

MINUTES

of the

**3rd ORDINARY COUNCIL MEETING
FOR THE YEAR 2019**

of

MATJHABENG MUNICIPALITY

held on

FRIDAY, 29 MARCH 2019

at

15:00

at the

**COUNCIL CHAMBERS, CIVIC CENTRE,
WELKOM**

I

COUNCILLORS ATTENDANCE

3RD ORDINARY COUNCIL MEETING MINUTES: 29 MARCH 2019

PROPORTIONAL			
1.	Stofile B (Speaker)	19.	Masina XN (Apology)
2.	Sephiri MJ (Chief Whip)	20.	Mawela VE
3.	Speelman NW (Executive Mayor)	21.	Moipatle KSV
4.	Badenhorst MJ	22.	Mthebere NA (Absent)
5.	Botha PF	23.	Nqeobo ME (Apology)
6.	Direko DR	24.	Ntsebeng MH (Apology)
7.	Dyantyi A (Absent)	25.	Phofeli NM (Apology)
8.	Jacobs EJ	26.	Presente LN
9.	Jama BL (Absent)	27.	Radebe MC
10.	Kabi M	28.	Radebe ML (Apology)
11.	Khetsi LE (Absent)	29.	Rakaki MM
12.	Letlhake TW (Apology)	30.	Ramabodu BM (Absent)
13.	Lushaba TB (Apology)	31.	Sithole AM (Apology)
14.	Macingwane MT (Absent)	32.	Styger A (Absent)
15.	Mafaisa MG	33.	Taljaard SDM
16.	Manenye AJ	34.	Thelingoane NE
17.	Manese SD	35.	Tshopo ME (Apology)
18.	Marais JS	36.	Van Rooyen KV (Apology)
WARD			
37.	Badenhorst HS	55.	Morris VR (Absent)
38.	Chaka MS	56.	Moshoeu ZS
39.	Daly A	57.	Mosia TJ (Apology)
40.	Khalipha TD	58.	Mphikeleli MA
41.	Khothule MJ	59.	Nkonka BB (Absent)
42.	Kopela MP (Absent)	60.	Nthako TD (Absent)
43.	Liphoko SJ (Apology)	61.	Ntuli BN (Apology)
44.	Mafa DM (Apology)	62.	Pholo SJ
45.	Mahlumba BH (Absent)	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 (Apology)
50.	Mokhomo HA (Apology)	68.	Tlake KR (Apology)
51.	Molefi M.	69.	Tsatsa SJ
52.	Molelekoa PMI (Absent)	70.	Tshabangu SE (Absent)
53.	Moloja NJ	71.	Van Rooyen MS
54.	Monjovo NE (Apology)	72.	Van Schalkwyk HCT (Apology)



EXECUTIVE MANAGEMENT

Mr ET Tsoaeli	:	Municipal Manager
Mr T. Makofane	:	Executive Director: Strategic Support Services
Mr CT Panyani	:	Chief Financial Officer
Me ZK Tindleni	:	Executive Director: Community Services

COUNCIL ADMINISTRATION SECRETARIAT

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

III

(a)	<p>Opening</p> <p>The Speaker welcomed everybody present at the 3rd Ordinary Council meeting for the year 2019 and declared the meeting open.</p> <p>He indicated that the meeting was initially scheduled for Tuesday, the 26th March 2019 but due to outstanding MPAC reports, it was re-scheduled for the 29th March 2019. He then apologized for the inconvenience and thanked the Councillors for understanding and honouring the meeting.</p>
(b)	<p>Applications for leave of absence</p> <p>See Councillors' attendance list on page I of these minutes.</p> <p>The Speaker explained that in terms of the rules, Councillors were not supposed to write letters of apology but were supposed to apply for leave of absence which can either be approved or disapproved by the Chairperson. He therefore requested Councillors to correct that misunderstanding.</p> <p>He also indicated that he was informed that various Committee meetings were not convened and others do not sit as a result of not forming a forum. He urged the Executive Mayor to ensure that Committee meetings sit.</p>
(c)	<p>Official announcements of the Speaker</p> <p>None</p>
(d)	<p>Reports of the Speaker in terms of rules 15(1) and 99(4)</p> <p>None</p>
(e)	<p>Tabling of documents prescribed by statute or these rules and orders</p> <p>None</p>
(f)	<p>Applications and appeals from Councillors in terms of rules 14(1), 67 and 72</p> <p>None</p>
(g)	<p>Reports received from the Speaker</p> <p>A33 of 2019 – A34 of 2019</p>
(h)	<p>Motions of sympathy and congratulations by the Speaker</p> <p><u>Sympathy</u></p> <ol style="list-style-type: none"> 1. The Speaker raised a concern with regard to violence that is rife in Matjhabeng area and indicated that a number of community members had been threatened and some had been shot in Virginia and Thabong. He stated that Council needs to be concerned about the matter. 2. He also conveyed a message of condolences to the Speelman family for the passing on of the Executive Mayor's sister in law.
(i)	<p>Motions of sympathy and congratulations by other Councillors</p> <p>None</p>
(j)	<p>Deputations and interviews</p> <p>None</p>

