

## **MOGALAKWENA LOCAL MUNICIPALITY**

### **COUNCIL**

#### **MINUTES OF THE 17<sup>TH</sup> COUNCIL MEETING OF THE MOGALAKWENA MUNICIPALITY HELD IN THE COUNCIL CHAMBER, CIVIC CENTRE, MOKOPANE ON WEDNESDAY, 24 FEBRUARY 2010 AT 16:00**

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#### **PRESENT**

AS PER ATTACHED ATTENDANCE REGISTER.

#### **OFFICIALS**

Messrs.	L J SEBOLA	-	ACTING MUNICIPAL MANAGER
	M H THOBEJANE	-	MANAGER: CORPORATE SUPPORT SERVICES
	L DE BEER	-	ACTING MANAGER: ELECTRICAL SERVICES
	G A HUDSON	-	MANAGER: TRAFFIC & EMERGENCY SERVICES
	K D MALEPA	-	DEPUTY MANAGER: TECHNICAL SERVICES
	M P MASHOTJA	-	DEPUTY MANAGER: DEVELOPMENTAL SERVICES
Mesdames.	W D JOUBERT	-	ACTING CHIEF FINANCIAL OFFICER
	I A DE VILLIERS	-	DEPUTY MANAGER: CORPORATE SUPPORT SERVICES
	M C NGOAKO	-	SENIOR CLERICAL ASSISTANT

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**ANC requested five minutes caucus during the discussion of Item 5.**

#### **1. OPENING**

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

#### **2. APPLICATION OF MEMBERS FOR LEAVE OF ABSENCE**

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Applications for leave of absence were received from councillors C Teffo, T E Mokhonoana, M E Manganye, L J Lebelo, M C Mashalane and M J Mashilela.

#### **RESOLVED:**

THAT

- a) leave of absence from the 17<sup>th</sup> council meeting of the Mogalakwena Municipality held on 24 February 2010 be granted to councillors C Teffo, T E Mokhonoana, L J Lebelo, M C Mashalane and M J Mashilela.
- b) the application for leave of absence of councillor M E Manganye be refused.

21.  
24.02.10

**3. OFFICIAL NOTICES**

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None.

**4. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER**

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The speaker congratulated councillors who celebrated their birthdays during December 2009, January and February 2010.

**5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY OTHER MEMBERS**

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None.

**6. MINUTES OF THE PREVIOUS MEETINGS**

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**RESOLVED:**

THAT the minutes of the 16<sup>th</sup> council meeting held on 25 November 2009 (pages 186 to 195) and the minutes of the special council meeting held on 10 February 2010 (pages 13 to 15), be approved and signed.

**7. REPORT OF THE MUNICIPAL MANAGER**

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None.

**8. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN**

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None.

**9. MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETINGS**

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None.

**10. THE REPORT OF THE EXECUTIVE COMMITTEE FOR DECEMBER 2009, JANUARY AND FEBRUARY 2010**

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**SECTION A**

The mayor submitted the report of the executive committee (pages 3 to 9) and requested that it be considered.

**SECTION B**

The mayor submitted the report of the executive committee (pages 10 to 14) and requested that it be noted.

**A: REPORT OF THE EXECUTIVE COMMITTEE FOR DECEMBER 2009, JANUARY AND FEBRUARY 2010 WITH REGARD TO MATTERS WHICH THE COUNCIL MUST CONSIDER**

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**1. PRESENTATION BY COPPER SUNSET REGARDING A PROPOSAL FOR A BUSINESS PARTNERSHIP WITH THE MUNICIPALITY: KADIKGATHO STONE CRUSHING (17/3/5)MS**  
**(ITEM 5 AGENDA EC 27 JANUARY 2010)**

Annexure A attached to the minutes was distributed to councillors during the meeting.

**RESOLVED:**

THAT the presentation made by Copper Sunset Trading regarding a proposal for business partnership between itself and the municipality, be noted and a further report be submitted.

**2. QUARTERLY REPORTING FOR JULY TO SEPTEMBER 2009 (11/3/2)DM**  
**(ITEM 8 AGENDA EC 9 DECEMBER 2009)**

**RESOLVED:**

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

**3. FINANCIAL INDICATORS: 30 SEPTEMBER 2009 (11/3/2) WDJ**  
**(ITEM 9 AGENDA EC 9 DECEMBER 2009)**

**RESOLVED:**

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

**4. GREENEST MUNICIPALITY COMPETITION 2009 (17/2 & G11/2)GM**  
**(ITEM 11 AGENDA EC 9 DECEMBER 2009)**

**RESOLVED:**

THAT

- a) the award received for participation in the Greenest Municipality Competition 2009, be noted.
- b) the R100 000,00 award that was received be utilized for greening purposes.

