

# **MINUTES**

of the

**1<sup>ST</sup> SPECIAL COUNCIL MEETING  
FOR THE YEAR 2018**

of

**MATJHABENG MUNICIPALITY**

held on

**WEDNESDAY, 28 FEBRUARY 2018**

at

**15:00**

at the

**COUNCIL CHAMBERS, CIVIC CENTRE,  
WELKOM**

**COUNCILLORS ATTENDANCE**  
**1<sup>TH</sup> SPECIAL COUNCIL MEETING MINUTES: 28 FEBRUARY 2018**

<b>PROPORTIONAL</b>			
1.	Stofile B ( <b>Speaker</b> )	19.	Moipatle KSV
2.	Sephiri MJ ( <b>Chief Whip</b> )	20.	Mthebere NA
3.	Speelman NW ( <b>Executive Mayor</b> )	21.	Nqeobo ME ( <b>Apology</b> )
4.	Badenhorst MJ	22.	Ntsebeng MH ( <b>Absent</b> )
5.	Botha PF	23.	Phofeli NM
6.	Direko DR	24.	Presente LN
7.	Jacobs EJ	25.	Radebe MC ( <b>Apology</b> )
8.	Kabi M	26.	Radebe ML
9.	Khetsi LE	27.	Rakaki MM
10.	Lethake TW ( <b>Absent</b> )	28.	Ramabodu BM ( <b>Absent</b> )
11.	Lushaba TB	29.	Senxezi ME ( <b>Absent</b> )
12.	Macingwane MT	30.	Sithole AM
13.	Mafaisa MG	31.	Styger A
14.	Manenye AJ	32.	Taljaard SDM ( <b>Absent</b> )
15.	Manese SD ( <b>Apology</b> )	33.	Thelingoane NE
16.	Marais JS	34.	Tshopo ME
17.	Masina XN	35.	Tsoaeli MS ( <b>Resigned</b> )
18.	Mawela VE	36.	Tsupa MR ( <b>Deceased</b> )
<b>WARD</b>			
37.	Badenhorst HS	55.	Morris VR ( <b>Absent</b> )
38.	Chaka MS ( <b>Apology</b> )	56.	Moshoeu ZS
39.	Daly A	57.	Mosia TJ
40.	Khalipha TD	58.	Mphikeleli MA
41.	Khothule MJ	59.	Nkonka BB
42.	Kopela MP ( <b>Absent</b> )	60.	Nthako TD
43.	Liphoko SJ ( <b>Absent</b> )	61.	Ntuli BN
44.	Mafa DM	62.	Pholo SJ
45.	Mahlumba BH ( <b>Apology</b> )	63.	Poo IP
46.	Malherbe C	64.	Ramalefane SJ
47.	Manzana NR	65.	Ramatisa PT ( <b>Apology</b> )
48.	Masienyane MD	66.	Sebotsa MM ( <b>Apology</b> )
49.	Meli TS	67.	Thelingoane TJ
50.	Mokhomo HA	68.	Tlake KR
51.	Molefi M	69.	Tsatsa SJ
52.	Molelekoa PMI	70.	Tshabangu SE ( <b>Absent</b> )
53.	Moloja NJ	71.	Van Rooyen MS
54.	Monjovo NE	72.	Van Schalkwyk HCT



## **EXECUTIVE MANAGEMENT**

Mr ET Tsoaeli	:	Municipal Manager
Mr T. Makofane	:	Executive Director: Strategic Support Services
Mr FF Wetes	:	Executive Director: Corporate Services
Me B. Maswanganyi	:	Executive Director: Infrastructure
Mr B. Golele	:	Acting Executive Director: LED, P & HS
Mr CT Panyani	:	Chief Financial Officer
Me ZK Tindleni	:	Executive Director: Community Services

## **COUNCIL ADMINISTRATION SECRETARIAT**

Mr MT Atolo	:	Senior Manager: Council Admin
Me PP Seleka	:	Admin Officer (Corporate Services)

