

# **MINUTES**

of the

## **5<sup>TH</sup> ORDINARY COUNCIL MEETING FOR THE YEAR 2017**

of

## **MATJHABENG MUNICIPALITY**

held on

**TUESDAY, 16 JANUARY 2018**

at

**15:00**

at the

**COUNCIL CHAMBERS, CIVIC CENTRE,  
WELKOM**

## COUNCILLORS ATTENDANCE

### 5<sup>TH</sup> ORDINARY COUNCIL MEETING MINUTES: 16 JANUARY 2018

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

\*\*\* All Councillors whose names are marked with an asterisk were requested to leave due the contravention of the adopted dress code.



## **EXECUTIVE MANAGEMENT**

Mr ET Tsoaeli : Municipal Manager  
Mr T. Makofane : Executive Director: Strategic Support Services  
Mr FF Wetes : Executive Director: Corporate Service  
Me B. Maswanganyi : Executive Director: Infrastructure  
Me ZK Tindleni : Executive Director: Community Services  
Mr CT Panyani : Chief Financial Officer

## **COUNCIL ADMINISTRATION SECRETARIAT**

Me PP Seleka : Admin Officer (Corporate Services)

### III

<b>(a)</b>	<p><b>Opening</b></p> <p>The Speaker welcomed everyone present at the 5<sup>th</sup> Ordinary meeting for the year 2017 and reminded members that the meeting was initially scheduled for the 30<sup>th</sup> of November 2017 but was then postponed to the 6<sup>th</sup> of December 2017 and due to unforeseen circumstances, it was postponed again to the 16<sup>th</sup> of January 2018. He then declared the meeting open.</p> <p>He extended his gratitude to everyone for their contribution in 2017 and wished that 2018 would be a year in which service delivery would be intensified.</p> <p>He reminded the EFF Councillors to comply with Rule 32 as all members are expected to respect the adopted Rules and Orders. He informed members that although EFF Councillors had made a request that Rule 32 be amended, their request was subjected to the Rules and Ethics Committee and until such time that a decision is made to amend the rules, the adopted Rules and Orders still stand.</p> <p>He also acknowledged the decision taken by Council that he should investigate the conduct of EFF Councillors and informed members that the matter was referred to the Rules and Ethics Committee and a report on the findings will be submitted to Council.</p> <p>The EFF Councillors wanted to know whether the non-inclusion of their questions in the Agenda was a preconceived intention to exclude them from the Council meeting.</p> <p>Cllr S. Tshabangu wanted to know whether the manner in which the EFF female Councillors were dressed was also in conflict with the adopted dress code, as they were not wearing overalls like the male Councillors.</p> <p>The Speaker responded that the manner in which all EFF Councillors were dressed was contravening the adopted dress code, as they were all wearing colours and regalia of their political party.</p> <p>He responded to the question of non-inclusion of the questions submitted EFF Councillors by stating that the questions were submitted to the Office of the Municipal Manager in mid-December and by then the Agenda was already loaded in the system, as the meeting was initially scheduled for November 2017 and later postponed to the 6<sup>th</sup> of December 2017. He indicated that their questions would be included in the 31<sup>st</sup> January 2018 Council agenda.</p> <p>The Speaker then ruled that the EFF Councillors should leave the Council Chambers and come back when they are dressed in compliance with the adopted dress code.</p>
<b>(b)</b>	<p><b>Applications for leave of absence</b></p> <p>See Councillors' attendance list on page I of these minutes.</p>
<b>(c)</b>	<p><b>Official announcements of the Speaker</b></p> <p>None</p>
<b>(d)</b>	<p><b>Reports of the Speaker in terms of rules 15(1) and 99(4)</b></p> <p>None</p>

