

# **MINUTES**

**2<sup>ND</sup> SPECIAL COUNCIL MEETING**

**of**

**MATJHABENG MUNICIPALITY**

**held on**

**12 MAY 2006**

**at**

**14:00**

**COUNCILLORS PRESENT: COUNCIL MEETING: 12 MAY 2006**

**ANC**

<b>PROPORTIONAL</b>			
1.	Mokapo NS ( <b>Executive Mayor</b> )	14.	Radebe ML
2.	Baaitjies M	15.	Ramaisa KA
3.	Dlova TW ( <b>Written apology</b> )	16.	Senoge MM
4.	Humphries MF	17.	Sephiri MJ ( <b>Chief Whip</b> )
5.	Masoka NL	18.	Speelman NW
6.	Matlabe MMT	19.	Thoabala TE
7.	Matosa AN	20.	Thuthani ZA ( <b>Written apology</b> )
8.	Ntsebeng MH	21.	Tladi RE
9.	Mogopodi MRE	22.	Tlhone 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>WARD</b>			
26.	Dlamini SC	42.	Montshioa BA
27.	Kotzee AP	43.	Motshabi MP
28.	Mahloko NN	44.	Mphikeleli MA
29.	Majwede MC	45.	Nakwa TA
30.	Makgowe PV	46.	Ntsala SN
31.	Mankayi NE	47.	Peterson E
32.	Manzana NR	48.	Radebe LLF ( <b>Written apology</b> )
33.	Masienyane MD	49.	Rubulana L
34.	Mathebula MA	50.	Sebeela SD
35.	Mfebe MSE	51.	Sejane LM
36.	Mkhusane NC	52.	Semela ME
37.	Moahloli MS	53.	Sithole B
38.	Mokapo TJ	54.	Taliwe FE
39.	Mokhuma MS	55.	Themhani PP
40.	Mokobori KE	56.	Tsatsa SJ
41.	Monjovo NE	57.	Khalipha TD

## 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

### 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
Mr TR Shiringani	:	Manager: Council Administration
Mr SD Mana	:	Caretaker (Corporate Services)
Me DF Ramakhale	:	Administrative Officer (Corporate Services)

### III

#### 1. **OPENING**

The Speaker requested Councillor TE Thoabala to open the meeting with prayer.

#### 2. **APPLICATIONS FOR LEAVE OF ABSENCE**

See Attendance List above.

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

3.1 The Speaker afforded the following Councillors to make announcements:

3.1.1 Councillor NL Masoka expressed and conveyed his condolences on passing away of Me Stella Nomzamo Sigcau – Minister of Public Works on Sunday, 7 May 2006 in Durban Hospital.

3.1.2 Councillor ML Radebe announced to members about the death of Comrade Paul Mahlatsi who passed away on 7 May 2006.

3.1.3 Councillor SC Dlamini informed Council of the silent death of Mr Patrick “Ace” Ntsoelengoe, a Soccer legend who passed away and conveyed his condolences to the Ntsoelengoe’s family and Kaizer Chiefs.

3.1.4 Councillor JS Marais expressed and conveyed his condolences on the passing away of Mr Giel de Wet (Former Member of Parliament) and to his family and friends.

Thereafter, the Speaker requested the Council to give a proper respect to the mentioned heroes.

A moment of silence was observed.

3.1.5 The Executive Mayor introduced and congratulated Dr B Malakoane on having been appointed as Municipal Manager.

# IV

## 4. DISCLOSURE OF INTEREST

None

## 5. ITEMS FOR DISCUSSION

The Executive Mayor presented Items SA6/2006 – SA10/2006 which were discussed and the resolutions in this regard are on pages **1 - 4** of these minutes.

## 7. CLOSING

The Speaker adjourned the meeting at **18:41**.

\_\_\_\_\_  
L RUBULANA (SPEAKER)

\_\_\_\_\_  
DATE

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**SA6/2006**

**THE ALLEGED MURDER MATTER: COUNCILLOR LIPHOKO (3/1/4/6)  
(SPEAKER'S OFFICE) (P 1 : ANNEXURES P 1 – 2)**

**PURPOSE OF THE REPORT**

The aim of the report is to reinforce the Council's resolution on the matter relating to the alleged misconduct of Councillor Liphoko.

**COUNCIL RESOLVED : (12 MAY 2006)**

That Councillor Liphoko to remain **SUSPENDED** pending the verdict of a competent Court.

**SA7/2006**

**BUYING OF SAAMBOU BUILDING (9/1//1/2) (SPEAKER'S OFFICE) (P 2 :  
ANNEXURES P 3 – 5)**

**PURPOSE OF THE REPORT**

The objective of the report is to report on the non-payment by the responsible official of the purchase of SAAMBOU Building.

