

MINUTES

OF THE

**5TH ORDINARY MEETING
FOR THE YEAR 2002**

of

MATJHABENG MUNICIPALITY

held on

TUESDAY 28 MAY 2002

at

16:00

COUNCILLORS PRESENT : COUNCIL MEETING : 28 MAY 2002

ANC

PROPORTIONAL			
1.	Leeuw SJ (Executive Mayor)	14.	Dlova TW
2.	Matsepe TV (Speaker)	15.	Ikaneng MI
3.	Chao MK (Written apology)	16.	Mafantire JM (Apology)
4.	Menong KS	17.	Mafongosi VZ
5.	Ramaisa KA	18.	Mashinini NL
6.	Tladi RE	19.	Alexander RR
7.	Thuthani ZA (Will be late)	20.	Radebe ML
8.	Matosa AN	21.	Sephiri MJ
9.	Matlabe MMT	22.	Tihone ML
10.	Mbana MM	23.	Vanga M
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 (Written apology)
30.	Mogole RR	45.	Montshioa BA
31.	Liphoko SJ	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 (Written apology)	54.	Thoabala TE
40.	Manzana NR (Written apology)	55.	Tsoene TD
41.	Masoka NL	56.	Tsatsa SJ

DA

PROPORTIONAL			
57.	Du Toit JJB (Written apology)	61.	Maqena AM
58.	Marais (Dr) JS	62.	Ntsala MM
59.	Auret IH	63.	Olivier JJ
60.	Neumann VH	64.	Styger A
WARD			
65.	Bothma B	68.	Edeling JH
66.	Louw ML	69.	Van Rooyen HC (Written apology from 17:10)
67.	Smit DC	70.	Fourie JJC

II

UDM

PROPORTIONAL	
71.	Motshabi MP

PAC

PROPORTIONAL	
72.	Majoje TS

OFFICIALS

Mr. RSB Sesele	–	Municipal Manager
Mr. BP Molatseli	–	Executive Manager : Corporate Services
Mr. R Spies	–	Corporate Executive Manager : Engineering Services
Mr. S Mhlambi	–	Executive Manager : Legal Services
Ms. EJA van Tonder	–	Corporate Executive Manager : Financial Management
Dr. K van der Walt	–	Executive Manager : Economic Development and Spatial Planning
Mr. V Adonis	–	Corporate Executive Manager : Community Services and Social Development
Mr. TM Ngesi	–	Executive Manager : Housing Development and Environmental Management
Mr. TR Shiringani	–	Corporate Services
Mr. P van der Merwe	–	Financial Management
Mr. TA Jonas	–	Integrated Development Planning

1. OPENING

Pastor O Phokojoe and Pastor Mervin Daniels opened the meeting with Scripture reading and prayer.

2. OFFICIAL ANNOUNCEMENTS OF THE SPEAKER

2.1 The Speaker welcomed everyone present, especially the ANC Regional Chairperson, teacher and learners from the Lebogang School.

2.2 The Speaker reminded Councillors of the Matjhabeng World Cup Fever event to be held at the Ferdi Meyer Hall on 31 May 2002 at the cost of R120,00 per person.

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

None

III

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

None

5. REPORTS RECEIVED FROM THE SPEAKER

None

6. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER

6.1 Congratulations

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

Clr Mohlodi PP
Clr Sephiri MJ

02 June
05 June

Condolences

The Speaker informed Councillors of the passing away of Mr M Malgas, an employee of Council of Security Services, Department of Public Safety and Transport who took his own life at the Council offices and **expressed** Council's sincere condolences to the family. Thereafter a moment of silence was observed.

7. MOTIONS OF SYMPATHY AND CONGRATULATIONS FROM OTHER MEMBERS

None

8. DEPUTATIONS AND INTERVIEWS

None

9. DISCLOSURE OF INTEREST

None

IV

10. MINUTES OF THE PREVIOUS MEETING

IT WAS RESOLVED BY COUNCIL : (28 MAY 2002)

That the minutes of the meetings held on 30 April 2002 and 13 May 2002 **BE APPROVED** and **CONFIRMED** subject to the following corrections :

That Clr JJB du Toit **BE REMOVED** from the list of Ward Councillors and **BE PLACED** on the proportional list.

That Clr JH Edeling **BE REMOVED** from the list of Proportional Councillors and **BE PLACED** on the list of Ward Councillors.

