

MINUTES

2ND

ORDINARY MEETING

of the

MATJHABENG MUNICIPALITY

held on

TUESDAY

27 FEBRUARY 2001

at

16:00

I

**MINUTES OF THE 2ND ORDINARY MEETING OF THE MATJHABENG MUNICIPALITY
HELD IN THE COUNCIL CHAMBERS, 2ND FLOOR, MUNICIPAL BUILDING, WELKOM,
ON TUESDAY, 27 FEBRUARY 2001 AT 16:00**

PRESENT

OFFICIALS

The Acting Municipal Manager
Transitional Manager- Administration Services
Transitional Manager – Financial Services
Transitional Head - Secretariat

EXECUTIVE MAYOR

Cllr Leeuw S J

SPEAKER

Cllr Matsepe T V

COUNCILLORS

Alexander RR
Auret IH
Baaitjies M
Bengu VV
Bothman B
Chao MK
Dassie YS
Dlamini SC
Dlova TW
Du Toit JJB
Edeling JHA
Fourie JJC
Ikaneng MI
Jabuza VB
James TH
Khalipha TD
Kotzee D
Liphoko SJ
Louw ML
Mabuya FF
Mafantire MJ
Mafereka MM
Mafongosi ZV
Majoe TS
Olivier JJ

Manzana NR
Maqena AM
Marais JS
Masienyane MD
Masoka NL
Matlabe MMT
Matosa AN
Matsbukanye MM
Menong KS
Mfebe MSE
Mgubanto KA
Mhlaba N
Moahloli LG
Mogole RR
Mohloli PP
Mokhathi PE
Mokoena ME
Mokolutlo LA
Montshioa BA
Mosala MS
Motshabi MP
Nakwa TA
Neumann VH
Ngangelizwe S
Ntsala MM
Thoabala TE



Pereko MJ
Radebe LLF
Radebe ML
Ramojela JN
Rubulana L
Seboholi CP
Segalo SS
Smit DC
Styger A
Taliwe FE

Thuthani ZA
Tladi RE
Tlhone ML
Tsatsa SJ
Tshabangu SE
Tsoene TD
Tsubane ME
Van Rooyen HC
Vanga M

1. OPENING

Rev Coetzer and Pastor Ramotsidisi opened the proceedings with Scripture reading and a prayer.

The Speaker announced that various church congregations in the Matjhabeng have identified Councillors and adopted them in order to pray for them in executing of their duties as local government leaders during the coming years.

He further expressed, on behalf of Council, his gratitude towards the various churches for the gesture and assured the various denominations that the Matjhabeng Council will perform its best for the good of the entire community.

2. APPLICATION FOR LEAVE OF ABSENCE

NONE

3. OFFICIAL ANNOUNCEMENTS OF THE SPEAKER

The Speaker informed the Council that Phakisa has written a letter whereby Council was thanked for its speedy reaction in order to quickly extinguish a fire that could have caused serious damage to some areas in the vicinity of the race track.

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

NONE

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

NONE



6. REPORTS RECEIVED FROM THE SPEAKER

The Speaker stated that Councillor F E Taliwe was absent at the previous ordinary meeting of Council and he handed in a written letter of apology afterwards. The reason given by the said Councillor **was accepted by the Speaker** as it were circumstances beyond the control of Councillor Taliwe.

7. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER

The Speaker conveyed Council's condolences to the family of an employee, Mr S I Maikhosho who tragically died on 16 February 2001 in a car accident whilst he was acting within the course of his employment with council.

7.2 The Speaker congratulated the following Councillors on their birthdays:

Bothman B	9 March
Dlamini SC	18 February
Mabuya FF	11 March
Mafantire MJ	5 February
Mokoena ME	7 February
Motshabi MP	21 February
Seboholi CP	22 February
Segalo SS	18 February
Thuthani ZA	7 February
Van Rooyen HC	18 March

8. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY OTHER COUNCILLORS

NONE

9. DEPUTATIONS AND INTERVIEWS

NONE

10. DISCLOSURE OF INTEREST

NONE

11. MINUTES OF THE PREVIOUS MEETING

Cllr D C Smit stated that the minutes of the meeting held on 19 December 2000 were not a true reflection of the proceedings and that he had submitted written amendments to be added to Item 19 of the said meeting.

