

# **MINUTES**

**OF THE**

**4<sup>th</sup> ORDINARY MEETING  
FOR THE YEAR 2006**

**of**

**MATJHABENG MUNICIPALITY**

**held on**

**TUESDAY, 29 AUGUST 2006**

**at**

**14:00**

**COUNCILLORS PRESENT: COUNCIL MEETING: 29 AUGUST 2006**

**ANC**

<b>PROPORTIONAL</b>			
1.	Mokapo NS ( <b>Executive Mayor</b> )	14.	Radebe ML ( <b>MMC</b> )
2.	Baaitjies M ( <b>Written Apology</b> )	15.	Ramaisa KA
3.	Dlova TW ( <b>MMC</b> )	16.	Senoge MM
4.	Humphries MF	17.	Sephiri MJ ( <b>Chief Whip</b> )
5.	Masoka NL ( <b>MMC</b> )	18.	Speelman NW ( <b>MMC</b> )
6.	Matlabe MMT	19.	Thoabala TE
7.	Matosa AN	20.	Thuthani ZA ( <b>MMC</b> )
8.	Ntsebeng MH ( <b>MMC</b> )	21.	Tladi RE ( <b>MMC</b> )
9.	Mogopodi MRE ( <b>MMC</b> ) ( <b>Written Apology</b> )	22.	Tlhone ML
10.	Molefi MJ	23.	Tsubane ME
11.	Nyembe ME	24.	Twanana M
12.	Petleki KI	25.	Vanga NM
13.	Qabela V ( <b>Written Apology</b> )	26.	TD Khalipha
<b>WARD</b>			
27.	Dlamini SC ( <b>MMC</b> )	43.	Montshioa BA
28.	Kotzee AP ( <b>MMC</b> )	44.	Motshabi MP
29.	Mahloko NN	45.	Mphikeleli MA
30.	Majwede MC	46.	Nakwa TA
31.	Makgowe PV	47.	Ntsala NS ( <b>Absent</b> )
32.	Mankayi NE	48.	Peterson E
33.	Manzana NR	49.	Radebe LLF
34.	Masienyane MD	50.	Rubulana L ( <b>Speaker</b> ) ( <b>Written Apology</b> )
35.	Mathebula MA	51.	Sebeela SD
36.	Mfebe MSE	52.	Sejane LM
37.	Mkhusane NC	53.	Semela ME
38.	Moahloli MS	54.	Sithole B
39.	Mokapo TJ	55.	Taliwe FE
40.	Mokhuma MS	56.	Themhani PP
41.	Mokobori KE	57.	Tsatsa SJ ( <b>Absent</b> )
42.	Monjovo NE		

## II

### DA

PROPORTIONAL			
58.	Edeling JH	62.	Mokotedi TG
59.	Fourie JJC	63.	Neumann VH
60.	Marais JS	64.	Styger A
61.	Mhlafu BD		
WARD			
65.	Beneke R <b>(Written Apology)</b>	67.	Smit DC <b>(Written Apology)</b>
66.	Botha PF	68.	Van Rooyen HC

### FF+

PROPORTIONAL	
69.	Coetzee BJA

### PAC

PROPORTIONAL	
70.	Majoe TS <b>(Written Apology)</b>

### ACDP

PROPORTIONAL	
71.	Mofoka MA

### IND

WARD	
72.	Liphoko SJ <b>(Absent)</b>

### OFFICIALS

Dr B Malakoane : Municipal Manager  
Mr S Naniso : Acting Executive Manager: Corporate Services  
Mr SD Mana : Caretaker (Corporate Services)  
Me M Finger : Administrative Officer (Corporate Services)

### III

The Acting Speaker, Councillor KA Ramaisa, on her opening remarks indicated that, the meeting would constitute of two sessions. The first session would be the Ordinary Council Meeting and the second session would be the presentation on Women Empowerment in the Age of Hope by the Executive Mayor, Councillor NS Mokapo and however members would be given an opportunity to converse the document presented.

#### **Objection raised on the Acting Speaker**

Councillor JS Marais raised an objection with regard to the appointment of the Acting Speaker and quoted Section 23 (2) – (3) of the Council's Standard Rules and Orders.

In response Councillor Ramaisa indicated that she was appointed by the Speaker, Councillor Rubulana, however if the right procedure was not followed, she would vacate the seat to enable the Municipal Manager to preside over the matter.

The Municipal Manager stated that the Speaker sent an apology to be excused from the Council Meeting. The ruling by the Municipal Manager was that the nomination for the Speaker should be made according to the Provisions of Section 23 (2) – (3) of the Council's Standard Rules and Orders, as a result the majority nominated Councillor KA Ramaisa as the Acting Speaker for the duration of the meeting.

#### **1. OPENING**

Pastor LM Tshabalala opened the meeting with Scripture reading and prayer.

