

MINUTES

of the

**4TH ORDINARY COUNCIL MEETING
FOR THE YEAR 2017**

of

MATJHABENG MUNICIPALITY

held on

WEDNESDAY, 30 AUGUST 2017

at

15:00

at the

**COUNCIL CHAMBERS, CIVIC CENTRE,
WELKOM**

I

COUNCILLORS ATTENDANCE

4TH ORDINARY COUNCIL MEETING MINUTES: 30 AUGUST 2017

PROPORTIONAL			
1.	Stofile B (Speaker)	19.	Moipatle KSV (Apology)
2.	Sephiri MJ (Chief Whip)	20.	Mthebere NA *(Requested to leave)
3.	Speelman NW (Executive Mayor)	21.	Nqeobo ME
4.	Badenhorst MJ	22.	Ntsebeng MH
5.	Botha PF (Absent)	23.	Phofeli NM (Apology)
6.	Direko DR	24.	Presente LN
7.	Jacobs EJ	25.	Radebe MC
8.	Kabi M (Apology)	26.	Radebe ML
9.	Khetsi LE *(Requested to leave)	27.	Rakaki MM
10.	Letlhake TW	28.	Ramabodu BM
11.	Lushaba TB	29.	Senxezi ME *(Requested to leave)
12.	Macingwane MT *(Requested to leave)	30.	Sithole AM *(Requested to leave)
13.	Mafaisa MG (Apology)	31.	Styger A
14.	Manenye AJ	32.	Taljaard SDM
15.	Manese SD	33.	Thelingoane NE
16.	Marais JS	34.	Tshopo ME (Apology)
17.	Masina XN	35.	Tsoaeli MS *(Requested to leave)
18.	Mawela VE	36.	Tsupa MR
WARD			
37.	Badenhorst HS	55.	Morris VR
38.	Chaka MS	56.	Moshoeu ZS
39.	Daly A (Apology)	57.	Mosia TJ
40.	Khalipha TD	58.	Mphikeleli MA
41.	Khothule MJ	59.	Nkonka BB
42.	Kopela MP	60.	Nthako TD
43.	Liphoko SJ (Apology)	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	68.	Tlake KR (Absent)
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

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

II

EXECUTIVE MANAGEMENT

Mr ET Tsoaeli	:	Municipal Manager
Mr T. Makofane	:	Executive Director: Strategic Support Services
Mr FF Wetes	:	Executive Director: Corporate Services
Me HB Maswanganyi	:	Executive Director: Infrastructure
Mr MJ Molawa	:	Acting Executive Director: Community Services
Mr S. Sejake	:	Acting Chief Financial Officer

COUNCIL ADMINISTRATION SECRETARIAT

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

OTHERS

Mr SG Mthombeni	:	Audit Committee Representative
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III

(a)	Opening <p>The Speaker welcomed everybody present at the 4th Ordinary Council meeting for the year 2017 and declared the meeting open.</p>
(b)	Applications for leave of absence <p>See Councillors' attendance list on page 1 of these minutes.</p>
(c)	Official announcements of the Speaker <ol style="list-style-type: none"> 1. The Speaker informed the members that Cllr MP Kopela who won the by-election in Ward 3 would take an Oath of Office as a member of Matjhabeng Local Municipality Council and thereafter invited the Senior Magistrate, Mr S. Ferreira to administer the Oath. Cllr MP Kopela was then duly sworn in and welcomed in Council. 2. The Speaker stated that the Council meeting was held under the recent ConCourt decision and it is important that everyone should know what that ruling means to the Municipality but Management would convey the meaning of that decision to everyone's level of understanding. 3. He further indicated that Councillors were expected to use their gadgets as per the resolution taken in the previous Ordinary Council and every Councillor who approaches the Municipal Offices to request to print a page would carry the cost of the printing. 4. He then reminded EFF Councillors to be compliant with the adopted dress code. As the EFF Councillors failed to comply with the adopted dress code, the Speaker ruled that they should leave the Council Chambers. 5. Cllr SDM Taljaard raised her great concern with regard to the EFF Councillor who prevented her from coming into the Chambers as he was ejected for the contravention of the dress code – the Executive Mayor apologized to Cllr SDM Taljaard for the unacceptable behavior displayed by that particular Councillor.
(d)	Reports of the Speaker in terms of rules 15(1) and 99(4) <p>None.</p>
(e)	Tabling of documents prescribed by statute or these rules and orders <p>None.</p>
(f)	Applications and appeals from Councillors in terms of rules 14(1), 67 and 72 <p>None.</p>
(g)	Reports received from the Speaker <p>A86 of 2017 – A96 of 2017 + (A124 of 2017 – A125 of 2017) & C7 of 2017</p>
(h)	Motions of sympathy and congratulations by the Speaker <u>Sympathy</u> <p>The Speaker, Cllr B. Stofile conveyed a message of sympathy to the Motsekoa family for the passing on of Lebo's mother, an official who works at his office as a Secretary.</p>
(i)	Motions of sympathy and congratulations by other Councillors <u>Sympathy</u> <ol style="list-style-type: none"> 1. Cllr DM Mafa conveyed a message of sympathy to Medupi family for the passing on of Moeketsi Medupi, a Ward Committee member who was already buried.

