

# **MINUTES**

OF THE

**4<sup>th</sup> ORDINARY MEETING  
FOR THE YEAR 2008**

of

**MATJHABENG MUNICIPALITY**

held on

**TUESDAY, 29 JULY 2008**

at

**16:00**

**COUNCILLORS ATTENDANCE: COUNCIL MEETING: 29 JULY 2008**

**ANC**

<b>PROPORTIONAL</b>			
1.	Leeto NS ( <b>Executive Mayor</b> )	14.	Radebe ML ( <b>MMC</b> ) ( <b>Apology</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> )
5.	Masoleng NI	18.	Speelman NW ( <b>MMC</b> )
6.	Matlabe MMT	19.	Qwasha GL
7.	Sentle AN	20.	Thuthani ZA ( <b>MMC</b> )
8.	Ntsebeng MH ( <b>MMC</b> )	21.	Radebe MC
9.	ZP Noveld ( <b>MMC</b> )	22.	Tihone ML
10.	Molefi MJ	23.	Tsubane ME
11.	Nyembe ME	24.	Twanana M ( <b>Absent</b> )
12.	Petleki KI	25.	Vanga NM
13.	Qabela V ( <b>Absent</b> )	26.	TD Khalipha
		27.	Majoe TS
<b>WARD</b>			
28.	Vacant	44.	Motshabi MP
29.	Kotzee AP ( <b>MMC</b> )	45.	Mphikeleli MA
30.	Mahloko NN	46.	Nakwa TA
31.	Majwede MC ( <b>Apology – Sick</b> )	47.	Ntsala NS ( <b>Absent</b> )
32.	Makgowe PV	48.	Peterson E
33.	Mankayi NE	49.	Radebe LLF ( <b>Apology</b> )
34.	Manzana NR	50.	Rubulana L
35.	Masienyane MD	51.	Nteo SD
36.	Mathebula MA	52.	Sejane LM
37.	Mfebe MSE( <b>MMC</b> )	53.	Semela ME
38.	Mkhusane NC	54.	Sithole B
39.	Moahloli MS	55.	Taliwe FE
40.	Mokhuma MS	56.	Themhani PP
41.	Mokobori KE	57.	Tsatsa SJ
42.	Monjovo NE		
43.	Montshioa BA ( <b>MMC</b> )		

## II

### DA

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

### FF+

PROPORTIONAL	
70.	Coetzee BJA

### ACDP

PROPORTIONAL	
71.	Mofoka MA

### IND

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

### OFFICIALS

Dr L Moorosi	:	Acting Municipal Manager
Mr MNS Moletsane	:	Director Corporate Support Services
Mr M Besani	:	Director Infrastructure
Me KR Maloka	:	Director Social Services and Law Enforcement
Mr TR Kometsi	:	Chief Financial Officer
Me A Schoeman	:	Administrative Officer (Corporate Services)

# III

## SECTION A

### 1. **OPENING**

Pastor M Ndlela of 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** of these minutes.

### 3. **OFFICIAL ANNOUNCEMENTS OF THE SPEAKER**

**3.1** The Speaker announced that Cllr SC Dlamini, Ward Councillor for Ward 21, had resigned with effect from 1 July 2008 and that a by-election would have to be held.

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

#### **Sympathy**

4.1 The Speaker informed the meeting that Cllr Tsubane's grandmother and Cllr Neumann's mother had passed away and a moment of silence was observed.

4.2 Cllr B Montshioa informed the meeting that Mr L Moletsane, Unit Manager of Hennenman and Ventersburg, had passed away.

#### **Congratulations**

Cllr Z Noveld congratulated the newly elected leadership of the ANC in the Free State.

### 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: (2008-07-29)

That the Minutes of the 3<sup>rd</sup> Ordinary Meeting of the Council held on 29 May 2008 **BE APPROVED** and **CONFIRMED** subject to the following:

- (a) **Page 2, A39/2008:** That the fourth paragraph be corrected to read as follows:

***Cllr Motshabi indicated that the Annual Report was not ward-based and it therefore made it impossible for the committee to report in a ward-based format.***

- (b) Cllr PV Makgowe queried the fact that Cllr Majwede was marked absent in the attendance register as he said a sick note was submitted.