## IV

(e)	<p><b>Tabling of documents prescribed by statute or these rules and orders</b></p> <p>None</p>
(f)	<p><b>Applications and appeals from Councillors in terms of rules 14(1), 67 and 72</b></p> <p>None</p>
(g)	<p><b>Reports received from the Speaker</b></p> <p><b>A126 – A132 of 2017 &amp; A148 of 2017 + C14 of 2017 &amp; A1 of 2018</b></p>
(h)	<p><b>Motions of sympathy and congratulations by the Speaker</b></p> <p><b><u>Congratulations</u></b></p> <p>The Speaker congratulated the Matjhabeng community for their positive contribution that resulted to minimal crimes being committed during the festive season.</p>
(i)	<p><b>Motions of sympathy and congratulations by other Councillors</b></p> <p><b><u>Sympathy</u></b></p> <ol style="list-style-type: none"> <li>1. The Executive Mayor conveyed a message of condolences to the families of nine people who passed on as a result of the train collision that happened between Hennenman and Kroonstad and thanked the Fire and Security Officers who worked tirelessly during the entire course of rescuing the injured.</li> <li>2. Cllr BB Nkonka conveyed a message of condolences to the family of Taje for the passing on of Lerato Taje on her way to the ANC gathering in East London.</li> <li>3. He also conveyed a message of sympathy to the Mbonda family for the passing on of their son, who passed on in Mimosa.</li> <li>4. Cllr MS Chaka conveyed a message of condolences to the families of Mahlatsi and Pali for the passing on of Meisie Mahlatsi and Tefo Daniel Pali who were both active members in Ward 14.</li> </ol> <p><b><u>Congratulations</u></b></p> <ol style="list-style-type: none"> <li>1. The Executive Mayor congratulated Mr Cyril Ramaphosa on his election as the new ANC President in December 2017 as well the newly elected National Executive Committee.</li> <li>2. He also congratulated the SAPS for the good work done in reducing crime during the festive season.</li> <li>3. Cllr KSV Moipatle congratulated Cllr MD Masienyane on his election as a member of the National Public Accounts Committee on the 27<sup>th</sup> November 2017 at Midrand.</li> <li>4. Cllr SJ Liphoko congratulated the Matjhabeng Housing Department and Cllr TD Khalipha, on behalf of the people of Calabria, for the structures that were recently erected in foundations that were laid in Calabria many years ago.</li> </ol>
(j)	<p><b>Deputations and interviews</b></p> <p>None</p>

## V

<b>(k)</b>	<b>Disclosure of interest</b> The Speaker reminded Councillors to update their declaration forms at the office of the Municipal Manager every 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.
<b>(l)</b>	<b>Minutes of the previous meetings:</b>  <b><u>COUNCIL RESOLVED: (16 JANUARY 2018)</u></b>  That the minutes of the 4 <sup>th</sup> Ordinary Council meeting held on 30 August 2017 and the minutes of the 5 <sup>th</sup> Special Council meeting held on 01 November 2017 <b>BE DEFERRED</b> to the next Ordinary Council meeting, for adoption.
<b>(m)</b>	<b>Matters arising from the minutes</b> All matters arising from both sets of minutes mentioned above would be discussed at the next Ordinary Council meeting.
<b>(n)</b>	<b>Questions of which notice had been given</b>  <b>A131 – A132 of 2017</b>
<b>(o)</b>	<b>Reports of the Executive Committee/ Executive Mayor/ Committee Reports</b>  <b>A133 – A147 of 2017 + C12 - C13 of 2017</b>
<b>(p)</b>	<b>Reports of decisions taken under delegated powers</b> None
<b>(q)</b>	<b>Motions</b> None
<b>(r)</b>	<b>Closing</b> The Speaker thanked everyone who attended and closed the meeting at <b>19h10</b> .

.....  
**CLLR B. STOFIE (SPEAKER)**

.....  
**DATE**

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# 1

## A126 of 2017

### **REQUEST TO APPOINT AN ADDITIONAL MEMBER TO THE MATJHABENG PLANNING TRIBUNAL (SPEAKER) (1/1/40)**

#### **PURPOSE**

The purpose of the item is to request Council to appoint an additional member to the Matjhabeng Municipal Planning Tribunal.

#### **DISCUSSION**

The Speaker presented the item to Council.

#### **COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That Council **APPOINTS** Mr Kgosi Simphiwe Mocwagae as an additional member to the Matjhabeng Municipal Planning Tribunal.
2. That in future, Council **MUST NOT** put names of municipal officials when appointments to the Tribunal are made, instead it should indicate the designations, as officials come and go, such as, Messrs X. Msweli and K. Duvenage.

