

MINUTES

OF THE

**2ND ORDINARY MEETING
FOR THE YEAR 2003**

of

MATJHABENG MUNICIPALITY

held on

WEDNESDAY, 30 APRIL 2003

at

16:00

COUNCILLORS PRESENT : COUNCIL MEETING : 30 APRIL 2003

ANC

PROPORTIONAL			
1.	Leeuw SJ (Executive Mayor)	14.	Dlova TW
2.	Matsepe TV (Speaker)	15.	Ikaneng MI
3.	Chao MK (MMC) (Written apology)	16.	Mafantire MJ
4.	Menong KS (MMC)	17.	Mafongosi VZ (Absent without apology)
5.	Ramaisa KA (MMC)	18.	Mashinini NL
6.	Tladi RE (MMC)	19.	Alexander RR (Application to leave early - 16:45)
7.	Thuthani ZA (MMC)	20.	Radebe ML
8.	Matosa AN	21.	Sephiri MJ
9.	Matlabe MMT (Written apology)	22.	Tihone ML
10.	Mbana MA	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 (Absent without apology)	42.	Mfebe MSE
28.	Tshabangu SE (MMC) (Absent without apology)	43.	Mhlaba N
29.	Mohlodi PP	44.	Mokolutlo LA
30.	Mogole RR	45.	Montshioa BA (MMC)
31.	Liphoko SJ	46.	Mosala MS
32.	Mokoena ME	47.	Nakwa TA
33.	Masienyane MD (Absent without apology)	48.	Ngangelizwe S
34.	Baaitjies M	49.	Radebe LLF
35.	Dassie YS	50.	Ramojela JN
36.	Dlamini SC (Written apology)	51.	Rubulana L
37.	James TH (Written apology)	52.	Seboholi CP
38.	Khalipha TD (Chief Whip)	53.	Taliwe FE
39.	Mabuya FF	54.	Thoabala TE (MMC)
40.	Manzana NR	55.	Tsoene TD
41.	Masoka NL	56.	Tsatsa SJ

DA

PROPORTIONAL			
57.	Fourie JJC	61.	Maqena AM (Application to leave early - 17:00)
58.	Marais (Dr) JS	62.	Ntsala MM
59.	Auret IH	63.	Olivier JJ
60.	Neumann VH	64.	Styger A (Absent without apology)
WARD			
65.	Bothma B	68.	Edeling JH
66.	Louw ML (Application to leave early - 18:00)	69.	Van Rooyen HC
67.	Smit DC (Written apology)	70.	Du Toit JJB

II

UDM

PROPORTIONAL	
71.	Motshabi MP

PAC

PROPORTIONAL	
72.	Majoe TS

OFFICIALS

Mr RSB Sesele	–	Municipal Manager
Mr R Spies	–	Corporate Executive Manager : Engineering Services
Mr V Adonis	–	Corporate Executive Manager : Community Services and Social Development
Mr BP Molatseli	–	Executive Manager : Corporate Services
Dr K van der Walt	–	Executive Manager : Economic Development and Spatial Planning
Mr TM Ngesi	–	Executive Manager : Housing Development and Environmental Management
Mr RN Pitso	–	Corporate Executive Manager : Financial Management
Mr TR Shiringani	–	Manager: Council Administration(Secretary)

OPENING

Pastors Johannes Modikoe, Lawrence Matlala and Daniël Griessel opened the meeting with Scripture reading and prayer.

- (a) The Speaker indicated that through prayer the following has been achieved :
 - (i) The prospects of peace in Zimbabwe through the concessions made by President Robert Mugabe.
 - (ii) There are prospects of peace in the Democratic Republic of Congo, indicated by the withdrawal of Ugandan troops.



- (iii) The speedy economic recovery of Mozambique which is regarded as being amongst the fastest in the World.
 - (iv) That one of the ANC Comrades is helping in building bridges in the war-torn Angola.
- (b) The Speaker read from page 5 of the Transformation Africa document which reads as follows :
- " There is Hope for Africa, the Lord is visiting the Continent."**
- (c) The Speaker further urged all Councillors available to attend the function hosted by Transformation Africa to be held in Welkom on 1 May 2003.