IV

(k)	Disclosure of interest 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.
(l)	Minutes of the previous meeting: 28 February 2019 <u>COUNCIL RESOLVED: (29 MARCH 2019)</u> That the minutes of the 2 nd Ordinary Council meeting held on the 28 th February 2019 BE DEALT WITH at the next Ordinary Council meeting.
(m)	Matters arising from the minutes Would be dealt with at the next Ordinary Council meeting.
(n)	Questions of which notice had been given None
(o)	Reports of the Executive Committee/ Executive Mayor/ Committee Reports A35 of 2019 - A39 of 2019
(p)	Reports of decisions taken under delegated powers None
(q)	Motions None
(r)	Closure The Speaker thanked everyone who attended and closed the meeting at 16:07.

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CLLR B. STOFIE (SPEAKER)

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DATE

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A33 of 2019

UPDATED REPORT ON THE INVESTIGATION OF THE 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) (SPEAKER) (5/5/5)

PURPOSE

To update the Council on the investigation of the alleged breach of the Code of Conduct.

DISCUSSION

The Speaker informed Council that the Ad-hoc Committee Chairperson, Cllr TJ Mosia became sick as he was coming to the Council meeting, and therefore the item would not be dealt with in his absence.

COUNCIL RESOLVED: (29 MARCH 2019)

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

A34 of 2019

OVERSIGHT REPORT IN RESPECT OF THE 2017/2018 DRAFT ANNUAL REPORT FOR THE MATJHABENG LOCAL MUNICIPALITY (MPAC CHAIRPERSON) (4/1/2/2)

PURPOSE

To submit to Council an Oversight report of the Municipal Public Accounts Committee (MPAC) regarding public participations process undertaken on the Draft Annual Report of the Municipality for the 2017/2018 financial year and recommendations made thereof.

DISCUSSION

The Speaker allowed the MPAC Chairperson, Cllr MD Masienyane to present the item to Council.

Cllr MD Masienyane indicated that the Committee was perturbed by the behaviour of Municipal officials who failed to come and make their presentation before the Committee, and as a result putting the lives of Councillors at risk as Community members become angry when they could not get proper answers from the Municipality.

He therefore requested the Accounting Officer to ensure that such behaviour stops.

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During the discussion of the item, Councillors raised the following concerns:

- Interference that impacts negatively on MPAC's work;
- Non-attendance of the Municipal Manager and the Executive Mayor at MPAC meetings;
- Non-attendance of officials at public participation meetings.

It was suggested that the MPAC Chairperson should draw a programme of MPAC meetings which must be approved by Council and avail it to the Office of the Executive Mayor and the Municipal Manager to enable them comply and assist MPAC to do its work.

COUNCIL RESOLVED: (29 MARCH 2019)

1. That Council, having fully considered the 2017/2018 Draft Annual Report of the Municipality and representations thereon, **ADOPTS** the Oversight Report and **APPROVES** the Annual Report without reservations.
2. That specific Committee recommendations **BE NOTED** and **IMPLEMENTED**.
3. That the Oversight Report **BE MADE** public in accordance with Section 129(3) of the Municipal Finance Management Act 56 of 2003.
4. That the Oversight Report together with the final annual report for 2017/2018 **BE SUBMITTED** to Provincial COGTA, Provincial Treasury and National COGTA and National Treasury as required by Section 132(2) of the Municipal Finance Management Act 56 of 2003.

A35 of 2019

PROGRESS ON THE FIRST DRAFT REVIEWED INTEGRATED DEVELOPMENT PLAN FOR THE FINANCIAL YEAR 2019/ 2020 (EXECUTIVE MAYOR) (9/3/1)

PURPOSE

To present to a Council sitting progress towards the Draft Reviewed Integrated Development Plan (IDP) for the Financial Year 2019/ 2020 for consideration in terms of Chapter 5 of the Municipal Systems Act

DISCUSSION

The Executive Mayor requested MMC for Tourism, Cllr MC Radebe to present Items A35 of 2019 - A39 of 2019.

During the discussion of the item, questions were raised on the R14 million budgeted for Alma development reflected on page 199 of Separate Cover 3, the R12 million budgeted for painting of street poles in page 178 of Separate Cover 3 and R20 million budgeted for development of a new cemetery development in Mmamahabane as reflected in page 120 of Separate Cover 3 whereas there were issues that needed to be prioritized.