## A127 of 2017

### **APPOINTMENT OF AN AUDIT COMMITTEE (SPEAKER) (6/12/2/2)**

#### **PURPOSE**

To recommend appointment of an Audit Committee to Council.

#### **DISCUSSION**

The Speaker presented the item to Council.

#### **COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That Council **APPOINTS** a panel comprising of five Councillors to do the shortlisting, screening, interviews and thereafter make recommendations to Council to decide on which candidates to appoint.
2. That Council **APPOINTS** Cllr SD Manese as the Chairperson of the panel, Cllrs A, Styger, KR Flake, XN Masina and ME Tshopo as members of the panel.
3. That the appointed panel **MUST SUBMIT** a report at the next Ordinary Council meeting.

**A128 of 2017**

**PROGRESS REPORT ON WATER AND SEWER MAINTENANCE (CHAIR OF CHAIRS CHAIRPERSON) (19/8/17)**

**PURPOSE**

To submit a progress report on water and sewer maintenance in order to discuss and agree on how best to address the challenges experienced.

**DISCUSSION**

The Speaker allowed the Chair of Chairs Chairperson to present the item to Council.

**COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That the item **BE DEFERRED** to the next Ordinary Council meeting because of inadequate information.

**A129 of 2017**

**PROGRESS REPORT ON APPOINTMENT OF 40 PLUMBERS (CHAIR OF CHAIRS CHAIRPERSON) (3/3/27)**

**PURPOSE**

To submit a progress report on the appointment of 40 Plumbers as directed by Council to discuss and agree on how to implement the Council resolution.

**DISCUSSION**

The Speaker allowed the Chair of Chairs Chairperson to present the item to Council.

**COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That Council **NOTES** the idea of appointing forty (40) plumbers.
2. That a progress report on appointment of plumbers **BE SUBMITTED** at ensuing Council meetings.
3. That Council **MUST ENSURE** that tools of trade are supplied to the appointed plumbers to enable them to do their work effectively.

**A130 of 2017**

**PROGRESS REPORT ON ALLOCATION OF RESIDENTIAL SITES (CHAIR OF CHAIRS CHAIRPERSON) (8/1/1)**

**PURPOSE**

To submit a progress report to Council on allocation of residential sites in order to discuss and agree on how best to address the challenges experienced.

**DISCUSSION**

The Speaker allowed the Chair of Chairs Chairperson to present the item to Council.

**COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That Council **ACCEPTS** the report on allocation of residential sites in Matjhabeng, taking into consideration all legalities that should be complied with.
2. That different affected departments **MUST SUBMIT** a report within a period of 60 days on which recommendations will they be able to implement and how will they be implemented.
3. That all Ward Councillors **SHOULD PROVIDE** information on sites which are no longer occupied to enable the Provincial Department of Human Settlements to assist on appointing conveyancers for deregistration of those sites.
4. That the Municipality **MUST ISSUE** a public notice that informs the community about its intention of deregistration of unoccupied sites after a period of three months.
5. That the Housing Department **MUST SUBMIT** an accurate report on progress made by the people who were appointed as private developers in order to enable Council to take a proper decision on whether to review their agreements or not.

**A131 of 2017**

**QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR HCT VAN SCHALKWYK (MM) (3/1/3/2)**

**PURPOSE**

To submit the questions raised by Cllr HCT Van Schalkwyk and the response thereon by the Municipal Manager.

## 4

### **DISCUSSION**

The Speaker allowed Cllr Van Schalkwyk to present the item to Council.

### **COUNCIL RESOLVED: (16 JANUARY 2018)**

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

### **A132 of 2017**

### **QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR HCT VAN SCHALKWYK (MM) (3/1/3/2)**

### **PURPOSE**

To submit the questions raised by Cllr HCT Van Schalkwyk and the response thereon by the Municipal Manager.

### **DISCUSSION**

The Speaker allowed Cllr Van Schalkwyk to present the item to Council.