Pastor Daniël Griessel explained to Council what Transformation Africa is all about and invited all Councillors to attend the function to be held in Welkom on 1 May 2003.

OFFICIAL ANNOUNCEMENTS OF THE SPEAKER

The Speaker congratulated Councillor TE Thoabala for having invited the following sports clubs to the Council meeting and welcomed those which were able to attend :

- 1. Griffons Rugby Team - Attended.
- 2. Welkom Stars - Not able to attend.
- 3. Abalone - Not able to attend.
- 4. Matjhabeng Stars - Not able to attend.
- 5. A basket ball player who represented South Africa in Mozambique and is the daughter of Councillor PE Mokhathi - Not able to attend.
- 6. Matjhabeng Recreation and Sports Council - Attended.

The Speaker expressed his appreciation to those who were able to attend and indicated that their attendance indicated how close the Council is to the Community.

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

None

IV

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

None

REPORTS RECEIVED FROM THE SPEAKER

Items A14/2003 - A15/2003 and A20/2003

The above items were dealt with under Item **15** of the agenda.

6. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER

6.1 CONGRATULATIONS

6.1.1 The Speaker congratulated the following Councillors on their birthdays :

Cllr MM Matsbukanye	01 April
Cllr VH Neumann	01 April
Cllr PE Mokhathi	03 April
Cllr MM Ntsala	13 April
Cllr (Dr) JS Marais	14 April
Cllr VZ Mafongosi	15 April
Cllr TD Tsoene	16 April
Cllr TV Matsepe	25 April

Cllr TH James	03 May
Cllr Mfebe MSE	04 May
Cllr Dassie YS	05 May
Cllr Tlhone ML	06 May
Cllr Masoka NL	13 May
Cllr Masienyane MD	15 May
Cllr Vanga M	21 May
Cllr Dlova TW	24 May

Cllr TD Tsoene indicated that his birthday is not in April but in February and requested the Speaker to ensure that official records are corrected to reflect the correct date.

V

The Speaker excused the Griffons Rugby Team from the rest of the Council Meeting as it has been indicated to him that they had a training session that evening.

6.2 CONDOLENCES

The Speaker placed on record the shocking event which resulted in the death of four young boys from Thabong and expressed on behalf of Council his sincere condolences to the family and friends of the deceased.

He further placed on record that although there were the Tikwe Lodge Jazz Festival and Phakisa Motor Sport events, these events were not well publicized. It has been noted that the media coverage always covers Matjhabeng when there is a tragedy and/or disaster.

He requested members of Council to observe a moment of silence in memory of the four boys who passed away.

MOTIONS OF SYMPATHY AND CONGRATULATIONS FROM OTHER MEMBERS

Councillor ML Radebe congratulated all South Africans for 9 years of freedom and the anniversary commemorating the death of the two struggle heroes, Oliver Tambo and Chris Hani.

Her address to Council is attached as **Annexure "A"** on page 1 - 2 of these minutes.

DEPUTATIONS AND INTERVIEWS

The representatives from Laubscher, Slabbert & Brink made a presentation on Performance Management.

9. DISCLOSURE OF INTEREST

None

10. MINUTES OF THE PREVIOUS MEETINGS

The following corrections were made to the minutes.

Page V : No 15

The word **discussion** in the first sentence was changed to **decisions**.

VI

Page 1 : Resolution A2/2003

Point 1.1 should read as follows :

" Ms Lindy Mhlafulu from Ward 21 Matjhabeng resigned and was replaced by Petros Thulu."

Page 3 : Resolution A9/2003

Point 1 should read as follows :

- 1. They therefore proposed that they were against the salary adjustment and the proposed post level as per Item A78/2002.**

and

That one vote from the PAC for the proposal by the African National Congress which was mistakenly unrecorded be recorded.

Page 4 : Resolution A11/2003

That the word **system** on the heading **be removed**.

After the corrections, Council TW Dlova proposed that the minutes as amended be accepted as the true reflection of what transpired at the meeting and was seconded.

Councillor (Dr) JS Marais made a counter proposal saying that the minutes not be accepted as the true reflection of what transpired at the meeting due to the discrepancy in the recording of votes cast in regard to Item A9/2003.

