

MINUTES

**2ND ORDINARY MEETING
FOR THE YEAR 2002**

of

MATJHABENG MUNICIPALITY

held on

TUESDAY 26 FEBRUARY 2002

at

16:00

MINUTES OF THE 2ND ORDINARY MEETING FOR THE YEAR 2002 OF THE MATJHABENG MUNICIPALITY HELD ON TUESDAY, 26 FEBRUARY 2002 AT 16:00

PRESENT

OFFICIALS

Municipal Manager - Mr. RSB Sesele
Deputy Town Secretary - Mr. B Molatseli
Transitional Manager Administration Services - Mr. TM Ngesi
Transitional Manager Community Services - Mr. VA Adonis
Transitional Manager Engineering Services – Mr. R Spies
Interim Head Legal Services - Mr. SB Mhlambi

ACTING EXECUTIVE MAYOR

Clr: Thuthani ZA

SPEAKER

Clr: Matsepe TV

MAYORAL COMMITTEE MEMBERS

Councillors:

Menong KS	-	Human Resources
Ramaisa KA	-	Public Safety and Transport
Montshioa BA	-	Economic Development and Spatial Planning
Thoabala TE	-	Community Services and Social Development
Tladi RE	-	Corporate Services
Tshabangu SE	-	Financial Management
Chao MK	-	Housing Development and Environmental Care

WARD COMMITTEE MEMBERS

Councillors :

Ward :

Bothma B	36
Dassie YS	16
Dlamini SC	21
Du Toit JJB	34
Edeling JH	3



James TH	23
Khalipha TD	17
Mabuya FF	29
Manzana NR	35
Masienyane MD	8
Masoka NL	25
Mogole RR	5
Mohloli PP	4
Mokoena ME	7
Mokolutlo LA	18
Mosala MS	14
Ngangelizwe S	24
Radebe LLF	31
Ramojela JN	15
Rubulana L	12
Seboholi CP	19
Smit DC	9
Taliwe FE	28
Tsatsa SJ	26
Van Rooyen HC	33
Tsoene TD	20

PROPORTIONAL LIST COUNCILLORS

Councillors :

Alexander RR
Auret IH
Bengu VV
Dali VN
Dlova TW
Fourie JJC
Ikaneng MI
Kotzee D
Kujoana MA
Mafongosi VZ
Majoe TS
Maqena AM
Marais Dr JS
Matlabe MMT



Mbana MM
Mokhathi PE
Motshabi MP
Neumann VH
Ntsala MM
Olivier JJ
Radebe ML
Segalo SS
Sephiri MJ
Styger A
Tlhone ML
Vanga M

1. OPENING

Pastors Willie Botha and John Tlhotlhemajoe opened the meeting with Scripture reading and prayed especially for the Safety of the South African Delegation and our Executive Mayor in the Zimbabwe Election monitoring team.

2. APPLICATION FOR LEAVE OF ABSENCE

WRITTEN APOLOGIES

COUNCILLORS :

DESIGNATION

Leeuw SJ	Executive Mayor
Mhlaba N	Ward Councillor
Mafantire JM	Proportional Councillor
Baaitjies M	Ward Councillor
Nakwa TA	Ward Councillor
Mashinini NL	Proportional Councillor
Louw ML	Ward Councillor
Matosa AN	Proportional Councillor

3. ABSENT WITHOUT LEAVE

Councillors :

Ward :

Matsbukanye MM	1
Liphoko SJ	6
Mfebe MSE	10

4. OFFICIAL ANNOUNCEMENTS OF THE SPEAKER

4.1 Councillor ZA Thuthani has been appointed as the Acting Executive Mayor in terms of Rule 25 of the Standard Rules and Orders, as amended, during the Executive Mayor's absence. He will act from 22 February 2002 to 16 March 2002.

4.2 Cnr TE Thoabala will be part of the Free State Department of Health Delegation to Liverpool from 2 March 2002 – 16 March 2002.

IV

4.3 The Prayer Network will meet in the Executive Mayor's Parlour on the 5 March 2002 at 08:00 to pray for the Executive Mayor who is a delegate of the Commonwealth Observer Mission to the Zimbabwe elections.