### **COUNCIL RESOLVED: (16 JANUARY 2018)**

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

**//Items A133 – A137 of 2017 were discussed concurrently//**

### **A133 of 2017**

### **MONTHLY FINANCE REPORT – JULY 2017 (EXECUTIVE MAYOR) (6/4/1)**

### **PURPOSE**

To submit to Council the Monthly Finance Report for July 2017 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003.

### **DISCUSSION**

The Executive Mayor presented the item to Council.

During the discussion of the financial reports- A133 – A137 of 2017, the Executive Mayor indicated that collection rate was very low as a result of the inability of the Municipality to meet the 85% collection rate projected during the budget approval. He also indicated that if the situation persists, a possibility is high that salaries would not be paid.

## 5

Councillors raised their concerns that officials in Finance department are failing the community by not providing residents with their accounts and by not answering their phones when concerned residents call to enquire about their accounts. They indicated that some residents prefer to pay on Saturdays but municipal offices are closed during week-ends.

They also raised concerns concerning the high amounts of money owed to the municipal creditors, like Sedibeng and ESKOM, which threatens to disconnect the services, the salaries which amounted to R56 million in October 2017, as well as the non-consideration of non-cash items which will have an impact at the end of the financial year.

Others raised a concern that the Municipality was paying huge amounts to Sedibeng as a result of uncontrolled water leakages throughout Matjhabeng, uncontrollable zama-zamas who are damaging the municipal infrastructure, as well as non-provision of meters in several areas which are consuming for free.

They suggested that smart meters should be prioritized and the Municipal Manager should invite the debt collector, named Trifecta and at the next Council meeting to come and report to Council on how effective their debt collection is.

### **COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That the Finance Report for July 2017 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED**.
2. That the Finance Report for July 2017 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE SUBMITTED** to Provincial and National Treasury.
3. That Council appeals to the Committee that was appointed to deal with the matter of top debtors and chaired by Cllr SD Manese **TO MEET** and submit a report to Council.
4. That the Municipal Manager **SHOULD INVITE** Trifecta and all companies appointed to do debt collection to report to Council on how effective their methods are, in order to enable Council to decide whether to review their service level agreements or not.

### **A134 of 2017**

### **MONTHLY FINANCE REPORT – AUGUST 2017 (EXECUTIVE MAYOR) (6/4/1)**

#### **PURPOSE**

To submit to Council the Monthly Finance Report for August 2017 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003.

#### **DISCUSSION**

The Executive Mayor presented the item to Council.

### **COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That the Finance Report for August 2017 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED**.

## 6

2. That the Finance Report for August 2017 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE SUBMITTED** to Provincial and National Treasury.

### **A135 of 2017**

#### **MONTHLY FINANCE REPORT – SEPTEMBER 2017 (EXECUTIVE MAYOR)** **(6/4/1)**

##### **PURPOSE**

To submit to Council the Monthly Finance Report for September 2017 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003.

##### **DISCUSSION**

The Executive Mayor presented the item to Council.

##### **COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That the Finance Report for September 2017 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED**.
2. That the Finance Report for September 2017 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE SUBMITTED** to Provincial and National Treasury.

### **A136 of 2017**

#### **THREE MONTHS FINANCE REPORT: JULY-SEPTEMBER 2017 (EXECUTIVE MAYOR)** **(12/1/2/3)**

##### **PURPOSE**

To submit to Council the three Months Finance Report for July - September 2017 in terms of Section 52(d) of the Municipal Finance Management Act, number 56 of 2003.

##### **DISCUSSION**

The Executive Mayor presented the item to Council.

##### **COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That the Finance Report for the Quarter (July - September 2017) in terms of Section 52(d) of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED**.

## 7

2. That the Finance Report for the Quarter (July - September 2017) in terms of Section 52(d) of the Municipal Finance Management Act, number 56 of 2003, **BE SUBMITTED** to Provincial and National Treasury.

### **A137 of 2017**

#### **MONTHLY FINANCE REPORT – OCTOBER 2017 (EXECUTIVE MAYOR) (6/4/1)**

##### **PURPOSE**

To submit to Council the Monthly Finance Report for October 2017 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003.

##### **DISCUSSION**

The Executive Mayor presented the item to Council.

##### **COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That the Finance Report for October 2017 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED**.
2. That the Finance Report for October 2017 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE SUBMITTED** to Provincial and National Treasury.