23.  
24.02.10

**5. HAWKERS TARIFFS FOR NEW HAWKERS STALLS (1/3/13)AS**  
**(ITEM 12 AGENDA EC 9 DECEMBER 2009)**

**RESOLVED:**

THAT the report regarding hawkers tariffs for new hawkers stalls be referred back to the developmental services portfolio and traffic and emergency services portfolio regarding the utilization of the new hawkers stalls and a further report be submitted.

**6. TOWN PLANNING: ADOPTION OF THE MOGALAKWENA MUNICIPAL HOUSING CHAPTER OF THE INTEGRATED DEVELOPMENT PLAN, 2009 (17/2/6)SH**  
**(ITEM 13 AGENDA EC 9 DECEMBER 2009)**

**RESOLVED:**

THAT

- a) the draft housing chapter of the IDP be noted and be considered as a working document and not a policy document.
- b) funds be set aside by the municipality for the development of credible municipal housing chapter that will cover the entire municipal area.
- c) councillors be workshopped on or before 15 March 2010 in this regard.

**7. ERF 2624 MAHWELERENG ZONE B : M W RANKAPOLE (9/3/4/3/B2624)I**  
**(ITEM 14 AGENDA EC 9 DECEMBER 2009)**

**RESOLVED:**

THAT

- a) it be noted that Ms M W Rankapole does not qualify for an indigent grant for assessment rates because she is not the owner of erf 2624 Mahwelereng Zone B and that the transfer of the erf into her name has been delayed by the actions of a municipal official of which details to be submitted to council.
- b) in order to assist Ms Rankapole, the following steps be authorized:
  - i) An amount of R9 066,06 for water on account number 1185783 be funded from the equitable share free basic services.
  - ii) An acknowledgement of debt be entered into with Ms Rankapole in which she undertakes to pay the full arrear amount on account number 1230425 and the balance on account number 1185783 by means of monthly instalments of R200,00;

- iii) A clearance certificate be issued in order to have erf 2624 Mahwelereng Zone B be transferred into Ms Rankapole's name;
  - iv) No further transfer to another person/child/heir be allowed until the full outstanding amount has been paid; and
  - v) Ms Rankapole be requested to apply for indigent status as she is unemployed.
- c) a disciplinary action be instituted against the guilty official and a report be submitted to council.
  - d) similar incidents be reported to council immediately for proper co-ordination by ward councillors or committees.
  - e) notwithstanding this item all future issues of any conflict be submitted timeously to council in detail.

**8. NOTIFICATION OF INTENTION TO WITHHOLD ALLOCATED TRANSFERS:  
NEIGHBOURHOOD DEVELOPMENT PARTNERSHIP GRANT 2009/10 (6/6/1)WJ  
(ITEM 15 AGENDA EC 9 DECEMBER 2009)**

**RESOLVED:**

THAT it be noted that National Treasury has indicated its attention to adjust the Neighbourhood Development Partnership Grant from R8 million to Nil in the 2009/2010 financial year as per National Treasury letter dated 15 October 2009.

**9. MONTHLY BUDGET STATEMENTS : OCTOBER 2009 (11/3/2)IFM  
(ITEM 6 AGENDA EC 27 JANUARY 2010)**

**RESOLVED:**

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

**10. MONTHLY BUDGET STATEMENTS : NOVEMBER 2009 (11/3/2)IFM  
(ITEM 7 AGENDA EC 27 JANUARY 2010)**

**RESOLVED:**

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

25.  
24.02.10

**11. AA RATES FOR DECEMBER 2009 (6/5/1)DM**  
**(ITEM 8 AGENDA EC 27 JANUARY 2010)**

**RESOLVED:**

THAT

- a) the effect of AA rates for December 2009, be noted.
- b) the AA rates for June 2008 still be utilized to calculate the car allowances of employees.
- c) it be noted that employees' car allowances will not be affected by the new rates.
- d) car allowances for new employees be calculated on the AA rates for June 2008.

**12. EXPENDITURE ON STAFF AND COUNCILLORS BENEFITS FOR FIRST QUARTER**  
**OF 2009/2010 FINANCIAL YEAR (5/2/B) & (6/1/9/2)DM**  
**(ITEM 9 AGENDA EC 27 JANUARY 2010)**

**RESOLVED:**

THAT

- a) the expenditure on staff and councillors benefits in terms of section 66 of the MFMA (Act 56 of 2003) for July 2009 to September 2009, be noted.
- b) future expenditure reports indicate UIF contributions separate.

**13. DRAFT SERVICE LEVEL AGREEMENT FOR SUPPLY OF BANKING SERVICES –**  
**STANDARD BANK (6/12/2/1)WJ**  
**(ITEM 11 AGENDA EC 27 JANUARY 2010)**

**RESOLVED:**

THAT

- a) the draft Service Level Agreement attached as pages 52 to 72 to the executive committee agenda dated 27 January 2010 for the supply of banking services by Standard Bank be approved.
- b) the municipal manager and the acting chief financial officer be authorized to sign the agreement in a) *supra*.