- (c) Cllr TS Majoe queried the fact that he was marked absent as he did not sign the attendance register.

The Speaker undertook to verify the queries on the attendance register and reiterated that if the attendance register is not signed a person would be deemed absent.

### 9. FORMAL SIGNING OF MINUTES

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

### 10. MATTERS ARISING FROM THE MINUTES

Cllr Marais referred to paragraphs 3 and 4 on page 3 of the minutes and requested the reports as stipulated.

The Executive Mayor reported that no official was prepared to indicate who the officials were that did not co-operate.

The Executive Mayor indicated that the list of Councillors owing Council money was included in the Report of the Auditor-General.

## SECTION B

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

None

# V

## 12. REPORTS OF THE EXECUTIVE MAYOR

A40/2008 – A60/2008

## 13. CLOSING REMARKS

The Executive Mayor announced the launching of the Council's newsletter on Thursday, 31 August 2008 and she congratulated the Communication Unit on their achievement. The Executive Mayor requested Councillors to submit information on activities to be included in the newsletter. The Executive Mayor further said that the newsletter would be distributed from house to house.

## 14. CLOSURE

The Speaker terminated the meeting at **20:00**.

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

.....  
**DATE**

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**A40/2008**

**REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2007(6/12/2/1) (MM) (P1 : SEPARATE COVER)**

**PURPOSE**

To inform Council regarding the report of the Auditor General on the financial statements for the year ended 30 June 2007.

**//Mr Klopper from the Office of the Auditor-General presented the report to Council.//**

**COUNCIL RESOLVED (29 JULY 2008)**

1. That Council **TAKES NOTE** of the report of the Auditor-General of the Matjhabeng Local Municipality.
2. That the Auditor-General's report on the financial statements for the year ended 30 June 2007 **BE REFERRED** to the Audit Committee.

**//The Executive Mayor announced that Mr T Kometsi was appointed as Chief Financial Officer with effect from 1 July 2008. The Executive Mayor mentioned that the Performance Agreement and Contract would be submitted to Council for condoning of the appointment.**

**The Executive Mayor introduced Mr Kometsi and welcomed him.//**

**A41/2008**

**MONTHLY BUDGET REPORT – MAY 2008 (ACFO) (12/1/2/3) (P2 : ANNEXURE P4 – 14)**

**PURPOSE**

To submit to Council the Budget report for May 2008 in terms of Section 71 of the Municipal Finance Management Act number 56 of 2003.

**COUNCIL RESOLVED (29 JULY 2008)**

That the Budget Report for May 2008 in terms of Section 71 of the Municipal Finance Management Act, No 56 of 2003, **BE NOTED**.

**A42/2008**

**SECTION 71 BUDGET REPORT FOR JUNE 2008** (ACFO) (12/1/2/3) (P3 : ANNEXURE P15 – 25)

**PURPOSE**

To submit to Council the Budget report for June 2008 in terms of Section 71 of the Municipal Finance Management Act, Number 56 of 2003.

**COUNCIL RESOLVED (29 JULY 2008)**

That the Budget Report for June 2008 in terms of Section 71 of the Municipal Finance Management Act, Number 56 of 2003 **BE NOTED**.

**A43/2008**

**ADJUSTMENT OF THE MUNICIPAL ELECTRICITY TARIFFS FOR THE 2008/2009 BUDGET YEAR** (CFO) (6/5/1/1) (P4)

**PURPOSE**

To submit to Council for consideration an item with regard to the adjustment of the municipal electricity tariff.

**COUNCIL RESOLVED (29 JULY 2008)**

1. That the Municipal Electricity Tariff for the 2008/2009 financial year **BE FURTHER INCREASED** by 18% with effect from 1 October 2008.
2. That the implementation of the 18% increase in the electricity tariff **BE ADVERTISED**.
3. That the Operational Budget **BE REVIEWED** to include the 18% increase in the electricity tariff.

**A44/2008**

**REQUEST TO STOP DEPOSITS** (ACFO)(6/17/1) (P6 : ANNEXURE P26)

**PURPOSE**

To request that hall deposits be scrapped and hall rental be adjusted accordingly.

