

# **MINUTES**

**OF THE**

**6<sup>TH</sup> ORDINARY MEETING  
FOR THE YEAR 2006**

**of**

**MATJHABENG MUNICIPALITY**

**held on**

**TUESDAY, 28 NOVEMBER 2006**

**at**

**10:00**

**COUNCILLORS PRESENT: COUNCIL MEETING: 28 NOVEMBER 2006**

**ANC**

<b>PROPORTIONAL</b>			
1.	Mokapo NS ( <b>Executive Mayor</b> )	14.	Radebe ML ( <b>MMC</b> )
2.	Baaitjies M	15.	Ramaisa KA
3.	Dlova TW ( <b>MMC</b> )	16.	Senoge MM
4.	Humphries MF	17.	Sephiri MJ ( <b>Chief Whip</b> )( <b>Written Apology</b> )
5.	Masoka NL ( <b>MMC</b> )	18.	Speelman NW ( <b>MMC</b> )
6.	Matlabe MMT	19.	Thoabala TE
7.	Matosa AN	20.	Thuthani ZA ( <b>MMC</b> )
8.	Ntsebeng MH ( <b>MMC</b> )	21.	Tladi RE ( <b>MMC</b> )
9.	ZP Noveld	22.	Tihone ML
10.	Molefi MJ	23.	Tsubane ME
11.	Nyembe ME	24.	Twanana M
12.	Petleki KI	25.	Vanga NM
13.	Qabela V	26.	TD Khalipha
<b>WARD</b>			
27.	Dlamini SC ( <b>MMC</b> )	43.	Montshioa BA
28.	Kotzee AP ( <b>MMC</b> )	44.	Motshabi MP
29.	Mahloko NN	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 ( <b>Speaker</b> )
35.	Mathebula MA	51.	Sebeela SD
36.	Mfebe MSE	52.	Sejane LM
37.	Mkhusane NC	53.	Semela ME
38.	Moahloli MS	54.	Sithole B
39.	Mokapo TJ	55.	Taliwe FE
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	63.	Neumann VH
60.	Marais JS	64.	Styger A
61.	Mhlafu BD		
WARD			
65.	Beneke R	67.	Smit DC
66.	Botha PF	68.	Van Rooyen HC ( <b>Written Apology – not accepted</b> )

### FF+

PROPORTIONAL	
69.	Coetzee BJA

### PAC

PROPORTIONAL	
70.	Majoe TS

### ACDP

PROPORTIONAL	
71.	Mofoka MA

### IND

WARD	
72.	Liphoko SJ ( <b>Absent</b> )

### OFFICIALS

Dr B Malakoane	:	Municipal Manager
Mr S Naniso	:	Acting Executive Manager: Corporate Services
Dr K vd Walt	:	Executive Manager: Economic Development and Spatial Planning
Mr L Leeto	:	Acting Executive Manager: Public Safety and Transport
Mr T Jobo	:	Manager Customer Care (Corporate Services)
Me A Schoeman	:	Administrative Officer (Corporate Services)

## II

### **8 OPENING**

Pastor SM Ngcizela of Deeper Life Ministries opened the meeting with Scripture reading and prayer.

### **9 APPLICATIONS FOR LEAVE OF ABSENCE**

See Attendance List above.

### **10 OFFICIAL ANNOUNCEMENTS OF THE SPEAKER**

10.1 The Speaker gave permission to Councillors to remove their jackets due to the fact that the air conditioner was not working.

10.2 The Speaker introduced Cllr ZP Noveld who was appointed as MMC Corporate Services and Human Resources after the resignation of Cllr MRE Mogopodi. Cllr Thuthani welcomed Cllr Noveld on behalf of the Council.

10.3 The Speaker announced that there would be a special Council meeting on 7 December 2006 to deal with all outstanding matters. The time would be conveyed with the notices.

### **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**

C1/2006

### **7. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER**

#### **7.1 SYMPATHY**

The Speaker sympathized with Cllr Motshabi whose father passed away and a moment of silence was observed.

### III

#### 8. MOTIONS OF SYMPATHY AND CONGRATULATIONS FROM OTHER MEMBERS

##### SYMPATHY

Cllr TG Mokotedi conveyed a motion of sympathy towards Cllr Motshabi's family on the passing away of his father.

##### 8.2 CONGRATULATIONS

Cllr Masienyane addressed Council on the 16 Days Campaign of Activism Against Abuse of women and children. He further congratulated the Executive Mayor on being the leader of a caring municipality, by giving four suffering families houses.

