

MOGALAKWENA LOCAL MUNICIPALITY

COUNCIL

MINUTES OF THE 26TH COUNCIL MEETING OF THE MOGALAKWENA MUNICIPALITY HELD IN THE COUNCIL CHAMBER, CIVIC CENTRE, MOKOPANE ON TUESDAY, 29 MAY 2012 AT 14:08

PRESENT

AS PER ATTACHED ATTENDANCE REGISTER.

OFFICIALS

Messrs.	S W KEKANA	-	MUNICIPAL MANAGER
	K J MPHAGO	-	CHIEF FINANCIAL OFFICER
	L J SEBOLA	-	MANAGER: COMMUNITY SERVICES
	S T MOGASHOA	-	MANAGER: TECHNICAL SERVICES
	J N FOURIE	-	MANAGER: ELECTRICAL SERVICES
	G A HUDSON	-	MANAGER: TRAFFIC & EMERGENCY SERVICES
Mesdames.	D E MAILULA	-	MANAGER: DEVELOPMENTAL SERVICES
	I A DE VILLIERS	-	ACTING MANAGER: CORPORATE SUPPORT SERVICES
	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 M A Tsebe, L D Langa, M M Moseamedi, T A Kgaphola, N V Mashamaite, M L Somo, M I Mogotlane, M J Chauke, L J Mashala and K D Setlatjile.

RESOLVED:

THAT leave of absence from the 26th council meeting of the Mogalakwena Municipality held on 29 February 2012 be granted to councillors M A Tsebe, L D Langa, M M Moseamedi, T A Kgaphola, N V Mashamaite, M L Somo, M I Mogotlane, M J Chauke, L J Mashala and K D Setlatjile.

3. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER

The speaker congratulated councillors who celebrated their birthdays during March, April and May 2012.

4. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY OTHER MEMBERS

Councillor Montane congratulated Orlando Pirates for winning the Premier Soccer League.

Councillor Smit congratulated the DA councillor from Lephalale for being the acting mayor at the wellness programme 2012 in Lephalale.

5. MINUTES OF THE PREVIOUS MEETINGS

RESOLVED:

THAT the following minutes be approved and signed:

- a) the minutes of the 25th council meeting held on 29 February 2012 (pages 23 to 39), subject to the correction of item 11 d) to read as follows: *"a workshop be arranged for councillors' understanding within fourteen days."*
- b) the minutes of the special council meeting held on 16 March 2012 (pages 40 to 41);
- c) the minutes of the special council meeting held on 30 March 2012 (pages 57 to 66);
- d) the minutes of the special council meeting held on 11 April 2012 (pages 67 to 68);
- e) the minutes of the special council meeting held on 9 May 2012 (78 to 80); and
- f) the minutes of the special council meeting held on 22 May 2012 (pages 90 to 91).

6. REPORT OF THE MUNICIPAL MANAGER

None.

7. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

None.

8. MOTIONS OR PROPOSALS DEFERRED FROM PREVIOUS MEETINGS

None.

9. THE REPORT OF THE EXECUTIVE COMMITTEE FOR MARCH, APRIL AND MAY 2012

SECTION A

The mayor submitted the report of the executive committee (pages 3 to 19) and requested that it be considered.

A : REPORT OF THE EXECUTIVE COMMITTEE FOR MARCH, APRIL AND MAY 2012 WITH REGARD TO MATTERS WHICH THE COUNCIL MUST CONSIDER

**1. FINANCIAL INDICATORS: 31 JANUARY 2012 (11/3/2)KJM
(ITEM 5 AGENDA EC 20 MARCH 2012)**

RESOLVED:

THAT

- a) the content of the monthly finance report for January 2012, be noted.
- b) attention be given to outstanding accounts and they be paid.
- c) the chairperson of the finance portfolio committee and the chief financial officer sort out the issue of indigents register.

**2. MFMA SECTION 71 REPORT (SCHEDULE C) JANUARY 2012 (11/3/2)BLM
(ITEM 6 AGENDA EC 20 MARCH 2012)**

RESOLVED:

THAT

- a) the section 71 report for January 2012 be noted.
- b) it be noted that the municipality will from now onwards be reporting in terms of the Schedule C format.

**3. QUARTERLY REPORTING FOR JULY TO SEPTEMBER 2011 (11/3/2)NE
(ITEM 7 AGENDA EC 20 MARCH 2012)**

RESOLVED:

THAT

- a) the quarterly report in terms of section 5 (7) (iii) of the Division of Revenue Act, 2003, for the months July 2011 to September 2011 be noted.
- b) it be noted that percentage of money spent is too low and that money be spent as soon as possible to avoid withholding of funds in future.