MATTERS ARISING FROM THE MINUTES

None

12. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Clr TS Majoe requested information on the following :

- 12.1 A report on the incident which occurred at Emergency Services where one of the volunteers was forced to drink 8 litres of water and had to be attended to by the doctor the following day.
- 12.2 Why the senior officer(s) uttered racist remarks saying “**ons het die kaffir gewys**”.
- 12.3 Why are people who are volunteers at Odendaalsrus paid and not in Welkom ?
- 12.4 Why are people not getting receipts when they pay to attend training?

13. REPORTS OF THE EXECUTIVE MAYOR AND COMMITTEES

None

14. 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 7 of these minutes.

V

15. MOTIONS

None

CLOSURE

The meeting ended at 17:55

.....
DATE

.....
TV MATSEPE (SPEAKER)

A29/2002

SUBMISSION OF A DRAFT CONDITIONS OF SERVICE FOR MATJHABENG MUNICIPALITY (5/2/1) (EMHR) (P 1 : SEPARATE ANNEXURES P1 – 104)

IT WAS RESOLVED BY COUNCIL : (28 MAY 2002)

- [EMHR] 1. That the Draft Conditions of Service **BE APPROVED** as the Interim Conditions of Service for Matjhabeng until such time that the Conditions of Service being negotiated in the National Local Government Bargaining Council is finalized.
- [EMHR] 2. That as soon as the National Conditions of Service for Local Government is applicable, it takes precedence over the INTERIM Conditions of Service approved by Matjhabeng Municipal Council.

A30/2002

DRAFT BUDGET 2002/2003 (6/1/1/1) (CEMFM) (P 6 : ANNEUXRES P 1 – 124)

The Executive Mayor Clr SJ Leeuw presented the budget to Council with the request that Council approves the same. His address to Council is attached hereto as Annexure "A".

The Speaker gave an opportunity to all political parties to express their views on the budget.

The leaders of all political parties in Council commented on the budget and presented their views as follows :

DA - Clr (Dr) JS Marais

Clr (Dr) JS Marais on behalf of the DA indicated that the DA participated in all the structures that dealt with the budget, henceforth the DA also regard the budget as theirs and he also highlighted the following areas which are of concern to the DA :

- [EMHD&EM] 1. That assessment rates on farms can only be levied after the farms have been evaluated.

That Council must do everything possible to minimize loss of resources e.g. water loss which is too high

- [CEMFM] 3. That Council must enforce credit control measures vigorously to increase the payment level.

2

PAC – Clr TS Majoe

Clr TS Majoe indicated that the PAC accept the budget, however they would like to raise the following concerns :

1. That rates and taxes are always increasing and they do not under any circumstances decrease.

[CEMFM] 2. Clr TS Majoe requested the Speaker to explain the reason why farms are supposed to pay only eight cent after the valuation process, of which the Speaker explained to the satisfaction Clr TS Majoe 's.

[CEMCS&SD] He further indicated their concerns regarding the payment of graves which he said makes it difficult for poor people to bury their loved ones.

UDM – Clr MP Motshabi

The UDM indicated that they participated in the budgetary process and regard the budget as theirs, but would like to raise the following concerns :

[CEMFM] The delays in the processing of indigent applications should be avoided and people must be registered immediately.

ANC – Clr TD Khalipha

Clr TD Khalipha indicated that the ANC is happy with the budgetary process and requested that the budget be taken to the Constituencies for further deliberation.

In response to the concerns raised, the Executive Mayor indicated the following :

1. That Matjhabeng Municipality is committed to transparency.

[CEMFM] 2. That the requirement of public consultations during the valuation process will be adhered to.

3. That he agrees and is committed to increasing enforcement of the credit policy to increase payment levels.

4. He indicated that Managers have been employed to execute specific duties and he did not expect any backlog, and that the necessary disciplinary steps will be taken against people who do not perform.

