

MINUTES

OF THE

**2ND ORDINARY MEETING
FOR THE YEAR 2004**

of

MATJHABENG MUNICIPALITY

held on

TUESDAY, 6 APRIL 2004

at

14:00

COUNCILLORS PRESENT : COUNCIL MEETING : 6 APRIL 2004

ANC

PROPORTIONAL			
1.	Leeuw SJ (Executive Mayor)	14.	Dlova TW
2.	Matsepe TV (Speaker)	15.	Ikaneng MI
3.	Tsubane ME	16.	Mafantire MJ
4.	Menong KS (MMC)	17.	Mafongosi VZ (Written apology)
5.	Ramaisa KA (MMC)	18.	Mashinini NL
6.	Tladi RE (MMC)	19.	Alexander RR (Absent without apology)
7.	Thuthani ZA (MMC) (Written apology)	20.	Radebe ML
8.	Matosa AN	21.	Sephiri MJ
9.	Matlabe MMT	22.	Tihone ML
10.	Mbana MA	23.	Vanga M
11.	Mokhathi PE	24.	Kotzee D
12.	Bengu VV	25.	Masoleng NI
13.	Dali VN	26.	Kujoana MA
WARD			
27.	Matsbukanye MM (Absent without apology)	42.	Mfebe MSE
28.	Tshabangu SE (MMC)	43.	Mhlaba N (Absent without apology)
29.	Mohlodi PP (Telephonically)	44.	Mokolutlo LA
30.	Mogole RR (Leave early)	45.	Montshioa BA (MMC) (Sick note)
31.	Liphoko SJ (Fax received)	46.	Mosala MS
32.	Mokoena ME	47.	Nakwa TA
33.	Masienyane MD (Written apology)	48.	Ngangelizwe S
34.	Baaitjies M (Absent without apology)	49.	Radebe LLF
35.	Dassie YS	50.	Ramojela JN
36.	Dlamini SC	51.	Rubulana L
37.	James TH	52.	Seboholi CP (Absent without apology)
38.	Khalipha TD (MMC)	53.	Taliwe FE
39.	Mabuya FF (Written apology)	54.	Thoabala TE (MMC)
40.	Manzana NR	55.	Tsoene TD (Written apology)
41.	Masoka NL (Absent without apology)	56.	Tsatsa SJ

DA

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

II

UDM

PROPORTIONAL	
71.	Motshabi MP

PAC

PROPORTIONAL	
72.	Majoe TS

OFFICIALS

Mr RSB Sesele	–	Municipal Manager
Mr V Adonis	–	Corporate Executive Manager : Community Services and Social Development
Mr BP Molatseli	–	Executive Manager : Corporate Services
Mr RN Pitso	–	Corporate Executive Manager : Financial Management
Mr TR Shiringani	–	Manager : Council Administration
Mr D Mana	–	Caretaker
Mr T Jobo	–	Communication Officer

1. OPENING

Pastor M Cindi opened the meeting with Scripture reading and prayer.

2. OFFICIAL ANNOUNCEMENTS OF THE SPEAKER

The Speaker made the following announcements :

1. He informed Councillors that they are invited to a gathering for prayer of transformation Africa on 2 May 2004 at Zuka Baloyi Stadium.
2. He informed all Councillors to invite about 80 people to be collected at the Thabong Community Centre to the World Health Route in Theunissen.
3. All Councillors are invited to a briefing session on the roll out of Antiretroviral drugs on 26 March 2004 at the Thabong Community Centre at 14:00.



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

None

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

None

5. REPORTS RECEIVED FROM THE SPEAKER

A27/2004 – A38/2004

The items were presented by the Executive Mayor under Item 15.

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 2004
Cllr VH Neumann	:	01 April 2004
Cllr PE Mokhathi	:	03 April 2004
Cllr MM Ntsala	:	13 April 2004
Cllr (Dr) Marais JS	:	14 April 2004
Cllr VZ Mafongosi	:	15 April 2004
Cllr TV Matsepe	:	25 April 2004
Cllr TH James	:	03 May 2004
Cllr MSE Mfebe	:	04 May 2004
Cllr YS Dassie	:	05 May 2004
Cllr ML Tlhone	:	06 May 2004
Cllr NL Masoka	:	13 May 2004
Cllr MD Masienyane	:	15 May 2004
Cllr M Vanga	:	21 May 2004
Cllr TW Dlova	:	24 May 2004

6.1.2 He congratulated Councillor ZA Thuthani: for receiving Certificate of Achievement for Most Committed Councillor.

6.1.3 He congratulated Mr R Spies : Certificate of Achievement for Most Committed Council Official.

6.1.4 He congratulated Mr F Willemse Certificate of Achievement Most Committed Council Official.

IV

6.1.5 He congratulated Council on achieving Certificate for Best Co-operation in Impact Assessment on Projects, Best Implementation of Labour Intensiveness on Projects and Most Committed Municipality.

