

MOGALAKWENA LOCAL MUNICIPALITY

COUNCIL

MINUTES OF THE 15th COUNCIL MEETING OF THE MOGALAKWENA MUNICIPALITY HELD IN THE COUNCIL CHAMBER, CIVIC CENTRE, MOKOPANE ON WEDNESDAY, 26 AUGUST 2009 AT 16:05

PRESENT

AS PER ATTACHED ATTENDANCE REGISTER.

OFFICIALS

Messrs.	S W KEKANA	-	MUNICIPAL MANAGER
	S T MOGASHOA	-	MANAGER: TECHNICAL SERVICES
	M H THOBEJANE	-	MANAGER: CORPORATE SUPPORT SERVICES
	J N FOURIE	-	MANAGER: ELECTRICAL SERVICES
	M P MASHOTJA	-	DEPUTY MANAGER: DEVELOPMENTAL SERVICES
	L J PIETERSE	-	ACTING DEPUTY MANAGER: TECHNICAL SERVICES
	M G MATABANE	-	ACTING MANAGER: COMMUNITY SERVICES
	M A SIBANDA	-	ACTING MANAGER: TRAFFIC & EMERGENCY SERVICE
Mesdames.	D E MAILULA	-	MANAGER: DEVELOPMENTAL SERVICES
	W D JOUBERT	-	ACTING CHIEF FINANCIAL OFFICER
	R MADIBELA	-	COUNCIL SECRETARIAT OFFICER

1. OPENING

The speaker welcomed all present and requested that a moment of silence be observed.

2. APPLICATION OF MEMBERS FOR LEAVE OF ABSENCE

Applications for leave of absence were received from councillors T A Kgaphola, R E Mothibi, M S Sebetha, M Selomo, M P Mello, L G Mokale, L P Maloba, M S Tefu, R M Molekoa, N M Motabo and M S Ngoepe.

RESOLVED:

THAT leave of absence from the 15th council meeting of the Mogalakwena Municipality held on 26 August 2009 be granted to councillors T A Kgaphola, R E Mothibi, M S Sebetha, M Selomo, M P Mello, L G Mokale, L P Maloba, M S Tefu, R M Molekoa, N M Motabo and M S Ngoepe.

3. OFFICIAL NOTICES

None.

4. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER

The speaker congratulated councillors who celebrated their birthdays during June, July and August 2009.

5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY OTHER MEMBERS

Councillor Montane proposed condolences for MEC of Public Works, Sparks Ramagoma who passed away and requested that a moment of silence be observed.

The mayor also proposed condolences for Mr Phala who passed away.

Councillor Mphela congratulated the gold medal athletes, Caster Semenya and Mbulayeni Mulaudzi.

Councillor Ramashala congratulated the speaker who will celebrate her birthday on 27 August 2009.

Councillor Kganyago congratulated the speaker for hosting the woman's month.

6. MINUTES OF THE PREVIOUS MEETINGS

RESOLVED:

THAT the minutes of the 14th council meeting held on 27 May 2009 (pages 89 to 102), the minutes of the special council meeting held on 8 July 2009 (pages 112 to 114), the minutes of the special council meeting held on 15 July 2009 (pages 115 to 116) and the minutes of the special council meeting held on 15 July 2009 (pages 117 to 119), be approved and signed.

7. REPORT OF THE MUNICIPAL MANAGER

None.

8. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

None.

9. MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETINGS

None.

10. THE REPORT OF THE EXECUTIVE COMMITTEE FOR JUNE, JULY AND AUGUST 2009

SECTION A

The mayor submitted the report of the executive committee (pages 3 to 15) and requested that it be considered.

SECTION B

The mayor submitted the report of the executive committee (pages 16 to 24) and requested that it be noted.

