

MINUTES

OF THE

**1ST ORDINARY MEETING
FOR THE YEAR 2008**

of

MATJHABENG MUNICIPALITY

held on

TUESDAY, 29 JANUARY 2008

at

14:00

COUNCILLORS ATTENDANCE: COUNCIL MEETING: 29 JANUARY 2008

ANC

PROPORTIONAL			
1.	Leeto NS (Executive Mayor)	14.	Radebe ML (MMC)
2.	Baaitjies M	15.	Ramaisa KA
3.	Dlova TW (MMC)	16.	Senoge MM
4.	Humphries MF	17.	Sephiri MJ (Chief Whip)
5.	Masoleng NI	18.	Speelman NW (MMC)
6.	Matlabe MMT	19.	Qweshu GL
7.	Sentle AN	20.	Thuthani ZA (MMC)
8.	Ntsebeng MH (MMC)	21.	Deceased
9.	ZP Noveld (MMC)	22.	Tihone 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
27.	Majoe TS		
WARD			
28.	Dlamini SC (MMC)	44.	Montshioa BA (MMC)
29.	Kotzee AP (MMC)	45.	Motshabi MP
30.	Mahloko NN	46.	Mphikeleli MA
31.	Majwede MC (Written Apology)	47.	Nakwa TA
32.	Makgowe PV	48.	Ntsala NS
33.	Mankayi NE	49.	Peterson E
34.	Manzana NR	50.	Radebe LLF
35.	Masienyane MD	51.	Rubulana L (Speaker)
36.	Mathebula MA	52.	Nteo SD (Sick Note)
37.	Mfebe MSE	53.	Sejane LM
38.	Mkhusane NC	54.	Semela ME
39.	Moahloli MS	55.	Sithole B
40.	Deceased	56.	Taliwe FE
41.	Mokhuma MS	57.	Themhani PP
42.	Mokobori KE	58.	Tsatsa SJ
43.	Monjovo NE		

II

DA

PROPORTIONAL			
59.	Edeling JH	63.	Mokotedi TG
60.	Fourie JJC	64.	Neumann VH
61.	Marais JS	65.	Styger A
62.	Mhlafu BD		
WARD			
66.	Beneke R	68.	Smit DC
67.	Botha PF (Written Apology)	69.	Van Rooyen HC

FF+

PROPORTIONAL	
70.	Coetzee BJA

ACDP

PROPORTIONAL	
71.	Mofoka MA

IND

WARD	
72.	Liphoko SJ (Written Apology)

OFFICIALS

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

III

SECTION A

1. OPENING

Pastor NM Komako of the Bal Perazim Prophetic Church 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

None

4. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER

CONGRATULATIONS

4.1 Cllr Montshioa congratulated Cllr Dlova on completing the Short Learning Programme in Executive Municipal Management and Leadership in 2007.

4.2 Cllr Speelman congratulated the Executive Mayor and Councillors on the manner in which they worked together on arranging the funerals of the late Cllrs Mokapo and Tladi.

5. DISCLOSURE OF INTEREST

None

6. DEPUTATIONS AND INTERVIEWS

None

7. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

None

IV

8. MINUTES OF THE PREVIOUS MEETING

IT WAS RESOLVED: (2008-01-29)

8.1 That the Minutes of the 6th Ordinary Meeting of the Council held on 20 November 2007 **BE APPROVED** and **CONFIRMED** subject thereto that Cllr Majoe's name be removed from the PAC and be put under the ANC Proportional.

8.2 That the Minutes of the 3rd Special Meeting of the Council held on 11 and 12 December 2007 **BE APPROVED** and **CONFIRMED** subject to the following corrections:

By deletion of the word **absent** next to the name of **Councillor JH Edeling** under the **Councillors Attendance List**.

8.3 That the Minutes of the 4th Special Meeting of the Council held on 24 and 29 December 2007 **BE APPROVED** and **CONFIRMED** subject to the following corrections:

24 December 2007:

By changing the word **absent** to **apology** next to the names of the following Councillors in the Attendance List:

Cllr TA Nakwa
Cllr DC Smit
Cllr BJA Coetzee

29 December 2007

By changing the word **absent** to **apology** next to the names of the following Councillors in the Attendance List:

Cllr MP Motshabi
Cllr MF Humphries
Cllr TD Khalipha
Cllr VH Neumann
Cllr JS Marais
Cllr Masienyane

9. FORMAL SIGNING OF MINUTES

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

V

10. MATTERS ARISING FROM THE MINUTES

None

SECTION B

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

None

12. REPORTS OF THE EXECUTIVE MAYOR

A1/2008 – A16/2008

13. CLOSING REMARKS

The Executive Mayor congratulated Cllr Baaitjies who was appointed as a Member of the Mayoral Committee.