The matter was put to vote and the result was as follows :

Votes for the adoption of the corrected minutes - 46

Votes against the adoption of the corrected minutes - 12

Councillor MP Motshabi abstained.

FORMAL SIGNING OF MINUTES

The Speaker indicated that he would sign the minutes of the meeting held on 25 February 2003 after they have been corrected.

VII

MATTERS ARISING FROM THE MINUTES

None

13. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

None

14. REPORTS OF THE EXECUTIVE MAYOR, THE SPEAKER AND COMMITTEES

The Executive Mayor presented Items **MC27/2003** to **MC56/2003**, **MC57/2003** to **MC70/2003**, **MC71/2003** to **MC78/2003**, **SMC9/2003** and **MC80/2003**, **MC82/2003** to **MC87/2003** and the resolutions of Council in this regard are on pages 1 - 3 of these minutes.

15. REPORTS OF DECISIONS TAKEN UNDER DELEGATED POWERS

The Executive Mayor presented his report on discussions taken under delegated powers and the resolution in this regard is on page 3 Item **A21/2003** of these minutes.

16. MOTIONS

None

17. CLOSURE

The meeting ended at **19:10**.

.....
DATE

.....
TV MATSEPE (SPEAKER)

1

A14/2003

**LANGUAGE FACILITATION (20/17/1/3) (EMCS) (OFFICE OF THE SPEAKER)
(P 1 : ANNEXURES P 19 - 34)**

COUNCIL RESOLVED : (30 APRIL 2003)

1. That the Proposed Terms of Reference of the Language Committee **BE ADOPTED** by Council.
2. That Council **APPROVE** the questionnaires for Councillors proposed by the Language Committee, and that the questionnaires **BE SUBMITTED** not later than two weeks from the date of this meeting.
3. That Council **APPROVES** the questionnaire for the public as well as the survey to be conducted and the questionnaires **BE RESUBMITTED** not later than 30 June 2003.
4. That Ward Councillors and Ward Committees **ASSIST** in the conducting of the language survey for the general public.
5. That Council **TAKE NOTE** of the report of the Executive Manager : Corporate Services to deal with the current backlog and future translation of the Council's policies and important documents by Corporate Services, Branch Customer Care.

A15/2003

MOTTO : MATJHABENG MUNICIPALITY (13/3/1) (EMCS) (OFFICE OF THE SPEAKER) (P 3)

COUNCIL RESOLVED : (30 APRIL 2003)

That the following motto for Matjhabeng **BE APPROVED** and **IMPLEMENTED** :
"Mmoho - Tesame - Together – Sisonke".

2

A16/2003

NATIONAL SALGA CONFERENCE: HUMAN RESOURCES DEVELOPMENT POLICY CONFERENCE : 10 – 14 MARCH 2003 (15/2/1/24) (EMHR) (P 4 : ANNEXURES P 35 - 82)

COUNCIL RESOLVED : (30 APRIL 2003)

1. That the Council **TAKE NOTE** of the item.
2. That the resolutions taken by SALGA Human Resources Development Policy Conference held in Midrand between 10 – 14 March 2003, **BE ADOPTED** by Matjhabeng Municipality.
3. That the Task Team to monitor the implementation of Council's resolution **BE ESTABLISHED** by the Executive Mayor.

A17/2003

ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDING 30 JUNE 2002 (6/12/2/1) (CEMFM) (P 6 : ANNEXURES P 83 - 111)

COUNCIL RESOLVED : (30 APRIL 2003)

1. That the Financial Statements for 2001/2002 **BE NOTED**.
2. That the necessary documentation **BE SUBMITTED** to the Auditor-General for auditing.

A18/2003

MATJHABENG - FINANCIAL REPORT - MARCH 2003 (12/1/2/3) (CEMFM) (P 11)

COUNCIL RESOLVED : (30 APRIL 2003)

That the financial report for March 2003 **BE NOTED**.

3

A19/2003

DRAFT BUDGETS 2003/2004 (6/1/1/1) (CEMFM) (P 17 : SEPARATE COVER ANNEXURES P 1 - 191)

The Executive Mayor presented the Draft Budget to Council thereafter :

COUNCIL RESOLVED : (30 APRIL 2003)

That the draft budget **BE NOTED** and that the budget **BE ADOPTED** for the process of public participation and interaction with stake holders.