3

The Executive Mayor explained that the IDP was a five year plan and not all projects reflected would be implemented at once. He indicated that the IDP was submitted for review and the Municipal priorities were potholes, street lights and refuse removals.

He also mentioned that some of the problems experienced by the communities, such as, blocked storm-water pipes, long grass in passages and cemeteries was a result of officials who were not doing their jobs.

COUNCIL RESOLVED: (29 MARCH 2019)

1. That Council **TAKES NOTE** of the progress on the first draft revised IDP for the Financial Year 2019/ 2020.
2. That the first draft revised IDP for the Financial Year 2019/ 2020 **BE SUBMITTED** to both Provincial and National Treasuries as required by legislation.
3. That a public participation process **BE UNDERTAKEN** before the draft IDP is approved by Council.
4. That the final draft IDP **BE SUBMITTED** together with final draft sector plans for approval during the May 2019 Council sitting.
5. That all Master Plans must **BE COMPLETED** before the finalization of the IDP.

A36 of 2019

THE 2019-2020 MTREF BUDGET FOR THE MATJHABENG MUNICIPALITY (EXECUTIVE MAYOR) (6/1/1/1)

PURPOSE

To table the Annual Budget for the 2019/ 2020 medium term revenue and expenditure framework (MTREF) financial year.

DISCUSSION

The MMC for Tourism, Cllr MC Radebe presented the item to Council.

COUNCIL RESOLVED: (29 MARCH 2019)

1. That Council **TAKES NOTE** of the 2019/ 2020 Annual Budget for the Matjhabeng Municipality.
2. That Council **TAKES NOTE** of the 2019/ 2020 reviewed budget related policies.

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3. That Council **TAKES NOTE** of the financial plan.
4. That the 2019/ 20 Annual Budget **BE SUBJECTED** to a process of public participation.
5. That water loss control measures **BE ADDED** to the funding plan.
6. That a workshop on the Annual Budget **BE CONDUCTED** for Councillors.

A37 of 2019

DRAFT SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN FOR 2019/2020 FINANCIAL YEAR (EXECUTIVE MAYOR) (6/1/1/1)

PURPOSE

The purpose of this item is to submit the draft Service Delivery and Budget Implementation Plan for 2019/20 Financial Year to Council for noting.

DISCUSSION

The MMC for Tourism, Cllr MC Radebe presented the item to Council.

COUNCIL RESOLVED: (29 MARCH 2019)

1. That Council **TAKES NOTE** of the draft Service Delivery and Budget Implementation Plan for 2019/ 2020.

A38 of 2019

REQUEST FOR THE CONCLUSION OF A LAND AVAILABILITY AGREEMENT BETWEEN MATJHABENG LOCAL MUNICIPALITY, FIKILE CONSTRUCTION AND SA HOME LOANS FOR A PERIOD OF THREE YEARS (EXECUTIVE MAYOR) (20/14/4/3)

PURPOSE

To request Council to authorise the Municipal Manager to conclude a Land Availability Agreement between Matjhabeng Local Municipality, Fikile Construction and SA Home loans for a period of three years.

DISCUSSION

The MMC for Tourism, Cllr MC Radebe presented the item to Council.

COUNCIL RESOLVED: (29 MARCH 2019)

1. That Council **MANDATES** the Municipal Manager to conclude a three year Land Availability Agreement between Matjhabeng Local Municipality, Fikile Construction and SA Home loans and upon signing the Land Availability Agreement, he must bring it back to Council for perusal.
2. That a quarterly progress report must **BE SUBMITTED** to Council.

A39 of 2019

**REQUEST FOR THE CONCLUSION OF A LAND AVAILABILITY AGREEMENT
BETWEEN MATJHABENG LOCAL MUNICIPALITY AND PRO AFRIKA LED
CONSORTIUM FOR A PERIOD OF THREE YEARS (EXECUTIVE MAYOR)
(20/14/4/3)**

PURPOSE

To request Council to authorise the Municipal Manager to conclude a Land Availability Agreement with Pro Afrika LED Consortium for a period of three years.

DISCUSSION

The MMC for Tourism, Cllr MC Radebe presented the item to Council.

COUNCIL RESOLVED: (29 MARCH 2019)

1. That Council **MANDATES** the Municipal Manager to conclude a three year Land Availability Agreement between Matjhabeng Local Municipality and Pro Afrika LED Consortium and upon signing the Land Availability Agreement, he must bring it back to Council for perusal.
2. That a quarterly progress report must **BE SUBMITTED** to Council.