Cllr Mokotedi congratulated the Executive Mayor on her initiative to build houses for 4 families in need.

#### 9. DEPUTATIONS AND INTERVIEWS

None

#### 10. DISCLOSURE OF INTEREST

None

#### 11. MINUTES OF THE PREVIOUS MEETINGS

##### **COUNCIL RESOLVED (28 NOVEMBER 2006)**

11.1 That the Minutes of the 4<sup>th</sup> Ordinary Meeting of the Council held on 29 August 2006 in conjunction with the changes **BE APPROVED** and **CONFIRMED** as a true reflection of what transpired at the meeting.

11.2 That the minutes of the 5<sup>th</sup> Ordinary Meeting of the Council held on 31 October 2006 **BE APPROVED** and **CONFIRMED** as a true reflection of what transpired at the meeting in conjunction with the following amendments:

### IV

**A68/2006**

**CAPITAL EXPENDITURE FOR WHICH NO PROVISION WAS MADE  
IN THE BUDGET FOR 2006/2007 (6/1/1/1-2006/2007) (CFO)**

That it **BE INCLUDED** that the item **BE REFERRED BACK** to the next meeting in an amended budget form.

**A74/2006**

**ITEM SUBMITTED BY CLLR TOY BENEKE: "THAT COUNCIL  
REMOVE ALL DAMAGED AND/OR IRREPARABLE STREET  
LIGHTS, ROAD SIGNS AND BILL BOARDS"**

That the resolution **BE CHANGED** to read that the item **NOT BE ACCEPTED** by the Speaker in terms of Rule 19 as the matter was only submitted to the Executive Mayor and not the Speaker as well.

**A76/2006**

**NOTICE OF MOTION: CLLR JHA EDELING (3/1/2/1)**

That the resolution **BE CHANGED** to read that the motion **NOT BE ACCEPTED** by the Speaker in terms of Rule 19 as the motion was only submitted to the Executive Mayor and not the Speaker as well.

**12. FORMAL SIGNING OF MINUTES**

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

**13. MATTERS ARISING FROM THE MINUTES**

**A69/2006**

**HARMONY GOLD MINING COMPANY: MINE HOSTEL RE-  
DEVELOPMENT PROGRAMME: PROVISION OF SOCIAL AND CO-  
OPERATIVE (9/3/13)**

Cllr Styger wanted to know why the report was not submitted in the agenda of that day as was resolved on 31 October 2006.

The Speaker informed the meeting that the company responsible would only be available on 1 December 2006 and that the report would be submitted at the special Council meeting to be held on 7 December 2006.

**A70/2006**

**STATUS REPORT ON MIG PROJECTS (CEMES) (3/3/27)**

Cllr Styger wanted to know why the urgent meeting as resolved on 31 October 2006 was not held.

The Speaker informed the meeting that the Acting Executive Mayor fell sick after the Council meeting and therefore the urgent meeting could not be held. The matter would also be part of the Special meeting to be held on 7 December 2006.

**A75/2006**

**NOTICE OF MOTION : CLLR ANDRE STYGER (3/1/2/1)**

Cllr Styger wanted to know why the report was not part of the agenda as resolved on 31 October 2006 as the matter was already outstanding for 3 months.

The Speaker said that all outstanding matters would be dealt with at the special meeting to be held on 7 December 2006.

**A77/2006**

**NOTICE OF MOTION : CLLR J FOURIE (3/1/2/1)**

Cllr Styger wanted to know why an item was not placed on the agenda.

The Speaker said that the resolution was that the Indigent Policy could be amended after submission of proposed amendments to Council. The proposed amendments were not submitted by Cllr Fourie.

**A74/2006**

**ITEM SUBMITTED BY CLLR TOY BENEKE: "THAT COUNCIL REMOVE ALL DAMAGED AND/OR IRREPARABLE STREET LIGHTS, ROAD SIGNS AND BILL BOARDS"**

Cllr dr Marais wanted to know why the item was not part of the agenda.

The Speaker said that the matter must be submitted as a motion and not an item.

**14. QUESTIONS OF WHICH NOTICE WAS GIVEN**

None

**15. REPORTS OF THE EXECUTIVE MAYOR AND COMMITTEES**

A80/2006 – A88/2006

**16. REPORTS OF DECISIONS TAKEN UNDER DELEGATED POWERS**

1.

The Executive Mayor requested that the report **BE WITHDRAWN**.

