

# **MINUTES**

of the

**3<sup>RD</sup> SPECIAL COUNCIL MEETING  
FOR THE YEAR 2017**

of

**MATJHABENG MUNICIPALITY**

held on

**THURSDAY, 13 JULY 2017**

at

**15:00**

**COUNCIL CHAMBERS, CIVIC CENTRE,  
WELKOM**

## COUNCILLORS ATTENDANCE

### 3<sup>RD</sup> SPECIAL COUNCIL MEETING MINUTES: 13 JULY 2017

PROPORTIONAL			
1.	Stofile B ( <b>Speaker</b> )	19.	Moipatle KSV
2.	Sephiri MJ ( <b>Chief Whip</b> )	20.	Mthebere NA ( <b>Absent</b> )
3.	Speelman NW ( <b>Executive Mayor</b> )	21.	Nqeobo ME
4.	Badenhorst MJ	22.	Ntsebeng MH
5.	Botha PF	23.	Phofeli NM
6.	Direko DR	24.	Presente LN
7.	Jacobs EJ	25.	Radebe MC
8.	Kabi M ( <b>Apology</b> )	26.	Radebe ML
9.	Khetsi LE <b>*(Requested to leave)</b>	27.	Rakaki MM
10.	Letlhake TW	28.	Ramabodu BM ( <b>Absent</b> )
11.	Lushaba TB	29.	Senxezi ME <b>*(Requested to leave)</b>
12.	Macingwane MT <b>*(Requested to leave)</b>	30.	Sithole AM <b>*(Requested to leave)</b>
13.	Mafaisa MG	31.	Styger A
14.	Manenye AJ	32.	Taljaard SDM
15.	Manese SD	33.	Thelingoane NE
16.	Marais JS ( <b>Apology</b> )	34.	Tshopo ME ( <b>Apology</b> )
17.	Masina XN	35.	Tsoaeli MS ( <b>Absent</b> )
18.	Mawela VE	36.	Tsupa MR ( <b>Apology</b> )
WARD			
37.	Badenhorst HS	55.	Moshoeu ZS
38.	Chaka MS	56.	Mosia TJ
39.	Daly A	57.	Mphikeleli MA
40.	Khalipha TD	58.	Nkonka BB
41.	Khothule MJ	59.	Nthako TD ( <b>Apology</b> )
42.	Liphoko SJ ( <b>Apology</b> )	60.	Ntuli BN ( <b>Apology</b> )
43.	Mafa DM	61.	Pholo SJ
44.	Mahlumba BH	62.	Poo IP
45.	Malherbe C ( <b>Apology</b> )	63.	Ramalefane SJ
46.	Manzana NR	64.	Ramatisa PT
47.	Masienyane MD	65.	Schlebusch CJ ( <b>Resigned</b> )
48.	Meli TS	66.	Sebotsa MM ( <b>Apology</b> )
49.	Mokhomo HA	67.	Thelingoane TJ
50.	Molefi M	68.	Tlake KR
51.	Molelekoa PMI	69.	Tsatsa SJ
52.	Moloja NJ	70.	Tshabangu SE ( <b>Absent</b> )
53.	Monjovo NE ( <b>Apology</b> )	71.	Van Rooyen MS ( <b>Apology</b> )
54.	Morris VR	72.	Van Schalkwyk HCT ( <b>Apology</b> )

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



## **EXECUTIVE MANAGEMENT**

Mr ET Tsoaeli	:	Acting Municipal Manager
Mr T. Makofane	:	Executive Director: Strategic Support Services
Mr FF Wetes	:	Executive Director: Corporate Services
Me HB Maswanganyi	:	Executive Director: Infrastructure
Me M. Mothekhe	:	Acting Executive Director: LED, P & HS
Mr MJ Molawa	:	Acting Executive Director: Community Services
Me L. Williams	:	Acting Chief Financial Officer

