

MINUTES

OF THE

**8TH ORDINARY MEETING
FOR THE YEAR 2002**

of

MATJHABENG MUNICIPALITY

held on

TUESDAY, 27 AUGUST 2002

at

16:00

COUNCILLORS PRESENT : COUNCIL MEETING : 27 AUGUST 2002

ANC

PROPORTIONAL			
1.	Leeuw SJ (Executive Mayor)	14.	Dlova TW
2.	Matsepe TV (Speaker)	15.	Ikaneng MI
3.	Chao MK	16.	Mafantire MJ
4.	Menong KS	17.	Mafongosi VZ
5.	Ramaisa KA	18.	Mashinini NL (Apology attending World Summit on Sustainable Development)
6.	Tladi RE (On maternity leave)	19.	Alexander RR (Written Apology)
7.	Thuthani ZA	20.	Radebe ML (Apology attending World Summit on Sustainable Development)
8.	Matosa AN	21.	Sephiri MJ
9.	Matlabe MMT	22.	Tihone ML (Apology attending World Summit on Sustainable Development)
10.	Mbana MA	23.	Vanga M (Apology)
11.	Mokhathi PE	24.	Kotzee D
12.	Bengu VV	25.	Segalo SS
13.	Dali VN	26.	Kujoana MA
WARD			
27.	Matsbukanye MM	42.	Mfebe MSE
28.	Tshabangu SE	43.	Mhlaba N
29.	Mohlodi PP	44.	Mokolutlo LA
30.	Mogole RR	45.	Montshioa BA
31.	Liphoko SJ (Written Apology)	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	52.	Seboholi CP
38.	Khalipha TD	53.	Taliwe FE
39.	Mabuya FF	54.	Thoabala TE (Not feeling well and the Speaker wished him a speedy recovery)
40.	Manzana NR	55.	Tsoene TD
41.	Masoka NL	56.	Tsatsa SJ (Written Apology)

II

DA

PROPORTIONAL			
57.	Fourie JJC	61.	Maqena AM (Apology attending World Summit on Sustainable Development)
58.	Marais (Dr) JS	62.	Ntsala MM
59.	Auret IH (Written Apology)	63.	Olivier JJ
60.	Neumann VH	64.	Styger A
WARD			
65.	Bothma B	68.	Edeling JH (To leave early)
66.	Louw ML (To leave early)	69.	Van Rooyen HC
67.	Smit DC	70.	Du Toit JJB (To leave early)

UDM

PROPORTIONAL	
71.	Motshabi MP

PAC

PROPORTIONAL	
72.	Majoe TS

OFFICIALS

Mr. RSB Sesele	–	Municipal Manager
Mr. BP Molatseli	–	Executive Manager : Corporate Services
Mr. R Spies	–	Corporate Executive Manager : Engineering Services
Me. EJA van Tonder	–	Corporate Executive Manager : Financial Management
Dr. K van der Walt	–	Executive Manager : Economic Development and Spatial Planning
Mr. XE Dasheka	–	Executive Manager : Public Safety and Transport
Mr. V Adonis	–	Corporate Executive Manager : Community Services and Social Development
Mr. TR Shiringani	–	Manager : Council Administration



1. OPENING

Pastors Pieter Theron and Prince Kenkie opened the meeting with Scripture reading and a prayer.

2. OFFICIAL ANNOUNCEMENTS OF THE SPEAKER

The Speaker made the following announcements :

- 2.1 That all Councillors who are interested in applying for Home Loans from Cash Bank are invited to a briefing session by officials from Cash Bank scheduled for Thursday, 29 August 2002 at 12:00 at the Mayor's Palour.
- 2.2 That the Mock Youth Council meeting organized by the Department of Education and the Lejweleputswa District Municipality as part of Womens month is scheduled for Wednesday, 28 August 2002 and that all Councillors are invited to attend.

That all Councillors are invited to attend the inauguration of the Junior Mayor for Matjhabeng scheduled for 29 August 2002 at the Council Chamber, Welkom.

- 2.4 The Speaker read a letter received from Thusanong Thrift Club requesting Councillors to purchase tickets in support of their organisation charity event.
- 2.5 That the Matjhabeng Municipality will be hosting a Skills Development Workshop for the unemployment and requested all Councillors to attend and that each Ward Councillor must bring along two Ward Committee Members.

He requested all Councillors to use the microphone when addressing Council so that they can be properly recorded.

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- 2.7 He also informed Councillors that Clr JJB du Toit was unable to attend a number of Council meetings due to ill-health and thereafter welcomed Councillor JJB du Toit back and granted him leave of absence to leave before the end of the meeting.

