

MINUTES

OF THE

**5TH ORDINARY MEETING
FOR THE YEAR 2007**

of

MATJHABENG MUNICIPALITY

held on

TUESDAY, 28 AUGUST 2007

at

16:00

COUNCILLORS ATTENDANCE: COUNCIL MEETING: 28 AUGUST 2007

ANC

PROPORTIONAL			
1.	Leeto NS (Executive Mayor)	14.	Radebe ML (MMC)
2.	Baaitjies M	15.	Ramaisa KA
3.	Dlova TW (MMC) (Apology)	16.	Senoge MM
4.	Humphries MF	17.	Sephiri MJ (Chief Whip)
5.	Masoleng NI	18.	Speelman NW (MMC) (Apology)
6.	Matlabe MMT	19.	Qwasha GL
7.	Matosa AN	20.	Thuthani ZA (MMC)
8.	Ntsebeng MH (MMC)	21.	Tladi RE (MMC) (Absent)
9.	ZP Noveld (MMC)	22.	Tlhone ML
10.	Molefi MJ	23.	Tsubane ME
11.	Nyembe ME (Absent)	24.	Twanana M
12.	Petleki KI	25.	Vanga NM
13.	Qabela V	26.	TD Khalipha
WARD			
27.	Dlamini SC (MMC)	43.	Montshioa BA (MMC)
28.	Kotzee AP (MMC)	44.	Motshabi MP
29.	Mahloko NN (Apology)	45.	Mphikeleli MA
30.	Majwede MC	46.	Nakwa TA
31.	Makgowe PV	47.	Ntsala NS
32.	Mankayi NE	48.	Peterson E
33.	Manzana NR	49.	Radebe LLF
34.	Masienyane MD	50.	Rubulana L (Speaker)
35.	Mathebula MA	51.	Nteo SD (Apology)
36.	Mfebe MSE	52.	Sejane LM
37.	Mkhusane NC	53.	Semela ME
38.	Moahloli MS	54.	Sithole B
39.	Mokapo TJ	55.	Taliwe FE (Absent)
40.	Mokhuma MS	56.	Themhani PP
41.	Mokobori KE	57.	Tsatsa SJ
42.	Monjovo NE		

II

DA

PROPORTIONAL			
58.	Edeling JH	62.	Mokotedi TG
59.	Fourie JJC (Apology)	63.	Neumann VH
60.	Marais JS	64.	Styger A (Apology)
61.	Mhlafu BD		
WARD			
65.	Beneke R	67.	Smit DC
66.	Botha PF	68.	Van Rooyen HC

FF+

PROPORTIONAL	
69.	Coetzee BJA

PAC

PROPORTIONAL	
70.	Majoe TS

ACDP

PROPORTIONAL	
71.	Mofoka MA

IND

WARD	
72.	Liphoko SJ (Absent)

OFFICIALS

Dr B Malakoane	:	Municipal Manager
Mr MNS Moletsane	:	Director Corporate Support Services
Mr TA Ngozwana	:	Director Infrastructure
Mr LB de Bruyn	:	Acting Chief Financial Officer
Me KR Maloka	:	Director Social Services and Law Enforcement
Me A Schoeman	:	Administrative Officer (Corporate Services)

III

SECTION A

1. OPENING

Pastor Eunice Lonake of the Christ Embassy opened the meeting with Scripture reading and prayer.

2. APPLICATIONS FOR LEAVE OF ABSENCE

See Councillors Attendance List on **pages I and II**

3. OFFICIAL ANNOUNCEMENTS OF THE SPEAKER

The Speaker informed Council that Cllr Thoabala, who had resigned, was replaced by Cllr GL Qwesha. The Speaker requested Cllr Dlamini to welcome Cllr Qwesha on behalf of Council.

4. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER

SYMPATHY

A moment of silence was observed in sympathy with Cllr Dlova whose brother passed away.

CONGRATULATIONS

4.1 The Speaker congratulated the following Councillors on their birthdays:

Cllr Edeling	:	9 September 2007
Cllr Peterson	:	12 September 2007
Cllr Fourie	:	12 September 2007
Cllr Nyembe	:	14 September 2007
Cllr Smit	:	21 September 2007
Cllr Kotzee	:	27 September 2007

4.2 Cllr Mofoka congratulated all women on their achievements and strengths.

5. DISCLOSURE OF INTEREST

None

6. DEPUTATIONS AND INTERVIEWS

None

IV

7. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

None

8. MINUTES OF THE PREVIOUS MEETING

IT WAS RESOLVED: (2007-08-28)

That the Minutes of the 4th Ordinary Meeting of the Council held on 30 May 2007 **BE APPROVED** and **CONFIRMED** subject to the following corrections:

Page III, 1. Opening: The correction of Pastor S Ngcizela's name.