**COUNCIL RESOLVED : (12 MAY 2006)**

1. That the Council **TO MANDATE** the Executive Mayor to follow up as to why the resolution was not implemented.
2. That the Executive Mayor **TO TAKE** the necessary steps against the guilty parties in the administration.
3. That the Municipal Manager **TO MAKE SURE** that the **R 133 000, 00** that belongs to the Council is recovered from Mr RN Pitso.
4. That the Executive Mayor **REPORT** on the progress in regard to the above at the next Council meeting.
5. That a letter of demand **BE PREPARED** as soon as possible to the implicated person.

SA8/2006

**REPORT ON KPMG FORENSIC INVESTIGATION INTO ALLEGED IRREGULAR/UNAUTHORIZED EXPENDITURE (6/12/2/1) (EXECUTIVE MAYOR) (P 6 : ANNEXURES – SEPARATE COVER)**

**PURPOSE**

To submit a report on forensic investigations done by KPMG into alleged irregular/unauthorized expenditure by Matjhabeng Municipality to Council for consideration.

**// Before the item was entertained, the Executive Mayor afforded Advocate J Lubbe an opportunity to make a presentation on the KPMG report and requested that the report should not be presented in camera seeing that the document was already a public document.**

**After the presentation of the report, Councillors were given an opportunity to ask clarity seeking questions.//**

**COUNCIL RESOLVED : (12 MAY 2006)**

1. That the Municipal Manager **SUSPEND** the officials implicated in the KPMG report and disciplinary action **BE TAKEN** against the mentioned officials.
2. That further investigations on issues that were falling outside the mandate of KPMG **BE CONDUCTED** except Mayihlome.
3. That the progress report **BE SUBMITTED** in the next Council meeting.
4. That suspension and disciplinary actions **BE IMPLEMENTED** within 14 days.
5. That the Municipal Manager **GO AND CHECK** whether all the suppliers were legal.

SA9/2006

**PAYMENT OF MAYIHLOME ELECTRICAL ENGINEERING BY THE ACTING MUNICIPAL MANAGER (MR NJ MOTSEKI) ON 19<sup>TH</sup> APRIL 2006 (19/3/4) (EXECUTIVE MAYOR) (P 7 : ANNEXURES P 6 – 31)**

**PURPOSE**

To submit the legal opinion and report from Engineering Department to Council regarding payment of Mayihlome Electrical Engineering.

**COUNCIL RESOLVED : (12 MAY 2006)**

1. That the Municipal Manager **CONDUCT** the investigation on the payment of R422 670,38 on the 12 April 2006 to Mayihlome Electrical Engineering by the then Acting Municipal Manager, Mr NJ Motseki and that if the payment is found to be irregular/unauthorized disciplinary action **BE TAKEN** against Mr NJ Motseki.
2. That civil action **BE INSTITUTED** if necessary to recover the money and that the external people **BE SOUGHT** to assist in this regard.

SA10/2006

**REPORT: PRESENTATION ON THE INVESTIGATIONS CONDUCTED BY PRICE WATERHOUSE COOPERS (6/12/2/1) (EXECUTIVE MAYOR) (P 8)**

**PURPOSE**

To present a report on the forensic investigation conducted by Price Waterhouse Coopers.

**// Before the item was entertained, the Executive Mayor afforded Mr H Gerber an opportunity to make a presentation on the Price Waterhouse Coopers report and requested that the report be presented in camera.**

**After the presentation of the report, Councillors were given an opportunity to ask clarity seeking questions.**

**The Executive Mayor informed the public that this matter would be handled in committee as it concerns officials and she requested the gallery to leave.//**

**COUNCIL RESOLVED : (12 MAY 2006)**

1. That the Council **ADOPTS** the report of Price Waterhouse Coopers.
2. That the Municipal Manager **SHOULD institute** disciplinary action against the officials who are implicated in the Price Waterhouse Coopers.
3. That the Municipal Manager **SHOULD ALSO INSTITUTE** a process of suspending the officials implicated in the Price Waterhouse Coopers within two weeks.
4. That the Council **SHOULD TERMINATE** the services of Mayihlome Electrical Engineering with immediate effect and the report **BE HANDED** over to South African Police Services.
5. That the Municipal Manager **SHOULD ENSURE** that service that was rendered by Mayihlome Electrical Engineering is rendered to the residents.
6. That the Executive Mayor **APPOINTS** Committee/Task Team to assist the Municipal Manager on the decision.
7. That before the Municipal Manager **INSTITUTES** the action, the Committee **MUST MEET** together with Price Waterhouse Coopers.
8. That all outstanding payments **MUST NOT BE PAID PENDING** investigation.