14. CLOSURE

The Speaker adjourned the meeting at **19:39** to be continued on **Thursday, 31 January 2008 at 14:00** to address the outstanding issues.

.....
L RUBULANA (SPEAKER)

.....
DATE

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//The Executive Mayor welcomed all Councillors back after the recess and said that 2007 was a difficult year, but that service delivery was on course. The Executive Mayor further reiterated that in 2008 Matjhabeng should ‘Accelerate Service Delivery in Action’, that challenges should be identified and Councillors must come up with strategies. The Executive Mayor further requested Councillors to make inputs on items before the meetings, especially if information was not sufficient or correct.//

A1/2008

MID- YEAR BUDGET AND PERFORMANCE REPORT – DECEMBER 2007 (6/1/1) (ACFO)

PURPOSE

To submit to Council the Budget reports in terms of Section 72 of the Municipal Finance Management Act number 56 of 2003 for six months ended 31 December 2007.

COUNCIL RESOLVED (29 JANUARY 2008)

That the Mid-year Budget and Performance Report for the six months ending 31 December 2007 **BE NOTED**.

A2/2008

REPORT TO THE COUNCIL FOR DECEMBER 2007 IN TERMS OF SECTION 71 OF THE MUNICIPAL FINANCE MANAGEMENT ACT 56 OF 2003 (ACFO)

PURPOSE

To submit to Council the Budget report for December 2007 in terms of Section 71 of the Municipal Finance Management Act number 56 of 2003.

COUNCIL RESOLVED (29 JANUARY 2008)

1. That the Budget Report for December 2007 **BE NOTED**.
2. That the Budget Report for December 2007 **BE CORRECTED** where needed.

A3/2008

MOTOR VEHICLE POLICY FOR MATJHABENG (5/4/2/2) (ACFO)

PURPOSE OF REPORT

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

COUNCIL RESOLVED (29 JANUARY 2008)

1. That employees on job level 4 to 9 **WILL QUALIFY** to participate in the scheme if their job requires them to have transport as per the stipulation of the policy.
2. That employees on job level 1 to 3 **WILL RECEIVE** the subsidy as a fringe benefit.
3. That employees on job level 4 to 9 **WILL ONLY RECEIVE** the motor vehicle subsidy after the approval of their applications by the Transport Committee.
4. That a Transport Committee **BE ESTABLISHED**, by the Municipal Manager, to evaluate and approve applications received for the Motor Vehicle Scheme.
5. That the percentage subsidy for employees who will receive the vehicle allowance **WILL BE AT** 40% of their monthly basic salary.
6. That the vehicle **CANNOT BE CHANGED** within a period of 60 months without the approval of the Municipal Manager.
7. That a log sheet **BE SUBMITTED** on a monthly basis and **BE CHECKED** by the Supervisors.
8. That if the vehicle **IS NOT USED** for the purposes of the allowance applied for, it can be terminated with immediate effect.
9. That the Policy **BE REFERRED** to the Local Labour Forum for consultation of the Unions.

A4/2008

DISPOSAL OF SUBDIVISION 6 OF ERF 165, CBD WELKOM (18/2/1) (ACFO)

PURPOSE

To request approval from Council for the disposal of Subdivision 6 of erf 165, CBD Welkom measured at 31,275m².

COUNCIL RESOLVED (29 JANUARY 2008)

1. That the item **BE REFERRED BACK** for consideration at a Continuation meeting to be held on Thursday, 31 January 2008.
2. That the item **BE SUBMITTED** to the Continuation meeting with a valuation report as well as a report from the Municipal Manager regarding the disposal of the erf.

A5/2008

DISPOSAL OF PORTION 2 OF ERF 8835, WELKOM (18/2/1) (ACFO)

PURPOSE

To request approval to Council for the disposal of Portion 2 of erf 8835, Welkom from the Council.

COUNCIL RESOLVED (29 JANUARY 2008)

1. That the item **BE REFERRED BACK** for consideration at a Continuation meeting to be held on Thursday, 31 January 2008.
2. That the item **BE SUBMITTED** to the Continuation meeting with an evaluation report as well as a report from the Municipal Manager regarding the disposal of the erf.

A6/2008

DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF DIFFERENT MEMBERS OF MUNICIPAL COUNCIL (6/6/2) (ACFO)

PURPOSE

To submit to the Council the upper limits of salaries, allowances and benefits of different members of municipal council as per Government Gazette No 30600, dated 18 December 2007.