**COUNCIL RESOLVED (29 JULY 2008)**

1. That the management and maintenance of all halls **BE CENTRALISED** under Corporate Support Services.
2. That the deposits **BE SCRAPPED** and Parks and Recreation be informed accordingly, so that there would be no refunds.
3. That a contract **BE DRAWN UP** for the renting of the halls which includes a clause stipulating that the person would be held liable for all damages.

**A45/2008**

**THE IMPLEMENTATION OF THE CLEANEST TOWN COMPETITION PROJECT AT THE MUNICIPAL LEVEL BY PROVINCIAL GOVERNMENT AND THE DEPARTMENT OF TOURISM, ENVIRONMENTAL AND ECONOMIC AFFAIRS (14/3/2/1) (EDSS) (P8 : ANNEXURE P27 – 36)**

**PURPOSE**

To inform the Council about the inception and the implementation of this year's Cleanest Town Competition as initiated by the Provincial Government through the Department of Tourism, Environmental and Economic Affairs for the current year as from 2 June 2008 until 2 October 2008.

**COUNCIL RESOLVED (29 JULY 2008)**

That the implementation of the Cleanest Town Competition as prescribed by the Department of Tourism, Environmental and Economic Affairs **BE NOTED**.

**A46/2008**

**MOTOR VEHICLE SCHEME (5/4/2/2) (ACFO) (P10 : ANNEXURE P37 – 44)**

**PURPOSE OF REPORT**

To submit the newly adopted Motor Vehicle Policy for Matjhabeng to Council for consideration.

**COUNCIL RESOLVED (29 JULY 2008)**

That the item **BE WITHDRAWN**.

**A47/2008**

**SEXUAL HARASSMENT POLICY (5/1/B) (DCSS) (P12 : ANNEXURE P45 – 51)**

**PURPOSE**

To submit to Council the amended Policy for Sexual Harassment.

**COUNCIL RESOLVED (29 JULY 2008)**

1. That Council **APPROVES** the amended Policy for Sexual Harassment.
2. That the Sexual Harassment Policy **BE ADVERTISED** for public comments.

**A48/2008**

**DRAFT POLICY FOR HANDLING ABSENTEEISM / DESERTION (SMLS & LR) (5/3B) (P13 : ANNEXURE P52 – 60)**

**PURPOSE**

To submit to Council the amended Policy for Handling Absenteeism / Desertion.

**COUNCIL RESOLVED (29 JULY 2008)**

That Council **APPROVES** the amended Policy for Handling Absenteeism / Desertion.

**A49/2008**

**DRAFT PROCEDURE FOR TERMINATION OF SERVICES DUE TO INCAPACITY – ILL HEALTH / INJURY AND POOR WORK PERFORMANCE (5/3/B) (SMLS& LR) (P : ANNEXURE P61 – 79)**

**PURPOSE**

To submit to Council the amended Procedure for Termination of Services due to Incapacity – Ill Health / Injury and Poor Work Performance.

**COUNCIL RESOLVED (29 JULY 2008)**

1. That Council **APPROVES** the amended Procedure for Termination of Services due to Incapacity – Ill Health / Injury.

## 5

2. That Council **APPROVES** the amended Procedure for Termination of Services due to Poor Work Performance.

### **A50/2008**

#### **DRAFT JOB DESCRIPTION POLICY (5/1/1/1B) (MOES) (P16 : ANNEXURE P80 – 85)**

##### **PURPOSE**

To submit to Council the final Draft Job Description Policy for adoption.

##### **COUNCIL RESOLVED (29 JULY 2008)**

1. That Council **APPROVES** the draft Job Description Policy.
2. That a Policy Directory **BE COMPILED** to include all Policies of Council.
3. That all policies **BE SIGNED** by the Executive Mayor and Municipal Manager after adoption.

### **A51/2008**

#### **MUNICIPAL PROPERTY RATES POLICY AND VALUATION ROLL IMPLEMENTATION TIME TABLE: 2008/2009(EDI: VAL)(6/22/3/2) (P17 : ANNEXURE P86 – 87)**

##### **PURPOSE**

To seek Council's approval on the time table that will lead to the implementation of Council's Property Rates Policy and Matjhabeng Municipal Valuation Roll Process.