IV

	<ol style="list-style-type: none"> 1. Cllr VE Mawela conveyed a message of sympathy to families of all Councillors who were gunned down throughout the Country. 2. Cllr TJ Mosia conveyed a message of condolences to the Moea family for the passing on of Tankiso Moea as well as to the Tlhotlhamajwe family for the passing on of Rev. Tlhotlhamajwe, an icon who played a role in the struggle in our Country. 3. Cllr SJ Tsatsa conveyed a message of sympathy for the passing on of the following residents in Ward 26 who were buried the previous week: <ol style="list-style-type: none"> 3.1 Liphapang Bennet Ntsane 5382 3.2 Gretta Vangiwe Teke 12024 3.3 Bennet Molifi Motholo 12032 3.4 Kwekwe Xhobiso 11997 3.5 Sophia Masamuele Moahloli 12504 3.6 Mabehle Elisa Ntlororo 12199 4. Cllr HCT Van Schalkwyk conveyed a message of condolences to the family of the late Mr William Mokone, a former Mayor of Thabong, for the passing on of his wife and congratulated the Executive Mayor for attending the funeral. <p><u>Congratulations</u></p> <ol style="list-style-type: none"> 1. The Executive Mayor, Cllr NW Speelman congratulated Cllr MP Kopela for being elected in Ward 3 and welcomed him in Council. 2. Cllr MD Masienyane informed members that Cllr VR Morris attended a workshop of the Institution for Municipal Public Safety of Southern Africa in Stellenbosch and congratulated him for being appointed as a Municipal Political representative. 3. Cllr ML Radebe informed Councillors that as the National Women's month celebrations had come to an end, she congratulates the women for their achievements and encouraged them to fulfill their mandate of moving South Africa together in 2017 and to tackle the abuse facing women and children as the struggle of the women of South Africa still continues.
(j)	<p>Deputations and interviews</p> <p>None</p>
(k)	<p>Disclosure of interest</p> <p>The Speaker urged Councillors to update their declaration forms at the office of the Municipal Manager, 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>
(l)	<p>Minutes of the previous meeting: 31 May 2017</p> <p><u>Council resolved: (30 AUGUST 2017)</u></p> <ol style="list-style-type: none"> 1. That the minutes of the 3rd Ordinary Council meeting held on 31 May 2017 be adopted as a true reflection of what transpired in the meeting. <p>Minutes of the previous meeting: 13 July 2017</p> <p><u>Council resolved: (30 AUGUST 2017)</u></p> <ol style="list-style-type: none"> 1. That the minutes of the 3rd Special Council meeting held on 13 July 2017 be adopted as a true reflection of what transpired in the meeting.

V

	<p>Minutes of the previous meeting: 11 August 2017</p> <p><u>Council resolved: (30 AUGUST 2017)</u></p> <p>That the minutes of the 4th Special Council meeting held on 11 August 2017 be adopted as a true reflection of what transpired in the meeting.</p>
(m)	<p>Matters arising from the minutes: 31 May 2017</p> <p>A81 of 2017</p> <p>Cllr TD Khalipha informed members that the Task team that was delegated by Council to meet with the Boitumelo Junction Shopping Centre Developer to ascertain whether any agreement was signed between the Municipality and the Developer, fulfilled the mandate and will submit a report at the next Council meeting.</p>
(n)	<p>Questions of which notice had been given</p> <p>Cllr HCT Van Schalkwyk informed members that he had submitted two sets of questions at the Office of the Municipal Manager on the 17th of July 2017 and those questions were not included in the Agenda of the 30th August Council meeting.</p> <p>He stated that when he raised his concern regarding the matter, the Municipal Manager addressed the concern urgently and he expressed his gratitude towards him for the proficiency.</p>
(o)	<p>Reports of the Executive Committee/ Executive Mayor/ Committee Reports</p> <p>A97 of 2017 – A123 of 2017</p>
(p)	<p>Reports of decisions taken under delegated powers</p> <p>None</p>
(q)	<p>Motions</p> <p>None</p>
(r)	<p>Closing</p> <p>The Speaker thanked everyone present and closed the meeting at 20h45.</p>