A20/2003

PERFORMANCE MANAGEMENT : DRAFT POLICY (5/3/2/1) (SPEAKER) (P 18 : ANNEXURES P 1 - 18)

COUNCIL RESOLVED : (30 APRIL 2003)

1. That the Council **ACCEPTS** the Draft Performance Management Policy.
2. That the necessary steps **BE COMPLETED** that lead to the finalisation of the policy.
3. That the Income Statement analysis **BE SUBMITTED** to Council.
4. That if it is not possible to meet the deadline of 3 September 2003 for the compilation of the Financial Statements **IT BE REPORTED** to the Finance Committee timeously.

A21/2003

REPORT ON DECISIONS TAKEN UNDER DELEGATED POWERS (3/1/2) (MM) (EXECUTIVE MAYOR'S REPORT PAGE 1 – 177)

COUNCIL RESOLVED : (30 APRIL 2003)

The Executive Mayor under delegated powers considered the reports MC27/2003 to MC56/2003, MC57/2003 to MC70/2003, MC71/2003 to MC78/2003, SMC9/2003 and MC80/2003, MC82/2003 to MC87/2003 as they appear on the Annexures marked **Executive Mayor's report**, and that these resolutions taken by the Executive Mayor under delegated powers, **BE CONFIRMED**.

EXTRACT OF CONFIDENTIAL ITEMS FROM THE

MINUTES

OF THE

2ND ORDINARY MEETING
FOR THE YEAR 2003

of

MATJHABENG MUNICIPALITY

held on

WEDNESDAY, 30 APRIL 2003

at

16:00

C5/2003

APPOINTMENT : EXECUTIVE MANAGER : PUBLIC SAFETY AND TRANSPORT (5/3/27) (MM) (P 1 : CONFIDENTIAL ANNEXURES P 1 - 6)

During the discussions of the matter the following issues were raised by the different political parties :

U.D.M., P.A.C. and D.A. raised the concerns that :

- (a) Pages 4, 5 and 6 of the Annexure pertaining to the scores received by each candidate were missing and the qualifications of some of the candidates were also omitted.
- (b) The preferred candidate, Mr. NJ Motseki did not receive the highest score and he was not recommended by the interviewing panel, as the latter recommended Mr. Lethetsa, who was the best candidate and attained the highest score during the interviews.
- (c) The interviewing panel should have been informed beforehand if there was an amendment to the recommended candidate by the said panel.

The ANC highlighted the following issues :

- (a) Mr. NJ Motseki was recommended purely on his academic qualifications which includes the Diploma in Criminal Justice and Forensic Auditing as well as a certificate in Crime Intelligence and Forensic Investigations in the SANDF.
- (b) Mr. Motseki is the only candidate who possessed the qualifications mentioned in paragraph (a) above, and his expertise is needed by the Municipality to curb the ever-escalating theft and fraud within the said Municipality.
- (c) Mr. Motseki is recommended to fill the position instead of Mr. Lethetsa.

During the voting on the matter regarding the appointment of the Executive Manager : Public Safety and Transport the DA, PAC and UDM received 11 votes on their recommendation and the ANC received 46 votes on their recommendation.

2

IT IS RESOLVED BY THE COUNCIL : (30 APRIL 2003)

That Mr. NJ Motseki **BE APPOINTED** as the Executive Manager : Public Safety and Transport with effect from 01 May 2003.

C6/2003

APPOINTMENT : THE CORPORATE EXECUTIVE MANAGER : FINANCIAL MANAGEMENT (5/3/2/3) (EMHR) (P 3 : CONFIDENTIAL ANNEXURES P 7 - 13)

After a long deliberation, the Speaker made a ruling that the verbatim report is a true reflection of what transpired at the meeting.

IT IS RESOLVED BY THE COUNCIL : (30 APRIL 2003)

That the verbatim report **IS CORRECT** and reflects what transpired during the first Special Council meeting held on 28 January 2003.

(After the resolution of this item Councillor (Dr) JS Marais requested that his vote against the ruling of the Speaker be minuted).

