

# **MINUTES**

of the

**3<sup>RD</sup> ORDINARY COUNCIL MEETING  
FOR THE YEAR 2018**

of

**MATJHABENG MUNICIPALITY**

held on

**WEDNESDAY, 30 MAY 2018**

at

**15:00**

at the

**COUNCIL CHAMBERS, CIVIC CENTRE,  
WELKOM**

# I

## COUNCILLORS ATTENDANCE

### 3<sup>RD</sup> ORDINARY COUNCIL MEETING MINUTES: 30 MAY 2018

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



## **EXECUTIVE MANAGEMENT**

Mr ET Tsoaeli	:	Municipal Manager
Mr T. Makofane	:	Executive Director: Strategic Support Services
Mr FF Wetes	:	Executive Director: Corporate Service
Me B. Maswanganyi	:	Executive Director: Infrastructure
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><b>Opening</b></p> <p>The Speaker welcomed everyone present at the 3<sup>rd</sup> Ordinary Council meeting for the year 2018 and declared the meeting open. He announced that the meeting was supposed to be held in Marematlou High School in Meloding but due to information received from the South African Police Services, it was shifted to the Council Chambers to ensure the safety of all members.</p> <p>He indicated that the Council meeting was held after the release of the Auditor General's report for all municipalities in the Country and Matjhabeng Municipality was ranked and seen as the worst performing municipality in terms of financial management processes.</p> <p>He stated that the meeting was also held not long after the disaster that took place in Virginia, whereby various residential houses were affected. He indicated that Council was therefore expected to deliberate over a 12 month strategic direction and financial model which was going to be taken to support programmes and projects that were planned for the year.</p>
(b)	<p><b>Applications for leave of absence</b></p> <p>See Councillors' attendance list on page I of these minutes.</p>
(c)	<p><b>Official announcements of the Speaker</b></p> <p>None</p>
(d)	<p><b>Reports of the Speaker in terms of rules 15(1) and 99(4)</b></p> <p>None</p>
(e)	<p><b>Tabling of documents prescribed by statute or these rules and orders</b></p> <p>None</p>
(f)	<p><b>Applications and appeals from Councillors in terms of rules 14(1), 67 and 72</b></p> <p>None</p>
(g)	<p><b>Reports received from the Speaker</b></p> <p>A32 – A35 of 2018 &amp; C2 of 2018</p>
(h)	<p><b>Motions of sympathy and congratulations by the Speaker</b></p> <p>None</p>
(i)	<p><b>Motions of sympathy and congratulations by other Councillors</b></p> <p><b><u>Congratulations</u></b></p> <ol style="list-style-type: none"> <li>1. Cllr KR Tlake wished his wife a happy birthday and congratulated her for being the pillar of his life.</li> <li>2. Cllr MT Macingwane congratulated the EFF leader, Mr Julius Malema on his election as the member of the African Parliament and indicated that it was an honour to be led by a young brave man like him.</li> <li>3. The Chief Whip, Cllr MJ Sephiri congratulated the newly sworn Councillors and welcomed them in Council.</li> </ol>