A : REPORT OF THE EXECUTIVE COMMITTEE FOR JUNE, JULY AND AUGUST 2009 WITH REGARD TO MATTERS WHICH THE COUNCIL MUST CONSIDER

- 1. 3RD QUARTERLY REPORT ON EMPLOYMENT CREATION IN THE MUNICIPAL AREA**
(ITEM 6 AGENDA EC 24 JUNE 2009) (17/3/5)LA

RESOLVED:

THAT the third quarterly employment creation report for the period January to March 2009, be noted.

- 2. 2ND QUARTERLY LOCAL ECONOMIC DEVELOPMENT PROJECTS PROGRESS REPORT**
(ITEM 7 AGENDA EC 24 JUNE 2009) (17/3/3/6)LA

RESOLVED:

THAT the second quarterly LED projects progress report for the period October to December 2008, be noted.

- 3. 3RD QUARTERLY LOCAL ECONOMIC DEVELOPMENT PROJECTS PROGRESS REPORT**
(ITEM 8 AGENDA EC 24 JUNE 2009) (17/3/3/6)LA

RESOLVED:

THAT the third quarterly LED projects progress report for the period January to March 2009, be noted.

4. QUARTERLY REPORTING FOR JANUARY TO MARCH 2009 (11/3/2)DM
(ITEM 12 AGENDA EC 24 JUNE 2009)

RESOLVED:

THAT the quarterly reports in terms of section of 5 (7) (iii) of the Division of Revenue Act, 2003, for the months January 2009 to March 2009, be noted.

5. FINANCIAL INDICATORS: 30 APRIL 2009 (11/3/2)WDJ
(ITEM 13 AGENDA EC 24 JUNE 2009)

RESOLVED:

THAT the content of the monthly finance report for April 2009, be noted.

6. MONTHLY BUDGET STATEMENTS: APRIL 2009 (11/3/2)IFM
(ITEM 14 AGENDA EC 24 JUNE 2009)

RESOLVED:

THAT the monthly budget statements for April 2009 in terms of section 71 of the MFMA (Act 56 of 2003), be noted.

7. STOPPING OF CONDITIONAL GRANT ALLOCATIONS TO MUNICIPALITIES IN TERMS OF SECTION 26(2) OF THE DIVISION OF REVENUE ACT, 2008 (ACT 2 OF 2008)
(6/6/5)(19/16/1)WJ
(ITEM 15 AGENDA EC 24 JUNE 2009)

RESOLVED:

THAT

- a) it be noted that the allocation-in-kind for the Neighbourhood Development Partnership Grant has been reduced by R3,2 million to R300 000,00 in the 2008/2009 financial year as per Government Notice 388 in Government Gazette no. 32079 dated 31 March 2009.
- b) a report be submitted in order to indicate what clarification was sought from Provincial and National Treasury which caused the delay.
- c) any problems that arise regarding this grant be reported to the executive committee.

8. LEASE OF AERODROME (7/3/3/75)I
(ITEM 15 AGENDA EC 24 JUNE 2009)

RESOLVED:

THAT it be noted that the lease of the aerodrome has been awarded to erf 408 Potgietersrus CC.

9. WATER SERVICES BY-LAWS (8/1/5/1)TM
(ITEM 17 AGENDA EC 24 JUNE 2009)

RESOLVED:

THAT

- a) the comments from the public regarding the Water Services By-laws, be noted.
- b) in terms of section 13(a) of the Local Government : Municipal Systems Act, 2000 (Act 32 of 2000) the Water Services By-laws attached as pages 160 to 237 to the executive committee agenda dated 24 June 2009, be approved and adopted.

10. REQUEST FOR THE APPROVAL AND ADOPTION OF MOGALAKWENA DRAFT TOURISM STRATEGY (12/1/9)MS
(ITEM 18 AGENDA EC 24 JUNE 2009)

RESOLVED:

THAT

- a) the Tourism Strategy for Mogalakwena attached as pages 242 to 421 to the executive committee agenda dated 24 June 2009, be approved and adopted.
- b) budget allocation be made available in 2010/2011 financial year for the implementation of the tourism strategy.
- c) it be noted that councillors have been workshopped on 8 April 2009 on the Tourism Strategy.

