

MINUTES

3rd SPECIAL COUNCIL MEETING

of

MATJHABENG MUNICIPALITY

held on

12 JULY 2005

at

16:00

**COUNCILLORS PRESENT : 3rd SPECIAL COUNCIL MEETING :
12 JULY 2005**

ANC

PROPORTIONAL			
1.	Leeuw SJ (Executive Mayor)	15.	Ikaneng MI
2.	Matsepe TV (Speaker)	16.	Mafantire MJ
3.	Tsubane ME	17.	Mafongosi VZ (Absent)
4.	Menong KS (MMC)	18.	Mashinini NL
5.	Ramaisa KA (MMC)	19.	Petleki KI
6.	Tladi RE (MMC)	20.	Radebe ML
7.	Thuthani ZA (MMC)	21.	Sephiri MJ
8.	Matosa AN (Written Apology)	22.	Tlhone ML
9.	Matlabe MMT	23.	Vanga M
10.	Mbana MA	24.	Kotzee D (Absent)
11.	Mokhathi PE	25.	Masoleng NI
12.	Bengu VV (Written Apology)	26.	Kujoana MA
13.	Dali VN	27.	Motshabi MP
14.	Dlova TW		
WARD			
28.		43.	Mfebe MSE
29.		44.	Mhlaba N
30.	Mohloli PP (Absent)	45.	Mokolutlo LA (Absent)
31.	Mogole RR	46.	Montshioa BA (MMC)
32.	Liphoko SJ (Absent)	47.	Mosala MS
33.	Mokoena ME	48.	Nakwa TA
34.	Masienyane MD	49.	Ngangelizwe S
35.	Baaitjies M (Absent)	50.	Radebe LLF (Written Apology)
36.	Dassie YS	51.	Ramojela JN (Written Apology)
37.	Dlamini SC	52.	Rubulana L
38.	James TH	53.	Seboholi CP
39.	Khalipha TD (MMC)	54.	Taliwe FE
40.	Mabuya FF	55.	Thoabala TE (MMC)
41.	Manzana NR	56.	Tsoene TD
42.	Masoka NL (Written Apology)	57.	Tsatsa SJ

DA

PROPORTIONAL			
58.	Fourie JJC	62.	Maqena AM
59.	Marais (Dr) JS	63.	Ntsala MM
60.	Auret IH	64.	Olivier JJ (Written Apology)
61.	Neumann VH	65.	Styger A
WARD			
66.	Bothma B (Absent)	69.	Edeling JH
67.	Louw ML (Written Apology)	70.	Van Rooyen HC
68.	Smit DC (Written Apology)	71.	Du Toit JJB

PAC

PROPORTIONAL	
72.	Majoe TS

The Speaker informed the meeting that after receiving the written application for leave of absence from Cllr Mashinini regarding the previous meeting held on 10 June 2005, the apology was accepted.

OFFICIALS

- Mr RN Pitso - Acting Municipal Manager
- Mr V Adonis - Corporate Executive Manager: Community Services and Social Development
- Mr TR Shiringani - Acting Executive Manager: Corporate Services
- Dr K van der Walt - Executive Manager: Economic Development and Spatial Planning
- Me AC Schoeman - Administrative Officer

1. OPENING

Cllr JH Edeling opened the meeting with a prayer.

2. APPLICATIONS FOR LEAVE OF ABSENCE

See Attendance List above.

3. OFFICIAL ANNOUNCEMENTS BY THE SPEAKER

3.1 The Speaker congratulated the following Councillors on their birthdays:

Cllr N Mhlaba	2 July
Cllr MI Ikaneng	16 July
Cllr BA Montshioa	28 July

3.2 Announcement by the Executive Mayor

Before submitting the matters for discussion the Executive Mayor read a message to congratulate and thank the three residents from Matjhabeng, Messrs Emmenis, Rothman and Barnard, who heroically rescued Mr Dell from his aircraft when it crashed at an air show in Durban.

4. DISCLOSURE OF INTEREST

None



5. ITEMS FOR DISCUSSION

The Speaker welcomed the Auditor General at the meeting and requested Items SA12/2005 and C3/2005 be dealt with at the end of the meeting as Item C3/2005 must be discussed in camera.

The Executive Mayor presented items SA12/2005 to SA15/2005 and C3/2005, which were discussed and the resolutions in this regard are on pages 1 - 3 of the minutes.

6. CLOSING

The meeting terminated at **1745**.

TV MATSEPE (SPEAKER)

DATE

SA12/2005

REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS AND RESULTS OF PERFORMANCE MEASUREMENT OF MATJHABENG LOCAL MUNICIPALITY FOR THE YEAR ENDED 30 JUNE 2004 (12/1/2/1) (AMM - MIA)

PURPOSE

To submit the report in terms of section 4(3)(c) of the Auditor-General Act, 1995 (Act No. 12 of 1995).

The Auditor General was afforded the opportunity to present a brief summary of the reports to Council and mentioned that an audit opinion could not be expressed on the financial statements, owing to the significance of the matters referred to in the report.

Councillors were afforded the opportunity to raise questions.

COUNCIL RESOLVED (12 JULY 2005)

[AMM-MIA] That Council **TAKES NOTE** of the report and **REFERS IT** to the Performance Audit Committee for consideration.