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CLLR B. STOFIE (SPEAKER)

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DATE

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//Cllr M.A. Mphikeleli was appointed to preside in order to allow the Speaker to present Items A86 – A89 of 2017//

A86 of 2017

REPORT ON THE TRAINING OF WARD COMMITTEE SECRETARIES (SPEAKER) (3/8/1/1)

PURPOSE

To submit to Council for noting, the training of Ward Committee Secretaries on Report Writing and Minute-taking. The training was held on the 10th August 2017 at TS Du Plessis Hall at 8h30.

DISCUSSION

The Speaker presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That all 36 wards **MUST SUBMIT** reports on or before the 7th of every month to the Office of the Speaker.
2. That the Office of the Speaker **MUST DISTRIBUTE** the reports to the Municipal Manager's Office for attention or implementation.
3. That feedback should **BE GIVEN** on the 15th of every month and submitted as items in writing.

A87 of 2017

PAPERLESS AGENDA DEVICE REPORT (SPEAKER) (2/2)

PURPOSE

The purpose of the report is to submit to Council for noting, the training that Matjhabeng Municipality undertook on various dates in order to fulfill the Council Resolution of 31 May 2017 – A45/2017:

DISCUSSION

The Speaker presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Council **TAKES NOTE** of the report.
2. That a bulk licence for Adobe Acrobat Reader that will enable Councillors to work easily with the paperless documents **BE PURCHASED**.

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3. That a software that will allow Councillors to make bookmarks or their notes in the documents that are uploaded in a format that limits editing, **BE PURCHASED AND UTILIZED** for compilation of the paperless agenda documents.
4. That training **WILL CONTINUE** until Councillors are familiar with the system and usage of their gadgets.
5. That any Councillor or Official who requests the Municipal Manager for hard copies **WILL PERSONALLY INCUR** the costs of the printed documents.

A88 of 2017

REPORT ON THE CURRENT STATUS OF THE BY-LAWS, PENALTY CLAUSES AND RECOMMENDATIONS (SPEAKER) (1/2/1)

PURPOSE

The purpose of the report is to advise Council about the current status of the By-Laws and possible recommendations for consideration.

DISCUSSION

The Speaker requested Cllr A. Styger to present the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That the item **BE REFERRED BACK** and must be submitted at the next Special Council meeting with the amended By-Laws and information on penalties.

A89 of 2017

REPORT ON THE IMPLEMENTATION OF THE DRESS CODE IN LINE WITH THE STANDARD RULES AND ORDERS OF COUNCIL (SPEAKER) (2/2/1/1)

PURPOSE

To submit a report to Council on the implementation of the standard rules and orders, in particular, the dress code of Council.

DISCUSSION

The Speaker presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

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

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2. That the Standard Rules and Orders of Council must **BE COMPLIED WITH** by all Councillors.
3. That the provisions of the Dress Code **REMAIN BINDING** to all Councillors until repealed or amended by Council or set aside by the Court of law.
4. That the first sentence under Item background must **BE CORRECTED** to read as follows:

“The local government elections were held on 3 August 2016 and the first inaugural meeting was held on 16 August 2016.”
5. That if a Councillor breaches a code of conduct, action **SHOULD BE TAKEN** according to Rule 99 of the Standard Rules and Orders.

//The Speaker resumed his position//

A90 of 2017

DISPUTE OVER HOUSE 15761 THABONG (DISPUTE RESOLUTION CHAIRPERSON) (8/3/245)

PURPOSE OF REPORT

To present to Council the facts established by the Dispute Resolution Committee during their investigation.

To assist Me Ntsopa Selina Mokoena to take the occupation of residential property at house 15761 Thabong.