RESOLVED that:

- (a) The minutes of the meeting held on 19 December 2000 be accepted and approved with the written amendments as submitted by Cllr D C Smit, which amendments are set out in his letter dated 22 January 2001, see attached **ANNEXURE AA**; and

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- (b) The minutes of the meeting held on 23 January 2001 be accepted and approved with the amendment to Item 13, p V, as set out in paragraph (a) above.

12. QUESTIONS OF WHICH NOTICE WAS GIVEN

NONE

13. COMMITTEE REPORTS

NONE

14. REPORTS OF DECISIONS TAKEN UNDER DELEGATED POWERS

NONE

15. MOTIONS

NONE

16. REPORT OF THE EXECUTIVE MAYOR

The Speaker stated that **Item A33**, Report of the Auditor-General on the annual financial statements of the Virginia Transitional Local Council for the year ended 30 June 1999 will be dealt with firstly as the Auditor-General was present and needed to travel back to Bloemfontein.

The Council accepted the ruling unanimously.

After the Auditor-General had delivered an executive brief on the said report, it was **RESOLVED** that:

- (a) The report be referred to the Audit Committee of Council in order to deliberate and obtain all relevant information to matters pertaining to the report;
- (b) The Speaker and Executive Mayor on behalf of Council to nominate a person from the private sector (financial sector) to be present at the meeting, as determined by Council Resolution A3 dated 23 January 2001, at least to finalise the audit report pertaining to Virginia TLC for the financial year 1998/1999; and
- (c) The report of the Audit Committee on the Audit report to be submitted to Council at its next meeting to be held on 27 March 2001, after which Council will decide how to deal with the matter.

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SECTION A

2001-02-27

A19. TENDER NO 14/2000: SALE OF THE OLD MARKET BUILDING, ERF 10358, EXTENSION 36, WELKOM (9/2/6/4) (DAS 2.1) (P1 ANNEXURES P1-24)

RESOLVED that:

- (a) Mustrate Ten (Pty) Ltd t/a Pro-Mining's tender of R112 000,00 for the purchase of Erf 10358, Extension 36, Welkom in extent 21067m² (R32,30/m²) together with improvements, in extent 3468m² **BE ACCEPTED** on the terms and conditions as set out on the tender forms. (*Annexure list p. 14 – 24*);
- (b) Mustrate Ten (Pty) Ltd t/a Pro-Mining **ACCEPTS** the above conditions in writing within sixty (60) days from being informed thereof;
- (c) Any costs incidental to the alienation of the erf including the costs in respect of the Deed of Sale and the registration of the transfer **BE** for the account of Mustrate Ten (Pty) Ltd t/a Pro-Mining.
- (d) That paragraphs (a) to (c) above **BE APPROVED** on condition that it be verified first that there is no relationship between Mustrate Ten (Pty) Ltd and Mustrate Eight (Pty) Ltd.
- (e) That the Acting Municipal Manager **COMMUNICATES** Council's decision to the successful tenderer after the minutes **HAVE BEEN CONFIRMED** by Council.

2001-02-27

A20. APPLICATION FOR A CHURCH SITE: REZONING OF ERF 4655 STILTE, VIRGINIA: THE FULL GOSPEL CHURCH OF GOD (14/1/4/5) (VIRGINIA UNIT) (P7 : ANNEXURE P25 – 26)

RESOLVED that:

The item **BE DEFERRED** in order to obtain more information on, e.g. size of stand, current valuation of the stand, full conditions of the sale and, if any, the current policy relating to institutional sales, e.g. church to pay 50% of valuation, etc.;

The item to **BE SUBMITTED** to Council at its next meeting scheduled for 27 March 2001.

