

# **MINUTES**

of the

## **CONTINUATION OF THE 4<sup>TH</sup> ORDINARY COUNCIL MEETING FOR THE YEAR 2018**

of

**MATJHABENG MUNICIPALITY**

held on

**THURSDAY, 06 SEPTEMBER 2018**

at

**16:00**

at the

**COUNCIL CHAMBERS, CIVIC CENTRE,  
WELKOM**

I  
COUNCILLORS ATTENDANCE

MINUTES: CONTINUATION OF THE 4<sup>TH</sup> ORDINARY COUNCIL MEETING  
06 SEPTEMBER 2018

PROPORTIONAL			
1.	Stofile B ( <b>Speaker</b> )	19.	Masina XN
2.	Sephiri MJ ( <b>Chief Whip</b> ) ( <b>Apology</b> )	20.	Mawela VE
3.	Speelman NW ( <b>Executive Mayor</b> )	21.	Moipatle KSV
4.	Badenhorst MJ	22.	Mthebere NA
5.	Botha PF	23.	Nqeobo EM
6.	Direko DR	24.	Ntsebeng MH
7.	Dyantyi A ( <b>Absent</b> )	25.	Phofeli NM
8.	Jacobs EJ	26.	Presente LN
9.	Jama BL ( <b>Absent</b> )	27.	Radebe MC
10.	Kabi M ( <b>Apology</b> )	28.	Radebe ML
11.	Khetsi LE ( <b>Absent</b> )	29.	Rakaki MM
12.	Lethake TW	30.	Ramabodu BM
13.	Lushaba TB	31.	Sithole AM ( <b>Absent</b> )
14.	Macingwane MT ( <b>Absent</b> )	32.	Styger A
15.	Mafaisa MG ( <b>Absent</b> )	33.	Taljaard SDM ( <b>Apology</b> )
16.	Manenye AJ	34.	Thelingoane NE
17.	Manese SD	35.	Tshopo ME ( <b>Apology</b> )
18.	Marais JS ( <b>Apology</b> )	36.	Van Rooyen KV
WARD			
37.	Badenhorst HS ( <b>Apology</b> )	55.	Morris VR ( <b>Apology</b> )
38.	Chaka MS	56.	Moshoeu ZS
39.	Daly A ( <b>Apology</b> )	57.	Mosia TJ
40.	Khalipha TD	58.	Mphikeleli MA
41.	Khothule MJ ( <b>Absent</b> )	59.	Nkonka BB
42.	Kopela MP	60.	Nthako TD ( <b>Absent</b> )
43.	Liphoko SJ ( <b>Absent</b> )	61.	Ntuli BN
44.	Mafa DM ( <b>Apology</b> )	62.	Pholo SJ
45.	Mahlumba BH ( <b>Apology</b> )	63.	Poo IP
46.	Malherbe C	64.	Ramalefane SJ
47.	Manzana NR	65.	Ramatisa PT
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
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 Support Services
Mr CT Panyani	:	Chief Financial Officer
Me ZK Tindleni	:	Executive Director: Community Services
Mr B. Golele	:	Acting Executive Director: LED, P & HS

## **COUNCIL ADMINISTRATION SECRETARIAT**

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

### III

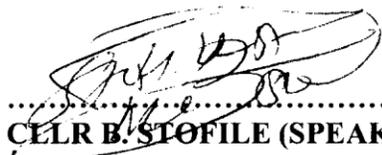
<b>(a)</b>	<p><b>Opening</b></p> <p>The Speaker welcomed everyone present and declared the meeting open. He indicated that the purpose of the meeting was to continue with the 4<sup>th</sup> Ordinary Council meeting that was adjourned on the 30<sup>th</sup> August 2018.</p>
<b>(b)</b>	<p><b>Applications 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>Reports of the Speaker in terms of rules 15(1) and 99(4)</b></p> <p>None</p>
<b>(e)</b>	<p><b>Tabling of documents prescribed by statute or these rules and orders</b></p> <p>None</p>
<b>(f)</b>	<p><b>Applications and appeals from Councillors in terms of rules 14(1), 67 and 72</b></p> <p>None</p>
<b>(g)</b>	<p><b>Reports received from the Speaker</b></p> <p><b>A56 of 2018 – A57 of 2018</b></p>
<b>(h)</b>	<p><b>Motions of sympathy and congratulations by the Speaker</b></p> <p>None</p>
<b>(i)</b>	<p><b>Motions of sympathy and congratulations by other Councillors</b></p> <p><b><u>Sympathy</u></b></p> <p>1. Cllr C. Malherbe conveyed a message of sympathy to the Daniels family for the passing on of Dr Paris Daniels as a result of a car accident.</p> <p><b><u>Congratulations</u></b></p> <p>1. Cllr PF Botha congratulated the DA for winning during the Nala Municipality by-elections held on the 5<sup>th</sup> September 2018 and for taking Ward 2 from the ANC.</p> <p>2. He also congratulated the DA for retaining Ward 12 in Ngwathe Municipality by-elections.</p>
<b>(j)</b>	<p><b>Deputations and interviews</b></p> <p>None</p>
<b>(k)</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 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.</p>
<b>(l)</b>	<p><b>Minutes of the previous meeting: 28 March 2018</b></p> <p><b><u>COUNCIL RESOLVED: (06 SEPTEMBER 2018)</u></b></p> <p>That the minutes of the 2<sup>nd</sup> Ordinary Council meeting held on the 28<sup>th</sup> March 2018 <b>BE ADOPTED</b> as a true reflection of what transpired in the meeting.</p>