**The Executive Mayor indicated that funds for the compilation of the Valuation Roll would be sourced from the Operational Budget and not MIG as stated in the report.**

##### **COUNCIL RESOLVED (29 JULY 2008)**

That Council **APPROVES** the Property Rates Time Table.

**A52/2008**

**LAND ALIENATION REPORT FOR THE MONTHS OF MAY AND JUNE 2008**  
**(8/1/1) (EDI SM: H &TP) (P18 : ANNEXURE P88 – 94)**

**PURPOSE**

To submit before Council the Land Alienation report for the months of May and June 2008.

**COUNCIL RESOLVED (29 JULY 2008)**

1. That the report on the alienation of land **BE NOTED**.
2. That a moratorium **BE PLACED** on the selling of commercial land.
3. That an audit on all commercial land **BE SUBMITTED** to Council.
4. That the Executive Mayor **SHOULD REQUEST** a legal opinion on the MFMA with regard to the selling of land and report to Council.

**A53/2008**

**REPORT ON THE IMPLEMENTATION OF THE ACTION PLAN OF**  
**MATJHABENG LOCAL MUNICIPALITY TO ATTEND TO THE SEWERAGE**  
**SPILLAGE PROBLEMS (19/8/11) (EDI) (P21 : ANNEXURE P95 – 129)**

**PURPOSE OF REPORT**

To inform Council on the progress regarding the implementation of the action plan of Matjhabeng Municipality to attend to the sewerage spilling problems.

**COUNCIL RESOLVED (29 JULY 2008)**

That Council **TAKES NOTE** of the report on the implementation of the action plan of Matjhabeng Local Municipality to attend to the sewerage spillage problems.

**A54/2008**

**DRAFT OUTDOOR ADVERTISING AND HOARDING POLICY (18/4/14/1) (EDI)**  
**(P22 : ANNEXURE P130 – 167)**

**PURPOSE OF REPORT**

To submit a Draft Outdoor Advertising and Hoarding Policy for consideration and adoption.

**COUNCIL RESOLVED (29 JULY 2008)**

1. That the Draft Outdoor Advertising and Hoarding Policy **BE ADOPTED** as Outdoor Advertising and Hoarding Policy for Matjhabeng Municipality.
2. That public comments on this Policy **BE INVITED** through local newspapers and public participation.
3. That comments received from the public **BE SUBMITTED** to the Council for consideration.

**A55/2008****LOCAL ECONOMIC DEVELOPMENT: PROGRESS REPORT: ESTABLISHMENT OF MMAMAHABANE TEXTILE CC (LED) (3/3/27) (P23 : ANNEXURE P168 – 170)****PURPOSE OF REPORT**

The purpose of this report is to provide background information on the progress with the processing of the application to date and to indicate the outstanding actions in this regard.

**COUNCIL RESOLVED (29 JULY 2008)**

1. That **IT BE NOTED** that the Economic and Infrastructure Development Political Cluster was mandated to negotiate with the investor to rather use the old Engineering Building in Ventersburg to establish a textile factory.
2. That, if the investor agrees to the above, the land **BE TRANSFERRED** to the company at a nominal amount as an incentive.

**A56/2008****PLANNING AND SURVEYING OF ERVEN IN MATJHABENG: APPROVAL OF PLANS FOR SUBMISSION TO PROVINCIAL GOVERNMENT (TP & H: MSP) (18/2/1) (P25)****PURPOSE OF THIS REPORT**

To request approval of the layout plan, with certain amendments, as were submitted by the firm Mashalaba & Associates Consultants for submission to the Free State Provincial Government receive the R1 400 000-00 that was allocated to Matjhabeng for the planning and pegging of erven in Matjhabeng