DISCUSSION

The Dispute Resolution Chairperson presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Council **ENDORSES** the papers that declared the complainant as a lawful occupier of the property in question.
2. That the grant subsidy approved to pay off the house **WAS MADE** in the names of the complainant and thereby **GIVING HER** the legal right towards the property.

A91 of 2017

DISPUTE OVER HOUSE 3556 THABONG (DISPUTE RESOLUTION CHAIRPERSON) (8/3/2/45)

PURPOSE OF REPORT

To present the dispute to Council for consideration and finalization.

DISCUSSION

The Dispute Resolution Chairperson presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Mrs Sethole has no other alternative place to stay with her family, and that in that basis Council **APPROVES** that she be given the house to stay with her family.
2. That the municipal services account **MUST BE OPENED** on Mrs Sethole's name to enable her to pay the municipal services.

A92 of 2017

DISPUTE OVER HOUSE 1249/51 THABONG (DISPUTE RESOLUTION CHAIRPERSON) (8/3/2/45)

PURPOSE OF REPORT

To present to Council the facts established by the Dispute Resolution Committee during their investigation.

DISCUSSION

The Dispute Resolution Chairperson presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Council **ENDORSES** the transfer documents that give the Title Deed to Violet Mokoenyana or her heirs.

A93 of 2017

DISPUTE OVER SITE 2640 MELODING (DISPUTE RESOLUTION CHAIRPERSON) (8/3/2/45)

PURPOSE OF REPORT

To present to Council the facts established by the Dispute Resolution Committee during their investigation.

To request Council to consider allocation of residential site 2640 Meloding to the next person on the waiting list.

DISCUSSION

The Dispute Resolution Chairperson presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Council **ALLOCATES** site 2640 Meloding to the defendant.

A94 of 2017

DISPUTE OVER RESIDENTIAL SITE 33645 HANI PARK BETWEEN MOKHESENG'S FAMILY (DISPUTE RESOLUTION CHAIRPERSON) (8/3/2/34)

PURPOSE OF THE MEETING

To request Council to consider the ownership of residential site 33645 Hani Park by M.A. Mokheseng.

DISCUSSION

The Dispute Resolution Chairperson presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That as the house was built in the name of Mrs Alina Mokheseng, the Title Deed will **BE ISSUED** out in her name.
2. That Mrs Alina Mokheseng **BE ALLOWED** to occupy house number 33645 Hani Park.
3. That the contractor **BE INFORMED** to the finish the construction of house number 33645 Hani Park.
4. That Mokheseng's family **BE ADVISED** to apply for a site.

A95 of 2017

DISPUTE OVER HOUSE 4937 THABONG BETWEEN ME MARIA SIGWELA AND ME MAKHOLANE MARIA MAIKGOSHO (DISPUTE RESOLUTION CHAIRPERSON) (8/3/2/45)

PURPOSE OF REPORT

To request Council to adjudicate this matter in a fair and legally acceptable manner.

DISCUSSION

The Dispute Resolution Chairperson presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That since the housing Provincial housing subsidy has been approved of Maria Maikgosho, the Municipality **CANNOT DECLINE** the ownership in favour of Maria Maikgosho.
2. That Anna Sigwela did not stay on the residential site and was not responsible for services and her application **SHOULD BE DECLINED**.

A96 of 2017

DISPUTE OVER HOUSE 5209 K6 KUTLWANONG (DISPUTE RESOLUTION CHAIRPERSON) (8/3/2/47/5)

PURPOSE OF REPORT

To present the dispute to Council for consideration and finalization.

DISCUSSION

The Dispute Resolution Chairperson presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Council instructs Legal Services **TO CONDUCT** an investigation to find out who helped the complainant to register a Title Deed to this site.
2. That legal processes and/or internal disciplinary actions **SHOULD FLOW** from that investigation.
3. That Council instructs Legal Services **TO INITIATE** the process of reversing the registration of the current Title Deed giving ownership rights to the defendant.
4. That no Councillor **IS ALLOWED** to allocate sites.