## IV

	<p><b>Minutes of the previous meeting: 30 May 2018</b></p> <p><b><u>COUNCIL RESOLVED: (06 SEPTEMBER 2018)</u></b></p> <p>That the minutes of the 3<sup>rd</sup> Ordinary Council meeting held on the 30<sup>th</sup> May 2018 <b>BE ADOPTED</b> as a true reflection of what transpired in the meeting.</p>
(m)	<p><b>Matters arising from the minutes: 28 March 2018</b></p> <p><b>A27 of 2018</b></p> <p>The Executive Mayor informed Council that resolution 5 pertaining to inclusion of all Master Plans in the IDP/ Budget for the 2018/19 financial year, is being dealt with.</p> <p><b>Matters arising from the minutes: 30 May 2018</b></p> <p><b>A32 of 2018</b></p> <p>Cllr KR Tlake wanted to know whether the Municipal Manager had communicated with the SALA Pension Fund, with regard to the employer representative. The Speaker affirmed that the Fund was informed and it was expected to communicate its schedule of meetings and other processes that need to be followed.</p> <p><b>A36 of 2018</b></p> <p>The Executive Mayor informed Council that he had delegated the matter in which he was mandated to investigate whether the R1.8 million incurred in legal fees could be recuperated from the former Municipal Manager, to the current Municipal Manager and Council would receive an update at the next Council meeting.</p> <p><b>A41 of 2018</b></p> <p>Cllr MJ Badenhorst informed Council that she was still waiting for the response on point 6 of her questions, in which she wanted to know the reason for not utilizing the Fire Station in Ventersburg. The Speaker mandated the Municipal Manager to respond to the question and submit a report at the next Council meeting.</p> <p><b>A42 of 2018</b></p> <p>The Executive Mayor explained that the matter pertaining to linking priority needs submitted from all wards into the Service Delivery Programme has been sorted out. He indicated that realignment was done, projects plans were aligned to interests of wards and other outstanding issues were discussed between the Municipality and COGTA.</p> <p><b>A43 of 2018</b></p> <p>Cllr A. Styger wanted to know the reason why resolution 1.3 pertaining to the review of all contracts by the Multi-Party Committee within three months from the date of the meeting, was not adhered to and how would the matter be resolved.</p> <p>After long deliberations where various inputs were made, <b>it was resolved:</b></p> <ol style="list-style-type: none"><li>1. That resolution 1.3 of item A43 of 2018 <b>is still standing</b> as approved by Council.</li><li>2. That the Municipal Manager <b>must submit</b> the prepared report to the Executive Mayor who would then interact with various parties, as the Multi-Party agreed upon in Council was not explicit, and that Forum would deliberate on the mode of action.</li></ol>

V

	<p><b>A53 of 2018</b></p> <p>The Executive Mayor explained that resolution 3 pertaining to arrangement of a meeting with the Minister of the National Department of Transport for intervention, had been attended to and they were still waiting for a response to the letter written to the Minister.</p> <p><b>A54 of 2018</b></p> <p>Cllr A. Styger raised his concern with regard to the new contract that was signed by the Municipal Manager with Media News three days after the submission of a motion to Council, to declare their existing contract null and void due to non-compliance with legal requirements.</p> <p>He also stated that this information was not declared in Council when resolutions of the motion were taken where Council resolved that awarding of future contracts must be kept in abeyance until the applicable by-law and policy had been subjected to public participation. He requested that the new contract be included in the list of contracts that would be reviewed.</p> <p>The Speaker requested that the concern <b>be noted</b>.</p>
(n)	<p><b>Questions of which notice had been given</b></p> <p><b>A68 of 2018 – A74 of 2018</b></p>
(o)	<p><b>Reports of the Executive Committee/ Executive Mayor/ Committee Reports</b></p> <p><b>A75 – A107 of 2018</b></p>
(p)	<p><b>Reports of decisions taken under delegated powers</b></p> <p>None</p>
(q)	<p><b>Motions</b></p> <p>None</p>
(r)	<p><b>Closing</b></p> <p>The Speaker thanked everyone who attended and closed the meeting at <b>20h35</b>.</p>