## IV

	<p><b><u>Sympathy</u></b></p> <ol style="list-style-type: none"> <li>1. SJ Tsatsa conveyed a message of sympathy to families in Ward 26 who lost the following loved ones:-               <ol style="list-style-type: none"> <li>(a) Mr Mohapi residing in 12165;</li> <li>(b) Mr Tlali residing in 3932;</li> <li>(c) Mr Moferefere Khumalo residing in 12056;</li> <li>(d) Mrs Motlounng residing in 3915;</li> <li>(e) Mrs Mahasa residing in 4057;</li> <li>(f) Mrs Lelimo residing in 12603.</li> </ol> </li> <li>2. Cllr KR Tlake conveyed a message of sympathy to the families who experienced atrocities due to violence caused by gangsters/ thugs in Thabong.</li> <li>3. Cllr HCT Van Schalkwyk conveyed a message of sympathy to the Lenong family for the passing on of Me Lenong who resided in Cactus Street in his ward.</li> <li>4. The Executive Mayor, Cllr NW Speelman conveyed a message of sympathy to the families of Councillors who were affected by the killings in KwaZulu-Natal and indicated that a solution should be sought to protect Councillors.</li> </ol>
(j)	<p><b>Deputations and interviews</b></p> <p>None</p>
(k)	<p><b>Disclosure of interest</b></p> <p>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.</p>
(l)	<p><b>Minutes of the previous meeting: 28 March 2018</b></p> <p><b><u>COUNCIL RESOLVED: (30 MAY 2018)</u></b></p> <p>That the minutes of the 2<sup>nd</sup> Ordinary Council meeting held on 28 March 2018 <b>BE ADOPTED</b> subject to the verification of the Resolution 2 of Item A30 of 2018.</p>
(m)	<p><b>Matters arising from the minutes: 28 March 2018</b></p> <p><b>A25 of 2018</b></p> <ol style="list-style-type: none"> <li>1. Cllr KR Tlake indicated that a resolution was taken in the previous Council meeting that the Committee appointed to deal with the matter of Municipal Councillors' Pension Fund would interact with the Curators and upon receipt of their report, the Speaker would call a Special meeting to enable Councillors to decide on which option to take between CRF and MCPF. He indicated that he had seen former Councillors who are extremely destitute and does not want to find himself in that situation. He therefore requested that a resolution on which option to take, be taken during the meeting.</li> <li>2. Council <b>resolved</b> that the appointed Committee must expedite the matter and submit an itemized report which contains their findings and recommendations in the next Council meeting.</li> </ol>

# V

	<b>A30 of 2018</b> 1. Cllr A. Styger indicated that resolution 2 of Item A30 of 2018 was not captured correctly as Council resolved to consider accepting the donation by Harmony once funding had been sourced and that negotiations with Harmony must take place first. 2. Cllr D.R. Direko indicated that Council did not have a concrete resolution as there were different views on whether to accept or not but what she remembered was that Council had given the Executive Mayor a task to go and engage with Harmony. 3. The Speaker <b>RULED</b> that in event of misinterpretation of a resolution, he was responsible for interpretation and therefore they would <b>LISTEN</b> to the recording and report back to Council.
(n)	<b>Questions of which notice had been given</b> <b>A36 of 2018 – A41 of 2018</b>
(o)	<b>Reports of the Executive Committee/ Executive Mayor/ Committee Reports</b> <b>A42 – A53 of 2018</b>
(p)	<b>Reports of decisions taken under delegated powers</b> None
(q)	<b>Motions</b> <b>A54 – A55 of 2018</b>
(r)	<b>Closing</b> The Speaker thanked everyone who attended and closed the meeting at <b>19h15</b> .

.....  
**CLLR B. STOFIE (SPEAKER)**

.....  
**DATE**

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A32 of 2018

**ELECTION OF A COUNCILLOR REPRESENTATIVE TO THE GENERAL COMMITTEE OF SALA PENSION FUND (SPEAKER) (4/1/2/2)**

**PURPOSE**

To submit to Council, a proposed for election of a Councillor Representative to Sala Pension Fund.

**DISCUSSION**

The Speaker presented the item to Council.

**COUNCIL RESOLVED: (30 MAY 2018)**

1. That Matjhabeng Municipal Council **ELECTS** Cllr K.R Tlake to represent the Municipality at Sala Pension Fund.
2. That the Municipal Manager **COMMUNICATES** with Sala Pension Fund regarding the name of the employer representative to the Fund.

A33 of 2018

**ESTABLISHMENT OF WOMEN MULTI-PARTY CAUCUSES IN MUNICIPALITIES (SPEAKER) (15/2/1/24)**

**PURPOSE**

To elect a Woman Councillor as a Chairperson of Matjhabeng Women Councillors to SALGA Free State Women Commission Portfolio.

**DISCUSSION**

The Speaker presented the item to Council.

**COUNCIL RESOLVED: (30 MAY 2018)**

1. That the Speaker must **COORDINATE** the process of electing the Women Chairperson for the Commission of Women Councillors.
2. That the Speaker should **PRESIDE** over the election.
3. The Speaker must **REPORT BACK** to Council about the name of the elected Woman Chairperson of the Women Commission Portfolio.