Page III, 4. Motions of Congratulations: The correction of Cllr **NW** Speelman's initials.

9. FORMAL SIGNING OF MINUTES

The Speaker indicated that he would sign the minutes after the meeting.

10. MATTERS ARISING FROM THE MINUTES

A46/2007

THE ALLEGED MURDER MATTER: COUNCILLOR SJ LIPHOKO (3/1/4/6)

The Speaker informed Council that the MEC: Local Government and Housing uplifted the suspension of Councillor Liphoko. He further mentioned that a letter was also sent to Cllr Liphoko in this regard.

SECTION B

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

A50/2007

12. REPORTS OF THE EXECUTIVE MAYOR

A51/2007 – A66/2007

13. CLOSING REMARKS

None

V

14. CLOSURE

The Speaker adjourned the meeting at **18:25**.

.....
L RUBULANA (SPEAKER)

.....
DATE

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A50/2007

ESTABLISHMENT OF AN OVERSIGHT COMMITTEE (4/1/2/2) (SPEAKER'S OFFICE) (P 1)

1. PURPOSE

To request Council to appoint members to serve on the Oversight Committee.

COUNCIL RESOLVED: (2007-08-28)

1. That the item **BE WITHDRAWN**.
2. That an item on the Terms of Reference for the Oversight Committee **BE SUBMITTED** at the next Council meeting.

A51/2007

MONTHLY BUDGET REPORTS – MAY, JUNE AND JULY 2007 (ACFO) (6/1/1/1) (P 2: ANNEXURES P 1 – P 21)

1. PURPOSE

To submit to the Council the Budget reports for May, June and July 2007 in terms of Section 71 of the Municipal Finance Management Act, Number 56 of 2003.

COUNCIL RESOLVED: (2007-08-28)

That the Budget Reports for May, June and July 2007 in terms of Section 71 of the Municipal Finance Management Act, Number 56 of 2003 **BE NOTED**.

A52/2007

CONSOLIDATION OF ACCOUNTS PER PROPERTY OWNER (6/18/1) (ACFO) (P 3)

1. PURPOSE

To submit to the Council a proposal to consolidate municipal services accounts per property owner.

2

COUNCIL RESOLVED: (2007-08-28)

1. That the consolidation of accounts **BE APPROVED** by Council as a pilot project in urban areas.
2. That the Consolidation of Accounts **BE PART** of the Credit Control Policy.
3. That upon approval from Council, the policy **BE PUBLISHED** for public comments.
4. That a roll-over of consolidated accounts **BE MADE** at the Previously Disadvantaged Areas.

A53/2007

AMENDMENTS TO THE TRAVELING AND SUBSISTENCE POLICY (MM) (5/4B) **(P 4 : ANNEXURES P 22 – 28)**

1. PURPOSE

To submit an amended Traveling and Subsistence Policy to Council for consideration.

COUNCIL RESOLVED: (2007-08-28)

That Council **APPROVES** the amended Traveling and Subsistence Policy with the following changes:

1. That the amount for accommodation be increased to R800,00 and not R1 000,00 and the amount for dinner be left at R150,00 per night.
2. **Page 7. Last sentence of last paragraph should read as follows:**

The required authorization must still be obtained from the Municipal Manager, Executive Mayor and the Speaker.

A54/2007

DRAFT AGREEMENT ON TRANSFER OF ENVIRONMENTAL HEALTH EMPLOYEES AND ASSETS TO LEJWELEPUTSWA DISTRICT MUNICIPALITY **(15/2/1/28) (P 5: ANNEXURES P 29 – P 41)**

1. PURPOSE

To submit to Council the draft agreement on the transfer of the Environmental Management Personnel from Matjhabeng Local Municipality to the Lejweleputswa District Municipality.

COUNCIL RESOLVED: (2007-08-28)

1. That the Memorandum of Agreement **BE ENTERED INTO AND SIGNED** between the two municipalities.
2. That the offices being used by the transferred employees **BE RENTED** to the District Municipality at a market related value.
3. That the telephones, fax machines, vehicles or any equipment belonging to Matjhabeng Municipality, being used by the transferred employees, **BE RENTED** or **USAGE BILLED** pending the takeover of leases or contracts of such equipment where applicable.
4. That the recommendations contained in paragraphs 2 and 3 above **EXTEND** up to a maximum period of 6 (six) months for completion of the transfer and equipment takeover.