2001-02-27

A21. APPLICATION FOR SPECIAL CONSENT TO OPERATE A GUESTHOUSE FROM ERF 10340, 148 LONG ROAD, EXTENSION 3, WELKOM (18/4/1/9) (DAS4.1) (P9 : ANNEXURES P27)

RESOLVED that:

The application for special consent in terms of Clause 30 of the Welkom Town Planning Scheme, No 1/1980 to use the residence on Erf 10340, Extension 3, Welkom for the purposes of a guesthouse, **BE APPROVED** subject to the following conditions:

- (a) The residence shall be permanently inhabited by the owners of the guesthouse;
- (b) Accommodation may only be made available at compensation in the short term;
- (c) A maximum of two (2) detached bedrooms and four (4) rooms within the residence may be utilized for the guesthouse;
- (d) No self-sustaining accommodation and no separate facilities for the preparation of meals, excluding the existing kitchen of the residence shall be provided on the premises;
- (e) The coverage of the guesthouse, including all additional bedrooms and outbuildings shall not exceed 50% of the erf;
- (f) The maximum height of all buildings shall not exceed two (2) storeys;
- (g) Only the necessary outbuildings normally used in conjunction with a residence shall be allowed on the erf;
- (h) Provision must be made on the site for parking in the ratio of one parking space for every guest room;
- (i) No liquor shall be sold on the premises;

The property be valued and be taxed for its usage as a business.

2001-02-27

A22. RETIREMENT: S C F MEYER AND J P LOTTRE (P/F) (DAS5.11) (P12)

RESOLVED that:

- (a) Mr J P Lottre's retirement on 28 February 2001 **BE NOTED**;
- (b) Mrs Meyer's retirement on 31 March 2001 **BE NOTED**.

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- (c) That Council **INVESTIGATES** a uniform policy for Matjhabeng on the policy to follow when Council officials retire and that a report **BE BROUGHT** to Council for approval.
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2001-02-27

**A23. REPORT ON EMPLOYMENT EQUITY AND SKILLS DEVELOPMENT (5/6/1)
(AMM) (P14)**

RESOLVED that:

- (a) Responsibility for the development, implementation and monitoring of the employment equity plan **BE ASSIGNED** to one or more senior manager/s in terms of **section 24** of the **Employment Equity Act (Act 55 of 1998)** and the **Code of Good Practice (No R.1394 of 23 November 1999)**;
- (b) The previous nomination of the Acting Snr/Chief Personnel Officer (Skills Development) for Welkom Administration to act as the Skills Development Facilitator for Matjhabeng Municipality **BE MAINTAINED** in terms of **Regulation Gazette No 6924 of 13 November 2000 (section 11) and Schedule One (section 1(3))**;
- (c) A detailed report on the possible penalties Council might face should Council not comply with the relevant legislation **BE TABLED** at the next Council meeting scheduled for 27 March 2001 and it **BE INDICATED** in the report to what extent Council is presently liable to pay for its non-compliance.
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2001-02-27

A24. PUBLIC PARTICIPATION IN THE PROVISION AND MAINTENANCE OF PARKS: ADVERTISING ON CIRCLES (10/3/2) (AMCS) (P19)

RESOLVED that:

The policy that regulates the advertising of a business on circles and the maintenance of such circles of the previous Welkom Transitional Local Council **BE MADE** applicable to the whole of Matjhabeng Municipality.

2001-02-27

A25. APPLICATION FOR SPECIAL CONSENT: ERF 597, 7 THERONIA STREET, NAUDEVILLE, WELKOM (18/4/1/19) (DAS4.1) (P21 : ANNEXURES P32)

RESOLVED that:

The application in terms of Clause 30 of the Welkom Town Planning Scheme No 1/1980 to use Erf 597, Naudeville, Welkom for the purposes of a crèche and sick-bay **BE APPROVED** subject to the following conditions:

- (a) The erf shall be properly fenced in order to prevent children from leaving the premises;
 - (b) The drop-off and pick-up of children shall take place on the premises and not in the street in front of the premises;
 - (c) Parking facilities for all the teachers and assistants shall be provided on the erf;
 - (d) Toilet facilities must be provided on the premises in the ratio of one (1) toilet for every 10 children or part thereof;
 - (e) An indoor playing area of 1,8m² per child and outside playing area of 2m² per child must be provided;
 - (f) The guidelines for day care as provided by the National Department of Health must be complied with;
 - (g) The use of the erf shall be subject to all applicable regulations of the Council;
 - (h) If the manner in which the consent use is exercised interferes in any way with the amenities and peacefulness of the surrounding area, the Council reserves the right to take appropriate steps for the removal of the cause of such interference or nuisance;
 - (i) If any substantial objection is received against the manner in which the activity is conducted the Council reserves the right to terminate the consent without any claim for compensation; and
 - (j) Where the consent of the Council is obtained and not substantially implemented within twelve (12) months after the date of approval by the Council, or if development or use of the building is interrupted for a period of twelve (12) months or more, the consent granted shall lapse automatically and cease to be valid without any claim for compensation.
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2001-02-27