**A34 of 2018**

**INAUGURATION OF THE TWO NEW COUNCILLORS OF MATJHABENG  
(SPEAKER) (14/3/1/1)**

**PURPOSE**

To inform the Council about the Oath of office taken by Councillor KV Van Rooyen for ANC and Councillor BL Jama of the EFF.

**DISCUSSION**

The Speaker presented the item to Council.

**COUNCIL RESOLVED: (30 MAY 2018)**

1. That Council **TAKES NOTE** of the inauguration of Cllr KV Van Rooyen and Cllr BL Jama.

**A35 of 2018**

**RESIGNATION OF COUNCILLOR M.E. SENXEZI AS AN EFF COUNCILLOR  
(SPEAKER) (3/1/4/2)**

**PURPOSE**

The purpose of this item is to submit to Council the resignation of Cllr M.E. Senxezi as a Councillor representing Economic Freedom Fighters in Matjhabeng Council, for noting.

**DISCUSSION**

The Speaker presented the item to Council.

**COUNCIL RESOLVED: (30 MAY 2018)**

1. That the Council **ACCEPTS** the resignation of Cllr M.E. Senxezi.
2. That the Municipal Manager should **DECLARE** a vacancy to the IEC.
3. That the Speaker must **INVESTIGATE** whether any part of Cllr Senxezi's allowance could be legally recovered from him for absconding.

**A36 of 2018**

**QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR A. STYGER (MM) (3/1/3/2)**

**PURPOSE**

To submit the questions raised by Cllr A. Styger and the response thereon by the Municipal Manager.

**DISCUSSION**

The Speaker allowed Cllr A. Styger to comment on the response received from the Municipal Manager.

Cllr A. Styger indicated that the response of the Municipal Manager made it clear that the former Municipal Manager, Mr M.F. Lepheana incurred an amount of R1.8 million in legal fees without the approval of Council.

**COUNCIL RESOLVED: (30 MAY 2018)**

1. That Council **TAKES NOTE** of the Municipal Manager's response.
2. That Council **MANDATES** the Executive Mayor to investigate whether the R1.8 million incurred by the former Municipal Manager, Mr M.F. Lepheana in legal fees that were not authorized by Council could be legally recuperated from him.

**A37 of 2018**

**QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR M.T. MACINGWANE (MM) (3/1/3/2)**

**PURPOSE**

To submit the questions raised by Cllr M.T. Macingwane and the response thereon by the Municipal Manager.

**DISCUSSION**

The Speaker allowed Cllr M.T. Macingwane to comment on the response received from the Municipal Manager.

Cllr M.T. Macingwane indicated that he was puzzled by the response of the Municipal Manager as he wanted to know whether contracts on appointment of Fezi and Letsete Consultants were available or not and the response he received mentioned Service Level Agreements between the Municipality and the Service Providers. He requested that if contracts for the above-mentioned Consultants were existing, evidence should be provided.

**COUNCIL RESOLVED: (30 MAY 2018)**

1. That Council **TAKES NOTE** of the Municipal Manager's response.
2. That the Municipal Manager must **PROVIDE** additional information to Councillor M.T. Macingwane to enable him to comprehend and apply his mind on the matter.

**A38 of 2018**

**QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR T.W. LETLHAKE (MM) (3/1/3/2)**

**PURPOSE**

To submit the questions raised by Cllr T. W. Letlhake and the response thereon by the Municipal Manager.

**DISCUSSION**

The Speaker allowed Cllr T.W. Letlhake to comment on the response received from the Municipal Manager.

**COUNCIL RESOLVED: (30 MAY 2018)**

1. That Council **TAKES NOTE** of the Municipal Manager's response.

**A39 of 2018**

**QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR P.F. BOTHA (MM) (3/1/3/2)**

**PURPOSE**

To submit the questions raised by Cllr P.F. Botha and the response thereon by the Municipal Manager.

**DISCUSSION**

The Speaker allowed Cllr P.F Botha to comment on the response received from the Municipal Manager.

Cllr P.F. Botha indicated that he had requested a spreadsheet showing the outstanding amounts on each Medical Aid or Pension Fund to be provided and seemingly some information was left out as Hosmed Medical Aid was not included in the provided list. He indicated that non-payment of employees' deducted monies to their Pension Funds was incorrect and should be paid over before the 7<sup>th</sup> of the following month.