**17. MOTIONS**

None

**18. CLOSURE**

The Speaker allowed the different parties to convey season's greetings to the community of Matjhabeng, the Council and officials.

The Speaker thanked all Councillors and officials and invited everybody for refreshments at Toronto Hall.

The Speaker terminated the meeting at **13:45**.

.....  
**L RUBULANA (SPEAKER)**

.....  
**DATE**



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# 1

**A80/2006**

**CAPITAL EXPENDITURE FOR WHICH NO PROVISION WAS MADE IN THE BUDGET FOR 2006/2007 (6/1/1/1 – 2006/2007) (MM)**

**PURPOSE**

To present to Council a detailed report on Capital Expenditure for which no provision was made in the 2006/2007 Budget.

**COUNCIL RESOLVED (28 NOVEMBER 2006)**

That the item **BE WITHDRAWN** from the agenda and **BE SUBMITTED** to the special meeting to be held on 7 December 2006.

**A81/2006**

**MOTOR VEHICLE SCHEME FOR MATJHABENG (5/4/2/2) (ACFO)**

**PURPOSE OF REPORT**

To request approval and the implementation of the 'Motor Vehicle Scheme for Matjhabeng' for all employees in the Matjhabeng Municipality as a replacement scheme to all previous schemes used by the different units in Matjhabeng.

**COUNCIL RESOLVED (28 NOVEMBER 2006)**

That the Locomotion Scheme as proposed by SALGA **BE APPROVED** with the following amendments:

That only employees on post level 2 – 9 be allowed to participate in the vehicle scheme.

That the locomotion allowance for all employees on post level 2 – 5/4 be viewed as a fixed fringe benefit.

That the HOD together with Human Resources Department decides on the suitability of the vehicle for post level 6 - 9.

That all employees on post level 6-9 participate in the vehicle scheme on condition that their job requires them to have transport.

That the average monthly duty distance be 300 kilometers and above for post level 6-9.

# 2

That the previous resolution regarding exclusion of Grade I Traffic Officers **BE RESCINDED** and that **APPROVAL BE GRANTED** to Grade I Traffic Officers to participate in the scheme.

**A82/2006**

**LAND USE MANAGEMENT PLAN FOR MATJHABENG (18/2/1) (EMEDSP)**

**PURPOSE OF THIS REPORT**

To submit to Council the Land Use Management Plan for Matjhabeng for approval and submission to the Free State Provincial Government.

**COUNCIL RESOLVED (28 NOVEMBER 2006)**

1. That the Land Use Management Plan for Matjhabeng, as submitted, **BE APPROVED** to replace the previous Town Planning Schemes and Annexure F.
2. That the Plan **BE SUBMITTED** to the Free State Provincial Government for final approval and proclamation.
3. That the Land Use Management Plan for Matjhabeng **BE ADVERTISED** for public comments before submission to the Province.

**A83/2006**

**IMPLEMENTATION AND SET-UP OF SHORT MESSAGING SERVICES AND VOICE SYSTEMS FOR EMPLOYEES AND COMMUNITIES THROUGH MATJHABENG MUNICIPALITY AND SERVICE PROVIDER PARTNERSHIPS.**  
**(7/2/3) (MM - MICT)**

**PURPOSE**

To seek Council approval on the implementation and set-up of short messaging systems and voice communication systems through Matjhabeng Municipality's partnership(s) with identified service provider(s).

**COUNCIL RESOLVED (28 NOVEMBER 2006)**

That Council **ENDORSES AND APPROVES** the implementation of the provision of the short messaging services and voice communication services as stated.

That the Municipal Manager **BE MANDATED** to finalise the processes through supply chain management procedures.

3. That, if in the case that there would be a financial implication for Council, it **BE REPORTED** to Council as well as the budget vote used to implement the service.

**A84/2006**

**PROPOSED RADIO/WIRELESS NETWORK AND CENTRALISING OF IT SOLUTIONS SERVICES (AMICT) (2/4)**

**PURPOSE OF REPORT**

To obtain approval from the Council for the implementation of a radio network and wireless telephony for Matjhabeng Local Municipality in line with the PTN (Private telephone network) license that ICASA awarded to the Municipality.

**COUNCIL RESOLVED (28 NOVEMBER 2006)**

That Council **GIVES APPROVAL** to the Municipal Manager to proceed with the proposed Radio/Wireless Network implementation in line with the intentions of the Financial Recovery Plan and bridging the digital divide within communities through supply chain procedures.

That the Municipal Manager **EMBARKS** on the process of implementing business intelligence systems through supply chain procedures.