  
 .....  
**CLLR B. STOFILE (SPEAKER)**

2019/02/11  
 .....  
**DATE**

# INDEX

ITEM NO	ITEM DESCRIPTION	PAGE
A56 of 2018	REVIEWD AUDIT COMMITTEE CHARTER (SPEAKER) (6/12/3/2)	1
A57 of 2018	THREE YEAR INTERNAL AUDIT PLAN - 2018-2021 (SPEAKER) (6/12/1)	1-2
A58 - A67	DELIBERATED ON THE 30 <sup>TH</sup> OF AUGUST 2018	
A68 of 2018	QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR P.F. BOTHA (MM) (3/1/3/2)	2
A69 of 2018	QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR P.F. BOTHA (MM) (3/1/3/2)	2-3
A70 of 2018	QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR P.F. BOTHA (MM) (3/1/3/2)	3
A71 of 2018	QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR M.P. KOPELA (MM) (3/1/3/2)	4
A72 of 2018	QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR M.J. BADENHORST (MM) (3/1/3/2)	4
A73 of 2018	QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR B.L. JAMA (MM) (3/1/3/2)	5
A74 of 2018	QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR B.L. JAMA (MM) (3/1/3/2)	5
A75 of 2018	MONTHLY FINANCE REPORT – APRIL 2018 (EXECUTIVE MAYOR) (6/4/1)	5-6
A76 of 2018	MONTHLY FINANCE REPORT – MAY 2018 (EXECUTIVE MAYOR) (6/4/1)	6
A77 of 2018	MONTHLY FINANCE REPORT – JUNE 2018 (EXECUTIVE MAYOR) (6/4/1)	6-7
A78 of 2018	THREE MONTHS FINANCE REPORT – APRIL - JUNE 2018 (EXECUTIVE MAYOR) (6/4/1)	7-8

## II

A79 of 2018	CURRENT STATUS OF THE MUNICIPAL INFRASTRUCTURE GRANT (MIG) CAPITAL PROJECTS IN MATJHABENG LOCAL MUNICIPALITY FOR THE MONTH OF JUNE 2018 (EXECUTIVE MAYOR) (6/4/1)	8
A80 of 2018	DELIBERATED ON THE 30 <sup>TH</sup> OF AUGUST 2018	
A81 of 2018	REPORT ON PROPOSAL FOR LAND EXCHANGE (A PORTION OF FARM GELUCKSPAN 394 RD MEASURING 37 HA AND A PORTION OF FARM ONVERWAG 728 RD MEASURING 25 HA SITUATED IN THE DISTRICT OF VIRGINIA (EXECUTIVE MAYOR) (8/3/3/5)	9
A82 of 2018	ACQUISITION OF EDUCATIONAL ERVEN IN WARD 23 THABONG AND FORMALISATION FOR RESIDENTIAL PURPOSES (EXECUTIVE MAYOR) (11/3)	9-10
A83 - A87	DELIBERATED ON THE 30 <sup>TH</sup> OF AUGUST 2018	
A88 of 2018	POLICY FRAMEWORK: RULES AND PROCEDURES REGARDING WATER DISTRIBUTION AND METERING IN THE MATJHABENG MUNICIPALITY AREA OF SUPPLY (EXECUTIVE MAYOR) (19/2/3)	10
A89 - A91	DELIBERATED ON THE 30 <sup>TH</sup> OF AUGUST 2018	
A92 of 2018	FLEET OF PUBLIC SAFETY & TRANSPORT (EXECUTIVE MAYOR) (7/2/1/1)	10-11
A93 of 2018	REPORT ON NATIONAL HOUSING NEEDS REGISTER (NHNR) (EXECUTIVE MAYOR) (20/14/13)	11
A94 of 2018	REPORT ON TRANSFER OF REMAINING ANGLOGOLD ASHANTI PROPERTIES IN KUTLOANONG TO BENEFICIARIES AS WELL AS DONATION OF THE REMAINING HOUSES TO MATJHABENG MUNICIPALITY (EXECUTIVE MAYOR) (8/3/2/4/7/5)	11-12
A95 of 2018	REPORT MUNICIPAL RESIDENTIAL SITES SOLD OR INTENDED TO BE SOLD ILLEGALLY (EXECUTIVE MAYOR) (18/4/12)	12
A96 of 2018	REPORT ON PARTICIPATION OF MATJHABENG MUNICIPALITY ON FREE STATE INFORMAL SETTLEMENT UPGRADING FORUM (EXECUTIVE MAYOR) (3/3/22)	13

### III

A97 of 2018	REPORT ON THE RAFT FOUNDATIONS THAT WERE CASTED IN VAIN FOR VARIOUS ERVEN IN SAAIPLAS EXTENSION 14, VIRGINIA (EXECUTIVE MAYOR) (8/3/2/50/3)	13
A98 of 2018	PROGRESS REPORT – RELOCATION AND FORMALISATION OF SITES AT PHOMOLONG WARD (EXECUTIVE MAYOR) (18/4/13)	14
A99 of 2018	PROGRESS REPORT ON PROJECTS THAT ARE DONE WITH PROVINCIAL DEPARTMENT OF HUMAN SETTLEMENTS (EXECUTIVE MAYOR) (5/6/2/13)	14-15
A100 of 2018	PROGRESS REPORT ON ACCREDITATION PROGRAMME (EXECUTIVE MAYOR) (12/1/3)	15-16
A101 of 2018	PROGRESS REPORT: THE IDENTIFICATION OF LAND FOR RESIDENTIAL DEVELOPMENT LAND IN NYAKALLONG (EXECUTIVE MAYOR) (8/3/2)	16
A102 of 2018	PROGRESS REPORT: THE IDENTIFICATION OF LAND FOR RESIDENTIAL DEVELOPMENT LAND IN MELODING (EXECUTIVE MAYOR) (8/3/2)	17
A103 - A105	DELIBERATED ON THE 30 <sup>TH</sup> OF AUGUST 2018	
A106 of 2018	SUBMISSION OF HUMAN RIGHTS COMMISSION QUESTIONS ADDRESSED AND RESPONDED TO BY THE MUNICIPALITY (MPAC CHAIRPERSON) (3/1/1)	17-18
A107 - A108	DELIBERATED ON THE 30 <sup>TH</sup> OF AUGUST 2018	

# 1

## **A56 of 2018**

### **REVIEWED AUDIT COMMITTEE CHARTER (SPEAKER) (6/12/3/2)**

#### **PURPOSE**

To submit the reviewed Audit Committee Charter for 2018/19 financial year to Council for approval.