6.1.6 He further congratulated the Hennenman Public Library for being the Regional Library of the year award.

7. **MOTIONS OF SYMPATHY AND CONGRATULATIONS FROM OTHER MEMBERS**

None

8. **DEPUTATIONS AND INTERVIEWS**

Mr MJ Lenyehelo Chairperson of the Audit Committee presented Audit Report for the period July 2003 – January 2004 and the resolution thereto is on page 9 Item **A38/2004**.

9. **DISCLOSURE OF INTEREST**

None

10. **MINUTES OF THE PREVIOUS MEETINGS**

10.1 That the minutes of the Ordinary meeting held on 25 November 2003 and minutes of the 1st Ordinary Council meeting held on 24 February 2004 and **BE APPROVED** and **CONFIRMED** as a true reflection of what transpired at the meetings.

11. **FORMAL SIGNING OF MINUTES**

The Speaker indicated that he will sign the minutes at a later stage.

12. **MATTERS ARISING FROM THE MINUTES**

The Executive Mayor reported that the reporting format of the Mayoral Committee to Council is being improved and will be presented at the next Council meeting.

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

None

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

A19/2004 – A26/2004

V

15. 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 **10** Item **A39/2004** of these minutes.

16. MOTIONS

None

17. CLOSURE

The meeting ended at **19:00**.

.....
TV MATSEPE (SPEAKER)

.....
DATE

A19/2004

MATJHABENG MUNICIPALITY : STRATEGIC PLAN (3/1/B) MM) (P 1 : ANNEXURES P 1 – 15)

IT WAS RESOLVED (6 APRIL 2004)

[MM] That the Matjhabeng Municipality Strategic Plan presented to Council on 6 April 2004 **BE APPROVED** and **BE ADOPTED**.

A20/2004

MATJHABENG LOCAL MUNICIPALITY PROCUREMENT POLICY (11/1/B) (OFFICE OF THE EXECUTIVE MAYOR) (P 2: ANNEXURES : SEPARATE COVER)

IT WAS RESOLVED (6 APRIL 2004)

[CEMFM] That the Matjhabeng Local Municipality Procurement Policy **BE ACCEPTED** as an item in working progress.

A21/2004

PROPOSED INFORMATION COMMUNICATION TECHNOLOGY DISASTER MANAGEMENT AND BUSINESS RESUMPTION POLICY (2/4) (MICT) (P 4: ANNEXURES P 16 – 20)

IT WAS RESOLVED (6 APRIL 2004)

[MITC] That the proposed information communication technology disaster management and business resumption policy **BE ADOPTED**.

A22/2004

PROPOSED UPDATE TO MATJHABENG MUNICIPALITY'S COMPUTER USER POLICY (2/4) (MICT) (P 6: ANNEXURES P 21 – 26)

IT WAS RESOLVED (6 APRIL 2004)

[MITC] That the updated Computer User Policy **BE ADOPTED**.

A23/2004

PROGRESS REPORT : ORGANISATIONAL STRUCTURE REVIEW (2/4) (MM)
(P 8)

IT WAS RESOLVED (6 APRIL 2004)

[MOES] That the progress report on the Organisational Structure Review **BE NOTED**.

A24/2004

TEN YEAR CELEBRATIONS OF DEMOCRACY AND FREEDOM (14/3/2/1)
(OFFICE OF THE EXECUTIVE MAYOR) (P 9: ANNEXURES P 27 – 37)

IT WAS RESOLVED (6 APRIL 2004)

- [EXECUTIVE MAYOR'S OFFICE]
1. That the 10 Years Celebration **BE HIGHLIGHTED** in all speeches by the Speaker, Executive Mayor and Councillors.
 2. That the 10 Years of Freedom South Africa Logo to be used on official letterheads in order to popularize the event.
 3. That Stakeholders Forum **SHOULD BE FORMED** that will include all the interested sectors to plan and consolidate all the major events in the municipality, **SHOULD FORWARD** its programmes / projects including Provincial poverty alleviation projects / programmes to the Co-ordinating structure before the execution in order to coordinate the activities in a planned way.
 4. That the plans **SHOULD BE FORWARDED** to the Provincial Coordinating Structure before 27 April 2004 for the betterment of Provincial coordination of events.
 5. That a consultative workshop with all the identified stakeholders in the Local Government **TO GET** the message across and **TO ACCOMPLISH** ownership by all stakeholders.
 6. That documentation of all achievements, pictures and stories **SHOULD BE COMPILED**.
 7. That Matjhabeng Publicity Association **SHOULD CALL** the Matjhabeng Stakeholders Forum in order to coordinate all projects and programmes for celebrating our first decade of Freedom. The Stakeholders Forum **SHOULD INCLUDE** the NGO'S, CBO'S, Private Sector, Public Sector and all other interest groups.