3. ANNOUNCEMENTS BY THE EXECUTIVE MAYOR

The Executive Mayor informed Councillors that he had decided to inform them of the decisions which he has taken to avoid them hearing about them from the press.

He continued to make the following announcements :

- 3.1 That the Council had acquired new photocopiers from Minolta.
- 3.2 That the South African Revenue Services had issued a letter of demand for an amount of ± R750 000,00 as a result of outstanding tax for salaries of Senior Management of the former Virginia Transitional Local Council.
- 3.3 That the Corporate Executive Manager : Financial Management has resigned and would assume another post at the Provincial Department of Health in Bloemfontein.
- 3.4 The group of treasure hunters looking for Kruger Rands is digging a trench which according to safety standards might endanger their lives and lives of others and the Executive Mayor indicated that Council will be instructing them to stop digging and the trench will be closed.

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

V

7. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER

7.1 Congratulations

7.1.1 The Speaker congratulated the following Councillors and wished them a happy birthday:

Ramojela JN	3 September
Mbana MA	4 September
Edeling JH	9 September
Fourie JJC	12 September
Smit DC	21 September
Auret IH	23 September
Mashinini NL	24 September
Chao MK	25 September

8. MOTIONS OF SYMPATHY AND CONGRATULATIONS FROM OTHER MEMBERS

8.1 Clr JS Marais paid tribute to the late Mr Bill Odendaal the Former Mayor of Welkom and Township Manager of Thabong, who passed away and **expressed** Council sincere condolences to his family.

The Speaker requested Councillors to attend the funeral to be held on 28 August 2002 at the Dutch Reformed Church at 11:00.

Clr MK Chao congratulated South Africa on hosting the **World Summit on Sustainable Development** and her address is attached hereto as Annexure "A".

9. DEPUTATIONS AND INTERVIEWS

Mr BJK van Niekerk - Provincial Auditor-General.
Mr NK Mc Carthy - Centre Manager

The Provincial Auditor-General addressed Council and raised the following points :

9.1 That the Financial Statements for the Former Welkom Transitional Local Council up to June 2001 could not be submitted therefore he could not express his opinion.

VI

- 9.2 That the Financial Statements should be submitted to Council every month as they are important in enabling Council to manage its affairs.
- 9.3 That because of incorrect recording, the Financial Statements are not the true reflection of the status of Council's financial affairs.
- 9.4 The fact that water meters were not installed in a number of premises in Virginia, resulted in the water loss being too high.

10. DISCLOSURE OF INTEREST

None

11. MINUTES OF THE PREVIOUS MEETING

COUNCIL RESOLVED : (30 JULY 2002)

- 11.1 That the minutes of the meeting held on 30 July 2002 **BE APPROVED** and **CONFIRMED**.

That the minutes of the Special Council meeting held on 20 August 2002 **BE APPROVED** and **CONFIRMED** subject to the following amendment :.

" That it **BE INDICATED** on Item A33/2002 that Clr MP Motshabi of the UDM **ABSTAINED** from voting."

MATTERS ARISING FROM THE MINUTES

None

13. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

None

14. REPORTS OF THE EXECUTIVE MAYOR AND COMMITTEES

See resolutions A52/2002 to A62/2002

VII

15. 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 Item A63/2002, on page 6 of these minutes.

16. MOTIONS

None

CLOSURE

The meeting ended at 19:10.

.....
DATE

.....
TV MATSEPE (SPEAKER)

A52/2002

**DRAFT MATJHABENG INTEGRATED DEVELOPMENT PLAN 2002-2007 :
SUBMISSION OF ANNEXURE J : INTEGRATION (18/1/8) (MM-IDPM) (P 1 :
ANNEXURES P 1 - 251)**

COUNCIL RESOLVED : (27 AUGUST 2002)

[MM-
MIDP]
[EMCS]

That the contents of this report regarding the submission of Annexure J :
Integration of the Draft Matjhabeng Integrated Development Plan
2002 - 2007 of the Matjhabeng Local Municipality on pages **1 - 251 BE
APPROVED.**

A53/2002

**PERFORMANCE AUDIT COMMITTEE : APPOINTMENT OF NEW MEMBERS
(6/12/1) (MM) (MIA) (P 2)**

COUNCIL RESOLVED : (27 AUGUST 2002)

[MIA]
[EMCS]

1. That note **BE TAKEN** of the resignation of the following two members
from the Performance Audit Committee with immediate effect :

Mr LA Gambale
Ms CB Bovungana

[MIA]
[EMCS]

2. That the appointment and consequent participation of the following two
members, in the Performance Audit Committee **BE CONDONED.**

MJ Lenyehelo
MM Segalo

[MIA]
[EMCS]

3. That the following persons **BE APPROVED** as being Members of the
Performance Audit Committee :

MJ Lenyehelo (Chairperson)
MM Segalo
MR Motitimi
MS Jolingana
Clr VV Bengu
Clr MJ Mafantire
Clr JS Marais (Dr)

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- [MIA] 4. That the Municipal Manager **BE REQUESTED TO DETERMINE** from
[CEMFM] other municipalities (with the same grading) the attendance allowance paid to the members of the Performance Audit Committee and that same be submitted to the Mayoral Committee for consideration.
- [MIA] 5. That the Council **AUTHORISES** the Mayoral Committee **TO FINALISE**
[CEMFM] paragraph 4 above.