#### **DISCUSSION**

The Speaker allowed Mr MJ Mutsi, a member of the Audit Committee to present the item to Council.

Mr Mutsi informed Council that the Audit Committee Charter was based on Circular 65 of the MFMA which requires the Audit Committee to prepare a Charter that will assist to manage relations between the Municipality and the Audit Committee.

He indicated that the Audit Committee reviewed the Audit Committee Charter. In his explanation, he made reference to some of the critical chapters, such as, Chapter 3 which talks about the responsibilities of the Audit Committee, Chapter 4 which talks about the frequency of reporting, Chapter 6 which deals about the Audit Committee Charter itself and Chapter 9 which talks about the remuneration of members. He also stated that in terms of the law, members of the Audit Committee who are public servants were not eligible for a sitting allowance.

#### **COUNCIL RESOLVED: (30 AUGUST 2018)**

1. That Council **APPROVES** the Audit Committee Charter.

## **A57 of 2018**

### **THREE YEAR INTERNAL AUDIT PLAN - 2018-2021 (SPEAKER) (6/12/1)**

#### **PURPOSE**

To submit a three year Internal Audit Plan to Council for noting.

#### **DISCUSSION**

The Speaker allowed Mr MJ Mutsi to present the item to Council.

Mr Mutsi informed members that the Audit Committee met on the 23<sup>rd</sup> August 2018, and looked at several documents that were presented by the Internal Audit Unit. He mentioned that the Audit Committee noted that there is a three-year Internal Audit Plan in place, however, they did not approve it as it was not risk-based as required by legislation. He indicated that their intention was to review the Internal Audit Plan in the next 3-4 months, for the remaining 6 months of the financial year.

## 2

He also indicated that although the Plan needs to be reviewed, it was still relevant as it talks to the challenges facing the Municipality, such as, irregular expenditure, Supply Chain Management matters and so forth.

### **COUNCIL RESOLVED: (30 AUGUST 2018)**

1. That Council **TAKES NOTE** of the three-year Internal Audit Plan.

**A58 – A67 of 2018- dealt with on the 30<sup>th</sup> August 2018.**

**A68 of 2018**

### **QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR P.F. BOTHA (MM) (3/1/3/2)**

#### **PURPOSE**

To submit the questions raised by Cllr P.F. Botha and the response thereon by the Municipal Manager.

#### **DISCUSSION**

The Speaker allowed Cllr P.F. Botha to comment on the response received from the Municipal Manager.

### **COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That Council **TAKES NOTE** of the Municipal Manager's report.

**A69 of 2018**

### **QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR P.F. BOTHA (MM) (3/1/3/2)**

#### **PURPOSE**

To submit the questions raised by Cllr P.F. Botha and the response thereon by the Municipal Manager.

#### **DISCUSSION**

The Speaker allowed Cllr P.F. Botha to comment on the response received from the Municipal Manager.

Cllr P.F. Botha indicated that he was perturbed by the response received from the Municipal Manager pertaining to the Megaworks Enterprise contract. He indicated that 3 invoices amounted to R600 000.00 and the contract awarded to the company amounts to R28.8 million over the entire period when calculated for 6 towns.

### 3

He indicated that in response to question 4, the Municipal Manager said the contract was not advertised because the said company made a proposal. He indicated that in terms of Supply Chain Management Policy, no goods amounting to R200 000.00 including VAT could be secured without following competitive bidding processes. In exceptional cases where it is impractical to follow the prescribed procedure, the Municipal Manager must supply reasons and report to Council, but such report never came to Council.

He mentioned that in response to question 5 pertaining to whether the company was VAT registered, the Municipal Manager attached a tax clearance certificate which was approved on 21/06/2018 whereas the contract was awarded on 21/06/2017. He indicated that the SCM regulation states that no contract should be awarded to a company without tax clearance from SARS.

He further indicated that the fact that the Municipality awarded a contract worth R28.8 million based on a proposal by a company which did not have a clearance certificate does not abide well with him, and therefore he would report the matter to the MPAC, to the Audit Committee and to SCOPA for further investigation.

#### **COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

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

#### **A70 of 2018**

#### **QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR P.F. BOTHA (MM) (3/1/3/2)**

#### **PURPOSE**

To submit the questions raised by Cllr P.F. Botha and the response thereon by the Municipal Manager.

#### **DISCUSSION**

The Speaker allowed Cllr P.F. Botha to comment on the response received from the Municipal Manager.