8. That an amount of R200 000,00 **BE SET ASIDE** as a startup fund for the project and **BE** the only amount to be used for the project.

A25/2004

APPOINTMENT OF A FULL-TIME COUNCIL WHIP (3/8/1/3) (MCA) (OFFICE OF THE SPEAKER) (P 12: ANNEXURES P 38 – 39)

IT WAS RESOLVED (6 APRIL 2004)

- [EMCS] 1. That the item **BE NOTED** and **BE REFERRED** to the Speaker to present for discussion to the whippers or any other relevant structures decided upon by the Speaker.
2. That the Municipal Manager **SUBMIT** a report as required in terms of the Matjhabeng Rules and Orders.

A26/2004

AMENDMENT TO THE RULES AND ORDERS (1/2/1) (MCA) (OFFICE OF THE SPEAKER) (P 17)

IT WAS RESOLVED (6 APRIL 2004)

That the Matjhabeng rules and orders be amended by the insertion of Clause 193 to read as follows :

- [EMCS] “ **That the Executive Mayor may submit a Draft Policy Document which has been approved by the relevant Section 80 Committee to the Speaker, which submission shall have the effect of the matter having been tabled before Council, whereafter the document would be immediately distributed to Councillors and various other Committees where it will be discussed and considered, whereafter it will be tabled before the ensuing Council Meeting for discussion and approval by Council provided that a minimum period of 14 days shall lapse from the date on which it was circulated, to the date of the Council Meeting.**”

A27/2004

MATJHABENG MUNICIPALITY : MANUAL IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT NO 2 OF 2000) (2/3/4) (CS) (MCA) (P 18 : ANNEXURES : SEPARATE COVER)

IT WAS RESOLVED (6 APRIL 2004)

- [EMCS] 1. That Council **APPROVES** the manual as required in terms of Section 14 of the Promotion of Access to Information Act, 2000 (Act No 2 of 2000).

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2. That the manual **BE TRANSLATED** into all the official languages as adopted in the Language Policy of Matjhabeng.
3. That the manual **BE DISTRIBUTED** as required in terms of Regulation 187 of the Act on the Promotion of Access to Information Act, 2000 (Act No 20 of 2000) to the following:
 - (a) South African Human Rights Commission.
 - (b) All offices of Council.
 - (c) Places of Legal Deposit.
 - (d) And be placed on the Council's website.
4. That Corporate Services (Customer Care) **IMMEDIATELY MAKE** a concise simplified version for the Community and for Councillors to make it easier to understand.
5. That the ICT Department **SHOULD WORK CLOSELY** with Corporate Services on the access to information on the computer system.

A28/2004

DRAFT STANDING WORKING PROCEDURE (SWP) FOR THE INTERIM ACCESS CONTROL AND KEY CONTROL MEASURES WITHIN MATJHABENG LOCAL MUNICIPALITY (20/2/2/2/1) (PS&T) (P 26 : ANNEXURES P 40 – 54)

IT WAS RESOLVED (6 APRIL 2004)

- [EMPS]
1. That the draft Standing Working Procedure for the interim access control and key control measures **BE ACCEPTED** as a draft policy.
 2. That the draft Standing Working Procedure (SWP) **BE CIRCULATED** to all departments for inputs.
 3. That the Standing Working Procedure for the interim access control and key control measures **BE ADOPTED**.

A29/2004

POLICY PRINCIPLES IN RELATION TO THE ALIENATION OF MUNICIPAL OWNED LAND FOR DEVELOPMENT (8/1B) (EDSP) (P 28)

IT WAS RESOLVED (6 APRIL 2004)

- [EMHDEM] That the report on policy principles in relation to the alienation of Municipal owned land for development **BE ACCEPTED** as a first draft of the policy.