11. RISK MANAGEMENT STRATEGY (6/11/2/1)BL
(ITEM 19 AGENDA EC 24 JUNE 2009)

RESOLVED:

THAT

- a) the risk management strategy which includes a risk policy attached as pages 425 to 466 to the executive committee agenda dated 24 June 2009, be approved.

151.
26.08.09

- b) a report be submitted to the executive committee regarding the appointment of the risk manager.

12. TOWN PLANNING: PROPOSED SUBDIVISION OF PORTION OF PORTION 80 OF THE FARM PIET POTGIETERSRUST TOWN AND TOWNLANDS NO. 44 – KS (17/2/6/6)SH
(ITEM 6 AGENDA EC 22 JULY 2009)

RESOLVED:

THAT the proposed layout plan for a portion of portion 80 of the Farm Piet Potgietersrust Town and Townlands No. 44 – KS, attached as page 13 to the executive committee agenda dated 22 July 2009 , be approved.

13. TOWN PLANNING: RE – SUBMISSION OF THE APPLICATION FOR PRIVATE TOWNSHIP ESTABLISHMENT ON PORTION 95 AND 96 OF THE FARM OORLOGSFONTEIN 45 – KS (A PORTION OF PORTION 89), LIMPOPO PROVINCE IN TERMS OF THE SECTION 96 (1) OF THE TOWN PLANNING AND TOWNSHIP ORDINANCE (ORDINANCE 15 of 1986): MOUNTAIN VIEW ESTATE (17/3/4)SH
(ITEM 7 AGENDA EC 22 JULY 2009)

RESOLVED:

THAT the application for township establishment for the proposed Mountain View Estate still not be supported and not be approved due to the following reasons:

- i) the municipality is not in a position to provide bulk services (i.e. water, sewage as well as electricity) to the proposed development.
- ii) the short term proposal by the developer with regard to the provision of bulk infrastructure is not acceptable as it will create a burden on the carrying capacity of existing infrastructure services.

14. TOWN PLANNING: REVIEW OF THE MOGALAKWENA SPATIAL DEVELOPMENT FRAMEWORK, 2009 (17/2/6/6)HS
(ITEM 8 AGENDA EC 22 JULY 2009)

RESOLVED:

THAT

- a) the Mogalakwena Spatial Development Framework, 2009 attached as pages 103 to 201 to the executive committee agenda dated 22 July 2009, be approved.
- b) the consultant gives notice in the Provincial Gazette and any other appropriate media of such approval, including the place and times at which the Spatial Development Framework is available for public comments and inspection for 21 working days.

- c) councillors be workshopped on the Mogalakwena Spatial Development Framework, 2009.

15. MONTHLY BUDGET STATEMENTS: MAY 2009 (11/3/2)IFM
(ITEM 15 AGENDA EC 22 JULY 2009)

RESOLVED:

THAT the monthly budget statements for May 2009 by section 71 of the MFMA (Act 56 of 2003), be noted.

16. FINANCIAL INDICATORS: 31 MAY 2009 (11/3/2)WDJ
(ITEM 16 AGENDA EC 22 JULY 2009)

RESOLVED:

THAT the content of the monthly finance report for May 2009, be noted.

17. SALARY/ WAGE NEGOTIATIONS - 2009/2010 (5/2/1)SM
(ITEM 22 AGENDA EC 22 JULY 2009)

RESOLVED:

THAT the position regarding the salary/wage negotiations for 2009/2010, be noted.