**COUNCIL RESOLVED: (30 MAY 2018)**

1. That Council **TAKES NOTE** of the Municipal Manager's response.
2. That the Municipal Manager must **INTERACT** with Cllr P.F. Botha and provide additional information as non-payment of third parties is illegal.

**A40 of 2018**

**QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR M.J. BADENHORST (MM)**  
**(3/1/3/2)**

**PURPOSE**

To submit the questions raised by Cllr M.J. Badenhorst and the response thereon by the Municipal Manager.

**DISCUSSION**

The Speaker allowed Cllr M.J. Badenhorst to comment on the response received from the Municipal Manager.

**COUNCIL RESOLVED: (30 MAY 2018)**

1. That Cllr M.J. Badenhorst would **PREPARE** follow-up questions.

**A41 of 2018**

**QUESTIONS OF WHICH NOTICE WAS GIVEN: CLLR M.J. BADENHORST (MM)**  
**(3/1/3/2)**

**PURPOSE**

To submit the questions raised by Cllr M.J. Badenhorst and the response thereon by the Municipal Manager.

**DISCUSSION**

The Speaker allowed Cllr M.J. Badenhorst to comment on the response received from the Municipal Manager.

Cllr M.J. Badenhorst indicated that Point 6 of her questions was not answered and she wanted to know why the Fire Station in Ventersburg has not been utilized.

**COUNCIL RESOLVED: (30 MAY 2018)**

1. That the Municipal Manager must **INTERACT** with Cllr M.J. Badenhorst and provide answers as required, with immediate effect.

**A42 of 2018**

**DRAFT REVIEWED INTEGRATED DEVELOPMENT PLAN FOR THE FINANCIAL YEAR 2018/2019 (EXECUTIVE MAYOR) (9/3/1)**

**PURPOSE**

To present progress towards the Draft Reviewed Integrated Development Plan (IDP) for the Financial Year 2018/2019 in terms of Chapter 5 of the Municipal Systems Act, to Council for consideration.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (30 MAY 2018)**

1. That Council **APPROVES** the draft revised IDP for the Financial Year 2018/2019.
2. That a Service Delivery Programme **BE LINKED** to the priority needs submitted from all wards.
3. That Council **APPROVES** the IDP with related attached IDP policies and master/sector plans.
4. That the approved IDP and related policies and sector plans **BE SUBMITTED** to the Member of the Executive Council responsible for Provincial Treasury and Department of Cooperative Governance and Traditional Affairs within the required time as stipulated by law.

**A43 of 2018**

**THE 2018-2019 ANNUAL BUDGET FOR THE MATJHABENG MUNICIPALITY (EXECUTIVE MAYOR) (6/1/1/1) (2018/2019)**

**PURPOSE**

To table the Annual Budget for the 2018/2019 medium term revenue and expenditure framework (MTREF) financial year.

**THE EXECUTIVE MAYOR'S REMARKS**

The Executive Mayor informed members that the R2.6 billion Budget he was tabling was aimed at changing the lives of Matjhabeng. He indicated that the Budget was tabled at a time in which the Auditor General rated the Municipality among those that are poorly performing in terms of financial management.

He stated that the 2018/19 Annual Budget was based on inputs received from the citizens of Matjhabeng during the public participation process conducted in all 36 wards.

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He indicated that based on the inputs from all 36 wards, he had realized that people are in need of sites for houses, churches and crèches. He mentioned that one of the challenges in Matjhabeng was youth unemployment and indicated that the Municipality should come up with mechanisms for development to ensure that citizens do not lose hope. He indicated that the challenge facing the Municipality was poor revenue collection as the current pay rate makes it difficult to meet the needs of the communities and sustain the financial responsibilities of the Municipality.

In conclusion, the Executive Mayor encouraged everyone to do their best to improve the revenue collection in order to ensure improved service delivery.

The Executive Mayor indicated that the consolidated Revenue Budget for the 2018/19 financial year was **R2 653 704 150**, inclusive of operating and capital transfers and **R2 490 298 150** excluding capital transfers and contributions. The Expenditure Budget for the 2018/19 MTREF is **R2 415 436 293**.