A30/2004

MONTHLY FINANCIAL REPORT – DECEMBER 2003 (6/12/2/1) – (CFO) (P 42 : ANNEXURES P 55 – 57)

IT WAS RESOLVED (6 APRIL 2004)

- [CEMFM] 1. That the MMC : Financial Management and the Corporate Executive Manager : Financial Management **BE REQUESTED TO INTERACT** with the MMC : Engineering Services and the Corporate Executive Manager : Engineering Services in order to ensure that the outstanding reports on Capital projects in Matjhabeng, **BE INCLUDED** in the Monthly Report for February 2004 as required by the Standing Rules and Orders.
2. That the Corporate Executive Manager : Financial Management **BE REQUESTED TO ENSURE** that from the Monthly Report of February 2004, full summaries/explanation on different columns e.g. (A) Income and Expenditure, **BE SUBMITTED**.
3. That the Corporate Executive Manager : Financial Management **BE REQUESTED TO ENSURE** that the format on the Monthly Report (Figures) for December 2003 and January 2004 **BE ENLARGED TO MAKE** it more legible before submission to Council.
4. That the Corporate Executive Manager : Financial Management **BE REQUESTED TO INDICATE** measures in place to ensure the correction of the figures in the Monthly Report, e.g. % payment ratio per ward regarding income for previous and current month.
5. That the Corporate Executive Manager : Financial Management **BE REQUESTED TO INDICATE** under A. Income and Expenditure of December and January 2004 the measures/strategies put in place to reduce the under collection which debtors raised.
6. That the Corporate Executive Manager : Financial Management **BE REQUESTED TO INDICATE** under Column G, Credit Control, the strategies/measures put in place to ensure that arrangements for payments are followed up.
7. That an extra column **BE INSERTED** on the payment ratio per ward to indicate the amount spent on services and infrastructure in each ward.
8. That the information mentioned in paragraph 7 above **BE USED** by Councillors during preliminary public hearings on the budget to convey the income and expenditure per ward to the community.

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A31/2004

MONTHLY FINANCIAL REPORT – JANUARY 2004 (6/12/2/1) – (CFO) (P 46 : ANNEXURES P 58 – 63)

IT WAS RESOLVED (6 APRIL 2004)

- [CEMFM] 1. That the MMC : Financial Management and the Corporate Executive Manager : Financial Management **BE REQUESTED TO INTERACT** with the MMC : Engineering Services and the Corporate Executive Manager : Engineering Services in order to ensure that the outstanding reports on Capital projects in Matjhabeng, **BE INCLUDED** in the Monthly Report for February 2004 as required by the Standing Rules and Orders.
2. That the Corporate Executive Manager : Financial Management **BE REQUESTED TO ENSURE** that from the Monthly Report of February 2004, full summaries/explanation on different columns e.g. (A) Income and Expenditure, **BE SUBMITTED**.
3. That the Corporate Executive Manager : Financial Management **BE REQUESTED TO ENSURE** that the format on the Monthly Report (Figures) for December 2003 and January 2004 **BE ENLARGED TO MAKE** it more legible before submission to Council.
4. That the Corporate Executive Manager : Financial Management **BE REQUESTED TO INDICATE** measures in place to ensure the correction of the figures in the Monthly Report, e.g. % payment ratio per ward regarding income for previous and current month.
5. That the Corporate Executive Manager : Financial Management **BE REQUESTED TO INDICATE** under A. Income and Expenditure of December and January 2004 the measures/strategies put in place to reduce the under collection which debtors raised.
6. That the Corporate Executive Manager : Financial Management **BE REQUESTED TO INDICATE** under Column G, Credit Control, the strategies/measures put in place to ensure that arrangements for payments are followed up.
7. That an extra column **BE INSERTED** on the payment ratio per ward to indicate the amount spent on services and infrastructure in each ward.
8. That the information mentioned in paragraph 7 above **BE USED** by Councillors during preliminary public hearings on the budget to convey the income and expenditure per ward to the community.

A32/2004

CREDIT CONTROL, DEBT COLLECTION AND INDIGENT POLICY DISCUSSION DOCUMENT (6/4B) (CEMFM) (P 51 : ANNEXURES P 64 – 80)

IT WAS RESOLVED (6 APRIL 2004)

[CEMFM] That this item **BE REFERRED** to an Ad Hoc Committee constituted by the Executive Mayor.

A33/2004

DRAFT BUDGET 2004/2005 (6/1/1/1) (CFO) (P 54 : SEPARATE COVER)

IT WAS RESOLVED (6 APRIL 2004)

[CEMFM] That the draft budget **BE SUBMITTED** for public comment.