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

See Attendance List above.

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

3.1 The Acting Speaker announced that she had received an invitation from the Lejweleputswa District Municipality, whereby the Office of the Speaker was inviting all Councillors to a Women's Month Celebration to be held on Wednesday, 30 August 2006 in Odendaalsrus Hall at 10:00.

#### **4. REPORTS OF THE SPEAKER IN TERMS OF RULES 15(1) AND 99(4)**

None

## **IV**

### **5. APPLICATIONS AND APPEALS FROM COUNCILLORS IN TERMS OF RULES 14(1), 67 AND 72**

None

### **6. REPORTS RECEIVED FROM THE SPEAKER**

**A51/2006**

### **7. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER**

#### **7.1 SYMPATHY**

None

#### **7.2 CONGRATULATIONS**

None

### **8. MOTIONS OF SYMPATHY AND CONGRATULATIONS FROM OTHER MEMBERS**

**8.1** Councillor ML Radebe informed the Meeting that during the month of August 2006, SA Women were celebrating the 50<sup>th</sup> Anniversary of 1956 Women march and also congratulating the Women of 1913 who protested against the pass laws.

The SA Women gathered in Bloemfontein from the 5<sup>th</sup> – 8<sup>th</sup> of August 2006 to launch the Women Progressive Movement. The objective of the Conference was to unite Women for social transformation and the Conference declared the upliftment of Women emancipation. Councillor ML Radebe also saluted all SA Men who supported the emancipation of SA Women.

### **9. DEPUTATIONS AND INTERVIEWS**

None

### **10. DISCLOSURE OF INTEREST**

None

# V

## 11. MINUTES OF THE PREVIOUS MEETINGS

### COUNCIL RESOLVED (29 AUGUST 2006)

11.1 That the minutes of the 3<sup>rd</sup> Ordinary Meeting of the Council held on 22 June 2006 **BE APPROVED** and **CONFIRMED** as a true reflection of what transpired at the meeting.

11.2 That the minutes of the 4<sup>th</sup> Special Meeting of the Council held on 18 July 2006 **BE APPROVED** and **CONFIRMED** as a true reflection of what transpired at the meeting.

## 12. FORMAL SIGNING OF MINUTES

The Acting Speaker indicated that the minutes would be signed at the later stage.

## 13. MATTERS ARISING FROM THE MINUTES

**A43/2006**

### **MATJHABENG LOCAL MUNICIPALITY : PROPOSED ORGANISATIONAL STRUCTURES OF THE OFFICES OF THE EXECUTIVE MAYOR AND THE SPEAKER (2/1) (MM)**

### COUNCIL RESOLVED (29 AUGUST 2006)

- [EXEC MAYOR]
1. That the Executive Mayor indicated **IT SHOULD BE NOTED** that according to the Municipal Systems Act, Item A43/2006 **WAS WRONGLY** submitted to the Council Meeting dated 22 June 2006, as it was not Council prerogative to deal with the matter.
  2. That the Council Resolution of the 22 June 2006 **BE RESCINDED**.

## 14. QUESTIONS OF WHICH NOTICE WAS GIVEN

None

## 15. REPORTS OF THE EXECUTIVE MAYOR AND COMMITTEES

**A52/2006 – A64/2006**

# VI

**16. REPORTS OF DECISIONS TAKEN UNDER DELEGATED POWERS**

None

**17. MOTIONS**

None

**18. CLOSURE**

The Acting Speaker terminated the meeting at **18:35**.

.....  
**KA RAMAISA (ACTING SPEAKER)**

.....  
**DATE**

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# 1

**A51/2006**

**AMENDMENT OF THE RULES AND ORDERS (3/1B) (AEMCS)**

**PURPOSE**

To submit to Council the amendments to the Rules and Orders for consideration.

**The Executive Mayor before she could proceed to present her reports, proposed to the meeting to condone the presiding by Councillor KA Ramaisa, before she was elected as the Acting Speaker.**

**COUNCIL RESOLVED (29 AUGUST)**

- [AEMCS]
1. That the Council **ADOPTS** amended Rules and Orders.
  2. That the amendments to the Rules and Orders **BE PUBLISHED** for public comments.
  3. That sections 134 to 140, dealing with the Performance Audit Committee, **BE REFERRED** to the Audit Committee for their inputs.
  4. That the item **BE RESUBMITTED** to Council for approval at the next Council meeting to be held on 31 October 2006.

**A52/2006**

**MATJHABENG LOCAL MUNICIPALITY: INTEGRATED DEVELOPMENT PLAN-PROCESS PLAN, 2007/2008 (18/1/18) (EXECUTIVE MAYOR)**

**PURPOSE**

To present to Council for adoption, in terms of Chapter 5 of the Municipal Systems Act, the Integrated Development Plan – Process Plan for 2007/2008.