A26. CIRCULAR 10/2000: ELECTION OF REPRESENTATIVE AND ALTERNATE (4/1/2/2) (DAS5.11) (P23 : ANNEXURES P33 – 36)

RESOLVED that:

- (a) Cllr G L Moahloli **BE NOMINATED** to present Matjhabeng Council at the Municipal Councillors Pension Fund;
 - (b) Cllr S Ngangelizwe **BE NOMINATED** as secundus.
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2001-02-27

A27. MUNICIPAL COUNCILLORS PENSION FUND: VALUATION REPORT AND FINANCIAL STATEMENTS AS AT 30 JUNE 2000 (3/1/4/5) (DAS5.11) (P24 : ANNEXURES 37 – 40)

RESOLVED that:

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

2001-02-27

A28. MUNIMED: CIRCULAR NO 9 OF 2000 (5/4/4/2) (DAS 5.11) (P25 : ANNEXURES 41 – 43)

RESOLVED that:

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

2001-02-27

A29. ELECTION OF COUNCILLOR REPRESENTATIVE AT SALA PENSION FUND FOR MATJHABENG MUNICIPALITY ON THE FREE STATE PROVINCIAL MANAGEMENT COMMITTEE (5/4/4/1/2) (DAS 5.11) (P26 : ANNEXURES P44)

RESOLVED that:

Cllr. AN Matosa **BE NOMINATED TO REPRESENT** Council at the Free State Provincial Management Committee of SALA Pension Fund.

2001-02-27

A30. ESTABLISHMENT OF WARD COMMITTEES (4/1/2/2) (AMM) (P27 : ANNEXURES P45 – 50)

RESOLVED that:

The contents of the report regarding the establishment of the ward committees in the Matjhabeng Municipality **BE ACCEPTED** as sufficient compliance with the rules.

2001-02-27

A31. THABONG COMMUNITY CENTRE: AMENDMENT OF THE SKETCH PLAN AND THE PROVISION OF PARKING BAYS: ESKOM (9/1/3/12) (DAS2.0) (P34 : ANNEXURES P51)

RESOLVED that:

Approval **BE GRANTED** to Eskom for the amendment of the submitted internal alterations plan;

Parking bays **BE LEASED** to Eskom at a rental of R75,00 per month per bay plus VAT, whenever available.

2001-02-27

A32. POLICY TO BE ADOPTED BY THE MATJHABENG MUNICIPALITY WITH REGARD TO THE GENERAL ADMINISTRATION OF VALUATIONS OF RATEABLE PROPERTY (6/22) (DAS2.0) (P37)

RESOLVED that:

The matter **BE DEFERRED** until such time the personnel structure of Matjhabeng Council has been finalized.

2001-02-27

A33. 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) (AMM) (P43)

RESOLVED that:

- (a) The report **BE REFERRED** to the Audit Committee of Council in order to deliberate and obtain all relevant information pertaining to the report
- (b) The Speaker and Executive Mayor on behalf of Council **TO NOMINATE** a person from the private sector (financial sector) to be present at the meeting, as determined by Council Resolution A3 dated 23 January 2001, at least to finalise the audit report pertaining to Virginia TLC for the financial year 1998/1999;
- (c) The report of the audit committee on the Audit Report to **BE SUBMITTED** to Council at its next meeting to be held on 27 March 2001, after which the Council will decide how best to deal with the matter.