A34/2004

MONTHLY FINANCIAL REPORT – FEBRUARY 2004 (6/12/2/1) (CFO) (P 55 : ANNEXURES : SEPARATE COVER)

IT WAS RESOLVED (6 APRIL 2004)

- [CEMFM] 1. That the Monthly Financial Report for February 2004 **ARE REFLECTING** the financial results for February 2004.
2. That the Council **TAKE NOTE** of the improvement in the financial reporting format.
3. That the Council **EXPRESS** its satisfaction with the progress being made in complying with the Standing Rules and Orders Section 32, **BUT IT BE ENSURED** that Section 182(2) (h)15 **ALSO BE COMPLIED** with.
4. That the information as reflected in the Payment per Ratio per Ward **BE JUSTIFIED TO INCLUDE** the billing and recovery per Ward.

A35/2004

MINIMUM LEVEL OF SANITATION SERVICE FOR MATJHABENG (CEMES) (6/18/1) (P 56 : ANNEXURES P 85 – 91)

IT WAS RESOLVED (6 APRIL 2004)

- [EMHDEM] 1. That dry on site sanitation **BE** the minimum level of service for rural areas.

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2. That application to DWAF **BE MADE** immediately for funds for dry on site sanitation for rural areas.
3. That water borne sanitation **BE** the minimum level of service for urban areas.
4. That a financial plan **BE DRAWN** up indicating how the following costs for water borne sanitation will be subsidized in order to make the service sustainable.
 - 4.1 Total capital required over and above the DWAF subsidy to develop 5000 stands per annum R24 750 000,00
 - 4.2 Total operational subsidy required per annum R72 960 000,00
5. That three consultants **BE INVITED** for interviews **TO DRAW UP** a bulk sewer development master plan for Matjhabeng **TO ENABLE** water borne sanitation **TO BE PROVIDED** to all residential areas in Matjhabeng.

A36/2004

ELECTRICITY DISTRIBUTION INDUSTRY RESTRUCTURING (EDIR): RINGFENCING AND ASSET VALUATION (19/3/2/1) (CEMES) (P 59)

IT WAS RESOLVED (6 APRIL 2004)

- [CEMFM]
1. That Council **SUPPORTS** the creation of a Municipal Business Entity (MBE) so as to conduct the services and functions currently being performed by the Electricity Department.
 2. That Council **SUPPORTS** the proposed action plan for Ring fencing of the Electricity services of the Matjhabeng Municipality.
 3. That Council **SUPPORTS** the process of asset valuation of the electricity services.
 4. That an amount of R3,5 million **BE ALLOWED** for on the 2004/5 capital budget for ring fencing, asset evaluation and transferring of the Electrical Department of the Matjhabeng Municipality to the Holding Company.
 5. That an Ad Hoc Committee **BE APPOINTED** Municipal Business Entity to investigate and implement the above process.
 6. That the Ad Hoc Committee **REPORT BACK** to Council as they progress with the implementation.

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7. That the Legal Services Department **BE INVOLVED** when there are negotiations.
8. That the Ring fencing Toolkit that is developed by the EDI Holding Company **BE OBTAINED AS MATTER OF URGENCY**.

A37/2004

BULK WATER SUPPLY : CONTRACT WITH SEDIBENG WATER (P 67 : ANNEXURES P 92 – 96)

IT WAS RESOLVED (6 APRIL 2004)

- [CEMES]
1. That supply option 3 as reflected in Annexure A **BE APPROVED**.
 2. That the information requested from Sedibeng Water in Annexure B **BE OBTAINED** from Sedibeng Water before pursuing negotiations.
 3. That one more round of preparatory meetings **BE HELD** with Ashira Consulting **TO INCORPORATE** the suggestion of the Chief Financial Officer.
 4. That the Executive Mayor constitutes an ad hoc committee to deal with the bulk water contract between Sedibeng Water and Matjhabeng Municipality, assisted by Ashira Consulting.

A38/2004

AUDIT COMMITTEE REPORT (6/12/1) (MIA) (P 69)

IT WAS RESOLVED (6 APRIL 2004)

- [MIA]
1. That Council **APPROVES** the Internal Audit Year Plan as setout, for the period April 2004 to March 2005.
 2. That the Branch Internal Audit **IMPLEMENT** the plan effectively from 1 April 2004.
 3. That the Workplan Financial Year **MUST ALSO INCLUDE** with the work done from 1st July to the end of June so as to consider with the Council's Financial Inter cycle.

A39/2004

REPORT ON DECISIONS TAKEN UNDER DELEGATED POWERS (3/1/2)
(MM) (EXECUTIVE MAYOR'S REPORT PAGE 1 – 13)

[FILE] That the resolutions taken by the Executive Mayor under delegated powers, as they appear on the Annexures marked **Executive Mayor's Report**, i.e. MC17/2004 to MC28/2004, MC31/2004 to MC35/2004, MC36/2004 to MC38/2004, MC40/2004 to MC43/2004 and MC46/2004 **BE CONFIRMED**.

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