A55/2007

MATJHABENG HUMAN RESOURCES DEVELOPMENT STRATEGY (5/1/2/8)
(DCSS) (P 7: ANNEXURES 42 – P 75)

1. PURPOSE

To recommend the adoption of the Human Resources Development Strategy.

COUNCIL RESOLVED: (2007-08-28)

That the Council **APPROVES** the Human Resources Development Strategy of Matjhabeng Local Municipality as a guiding document from 2007 until 2010.

A56/2007

BREAKING NEW GROUND CONCEPT: ALMA DEVELOPMENT (20/14/4/3) (EDI)
(P 8)

1. PURPOSE

To present to Council the development of Alma as a concept of inclusionary housing.

4

COUNCIL RESOLVED: (2007-08-28)

1. That Council in principle **APPROVES** the development of Alma as a concept of inclusionary housing.
2. That the possibility of entering into a partnership with the appointed developer **BE INVESTIGATED** by the Executive Mayor.

A57/2007

REQUEST FOR THE DEVELOPMENT OF MIDDLE-INCOME HOUSING: THABONG T6 JERUSALEM PARK ((20/14/4/3) (EDI) (P 10)

1. PURPOSE

To recommend the approval of Middle-Income Housing in Thabong T6.

COUNCIL RESOLVED: (2007-08-28)

1. That the approach towards middle income initiative **BE APPROVED**.
2. That the possibility of going into partnership with willing developer(s) **BE INVESTIGATED**.
3. That the Municipal Manager **CALLS** for proposals in accordance with Chapter 6, clauses 6.16 and 6.25 of the Supply Chain Management Policy.

A58/2007

SPATIAL DEVELOPMENT FRAMEWORK FOR MATJHABENG (18/2/1) (MSP) (P 58: ANNEXURES P 76 – 116)

1. PURPOSE

To submit to Council the base document of the Spatial Development Framework for Matjhabeng for approval and submission to the Free State Provincial Government.

COUNCIL RESOLVED: (2007-08-28)

1. That the Spatial Development Framework as submitted **BE APPROVED** as a base document and as part of the Matjhabeng Integrated Development Plan.

5

2. That funds **HAS BEEN MADE AVAILABLE** for Phase 2 (R600 000, 00) on the 2007/2008 budget and funds **MUST BE MADE AVAILABLE** for Phase 3 (R800 000,00) on the 2008/2009 Budget.
3. That a comprehensive Spatial Development Framework document **BE COMPLETED** during the next 18 months.

A59/2007

DRAFT RISK MANAGEMENT POLICY (MM) (20/2/B) (P 15: ANNEXURES P 117 – P 128)

1. PURPOSE

To submit to the Council the proposed Draft Risk Management Policy for approval.

COUNCIL RESOLVED: (2007-08-28)

That Council **APPROVES** the Risk Management Policy as a policy of Council.

A60/2007

PROPOSAL – LILANDA HOLDINGS (PTY) LTD (MUNICIPAL MANAGER) (3/3/27) (P 16: ANNEXURES P 129 – P 148)

1. PURPOSE

To request Council to approve the proposal presented by Lilanda Holdings (Pty) Ltd.

COUNCIL RESOLVED: (2007-08-28)

1. That Council **GIVES APPROVAL** to the project as proposed by Lilanda Holdings (Pty) Ltd.
2. That Matjhabeng Municipality **ENTERS** into a Memorandum of Agreement with Lilanda Holdings (Pty) Ltd in support of the project.
3. That all cost in relation to the project **BE BORNE** by the Applicant (Lilanda Holdings (Pty) Ltd).

6

A61/2007

IDP REVIEW (18/1/18) (MM) (P 18: ANNEXURES P 149 – P 165)

1. PURPOSE

To present an IDP Review Process Plan for information.

COUNCIL RESOLVED: (2007-08-28)

That Council **ADOPTS** the proposed IDP Review Process Plan.

A62/2007

PROPOSAL MATJHABENG TOURISM DEVELOPMENT PROJECT (OFFICE OF THE EXECUTIVE MAYOR) (3/3/27) (P 20: ANNEXURES P 166 – P 195)

1. PURPOSE

To present to Council the proposal presented by M-Tec Development Facilitators for the development of Matjhabeng tourism valley- a One Stop Integrated Tourism, amusement/entertainment and sport hub in the Matjhabeng area for consideration.

