

# **MINUTES**

OF THE

**6<sup>TH</sup> ORDINARY MEETING  
FOR THE YEAR 2003**

of

**MATJHABENG MUNICIPALITY**

held on

**TUESDAY, 25 NOVEMBER 2003**

at

**10:00**

**COUNCILLORS PRESENT : COUNCIL MEETING : 25 NOVEMBER 2003**

**ANC**

<b>PROPORTIONAL</b>			
1.	Leeuw SJ ( <b>Executive Mayor</b> )	14.	Dlova TW
2.	Matsepe TV ( <b>Speaker</b> )	15.	Ikaneng MI
3.	Khalipha TD ( <b>MMC</b> )	16.	Mafantire MJ
4.	Menong KS ( <b>MMC</b> )	17.	Mafongosi VZ
5.	Ramaisa KA ( <b>MMC</b> )	18.	Mashinini NL ( <b>Written apology</b> )
6.	Tladi RE ( <b>MMC</b> )	19.	Alexander RR
7.	Thuthani ZA ( <b>MMC</b> ) ( <b>Written apology</b> )	20.	Radebe ML
8.	Matosa AN ( <b>Absent</b> )	21.	Sephiri MJ
9.	Matlabe MMT ( <b>Written apology</b> )	22.	Tlhone ML
10.	Mbana MA	23.	Vanga M
11.	Mokhathi PE	24.	Kotzee D
12.	Bengu VV	25.	<b>Deceased</b>
13.	Dali VN	26.	Kujoana MA
<b>WARD</b>			
27.	Matsbukanye MM	42.	Mfebe MSE ( <b>From 10:50</b> )
28.	Tshabangu SE ( <b>MMC</b> )	43.	Mhlaba N
29.	Mohlodi PP ( <b>From 10:50</b> )	44.	Mokolutlo LA
30.	Mogole RR	45.	Montshioa BA ( <b>MMC</b> )
31.	Liphoko SJ	46.	Mosala MS
32.	Mokoena ME	47.	Nakwa TA
33.	Masienyane MD	48.	Ngangelizwe S
34.	Baaitjies M	49.	Radebe LLF
35.	Dassie YS	50.	Ramojela JN
36.	Dlamini SC	51.	Rubulana L
37.	James TH ( <b>Absent</b> )	52.	Seboholi CP
38.	Tsubane EM ( <b>Absent</b> )	53.	Taliwe FE
39.	Mabuya FF	54.	Thoabala TE ( <b>MMC</b> )
40.	Manzana NR	55.	Tsoene TD
41.	Masoka NL	56.	Tsatsa SJ

**DA**

<b>PROPORTIONAL</b>			
57.	Fourie JJC ( <b>Written apology</b> )	61.	Maqena AM ( <b>From 11:20</b> )
58.	Marais (Dr) JS	62.	Ntsala MM
59.	Auret IH ( <b>Absent</b> )	63.	Olivier JJ
60.	Neumann VH	64.	Styger A
<b>WARD</b>			
65.	Bothma B	68.	Edeling JH
66.	Louw ML ( <b>Apology</b> )	69.	Van Rooyen HC ( <b>Written apology</b> )
67.	Smit DC	70.	Du Toit JJB ( <b>Written apology</b> )

## II

### UDM

PROPORTIONAL	
71.	Motshabi MP ( <b>Absent</b> )

### PAC

PROPORTIONAL	
72.	Majoe TS

### OFFICIALS

Mr RSB Sesele	-	Municipal Manager
Mr V Adonis	-	Corporate Executive Manager : Community Services and Social Development
Mr BP Molatseli	-	Executive Manager: Corporate Services
Mr SB Mhlambi	-	Executive Manager: Legal Services
Mr N Pitso	-	Corporate Executive Manager: Financial Management
Mr NJ Motseki	-	Executive Manager: Public Safety and Transport
Mr SP Makhasi	-	Executive Manager: Human Resources
Mr TR Shiringani	-	Manager: Council Administration
Mr I Lekaowa	-	Official
Mr T Jobo	-	Official
Me AC Schoeman	-	Administrative Officer (Corporate Services)

### OPENING

Rev B Moeti opened the meeting with a prayer.

