL RESOLVED (22 JUNE 2006)**

- [CEMES] 1. That the Purified sewer network upgrading and emergency release pipeline strategic design report from V & V consulting Engineers **BE ADOPTED**.
2. That the project **BE IMPLEMENTED** in the 7 phases described in the report.
3. That negotiations with Harmony **BE ENTERED INTO TO ACQUIRE** the existing pump station, pipeline to the Mostert canal and the redundant pipeline to the Alma reservoir.
- [MLS] 4. That the Legal Department **STARTS** the process of transferring the assets to the Matjhabeng Municipality once the negotiations were completed.
- [ACFO] 5. That the existing MIG funds and counter funding **BE USED TO UPGRADE** the effluent pump station (phase 1), to construct the bulk line to the Alma reservoir (phase 2) and that the balance of the funds be used for a distribution network to Thabong via Constantia road (phase 3).
- [CEMES] 6. That MIG funding application **BE SUBMITTED** for phases 4 to 7 of the project.
- [MM] 7. That the Municipal Manager, Councillors AP Kotzee and NW Speelman **SHOULD ESTABLISH** the financial implications on the matter, so that the Municipality does not take over a project that it would not be able to fund and **REPORT BACK** to Council.

**A42/2006**

## **PROVISION OF OFFICE ACCOMMODATION (9/1/1/3) (AEMCS)**

### **PURPOSE**

To propose the allocation of office space in order to accommodate office space needed by the office of the Executive Mayor, Speaker, Municipal Manager and Corporate Services.

**COUNCIL RESOLVED (22 JUNE 2006)**

[MM]  
[MMC:CS] That the Municipal Manager and MMC: Corporate Services **LOOK** into the possibilities of moving other departments within the main building to other units in order to create office space on the Third Floor.

A43/2006

**MATJHABENG LOCAL MUNICIPALITY : PROPOSED ORGANISATIONAL STRUCTURES OF THE OFFICES OF THE EXECUTIVE MAYOR AND THE SPEAKER (2/1) (MM)****PURPOSE**

To submit the proposed the organisational structures of the Offices of Executive Mayor and the Speaker to Council for approval.

**COUNCIL RESOLVED (22 JUNE 2006)**

[MOES] That the item **BE REFERRED BACK** to allow the Manager: Organisational Efficiency Studies to submit a full report at the next Council meeting on the proposed post levels, salaries and job descriptions on the positions in the proposed organisational structure in the offices of the Executive Mayor and Speaker.

A44/2006

**IMPLEMENTATION OF COUNCIL RESOLUTION ON THE BUYING OF SAAMBOU BUILDING (MUNICIPAL MANAGER) (9/1/1/2)****PURPOSE**

On 29 November 2005 Council resolved as follows:-

That Council recovers the money from the responsible official in terms of Section 32(1) (b) of the Municipal Finance Management Act.

That the Acting Municipal Manager instructs the responsible official, i.e. Mr RN Pitso to make arrangements for the repayment of the money in full by 15 February 2006.

That the acting Municipal Manager informs the MEC for Local Government (Free State) and the office of the Auditor General regarding the decision.

**COUNCIL RESOLVED (22 JUNE 2006)**

1. That the contents of the item **BE NOTED**.
2. That it **BE NOTED** that an additional charge was added to the charge sheet against Mr RN Pitso.

**A45/2006**

**GRANTING OF CESSIONS TO CONTRACTORS (11/2) (CEMES)**

**PURPOSE OF REPORT**

To revise Council's existing resolution on cessions in order to improve assistance to emerging contractor.

**COUNCIL RESOLVED (22 JUNE 2006)**

- [CEMES]
1. That Resolution MC243/2003 taken on 22 October 2003 **BE RESCINDED**.
  2. That the Special Conditions of Tender in future **MAKES** allowance for the following cession rights to Council's contractors.
    - 2.1 That cessions be allowed on any goods and services needed by the contractor for execution of the project.
    - 2.2 That cessions be allowed for the full duration of the contract.
- [ACFO]  
[MIA]
3. That Finance and Internal Audit **SET UP** a system for controlling and monitoring cessions and their payments in order to protect Council's interests and **ENSURE** proper administration of cessions.
- [MLS]
4. That legal Services **BE INSTRUCTED TO STIPULATE** clauses to be included in cession agreements in order to protect Council's interests, including *inter alia*:

Disputes between the contractor and cession holder over claims and verification of the cession holder's claims by the contractor;  
Priority of payments in the event of multiple cession holders.



**A46/2006**

**PROGRESS REPORT ON DISCIPLINARY MEASURES AGAINST OFFICIALS  
IMPLICATED IN THE PRICE WATERHOUSE COOPERS/KPMG REPORT (5/2/2)  
(EXECUTIVE MAYOR)**

**PURPOSE**

To submit a progress report to Council on the disciplinary measures taken against officials implicated in the PriceWaterHouseCoopers and KPMG reports.

**COUNCIL RESOLVED (22 JUNE 2006)**

That the contents of the item **BE NOTED**.

**A47/2006**

**MATJHABENG LOCAL MUNICIPALITY: TRAVELLING AND SUBSISTENCE  
POLICY (5/4B) (ACFO)**

**PURPOSE**

To submit to Council a policy on Traveling and Subsistence for consideration.

**COUNCIL RESOLVED (22 JUNE 2006)**

[ACFO]

1. That Council **TAKES NOTE** of the policy as submitted.
2. That Council **APPROVES** the Traveling and Subsistence policy as a working document to be adopted in the next Council meeting.
3. That the Traveling and Subsistence policy **BE REVIEWED** annually and **BENCHMARKED** on the rates of National and Provincial Government.
4. That Councillors **MUST SUBMIT** proposed changes to the Municipal Manager with regard to the working document.

**A48/2006**

**PRESENTATION OF MAYORAL HANDBOOK (EXECUTIVE MAYOR) (7/2/7)**

**PURPOSE**

To present to Council the Mayoral Handbook for adoption.

**COUNCIL RESOLVED (22 JUNE 2006)**

[Exec.Mayor] That the Mayoral Handbook **BE ADOPTED** by Council as a working document and **BE RESUBMITTED** at the next Council meeting for adoption.

**A49/2006**

**DRAFT EMPLOYMENT CONTRACT, PERFORMANCE CONTRACT AND PERFORMANCE PLAN OF THE MUNICIPAL MANAGER (EXECUTIVE MAYOR) (5/3/2/1)**

**PURPOSE**

To report back to Council on the draft employment contract, performance contract and performance plan of the Municipal Manager.

**COUNCIL RESOLVED (22 JUNE 2006)**

- [Exec.Mayor]
1. That the draft employment contract of the Municipal Manager **BE ACCEPTED**.
  2. That the performance contract of the Municipal Manager **BE ACCEPTED**.
  3. That the performance plan of the Municipal Manager **BE ACCEPTED**.

**A50/2006**

**TENDER NO 1-2006: ELECTRIFICATION OF 300 STANDS IN THABONG X15 & BRONVILLE X9: MATJHABENG (CEMES) (11/2 – 1/2006)**

**PURPOSE**

To submit for approval counter funding required on the project and the cost implication for the provision and installation of a three phase 60 Amp 380 Volt Connection at the Clinic situated in Thabong X15 as an extension to this project.

**COUNCIL RESOLVED (22 JUNE 2006)**

[Exec.Mayor] That the Executive Mayor **BE DELEGATED** to finalise the matter and **REPORT BACK** to the next Council meeting for final approval.