SA13/2005

DRAFT DELEGATED POWERS (AMM) (3/1/2) (3/2/2)

PURPOSE OF THE REPORT

To submit the new set of Draft Delegated Powers to the Council for approval.

COUNCIL RESOLVED (12 JULY 2005)

- [AMM]
1. That the current Delegated Powers **CONTINUES TO EXIST**, but there would be a conflict with the MFMA, the Act would supersede the Delegated Powers.
 2. That Council **ADOPTS** the new draft Delegated Powers as a working document.
 3. That the Speaker **MUST CALL** a one-day workshop for Councillors on the new draft Delegated Powers within 30 days and that the end-result **BE SUBMITTED** to Council for adoption.

SA14/2005

PROPOSED MACRO ORGANISATIONAL STRUCTURE (AMM) (2/1)

PURPOSE OF REPORT

To submit the proposed Macro-level structure to Council for approval.

COUNCIL RESOLVED (12 JULY 2005)

[AMM]

That Council **APPROVES** the structural arrangement of the Macro organisational structure in principle subject to the following, to allow Councillors to interrogate the structure, before final approval:

1. That Council **DELEGATES** the Executive Mayor to approve the Micro Structure within the approved budget limit and **REPORT** to Council before finalisation.
2. That a process of consultation with the Labour Unions and affected parties **BE DONE**.
3. That job profiles for the four Heads of Department, the Chief Operating Officer, the Municipal Manager and the six Service Delivery Managers **MUST BE SUBMITTED** to the next Council meeting.
4. That job evaluations, including an updated Remuneration Policy and Implementation Plan, **MUST BE SUBMITTED** to the next Council meeting.
5. That a draft Performance Agreement **MUST BE SUBMITTED** at the next Council meeting.
6. That the whole process **MUST BE COMPLETED** by the end of August 2005.
7. That an Employment Separation Policy **MUST BE SUBMITTED** at the next Council meeting.
8. That the Budget implication on the macro structure and the payroll implication **MUST BE SUBMITTED** to the next Council meeting.

SA15/2005

PROPOSED CODE OF GOOD PRACTICE AND POLICY: SUPPLY CHAIN MANAGEMENT AND PREFERENTIAL PROCUREMENT (AMM) (11/1/B)

PURPOSE OF REPORT

To present the proposed Code of Good Practice and Policy: Supply Chain Management and Preferential Procurement to Council for consideration.

COUNCIL RESOLVED (12 JULY 2005)

[AMM]

1. That Council **ADOPTS** the proposed Code of Good Practice and Policy: Supply Chain Management and Preferential Procurement, as a working document of Council until finality on the Supply Chain Management Policy Model by National Treasury is reached.
2. That the document **BE PUBLISHED** for public comments.

C3/2005

REPORT OF THE AUDITOR-GENERAL TO THE COUNCIL OF THE MATJHABENG LOCAL MUNICIPALITY ON THE FORENSIC AUDIT INVESTIGATION INTO ALLEGED IRREGULARITIES AT THE MATJHABENG MUNICIPALITY (6/12/2/1)(AMM)

//Council went in-committee for the discussions on the following matter.//

PURPOSE

To re-submit the report to Council in the presence of the Auditor-General.

The matter of confidentiality on the Forensic Audit report was discussed and it was decided that all Auditor-General Reports as well as Forensic Audit reports must be tabled in ordinary Council meetings where the public will be present. (See Schedule 1 of the Code of Conduct of Councillors and Schedule 2 of the Code of Conduct of Municipal Employees)

The Auditor- General submitted his findings and

COUNCIL RESOLVED (12 JULY 2005)

1. That the report of the Auditor-General to the Council on the Forensic Audit Investigation into alleged irregularities at the Matjhabeng Municipality **BE NOTED**.
2. That in future all Auditor-General reports and Forensic Audit reports **BE TABLED** in ordinary Council meetings where the public would be present.

3. That the ad-hoc committee appointed to investigate the matter **MUST IMPLEMENT** the decisions and findings of the Auditor-General and **RECOMMEND** the issuing of summonses for the recovery of funds and the possible institution of disciplinary actions **MUST BE LOOKED AT.**

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ITEM NO	ITEM	CLASSIFICATION	PAGE
SA12/2005	REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS AND RESULTS OF PERFORMANCE MEASUREMENT OF MATJHABENG LOCAL MUNICIPALITY FOR THE YEAR ENDED 30 JUNE 2004 (12/1/2/1) (AMM-MIA)	Sound Financial Management	1
SA13/2005	DRAFT DELEGATED POWERS (AMM) (3/1/2) (3/2/2)	Effective Governance	1
SA14/2005	PROPOSED MACRO ORGANISATIONAL STRUCTURE (AMM) (2/1)	Effective Governance	2
SA15/2005	PROPOSED CODE OF GOOD PRACTICE AND POLICY: SUPPLY CHAIN MANAGEMENT AND PREFERENTIAL PROCUREMENT (AMM) (11/1B)	Effective Governance	3
C3/2005	CONFIDENTIAL REPORT OF THE AUDITOR-GENERAL TO THE COUNCIL OF THE MATJHABENG LOCAL MUNICIPALITY ON THE FORENSIC AUDIT INVESTIGATION INTO ALLEGED IRREGULARITIES AT THE MATJHABENG MUNICIPALITY (6/12/2/1) (AMM)	Sound Financial Management	3