A97 of 2017

CURRENT STATUS OF THE MUNICIPAL INFRASTRUCTURE GRANT (MIG) CAPITAL PROJECTS IN MATJHABENG LOCAL MUNICIPALITY JUNE 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 **JUNE 2017**.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

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

A98 of 2017**MONTHLY FINANCE REPORT – MAY 2017 (EXECUTIVE MAYOR) (6/4/1)****PURPOSE**

To submit to Council the Monthly Finance Report for May 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: (30 AUGUST 2017)

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

A99 of 2017**MONTHLY FINANCE REPORT – JUNE 2017 (EXECUTIVE MAYOR) (6/4/1)****PURPOSE**

To submit to Council the Monthly Finance Report for June 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: (30 AUGUST 2017)

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

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3. That Management **MUST SUBMIT** a detailed report on reasons why the Office of the Executive Mayor, the Office of the Speaker and the Office of the Municipal Manager exceeded their budgeted amounts, at the next Special Council meeting.

A100 of 2017

THREE MONTHS FINANCE REPORT: APRIL - JUNE 2017 (EXECUTIVE MAYOR) (6/4/1)

PURPOSE

To submit to Council the three Months Finance Report for April - June 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: (30 AUGUST 2017)

1. That the Finance Report for the Quarter (April - June 2017) 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 2017) 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 Council **APPOINTS** a Committee comprising of the Executive Mayor, Cllr JS Marais, Cllr A. Styger, Cllr SD Manese, Cllr TD Khalipha, Cllr VE Mawela, Cllr SE Tshabangu and Cllr SDM Taljaard to deal with the matter of top debtors.

A101 of 2017

SHORTAGE OF PERSONNEL IN VARIOUS DEPARTMENTS OF THE MUNICIPALITY (EXECUTIVE MAYOR) (5/3/2/7)

PURPOSE

To bring under the attention of Council the need for appointment of personnel at various Departments of the Municipality.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That the item **BE REFERRED** to the workshop which is scheduled for the discussion of the Organisational Structure.

A102 of 2017**EMERGENCY AND UTILITY OF FLEET FOR MATJHABENG (EXECUTIVE MAYOR) (20/2/2/1/1)****PURPOSE**

To bring under the attention of Council the need for the procurement of Emergency of fleet for Matjhabeng.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Fire engines must **BE PURCHASED** directly from the Suppliers.
2. That the Municipal Manager should **SPEED UP** the process of procurement of fleet without any involvement of a third party and submit a report of the deal to Council, for noting.

A103 of 2017**UPGRADING OF STUDENT ACCOMMODATION (EXECUTIVE MAYOR) (5/9/3)****PURPOSE**

To bring under the attention of Council the need for an upgrade and renovation of the accommodation at the Fire Training College situated at the Fire Department.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Council **APPROVES** the upgrading of student accommodation, as students pay a lot of money for the course and for accommodation.
2. That the Municipal Manager should **SPEED UP** the process of renovation of student accommodation.
3. That the student accommodation fees **BE RING-FENCED** to improve the facility.

A104 of 2017

ESTABLISHMENT OF BOTH INDOOR AND OUTDOOR SHOOTING RANGES
(EXECUTIVE MAYOR) (10/1/1/4)

PURPOSE

The purpose is to request permission from Council to establish both indoor and outdoor shooting ranges.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That the item **BE REFERRED BACK** for detailed analysis of revenue that would be generated from the training of Traffic Officers.
2. That the item **BE RE-SUBMITTED** with comprehensive information that would enable Council to take informed decisions.

A105 of 2017

ACCOMMODATION FOR LEARNERS AT THE MATJHABENG TRAFFIC
TRAINING ACADEMY (EXECUTIVE MAYOR) (8/3/2/51/1)

PURPOSE

The Purpose is to report to Council about the buildings to be identified for Traffic Students accommodation and further request permission from Council to allow the College to have the white House Building situated in Stand number 6630/1, at 112 Highlands Avenue in Virginia renovated and be used for accommodation of the Learners.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That the item **BE REFERRED** back and the tenant should be notified of the Council's intention and a full report pertaining to the lease agreement be submitted at next Council meeting.
2. That a Business Plan must **BE SUBMITTED** at the next Council meeting, to enable Councillors to determine whether the traffic training academy would be self-sustaining or not.

A106 of 2017

MIG BUDGET MAINTENANCE FOR THE UPGRADING OF DR MNGOMA ROAD (EXECUTIVE MAYOR) (3/3/27) (6/4/1)

PURPOSE

The purpose of this item is to table to Council the application for budget maintenance that is required in the Upgrading of Dr Mngoma Road project that is being implemented by the Municipality and funded through the MIG grant.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That the Budget Maintenance **BE APPROVED** for the successful completion of the Dr Mngoma Road project.