### **A138 of 2017**

#### **CURRENT STATUS OF THE MUNICIPAL INFRASTRUCTURE GRANT (MIG) CAPITAL PROJECTS IN MATJHABENG LOCAL MUNICIPALITY OCTOBER 2017 (EXECUTIVE MAYOR) (6/4/1)**

##### **PURPOSE**

To provide information on the current status of capital projects and related MIG expenditure progress for the month of **October 2017**.

##### **DISCUSSION**

The Executive Mayor presented the item to Council.

##### **COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That Council **TAKES NOTE** of the report.
2. That the Executive Mayor and the Municipal Manager **MUST ENSURE** that the MIG allocation is spent at 100% by the end of the financial year, failing which consequences must take place.

## 8

**A139 of 2017**

**PROGRESS REPORT ON COUNCIL RESOLUTIONS (EXECUTIVE MAYOR)**  
**(2/2/2)**

**PURPOSE**

To submit a progress report to Council on Council Resolutions, for noting.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That the progress report on Council resolutions **BE NOTED**.

**A140 of 2017**

**PROGRESS REPORT ON ESTABLISHMENT OF MATJHABENG ECONOMIC**  
**ADVISORY COUNCIL (EXECUTIVE MAYOR) (3/3/19)**

**PURPOSE**

To present a progress report on establishment of Matjhabeng Economic Advisory Council (MEAC).

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That Council **ENDORSES** the establishment of Matjhabeng Economic Advisory Council.
2. That the Council resolutions taken on item A36/2017 at the 28<sup>th</sup> March 2017 **STILL STAND**.

A141 of 2017

**LOCAL ECONOMIC DEVELOPMENT: REQUEST FOR THE RE-APPOINTMENT OF GOLDFIELD POUND AS POUND MASTER IN THE MATJHABENG LOCAL MUNICIPALITY (EXECUTIVE MAYOR) (20/7/2/2)**

**PURPOSE OF THE REPORT**

The purpose of this report serves to request the extension and/or reappointment of Goldfield Pound as the livestock pound Master in the Matjhabeng Local Municipality.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That the Service Level Agreement (SLA) with Goldfield Pound **BE EXTENDED** to a period of three years.
2. That the Goldfield pound **BE AUTHORIZED** to operate a pound in Matjhabeng Local Municipality under the following terms and conditions.
  - 2.1 It should **BE NOTED** that the Matjhabeng Local Municipality will not be liable to any cost incurred with regard to the operation of the pound.
  - 2.2 All fees to be charged should **BE IN LINE** with the Matjhabeng Local Municipality tariffs as contained in the 2017/2018 to 2019/2020 MTFB budget.
  - 2.3 All operations of Pound should **BE ALIGNED** to the Matjhabeng Livestock Impoundment By-Law as approved by Council.
  - 2.4 Members of the community will be **MADE AWARE** through media on who to contact to report a stray animal.

A142 of 2017

**MIG BUDGET MAINTENANCE FOR MMAMAHABANE WASTE WATER TREATMENT WORKS (EXECUTIVE MAYOR) (3/3/27)**

**PURPOSE**

The purpose of this item is table to Council the application for budget maintenance that is required in the Mmamahabane Waste Water Treatment Work project that is being implemented by the Municipality and funded through the MIG grant.

**DISCUSSION**

The Executive Mayor presented the item to Council.

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## **COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That Council **TAKES NOTE** of the report.
2. That the Budget Maintenance of **R 3 948 235.89** (all inclusive) for the successful completion of the project **BE APPROVED** and the funds be made available in the budget of the 2018/2019 financial year.

### **A143 of 2017**

## **PROPOSED ORGANISATIONAL STRUCTURE: (MARCH 2017) (EXECUTIVE MAYOR) (2/1)**

To present and request approval of the newly reviewed Organizational Structure by Council.

### **DISCUSSION**

The Executive Mayor presented the item to Council.

During the discussion of this item, several Councillors raised their concerns pertaining to the affordability of the tabled Organogram, as it was too expensive. A proposal was made that the item should be referred back to Administration to draft an operational structure which is correlating with the current budget.

