

MINUTES

OF THE

**4TH ORDINARY MEETING
FOR THE YEAR 2004**

of

MATJHABENG MUNICIPALITY

held on

TUESDAY, 27 JULY 2004

at

16:00

COUNCILLORS PRESENT : COUNCIL MEETING : 27 JULY 2004

ANC

PROPORTIONAL			
1.	Leeuw SJ (Executive Mayor)	14.	Dlova TW
2.	Matsepe TV (Speaker)	15.	Ikaneng MI
3.	Tsubane ME	16.	Mafantire MJ (Written apology)
4.	Menong KS (MMC)	17.	Mafongosi VZ
5.	Ramaisa KA (MMC)	18.	Mashinini NL
6.	Tladi RE (MMC)	19.	Alexander RR
7.	Thuthani ZA (MMC)(Written apology)	20.	Radebe ML
8.	Matosa AN	21.	Sephiri MJ (Attending Course)
9.	Matlabe MMT	22.	Tlhone ML
10.	Mbana MA	23.	Vanga M
11.	Mokhathi PE	24.	Kotzee D
12.	Bengu VV	25.	Masoleng NI
13.	Dali VN	26.	Kujoana MA (Attending Course)
WARD			
27.	Matsbukanye MM (Absent without apology)	42.	Mfebe MSE
28.	Tshabangu SE (MMC)	43.	Mhlaba N (Absent without apology)
29.	Mohloli PP (Telephonic apology)	44.	Mokolutlo LA
30.	Mogole RR	45.	Montshioa BA (MMC)
31.	Liphoko SJ (Absent without 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 (Attending Course)	50.	Ramojela JN
36.	Dlamini SC	51.	Rubulana L
37.	James TH	52.	Seboholi CP
38.	Khalipha TD (MMC)	53.	Taliwe FE
39.	Mabuya FF	54.	Thoabala TE (MMC) (Until 17:45)
40.	Manzana NR	55.	Tsoene TD
41.	Masoka NL (Written apology)	56.	Tsatsa SJ

DA

PROPORTIONAL			
57.	Fourie JJC	61.	Maqena AM (Written apology)
58.	Marais (Dr) JS	62.	Ntsala MM
59.	Auret IH	63.	Olivier JJ (Until 17:45)
60.	Neumann VH	64.	Styger A
WARD			
65.	Bothma B	68.	Edeling JH
66.	Louw ML	69.	Van Rooyen HC
67.	Smit DC (Telephonic apology)	70.	Du Toit JJB

UDM

PROPORTIONAL	
71.	Motshabi MP (Written apology)

PAC

PROPORTIONAL	
72.	Majoe TS (Telephonic apology)

OFFICIALS

Mr RSB Sesele	:	Municipal Manager
Mr RN Pitso	:	Chief Financial Officer
Mr BP Molatseli	:	Executive Manager: Corporate Services
Dr KP van der Walt	:	Executive Manager: Economic Development & Spatial Planning
Mr A van der Merwe	:	Manager: Information Communication Technology
Mr S Lourens	:	Manager: Legal Services
Me AC Schoeman	:	Admin Officer (Corporate Services)
Mr J Jankowitz	:	Corporate Services

1. OPENING

Pastor Lawrence Matlala opened the meeting with Scripture reading and prayer.

The Speaker allowed Pastor Matlala to inform the meeting about the Conference to be held from 27 September 2004 to 1 October 2004 at Vista on what Christians can do to make a difference in the community. This Conference would be held by the Matjhabeng Christian Leaders Assembly and Councillors were invited to attend the conference.

2. APPLICATIONS FOR LEAVE OF ABSENCE

The Speaker mentioned that some Councillors have a tendency of applying for leave of absence telephonically. According to the Standing Rules and Orders of Council such applications could not be recorded as official applications for absence unless substantial reasons be given. Such applications would be regarded as absent without approval. The Speaker once again reminded Councillors that if absent without apology for three (3) consecutive meetings they would automatically be excluded from being Councillors.



3. OFFICIAL ANNOUNCEMENTS OF THE SPEAKER

The Speaker made the following announcements :

1. He informed Council that the Executive Mayor, Cllr SJ Leeuw, invited all Councillors to the launching of the Gender Desk and Celebration of Women's Day at the White House Hall near Tikwe Lodge in Virginia on 9 August 2004 at 09:00. Councillors must confirm their attendance with Mapitso or Nolitha at (057) 391 3236/3231 not later than 30 July 2004.
2. He informed Council about the launching of the Batho Pele Principles on 30 July 2004 by the Department of Corporate Services and mentioned that the venue was changed to the Ernest Oppenheimer Theatre instead of the Ferdi Meyer Hall. All Councillors were invited to attend.
3. He cited Section 21B of the Local Government Municipal Systems Act which provided that each municipality must establish its own official website if affordable and place on that official website information required to be made public in terms of that Act and the Municipal Finance Management Act. If a municipality decided that it was not affordable to establish its own official website it must provide the information in terms of legislation referred to in subsection 1(b) for display on an organized local government website sponsored/facilitated by the National Treasury. The Municipal Manager must maintain and regularly update the municipality's official website if in existence or provide the relevant information as required by section 2.