2001-02-27

A34. MATJHABENG MUNICIPALITY: DESIGNATION OF FULL-TIME COUNCILLORS: PROGRESS REPORT (3/1/B) ((AMM) (P59)

RESOLVED that:

The contents of the progress report regarding the provisions of rules 109, 110 and 111 of the Standard Rules and Orders, as promulgated, as well as the Delegation of Powers and the terms of reference of the Mayoral Committee and the section 79 Committees **BE NOTED**;

It **BE NOTED** that as soon as the Committees mentioned in paragraph (a) above, were put in place and functional, the Acting Municipal Manager will submit a report to the Council pertaining thereto;

The Mayoral Committee with the members and the respective portfolios **BE NOTED** as follows:

- (i) Cllr M K Chao - Housing Development and Environmental Care
- (ii) Cllr K S Menong - Human Resources , Planning and Development
- (iii) Cllr K A Mgubanto – Public Safety and Transport
- (iv) Cllr B A Montshioa– Economic and Social Development, Trade and Licensing

- (v) Cllr E T Thoabala – Community Services- Sports, Parks and Recreation
- (vi) Cllr Z A Thuthani – Public Works and Engineering Services
- (vii) Cllr R E Tladi – Administration, Restructuring and Amalgamation
- (viii) Cllr S E Tshabangu – Finance

Hereafter the different parties commented as follows:

PAC – Congratulatory Remarks

UDM - Congratulatory Remarks

DP – Concern of objection on the failure by the Mayor to apply the principle of proportional representation on the Committees.

ANC - Congratulatory Remarks

2001-02-27

A35. FINANCIAL STATEMENTS 1999/2000 (6/1/1/1) (AMM) (P61 ANNEXURES 60 – 112)

RESOLVED that:

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

2001-02-27

A36. LOCAL LABOUR FORUM: LABOUR RELATIONS DIVISION (WELKOM UNIT) (15/2/1/1) (DAS5.2) (P62 : ANNEXURES 113 – 117)

RESOLVED that:

Council **AMEND** Resolution A362 of 2000-10-10 taken by the Committee of Eleven of Welkom so as to include the Virginia, Odendaalsrus, Allanridge, Ventersburg and Hennenman units;

Council **ELECT** six (6) Councillors (4 from the ANC and 2 from the DA) to serve on the Local Labour Forum;

SAMWU and IMATU's representation **BE DIVIDED** in proportion to their respective membership in the workplace, i.e.

SAMWU 7,84 = 8 representatives
IMATU 4,16 = 4 representatives.

(The DA nominated Cllrs H C van Rooyen and A Styger to represent it and the ANC will forward its 4 names to the Acting Municipal Manager.)

2001-02-27

A37. REVIEW OF DELEGATED POWERS: PROGRESS REPORT (3/2/2) (3/1/2) (AMM) (P65)

RESOLVED that:

- (a) The contents of the report pertaining to the review of the delegated powers for the Council **BE NOTED**;
- (b) It **BE NOTED** that a comprehensive report regarding paragraph (a) above, will be submitted to the Council as soon as the report on the delegated powers for the Matjhabeng Municipality has been finalized.

2001-02-27

A38. DECEASED MS B N MORAKE: PAYMENT OF R3000,00 FOR BURIAL (6/4/2/2) (AMM) (P66 : ANNEXURES P118)

RESOLVED that:

The Council **CONDONES** the action taken by the Acting Municipal Manager in consultation with the Executive Mayor designate to pay the amount of R3 000,00 for the burial of the deceased Ms B N Morake, who passed away while she was waiting at the polling station to cast her vote during the local government elections on 5 December 2000 at Odendaalsrus.

2001-02-27

A39. MONTHLY FINANCIAL REPORT

The Speaker stated that due to an administrative delay the monthly financial report could not be included into the agenda and was only distributed late on Monday, 26 February 2001. The PAC and UDM had however not received the report. He requested Council to condone the late submission of the report.

RESOLVED that:

- (a) The Council **CONDONE** the late submission of the monthly financial report and that it be added to the agenda;
- (b) The contents of the report **BE NOTED**.

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(The Lead Treasurer, Mr P L van der Merwe, informed the Council that the integration of 5 different computer systems will most probably be completed by the end of June 2001 and only after that will detailed information be available to Council. He stated furthermore that Matjhabeng Council was able to meet all of its financial obligations as from 5 December 2000.)

CLOSING

The Speaker expressed his gratitude towards all Councillors for a fruitful meeting and terminated the meeting at **18:20**

SPEAKER
CLLR T V MATSEPE

DATE: _____

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