Cllr Marais put a motion on the table that Council should keep the increase in salaries, allowances and benefits of different members of the Municipal Council in abeyance for three months until the delivery of services, e.g. refuse removal, had been improved by using the money to buy refuse removal trucks.

Cllr Montshioa put a motion on the table that the increase be approved.

The matter was put to the vote and the outcome was recorded as follows:

Votes against: 11
Votes for: 49

COUNCIL RESOLVED (29 JANUARY 2008)

1. That the payment of upper limits of salaries, allowances and benefits of different members of Municipal Council, to be implemented with effect from 1st July 2007 according to Government Gazette No 30600 dated 18 December 2007 **BE CONDONED**.
2. That the concurrence received from the Member of the Executive Council responsible for Local Government in the Free State **BE NOTED**.

A7/2008

MUNICIPAL ADJUSTMENT BUDGET (6/1/1/1 - 2007/08) (ACFO)

PURPOSE

To submit to Council a Recommendation for an Adjustment Capital Budget in terms of Section 28 of the Municipal Finance Management Act no.56 of 2003.

COUNCIL RESOLVED (29 JANUARY 2008)

1. That the 2007/08 Adjusted Capital Budget **BE APPROVED**.
2. That a business plan **BE DEVELOPED** to ensure that the remaining allocation of R151 million would be spent adequately in the current financial year.
3. That there **SHOULD BE CONSIDERATION** of the electricity cuts which were taking place, whether it would affect the Operational Budget negatively or positively and if there was an indication that the Operational Budget would be affected negatively, the budget adjustment or review **MUST BE SUBMITTED** to Council.

A8/2008

AMENDMENT OF MATJHABENG MUNICIPALITY STUDY ASSISTANCE SCHEME (DCSS) (5/4/3/1)

PURPOSE OF REPORT

The purpose of the report is to propose amendments in respect of the adopted Employee Educational Assistance Scheme (EEAS).

COUNCIL RESOLVED (29 JANUARY 2008)

1. That the following amendments to the Matjhabeng Municipal Study Assistance Scheme **BE APPROVED**:
 - (a) That study assistance in respect of recognised and relevant tertiary studies be granted to all employees and Councillors.
 - (b) That the name: "Employee Educational Assistance Scheme" be changed to "Study Assistance Scheme", thereby including all "contributors" to the skills levy and also clearly distinguishing this scheme from the EAP ("Employee Assistance Programme") dealing with wellness.

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- (c) That the maximum amount (upper limit) of financial assistance per person, regardless of the actual cost of intended studies, be fixed at R6000.00 per annum, annually adjusted with 5%.
 - (d) That further financial assistance will only be considered on receipt of examination results pertaining to subjects for which assistance was granted. In the event of subjects failed, further assistance will not be considered for failed subjects.
 - (e) That Study leave will initially be treated as annual leave and only upon submitting successful results will it be changed to special leave.
 - (f) That newly appointed officials will only be considered for study assistance after successfully serving the required probation period.
2. That the Municipal Manager **SHOULD FOLLOW UP** on the repayment clause if a student fails and **SUBMIT** a report at the next meeting.

A9/2008

APPOINTMENT OF RESPONSIBLE OFFICER AND DEPUTY RESPONSIBLE OFFICER IN TERMS OF GATHERINGS ACT 205 OF 1993 (2/1) (DCSS)

PURPOSE

To submit to Council the names of people designated as Responsible Officer and Deputy Responsible Officer in terms of Regulation of Gatherings Act No 205 of 1993 for consideration.

COUNCIL RESOLVED (29 JANUARY 2008)

That the under-mentioned officials **BE APPOINTED** as Responsible Officer and Deputy Responsible Officer respectively:

- **Responsible Officer:**

Adv SA Moshodi : Manager: Administration (Office of the Municipal Manager)

- **Deputy Responsible Officer:**

Mr LJ Leeto : Manager Public Safety & Security.

A10/2008

ICT RESOURCES OWNERSHIP POLICY (DCSS)

PURPOSE

To submit to Council the ICT Policy on Assets Total Cost of Ownership for approval.

COUNCIL RESOLVED (29 JANUARY 2008)

1. That the ICT Resources Ownership Policy **BE APPROVED**.
2. That the Office of the Executive Mayor **DONATES** redundant ICT Stock to schools and charity organizations that would be identified by the Office of the Executive Mayor.
3. That paragraph 2 above **BE INCLUDED** in the ICT Resources Ownership Policy.