5. **REPORTS OF THE SPEAKER IN TERMS OF RULES 15(1) AND 99(4) (See Item A5/2002)**

- The Speaker vacated his seat in terms of Rule 100 of the Standard Rules and Order as amended, when Item A5/2002 was discussed.

Before the Item A5/2002 was discussed the ANC requested a caucus.

After the caucus the ANC requested that the said Item be noted and presented in the next sitting of Council on 26 March 2002.

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

None

7. **REPORTS RECEIVED FROM THE SPEAKER (See Item A6/2002)**

Item A6/2002 was noted by Council.

8. **MOTIONS OF SYMPATHY AND CONGRATULATIONS BY THE SPEAKER**

Sympathies

8.1 Clr D Kotzee lost her father. }
Clr SC Dlamini lost his brother. } A moment of silence was observed.

8.2 The Speaker **congratulated** the following Councillors on their birthdays:

Bothma B	-	9 March
Mabuya FF	-	11 March
Van Rooyen HC	-	18 March

9. **MOTIONS OF SYMPATHY AND CONGRATULATIONS FROM OTHER MEMBERS**

Sympathies

Clr AM Maqena - Expressed sympathy to Seloko Ralethohloane's family and Nnene Sellale's family on their members who lost their lives in suicide killings.

She requested Council to take a strong stand against domestic violence and abuse.

V

Clr VV Bengu – **Congratulated** the Executive Mayor on his nomination to become part of the Commonwealth Election Observer Mission in Zimbabwe.

The DA, PAC and UDM associated themselves with the remarks made by Clr VV Bengu in congratulating the Mayor.

10. DEPUTATIONS AND INTERVIEWS

None

11. DISCLOSURE OF INTEREST

None

12. MINUTES OF THE PREVIOUS MEETING

IT WAS RESOLVED BY COUNCIL : (26 FEBRUARY 2002)

That the minutes of the meeting held on 29 January 2002 **BE APPROVED** and **CONFIRMED**.

13. MATTERS ARISING FROM THE MINUTES

None

14. QUESTIONS OF WHICH NOTICE WAS GIVEN

- 14.1 Questions raised by Councillor DC Smit** - dealt with in terms of Rule 53.1 and response to be given within fourteen days.

14.1.1 Rural Councils in Matjhabeng

Councillor Smit informed Council that the previous Rural Councils in the Matjhabeng Area were handled by the Goldfields District Council. Various funds from the Provincial Government have been paid into the Council's account. After the amalgamation, the Rural Councils are no longer under the jurisdiction of the District Council. Councillor Smit would like to know how is the Matjhabeng Municipality addressing the people in the Rural areas who fall within the Matjhabeng area and how the said people are given access to the municipal services in accordance with the equitable share allocation ?

14.1.2 Parks and Health Department (Virginia Area)

Councillor Smit informed Council that on page 26 of the Executive Mayor's report, it is mentioned that there are 26 tractors but, only 11 are operational. He mentioned that the community is complaining about the poor state of the open spaces in town as well as the poor state of the pavements. Councillor Smit requested that the Parks Department submit a comprehensive report to Council regarding this poor service and how it will be addressed, as well as to explain why the equipment is not fixed ?

VI

14.1.3 Financial Report

Councillor Smit informed Council that Council was promised that the financial report would be submitted during October 2001. He mentioned that Council cannot gauge its financial status without proper financial reports. Councillor Smit would like to know why the financial report is not accessible yet and when will it be accessible. The report must address how many people are paying for their municipal services accounts and when do they pay them, as well as why the suppliers of goods to the municipality are not paid their accounts on time ?

14.1.4 Reports of the Mayoral Committee Members

Councillor Smit reports that the Mayoral Committee Members reports are not timeously submitted nor made available to other Councillors, in order for them to establish Council's performance. He also mentioned that the Mayoral Committees's reports do not entail enough information regarding issues discussed. Councillor Smit requests that a possible system should be investigated to fast-track the availability of information to Councillors on a monthly basis ?