The Executive Mayor stated that the tariff rates for 2018/19 financial year would increase according to the following percentages:

- (a) Water tariffs would be increased by 5.3% - proposed increase by Sedibeng was 9%.
- (b) Electricity tariffs would be increased by 6.84% as per NERSA guidelines
- (c) Assessment rates would be increased by 5.3%
- (d) Refuse and sewerage rates would be increased by 5.3%
- (e) General tariffs would be increased by 5.3%.

## DISCUSSION

During the discussion of the item, Councillors indicated that according to Section 18 (1) of the MFMA, the Budget must be funded and credible. They mentioned that a funded budget would be the sum of the total real foreseen income, which in the Municipality's case was R1.896 million as reflected in the cash-flow statement, calculated at 60% pay rate.

They stated that the 2018/19 Budget was not funded because the total costs of only three (3) items, namely, employee related costs, bulk purchases of water and electricity and finance charges amounted to R1.836 million, which leaves only R60 million as a funded portion. They indicated that no provision was made for service delivery requirements in the Budget and that no proper plans on how to increase the revenue or real efforts on reducing expenditure were in place.

In an endeavour to make it a funded budget, they suggested the following measures:-

- That all non-income generating expenditure must **be reduced**;
- That the income must be **ring-fenced**;
- That financial discipline should **be maintained- deviations should not be allowed**;
- That **no purchases** of luxurious furniture should be done;
- That no projects should be **funded internally**;
- That a Multi-Party Committee **be established** to deal with the impediments in the budget and review of contracts;



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- That **action be taken** against Managers who do not honour meetings called by Council appointed Committees;
- That consumers must **be educated** to pay for services rendered.

### **COUNCIL RESOLVED: (30 MAY 2018)**

1. That Council **ADOPTS** the 2018/19 MTREF Budget, subject to the following conditions:
  - 1.1 Revenue Enhancement by **INCREASING** the sale of land to R110 million in order to ensure a funded and credible Budget.
  - 1.2 **DECREASE** of Overtime budget by R40 million to R32 million.
  - 1.3 **REVIEW** of all contracts by a Multi-Party Committee within the next (3) months.
  - 1.4 **EXPENDITURE REDUCTION** of R100 million, should the real income not be increased by a minimum of another R100 million by 30 September 2018.
  - 1.5 **TABLING** of an Adjustment Budget before the end of September 2018 to reflect expenditure reduction and/or revenue increase as mentioned above.
  - 1.6 **TABLING** of progress reports on movement on the budget at every Council meeting.
  - 1.7 **IMPLEMENTATION** of the full operations system/ shift system endorsed by SALGA in order to reduce overtime.
2. That Council **APPROVES** the amended Fixed Assets Management Policy as submitted to be GRAP compliant.
3. That Council **APPROVES** the de-recognition of the attached list of minor assets for the year ended 30 June 2018.
4. That Council **APPROVES** the Budget of R2.6 billion with the collection rate of 60%.

**A44 of 2018****MPAC REPORT ON INVESTIGATION ON IRREGULAR EXPENDITURE INCURRED FOR THE PERIOD 1 JULY 2016 TO 30 JUNE 2017 (MPAC CHAIRPERSON) (6/1/2/2)****PURPOSE**

The purpose of the item is to submit the MPAC report on investigation of irregular expenditure incurred for the period 1 July 2016 to 30 June 2017 as mandated by Council.

**DISCUSSION**

The MPAC Chairperson, Cllr MD Masienyane presented the item to Council.

**COUNCIL RESOLVED: (30 MAY 2018)**

1. That Council **TAKES NOTE** of the Municipal Public Accounts Committee report.
2. That Council **CERTIFIES** an amount of **R155,872,961.12** for the period 1 July 2016-30 June 2017 detailed on page 48 of the Annexures as irrecoverable and must **BE WRITTEN-OFF**.
3. That the appropriate disclosure note **BE MADE** to the financial statements for the year ending 30 June 2018.
4. That the Accounting Officer must **ESTABLISH** controls to detect and prevent these types of expenditure and on a quarterly basis **SUBMIT** a Supply Chain Management report for consideration to Council.
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, sub-section 4 of the Municipal Finance Management Act.