The Executive Mayor informed the meeting that it was the launching of the first phase of the website and that it would be completed within 2 weeks from that day. The website would be accessible as from 28 July 2004 on www.matjhabeng.co.za.

The Information Communication Technology Branch showed the website on the projector and everybody was requested to submit information, update information and to check that the information on the website was correct.

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

IV

6. REPORTS RECEIVED FROM THE SPEAKER

None

7. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER

CONGRATULATIONS

The Speaker congratulated the following Councillors on their birthdays :

Cllr N Mhlaba	:	2 July
Cllr M Ikaneng	:	16 July
Cllr B Montshioa	:	28 July
Cllr L Rubulana	:	01 August
Cllr ML Louw	:	04 August
Cllr T Majoe	:	08 August
Cllr R Alexander	:	11 August
Cllr M Matlabe	:	11 August
Cllr KS Menong	:	11 August
Cllr SJ Liphoko	:	28 August
Cllr RR Mogole	:	31 August

8. MOTIONS OF SYMPATHY AND CONGRATULATIONS FROM OTHER MEMBERS

SYMPATHY

The Executive Mayor conveyed Council's deepest sympathy to the Speaker, Cllr TV Matsepe, on the passing away of his uncle that morning.

9. DEPUTATIONS AND INTERVIEWS

None

10. DISCLOSURE OF INTEREST

None

11. MINUTES OF THE PREVIOUS MEETINGS

IT WAS RESOLVED (27 JULY 2004)

That the minutes of the 3rd Ordinary meeting of the Council held on 25 May 2004 be **APPROVED** and **CONFIRMED** as a true reflection of what transpired at the meeting.

V

12. FORMAL SIGNING OF MINUTES

The Speaker indicated that he had signed the minutes.

13. MATTERS ARISING FROM THE MINUTES

None

14. QUESTIONS OF WHICH NOTICE WAS GIVEN

None

15. REPORTS OF THE EXECUTIVE MAYOR AND COMMITTEES

A48/2004 – A53/2004

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 4** Item **A54/2004** of these minutes.

The Executive Mayor made the following announcements:

In terms of the Municipal Finance Management Act, Section 166, a municipality must have an Audit Committee which excludes the participation of Councillors, therefore Council's Audit Committee must be reformed to exclude Councillors. The Executive Mayor encouraged Councillors to read through Section 166 of the said Act and said that changes to the Audit Committee must be done within the following two weeks.

In terms of the Municipal Finance Management Act, Section 129, subsection 4, a municipality may establish an oversight/public accounts committee that will look into the annual report submitted to a council. Members were requested to also look into that matter.

A report would be submitted to the Council at its next meeting on the establishment of a Section 79 Committee to deal with some of the issues raised by Councillors on the monitoring and evaluation of the performance of the municipality.

Copies of the Municipal Finance Management Act would be distributed after the meeting.

17. MOTIONS

None

VI

18. CLOSURE

- 18.1 The Speaker thanked Councillors for their patience and informed Council that the Municipal Finance Management Act came into operation on 1 July 2004 and requested that Councillors should study the Act to have a thorough knowledge thereof. He requested that a workshop be arranged on the said Act.
- 18.2 The Executive Mayor informed the meeting that the new financial system has been integrated and it looks impressive. All that was needed to be done was to check that the data was clean. The personnel who will have to operate the system must also be well trained.
- 18.3 Mr Phala of the Department of Home Affairs was allowed to address Council on the continuous ID and Birth registration Campaigns and he requested Councillors to inform the community to apply for new ID documents.

The meeting ended at **18:25**.

.....
TV MATSEPE (SPEAKER)

.....
DATE

A48/2004

FINANCIAL IMPLICATIONS ON PARITY AND PLACEMENT (EMHR)
(5/4/1/2/1) (P1 : ANNEXURE P1)

PURPOSE OF REPORT

To report to the Mayoral Committee regarding the financial implications on Parity and Placement of employees in Matjhabeng.

IT WAS RESOLVED (27 JULY 2004)

[EMHR]

That Council **TAKES NOTE** that the salaries according to the Placement process would be paid to all employees as from 1 July 2004 based on the Welkom Salary Scales and Grading.

A49/2004

MONTHLY REPORT – APRIL 2004 (6/12/2/1) – (CFO) (P3 : ANNEXURE P2)

PURPOSE

To inform council regarding the financial results for the period 01/04/2004 to 30/04/2004.