**COUNCIL RESOLVED (29 AUGUST 2006)**

- [EXEC. MAYOR]  
[M: IDP]
- That Council **ADOPTS** the Integrated Development Plan.

**A53/2006**

**PURIFIED EFFLUENT WATER SUPPLY TO SPARTA FOODS (19/8/3/1) (CEMES)**

**PURPOSE OF THE REPORT**

To report back on negotiations with Sparta Foods regarding their request for a pricing structure for purified sewerage effluent, and to make recommendations in this regard.

**COUNCIL RESOLVED (29 AUGUST 2006)**

- [CEMES] 1. That Council **TAKES NOTE** of the saving to be made by Sparta Food if the initial Council resolution is effected.
- [EXEC. MAYOR] 2. That the Council **MANDATES** the Executive Mayor to further negotiate with Sparta Food on a favourable tariff that will not have a major financial implication for Council.
3. That **IT BE PUT** on records that all DA Councillors objected to the recommendations above.

**A54/2006**

**MATJHABENG LOCAL MUNICIPALITY: BUDGET TIME TABLE FOR 2007/2008 FINANCIAL YEAR (6/1/1/1) (CFO)**

**PURPOSE**

To present to Council the Time Table for the compilation of the 2007/2008 budget in terms of section 21 (1)(b) of the Municipal Finance Management Act.

**COUNCIL RESOLVED (29 AUGUST 2006)**

- [CFO] 1. That Council **TAKES NOTE** of the time schedule as submitted.
2. That the Budget Time Table for 2007/2008 **BE APPROVED AND IMPLEMENTED.**

**A55/2006**

**REVISED INDIGENT POLICY OF MATJHABENG MUNICIPALITY (6/4/2/5)  
(ACFO)**

**PURPOSE**

To submit a revised Indigent Policy to Council for consideration.

**COUNCIL RESOLVED (29 AUGUST 2006)**

- [CFO]
1. That the Council **ADOPTS** the Draft Indigent Policy as a policy of Council and it **BE IMPLEMENTED**.
  2. That the Finance department **AUDITS** the list of 23 000 registered indigents and **CONFIRMS** that they are really indigent as outlined by the policy before any debt can be written off as a bad debt.
  3. That an amount of R202,752,124.70 which is owed by 23 000 registered indigents **BE WRITTEN OFF** as a bad debt because it is irrecoverable.
  4. That Clause 6.3 (c) and 9.1.1 of the Indigent Policy **BE DELETED**.
  5. That Clause 9.2.7 **BE AMENDED TO READ** as follows:  
  
**Indigents household** water leakages shall be repaired by and at the cost of Matjhabeng Municipality provided such leakages are reported within 24 hours of detection.

**A56/2006**

**PRESENTATION OF MAYORAL HANDBOOK (EXECUTIVE MAYOR) (7/2/7)**

**PURPOSE**

To resubmit to Council the Mayoral Handbook for adoption.

After a lengthy deliberation on the matter, there were two motions on the table and as a result the Acting Speaker requested voting by hands from the members. Therefore (fifty) 50 Councillors voted in favour of the recommendation as presented by the Executive Mayor and ten (10) Councillors voted against the recommendation.

**COUNCIL RESOLVED (29 AUGUST 2006)**

That the Mayoral Handbook **BE ADOPTED** by Council.

**A57/2006**

**REPORT BACK ON THE MUNICIPAL MAYORAL LEKGOTLA HELD ON THE 7<sup>TH</sup> TO THE 9<sup>TH</sup> MAY 2006 (3/1/4/8) (EXECUTIVE MAYOR)**

**PURPOSE**

To resubmit the report back on the Strategic Mayoral Lekgotla that was held on the 7<sup>th</sup> to the 9<sup>th</sup> May 2006 – 2007 thereto.

**COUNCIL RESOLVED (29 AUGUST 2006)**

- [EXEC. MAYOR] 1. That the report on the Mayoral Lekgotla including the draft Business Plan **BE ADOPTED** by Council.  
[ALL HOD'S AND MANAGERS, MM]
2. That on page 21 of the Business Plan for Matjhabeng Local Municipality, Office of the Speaker also **BE INCLUDED** as the responsibility of Councillor Training lies on both offices of the Executive Mayor and Speaker.

**A58/2006**

**MATJHABENG LOCAL MUNICIPALITY: STRATEGIC PLAN AND SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN 2006/2007 (6/1/1/1-2006) (MM)**

**PURPOSE OF REPORT**

To submit the Strategic Plan and Service Delivery and Budget Implementation Plan (SDBIP) to Council for approval.

**COUNCIL RESOLVED (29 AUGUST 2006)**

- [MM] That Council **APPROVES** the Strategic Plan and Service Delivery and Budget  
[ALL HOD'S AND MANAGERS] Implementation Plan (SDBIP).

