

MINUTES

3RD ORDINARY MEETING

of the

MATJHABENG MUNICIPALITY

held on

TUESDAY

27 MARCH 2001

at

16:00

in

THE COUNCIL CHAMBERS

MUNICIPAL BUILDING,

WELKOM

MINUTES OF THE 3RD ORDINARY MEETING OF THE MATJHABENG MUNICIPALITY HELD IN THE COUNCIL CHAMBERS, MUNICIPAL BUILDING, WELKOM ON TUESDAY, 27 MARCH 2001 AT 1600

PRESENT

EXECUTIVE MAYOR

Cllr Leeuw SJ

SPEAKER (Acting)

Cllr GL Moahloli

COUNCILLORS

Alexander RR

Auret IH

Bengu W

Bothma B

Chao MK

Dassie YS

Dlamini SC

Dlova TW

Du Toit JJB

Fourie JJC

Ikaneng MI

Jabuza VB

James TH

Khalipha TD

Kotze D

Liphoko SJ

Louw ML

Mabuya FF

Mafantire MJ

Mafereka MM

Mafongosi ZV

Majoe TS

Manzana NR

Maqena AM

Marais JS

Masienyane MD

Masoka NL

Matlabe MMT

Matosa AN

Matsbukanye MM

Menong KS

Mfebe MSE

Mgubantu KA

Mogole RR

Mohloli PP

Mokoena ME

Mokhathi PE

Mokolutlo LA

Montshioa BA

Mosala MS

Motshabi MP

Nakwa TA

Neumann VH

Ntsala MM

Olivier JJ

Pereko MJ

Radebe LLF

Radebe ML

Ramojela JN

Rubulana L

Seboholi CP

Styger A

Taliwe FE

Thoabala TE

Thuthani ZA

Tladi RE

Tlhone ML

Tsatsa SJ

Tshabangu SE

Tsoene TD

Tsubane ME

Vanga MM

II

OFFICIALS

The Acting Municipal Manager
Transitional Head: Secretariat

1. OPENING

The Acting Municipal Manager welcomed everybody present and stated that in terms of rule 23(2) and (3) of the Standard Rules and Orders of Council an Acting Speaker must be elected from amongst the Councillors as the Speaker, since Cllr T V Matsepe, has applied for leave of absence due to circumstances beyond his control.

Cllr G L Moahloli was elected unanimously as the Acting Speaker to preside over the proceedings of the 3rd Ordinary meeting of Council

The Acting Speaker welcomed the Councillors, officials, members of the media and public as well as the pastors present.

Rev A Venter opened the meeting with a Scripture reading and Pastor Abner prayed.

2. APPLICATION FOR LEAVE OF ABSENCE

Cllrs M Baaitjies
 J H A Edeling
 N Mhlaba
 T V Matsepe
 S Ngangelizwe
 S S Segalo
 D C Smit
 H C van Rooyen

3. OFFICIAL ANNOUNCEMENTS OF THE SPEAKER

The Acting Speaker, on behalf of Council, congratulated the following Councillors on the celebration of their birthdays:

T V Matsepe	- 25 April
Z V Mafongosi	- 15 April
J S Marais	- 14 April
V H Neumann	- 1 April
M M Ntsala	- 13 April
T D Tsoene	- 21 April



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 The Acting Speaker, on behalf of Council, expressed its condolences to Cllr AR Alexander on the sudden passing away of his father.

8. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY OTHER COUNCILLORS

8.1 Cllr MP Motshabi, on behalf of Council, expressed its condolences to Cllr T.S. Majoe on the loss of a family member during the past week.

9. DEPUTATIONS AND INTERVIEWS

NONE

10. DISCLOSURE OF INTEREST

NONE

11. MINUTES OF THE PREVIOUS MEETING

RESOLVED that:

The minutes of the meeting held on 27 February 2001 be accepted and approved with the following amendments:

(i) **Item A19(p.1):** par. (f) be added as follows:

(f) The Saddle Horse Breeders Society of SA be allowed to submit another application to purchase a property suitable for its needs from Council should it be able to identify another stand;

IV

(ii) **Item A34(p.8):**

Thereafter the different parties commented as follows:

DP to be amended to DA
Concern **and** objection instead of concern **of** objection.

12. QUESTIONS OF WHICH NOTICE WAS GIVEN

NONE

13. COMMITTEE REPORTS

The Executive Mayor presented the items as per approved agenda.