A107 of 2017

MIG REQUEST FOR BUDGET MAINTENANCE FOR NYAKALLONG STORMWATER SYSTEM CONSTRUCTION (EXECUTIVE MAYOR) (19/8/1/6)

PURPOSE

The purpose of this item is to table to Council the application for budget maintenance that is required in the Nyakallong Stormwater System Construction project that is being implemented by the Municipality and funded through the MIG grant.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That the Budget Maintenance **BE APPROVED** for the successful completion of the Nyakallong Stormwater System Construction project.

A108 of 2017

MIG BUDGET MAINTENANCE FOR THE UPGRADING OF SEWAGE PUMPING STATION & OUTFALL SEWERS IN PHOMOLONG (EXECUTIVE MAYOR) (19/8/1/5)

PURPOSE

The purpose of this item is to table to Council the application for budget maintenance that is required in the Upgrading of sewage pumping station and outfall sewer in Phomolong project that is being implemented by the Municipality and funded through the MIG grant.

12

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That the Budget Maintenance **BE APPROVED** for the successful completion of the Phomolong project.

A109 of 2017

SUBMISSION OF BACK TO BASICS REPORT FOR NOTING (EXECUTIVE MAYOR) (6/4/1)

PURPOSE

To submit to Council a report on Back to Basics.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Council **TAKES NOTE** of the report on the Back to Basics.

A110 of 2017

SUBMISSION OF A BACK TO BASIC ACTION PLAN FOR CONSIDERATION (EXECUTIVE MAYOR) (6/4/1)

PURPOSE

To submit the draft action plan to Council for consideration.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Council **APPROVES** the completed draft Back to Basics action plan as it relates to the 5 key focus areas of Back to Basics.

A111 of 2017

SUBMISSION OF 4th QUARTER DRAFT NON-FINANCIAL PERFORMANCE REPORT TO COUNCIL FOR CONSIDERATION (EXECUTIVE MAYOR) (6/12/2/1)

PURPOSE

To submit a fourth quarter draft quarterly performance report to Council for consideration.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Council **NOTES** the draft fourth quarter non-financial performance report.
2. That Council **APPROVES** the progress achieved in the fourth quarter of the non-financial year.

A112 of 2017

SUBMISSION OF PROGRESS REPORT ON THE FREE STATE WONDERLAND PROJECT TO COUNCIL FOR CONSIDERATION (EXECUTIVE MAYOR) (20/14/4/3)

PURPOSE

The purpose is to provide progress report in relation to both the lighting display and decorations as well as fireworks project as planned in the Municipal IDP for 2017/2018 financial year to Council for consideration.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That the item **BE CLARIFIED** by the Executive Mayor and the financial implications of the partnership with the Provincial government **BE OUTLINED** in the next Special Council, to allow Councillors to take an informed decision.

A113 of 2017

WARD 27: FEASIBILITY ANALYSIS OF THE DEVELOPMENT OF VACANT MUNICIPAL LAND IN FLAMINGO PARK AND WELKOM EXTENSION 17 PRECINCT AREAS (EXECUTIVE MAYOR) (8/3/2/27)

PURPOSE OF REPORT

The purpose of the report is to present to Council a feasibility analysis regarding the development of the vacant Municipal owned land in Flamingo Park and with the main focus on the Welkom X17 precinct area.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

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

A114 of 2017

MATJHABENG: MOTIVATION FOR THE INVITATION OF DEVELOPMENT PROPOSALS FOR THE DEVELOPMENT OF GAP HOUSING IN FLAMINGO PARK, WELKOM VIA THE PUBLIC BIDDING PROCESS (EXECUTIVE MAYOR) (8/3/2/2)

PURPOSE OF REPORT

The purpose of the report is to motivate the invitation of development proposals for the development of gap market housing on a portion of land situated in Flamingo Park, Welkom.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That the item **BE DEFERRED** to the next Special Council.

A115 of 2017

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

PURPOSE

To provide an update of Matjhabeng Local Municipality proposed Organisational Structure “**MARCH 2017**” to Council.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That the item **BE DEFERRED** to the next Special Council.
2. That the proposed Organisational Structure **BE SUBJECTED** to a workshop for clarification of positions and financial analysis, before the 20th of September 2017.