#### **COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That Council **TAKES NOTE** of the Municipal Manager's report.

**A71 of 2018**

**QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR M.P.KOPELA (MM)**  
**(3/1/3/2)**

**PURPOSE**

To submit the questions raised by Cllr M.P. Kopela and the response thereon by the Municipal Manager.

**DISCUSSION**

The Speaker allowed Cllr M.P. Kopela to comment on the response received from the Municipal Manager.

Cllr M.P. Kopela indicated that he had received the response from the Municipal Manager but his questions were not answered satisfactorily. He indicated that question 5 was not answered although he had made a follow-up for that response. He mentioned that he is still waiting for the response for question 5 and 6.

**COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That the Municipal Manager **MUST PROVIDE** answers for questions 5 and 6 that were posed by Cllr Kopela to enable him to have more clarity on the matter.

**A72 of 2018**

**QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR M.J. BADENHORST (MM)**  
**(3/1/3/2)**

**PURPOSE**

To submit the questions raised by Cllr M.J. Badenhorst and the response thereon by the Municipal Manager.

**DISCUSSION**

The Speaker allowed Cllr M.J. Badenhorst to comment on the response received from the Municipal Manager.

Cllr M.J. Badenhorst indicated that as debate was not allowed for questions, she would debate the matter on Item A99 relating to projects done with the Provincial Department of Human Settlements.

**COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

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

**A73 of 2018**

**QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR B.L. JAMA (MM) (3/1/3/2)**

**PURPOSE**

To submit the questions raised by Cllr B.L. Jama and the response thereon by the Municipal Manager.

**DISCUSSION**

The Speaker indicated that the question would not be dealt with as Cllr B.L. Jama was not present in the meeting.

**COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That the item **BE DEFERRED** to the next Ordinary Council meeting.

**A74 of 2018**

**QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR B.L. JAMA (MM) (3/1/3/2)**

**PURPOSE**

To submit the questions raised by Cllr B.L. Jama and the response thereon by the Municipal Manager.

**DISCUSSION**

The Speaker indicated that the question would not be dealt with as Cllr B.L. Jama was not present in the meeting.

**COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That the item **BE DEFERRED** to the next Ordinary Council meeting.

**A75 of 2018**

**MONTHLY FINANCE REPORT – APRIL 2018 (EXECUTIVE MAYOR) (6/4/1)**

**PURPOSE**

To submit to Council the Monthly Finance Report for April 2018 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003.

## 6

### **DISCUSSION**

The Executive Mayor presented the item to Council.

### **COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That the Finance Report for April 2018 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED**.
2. That the Finance Report for April 2018 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE SUBMITTED** to Provincial and National Treasury.

### **A76 of 2018**

### **MONTHLY FINANCE REPORT – MAY 2018 (EXECUTIVE MAYOR) (6/4/1)**

### **PURPOSE**

To submit to Council the Monthly Finance Report for May 2018 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: (06 SEPTEMBER 2018)**

1. That the Finance Report for May 2018 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED**.
2. That the Finance Report for May 2018 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE SUBMITTED** to Provincial and National Treasury.

### **A77 of 2018**

### **MONTHLY FINANCE REPORT – JUNE 2018 (EXECUTIVE MAYOR) (6/4/1)**

### **PURPOSE**

To submit to Council the Monthly Finance Report for June 2018 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: (06 SEPTEMBER 2018)**

1. That the Finance Report for June 2018 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED**.
2. That the Finance Report for June 2018 in terms of Section 71 of the Municipal Finance Management Act, number 56 of 2003, **BE SUBMITTED** to Provincial and National Treasury.

**A78 of 2018****THREE MONTHS FINANCE REPORT – APRIL - JUNE 2018 (EXECUTIVE MAYOR) (6/4/1)****PURPOSE**

To submit to Council the three Months Finance Report for April – June 2018 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. He indicated that the main challenge was overtime as the Municipality has incurred a deficit of R2 million in overtime.

During the discussion of this item the following questions were posed:

<b>QUESTIONS</b>		<b>RESPONSES/ SUGGESTIONS</b>
1.	The April-June reports reflect overtime payments for political appointments, why are those payments not reflected in the quarterly report and why is the Mayor's budget not reflecting overtime whereas his drivers were claiming for it?	The Executive Mayor explained that his body guards were not getting overtime but were placed at an equivalent level but other officials assisting in his office belong to other departments. He promised to investigate the matter and report back to Council.
2.	Was there a plan in place to address the R2.2 billion debt on bulk water which increases by R50 million a month, as the Municipality would never be able to service such debt?	<ul style="list-style-type: none"> <li>• Sedibeng and ESKOM tariffs are disputed by various Municipalities as they tend to double their tariffs and they are using the municipal servitude which they are not paying for.</li> <li>• The Municipality should devise their own consumer metering device that will register the supply of water to own reticulation system in order to have information that could be used in disputes.</li> <li>• SALGA intends to take ESKOM to Court on behalf of all affected Municipalities in the Country.</li> </ul>
3.	Ligia Paper is owing the Municipality over R30 million including interest and what is done to claim that money?	FDC is having challenges with their properties all over Free State stating they can't afford to pay- a report would be submitted to the Revenue Enhancement Committee.
4.	Flamingo Lake Development had been transferred to the Municipality back in 2007 and why is their debt not written off?	The CFO should address the matter.