14. REPORTS OF DECISIONS TAKEN UNDER DELEGATED POWERS

NONE

15. MOTIONS

NONE

I N D E X

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SECTION A

2001-03-27

A40

CMIP APPLICATIONS: INFRASTRUCTURE PROJECTS - MATJHABENG MUNICIPALITY (3/3/22) (TME)

RESOLVED that:

(a) The projects for CMIP-funds per administrative unit within Matjhabeng Council as set out on p.1 to p.4 of the annexure list of the agenda, be accepted and approved with the following amendments:

(i) Hennenman Administrative Unit

Substitute point 2 with the following:

2. Sanitation R3 800 000 A To be appointed

(ii) Ventersburg Administrative Unit

Add point 3:

3. Town planning / Town establishment R 560 000 A To be appointed
800 stands.

(b) The issue of tar and/or concrete roads be referred to the Section 79 - Committee of Public Works & Engineering Services for consideration; and

(c) Consulting Engineers be given the opportunity to prepare business plans for projects at their own risk on condition that Council reserve the right to appoint, after considering all applicants/other consulting companies that might be interested.

2001-03-27

A41

ESTABLISHMENT OF SECTION 79-COMMITTEES (3/7/1/1) (4/1/2/2) (AMM)

RESOLVED that:

(a) The contents of the report pertaining to the establishment of the Section 79-Committees be noted;

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- (b) It be noted that there would be eight (8) Section-79 Committees in accordance with the eight (8) Mayoral Committee portfolios which would be chaired by the Mayoral Committee members;
- (c) Each Committee mentioned in paragraph (b) supra, would consist of 10 Councillors and 4 officials, as well as co-opted members as might be determined from time to time;
- (d) The Committee to be requested to formulate its terms of reference at its first meeting;
- (e) The Acting Municipal Manager to submit an item on the delegated powers of Council at the next meeting;
- (f) The system of electing the members of the Committee be based on proportional representation;
- (g) The Committee to meet at least twice every month; and
- (h) The lists of the ANC and DA that were submitted, be accepted and implemented as deemed fit by the Executive Mayor; and
- (i) The PAC and UDM to submit their lists to the Executive Mayor for inclusion into the Section 79-Committees.
- (j) That it be noted that the lists of the ANC, DA, PAC and UDM mentioned in paragraphs (h) and (I) above are as follows:

1. ANC

NOMINATION OF COUNCILLORS TO SERVE IN COUNCIL COMMITTEES ESTABLISHED IN TERMS OF SECTION 79 OF MUNICIPAL STRUCTURES ACT (ACT 117 OF 1998)

HOUSING DEVELOPMENT & ENVIRONMENTAL CARE

- 1. Cllr D. Tsoene
- 2. Cllr D. Masienyane
- 3. Cllr L. Tlhone
- 4. Cllr M.M. Matsbukanye
- 5. Cllr T. Khalipha

3

HUMAN RESOURCES, PLANNING & DEVELOPMENT

1. Cllr M.T. Matlabe
2. Cllr L. Rubulana
3. Cllr M.L. Radebe
4. Cllr A.M. Matosa
5. Cllr M. Baaitjies

PUBLIC SAFETY & TRANSPORT

1. Cllr V.B. Jabuza
2. Cllr R. Alexander
3. Cllr R.R. Mogole
4. Cllr N. Mhlaba
5. Cllr F. Taliwe
6. Cllr D. Kotzee

ECONOMIC & SOCIAL DEVELOPMENT, TRADE & LICENSING

1. Cllr S. Ngangelizwe
2. Cllr N. Masoka
3. Cllr M. Ikaneng
4. Cllr J.S. Tsatsa
5. Cllr M. Vanga
6. Cllr M.J. Pereko

COMMUNITY SERVICES - SPORTS, PARKS & RECREATION

1. Cllr M. Tsubane
2. Cllr F. Mabuya
3. Cllr S.J. Liphoko
4. Cllr L.A. Mokolutlo
5. Cllr Y.S. Dassie
6. Cllr N.J. Ramojela

PUBLIC WORKS & ENGINEERING

1. Cllr M.E. Mokoena
2. Cllr T.A. Nakwa
3. Cllr T.W. Dlova
4. Cllr M.S.E. Mfebe
5. Cllr Z.V. Mafongosi
6. Cllr P.E. Mokhathi

4

ADMINISTRATION, RECREATION & AMALGAMATION

1. Cllr C.P. Seboholi
2. Cllr L.L.F. Radebe
3. Cllr S.S. Segalo
4. Cllr S.C. Dlamini
5. Cllr T. James
6. Cllr V. Bengu

FINANCE

1. Cllr G. Moahodi
2. Cllr J. Mafantire
3. Cllr M.M. Mafereka
4. Cllr R.N. Manzana
5. Cllr M.S. Mosala
6. Cllr P.P. Mohlohi