That the Municipal Manager **EMBARKS** on a process of finalizing the centralising of ICT functions to one or two service provider(s) through supply chain procedures.

That the Municipal Manager **EMBARKS** on a program of bridging the digital divide in line with national policy in the Matjhabeng communities through supply chain procedures in collaboration with the service provider(s) as shall be identified in item 1 and through participation of relevant stakeholders.

That a **REPORT BACK** be given after implementation.

**A85/2006**

**REPORT ON RELOCATION OF COMMUNICATIONS TO OFFICE OF THE EXECUTIVE MAYOR (5/1/2/2)**

**PURPOSE**

To report about the relocation of communications and a proposed communication structure in the Office of the Executive Mayor.

**COUNCIL RESOLVED (28 NOVEMBER 2006)**

That Council **APPROVES** the resolutions of the Local Government Communications Conference held on 8 to 10 May 2006 as Council's resolutions.

**A86/2006**

**CONTRACTUAL AGREEMENT BETWEEN KHAWULEZA TECHNOLOGIES AND MATJHABENG MUNICIPALITY (ACFO) (6/18/1)**

**PURPOSE**

To submit to the Mayoral Committee information relating to the Khawuleza Technologies contract.

**COUNCIL RESOLVED (28 NOVEMBER 2006)**

That a new contract **BE ENTERED INTO** with Khawuleza (Pty) Ltd on a month to month basis in respect of Welkom, Odendaalsrus, Allanridge, Hennenman, Meloding and Ventersburg until such time Council can invite new proposals and/or tenders for new service providers.

That the process of acquiring a new service provider through Supply Chain Management **SHOULD BE FINALISED** by 31 July 2007.

That the Municipal Manager **ENSURES** that there would be no interruption of the services during the transition period.

**A87/2006**

**DRAFT POLICY: RECRUITMENT AND SELECTION (EMHR) (5/3/B)**

**PURPOSE OF REPORT**

To request Council to approve the attached Draft Policy as the Policy of Matjhabeng Municipality.

**COUNCIL RESOLVED (28 NOVEMBER 2006)**

1. That the proposed Draft Policy: Recruitment and Selection **BE ADOPTED** as a Council's policy.
2. That SAMWU and IMATU **BE CONSULTED** through the Local Labour Forum on the Policy.

**A88/2006**

**ESTABLISHMENT OF MATJHABENG MAYORAL BURSARY SCHEME (6/4/2/1)  
(EXECUTIVE MAYOR)**

**PURPOSE**

To request the Council to grant the Executive Mayor responsibility to establish Matjhabeng Mayoral bursary scheme.

**COUNCIL RESOLVED (28 NOVEMBER 2006)**

That the matter **BE REFERRED BACK** to the special Council meeting to be held on 7 December 2006.

//The Speaker requested the public to leave as the item to be discussed was confidential and should be discussed in camera.//

**C1/2006**

**REPORT ON ALLEGATIONS OF MISCONDUCT AGAINST THE FORMER COUNCILLOR SE TSHABANGU (3/1/4/6) (SPEAKER'S OFFICE)**

**PURPOSE OF THE REPORT**

The objective of the report is to present a report from Mr AG Sefo of AG Sefo Attorneys on allegations of misconduct against the then Councillor Sello Ernest Tshabangu of Hennenman.

The Speaker presented the report on the investigation and requested Mr AG Sefo for assistance in terms of clarities.

Cllr Edeling wanted to know why the matter was referred to an individual or a one person committee and not to an independent committee as intended in the Council resolution.

The ANC requested a 10 minute caucus which was allowed.

After the caucus the ANC through Cllr Dlamini reported as follows:

That the ANC stated that it was clear that the Speaker complied with the Council resolution by appointing the company AF Sefo Attorneys.

2. That even the Chief Prosecutor decided not to prosecute on the alleged matters.
3. Cllr Dlamini moved that the recommendations in the Speaker's report be taken as Council's resolution, i.e.:

That the Council should not pursue the matter further and regard it as finalized.

The DA moved as follows:

1. That there was enough suspicion of fraudulent action to pursue the matter.
2. That the decision should be forwarded to the ANC's National, Provincial and Regional structures as well as the District Council.

The matter was put to the vote.

**For ANC motion: 56**

**Against ANC motion: 12**

**No abstention**

**COUNCIL RESOLVED (28 NOVEMBER 2006)**

That the matter not **BE PURSUED** further and **BE REGARDED** as finalized.