COUNCIL RESOLVED: (2007-08-28)

1. That Matjhabeng Municipality **SUPPORTS** the proposed development by M-Tec Matjhabeng Tourism & Entertainment Consortium.
2. That Matjhabeng Local Municipality **SIGNS** a Memorandum of Understanding with M-Tec Matjhabeng Tourism & Entertainment Consortium in support of the application.
3. That the development **SHALL BE** at the cost of M-Tec Matjhabeng Tourism & Entertainment Consortium.
4. That M-Tec **BE PROFILED TO ENSURE** compliance to BEE prescripts.

A63/2007

MATJHABENG MUNICIPALITY: EXEMPTION OF PAYMENT OF BUILDING PLAN FEES IN RESPECT OF LOW INCOME HOUSING (18/4/4/1) (MM) (ADDENDUM P 22)

1. PURPOSE

To request Council to pronounce itself on the payment for Building Plans in the construction of Low Income Housing.

COUNCIL RESOLVED: (2007-08-28)

1. That Council **APPROVES** the pre-approval of plans before commencement of any construction work by the developers or contractors.
2. That the fee for construction and approval of RDP House Plans **BE REDUCED** to R100,00 per plan.
3. That the fee for payment of sites for construction of RDP Houses **BE REDUCED** from R600,00 to R300,00 per site.

A64/2007

ANGLOGOLD ASHANTI NEGOTIATIONS: RHEEDERSPARK EXTENSION 2 (724 STANDS) AND KUTLWANONG 107 PROPERTIES (EDI) (8/3/2/47/5) (ADDENDUM P 23: ANNEXURES P 196 – P 203)

1. PURPOSE

To report on the progress on negotiations with AngloGold Ashanti regarding the 724 Stands in Rheederspark Extension 2 and make recommendations on the 107 properties in Kutlwanong K4 and K8.

COUNCIL RESOLVED: (2007-08-28)

1. That Council **WRITES OFF** the accumulated arrears of R1 127 181,00 on the AngloGold account.
2. That Council **ALLOCATE** monies in the budget to purchase the 724 stands at R2 500,00 per stand.
3. That Matjhabeng Municipality **DETERMINES** the criteria under which the transfer of the 107 properties in Kutlwanong K4, K5 and K8 from AngloGold Ashanti to the nominated beneficiaries will take place.

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4. That Matjhabeng Municipality **ADMINISTERS** the agreed process of selecting beneficiaries.
5. That the procedure in respect of writing off of arrears **BE FOLLOWED**.
6. That AngloGold Ashanti Ltd **BEARS** the conveyance costs of transferring the properties to the nominated beneficiaries by AngloGold Ashanti Ltd's nominated conveyancer, HV Jordaan Incorporated.
7. That AngloGold Ashanti Ltd **BE WARNED** on the consequences of this action on their other properties.

A65/2007

STREETLIGHT REPAIR AND MAINTENANCE: MATJHABENG LOCAL MUNICIPALITY (19/3/4) (EDI) (2ND ADDENDUM P 27)

1. PURPOSE

To request an approval from Council for outsourcing of the repairs and maintenance of the streetlight and high mast installations in the Matjhabeng Municipal area.

COUNCIL RESOLVED (2007-08-28)

That the item **BE WITHDRAWN**.

A66/2007

MOTION BY CLLR M LEETO (EXECUTIVE MAYOR) – FAILURE BY SOME DA COUNCILLORS TO UTILISE STRUCTURES OF COUNCIL TO RAISE THEIR CONCERNS (3/1/3/2) (MUNICIPAL MANAGER)

1. PURPOSE

To submit to Council a motion received from Cllr M Leeto (Executive Mayor) for discussion.

COUNCIL RESOLVED (2007-08-28)

That the Speaker **SHOULD INVESTIGATE** the behaviour of Cllrs Botha and Beneke and they be disciplined in terms of Section 99 of the Rules and Orders as well as the Code of Conduct.

C1/2007

PROGRESS REPORT: MESSRS RN PITSO AND NJ MOTSEKI (5/2/2) (MM)

1. PURPOSE

The purpose of the item is to present to the Council the progress report on the disciplinary enquiry involving Messrs RN Pitso and NJ Motseki.

COUNCIL RESOLVED (2007-08-28)

1. That the report on the disciplinary enquiry involving Messrs RN Pitso and NJ Motseki **BE NOTED**.
2. That the internal Disciplinary Hearings **BE CONTINUED** with.