A11/2008

COMPLETION OF 100 WOMEN PROJECT: THABONG T6 JERUSALEM PARK (20/14/4/3) (EDI)

PURPOSE

To seek approval from the Council for the completion of the 47 houses remaining on the project.

COUNCIL RESOLVED (29 JANUARY 2008)

1. That the Finance Department **BE MANDATED** to trace, reconcile and recoup all monies that was paid by Province to the municipality in favour of the 100 women project but was not used on the project.
2. That the Housing Department **SHOULD SUBMIT** the new proposal to the Department to release funds that were committed to the project so as to enable the identified contractor to complete the project in accordance with the social responsibility principles and agreements.
3. That the shortfall of R117500.00 in order to complete the project **BE FINANCED** by Council.

8

A12/2008

POSSIBLE FUNDING FROM THE FREE STATE PROVINCIAL GOVERNMENT TO BUY LAND FOR TOWNSHIP DEVELOPMENT IN MATJHABENG

PURPOSE

To inform Council of the possible funding from the Free State Provincial Government to buy land for township development in Matjhabeng.

COUNCIL RESOLVED (29 JANUARY 2008)

1. That the Free State Provincial Government **BE REQUESTED** to assist the Matjhabeng Municipality financially with the acquisition of land for township development in the Matjhabeng area.
2. That the acquisition of land **BE PRIORITIZED** as follows:
 - (a) Subdivision 1 of the Farm Ventersvlakte740 as well as Subdivisions 2 and 8 of the Farm Uitsig 723 at a price of approximately R6 240 000,00.
 - (b) The Remainder of the Farm Leeubosch 285 at a price of approximately R4 240 000,00.
 - (c) The Farms Mooi Uitzig 352 and Schoonheid 540 at a price of approximately R3 090 000,00.
 - (d) The Remainder and Subdivision 2 of the Farm Kraanvogelvlei 366 at a price of approximately R1 740 000,00.
 - (e) The Remainder of the Farm Wesselsrust at a price of approximately R480 000,00.

A13/2008

UTILIZING OF SUBDIVISIONS 1, 2 AND THE REMAINDER OF ERF 8835 EXTENSION 17 WELKOM FOR COMMERCIAL PURPOSES 8/3/2/46

PURPOSE OF THE REPORT

To indicate the zoning of Subdivisions 1, 2 and the Remainder of Erf 8835, Extension 17, Welkom as well as the possibility to sell the erven for commercial purposes.

COUNCIL RESOLVED (29 JANUARY 2008)

1. That the item **BE REFERRED BACK** for consideration at a Continuation meeting to be held on Thursday, 31 January 2008.
2. That the item **BE SUBMITTED** to the Continuation meeting with an evaluation report as well as a report from the Municipal Manager regarding the disposal of the erf.

A14/2008

PROGRESS REPORT: MIG EXPENDITURE (EDI) (3/3/27)

PURPOSE

To submit a progress report to Council on the spending of MIG funds until the end of December 2007.

COUNCIL RESOLVED (29 JANUARY 2008)

1. That **IT BE NOTED** that the 2007/08 MIG spending was 43% as at December 2007 and that the expenditure for January 2008 was not included.
2. That the Municipal Manager **SHOULD DEVELOP** a business plan that will ensure the 2007/08 MIG spending by the end of the 2007/08 financial year.

A15/2008

DRAFT ANNUAL REPORT 2006/07: MATJHABENG LOCAL MUNICIPALITY (2/1) (MM)

PURPOSE OF REPORT

The purpose of this report is to table the Draft Annual Report for the financial year 2006/07 for consideration.

COUNCIL RESOLVED (29 JANUARY 2008)

1. That the Draft Annual Report for the financial year 2006/07 **BE NOTED**.
2. That the Draft Annual Report for the financial year 2006/07 **BE FORWARDED** to the Oversight Committee for finalization before submission to Council for final adoption.
3. That, upon finalization, the Annual Report for the financial year 2006/07 **BE SUBMITTED** to the MEC for Local Government and Housing.

A16/2008

IMPLEMENTATION OF THE NEIGHBOURHOOD DEVELOPMENT PROGRAMME (20/14/4/3) (MM)

PURPOSE

To request Council to approve the execution of the Neighbourhood Development Programme in Thabong.

COUNCIL RESOLVED (29 JANUARY 2008)

1. That the applications submitted to National Treasury **BE APPROVED**.
2. That the execution of this project in line with the IDP **BE APPROVED AND IMPLEMENTED** subject to approval of funds by National Treasury.