

MATJHABENG LOCAL MUNICIPALITY

MINUTES

of

MPAC COMMITTEE MEETING

Held on

THURSDAY, 17 JANUARY 2019

At

10:00

ROOM 428,4TH FLOOR, CIVIC CENTRE WELKOM

**SECTION A
PROCEDURAL MATTERS**

1. OPENING AND WELCOME

The Chairperson, Cllr D Masienyane welcomed everyone present and declared the meeting open.

2. SIGNING OF ATTENDANCE REGISTER

CLLRS

1.Cllr Masienyane D _MLM

2.Cllr Marais J _MLM

3.Cllr Mafa D _MLM

4.Cllr Molefi M _MLM

5.Cllr Poo I -MLM

6.Cllr Mosia J _MLM

7.Cllr Nqeobo M _MLM

EXECUTIVE DIRECTORS

1.Mr T Tsoaeli _Municipal Manager

2.Mr T Makofane _ED: Strategic Support Services

3.Mr T Panyani _Chief Financial Officer

4.Mr FF Wetes –ED: Corporate Support Services

5.Mrs Z Tindleni –ED: Community Services

6. Mr B Golele _AED:HS SP&LED

7.Mr L Rubulana _SNR Manager Office of the Speaker

	OFFICIALS 1.Ms M Musapelo-Corporate Services Scriber 2.Ms P Sefuthi _Risk Management 3.Me. Matshediso Pheko - MPAC Secretary 4.Mr T Molotsane –IT Officer
	FS TREASURY DEPARTMENT 1. Ms N Modisaesi 2. Mr K Khoabane
3.	APPLICATION FOR LEAVE OF ABSENCE Cllr P Botha.
4.	OFFICIAL ANNOUNCEMENTS None
5.	MOTIONS OF SYMPATHY AND CONGRATULATIONS None
6.	MINUTES OF THE PREVIOUS MEETING The minutes of 23 August 2018 was adopted as a true reflection with corrections.
7.	MATTERS ARISING FROM THE MINUTES T16 and Nyakallong waste water treatment
8.	DEPUTATIONS AND INTERVIEWS 8.1. UIF expenditure 8.2. Overtime 8.3. Terms of Reference
9.	CLOSURE .

7. MATTERS ARISING FROM THE PREVIOUS MINUTES

7.1 T16 REPORT

BACKGROUND

The construction of Thabong T16 waterborne sanitation of 1300 stands started in 2014 at a project value of R61 899 139.

During the project site visit, it was identified that the lower lying areas of T16 sewerage outfall were to gravitate to the pump station and from the pump station to treatment plant because the area was sloping down and there was a need for a booster pump for the outfall to be able to divert to the waste water treatment plant.

The Municipality had to prioritise the construction of toilet structures, plumbing, internal sewerage ahead of the bulk network at the pump station due to poor planning; and the sewerage pipeline was not connected to the pump station. This resulted in sewerage overflow around the area of construction at the pump station which caused pollution of the environment and compromised the safety and health of the residents of Thabong.

DISCUSSION

The MPAC Committee was not sure whether the project was functional or dysfunctional, whether there was value for money or not so far.

The Municipal Manager was requested to give advice and to report to council about the unfinished pump station and sewerage that was running there.

In response the Municipal Manager said it would be better if the Committee can go on site to have a clear picture and check the condition of the project although there was outstanding job, besides variation orders was done as well.

Councillor Masienyane has indicated that the committee did went to the site last year to gain first-hand assessment of the situation.

In addition the Municipal Manager has shown his concern about the condition hence people living there need to be serviced as well.

It was agreed that Municipal Manager must recover what needs to be recovered and council to give a mandate to Municipal Manager to lay criminal charges.

The Municipal Manager undertook that the T16 waterborne project will be functional.

IT WAS RESOLVED ON THE 17 JANUARY 2019

1. That the money that was used by the contractor must be recovered.
2. That punitive measures must be taken against the contractor.
3. That the Municipal Manager must ensure that the T16 Thabong project will be functional.

7.2 NYAKALLONG WASTE WATER TREATMENT PLANT

BACKGROUND

The Municipality entered into an agreement for the upgrading of Nyakallong Waste Water Treatment Works in 2012 for the amount of **R52 299 552**.

A contractor was appointed in 2012 and paid an amount of **(R8 800 776)** until 2013. The job was unfinished, and in 2016 a new contractor was appointed which is currently on site and has been paid an amount of **R10 849 612** to date.

The accumulate amount, including amounts paid to the consultants, expensed on this contract to date is **R29 689 653**. The significant delays on the projects have resulted in unbearable stench to the residential dwellings due to sewerage outflows running across the streets.

Acting Director Barry Golele also advice the committee to recommend that it can also blacklist the contractor.

DISCUSSION.

The Municipal Manager have indicated and ensured the MPAC Committee that he cannot relocate the subcontractor for the end of January 2019.

IT WAS RESOLVED ON THE 17 JANUARY 2019

1. That the money must **BE RECOVERED** from the contractor who got paid in 2013.
2. That the contractor must be **HELD LIABLE**, and the Municipal Manager **MUST LAY** criminal charges against the contractor.
3. That the Municipal Manager **MUST ENSURE** that the Nyakallong Waste Water Treatment Plant is **FUNCTIONAL**.
4. That the MPAC committee must recommend **TO BLACKLIST** the uncaring contractor.

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8.1UIF EXPENDITURE

DISCUSSIONS

The committee have noted that Municipal Manager was unable to present the item.

IT WAS RESOLVED ON THE 17 JANUARY 2019

1. The item was **REFERRED BACK** and **WAIT** for Auditor General's processes to unfold.

8.2 OVERTIME

DISCUSSIONS

The committee have noted that the Municipal Manager was unable to present the item.

Collective agreement on threshold with labour on overtime still in discussion since November 2016.

He have indicated that recently the overtime item was presented before the MPAC Committee and was not brought to his attention, he alluded that it was improper for him to discuss it as he was unaware that Letsete Company presented the overtime item without his knowledge.

He requested the MPAC committee further that no service provider must give presentations without his knowledge.

In addition the Municipal Manager suggested that threshold on overtime be reduced and the employees must be offered working time off.

He further described overtime as a challenging issue to the municipality.

IT WAS RESOLVED ON THE 17 JANUARY 2019

1. That Municipal Manager **MUST ENSURE** that a proper audit be done pertaining to the overtime threshold since it was a council resolution.
2. That the overtime matter like the UIFW should **GO BACK** and **WAIT** for Auditor General's process to **UNFOLD**.

8.3. TERMS OF REFERENCE (CIRCULAR 92 National Treasury)

DISCUSSION

The MPAC committee has raised some issues and concerns that may hinder them to act on their capacity regarding the financial misconduct within the Municipality.

Therefore they needed a tool that will guide them in terms of the financial misconduct and UIF Expenditure incurred unnecessarily.

IT WAS RESOLVED ON THE 17 JANUARY 2019

1. That the Municipal Manager be **REQUESTED** to **FACILITATE** the presentation of Terms of Reference.
2. That the item of terms of reference **BE TAKEN** to the next council for the approval.

CLOSURE: 12pm

The Chairperson thanked everyone present and adjourned the meeting.