14.1.5 Communication between Lejweleputswa Council and Matjhabeng Council

Councillor Smit mentioned to Council that communication between the 2 organisations is very poor. He mentioned that Lejweleputswa Council only has quarterly meetings, with the result, that Councillors get information from them after every three months. Councillor Smit would like to know what line of communication has been taken between Lejweleputswa and Matjhabeng Municipality ?

14.1.6 Report-back regarding the Ambulance Services

Councillor Smit informed Council that he posed questions to Council regarding the poor ambulance service a while back, which have not been addressed by Council as yet. Councillor Smit also mentioned to Council, that the Council meeting is the only platform that a Councillor has to speak on behalf of the community. Councillor Smit further mentioned that the community has the right to a better ambulance service. Councillor Smit requests Council to take the issue up with the Province ?

14.1.7 Cleanliness and access control to the Main Building (Welkom)

Councillor Smit is of the opinion that loitering of the people occur at the main building of Matjhabeng Council in Welkom. He is also of the opinion that better access control should be addressed urgently.

VII

Councillor Smit mentioned the poor state of the toilet facilities. Councillor Smit requests that the access control to the building must be improved as well as the information service ?

14.1.8 **New Traffic Contract**

Councillor Smit requested that a comprehensive report with regard to the new traffic contract be submitted to Council with specific reference to the financial implications thereof and what the contract entails ?

14.1.9 **Church Mission Work in the Wards**

Councillor Smit informed Council that a certain church group was ministering in a particular Ward, and was approached by a person who claims to be the Ward Councillor. This person stopped the ministering in the Ward and said to the church group that he is the person that can grant them permission to do the ministering in the Ward. Councillor Smit would like the other Ward Councillors to take note of this incident.

14.1.10 **Tswelelopele Africa Finance**

Councillor Smit requested that a total internal audit of Tswelelopele Africa Finance be submitted to Council as well as who are the people involved in the company ?

The response to Councillor DC Smit's questions is attached as **Annexure "A"**.

14.2 Clr T.E. Thoabala wanted to know from Clr MP Motshabi (UDM) in terms of Rule 53(b) of the Standard Rules and Orders :

- Why he jumped the fence at the hall in Kutloanong?
- To what extent he was involved in a campaign to illegally re-connect water of the residents of Kutloanong as well as what his stance is in this regard as a UDM Councillor ?

Answer :

- The Councillor responded that the reason he jumped the fence was because he was denied access to the hall.
- The illegal reconnections in Kutloanong is a UDM Campaign. Council should take it up with the party structures.
- He refuses to say what his stance is as a Councillor on this campaign.

VIII

Council resolved to act in terms of Item 14(1)(b) of Schedule 5 of the Local Government : Municipal Structures Act, 1998, Act number 117 of 1998 regarding the Code of Conduct, as follows :

- That a Special Committee be established to investigate allegations levelled against Clr MP Motshabi.
- The Committee report its findings in the next sitting of Council.
- The Municipal Manager be tasked with the responsibility of establishing the Committee.
 - The Committee be made up of other political parties excluding the UDM. The report pertaining to Councillor MP Motshabi's investigation is placed on the Agenda as per Item A13/2002.

Clr TS Majoe requested the following information :

- 14.3 - Mr P van der Merwe supply Clr TS Majoe with proper documents that prove that the driver had the authority to drive the Council's vehicle.
- Transitional Manager Financial Services justify the salary of Mr JJ Els.
 - Response be furnished in the next sitting.
 - The response to Councillor TS Majoe's questions is attached as per **Annexure "B"**.

15. REPORT OF THE EXECUTIVE MAYOR AND COMMITTEES

None

16. REPORTS OF DECISIONS TAKEN UNDER DELEGATED POWERS

16.1 Decisions taken under delegated powers were reported to Council and the resolution pertaining thereto was adopted as per Resolution **A8/2002** of these minutes. The corrections were made on page 35 of the minutes in paragraph 1 that the word "tenders" be substituted with the word "quotes."

16.2 Appointment of Heads of Department and Managers reporting directly to the Municipal Manager (See Item A7/2002).

17. MOTIONS

None

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A5/2002

REPORT OF THE SPEAKER IN TERMS OF SECTION 99 OF THE RULES ON THE COMPLAINT OF COUNCILLORS SMIT AND MASHININI (3/8/1/1) (SPEAKER) (P 1 : ANNEXURES 1 – 10)

Before the item was discussed the ANC requested a caucus.