**A44.1 of 2018****MPAC REPORT ON INVESTIGATION ON FRUITLESS AND WASTEFUL EXPENDITURE INCURRED FOR THE PERIOD 1 JULY 2016 TO 30 JUNE 2017 (MPAC CHAIRPERSON) (6/1/2/2)****PURPOSE**

The purpose of the item is to submit the MPAC report on investigation of fruitless and wasteful expenditure incurred for the period 1 July 2016 to 30 June 2017 as mandated by Council.

**DISCUSSION**

The MPAC Chairperson, Cllr MD Masienyane presented the item to Council.

**COUNCIL RESOLVED: (30 MAY 2018)**

1. That Council **TAKES NOTE** of the Municipal Public Accounts Committee report.
2. That Council **CERTIFIES** an amount of **R89,944,524.61** for the period 1 July 2016-30 June 2017 detailed on page 41 of the Annexures as irrecoverable and must **BE WRITTEN-OFF**.
3. That the appropriate disclosure note **BE MADE** to the financial statements for the year ending 30 June 2018.
4. That the Accounting Officer must **ESTABLISH** controls to detect and prevent these types of expenditure and on a quarterly basis **SUBMIT** a Supply Chain Management report for consideration to Council.
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, sub-section 4 of the Municipal Finance Management Act.

**A44.2 of 2018**

**CONDONATION OF THE UNAUTHORIZED EXPENDITURE FOR 2016/2017 FINANCIAL YEAR (MPAC CHAIRPERSON) (6/1/1/1) (2016/17)**

**PURPOSE**

The purpose of the item is to request Council to condone the unauthorized expenditure incurred for 2016/2017 financial year.

**DISCUSSION**

Cllr SD Manese presented the item to Council.

During the discussion of this Item, Council agreed that the item was not supposed to be presented by the Executive Mayor as the unauthorized expenditure was referred to MPAC for investigation.

**COUNCIL RESOLVED: (30 MAY 2018)**

1. That Council **AUTHORISE** the unauthorised expenditure incurred during the 2016/2017.
2. That Council **CONDONES** the unauthorised expenditure that was not submitted on the stipulated time.

## A45 of 2018

### **DRAFT SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN FOR 2018/2019 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 2018/19 Financial year to Council for consideration.

#### **DISCUSSION**

The Executive Mayor presented the item to Council.

#### **COUNCIL RESOLVED: (30 MAY 2018)**

1. That Council **NOTES** the Draft Service Delivery and Budget Implementation plan for 2018/2019.
2. That the final Service Delivery and Budget Implementation Plan 2018/2019 **BE PUBLISHED** together with the IDP and the Budget after the Executive Mayor has signed.
3. That the final SDBIP for 2018/2019 **BE SUBMITTED** to Offices of the Provincial and National Treasuries as well as Provincial COGTA.

## A46 of 2018

### **BUDGET/ IDP REVIEW PROCESS PLAN – 2019/ 2020 (EXECUTIVE MAYOR) (18/1/18)**

#### **PURPOSE**

To present the Budget/ IDP Review Process Plan in terms of chapter 5 of the Municipal Systems Act and MFA chapter 4 section 21, to Council for consideration.

#### **DISCUSSION**

The Executive Mayor presented the item to Council.

#### **COUNCIL RESOLVED: (30 MAY 2018)**

1. That Council **APPROVES** the Budget/Integrated Development Plan Review Process-Plan for financial year 2019/ 20.

**A47 of 2018**

**PROGRESS REPORT REGARDING THE ALLOCATION OF SITES/  
FORMALISATION OF 7000 SITES IN THE AFFECTED WARDS OF  
MATJHABENG (EXECUTIVE MAYOR) (8/3/2)**

**PURPOSE**

To present progress report with regard to site allocation/ formalization for 7000 pegged sites within Matjhabeng.

**DISCUSSION**

The Executive Mayor allowed Cllr TD Khalipha to present the item to Council.