## 8

### **COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That the Finance Report for the Quarter (April - June 2018) in terms of Section 52 (d) of the Municipal Finance Management Act, number 56 of 2003, **BE NOTED**.
2. That the Finance Report for the Quarter (April - June 2018) in terms of Section 52 (d) of the Municipal Finance Management Act, number 56 of 2003, **BE SUBMITTED** to Provincial and National Treasury.
3. That the Executive Mayor **WOULD INVESTIGATE** the matter of Overtime in his Office and report back to Council.
4. That the Municipal Manager **MUST SUBMIT** a report on a Plan to address the bulk water debt as well as progress on installation of smart meters.

### **A79 of 2018**

### **CURRENT STATUS OF THE MUNICIPAL INFRASTRUCTURE GRANT (MIG) CAPITAL PROJECTS IN MATJHABENG LOCAL MUNICIPALITY FOR THE MONTH OF JUNE 2018 (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 **June 2018**.

#### **DISCUSSION**

The Executive Mayor presented the item to Council.

### **COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That Council **TAKES NOTE** of the report.
2. That the MIG **MUST ACCOMMODATE** the Vuk'uphile projects and all Vuk'uphile projects be implemented after the Budget Adjustment in December.
3. That the project reflected on page 138 of the Annexures pertaining to Thabong Extension 20 (Hani Park): Extension of water network house connections and meters be **COMMENCED WITH** and the Contractor must be on site preferable by Monday, the 10<sup>th</sup> September 2018.
4. That Internal Engineering Department must **BE STRENGTHENED** to enable them to monitor the standard of work done by Contractors and Project Managers appointed be monitored and encouraged to be loyal to the Municipality.

**A80 of 2018- dealt with on the 30<sup>th</sup> August 2018.**

**A81 of 2018**

**REPORT ON PROPOSAL FOR LAND EXCHANGE (A PORTION OF FARM GELUCKSPAN 394 RD MEASURING 37 HA AND A PORTION OF FARM ONVERWAG 728 RD MEASURING 25 HA SITUATED IN THE DISTRICT OF VIRGINIA (EXECUTIVE MAYOR) (8/3/3/5)**

**PURPOSE**

The purpose of the report is to inform Council about the proposal for land exchange (A Portion of Farm Geluckspan 394 RD measuring 37 ha and a Portion of Farm Onverwag 728 RD measuring 25 ha situated in the district of Virginia).

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That Council **APPROVES** the proposal for land exchange with the Department of Rural Development and Land Reform.
2. That Rural Development and Land Reform must **BE RESPONSIBLE** for all subdivisions and any other costs that will arise from this transaction.

**A82 of 2018**

**ACQUISITION OF EDUCATIONAL ERVEN IN WARD 23 THABONG AND FORMALISATION FOR RESIDENTIAL PURPOSES (EXECUTIVE MAYOR) (11/3)**

**PURPOSE**

The purpose of this item is to submit to Council for consideration, an application by the community of Ward 23 for the rezoning of Erven 32704, 35429 and 29839 Thabong for formalization for residential purposes.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That Council **TAKES NOTE** of the request made by the Community of Ward 23, Thabong.
2. That the relevant Stakeholders **BE CONSULTED** before the acquisition and formalization of educational erven.

# 10

3. That a progress report must **BE SUBMITTED** in the next Council meeting.
4. That the erven must be **REZONED AND FORMALIZED** for residential purposes.

**A83 – A87 of 2018 - dealt with on the 30<sup>th</sup> August 2018.**

**A88 of 2018**

**POLICY FRAMEWORK: RULES AND PROCEDURES REGARDING WATER DISTRIBUTION AND METERING IN THE MATJHABENG MUNICIPALITY AREA OF SUPPLY (EXECUTIVE MAYOR) (19/2/3)**

**PURPOSE**

To submit to Council for Technical Services, a Policy Framework: Rules and Procedures regarding the distribution and metering of water in the Matjhabeng Municipality area of supply, for consideration.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That Council **APPROVES** the Policy Framework: Rules and Procedures Regarding Water Distribution and Metering in the Matjhabeng Municipality Area of Supply.
2. That the Policy Framework must **BE SUBJECTED** to a Public Participation Process and thereafter be brought back to Council for finalization.

**A89 – A91 of 2018 - dealt with on the 30<sup>th</sup> August 2018.**

**A92 of 2018**

**FLEET OF PUBLIC SAFETY & TRANSPORT (EXECUTIVE MAYOR) (7/2/1/1)**

**PURPOSE**

The purpose of the item is to highlight Council on the status of the current vehicle fleet of the Department and the intended procurement of new fleet.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That Council **APPROVES** the procurement of the vehicles to avoid a total shut down of operations.
2. That the existing fleet must **BE COMPLEMENTED** with new fleet on an annual basis and ageing fleet be auctioned.
3. That a **PROVISION** for procurement of new fleet must **BE MADE** during the Adjustment budget but in cases of dire circumstances, the Executive Mayor through the Municipal Manager is expected to **INTERVENE** and report to Council within a specific period.