It was also suggested that the correct salary scales that are determined by SALGA on their JOB-TASK-EVALUATION system should be reflected under financial implications to enable Council to have a clear picture of what it is required to approve.

## **COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That the item **BE NOTED AND REFERRED BACK** for re-submission at the next Ordinary Council meeting.
2. That the Municipal Manager **MUST IDENTIFY** all critical positions which Council should approve to be filled.
3. That the Whips of different political parties **MUST MEET** with the Municipal Manager to deliberate on the Organogram, clarify matters, agree or disagree and present their consensus and their disagreements to Council, to deal with the disagreements.

### **A144 of 2017**

## **COUNTER-FUNDING FOR THE UPGRADING OF THE WELKOM LANDFILL SITE (EXECUTIVE MAYOR) (10/14/1)**

### **PURPOSE**

To request the approval of counter-funding for the Upgrading of the Welkom Landfill Site project.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That Council **TAKES NOTE** of the report.
2. That the Counter-Funding of **R6 307 392.00** to successfully implement and complete the project **BE APPROVED** and the funds be made available in the budget of the 2018/2019 financial year.

**A145 of 2017**

**COUNTER-FUNDING FOR UPGRADING OF VIRGINIA WASTE WATER TREATMENT PLANT PHASE 2 (EXECUTIVE MAYOR) (19/8/1/9)**

**PURPOSE**

To request counter-funding for the Upgrading of the Virginia Waste Water Treatment Plant project.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That Council **TAKES NOTE** of the report.
2. That the Counter-Funding of **R6 017 785.33** to successfully implement and complete the project **BE APPROVED** and the funds be made available in the budget of the 2018/2019 financial year.
3. That the effluent water **BE MADE** available for consumers to be utilized for schools, parks and sports grounds in order to generate additional income.

**A146 of 2017**

**PROGRESS ON MUNICIPAL ACCREDITATION PROGRAMME (EXECUTIVE MAYOR (5/1/2/12)**

**PURPOSE**

To report to Council about progress pertaining to the Municipal Accreditation Programme.

## **DISCUSSION**

The Executive Mayor presented the item to Council.

### **COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That Council **TAKES NOTE** of the progress report.
2. That the sector plans **BE SECURED** in line with the recommendations from Lekwa Consulting and Free State Provincial Government.
3. That the Provincial Department of Human Settlements **BE APPROACHED** for assistance with acquisition of Sector Plans.
4. That the Municipal Manager **MUST ENSURE** that the master plans are in place by the next Council meeting.

### **A147 of 2017**

### **PROGRESS REPORT ON THE SUNELEX SOLAR PLANT PROJECT – NOVEMBER 2017 (EXECUTIVE MAYOR) (19/3/2/1)**

## **PURPOSE**

To present to Council progress report on the Sunalex Solar Plant Project in response to council resolution under item SA14 of 2017.

## **DISCUSSION**

The Executive Mayor presented the item to Council.

### **COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That the item **BE REFERRED BACK**.

### **A148 of 2017**

### **REPORT ON THE CURRENT STATUS OF THE BY-LAWS, PENALTY CLAUSES AND SUBMISSION OF DRAFT BY-LAWS FOR APPROVAL (SPEAKER) (1/2/1)**

## **PURPOSE**

The purpose of the report is to advise Council about the current status of the By-Laws and submission of Draft by-laws for approval.

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## **DISCUSSION**

Before allowing Cllr A. Styger to present the item to Council, the Speaker raised his concern pertaining to the tendency of the closure of roads without Council approval, for example, the road in front of the Post Office, and indicated that the municipal by-laws are not effective.

Cllr A. Styger indicated that the Committee has focused on 10 by-laws that can make the quickest contribution as far as penalties are concerned. He also indicated that the Committee would submit 10 by-laws in every Council meeting until all by-laws are finalized and promised that the by-law on closing off of roads would be included in the next 10 by-laws.

### **COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That Council **APPROVES** the Draft by-laws.
2. That the Draft by-laws **BE SUBJECTED** to community participation.
3. That the Draft by-laws be **RE-SUBMITTED** to Council for adoption.
4. That a workshop **BE ARRANGED** for Councillors on the proposed draft by-laws.
5. That a legal opinion **BE OBTAINED** to determine whether the Municipality can continue to issue a fine using section 56 of the National Road Traffic Act no. 93 of 1996.