### APPLICATIONS FOR LEAVE OF ABSENCE

#### **COUNCIL RESOLVED (25 NOVEMBER 2003)**

That leave of absence be granted to the Councillors as indicated on the Attendance list on pages I and II of these minutes.

### OFFICIAL ANNOUNCEMENTS OF THE SPEAKER

The Speaker announced that Matjhabeng Municipality received a VUNA Award for Performance Excellence in 2003. Matjhabeng Municipality was one of the ten municipalities that had been shortlisted.

### III

The Speaker announced that Matjhabeng Municipality was the runner-up for Housing Planning and Provisioning for 2002/2003 and received a certificate.

The Speaker announced that Matjhabeng Municipality received a certificate from the Department of Tourism and Environmental Affairs for taking part in the Cleanest Town Competition and the Matjhabeng Municipality received R50 000 for their efforts.

The Speaker announced that an award was given to Clr Dlamini for the Best Achieving Ward in the Lejweleputswa District Municipality. Ward 21 received R40 000 for their achievement. Clr Dlamini was also given a certificate for the Ward.

The Speaker announced that the official launch of the Municipality's Coat of Arms would be held after the meeting at the Ernest Oppenheimer Theatre and invited all Councillors, officials and members of the community to attend this event.

The Speaker mentioned that on 24 November 2003 the opening of the two upgraded clinics, Bophelong and Tshepong took place. These two (2) clinics were upgraded to the amount of R1,1 million and R1,05 million respectively.

The Speaker mentioned that Bongani Hospital celebrated its 10 years of existence on 24 November 2003. This hospital twice won the best Regional Hospital of the Philani Awards and will probably be recognised for COHSASSA Accreditation, which is an international award.

The Speaker further announced that the Paprika Project was launched on 24 November 2003 and he thanked the Councillors, departments and community who worked hard to achieve this. This was broadcast on the TV news.

The Speaker thanked Councillors and officials for their assistance in the funeral of the late Cllr Segalo.

The Speaker further announced the launching of the 16 Days of Activism for no violence against women and children on 25 November 2003. He requested everyone to be involved in acting against violence against women and children.

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

None.

### IV

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

None.

**REPORTS RECEIVED FROM THE SPEAKER**

Items A71/2003 – A72/2003.

The above items were dealt with under **Item 15** of the agenda.

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

**7.1 CONGRATULATIONS**

7.1.1 The Speaker congratulated the following Councillors on their birthdays :

Cllr J Olivier	02 December
Cllr SJ Leeuw	06 December
Cllr A Styger	06 December
Cllr ML Radebe	11 December
Cllr TE Thoabala	16 December
Cllr LA Mokolutlo	17 December
Cllr A Matosa	21 December
Cllr K Ramaisa	26 December
Cllr JJB du Toit	29 December

**7.2 CONDOLENCES**

None.

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

None.

**DEPUTATIONS AND INTERVIEWS**

Rev B Moeti, ANC Provincial Co-ordinator for the Commission for Religious Affairs, made a presentation on the Commission for Religious Affairs to Council.

**10. DISCLOSURE OF INTEREST**

None.

## 11. MINUTES OF THE PREVIOUS MEETINGS

### RESOLVED

That the minutes of the meeting held on 30 September 2003 be approved and confirmed as a true reflection of what transpired during the meeting subject to the following amendment:

#### **ATTENDANCE REGISTER**

*By deletion of the word **(Absent)** after Cllr JJB du Toit's name and substitution thereof with the word **(Apology)**.*

That the minutes of the 2<sup>nd</sup> extra-ordinary meeting held on 18 November 2003 be approved and confirmed as a true reflection of what transpired during the meeting subject to the following amendments:

#### **ATTENDANCE REGISTER**

*By deletion of the word **(Absent)** after Cllrs VZ Mafongosi, JJB du Toit, NL Masoka, PE Mokhathi and S Ngangelizwe's names and substitution thereof with the word **(Apology)**.*

*By deletion of Cllr SS Segalo's name and substitution thereof with the word **Deceased**.*

*By deletion of the word **(Absent)** after Cllr TE Thoabala's name.*

### FORMAL SIGNING OF MINUTES

The Speaker indicated that he would sign the minutes of the meeting held on 30 September 2003 after the corrections have been made.