A116 of 2017

MUNICIPAL PUBLIC ACCOUNTS COMMITTEE REPORT ON THE FRUITLESS AND WASTEFUL EXPENDITURE INCURRED FOR THE PERIOD 1 JULY 2016 - 30 APRIL 2017 (MPAC CHAIRPERSON) (6/12/2/1)

PURPOSE

To submit to Council the Municipal Public Accounts Committee report on Fruitless and Wasteful Expenditure incurred for the financial periods ended 1 July 2016- 30 April 2017 as mandated by the council.

DISCUSSION

The MPAC Chairperson presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Council **TAKES NOTE** of the Municipal Public Accounts Committee report.
2. That Council certifies an amount of **R130 916 929.76** as irrecoverable and **SHOULD BE WRITTEN-OFF**.
3. That the appropriate disclosure note **BE MADE** to the financial statements for the year ending 30 June 2017.
4. That the Accounting Officer **MUST ESTABLISH** controls to detect and prevent these types of expenditures and on a quarterly basis, submit a report for consideration to Council; and
5. That the Accounting Officer must **IN WRITING COMMUNICATE** the Council resolutions to the office of the Auditor General, COGTA and Provincial Treasury in terms of section 32, subsection 4 of the Municipal Finance Management Act.

//Cllr JS Marais recused himself when the item was discussed//

A117 of 2017

**MUNICIPAL PUBLIC ACCOUNTS COMMITTEE REPORT ON THE
IRREGULAR EXPENDITURE INCURRED FOR THE PERIOD 1 JULY 2016 -
30 APRIL 2017 (MPAC CHAIRPERSON) (6/12/2/1)**

PURPOSE

To submit to Council the Municipal Public Accounts Committee report on irregular expenditure incurred for the period 1 July 2016-30 April 2017 as mandated by Council.

DISCUSSION

The MPAC Chairperson presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Council **TAKES NOTE** of the Municipal Public Accounts Committee report.
2. That Council certifies an amount of **R178 226 280.74 (156 338 442.75 Excl. VAT)** as irrecoverable and should be written-off.
3. That the appropriate disclosure note **BE MADE** to the financial statements for the year ending 30 June 2017.
4. That the Accounting Officer **MUST ESTABLISH CONTROLS** to detect and prevent these types of expenditures and on a quarterly basis submit a Supply Chain Management report for consideration to Council; and
5. That the Accounting Officer **MUST IN WRITING COMMUNICATE** the Council resolutions to the office of the Auditor General, COGTA and Provincial Treasury in terms of Section 32, subsection 4 of the Municipal Finance Management Act.

A118 of 2017

**DRAFT UNAUDITED ANNUAL PERFORMANCE REPORT 2016/2017:
MATJHABENG LOCAL MUNICIPALITY (EXECUTIVE MAYOR) (5/6/2/7)**

PURPOSE

The purpose of the item is to table the draft unaudited annual performance report for the financial year 2016/2017 to Council for consideration.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Council **TAKES NOTE** of the draft unaudited annual performance report for the Financial Year 2016/17.
2. That the draft unaudited annual performance report **BE SUBMITTED** to Office of the Auditor General on or before the 31st of August 2017, for audit purposes.

A119 of 2017

DRAFT UNAUDITED ANNUAL REPORT 2016/2017: MATJHABENG LOCAL MUNICIPALITY (EXECUTIVE MAYOR) (5/6/2/7)

PURPOSE

The purpose of the item is to table the draft unaudited Annual Report for the financial year 2016/2017 to Council for noting.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Council **TAKES NOTE** of the Draft unaudited Annual Report for the Financial Year 2016/17.
2. That the draft unaudited annual report 2016/2017 **BE SUBMITTED** to Office of the Auditor General on or before the 31st of August 2017, for audit purposes.
3. That the draft unaudited annual report 2016/2017 **BE SUBMITTED** to Provincial and National Treasuries as well as Provincial COGTA after Council has noted the report.

A120 of 2017

SUBMISSION OF THE ANNUAL FINANCIAL STATEMENTS FOR 2016-2017 FINANCIAL YEAR (EXECUTIVE MAYOR) (6/12/2/1)

PURPOSE

The purpose of the item is to table the Annual Financial Statement for the financial year 2016/2017 to the Council for consideration.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Council **TAKES NOTE** of the Annual Financial Statements for the financial year 2016-2017.