INDEX

ITEM NO	ITEM	PAGE
A14/2003	LANGUAGE FACILITATION (20/17/1/3) (EMCS) (OFFICE OF THE SPEAKER)	1
A15/2003	MOTTO : MATJHABENG MUNICIPALITY (13/3/1) (EMCS) (OFFICE OF THE SPEAKER)	1
A16/2003	NATIONAL SALGA CONFERENCE: HUMAN RESOURCES DEVELOPMENT POLICY CONFERENCE : 10 – 14 MARCH 2003 (15/2/1/24) (EMHR)	2
A17/2003	ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDING 30 JUNE 2002 (6/12/2/1) (CEMFM)	2
A18/2003	MATJHABENG - FINANCIAL REPORT - MARCH 2003 (12/1/2/3) (CEMFM)	2
A19/2003	DRAFT BUDGETS 2003/2004 (6/1/1/1) (CEMFM)	3
A20/2003	PERFORMANCE MANAGEMENT : DRAFT POLICY (5/3/2/1) (SPEAKER)	3
A21/2003	REPORT ON DECISIONS TAKEN UNDER DELEGATED POWERS (3/1/2) (MM)	3

INDEX

ITEM NO	ITEM	PAGE
C5/2003	APPOINTMENT : EXECUTIVE MANAGER : PUBLIC SAFETY AND TRANSPORT (5/3/2/7) (MM)	1
C6/2003	APPOINTMENT : THE CORPORATE EXECU- TIVE MANAGER : FINANCIAL MANAGEMENT (5/3/2/3) (EMHR)	2

ANNEXURE "A" (PAGES 1 - 2) = CLR ML RADEBE (30 APRIL 2003)

THIS PAGE REPLACES PAGE VI OF THE
MINUTES - 30 APRIL 2003 BY AMENDING
ITEM NO. 10 (LAST SENTENCE) BY
REPLACING THE NAME CLLR MP MOTSHABI
BY CLLR VH NEUMANN

VI

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Point 1.1 should read as follows :

" Ms Lindy Mhlafulu from Ward 21 Matjhabeng resigned and was replaced by Petros Thulu."

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Councillor VH Neumann abstained.

FORMAL SIGNING OF MINUTES

The Speaker indicated that he would sign the minutes of the meeting held on 25 February 2003 after they have been corrected.

C5/2003

APPOINTMENT : EXECUTIVE MANAGER : PUBLIC SAFETY AND TRANSPORT (5/3/2/7) (MM) (P 1 : CONFIDENTIAL ANNEXURES P 1 - 6)

During the discussions of the matter the following issues were raised by the different political parties :

U.D.M., P.A.C. and D.A. raised the concerns that :

- (a) Pages 4, 5 and 6 of the Annexure pertaining to the scores received by each candidate were missing and the qualifications of some of the candidates were also omitted.
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- (c) The interviewing panel should have been informed beforehand if there was an amendment to the recommended candidate by the said panel.

The ANC highlighted the following issues :

- (a) Mr. NJ Motseki was recommended purely on his academic qualifications which includes the Diploma in Criminal Justice and Forensic Auditing as well as a certificate in Crime Intelligence and Forensic Investigations in the SANDF.

Mr. Motseki is the only candidate who possessed the qualifications mentioned in paragraph (a) above, and his expertise is needed by the Municipality to curb the ever-escalating theft and fraud within the said Municipality. Although Mr. Lethetsa obtained the highest score he was not the best suitable candidate.

After the debate the Executive Mayor proposed that :

Mr. Motseki be the preferred candidate for appointment to the position of Public Safety and Transport.

2

Councillor (Dr) JS Marais proposed :

- (i) That Mr. Motseki not be appointed to the position of Public Safety and Transport.
- (ii) That Mr. Lethetsa instead be appointed.

The proposals were put to the vote and the outcome of the vote is as follows :

11 Votes were recorded in favour of the proposal by Councillor (Dr) JS Marais.
46 Votes were recorded in favour of the recommendation proposed by the Executive Mayor.

CONFIDENTIAL ITEM C5/2003

THIS PAGES REPLACES PAGES 1 - 2 OF
THE MINUTES - 30 APRIL 2003