2. DA

HOUSING DEVELOPMENT & ENVIRONMENTAL CARE

Cllr VH Neumann and Cllr JJC Fourie

HUMAN RESOURCES, PLANNING & DEVELOPMENT

Cllr VH Neumann and Cllr B Bothma

PUBLIC SAFETY & TRANSPORT

Cllr IH Auret and MM Ntsala

ECONOMIC & SOCIAL DEVELOPMENT, TRADE & LICENSING

Cllr AM Maqena and Cllr DC Smit

COMMUNITY SERVICES - SPORTS, PARKS & RECREATION

Cllr M Louw and Cllr B Bothma

PUBLIC WORKS & ENGINEERING SERVICES

Cllr JJ du Toit and Cllr A Styger

ADMINISTRATION, RESTRUCTURING & AMALGAMATION

Cllr HC van Rooyen and Cllr JHA Edeling

5

FINANCE

Cllr (Dr) JS Marais and Cllr JJ Olivier

3. **UDM**

**HOUSING DEVELOPMENT & ENVIRONMENTAL CARE, ECONOMIC
& SOCIAL DEVELOPMENT, TRADE & LICENSING**

4. **PAC**

**HOUSING DEVELOPMENT & ENVIRONMENTAL CARE, PUBLIC
SAFETY & TRANSPORT,
FINANCE**

Cllr TS Majoe

2001-03-27

A42

**REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS
OF VIRGINIA FOR THE YEAR ENDING 30 JUNE 1999 (6/1/2/2) (TMFS)**

Cllr Bengu gave a thorough report back on the progress made and stated that a comprehensive report on the matter would be submitted to Council during April 2001 for consideration.

RESOLVED that:

The report be noted and a comprehensive report would be submitted to Council for consideration during April 2001.

2001-03-27

A43

FINANCIAL POSITION - 31 DECEMBER 2000 (6/1/1/1) (TMFS)

After a comprehensive debate by various Councillors regarding the financial position of Matjhabeng and shortcomings that should be addressed, e.g. credit control policy, lack of detailed information, job creation to curtail unemployment rate, refusal to accept smaller amounts than billed for, etc. it was

RESOLVED that:

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- (a) The Transitional Manager: Financial Services be tasked to submit a report on the issue of refusal to accept payments that are lower than the monthly service charges and how to address the matter properly to Council during April 2001; and
- (b) The issue of the financial position of Matjhabeng be referred to the Section 79-Finance Committee to debate the matter thoroughly and to take appropriate steps.

2001-03-27

A44

ELECTION OF WARD COMMITTEES (4/1/2/2) (DAS.1)

RESOLVED that:

- (a) The following be accepted:
 - (i) **Category No 1**

The Ordinary Ward

Ward with a dense concentration of voters and thus the people can reach out and have access to a single point/venue to convene a constituency meeting, for amongst others, the Election of a Ward Committee.

- (ii) **Category No 2**

Middle Line Ward

Ward with a dense voting district and a sparsely populated voting district.

- (iii) **Category No 3**

Way-Out Ward

Here the Ward has its "Dense" Voting District with a Vast Area of Sparsely populated voting districts:

- (b) Each of the Ward Councillors should identify a maximum of 4 different sectors within its ward, and request each sector to nominate a representative to the Ward Committee, keeping the gender composition in mind, which persons shall then be elected to the Ward Committee at the election constituency meeting;
- (c) The rest of the Ward Committee members then be elected to a maximum of 6 members. The elections to be democratic;

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- (d) Council adopt a policy position that elections for Ward Committees be done differently with regard to the geographic spread of votes and physical characteristics of each specific ward.
- (e) Wards 11, 12, 23, 25 & 35 be run as determined by Category 2;
- (f) Council adopts the principle that Wards 3 & 10, where separate concentrations of voters were concerned, separate election procedures to take place to elect a determined number of Committee Members based on the concentration of voters, thus Category 2 & 3. The rest of the scattered areas should be dealt with in terms of Category 1 & 2;
- (g) In Ward 24 the system proposed in Category 3 would be used provided that the different outlined sparsely populated voting areas would be clustered in units at the discretion of the Ward Councillor to be serviced from the center;
- (h) Ward 30 be run as determined by Category 1;
- (i) For the purposes of advertising and announcing a Constituency meeting, such activity be regarded as done within the scope of the duties of a Councillor and Council property would thus be used; and
- (j) The deployment of Proportional Councillors to wards be done in terms of Rule 151(2) of the Standard Rules and Orders, in consultation with the Speaker who has the final discretion regarding the function.