18. UNFORESEEN EXPENDITURE INCURRED IN THE PROVISION OF BASIC SERVICES (6/1/1/35)TM
(ITEM 23 AGENDA EC 22 JULY 2009)

RESOLVED:

THAT the utilisation of the savings from the equitable share for Mokopane Extension 19 sewer project and accumulated surplus to offset the unforeseen and unavoidable (additional) expenditure for the 2008/09 financial year in the amount of R4 458 998,00, be condoned.

19. TOWN PLANNING: AMENDMENT OF COUNCIL RESOLUTION WITH REGARD TO AMENDMENT SCHEME 263: PIET POTGIETERSRUST (17/2/6/6/263)SH
(ITEM 5 AGENDA EC 12 AUGUST 2009)

RESOLVED:

THAT executive committee resolution 32 a) xiv) dated 28 January 2009 be replaced by the following:

“xiv) the said dwelling house or dwelling unit be inhabited by the guest house manager on behalf of the owner on a permanent basis and the essential nature and function of the said dwelling house or dwelling unit be preserved at all times.”

153.
26.08.09

20. IDP AND BUDGET REVIEW PROCESS PLAN: 2010/2011 FINANCIAL YEAR (17/3/5)DE
(ITEM 7 AGENDA EC 12 AUGUST 2009)

RESOLVED:

THAT

- a) the IDP and budget process plan for 2010/2011 financial year, be approved.
- b) it be approved that the process plan be aligned with the Waterberg District Municipality process plan as soon as the latter becomes available.
- c) such aligned IDP process plan be ratified and approved by the IDP Steering Committee without necessarily having to be referred back to council for approval.
- d) it be noted that R414 027,00 has been made available in the 2009/2010 financial year budget for the review of the IDP and budget .

21. 2nd QUARTERLY REPORT ON EMPLOYMENT CREATION IN THE MUNICIPAL AREA (17/3/5)LA
(ITEM 8 AGENDA EC 12 AUGUST 2009)

RESOLVED:

THAT the second quarterly employment creation report that commenced on the beginning of October to the end of December 2008, be noted.

22. ORGANISATIONAL STRUCTURE (5/1/B)SM
(ITEM 9 AGENDA EC 12 AUGUST 2009)

RESOLVED:

THAT the report on the Organisational Structure be referred back.

23. STANDING RULES AND ORDERS OF MOGALAKWENA MUNICIPALITY (1/3/16)I
(ITEM 10 AGENDA EC 12 AUGUST 2009)

RESOLVED:

THAT in terms of section 12 of the Local Government : Municipal Systems Act, 2000 (Act 32 of 2000) the Standing Rules and Orders of Mogalakwena Local Municipality attached as pages 106 to 197 to the executive committee agenda dated 12 August 2009, be approved.

24. PUBLIC AMENITIES BY-LAWS 2009 (1/3/7 & G1)GM
(ITEM 11 AGENDA EC 12 AUGUST 2009)

RESOLVED:

THAT

- a) the draft by-laws relating to public amenities attached as pages 200 to 208 to the executive committee agenda dated 12 August 2009, be approved.
- b) the necessary community participation regarding the content of the by-laws be obtained.
- c) councillors be workshopped on Public Amenities By-laws 2009.

25. LIBRARY:LOST BOOKS 2008/09 (19/4/4 & G24)ERM
(ITEM 12 AGENDA EC 12 AUGUST 2009)

RESOLVED:

THAT

- a) the following library books lost by members be written off and removed from the register of accruals:

OWN STOCK: BOOKS LOST AND PAID 2008/2009

ENGLISH ADULT NON-FICTION

10882	How math's work	Vorderman,C	R 140,00
10463	Frameworks	Brown, Victoria	R 130,00
			R 270,00

AFRIKAANS JUVENILE FICTION

12830	'n Nag van angs	Snyman, Maritha	R 65,00
			R 65,00
			Total R335,00

OWN STOCK: BOOKS LOST AND NOT PAID 2008/2009

ENGLISH ADULT FICTION

11309	Everything's eventual	King, Stephen	R 95,00
11314	From a Buick 8	King, Stephen	R 85,00
11525	By the light of the moon	Koontz, Dean	R 80,00
11923	The apocalypse watch	Ludlum, Robert	R 80,00
12296	Gravity	Gerritsen, Tess	R 60,00
			Total R400,00