IT WAS RESOLVED (27 JULY 2004)

[CFO]

1. That investigations on the seasonal increase/decrease of Eskom Tariffs **BE MADE** and the report thereof **BE SUBMITTED**.
2. That an analysis of water and electricity purchases against sales **BE MADE**.
3. That the Engineering Department **BE REQUESTED TO SERIOUSLY** look at the water loss problem and see how it could be prevented.
4. That it **BE NOTED** that DPLG has approved the funding of Bad Debt write-off project from the Revenue Enhancement Project as per Council Resolution.
5. That the Credit Management Unit **SHOULD ENSURE** that revenue is enhanced through collection and that arrangements are professionally managed through credit control to be established.
6. That a report on all outstanding highest debtors and what has been done **BE SUBMITTED** to the next meeting, especially on Flamingo Development and McIntyre Development .
7. That the staff compliment **BE CHECKED** as the figures differed from those in the May 2004 report.

8. That a detailed report **BE SUBMITTED** on what the money was owed for regarding PACOFS.
9. That the Executive Mayor **ENTERS INTO NEGOTIATIONS** with the MEC for Sports, Arts, Culture and Technology, in the Free State Government, to discuss the possibility of dispensing with the money owed to PACOFS.
10. That a workshop on the financial statements **BE HELD** before 31 August 2004 to educate Councillors to understand the financial reports.

A50/2004

MONTHLY FINANCIAL REPORT – MAY 2004 (6/12/2/1) – (CFO) (P16)

PURPOSE

To inform Council regarding the financial results for the period 01/05/2004 to 31/05/2004.

IT WAS RESOLVED (27 JULY 2004)

- [CFO]
1. That a report on all outstanding highest debtors and what had been done **BE SUBMITTED** to the next meeting.
 2. That the Credit Management Section must urgently **BE APPOINTED** and the Income Section must collect what is owed to Council.
 3. That various campaigns **MUST BE UNDERTAKEN** to encourage people to pay.
 4. That big companies **BE REQUESTED** to instil stop order facilities on service accounts.
 5. That the practice of an afternoon-off on month-end **BE INVESTIGATED**.
 6. That Council **MUST ENSURE** compliance with the Financial Intelligence Centre Act, Act no 38 of 2001.

A51/2004

PROGRESS REPORT: UNIFORM REGULATIONS FOR STREET TRADING (9/2/17) (EMEDSP) (P27 : ANNEXURE P3 - 11)

PURPOSE

To indicate what progress is made with the compilation of uniform regulations for street trading and what actions must still be finalized.

IT WAS RESOLVED (27 JULY 2004)

- [EMEDSP]
- That the progress made with the compilation of uniform regulations for street trading and the action plans **BE NOTED**.

A52/2004

ESTABLISHMENT OF A MUNICIPAL ENTITY IN TERMS OF CHAPTER 10 OF THE MUNICIPAL FINANCE MANAGEMENT ACT, NO 56 OF 2003 AND CHAPTER 8A OF THE MUNICIPAL SYSTEMS AMENDMENT ACT, NO 44 OF 2003 (EMEDSP) (3/3/20) (P30)

PURPOSE

To request approval from Council to make public an information statement setting out the municipality's plans for the establishment of a municipal entity for economic development.

IT WAS RESOLVED (27 JULY 2004)

1. That the Matjhabeng Local Council supports and approves the establishment of a private company as a Municipal Entity to facilitate economic development in Matjhabeng and the disestablishment of the FGFDC in compliance with Chapter 8a of the Municipal Systems Amendment Act, No 44 of 2003 and the Municipal Finance Management Act, No 56 of 2003.
2. That in compliance with Clause 84(1) and (2) of Act 56 of 2003:

A meeting between the Executive Mayor, Municipal Manager, MMC for Economic Development and Spatial Planning, the Interim Executive Committee of the FGFDC and relevant senior officials from the FGFDC and Council be scheduled to determine all the principles of the new entity.

The Municipal Manager prepares and places the necessary advertisements in local newspapers to obtain the necessary inputs from the community.

That the views and recommendations of the relevant Departments as stipulated in Clause 84(2)(ii) be obtained.

3. That Council must call for proposals from consultants to present to Council on the disestablishment process of the FGFDC and the establishment process of the new entity with the Registrar of Companies.

A53/2004

MATJHABENG MUNICIPALITY: DESIGNATION OF THE WHIP OF COUNCIL AS A FULL-TIME COUNCILLOR (3/1/B) (MM) (P34 : ANNEXURE P12 -28)

PURPOSE

To execute rules 70 to 73 of the Matjhabeng Rules and Orders regarding the designation of full-time councillors.

IT WAS RESOLVED (27 JULY 2004)

1. That the appointment of a full-time Whip of Council **BE APPROVED**.
2. That it **BE NOTED** that the DA **did not support** the appointment.

A54/2004

REPORT ON DECISIONS TAKEN UNDER DELEGATED POWERS (3/1/2)
(MM) (EXECUTIVE MAYOR'S REPORT PAGE 1 – 17)

IT WAS RESOLVED (27 JULY 2004)

[FILE] That the resolutions taken by the Executive Mayor under delegated powers as they appear on the Annexures marked **Executive Mayor's Report**, i.e. MC81/2004 to MC89/2004, MC90/2004 to MC92/2004, MC93/2004 to MC97/2004 and MC98/2004 to MC106/2004, **BE CONFIRMED**.

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