### MATTERS ARISING FROM THE MINUTES

None.

## 14. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

None.

**15. REPORTS OF THE EXECUTIVE MAYOR, THE SPEAKER AND COMMITTEES**

The Executive Mayor presented a report containing Items **A59/2003** to **A72/2003** as well as Item **C6/2003** and the resolutions of Council in this regard are on pages **1 - 6** of these minutes.

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

The Executive Mayor presented his report on decisions taken under delegated powers and the resolution in this regard is on page 10, Item **A73/2003** of these minutes.

**17. MOTIONS**

The Speaker mentioned that it was the last meeting for the year unless otherwise necessitated.

The Speaker further welcomed the Provincial Secretary of the ANC, Mr Pat Matosa, Mr T Makgoe from Provincial Government and Member of the Provincial Committee of the ANC, Mr M B Ndubula, the Municipal Manager of Lejweleputswa District Municipality and Mr Kotzee, former Councillor of the Welkom TLC, at the meeting.

The Speaker gave an opportunity to the Executive Mayor and all political parties to express their good wishes for a Merry Christmas and a Prosperous 2004.

The political parties addressed Council and were represented as follows :

PAC : Clr TS Majoe  
DA : Clr Dr J Marais  
ANC : Clr TD Khalipha

**18. CLOSURE**

The meeting ended at **12:10**.

.....  
**TV MATSEPE (SPEAKER)**

.....  
**DATE**

# 1.

**A59/2003**

**DRAFT EMPLOYMENT EQUITY PLAN AND POLICY (5/3/B) (EMHR) (P1 – ANNEXURES – Separate Cover)**

**COUNCIL RESOLVED (25 NOVEMBER 2003)**

- [EMHR]
1. That the figures submitted by Dr DJK Kruger (Manager: Skills Development) **BE ADOPTED.**
  2. That the proposed Draft Employment Equity Plan **BE APPROVED** by Council.
  3. That the proposed Draft Employment Equity Policy **BE ADOPTED** as a draft to be advertised for public comments with the following amendments:

That all references to *black people* in the Employment Equity Plan and Policy **BE CHANGED** to read *designated groups*.

4. That in case no objections are received from the public, the Office of the Speaker **CONTINUES** with the promulgation of the policy.

**A60/2003**

**LAND RESTITUTION FOR THE PEOPLE OF MAROBE (ODENDAALSRUS) (8/3/2/47/4) (EMHDEM) (P3 – ANNEXURES P1 – 9)**

**COUNCIL RESOLVED (25 NOVEMBER 2003)**

- [Exec.Mayor]
1. That Council gives the Executive Mayor the authority to interact with the Commission and to finalise the agreement that will emanate from the settlement of alternative land for the community of Marobe.
  2. That the Executive Mayor also conclude and report to Council on the outcome of the land restitution program as to be handled according to the Act.

**A61/2003**

**FINANCIAL IMPLICATIONS OF OFFICIAL TRIPS TO XAI – XAI IN MOZAMBIQUE AND BUFFALO CITY IN EAST LONDON** (Office of the Executive Mayor) (13/2/1/1) (P6 – ANNEXURES P10 –11)

**COUNCIL RESOLVED (25 NOVEMBER 2003)**

That the expenses incurred by Matjhabeng Municipality's delegations to Xai-Xai in Mozambique and Buffalo City in East London **BE NOTED.**



## 2.

### A62/2003

#### COUNCILLORS SALARIES : UPPER LIMITS (6/6/2) (CEMFM) (P7 – ANNEXURES P12 – 20)

Cllr Olivier requested that the DA's **objection be noted** against the implementation of the upper limits of Councillors' salaries without a Council resolution and taking into consideration Council's financial situation.