3

AFTER THE DISCUSSION OF THE BUDGET, THE SPEAKER INDICATED THE FOLLOWING :

- [CEMFM] 1. That on Thursday 30 May 2002 Council officials will present the budget to the Chairperson's Committee to enable Councillors to fully understand the correct interpretation of the budget.
- [EMCS] 2. That arrangements are being made to have the Mayor address the community on Radio Lesedi on the budget.
- [EMCS] 3. That on 5 June 2002 between 19:30 and 20:00, he will be addressing the community on Radio Panorama on the budget.
- [EMCS] 4. That arrangements are being made to get Ward Committee members to a single venue on 7 June 2002 to discuss and explain to them the budgetary process and budget interpretation.
- [EMCS] 5. That on the 12, 13 and 14 June 2002 community meetings will held around Matjhabeng to discuss the budget with the community.

IT WAS RESOLVED BY THE COUNCIL : (28.05.2002)

- [CEMFM] 1. That the Operating Budget comprising of R597 896 400
[EMCS] expenditure and an income of R597 896 400 as reflected in the Annexures of the agenda of Council dated 28 May 2002, **BE APPROVED** as the Council's Operating Budget for the financial year 2002/2003;
2. That the Operating Budget approved in paragraph (1), **BE SUBMITTED** to the Director-General of Finance for approval;
- [CEMFM] 3. That the domestic electricity tariffs **WILL BE** 0,2754 per kWh
[EMCS] **WITH EFFECT** from 1 July 2002 subject to approval of the National Electricity Regulator.
- [CEMFM] 4. That due to the increase in operating expenditure, as well as an expected increase of 8.5 % in the price of water from 1 July 2002, all the Council's current water user tariffs **BE INCREASED AS FOLLOWS-WITH EFFECT** from 1 July 2002:

Water

- 0 - 6 kl - Nil (Residential)
0 - 6 kl - R8.31 All other users (excluding schools and churches)
7 - 50 - R 8.31 All other users (excluding schools and churches)
51 - higher - R11.00 All other users (excluding schools and churches)
- Schools and churches : R6,99 per kl regardless of consumption.

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[CEMFM] 5. That the refuse removal tariffs for all categories of users of the
[EMCS] service **BE INCREASED** with effect from 1 July 2002 by 10 %, and that all existing rebates, remissions or discounts previously allowed to certain users of the services, **BE ADJUSTED** to accommodate the increase;

[CEMFM] 6. That assessment rates levied on all classes of property within
[EMCS] Council's jurisdiction **WILL BE INCREASED TO THE FOLLOWING WITH EFFECT** from 1 July 2002:

Assessment Rates :

Residential	-	16,158c
Business	-	24,236c
Industry	-	24,236c
Agricultural	-	08,153c

[CEMFM] 7. That the sewerage tariffs/charges **BE INCREASED** with effect
[EMCS] from 1 July 2002, by 9 % and that all existing rebates, remissions or discounts previously allowed to certain users of the service **BE ADJUSTED** to accommodate the increase;

[CEMFM] 8. That it be noted that Council **will give** each household a free 6kl
[EMCS] water which amounts to an estimated monetary value of ; R49,86 per household.

[CEMFM] 9. That it be noted that Council **intends** to give each household a
[EMCS] R10,00 electricity discount.

[MM] 10. That the Municipal Manager **ENSURES** that in giving effect to paragraphs 3 – 9 above, all requirements necessary to ensure that the Council complies with relevant legislation, including NER directives, **ARE COMPLIED** with.

A31/2002

**DRAFT MATJHABENG INTEGRATED DEVELOPMENT PLAN 2002 – 2007:
SUBMISSION TO THE DEPARTMENT OF LOCAL GOVERNMENT AND
HOUSING : FREE STATE PROVINCE (18/1/8) (MM-IDPM) (P 7 :
ANNEXURES 125 – 478)**

IT WAS RESOLVED BY COUNCIL : (28 MAY 2002)

[MIDP] That the Matjhabeng Local Municipality **TAKE NOTE** of the contents of the report on the Draft Matjhabeng IDP 2002/2003 that will be submitted to the Department of Local Government and Housing, Free State Province on Tuesday, 28 May 2002.