AFRIKAANS ADULT NON-FICTION

7076	Plant inheems	Pienaar, K	R 44,00
4165	Dagboek van Louis Trichardt	Preller, Gustav S	R120,00
9275	Sensasionele slaai resepte		R 48,00
6622	Dierevoeding	Van der Merwe, F J	R 34,00

Total R246,00

ENGLISH ADULT NON-FICTION

10129	Just about everything a manager needs to know in South Africa	Flanagan, Neil	R110,00
5919	Understanding human behavior	McConnell, James V	R 45,00
200154	GCSE Chemistry	Earl, B	R107,00
130084	The other side of history		R100,00
10470	Cross stitch techniques and designs	Wood, Dorothy	R110,00
6632	Treasury of baking recipes	Beter homes ...	R 13,00

Total R485,00

AFRIKAANS JUVENILE FICTION

12638	Nagylerke	Jacobs, Jaco	R 65,00
140187	Totsiens, Sugarplum	Roux, Lise	R 50,00
9093	Aandstories vir Kleuters	Grobbelaar, P W	R 62,00

Total R177,00

ENGLISH JUNIOR NON-FICTION

6461	Thailand	Lye, Keith	R 9,50
------	----------	------------	--------

Total R 9,50

Total R1 317,50

Grand Total R1 652,50

PROVINCIAL STOCK

LOST AND PAID 2008/2009

AFRIKAANS ADULT FICTION

61243481 N	Tweehonderd gewere	Immelman, Dok	R 6,00
61415030 245	Man met die gaatjie in sy trui	De Jong, M	R 6,50

Total R 12,50

AFRIKAANS ADULT NON-FICTION

61130910 B	Van Van Riebeeck tot Vorster	Van Jaarsveld, F A	R10,00
------------	------------------------------	--------------------	--------

Total R10,00

AFRIKAANS JUVENILE FICTION

61673349 155	Twee vir 'n stuiwer	Hickey, W A	R 6,95
--------------	---------------------	-------------	--------

Total R 6,95

ENGLISH JUVENILE FICTION

9303469 0124	Hidden staircase	Keene, Carolyn	R14,90
--------------	------------------	----------------	--------

Total R14,90

AFRIKAANS CHILDRENS FICTION

9603304 1005	Olifant en sy maats		R11,44
Total			R11,44

ENGLISH CHILDRENS FICTION

9600374 1002	Tommy Niner and the Mystery Space	Bradman, Tony	R29,90
Total			R29,90
Grand Total			R85,69

PROVINCIAL STOCK

BOOKS LOST AND NOT PAID 2008/2009

AFRIKAANS ADULT FICTION

60228699 H	Gemaskerde Ridder	Steyn, Elmar	R 3,50
61374179 334	Vrou van die Goue pampas	Martin, Wille	R 5,31
61162533 703	Een is skuldig	De Bruyn, N	R 4,95
98102 411	Wie is die regter	Kruger, Cornelia	R49,73
9200016 0232	Iewers wag die more	Bierman, Ettie	R15,18
0 920075640	Drie van die beste		R89,95
9403136 0230	Triomf	Van Niekerk, Marlene	R52,59
98199 603	Slinger-Slinger	Bloemhof, Francois	R40,46
9322638 0089	Anderman se goed en ander....	Van Zyl, Irene	R38,95
Total			R300,62

ENGLISH ADULT FICTION

9104915 0019	Collected Short Stories of Roald Dahl	Dahl, Roald	R76,99
9102622 52	Way they died	Ernenwein, Leslie	R33,25
9105753 0137	Year of the scorpion	Hartland, Micheal	R72,99
9102814 131	Target Five	Forbes, Colin	R24,99
9402901 0100	Sheer mischief	Mansell, Jill	R28,94
Total			R237,16