**COUNCIL RESOLVED (29 JULY 2008)**

1. That the layout plan on the Farm Nooit Gedacht 74, Subdivision 19 and Kaalvalley 61, Subdivision 1, as submitted by the firm Mashalaba & Associates Consultants, **BE APPROVED** subject to the following conditions:
  - (a) That, because the area adjacent to this layout at the west belongs to ESKOM and no further development will be possible onto this area, the layout **WILL HAVE TO BE CHANGED** and no provision must be made for any roads to be extended into this area.
  - (b) That Erven 331 to 338 **BE CONSOLIDATED** and **BE MADE** a park to accommodate possible storm water.
  - (c) That Erven 287 to 293 and 298 and 299 **BE CONSOLIDATED** and **BE MADE** an erf for Community Purposes.
  - (d) That as a storm water problem will develop at Erven 202 and 203 a servitude **WILL HAVE TO BE REGISTERED** on one of the above erven.
  - (e) That the road between Erven 202 and 372 **BE LENGTHENED** and the cul de sac **BE DONE AWAY WITH**.
  - (f) That as a storm water problem will develop between Erven 1442 and 1443 a servitude **WILL HAVE TO BE REGISTERED** on one of the erven.
  - (g) That the road that ends at Erf 1193 **MUST BE PROVIDED WITH** a turning circle or it must be linked with the short cul de sac between Erven 1198 and 1199.
  - (h) That as a storm water problem will develop between Erven 1014, 1015 and 1016 **A SERVITUDE WILL HAVE TO BE REGISTERED** on one of the erven.
  - (i) That the road reserve of Nkoane Road, especially the eastern portion, **MUST BE ADDRESSED** as it looks too small.
  - (j) That the road that ends between Erven 695 and 696 **MUST BE LINKED** with Nkoane Road.
  - (k) That the road reserve of Lois Road between Riebeeckstad and Nkoane Road **MUST BE INVESTIGATED** as it seems that the reserve is too small.
2. That the Free State Provincial Government, Department Local Government and Housing **BE INFORMED** about the decision and that the plans be submitted to them in order for the R1 400 000-00 to be paid over to Council for payment to the firm Mashalaba & Associates Consultants.

3. That the project **MUST BE COMPLETED** by Mashalaba & Associates Consultants in terms of the requirements and time frames of the Free State Provincial Administration.

**A57/2008**

**UNEMPLOYMENT INSURANCE CONTRIBUTIONS: LOCAL GOVERNMENT COUNCILLORS (CFO) (5/4/4/6) (P57 : ANNEXURE P171 - 173)**

**PURPOSE**

To submit to Council for consideration an item with regard to the Unemployment Insurance Contributions of Councillors.

**COUNCIL RESOLVED (29 JULY 2008)**

That the Office of the Executive Mayor and Acting Municipal Manager **SHOULD INTERACT** with SALGA and DPLG to get clarity on the matter.

**A58/2008**

**IMPLEMENTATION OF THE MAYORAL HANDBOOK: SECURITY AT THE EXECUTIVE MAYORAL OFFICIAL RESIDENCE (AMM) (3/7/1/1) (P29)**

**PURPOSE**

To report to Council of the security measures effected at the Executive Mayoral Official Residence in terms of the Handbook.

**COUNCIL RESOLVED (29 JULY 2008)**

That the item **BE WITHDRAWN** to allow certain issues to be clarified with the Office of the Auditor-General.

**A59/2008**

**SALGA MEMBERSHIP LEVIES FOR 2008/2009 (15/2/1/24) (DCSS) (P31)**

**PURPOSE**

To inform Council about changes in the bank account number for SALGA.

**COUNCIL RESOLVED (29 JULY 2008)**

That Council **TAKES NOTE** of the changes in the bank account number of SALGA until further notice.

**A60/2008**

**LEASE OR PURCHASING OF ERF 85, WELKOM (OLD STANDARD BANK BUILDING, cnr STATEWAY AND RIJK STREETS) (9/1/1/4) (DCSS) (P32)**

**PURPOSE**

To obtain approval from Council to lease/purchase the building situated on Erf 85, Welkom (Old Standard Bank, cnr Stateway and Rijk Streets) to accommodate officials of Council who do not have offices.

**COUNCIL RESOLVED (29 JULY 2008)**

1. That Council **MANDATES** the negotiating team consisting of the Acting Municipal Manager, the CFO, Legal Services and the MMC's Finance and Corporate Services as well as Cllr BA Montshioa to enter into negotiations to lease/purchase the building on Erf 85 (Old Standard Bank Building).
2. That the final option to lease/purchase the building **BE SUBMITTED** to Council for approval.