**A93 of 2018**

**REPORT ON NATIONAL HOUSING NEEDS REGISTER (NHNR) (EXECUTIVE MAYOR) (20/14/13)**

**PURPOSE**

To inform Council about the newly introduced consolidation of various waiting lists/ demand database by National Human Settlements.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That Council **TAKES NOTE** of the report.
2. That a workshop **BE CONDUCTED** for orientation of all Councillors on the National Housing Needs Register.

**A94 of 2018**

**REPORT ON TRANSFER OF REMAINING ANGLOGOLD ASHANTI PROPERTIES IN KUTLOANONG TO BENEFICIARIES AS WELL AS DONATION OF THE REMAINING HOUSES TO MATJHABENG MUNICIPALITY (EXECUTIVE MAYOR) (8/3/2/4/7/5)**

**PURPOSE OF THE REPORT**

To request Council to accept donation of the remaining Anglo-Gold Ashanti houses to the Municipality as well as note the report as submitted by Wessels & Smith Attorney on houses already transferred.

# 12

## **DISCUSSION**

The Executive Mayor presented the item to Council.

### **COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That Council **TAKES NOTE** of the report.
2. That Council **ACCEPTS** the donation of 19 Anglo-Ashanti houses, to the Municipality.
3. That Council **RESOLVES** that the transfer of 10 houses where beneficiaries cannot be traced, be made to the Municipality.
4. That the disposal of the donated houses **BE DONE** in accordance with the Municipal Policy on disposal of Immovable Assets.
5. That an **INVESTIGATION** on K1 housing issues must **BE DONE** and a report on how to address the matter must be submitted at the next Council meeting.

## **A95 of 2018**

### **REPORT MUNICIPAL RESIDENTIAL SITES SOLD OR INTENDED TO BE SOLD ILLEGALLY (EXECUTIVE MAYOR) (18/4/12)**

## **PURPOSE**

To submit before Council the statistics of sites alleged to be illegally sold.

## **DISCUSSION**

The Executive Mayor presented the item to Council.

### **COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That Council **TAKES NOTE** of the fraudulent activities reported to the South African Police Services.
2. That legal action should **BE TAKEN** against all implicated Municipal employees who are found guilty.

**A96 of 2018**

**REPORT ON PARTICIPATION OF MATJHABENG MUNICIPALITY ON FREE STATE INFORMAL SETTLEMENT UPGRADING FORUM (EXECUTIVE MAYOR) (3/3/22)**

**PURPOSE**

To submit before Council a report on participation of Matjhabeng Local Municipality on Free State Informal Settlement Upgrading (ISU) Forum.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

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

**A97 of 2018**

**REPORT ON THE RAFT FOUNDATIONS THAT WERE CASTED IN VAIN FOR VARIOUS ERVEN IN SAAIPLAS EXTENSION 14, VIRGINIA (EXECUTIVE MAYOR) (8/3/2/50/3)**

**PURPOSE OF THE REPORT**

- The purpose of the report is to inform Council about the current status of the 264 erven in Saaiplaas Extension 14, Virginia, and
- To solicit permission for submission of a proposal to the MEC Human Settlements in order to complete the project.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That the Municipality **MUST SUBMIT** a proposal to the MEC to request the subsidy allocation to complete the project.
2. That the area **BE CONSIDERED** for mixed development.

## A98 of 2018

### **PROGRESS REPORT – RELOCATION AND FORMALISATION OF SITES AT PHOMOLONG WARD (EXECUTIVE MAYOR) (18/4/13)**

#### **PURPOSE OF REPORT**

To inform Council of the progress report on the formalization of sites and relocation at Phomolong, Hennenman.

#### **DISCUSSION**

The Executive Mayor presented the item to Council.

#### **COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That Council **TAKES NOTE** of the report.
2. That the Municipal Manager **MUST ENSURE** that the process of sites allocation in the area of Hennenman is finalized by the end of October 2018 and the R250 administration fee must be paid by everyone eligible for an allocation.
3. That the Municipal Manager **MUST INVESTIGATE** all allegations of tampering with the approved waiting list, by Human Settlements Officials and should the allegations be proved to be true, the Municipal Manager must take action against the implicated Officials.
4. That no Councillor **IS ALLOWED** to interfere with the allocation process and in the event of interference by a Councillor, such Councillor must be reported to the Speaker for investigation in terms of Schedule 2 of the Municipal Structures Act.
5. That all allegations pertaining to land invasions must **BE INVESTIGATED**.
6. That the Executive Mayor **BE MANDATED** to interact with the MEC or the Premier to source funding for Infrastructure.

## A99 of 2018

### **PROGRESS REPORT ON PROJECTS THAT ARE DONE WITH PROVINCIAL DEPARTMENT OF HUMAN SETTLEMENTS (EXECUTIVE MAYOR) (5/6/2/13)**

#### **PURPOSE**

To present progress report before Council with regard to the projects where Contractors were not yet appointed by the Province.

# 15

## DISCUSSION

The Executive Mayor presented the item to Council.