#### COUNCIL RESOLVED (25 NOVEMBER 2003)

- [CEMFM]
1. That the implementation of the Upper Limits of Councillors' salaries for 2002 with effect from 1 July 2003, according to the Government Notice (Act No 20 of 1998) Government Gazette 23965 dated 18 October 2002 **BE CONDONED**.
  2. That it be indicated to officials that the correct procedure be followed in future before increases be implemented.

### A63/2003

#### COUNCILLORS SALARIES : UPPER LIMITS (6/6/2) (CFO) (P9 – ANNEXURES P12 – 20)

#### COUNCIL RESOLVED (25 NOVEMBER 2003)

- [CEMFM]
1. That the implementation of the Upper Limits of Councillors' salaries for 2003 with effect from 1 July 2003, according to the Government Notice (Act No 20 of 1998) Government Gazette 25265 dated 25 July 2003 **BE CONDONED**.
  2. That it be indicated to officials that the correct procedure be followed in future before increases be implemented.

### A64/2003

#### DRAFT REMUNERATION POLICY (5/4B) (Office of the Executive Mayor) (P11 – ANNEXURES P21 – 30)

#### COUNCIL RESOLVED (25 NOVEMBER 2003)

- [Exec.Mayor]
1. That the Draft Remuneration Policy **BE ACCEPTED** as Matjhabeng Municipality's Remuneration Policy and it be advertised for public comments.

That a Hay Job Evaluation System Committee **BE IMPLEMENTED**.

That SALGA **BE REQUESTED** to assist in the implementation of the Hay Job Evaluation System and further interaction with the copyright owners of the Hay Job Evaluation be considered.

### 3.

**A65/2003**

**FINANCIAL REPORTS FOR AUGUST, SEPTEMBER AND OCTOBER 2003**  
**(CEMFM) (12/1/2/3) (P14 – ANNEXURES P31 – 45)**

Cllr D Smit raised his concerns regarding the following:

The increase of the outstanding debtors to R48 million, which means that services provided, were not paid for.

The lack of customer care services at the Finance Department, i.e. errors on accounts, etc.

The meter readings which were captured wrongly.

The problem of accounts not being received on time.

Cllr Smit requested that remedies to the above problems should be applied.

**COUNCIL RESOLVED (25 NOVEMBER 2003)**

- [CEMFM]
1. That the item **BE REFERRED BACK** to the Section 80 Portfolio Committee for Financial Services to discuss the comments raised by Councillors.
  2. That a proper report be tabled at the next Council meeting.

**A66/2003**

**DRAFT ANNUAL REPORT FOR MATJHABENG MUNICIPALITY AS**  
**REQUIRED IN TERMS OF SECTION 46 OF THE MUNICIPAL SYSTEMS ACT,**  
**2000, (ACT N0.32 OF 2002) (OFFICE OF THE EXECUTIVE MAYOR) (MM)**  
**(12/1/2/2) (P15 – ANNEXURES – Separate Cover)**

**COUNCIL RESOLVED (25 NOVEMBER 2003)**

- [Exec.Mayor]  
[MM]
- That the contents of the Draft Annual Report for Matjhabeng Municipality as required in terms of Section 46 of the Municipal Systems Act, 2000 (Act no. 32 of 2000) **BE NOTED** and it be printed.

## 4.

### A67/2003

**REPORT OF THE AUDITOR-GENERAL ON THE ANNUAL FINANCIAL STATEMENTS OF THE VIRGINIA TRANSITIONAL LOCAL COUNCIL FOR THE YEAR ENDED 30 JUNE 1999 ( 12/1/2/1) ( MM - MIA)**

**COUNCIL RESOLVED (25 NOVEMBER 2003)**

[MM] That the recommendations of the Performance Audit Committee on the Annual Financial Statements of the Virginia Transitional Local Council for the year ended 30 June 1999 **BE TAKEN** as Council's resolutions.