5

A32/2002

HOME LOAN SCHEME FOR COUNCILLORS (3/1/4/5) (OFFICE OF THE SPEAKER) (P 8 : ANNEXURES P 479 – 494)

IT WAS RESOLVED BY COUNCIL : (28 MAY 2002)

- [CEMFM
EMLS
EMCS
MM] 1. That Council **APPROVES** the request of the Municipal Councillors Pension Fund to enter into a tripartite agreement with the Fund and Cash Bank to enable the bank to grant Councillors housing loans.
- [CEMFM
EMLS
EMCS
MM] 2. That the agreement as attached on p. **479** to p. **494** of the agenda and all related documentation **BE SIGNED** in terms of Council's delegated powers.
- [CEMFM
EMLS
EMCS
MM] 3. That Councillors **BE ADVISED** thoroughly by financial institutions regarding the implications of the Home Loan Scheme.
- [CEMFM
EMLS
EMCS
MM] 4. That the Executive Mayor **ORGANISE** through the Speaker's Office, such sessions mentioned in paragraph 3 above.

A33/2002

REPORT ON THE ESTABLISHMENT OF FORMAL WHIPERY FACILITIES FOR THE MUNICIPALITY OF MATJHABENG (3/8/1/3) (OFFICE OF THE SPEAKER) (P 10)

IT WAS RESOLVED BY COUNCIL : (28 MAY 2002)

- [EMCS] 1. That the above-mentioned matter **BE REFERRED** to the next meeting of the Mayoral Committee.
- [EMCS] 2. That the Whipery Forum **BE REQUESTED TO SUBMIT** the following information:

Legalities and proposed structure.
- [CEMFS] 3. That the Corporate Executive Manager: Financial Management **BE REQUESTED TO PROVIDE** for this matter on the Budget.

6

A34/2002

SPECIAL COMMITTEE : INVESTIGATION INTO ALLEGATIONS LEVELLED AGAINST COUNCILLOR MP MOTSHABI OF THE UNITED DEMOCRATIC MOVEMENT (UDM) PROGRESS REPORT (3/1/4/1) (MM) (P 14 : ANNEXURES P 495 – 499)

The Speaker expressed his concern of Councillor MP Motshabi's failure to distance himself from the activities of UDM Members who had embarked on a programme of illegally reconnecting the water supply of people in Kutloanong and requested that the matter be removed from Council's agenda, as there was no concrete evidence linking Councillor MP Motshabi directly to the illegal reconnection.

IT WAS RESOLVED BY COUNCIL : (28 MAY 2002)

[EMCS] That due to lack of evidence against Clr MP Motshabi, the matter **BE REMOVED** from the Agenda.

A35/2002

MATJHABENG MUNICIPAL COAT OF ARMS (13/3/1) (OFFICE OF THE SPEAKER) (P 15 : ANNEXURES P 501 – 503)

IT WAS RESOLVED BY COUNCIL : (28 MAY 2002)

- [EMCS] 1. That the draft Coat of Arms **BE REFERRED** to the Bureau of Heraldry to enable them to finalise designing a Coat of Arms for Matjhabeng after the draft one has been circulated to the public.
- [EMCS] 2. That public proposals **BE INVITED TO MAKE** suggestions on a motto for Matjhabeng.
- [EMCS] 3. That an Ad Hoc Committee under the chairmanship of the Speaker **BE CONSTITUTED TO DRAW UP** a shortlist on the proposals for a motto received from the public.
- [EMCS] 4. That comments **BE INVITED** from the public on the proposed Coat of Arms.

A36/2002

REPORT ON DECISIONS TAKEN UNDER DELEGATED POWERS (3/1/2)
(MM) (EXECUTIVE MAYOR'S REPORT PAGE 1 – 47)

IT IS RESOLVED BY COUNCIL : (28 MAY 2002)

- [EMCS] 1. That the reports as presented in MC128/2002 to MC145/2002 and SMC3/2002 to SMC7/2002 as they appear on the Annexures marked **Executive Mayor's report**, taken by the Executive Mayor under delegated powers, **BE CONFIRMED** subject to the following :

Councillor JH Edeling wanted to know why the Mayoral Committee rejected the recommendations c and d of the Section 80 Finance Committee in regard to Item MC139 of the Mayoral Committee held on 17 April 2002.

The Executive Mayor indicated that this was an oversight and it will be rectified.

3. Cllr DC Smit wanted to know whether item MC144 regarding the Tswelelopele was this response to his question during the previous Council meeting :

It was indicated that this was not the item, whereafter he requested that a report on the question he raised be tabled before the next Council meeting scheduled for 25 June 2002 including in response to the following :

- a) How much has been paid to Tswelelopele due to the failure of officials to implement the Council resolutions ?
- b) What action has been taken against the officials involved ?

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