During the discussion of this item, Cllr MJ Badenhorst raised her concern with regard to projects in Ventersburg and Hennenman stating that Resolutions taken in 2017 under Item SA17 were not followed entirely although the projects had already commenced, i.e.:

- No possible funding of electrification by the Department of Energy;
- No money for infrastructure;
- Eskom is not allowing the increase of Notified Maximum Demand in Ventersburg;
- No building plans were submitted but the Contractor had started to build;
- In Hennenman the project was cancelled but has now commenced although the sewerage capacity was not increased.

Cllr TD Khalipha explained that the matter of providing housing was the mandate of the Provincial and National government and the MEC had visited the area and promised that they will do everything to ensure that the project is completed. He mentioned that the Provincial government was spending more than R150 million on Infrastructure at Matjhabeng.

He indicated that Contractor in Hennenman was fired because of not following the specifications and a new Contractor had been appointed to finish the work.

The Municipal Manager explained that after engagements at National level between SALGA, COGTA and other stakeholders, that matter had been addressed. He also indicated the HOD ensured that the infrastructure would be provided as they had pressure to provide houses and to ensure that the money allocated is not taken back as R340 million was taken back last year.

### **COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That the Council **TAKES NOTE** of the report.
2. That the Mayor **MUST INTERACT** with the Provincial Department of Human Settlements to ensure that the Projects are launched by October 2018.

### **A100 of 2018**

### **PROGRESS REPORT ON ACCREDITATION PROGRAMME (EXECUTIVE MAYOR) (12/1/3)**

#### **PURPOSE**

To inform Council about the progress in Municipal Accreditation Programme.

# 16

## DISCUSSION

The Executive Mayor presented the item to Council.

### **COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That Council **TAKES NOTE** of the progress report.
2. That additional funds must **BE SOUGHT** from the Department of Human Settlements in the Province.

## A101 of 2018

### **PROGRESS REPORT: THE IDENTIFICATION OF LAND FOR RESIDENTIAL DEVELOPMENT LAND IN NYAKALLONG (EXECUTIVE MAYOR) (8/3/2)**

## PURPOSE OF REPORT

The purpose of the report is to depict the progress with the identification of vacant land for short to medium term residential development in Nyakallong.

## DISCUSSION

The Executive Mayor presented the item to Council.

### **COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That the progress with the high potential development areas as depicted in Table 1 on page 217 of the Annexures **BE NOTED AND SUPPORTED**.
2. That as soon as the technical investigation is finalized and consensus is reached by the Stakeholder Committee, a follow up report **BE PRESENTED** to Council in relation to the short to medium residential development strategy for Allanridge/ Nyakallong including the cost implication for Council, pertaining to the provision of Bulk services.
3. That a Steering Committee **BE ESTABLISHED** to finalize the land identification process to include Cllr TD Khalipha, Cllr PT Ramatisa, Mr F Nieuwoudt (LED), Me G Mogatle (HS), officials from Provincial Human Settlements and officials from the HDA.
4. That a progress report **BE SUBMITTED** in every Council meeting.

**A102 of 2018**

**PROGRESS REPORT: THE IDENTIFICATION OF LAND FOR RESIDENTIAL DEVELOPMENT LAND IN MELODING (EXECUTIVE MAYOR) (8/3/2)**

**PURPOSE OF REPORT**

The purpose of the report is to depict the progress with the identification of vacant land for short to medium term residential development in Meloding.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That the progress with the high potential development areas as depicted in Table 2 on page 220 of the Annexures **BE NOTED AND SUPPORTED**.
2. That as soon as the technical investigation is finalized and consensus is reached by the Stakeholder Committee, a follow up report **BE PRESENTED** to Council in relation to the short to medium residential development strategy for Virginia/ Meloding including the cost implication for Council, pertaining to the provision of Bulk services.
3. That a Steering Committee **BE ESTABLISHED** to finalize the land identification process to include Cllr MT Macingwane, Cllr A J Manenye, Mr F Nieuwoudt (LED), Me G Mogatle (HS), officials from Provincial Human Settlements and officials from the HDA.
4. That the Executive Mayor **BE MANDATED** to write a letter to the Province to source for infrastructure funding.
5. That the Executive Mayor **DEPLOYS** Cllr TD Khalipha, Cllr MH Ntsebeng and Cllr NR Manzana to form part of the Committee.

**A103 – A105 of 2018 - dealt with on the 30<sup>th</sup> August 2018.**

**A106 of 2018**

**SUBMISSION OF HUMAN RIGHTS COMMISSION QUESTIONS ADDRESSED AND RESPONDED TO BY THE MUNICIPALITY (MPAC CHAIRPERSON) (3/1/1)**

**PURPOSE**

The purpose of the item is to provide progress report for noting by council on issues raised by the South African Human Rights Commission in relation to sewer problems raised by a member of the community.

## **DISCUSSION**

The Speaker presented the item to Council.

### **COUNCIL RESOLVED: (06 SEPTEMBER 2018)**

1. That Council **TAKES NOTE** of the report submitted to both offices of the Speaker and the Human Rights Commission in the Free State Province.

**A107 - A108 of 2018 -dealt with on the 30<sup>th</sup> August 2018.**