2001-03-27

A45

INFORMATION TECHNOLOGY SYSTEM : FINANCE (2/4)

RESOLVED that:

- (a) The matter be referred to the mayoral Committee for consideration.
 - (b) Tenders be invited and the Tender Committee to consider the tenders received; and
 - (c) A uniform financial system be implemented as from 1 July 2001, thus (a) and (b) be finalized before 1 July 2001.
-

A46

DELEGATION OF POWERS AND FUNCTIONS OF THE MUNICIPAL COUNCIL TO THE EXECUTIVE MAYOR IN TERMS OF SECTION 32 OF THE MUNICIPAL STRUCTURES ACT (3/2/2) (DAS)

RESOLVED that:

Council designates all its powers to the Executive Mayor with the exception of:

- (a) Powers referred to in Section 160(2) of the Constitution of SA, Act No 108 of 1996;
 - (b) The power to set criteria for the establishment of Committees in terms of Section 33 of the Municipal Structures Act;
 - (c) The power to dissolve a Municipal Council in terms of Section 34 of the Municipal Structures Act;
 - (d) The power to appoint the Municipal Manager in terms of Section 82 of the Municipal Structures Act;
 - (e) The power to establish Committees in terms of Section 79 of the Municipal Structures Act;
 - (f) The power to adopt an integrated development plan in terms of Section 25 of the Municipal Structures Act;
 - (g) The power to establish a performance management system in terms of Section 38 of the Municipal Structures Act;
 - (h) The power to develop a system of delegation that would maximize the operational efficiency and provide for adequate checks and balances in terms of Section 59(1) of the Municipal Systems Act; and
 - (i) All powers and functions assigned to the Municipal Council in terms of the Municipal Structures Act and Municipal Systems Act and not mentioned above.
-

A47

GUIDELINES TO BE USED BY COUNCIL ON THE INTERACTION OF THE POLITICAL STRUCTURE AND ADMINISTRATIVE STRUCTURE (2/1) (TMA)

RESOLVED that:

- (a) The Executive Mayor, Speaker and Mayoral Committee members should have the authority to interact directly with any member of the staff of Matjhabeng Municipality: Provided that such interaction should be strictly confined to accessing information for the due performance of their function. This interaction should be done in consultation recognizing the line authority wherever possible.
- (b) This communication/interaction should always be done in a manner that takes into account the relevant provisions of the relevant legislations and agreements in particular the Labour Relations Act;
- (c) In the event of any conflict arising out of the execution and exercising of such function or authority, the Councillor involved would immediately bring the issue to the attention of the immediate line function Head or Supervisor, who would then assist to resolve the conflict using the resource of the hierarchy of higher authority;
- (d) The above should take place bearing in mind that all staff members were accountable to their immediate supervisor or supervisor or superior only; and
- (e) The Mayoral Committee members or Section 79-Committee Chairperson might interact directly with senior management in relation to issues pertaining to such Committee functions. Provided that such interaction should be conducted bearing the principles stated above in mind. In the event of any request/instruction would have to be in-writing.

2001-03-27

BEFORE THE DISCUSSION OF THE INTERIM IDP THE EXECUTIVE MAYOR REMARKED AS FOLLOWS:

" IDP STEERING COMMITTEE: 26 MARCH 2001

GOOD AFTERNOON

LADIES AND GENTLEMEN

Today is out last day to refine our IDP so it is important that this product must have credibility in the eyes of those we represent.

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This Interim Integrated plan must bring hope to those who lost one. It must guide this transformation.

It must lay the foundation of the final IDP. It must give courage and it must be realizable. Hence today is crucial for this Steering Committee to present a document and a plan that will be acceptable to Majority of People.

It is my wish that this team be proud of what we have together planned. We must be able to won and defend and enhance it.

SJ LEEUW
EXECUTIVE MAYOR (MATJHABENG MUNICIPALITY)"

A48

INTERIM IDP (6/4/1)

After a lengthy debate on the late submission of the document it was

RESOLVED that:

- (a) The late submission of the document containing the Interim IDP of Matjhabeng Council, be condoned;
- (b) The Interim IDP document be accepted, approved and be used during the Budget compilation process for the 2001/2002 financial year; and
- (c) The concern of the PAC and UDM regarding the late submission of the document be noted.

2001-03-27

A49

ALLOCATION OF PR LIST COUNCILLORS TO RESPECTIVE WARD (3/8/1/1) **(TMA)**

RESOLVED that:

- (a) Council accept the report presented by the Speaker as set out on p49 to p50 of the annexure list to the agenda as fulfilling the requirements of Rule 151(2) of the Standard Rules and Orders of Council and be implemented with immediate effect and

- (b) Any concern be referred to the Ward Councillors/Chairperson meetings for finalisation.
-

16. CLOSING

The Acting Speaker terminated the meeting at **18:20**

ACTING SPEAKER
CLLR GL MOAHOLI

DATE : _____