AFRIKAANS ADULT NON-FICTION

61500617 36	Die A-Z van tuinmaak in Suid-Afrika	Sheat, W G	R49,95
61365607 22	Jou liggaam praat	Nierenberg, G I	R 4,86
9404245 0048	Vergeet wat verkeert is, en lag!	Johnson, Barbara	R39,99
9213115 0071	Motte en Magrietjies	Maartens, Maretha	R11,85
Total			R106,65

ENGLISH ADULT NON-FICTION

344594 2	Exotic Plant manual	Graf, A B	R 15,85
0 920105691	The complete chicken cookbook		R155,96
0 920120230	Herb and Spice	Norman, Jill	R240,00

9402550 0064	Successful boss's first 100 days	Kock, Richard	R 70,17
61641726 20	The Billboard book of songwriting	Pickow, Peter	R 52,95
9105452 0050	How to play keyboards	Evans, Roger	R 44,99
9213507 0054	Negotiating	Helps, Vanessa	R 30,69
3320 138	Judo guide to black belt	Harrington, A P	R 3,30
3604 331	Pet library's parakeet guide	Rogers. C	R 3,75
Total			R617,66

AFRIKAANS JUVENILE FICTION

61192498 G	Brolloks en Bittergal	Langenhoven, C J	R 4,95
Total			R 4,95

ENGLISH JUVENILE FICTION

61331351 51	Who goes to school	Hillert, M	R 4,85
9000768 0248	Twelve tasks of Asterix	Goscinnny	R 21,99
9405049 0078	Eleventh hour	Base, Greame	R 34,99
62081286 72	Five have a wonderful time	Blyton, Enid	R 9,90
Total			R 71,73

AFRIKAANS CHILDRENS FICTION

9004955 242	Die klein rooi hennetjie	Bradman, Tony	R 17,99
9213873 0247	Nuwe bed vir Alexia	Van Heerden, M	R 22,99
9402876 0180	My eerste diere-woordeboek	Riddel, Edwina	R 17,99
61606505 467	Hou vas, beer	Moris, Ron	R 18,95
9102245 248	Robin Hood spin goud	Walt Disney	R 9,95
61699278 244	Die oerwoudboek	Walt Disney	R 6,50
9400051 0305	Konyntjie se dom fout	Martin, Rafe	R 39,90
9102461 248	Dumbo die olifant wat kon vlieg	Gouws, Sonia	R 9,95
9214055 0355	Stories vir die vaak	Rode, Linda	R 39,95
9500454 0298	Miek	Henkes, Kevin	R 42,99
61665006 272	Sade	Jennings, Terry	R 14,95
9302701 0293	Winnie die poeh en le-ho se dag	Gouws, Sonia	R 17,00
9401024 0297	Ben se boek	O'Connell, Nina	R 13,62
Total			R272,73

ENGLISH CHILDRENS FICTION

9006053 92	Goofy minds the House	Walt Disney	R 8,95
9105859 0128	Tigress	Cowcher, Helen	R 45,99
61662334 61	Rumpelstilskin	Galdone, Paul	R 25,95
61546545 89	Father Christmas	Briggs, Raymond	R 15,89
0 920091526	I don't want to go to bed	Sykes, Julie	R 39,95
Total			R136,73

AFRIKAANS JUNIOR NON-FICTION

9400359 0194	Merkwaardige Spinnekoppe	Parsons, Alexandra	R 34,99
8904606 0265	Lewensiklus van 'n konyn	Williams, John	R 19,95
6106928 2	Spinnekoppe en Skerpieone	Cloudsley-Thompson J	R 2,95
61540563 129	My eie Suid-Afrikaanse kookboek	Bowen, Carol	R 16,95

Total R 74,84

ENGLISH JUNIOR NON-FICTION

362084 0	How to build with old boxes	Hamaton, T	R 2,10
----------	-----------------------------	------------	--------

Total R 2,10

Total R1 825,17

Grand Total R3 562,86

- b) a mechanism of minimizing losing of books be developed and a further report be submitted to council in due course.