Cllr Khalipha informed members that the process of allocation of sites according the approved waiting list went smoothly in some areas but in other areas it was disturbed by people who decided to undermine and hijack it. Councillors raised a concern with regard to land grabs and stated that it was not correct to let those illegal invaders to be allocated sites in front of the people who are on the approved waiting list. Others raised a concern that sites were given minors and foreign nationals whilst some of the elderly people were still residing in squatter camps.

**COUNCIL RESOLVED: (30 MAY 2018)**

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

**A48 of 2018**

**PROGRESS ON MUNICIPAL ACCREDITATION PROGRAMME (EXECUTIVE  
MAYOR) (7/1/4/1)**

**PURPOSE**

To inform Council about the progress in Municipal Accreditation Programme.

**DISCUSSION**

The Executive Mayor allowed Cllr TD Khalipha to present the item to Council.

**COUNCIL RESOLVED: (30 MAY 2018)**

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

**A49 of 2018**

**REQUEST FOR APPROVAL OF MATJHABENG LOCAL MUNICIPALITY 1<sup>st</sup> DRAFT RESETTLEMENT PLAN – UPGRADING / RELOCATION OF INFORMAL SETTLEMENTS (EXECUTIVE MAYOR) (8/3/2)**

**PURPOSE**

To obtain Council approval for Matjhabeng Local Municipality 1st Draft Re-Settlement Plan in order to upgrade or relocate Informal Settlements in Matjhabeng.

**DISCUSSION**

The Executive Mayor allowed Cllr TD Khalipha to present the item to Council.

**COUNCIL RESOLVED: (30 MAY 2018)**

1. That Council **APPROVES** the Matjhabeng Local Municipality's 1<sup>st</sup> Draft Re-Settlement Plan Upgrading / Relocation of Informal Settlements.

**A50 of 2018**

**DISPOSAL OF CAPITAL ASSETS – ALIENATION OF IMMOVABLE PROPERTIES: COMMUNITY FACILITIES SITES IN MATJHABENG (EXECUTIVE MAYOR) (8/3)**

**PURPOSE**

To request Council to pronounce itself pertaining to disposal Community Facilities sites (churches, crèches and NPO) within Matjhabeng Municipality.

**DISCUSSION**

The Executive Mayor allowed Cllr MC Radebe to present the item to Council.

**COUNCIL RESOLVED: (30 MAY 2018)**

1. That Council **NOTES** the report.
2. That Council **RESOLVES** that Erven mentioned on the item and also depicted on pages 52-81 of the Annexures **ARE NOT NEEDED** to provide future minimum basic municipal services.
3. That Council **NOTES** the Valuation amount on each property as received from the revenue department.

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4. That Council **RESOLVES**, in compliance to Section 14 (5) of the MFMA, that the property **BE DISPOSED OFF** at the market value in a fair, equitable, transparent, competitive manner and in accordance with Council's Supply Chain Management Policy and Policy on the Alienation of Immovable Assets.
5. That Council **RESOLVES** that the Municipal Manager, in compliance with Section 6.20 of the SCM Policy and Policy on the Alienation of Immovable Assets, shall **SUBMIT** a report concerning the outcome of the bidding process to Council.
6. That provision for sites in Hani Park **BE INCLUDED** in the list of community facilities (churches, crèches and NPO) that are earmarked for disposal.
7. That the addresses reflected in the list **BE UPDATED**.

## **A51 of 2018**

### **RE: ESTABLISHMENT OF DISCIPLINARY BOARD TO ASSIST COUNCIL WITH ALLEGATIONS OF FINANCIAL MISCONDUCT (EXECUTIVE MAYOR)**

#### **PURPOSE**

To submit to Council a proposal for establishing disciplinary board as required by section 4 (8) of Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings.

#### **DISCUSSION**

The Executive Mayor presented the item to Council.

#### **COUNCIL RESOLVED: (30 MAY 2018)**

1. That Council **APPROVES** the establishment of Matjhabeng Local Municipality Disciplinary Board.
2. That as a temporary solution, Council **APPROVES** the establishment of a Committee in terms of section 4 (8) of Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings in order to respond to the finding raised by the Auditor General.
3. That the Executive Mayor and a Multi-Party Committee should **DECIDE** on the composition of the Committee.