### A68/2003

**REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF MATJHABENG LOCAL MUNICIPALITY FOR THE YEAR ENDED 30 JUNE 2002 (12/1/2/1) (MM - MIA) (P17 – ANNEXURES P71 – 82)**

**COUNCIL RESOLVED (25 NOVEMBER 2003)**

- [MIA]
1. That Council **TAKES NOTE** of the report and it **BE REFERRED BACK** to the Performance Audit Committee for interrogation and report back to Council.
  2. That Council **NOTES** the critical issues the Auditor-General raised in this report and the Auditor-General **BE INVITED** by the Performance Audit Committee to attend their meetings to thoroughly look into the issues raised by him.
  3. That the concerns raised by the Executive Mayor regarding the Matjhabeng Municipality's performance based on the report of the Auditor-General **BE NOTED**.

### A69/2003

**REPORT OF THE AUDITOR-GENERAL ON THE ANNUAL FINANCIAL STATEMENTS OF THE FORMER ALLANRIDGE TRANSITIONAL LOCAL COUNCIL FOR THE FINANCIAL YEAR ENDED 30 JUNE 2001 (6/12/2) (MM – MIA) (P18)**

**COUNCIL RESOLVED (25 NOVEMBER 2003)**

[MIA] That the recommendations of the Performance Audit Committee **BE TAKEN** as Council's resolutions and the same process of monitoring whether it was immediately effected.

## 5.

**A70/2003**

**FREE STATE MUNICIPAL PENSION FUND : ELECTION OF COUNCILLOR REPRESENTATIVES TO THE EXECUTIVE COMMITTEE OF THE FREE STATE MUNICIPAL PENSION FUND (4/1/2/2) (EMHR) (P28 – ANNEXURES P83 – 86)**

**COUNCIL RESOLVED (25 NOVEMBER 2003)**

That all Councillors should cast their votes in favour of two nominees to represent Local Authorities on the Executive Committee of the Free State Municipal Pension Fund.

**A71/2003**

**APPOINTMENT OF THE CHAIRPERSON OF THE CHAIRPERSON'S COMMITTEE (Office of the Speaker) (MCA) (4/1/2/2) (P31)**

**COUNCIL RESOLVED (25 NOVEMBER 2003)**

[MCA] That Council **APPOINTS** Councillor L Rubulana as Chairperson of the Chairpersons' Committee.

**A72/2003**

**APPOINTMENT OF THE CHAIRPERSON OF THE AUDIT COMMITTEE (Office of the Speaker) (MCA) (6/12/03) (P33)**

**COUNCIL RESOLVED (25 NOVEMBER 2003)**

[MCA] That Council **APPOINTS** Mr MJ Lenyehelo as Chairperson of the Audit Committee.

**C6/2003**

**FORENSIC REPORT ~ OVERTIME (6/12/2/1) (MM) (MIA) (P 1)**

**COUNCIL RESOLVED (25 NOVEMBER 2003)**

[MM] That the recommendations and the findings of the Performance Audit Committee **BE CONDONED** as all overtime worked were approved in accordance with the approved Delegation of Powers and all payments occurred in accordance with the Council resolutions.

## 6.

A73/2003

**REPORT ON DECISIONS TAKEN UNDER DELEGATED POWERS (3/1/2)**  
**(MM) (EXECUTIVE MAYOR'S REPORT PAGE 1 – 15)**

**COUNCIL RESOLVED (25 NOVEMBER 2003)**

That the resolutions taken by the Executive Mayor under delegated powers, as they appear on the Annexures marked **Executive Mayor's Report**, i.e. MC221/2003 to MC232/2003, MC233/2003 and MC235/2003, MC236/2003 to MC247/2003 and MC247A/2003 to MC256/2003, **BE CONFIRMED.**

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