26. TARIFFS POLICY – BUILDING PLAN FEES (17/4/B)TM
(ITEM 13 AGENDA EC 12AUGUST 2009)

RESOLVED:

THAT in terms of section 75 A of the Local Government : Municipal Systems Act, 2000 (Act 32 of 2000), the following be approved with effect from 1 September 2009:

1. BUILDING PLAN FEES	
2008/2009	2009/2010
a) Plan Fees – R4,50/m ²	a) Plan Fees – R4,77/m ²
b) Min. Submission Fees – R300,00	b) Min. Submission Fees – R318,00
c) Minor Building Works – R150,00	c) Minor Building Works – R159,00
d) Re-inspection of plan – R150,00	d) Re-inspection of plan – R159,00
e) Provisional Plan inspection – R70,00	e) Provisional Plan inspection – R74,20
f) Building Plan for low cost project linked housing scheme – R35,00/unit	f) Building Plan for low cost project linked housing scheme – R37,10/unit
g) Pavement deposits :	g) Pavement deposits :
i) New Dwelling – R500,00	i) New Dwelling – R530,00
ii) Addition/alteration (dwelling) – R300,00	ii) Addition/alteration (dwelling) – R318,00
iii) Industrial/commercial – R1000,00	iii) Industrial/commercial – R1060,00
iv) Additions/alterations (industrial/commercial – R600,00)	iv) Additions/alterations (industrial/commercial – R636,00)
h) All these fees are VAT incl.	h) All these fees are VAT incl.

159.
26.08.09

27. STOLEN DIESEL GENERATOR (6/13/4)TM
(ITEM 14 AGENDA EC 12 AUGUST 2009)

RESOLVED:

THAT

- a) the stolen diesel generator at Masehlaneng, be noted.
- b) insurance claim be lodged.
- c) investigation be instituted whether the certificate was handed to the municipality.

28. APPLICATION FOR VERIFICATION OF ALL MUNICIPAL TAXES THAT EXISTED PRIOR TO THE MUNICIPAL FISCAL POWERS AND FUNCTIONS ACT (MFPFA) (6/3/1/1)AH
(ITEM 15 AGENDA EC 12 AUGUST 2009)

RESOLVED:

THAT council be informed that no taxes (other than property rates and surcharges included in a user charge / tariff) levied by the municipality existed prior to the enactment of the Municipal Fiscal Powers and Functions Act.

29. DELIMINATION OF WARD BOUNDARIES FOR 2011 LOCAL ELECTIONS (17/1/2)DE
(ITEM 18 AGENDA EC 12 AUGUST 2009)

RESOLVED:

THAT

- a) the content of Municipal Demarcation Board circulars 1/2009, 2/2009 and 3/2009, be noted and it also be noted that MDB circular 2/2009 was withdrawn and was replaced by MDB circular 3/2009.
- b) the formulae for the determination of the number of councillors of municipal councils in Government Gazette no 32407 dated 15 July 2009, be noted as well as the content of Provincial Gazette Extraordinary no. 1656 dated 31 July 2009.
- c) it be noted that the number of councillors in terms of section 18 (3) of the Local Government : Municipal Structures Act, 1998 (Act no. 117 of 1998) for 2011 Local Government Elections for Mogalakwena Municipality is 63.
- d) it be noted that the municipality is expected to drive the consultative process on proposed ward boundaries which was not expected and that it will necessitate additional funding.

- e) a further report be submitted to council as soon as the information on the proposed ward boundaries is received from the Municipal Demarcation Board and the report includes the programme on the roll-out of the consultative process on ward boundaries and the financial implications.