**A59/2006**

**FINANCIAL RECOVERY PLAN (MM) (6/18/1)**

**PURPOSE**

To submit to Council the Financial Recovery Plan for approval

**COUNCIL RESOLVED (29 AUGUST 2006)**

- [MM]  
[ALL HOD'S AND MANAGERS]
1. That Council **APPROVES** the Financial Recovery Plan for implementation.
  2. That Paragraph 4 under Proposed Solution for Billing **BE DELETED.**
  3. That Paragraphs 2 – 4 under Proposed Solution for Streets and Street lights **BE DELETED.**
- [EXEC. MAYOR]  
[MM]
4. That the Executive Mayor and Municipal Manager **TO ENSURE** that during the implementation process debt recovery and water loss are given priority.

**A60/2006**

**PROPOSED AMENDMENT TO DELEGATION OF POWERS (EX MAYOR) (3/1/2)**  
**(3/2/2)**

**PURPOSE OF REPORT**

To submit to Council a proposal to amend the Delegation of Powers.

**COUNCIL RESOLVED (29 AUGUST 2006)**

- [EXEC. MAYOR]
1. That Council **DELEGATES** to the Executive Mayor the power to decide on which immovable property to be disposed after obtaining an independent legal opinion.
- [MM]
2. That the maximum amount for the alienation of immovable property or otherwise of capital assets by the Municipal Manager **BE R1 million.**

**A61/2006**

**SEPARATION POLICY (2/1) (MM)**

**PURPOSE OF REPORT**

To re-submit the Separation policy to Council for approval.

**COUNCIL RESOLVED (29 AUGUST 2006)**

- [MM]
1. That Council **APPROVES** the re-submitted Separation Policy.
  2. That Council **MANDATES** the Municipal Manager to implement the Separation Policy.

**A62/2006**

**APPLICATION FOR THE CONVERSION OF THE TEMPORARY CASINO ON SUBDIVISION 2 OF ERF 8, CENTRAL BUSINESS AREA, WELKOM INTO A PERMANENT CASINO (18/4/1/8) (EMEDSP)**

**PURPOSE OF REPORT**

The purpose of this report is to submit the comments received from the public and the application from Messrs Laubscher Slabbert and Brink on behalf of the casino owners to convert the temporary casino on Subdivision 2 of Erf 8, Central Business Area, Welkom into a permanent casino.

**After a lengthy discussion on the matter, there were two motions on the table, as a result the Acting Speaker requested voting by hands from the members. Therefore forty nine (49) Councillors voted in favour of the recommendation presented by the Executive Mayor, four (4) Councillors voted against and three (3) Councillors declined to vote.**

**COUNCIL RESOLVED (29 AUGUST 2006)**

That the application to convert the temporary consent to a permanent consent for a casino on Subdivision 2 of Erf 8, Central Business Area, Welkom, **BE APPROVED** subject thereto that if any extension to the electrical supply is needed, it will be for the account of the developer.

**A63/2006**

**REQUEST TO DO REMUNERATIVE WORK OTHER THAN THE WORK OF THE MUNICIPALITY (5/5/5) (MM)**

**PURPOSE**

To obtain prior consent of the Council in order to do remunerative work other than the work of the Municipality.

**Before the matter could be deliberated, the Acting Speaker requested the Municipal Manager to recuse himself.**

**After the pros and cons have been considered, there were two motions on the table as a result the Acting Speaker requested voting by hands. Therefore forty nine (49) Councillors voted in favour of the recommendation as presented by the Executive Mayor, four (4) Councillors voted against and four (4) Councillors declined to vote.**

**COUNCIL RESOLVED (29 AUGUST 2006)**

[MM] That Council **GRANTS** its prior consent to Dr B Malakoane to do remunerative work as a Medical Practitioner during weekends and holidays other than the work of Council.

**A64/2006**

**MUNICIPAL RENTED PROPERTIES (EXECUTIVE MAYOR) (8/1/1)**

**COUNCIL RESOLVED (29 AUGUST 2006)**

- [MM AND]  
[EM:HD]
1. That the Municipal Manager **SHOULD INVESTIGATE** charges of misconduct against employees who are using municipal property to enrich themselves.
  2. That Council **OUTSOURCES** the management of the municipal rented flats with specific terms of reference which will include that all occupants of the properties should pay for services rendered.
  3. That service providers **BE APPOINTED TO SELL** the municipal houses, and preference **BE GIVEN** to municipal employees who occupy the houses, and the deed of sale **SHOULD BE SUBMITTED** to the office of the Executive Mayor for finalization.
- [CFO]
4. That Emergency Services Employees currently occupying municipal houses **SHOULD PAY** immediately for services rendered to them by the Municipality.
  5. That the Housing Department **SHOULD CONTINUE TO MANAGE** the hostels.