A121 of 2017

REQUEST FOR EXTENSION OF THE ACTING PERIOD OF THE EXECUTIVE DIRECTOR: COMMUNITY SERVICES (MM) (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 Executive Director for Community Services.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Council **APPROVES** the request for an application for the extension of the acting period of Mr MJ Molawa in terms of section 56(1) (c) of the Municipal Systems Act as amended.
2. That the Executive Mayor **IS DELEGATED** to depose the letter to the MEC of Local Government.
3. That the extension of the acting period beyond three months should **NOT BE CONSTRUED** to create a legitimate expectation of appointment by the incumbent.
4. That the acting period should **NOT EXCEED** three (3) months.
5. That Council **APPOINTS** a Panel of 5 members comprising of the Executive Mayor or his appointee, Cllr A. Styger, the Municipal Manager, 1 representative from COGTA, and 1 representative from SALGA, to conduct the short-listing and interviews for the advertised positions of Executive Director: Community Services and Executive Director: LED, Planning & Human Settlements.

A122 of 2017

REPORT ON THE LABOUR COURT MATTER BETWEEN SAMWU AND MATJHABENG LOCAL MUNICIPALITY ON THE APPOINTMENT OF THE MUNICIPAL MANAGER (EXECUTIVE MAYOR) (15/2/1/24/1)

PURPOSE

The purpose is to report to Council regarding the challenge lodged by SAMWU (local branch) on the appointment of the Municipal Manager in the Labour Court, Johannesburg.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Council **TAKES NOTE** of the report.
2. That the draft Policy: Recruitment and Selection under item A87/2006 **BE REFERRED** to the Special Committee that is dealing with by-laws to correct it and ensure that it is in line with the current regulations.

A123 of 2017

REPORT ON THE FENCING OF MUNICIPAL BUILDINGS (EXECUTIVE MAYOR) (10/2/2/1/1)

PURPOSE

To report to Council on the progress for the fencing of all Municipal Buildings as per the resolution of the Mayoral Committee.

DISCUSSION

The Executive Mayor presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Council **TAKES NOTE** of the report as per Section 29 of the MFMA.
2. That the Municipality **MUST NOTIFY** the public of its intention to enclose the public places in compliance with the Local Government Act.
3. That Welkom should **ALSO BE INCLUDED** in the list of offices identified for fencing.
4. That a procedure **TO APPOINT** qualifying Contractors must be followed as per the CIDB regulations.

A124 of 2017

STATUS OF AUDIT COMMITTEE (SPEAKER) (6/12/3/2)

PURPOSE

To inform Council about status of recruitment for Audit Committee members.

DISCUSSION

The Speaker presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That the Municipality must **RE-ADVERTISE** due to the following reasons.
 - 1.1 **Low turnout** of applicants, only four (4) applications received;
 - 1.2 Only two (2) applicants **are in possession** of relevant qualifications;
 - 1.3 Geographical location of two (2) of the applicants **is outside** the Province, which impacts on the budget of the Municipality and inaccessibility of members during cases of emergency.

A125 of 2017

AUDIT COMMITTEE CLOSE-OUT REPORT (SPEAKER) (6/12/3/2)

PURPOSE

To submit Close-out report for 2015-2017 to Council for consideration.

DISCUSSION

The Speaker presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

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

C7 of 2017

REPORT ON 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) (ADHOC CHAIRPERSON) (5/5/5)

PURPOSE

The purpose is to provide progress report to Council and to solicit an extension of the period of the Investigation Committee.

DISCUSSION

The Ad-hoc Chairperson presented the item to Council.

COUNCIL RESOLVED: (30 AUGUST 2017)

1. That Council **TAKES NOTE** of the report.
2. That Council **APPROVES** the extension of the Investigation Committee's 21 days mandate.
3. That the Investigation Committee **MUST COMPLETE** their investigation within 21 days, calculated from the 31st of August 2017 (Rule 102(3)).
4. That Council **MANDATES** the Municipal Manager to allocate the reasonable necessary resources in order for the appointed Committee to fulfill its mandate.
5. That the last sentence of the Item background should **BE CORRECTED** to read as follows:

"Cllr PF Botha has also lodged a complaint for alleged breach of conduct by Councillor Vicky Morris dated 1 February 2017."