## **COUNCIL ADMINISTRATION SECRETARIAT**

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

### III

(a)	<p><b>Opening</b></p> <p>The Speaker welcomed everybody present at the 3<sup>rd</sup> Special Council meeting of the year 2017 and declared the meeting open.</p>
(b)	<p><b>Applications for leave of absence</b></p> <p>See Councillors' attendance list on page <b>I</b> of these minutes.</p>
(c)	<p><b>Official announcements of the Speaker</b></p> <p>The Speaker informed members that he had received a letter from EFF attorneys, namely Kwinana &amp; Partners, which indicated that Council was illegally preventing the EFF Councillors from coming to Council meetings and based their opinion on the Buffalo City Court Order solicited by EFF.</p> <p>The Speaker stated that in his view the Buffalo City Order might be issued on different facts compared to Matjhabeng Council's facts. He reminded members that the Standard Rules and Orders were formally adopted collectively by Council as rules that would govern the business of Council and the rules state that every member should adhere to the approved dress code with no exception to anyone.</p> <p>He further stated that until such time that there is a ruling that sets aside the adoption of Matjhabeng Council's Standard Rules and Orders, no member who is wearing his/her regalia or uniform related to any Political Party would be allowed in Council meetings.</p> <p>He told members that upon receipt of any communication, the Municipality however, has legal responsibility to reply to the issues raised and therefore they are committed to respond to the issues raised by the EFF Attorneys.</p> <p>He thereafter requested the EFF Councillors to abide by the rules, as his role as Speaker, among others, was to enforce the rules and if they refuse to abide by the rules, they should recuse themselves.</p> <p>Cllr MT Macingwane stated that the EFF objected to the adoption of the Standard Rules and Orders and therefore believed that they should be allowed to stay. He based his statement on the meeting held on 06 September 2016. The Speaker corrected him and stated that their objection was on the establishment of the Rules and Ethics Committee reflected as Item A64/2016 in the minutes of that meeting and not on the Standard Rules and Orders reflected as Item A68/2016.</p> <p>After several inputs from EFF members regarding the matter, the Speaker ruled that the members of EFF should recuse themselves from the Council Chambers due to the contravention of the approved dress code.</p>

## IV

(d)	<p><b>Motions of sympathy and congratulations</b></p> <p><b><u>Sympathy</u></b></p> <p>The Speaker conveyed a message of condolences to the family of Mr Ray Phiri, a music legend who passed away on the 12<sup>th</sup> July 2017.</p> <p><b><u>Congratulations</u></b></p> <p>Cllr KR Tlake congratulated Cllr PMI Molelekoa on his appointment as a member of the Board of Trustees for the Free State Municipal Pension Fund.</p>
(e)	<p><b>Disclosure of interest</b></p> <p>The Speaker reminded Councillors to update their declaration forms at the office of the Municipal Manager each 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>
(f)	<p><b>Matters for discussion</b></p> <p><b>SA8/2017</b></p>
(g)	<p><b>Closing</b></p> <p>The Speaker thanked everyone who attended and closed the meeting at <b>15h50</b>.</p>

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**CLLR B. STOFIE (SPEAKER)**

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**DATE**

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SA8/2017

**APPOINTMENT OF THE MUNICIPAL MANAGER (EXECUTIVE MAYOR)**  
**(5/3/2/1)**

**PURPOSE**

To report to Council about the process of appointing the Municipal Manager of Matjhabeng Local Municipality.

**DISCUSSION**

The Executive Mayor presented the item to Council.

**COUNCIL RESOLVED: (13 JULY 2017)**

1. That Council **APPOINTS** Mr ET Tsoaeli as the Municipal Manager of Matjhabeng Local Municipality subject to the final approval by the MEC of Cooperative Governance and Traditional Affairs.
2. That the second highest candidate **BE APPOINTED**, should the recommended candidate fail to assume his responsibilities for any reason.
3. That Council **DELEGATES** the Executive Mayor the function of negotiating the remuneration package with the appointed Municipal Manager and must report to Council for finalization.
4. That Council delegates the Executive Mayor **TO FINALIZE** the contract of employment, performance agreement and financial disclosure form with the appointed Municipal Manager.