### III

<b>(a)</b>	<p><b>Opening</b></p> <p>The Speaker welcomed everybody present at the 1<sup>st</sup> Special Council meeting of the year 2018 and declared the meeting open.</p> <p>He announced that he had received a request from the Land Ad-hoc Committee to present to Council a serious matter which recently came to their attention, and had therefore allowed them to present it as a confidential item.</p>
<b>(b)</b>	<p><b>Applications for leave of absence</b></p> <p>See Councillors' attendance list on page <b>I</b> of these minutes.</p>
<b>(c)</b>	<p><b>Official announcements of the Speaker</b></p> <p>None.</p>
<b>(d)</b>	<p><b>Motions of sympathy and congratulations</b></p> <p><b><u>Sympathy</u></b></p> <ol style="list-style-type: none"> <li>1. The Speaker conveyed a message of condolences to the family, friends and colleagues of the late Cllr M.R. Tsupa who was buried on Sunday, the 25<sup>th</sup> February 2018.</li> </ol> <p><b><u>Congratulations</u></b></p> <ol style="list-style-type: none"> <li>1. Cllr KR Tlake congratulated the National Executive Committee of the ANC for taking the bold step of recalling the former President of the Country, Mr Jacob Zuma.</li> <li>2. He then congratulated Mr Cyril Ramaphosa on his election as the President of the Country.</li> <li>3. He also congratulated the central government for placing Maluti a Phofung Municipality, led by Mr Vusi Tshabalala under Section 139 (1) (b) and stated that it is clear that clean governance is practiced in Municipalities.</li> <li>4. Cllr MT Macingwane congratulated the EFF for achieving its cardinal pillar No. 1, which is expropriation of land without compensation and wished that the ruling party would return the land to its rightful owners.</li> <li>5. The Executive Mayor thanked all Councillors for the role they played during the funeral of Cllr Tsupa.</li> <li>6. He also congratulated the National Assembly for agreeing on expropriation of land without compensation.</li> </ol>
<b>(e)</b>	<p><b>Disclosure of interest</b></p> <p>The Speaker reminded Councillors to update their declaration forms at the office of the Municipal Manager each year, however if a Councillor has a personal/financial interest on any matter for consideration by Council, such Councillor has to declare his/her interest in the meeting.</p>
<b>(f)</b>	<p><b>Matters for discussion</b></p> <p><b>SA1 – SA2 of 2018 and C1 of 2018</b></p>

# IV

(g)	<b>Closing</b> The Speaker thanked everyone who attended and closed the meeting at <b>16h15</b> .
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**CLLR B. STOFIL (SPEAKER)**

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**DATE**

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# 1

**//Items SA1 – SA2 of 2018 were presented concurrently//**

**SA1 of 2018**

**DRAFT MUNICIPAL ADJUSTMENT BUDGET (2017/2018) (EXECUTIVE MAYOR)**  
**(6/1/1/1)**

## **PURPOSE**

To submit to Council the Draft Municipal Adjustment Budget for the 2017/18 financial year in terms of Section 28 of the Municipal Finance Management Act No. 56 of 2003 and the Municipal Budget and Reporting Regulations.

## **DISCUSSION**

The Executive Mayor presented the items to Council.

During the discussion of these items, several Councillors raised various concerns with regard to the presented Draft Municipal Adjustment budget and the 2018 Financial Recovery Plan, stating the following reasons:-

- That the budget was not adjusted downwards although the collection rate had not improved;
- Reduction of the Engineering budget was a great concern as the department is critical in addressing service delivery challenges;
- Non-implementation of the 2015 Financial Recovery Plan;
- Systems that are perforated;
- Officials who do not have the necessary skills to perform their duties;
- Lack of supervision;
- Abuse of overtime by officials;

They concurred that drastic measures must be taken to improve the financial crisis that the Municipality is facing, as the money owed to Creditors was more than the collection income. They also cited that salaries were also taking a great percentage of the income and the Municipality was operating on hand to mouth basis.