A54/2002

FINANCIAL STATEMENTS WELKOM TRANSITIONAL LOCAL COUNCIL FOR THE PERIOD ENDING 30 JUNE 2001 (6/1/1) (CEMFM) (P 5 : ANNEXURES P 252 - 275)

COUNCIL RESOLVED : (27 AUGUST 2002)

- [CEMFM] That the report on the Financial Statements for the Welkom Transitional Local Council for the year 2000/2001 **BE NOTED**.

A55/2002

COUNCILLOR ALLOWANCES (6/6/2) (CEMFM) (P 6)

COUNCIL RESOLVED : (27 AUGUST 2002)

There were two proposals, the DA was against the increases meanwhile the ANC was for the increase in Councillors allowances.

The matter was put to a vote and the result was as follows :

ANC = 42 For the implementation
DA = 12 Against the implementation
PAC = 1 Abstained
UDM = 1 Abstained

COUNCIL RESOLVED : (27 AUGUST 2002)

- [CEMFM] That the increase in Councillor allowances **BE ACCEPTED** and **BE IMPLEMENTED** with effect from 1 July 2002.

A56/2002

**HOUSING DELIVERY IN RHEEDERPARK, EBENHEIZER AND CALABRIA
(20/14/4/3) (EMHD&EM) (P 8 : ANNEXURES P 276 - 278)**

COUNCIL RESOLVED : (27 AUGUST 2002)

- [EMHDEM] 1. That the Council **CEDE** its developer rights on the Calabria project, Rheederpark and Ebenheiser project to the joint venture Letsema La Matjhaba so that they finalise the whole project.
- [EMHDEM] 2. That in the Rheederpark project, the beneficiaries **BE REQUESTED TO CONTRIBUTE** a top up finance which will be determined by both Council and the joint venture.
- [EMHDEM] 3. That the Ebenheiser subsidies **BE TRANSFERRED** to T13 and T14 as they already have serviced sites.
- [EMHDEM] 4. That the Provincial department **BE ENGAGED** in the discussion to transfer the above projects to the joint venture.

A57/2002

**REPORT OF THE AUDITOR-GENERAL ISSUED IN THE ABSENCE OF
FINANCIAL STATEMENTS ON THE FORMER WELKOM TRANSITIONAL
LOCAL COUNCIL FOR THE FINANCIAL YEAR ENDED 30 JUNE 2001
(6/12/2/1) (MM) (MIA) (P 11)**

COUNCIL RESOLVED : (27 AUGUST 2002)

- [MIA] 1. That Council **TAKE NOTE** that financial statements for the former Welkom Transitional Local Council for financial 2001 have been completed.
- [MIA] 2. That Financial Statements **BE SUBMITTED** to Council and the office of the Auditor-General.

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A58/2002

REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF THE FORMER ODENDAALSRUS TRANSITIONAL LOCAL COUNCIL FOR THE FINANCIAL YEAR ENDED 30 JUNE 2001 (6/12/2/1) (MIA) (P 15)

COUNCIL RESOLVED : (27 AUGUST 2002)

[MIA] That the response of the Performance Audit Committee and the Management's comments **BE REGARDED** as the response of Council and that same **BE FORWARDED** to the Auditor-General.

A59/2002

REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF THE FORMER VIRGINIA TRANSITIONAL LOCAL COUNCIL FOR THE FINANCIAL YEAR ENDED 30 JUNE 2001 (6/12/2/1) (MIA) (P 26)

COUNCIL RESOLVED : (27 AUGUST 2002)

[MIA] That the response of the Performance Audit Committee and the Management's comments **BE REGARDED** as the response of Council and that same **BE FORWARDED** to the Auditor-General.

A60/2002

REPORT OF THE AUDITOR-GENERAL ON THE ANNUAL FINANCIAL STATEMENTS OF THE HENNEMAN TRANSITIONAL LOCAL COUNCIL FOR THE FINANCIAL YEAR ENDED 30 JUNE 2001 (6/12/2/1) (MIA) (P 35)

COUNCIL RESOLVED : (27 AUGUST 2002)

[MIA] That the response of the Performance Audit Committee and the Management's comments **BE REGARDED** as the response of Council and that same **BE FORWARDED** to the Auditor-General.