**14. ESTABLISHMENT OF A BUDGET STEERING COMMITTEE (6/1/1/3/7)WJ**  
**(ITEM 13 AGENDA EC 27 JANUARY 2010)**

**RESOLVED:**

THAT

- a) a budget steering committee be established consisting of the following persons:
  - i) the councillor responsible for financial matters;
  - ii) the municipal manager;
  - iii) the chief financial officer;
  - iv) the manager: technical services;
  - v) the manager: community services;
  - vi) the manager: electrical services; and
  - vii) the manager: developmental services.
- b) the municipal manager be the chairperson of the budget steering committee.
- c) when the need arises other employees also be instructed by the municipal manager to attend the budget steering committee meetings.

**15. ESKOM CONNECTION UPGRADING (18/4/2)JF**  
**(ITEM 18 AGENDA EC 27 JANUARY 2010)**

**RESOLVED:**

THAT the progress made towards the upgrading of the Eskom connection, be noted.

**16. REHABILITATION AND MAINTENANCE OF MOKOPANE LANDFILL SITE (18/6/2 & G21)MGM**  
**(ITEM 19 AGENDA EC 27 JANUARY 2010)**

**RESOLVED:**

THAT

- a) the assistance by Waterberg District Municipality to rehabilitate and maintain the Mokopane Landfill site for a period of four months, be noted.
- b) the divisional head: waste management be nominated to serve in the project team.

27.  
24.02.10

**17. WARD COMMITTEES REPORTS FOR THE PREVIOUS QUARTER: JULY 2009 TO SEPTEMBER 2009 (4/14)HSM**  
**(ITEM 23 AGENDA EC 27 JANUARY 2010)**

**RESOLVED:**

THAT the reports of the ward committees for the first quarter (July 2009 to September 2009), be noted.

**18. EXPENDITURE ON STAFF AND COUNCILLORS BENEFITS FOR SECOND QUARTER OF 2009/2010 FINANCIAL YEAR (5/2/B)& (6/1/9/2)DM**  
**(ITEM 6 AGENDA EC 10 FEBRUARY 2010)**

**RESOLVED:**

THAT the expenditure on staff and councillors' benefits in terms of section 66 of MFMA Act, (Act 56 of 2003) for October 2009 to December 2009, be noted.

**19. 2009/2010 MID-YEAR REVIEW AND ADJUSTMENT BUDGET (6/1/1/37) (11/2/1)WJ**  
**(ITEM 3 AGENDA SPECIAL EC 24 FEBRUARY 2010)**

**RESOLVED:**

THAT

- a) the adjustment budget 2009/2010 as contained in the special executive committee agenda dated 24 February 2010, be approved.
- b) it be noted that the transfers of funds within the same vote are delegated to the municipal manager and this can be done when the need arises during the budget year under review.
- c) before an order for store items is issued the manager: technical and/or the manager: electrical services must approve the RFQ's to prevent excessive prices for store items which is having a direct impact on the budget.
- d) if a consumer is in arrears on his rates, taxes and other services the selling of pre-paid electricity be reduced to 30% of the amount received and the rest allocated to the arrear account till the full outstanding amount has been paid or an installment agreement has been signed and if defaulting on the arrangement agreement the selling of pre-paid electricity will be reduced again with immediate effect.
- e) all accounts of Governments Departments be consolidated in terms of section 102 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) and after 14 days notice the electricity be disconnected.
- f) the possible cash flow problem that the municipality might encounter, be noted and therefore the speedy recovery of outstanding debt must be ensured.



g) the IDP be amended as follows :

remove the R8 million from Mokopane Sewer – MIG funding  
add Dilotswane Taxi routes for R 4 million – MIG funding  
add Mapela Taxi routes for R 4 million – MIG funding  
add Rehabilitation of Thabo Mbeki road R 1,5 million – Equitable share  
remove the call centre R 1,449 million – Office of the Premier  
remove installation of streetlights Mahwelereng R2 million – NDPG

h) in terms of Government Gazette no. 32959 dated 17 February 2010 the municipal manager be authorized to transfer R400 000,00 from identified savings to vote 0007311010030 (Overtime licences) and the income vote 0007312200020 (Licence fees direct) be increased with R200 000,00.

i) an amount of R260 000,00 be transferred from vote 0001461121940 (Valuation roll) to vote 0003571120080 (Audit fees) which is not included in the GG 560 report and the schedules be amended accordingly before submission to Provincial and National Treasury.

j) that councillors be workshopped within two weeks on the MIG projects funding for 2010/2011 which were rolled forward and the attachment of movable and immovable properties where debtors are in arrears.

**B: REPORT OF THE EXECUTIVE COMMITTEE FOR DECEMBER 2009, JANUARY AND FEBRUARY 2010 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 December 2009, January and February 2010 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 terminated at 17:20.**

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**SPEAKER**

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**DATE**