Councillors strongly suggested that the following measures should be taken:-

- a) That a Skills Audit, salary benchmark and a qualification Audit by an Independent Consultant should be done to determine whether officials are qualified for the jobs they perform and salaries paid;
- b) That the Municipal Manager must act on non-performance by all officials, including Section 56 Managers;

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- c) That the debtors clean-up must be finalized;
- d) That the electricity funds must be ring-fenced to avoid disconnection of electricity by ESKOM;
- e) That the culture of non-payment must be addressed by teaching residents that nothing is for free;
- f) That services must be disconnected in townships, especially to those who are employed but refusing to pay, including municipal employees and Councillors;
- g) That water services must be restricted to Indigents who misuse the system;
- h) That drastic measures should be taken on people who are stealing water and electricity through bypassing;
- i) That daily leakages at G-hostel must be addressed;
- j) That a big valve must be installed and be used to disconnect only the areas that are not paying, without affecting areas that are paying;
- k) That the community must be informed through editorials, of all endeavours that are being done by the Municipality to avoid water and electricity cuts by Sedibeng and ESKOM.

In conclusion Council agreed that it will take collective efforts by all Councillors and officials to solve challenges faced by the Municipality.

### **COUNCIL RESOLVED: (28 FEBRUARY 2018)**

1. That the 2017/2018 Annual Budget **MUST REMAIN** unadjusted at R 2 480 389 358.
2. That Council **APPROVES** the virements between votes.
3. That Council **APPROVES** the mSCOA data strings.
4. That Council **SHOULD REDUCE** the budget in the next financial year so that the expenditure should be according to the revenue collection, which is 60% currently.”
5. That in the new budget, payment according to the recovery plan **SHOULD TAKE** preference.

**SA2 of 2018**

**2018 FINANCIAL RECOVERY PLAN (INCLUDING ESKOM AND SEDIBENG PAYMENT PLAN) (EXECUTIVE MAYOR) (19/3/6/1)**

**PURPOSE**

To submit to Council the Finance Recovery Plan (FRP).

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (28 FEBRUARY 2018)**

1. That Municipality **MUST ENTER** into negotiations with Sedibeng and ESKOM to persuade them to write off the debt of R3.1 billion.
2. That Council **MANDATES** the Executive Mayor, the Municipal Manager and two Councillors who have expertise, to meet with the Minister of Water and Sanitation, Mr Gugile Nkwinti, with Treasury and COGTA as soon as possible, in order to persuade them to write off the municipal debt.
3. That the Municipality **MUST SPEED** up the process of meter installation in all unmetered areas.
4. That a Multi-Party Revenue Enhancement Committee with proper terms of reference be **ESTABLISHED** as soon as possible, to assist with collection.

**C1 of 2018**

**REPORT ON ALLEGED ILLEGAL SALE OF MUNICIPAL SALE OF LAND IN THABONG (LAND ADHOC CHAIRPERSON) (8/3/1)**

**PURPOSE**

To submit before Council, a report on alleged illegal transactions/sale of municipal sites in Thabong.

**DISCUSSION**

The Land Ad-hoc Chairperson, Cllr TD Khalipha presented the item to Council.

**COUNCIL RESOLVED: (28 FEBRUARY 2018)**

1. That Council **TAKES NOTE** of the report.

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2. That the Municipal Manager **MUST PROCEED** to report this matter and other similar matters to the relevant authorities.
3. That the Ad-hoc Committee on land be mandated to **INVESTIGATE** this matter and similar matters.
4. That cases of corruption on selling Council land illegally must **BE OPENED** at the Police Station, as soon as possible.
5. That on every Council meeting, a report on land that is sold illegally must **BE SUBMITTED**.
6. That the Committee **MUST LOOK** into possibilities of making an in depth analysis of probable land that could have been sold in a manner that is not within the prescribed processes of the local government and report at the next Council on those possibilities.
7. That the involved Conveyancer must **BE IMMEDIATELY REPORTED** to the Law Society.
8. That a case must **BE OPENED** with the intention of recouping what has been lost by the Municipality.