### **C12 of 2017**

### **PROGRESS REPORT ON THE APPOINTMENT OF THE MUNICIPAL MANAGER (EXECUTIVE MAYOR) (5/3/2/1)**

#### **PURPOSE**

The purpose of the item is to inform Council about progress in relation to the appointment of Mr ET Tsoaeli as the Municipal Manager of Matjhabeng Local Municipality.

#### **DISCUSSION**

The Executive Mayor presented the item to Council.

### **COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That Council **NOTES** progress relating to the appointment of the Municipal Manager.
2. That the Municipal Manager and the newly appointed Executive Directors **BE REMUNERATED** according to the remuneration packages payable to Municipal Managers and Managers directly accountable to the Municipal Managers in terms of Gazette No. 41173 of October 2017.

**C13 of 2017**

**REQUEST FOR EXTENSION OF THE ACTING PERIOD OF THE EXECUTIVE DIRECTOR: LOCAL ECONOMIC DEVELOPMENT, PLANNING AND HUMAN SETTLEMENTS (EXECUTIVE MAYOR) (5/5/2)**

**PURPOSE**

The purpose of the item is to request Council to approve an application to the MEC for COGTA to grant permission for the extension of the acting period of the Executive Director: Local Economic Development, Planning and Human Settlements.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That Council **APPROVES** the request for an application for the extension of the acting period of Mr. Barry Golele in terms of section 56(1) (c) of the MSA as amended.
2. That the extension **MUST NOT EXCEED** a period of three months.
3. That the application for extension **MUST NOT** be construed by the incumbent as legitimate expectation for appointment to the post.
4. That the Executive Mayor **IS DELEGATED** to depose the letter to the MEC of Local Government.

**C14 of 2017**

**REPORT ON THE OUTCOME OF THE INVESTIGATION OF THE ALLEGED BREACH OF CODE OF CONDUCT OF COUNCILLORS BY COUNCILLOR VICKY MORRIS, AS PROVIDED IN THE MUNICIPAL SYSTEMS ACT, NO. 32 OF 2000 (SCHEDULE 1) (SPEAKER) (5/5/5)**

**PURPOSE**

The purpose of the item is to inform Council about the outcome of the investigation of the alleged breach of the code of Councillors.

**DISCUSSION**

The Speaker presented the item to Council.

**COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That the final report on the outcome of the investigation of the alleged breach of the code of conduct of Councillors by Cllr VR Morris would **BE SUBMITTED** at the next Ordinary Council meeting.

A1 of 2018

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

**PURPOSE**

To submit to Council the upper limits of salaries, allowances and benefits of different members of Municipal Council as per **Government Gazette No 41335** dated **15 December 2017**.

**DISCUSSION**

The Speaker presented the item to Council.

During the discussion of the item, Cllr SE Tshabangu indicated that he wished that Councillors would decide not to implement the recommended increase, instead would decide to set an example by showing commitment to the importance of effective governance by working hard on stabilizing the institutional capacity to deliver services better and to ensure that revenue collection is improved. He based his statement on the reality of the municipal financial incapability to generate income as indicated in the financial reports that the collection rate for the past months was far below the budgeted percentage of 85%.

He urged Councillors to reshape and ask hard questions on how to make the Municipality work better again by compromising the increase this year, work hard and ensure that they get the increase the following year but if they insist on the increment, they should consider not to backdate it.

He indicated that this will show their commitment by being an example to the community when they go around on a Masakhane campaign for payment of services.

Cllr SE Tshabangu then requested that it should be placed on record that he does not support the increment.

**COUNCIL RESOLVED: (16 JANUARY 2018)**

1. That Council **APPROVES** the increase of 5% for full-time Councillors and 6% for part-time Councillors, backdated from the 1<sup>st</sup> July 2017.
2. That the Municipality **MUST IMMEDIATELY INTERACT** with the MEC for Cooperative Governance and Traditional Affairs, for concurrence to implement the increment.