A61/2002

REPORTS OF THE AUDITOR-GENERAL ON THE ANNUAL FINANCIAL STATEMENTS OF THE FORMER TRANSITIONAL LOCAL COUNCILS OF MATJHABENG LOCAL MUNICIPALITY FOR THE FINANCIAL YEAR ENDED 30 JUNE 2000 (6/12/2/1) (MM) (MIA) (P 41 : ANNEXURES P 279 - 348)

COUNCIL RESOLVED : (27 AUGUST 2002)

[MIA] 1. That the comments of the Auditor-General of the former Transitional Local Councils of the Matjhabeng Local Municipality **BE NOTED** by the Council.

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- [MIA] 2. That Management's comments on the annual financial statements **BE ACCEPTED** as responses to the Auditor-General.
- [MIA] 3. That any queries that are still outstanding **BE CONSIDERED** with the Auditor-General's reports of the above former Transitional Local Councils for the year that ended 30 June 2001.

A62/2002

TERMS OF REFERENCE FOR THE SECTION 147 INVESTIGATION COMMITTEE (3/1/1) (MCA) (OFFICE OF THE SPEAKER) (ADDENDUM P 1)

COUNCIL RESOLVED : (27 AUGUST 2002)

That the words "ad hoc" as they appear in paragraph 1 of the Council Resolution A35/2002 dated 20 August 2002 **BE DELETED** and **BE SUBSTITUTED** by the words "investigation".

- [OFFICE OF THE EXECUTIVE MAYOR] 2. That the Executive Mayor **BE AUTHORISED** to approach the Special Investigating Unit known as the Scorpions and that they **BE REQUESTED TO INVESTIGATE** allegations made by Councillor DC Smit and that the outcome thereof **BE SUBMITTED** to Council by means of a report.

That the terms of reference for such investigation **BE** as follows :

- 3.1 To investigate all issues raised in the submission of Councillor DC Smit to establish whether they amount to a contravention of Council's policies, regulations and other legislations.
- 3.2 To investigate whether such contravention amounts to corruption and whether such corruption is sanctionable by law and to what extent, including non-disclosure of interest.
- 3.3 To investigate whether past or present officials and Councillors and other persons involved with awarding of any contracts had any financial interest or other personal interest in the contracts issued without disclosing it to Council and that this should include relatives and spouses.
- 3.4 To determine the total amount involved as a result of such irregularities as well as any other loss suffered by Council.

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- 3.5 To determine whether any official or Councillor has contravened the Code of Conduct regarding the disclosure of interest and provision of information to the media without the relevant authority.
- 3.6 To alert and advise Council of any other matter which in their opinion should be further investigated by referring the matter to the Rules Committee to extend the terms of reference to include such a matter.
- 3.7 To advise the Municipality and make recommendations on remedial and corrective measures.

To hear evidence, call witnesses, request documentation, procure official help and generally to do everything that may be necessary to achieve its goals and objectives.
- 3.9 To investigate losses to Council as a result of negligence and make recommendation in terms of Section 10G(1)(F) of the LGTA for recovery of same.

A63/2002

REPORT ON DECISIONS TAKEN UNDER DELEGATED POWERS (3/1/2) (MM) (EXECUTIVE MAYOR'S REPORT PAGE 1 – 56)

COUNCIL RESOLVED : (27 AUGUST 2002)

That the reports and decisions as presented in MC202/2002, MC204/2002 to MC212/2002, as they appear on the Annexures marked **Executive Mayor's report**, taken by the Executive Mayor under delegated powers, **BE CONFIRMED**.

C1/2002

VIRGINIA TRANSITIONAL LOCAL COUNCIL : FORENSIC REPORT ~ OVERTIME (6/12/2/1) (MM) (MIA) (P 1)

COUNCIL RESOLVED : (27 AUGUST 2002)

That this report **BE REFERRED BACK** to the Performance Audit Committee to **SUBMIT** specific actions to be taken by Council regarding the matter.

C2/2002

REPORT OF THE AUDITOR-GENERAL ON THE ANNUAL FINANCIAL STATEMENTS OF THE VIRGINIA TRANSITIONAL LOCAL COUNCIL FOR THE YEAR ENDED 30 JUNE 1999 (6/12/2) (MM) (MIA) (P 11)

COUNCIL RESOLVED : (27 AUGUST 2002)

That this report **BE REFERRED BACK** to the Performance Audit Committee to **SUBMIT** specific actions to be taken by Council regarding the matter.

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