30. SALARY AND WAGE AGREEMENT: 2009 TO 2012 (5/2/1/1)SM
(ITEM 19 AGENDA EC 12 AUGUST 2009)

RESOLVED:

THAT

- a) the Salary and Wage Collective Agreement received from the South African Local Government Bargaining Council regarding salary and wage adjustments for the period 2009 to 2012, be noted.
- b) the salary scales attached as pages 323 to 331 to the executive committee agenda dated 12 August 2009 be implemented with the August 2009 salaries and be paid retrospectively from 1 July 2009 excluding the municipal manager and section 57 managers.
- c) the amount of R1 748 153,00 be funded through the collection of outstanding debts from debtors in the 2009/10 adjustment budget.
- d) a report regarding the salary adjustments of the municipal manager and managers directly accountable to the municipal manager in terms of section 57 of the Local Government : Municipal Systems Act, 2000 (Act 32 of 2000) be submitted for consideration.

31. UPGRADING OF ESKOM CONNECTION (18/4/2)JF
(ITEM 3 SPECIAL EC 26 AUGUST 2009)

RESOLVED:

THAT

- a) the Eskom distribution conversion charge in the amount of R3 755 296,67 VAT excluded, as indicated in the Eskom feasibility quotation dated 7 October 2008, be paid to Eskom in order to avoid penalties on the Eskom account.
- b) the funding of the amount in a) *supra* be made from the amount budgeted for penalties provided for on the electricity purchases votes.
- c) the manager: electrical services submits a business plan to the Department of Minerals and Energy with regard to an application for funding of the balance of the upgrading costs of the Eskom connection.
- d) a progress report be submitted to council on c) *supra* on a quarterly basis.

161.
26.08.09

- e) Eskom be requested to indicate regarding the ambiguity especially in relation to the following:
 - i) If the Municipality pay the R4 281 038,20, will the penalty be waived?
 - ii) Will the R4 281 038,20 be reduced in terms of the municipality's exposure from the R20 054 000,00 and if not, the balance owing be confirmed.
 - iii) How much additional time does the municipality have to raise the balance for the upgrade without attracting further penalties?
 - iv) When exactly will Eskom upgrade the network?
 - v) If R4 281 038,20 is paid to Eskom and no upgrade is done, what would happen to the R4 281 038,20, paid to Eskom?
- f) the business plan in relation to accessing funds from the Department of Minerals and Energy be expedited by the manager: electrical services as the upgrade will be for the electrification of houses.

32. MOGALAKWENA MUNICIPAL SPORTS AND RECREATION TEAM TO PLAY IN MAPUTO
(5/10/5)HSM
(ITEM 4 SPECIAL EC 26 AUGUST 2009)

RESOLVED:

THAT

- a) it be noted that the South African International Municipal Games will take place in Maputo.
- b) participating employees be granted special leave during the South African International Municipal Games for the period 7 to 11 September 2009.
- c) all employees taking part in this trip be treated as if they are on duty and normal working conditions of service apply.
- d) the municipal manager be authorized to revise the list if needed.
- e) special insurance cover be arranged for the 54 officials.
- f) councillors M A Mphela and D Mokau accompany the team to Maputo and an out of pocket expense be arranged for them.

B: REPORT OF THE EXECUTIVE COMMITTEE FOR JUNE, JULY AND AUGUST 2009 WITH REGARD TO MATTERS WHICH HAVE BEEN DELEGATED TO THE EXECUTIVE COMMITTEE FOR THE INFORMATION OF THE COUNCIL

RESOLVED:

THAT the content of the reports of June, July and August 2009 of the executive committee with regard to matters which have been finalised in terms of its delegated powers, be noted.

11. **PETITIONS**

None.

12. **NEW MOTIONS**

4/2/3

None.

The meeting closed at 16:45.

.....
SPEAKER

.....
DATE