IT IS RESOLVED BY COUNCIL : (26 FEBRUARY 2002)

That this item **BE NOTED** and **BE PRESENTED** in the next sitting of Council on 26 March 2002.

A6/2002

REPORT ON MEETING REQUESTED BY MRS G.K. MAKHAZA AND HER COMMITTEE OF WARD 26 (3/8/1/1) (SPEAKER) (P 6 : ANNEXURES P 11 – 14)

IT IS RESOLVED BY COUNCIL : (26 FEBRUARY 2002)

That this item **BE NOTED**.

A7/2002

MATJHABENG LOCAL MUNICIPALITY : APPOINTMENT OF HEADS OF DEPARTMENT AND MANAGERS REPORTING DIRECTLY TO THE MUNICIPAL MANAGER (2/1) (MM) (P11)

IT IS RESOLVED BY COUNCIL : (26 FEBRUARY 2002)

1. That the following Council Resolution A17 dated 23 January 2001, **BE RESCINDED** :

“That the following Senior Administrative Component, Heads of Department, for Matjhabeng BE APPROVED for the interim, until a permanent organisational structure has been finalised :

- a) **Administration Services**
- b) **Financial Services**
- c) **Engineering Services**
- d) **Community Services**
- e) **Economic Development Services”**

2. That the following Heads of Department and Managers reporting directly to the Municipal Manager **BE APPOINTED** with effect from 01 March 2002 in terms of the permanent Organizational Structure of the Municipality as per Item A139 :

2

2.1 Corporate Executive Manager : Engineering Services

Mr. RC Spies

2.2 Corporate Executive Manager : Community Services and Social Development.

Mr. VA Adonis

2.3 Corporate Executive Manager : Financial Management

Mrs. EJA van Tonder

2.4 Executive Manager : Housing Development and Environmental Care

Mr. TM Ngesi

2.5 Executive Manager : Human Resources

Mr. SP Makhasi

2.6 Executive Manager : Corporate Services

Mr. BP Molatseli

2.7 Executive Manager : Legal Services

Mr. SB Mhlambi

2.8 Executive Manager : Economic Development and Spatial Planning

Dr. KP van der Walt

2.9 Manager : Internal Auditing

Mr. MD Segalo

2.10 Integrated Development Planning (IDP) Manager

Mr. TA Jonas

2.11 Manager : Information Communication Technology

Mr. A van der Merwe

2.12 Manager : Organisational Efficiency Studies

Mr. MP Matsie

3

3. That the Municipal Manager **ENTERS** into performance agreements with the appoint persons mentioned in paragraph 2 above, within three (3) months from the date of this resolution.
 4. That the Municipal Manager **FURTHER NEGOTIATES** with the persons mentioned in paragraph 2 above, on the remuneration package.
 5. That it **BE NOTED** that during the discussions of the appointments of the successful candidate for the position of the Executive Manager : Human Resources, the matter was put to the vote with DA casting ten (10) votes in favour of (Dr. HF Daniels, while the ANC cast 40 votes in favour of Mr SP Makhasi, and the DA **REQUESTED** that their votes **BE MINUTED** against the appointment of Mr. SP Makhasi mentioned in paragraph 2 above.
 6. That paragraph 1 of the Council Resolution A139 dated 30 October 2001 **BE USED** as the names for the Section 80 Committees.
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A8/2002

REPORT ON DECISIONS TAKEN UNDER DELEGATED POWERS (3/1/2) (MM)
(EXECUTIVE MAYOR'S REPORT PAGE 1 – 59)

IT IS RESOLVED BY COUNCIL : (26 FEBRUARY 2002)

That Resolutions **MC4/2002** to **MC26/2002** as they appear on the Annexures marked **Executive Mayor's report**, taken by the Executive Mayor under delegated powers, **BE CONFIRMED**.

18. CLOSURE

The meeting adjourned at 19:00.

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DATE

.....
TV MATSEPE (SPEAKER)

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ANNEXURE “A”

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