**A52 of 2018**

**DEVELOPMENT OF MASTER PLANS BY THE DEVELOPMENT BANK OF SOUTH AFRICA FOR THE MUNICIPALITY (DBSA) (EXECUTIVE MAYOR) (5/6/2/5)**

**PURPOSE**

To seek approval from Council to pursue engagements with the Development Bank of South Africa (DBSA) on the development of the Water and Sanitation Master Plan and the Roads and Storm Water Master Plan through their in-kind grant.

**DISCUSSION**

The Executive Mayor allowed Cllr DR Direko to present the item to Council.

**COUNCIL RESOLVED: (30 MAY 2018)**

1. That the item **BE NOTED**.
2. That the Municipal Manager **BE AUTHORIZED** to continue engagements and co-operation with the Development Bank of South Africa (DBSA) in order to access their in-kind grant to develop the following master plans:
  - 2.1.1 water and sanitation master plan
  - 2.1.2 roads and storm water master plan
3. That the Municipal Manager **BE AUTHORIZED** to enter into a memorandum of agreement (moa) upon final approval of the application by the investment committee of the Development Bank of South Africa (DBSA).
4. That the Municipality's contribution towards the development of the master plans **BE IN-KIND AND NOT** of monetary value.

**A53 of 2018**

**SANRAL INTERVENTION TO REPAIR ROADS IN MATJHABENG MUNICIPALITY THROUGH THE VENTERSBURG QUARRY (EXECUTIVE MAYOR) (8/3/2)**

**PURPOSE**

To provide feedback to Council on engagements with SANRAL on the Ventersburg quarry.

**DISCUSSION**

The Executive Mayor allowed Cllr ME Tshopo to present the item to Council.



## **COUNCIL RESOLVED: (30 MAY 2018)**

1. That the report **BE NOTED**.
2. That a letter **BE WRITTEN** to the CEO of SANRAL and the Director General of the National Department of Transport respectively to express disappointment on the lack of progress as agreed on 20 April 2018.
3. That the Executive Mayor and the Municipal Manager **MUST ARRANGE** a meeting with the Minister of the National Department of Transport for intervention.

## **A54 of 2018**

## **MOTION BY CLLR P.F. BOTHA: MOTION TO HAVE MEDIA NEWS CONTRACT DECLARED NULL AND VOID (20/14/4/3)**

### **PURPOSE**

To submit to Council the motion received from Cllr P.F. Botha for consideration.

### **DISCUSSION**

The Speaker allowed Cllr P.F. Botha to present his motion to Council.

## **COUNCIL RESOLVED: (30 MAY 2018)**

1. That the contract at its entirety **BE DECLARED** null and void.
2. That the awarding of a future contract **BE KEPT IN ABEYANCE** until the applicable By-law and Policy has been subjected to public participation as per the Systems Act, approved by Council and promulgated in the Government Gazette.
3. That the Supply Chain Management Policy procedures **BE FOLLOWED** should Council resolve to outsource the administration of the Policy and By-law.
4. That the contract **BE ALSO INCLUDED** in the list of contracts that would be subjected to the Multi-Party Committee.

A55 of 2018

**MOTION BY CLLR M.T. MACINGWANE: BARRING OF EFF COUNCILLORS FROM COUNCIL MEETINGS DUE TO DRESS CODE (MM) (20/14/4/3)**

**PURPOSE**

To submit to Council the motion received from Cllr M.T. Macingwane for consideration.

**DISCUSSION**

The Speaker allowed Cllr M.T. Macingwane to present his motion to Council.

Cllr M.T. Macingwane informed the members that he was advised to withdraw the motion as the matter has been sent to the Constitutional Court.

**COUNCIL RESOLVED: (30 MAY 2018)**

1. That the motion by Cllr M.T. Macingwane **BE WITHDRAWN**.

C2 of 2018

**SPORADIC LAND GRABS ACTIVITIES IN MATJHABENG (SPEAKER) (6/9/2)**

**PURPOSE**

To inform the Council about the allegations of land grabs that involves the Executive Mayor of Matjhabeng.

**DISCUSSION**

The Speaker presented the item to Council.

**COUNCIL RESOLVED: (30 MAY 2018)**

1. That the item **BE REFERRED BACK** as it was submitted before all processes that need to be followed were finalized.