4. QUARTERLY REPORTING FOR OCTOBER TO DECEMBER 2011 (11/3/2)NE
(ITEM 8 AGENDA EC 20 MARCH 2012)

RESOLVED:

THAT the quarterly report in terms of section 5 (7) (iii) of the Division of Revenue Act, 2003, for the months October 2011 to December 2011 be noted.

5. REFURBISHMENT OF MOKOPANE WWTW AND DECOMMISSIONING OF
SEKGAKGAPENG AND MASODI OXIDATION PONDS (18/3/10/1)MT
(ITEM 11 AGENDA EC 20 MARCH 2012)

RESOLVED:

THAT

- a) it be noted that measures have been taken in order to avoid possible legal claims and forced closure of Sekgakgapeng and Masodi Ponds due to their current dilapidated conditions which is in contravention of the environmental legislative act.
- b) operations and activities that will be taking place due to DWA's Term Contractor on site as per their letter dated 1 February 2012 in which they have indicated that the contractor will be constructing sewage sump, equip it with two Gorman pumps and connect to the existing sewer-line at Sekgakgapeng to convey effluent to Mokopane waste water treatment works, be noted.

6. CHALLENGES RELATED TO "PUMP OPERATORS" ENGAGED ON A SERVICE
LEVEL AGREEMENT OPERATING AT THE MUNICIPALITY'S WATER SCHEMES
TOTALLING OVER 116 (18/3/2/4)MTS
(ITEM 14 AGENDA EC 20 MARCH 2012)

RESOLVED:

THAT

- a) the current prevailing situation related to the matter involving over 116 "Pump Operators" engaged by Mogalakwena Municipality through Service Level Agreements operating the municipal pumping and pipe systems be noted.
- b) the progress and processes involved in terms of trying to resolve the stalemate with the involvement of parties concerned, be noted.
- c) the administrative measures taken so far in engaging the affected "Pump Operators" in trying to amicably resolve the challenges to avoid a situation these "Pump Operators" might resort to, without notifying MLM, stop operating the water supply system due to what they might consider a frustration brought about by Mogalakwena Municipality while forgetting that they initiated legal action and as such, both parties must respect that process until it unfolds be noted.

**7. WITHDRAWAL OF UNSPENT CONDITIONAL GRANTS 2009/10 FINANCIAL YEAR
& WITHHOLDING OF MUNICIPAL INFRASTRUCTURE GRANT TRANSFERS
(6/6/5)STM
(ITEM 17 AGENDA EC 20 MARCH 2012)**

RESOLVED:

THAT

- a) the progress made with regard to items 15 and 16 of the executive committee minutes of 31 January 2012, be noted.
- b) it also be noted that a monthly progress report will be submitted to the executive committee.
- c) the inclusion of Mahwelereng roads and stormwater project (Moruleng and Moela streets) for R4 893 637,00 in the 2011/12 financial year MIG program, be approved.
- d) the utilisation of savings totalling R2 735 324,54 from other MIG projects to supplement the 2011/12 financial year budget for Molekane roads and stormwater, be approved.
- e) it be noted that Mogalakwena Municipality feels aggrieved as the withdrawal means depriving the community of Mogalakwena their constitutional right to basic services.

**8. MEMORANDUM OF AGREEMENT ENTERED INTO BY AND BETWEEN: UITLOOP
WATER BELEGGINGS CC AND MOGALAKWENA MUNICIPALITY (18/3/3)STM
(ITEM 18 AGENDA EC 20 MARCH 2012)**

RESOLVED:

THAT

- a) the agreement between Mogalakwena Local Municipality and Uitloop Water Beleggings CC be extended for one more year with the same conditions, ending 30 June 2013 at a revised cost of R4.50/kl (VAT excl).
- b) depending on the outcomes of the monitoring, it might be necessary to revise the off-take agreement to incorporate the findings.

**9. REPLACEMENT OF COUNCILLORS TO SERVE ON INTERNAL COMMITTEES OF COUNCIL AND ON THE LOCAL LABOUR FORUM (4/B)(5/13)RM
(ITEM 4 AGENDA SPECIAL EC 30 MARCH 2012)**

RESOLVED:

THAT

- a) the report regarding replacement of councillors to serve on internal committees of council and on the local labour forum be deferred to the executive committee for consideration.
- b) the following names of the Democratic Alliance councillors which have been submitted for replacement on internal committees, be noted and implemented:

Special projects portfolio:	Councillor H T Baloyi
Traffic & emergency services portfolio:	Councillor M F Maritz
Community services portfolio:	Councillor M F Maritz
Finance portfolio:	Councillor C F B Smit
Corporate support services portfolio:	Councillor HT Baloyi
Technical services portfolio:	Councillor S C G Senosha
Developmental services portfolio:	Councillor M D Phokela
Rules Committee:	Councillor C F B Smit
MPAC committee:	Councillor K Q Dekker

**10. ADOPTION OF THE FINAL DRAFT OF THE REVIEWED LED STRATEGY/PLAN: INVESTMENT ATTRACTION AND RETENTION STRATEGY (17/3/3/6)MS
(ITEM 5 AGENDA EC 17 APRIL 2012)**

RESOLVED:

THAT

- a) the LED Strategy: Investment Attraction and Retention Strategy attached as pages 5 to 503 to the executive committee agenda dated 17 April 2012 be adopted in principle for public consultation and implementation purposes.
- b) external partnerships be established to ensure the implementation and funding of projects as envisaged in the strategy.
- c) councillors be workshopped in this regard.
- d) a report regarding the conversion of the LED as a department on its own be submitted in the first council meeting after the adoption of the IDP.

11. TOWN PLANNING: TOWNSHIP ESTABLISHMENT ON A PORTION OF THE FARM ROOIBOKFONTEIN 821 LR – GA-PUKA EXTENSION 1 (17/2/6/1)SPN (ITEM 6 AGENDA EC 17 APRIL 2012)

RESOLVED:

THAT

- a) the application made in terms of section 96 (1) read together with section 66 (1) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) for the establishment of the township to be known as Ga-Puka Extension 1 comprising of ±200 erven be approved subject to the following conditions:
 - i) the development controls be submitted to the local authority by way of amendment and the extension of the boundary of the Town Planning Scheme in operation or its successor in title, as the proposed development will have an impact on the current scheme;
 - ii) the development controls be known as Greater Potgietersrus Town Planning Scheme, 1997 Amendment Scheme number 00 (Annexure 00) be submitted for approval by the local municipality before the promulgation of the land development area as an approved township development;
 - iii) services of the township development where needs be, be provided by the municipality;
 - iv) all municipal services which are needed, and which have to be altered or to be moved as a result of the proposed development be for the account of the municipality;
 - v) the installation of all services adheres to all applicable standards and specifications of the Mogalakwena municipality at all the times;
 - vi) the township development be comprised of the zonings/ and land uses as per the layout plan attached as pages 563 to the executive committee agenda dated 16 April 2012 to be amended;
 - vii) all erven zoned “Residential 1” have a density of one (1) dwelling unit per erf and have a maximum coverage not exceeding 50% unless stipulated in the relevant Annexure and Schedules of the Town Planning Scheme;
 - viii) all erven for purposes of “Public Open Space” have a zoning of “Public Open Space”, shall be subjected to all development controls as stipulated in the Town Planning Scheme in operation or its successor in title.
 - ix) all erven for purposes of “Crèche” have a zoning of “Institution”, be subjected to all development controls as stipulated in the Town Planning Scheme in operation or its successor in title.
 - x) no building be erected so as to cover a greater proportion of its erf than is permitted in terms of the Town Planning Scheme, and that outbuildings and second dwellings be included in the calculation of coverage;

- xi) no building be erected so as to exceed the floor area ratio as prescribed in the Town Planning Scheme
 - xii) a detailed site development plan as per the provisions of the Greater Potgietersrus Town Planning Scheme, 1997 be prepared for all erven on which buildings are to be erected in Use Zones "Institution" and "Business";
 - xiii) a site development plan drawn to scale be submitted to the local authority prior to submission of any building plans and no building be erected on the erf before approval of such site development plan by the local authority and the entire development on the erf be in accordance with the approved site development plan; provided that the plan may from time to time be amended with the written consent of the local authority; provided further that alterations or additions to buildings, which in the opinion of the local authority, will have no influence on the overall development of the erf, may be exempted from written consent procedures;
 - xiv) access to and from the land development area be made subject to the conditions imposed by the approving authority;
 - xv) disposal of storm water from the land development area be in accordance to all the applicable standards and to the satisfaction of the local authority;
 - xvi) all necessary documentation (i.e. Approved General Plan, Consolidation plan, and Settlement plan, conditions of establishment) must be submitted to the Local Authority within 30 days of the approval by the local municipality;
 - xvii) the applicant satisfies the local authority that the necessary documentation, scheme clauses, map 3's, annexure regarding the relevant Amendment Scheme as contemplated in terms of the Town Planning and Townships Ordinance (Ordinance 15 of 1986) are in order and be published simultaneously with the notice of declaration of the area as an approved township development;
 - xviii) proclamation and opening of the land development area register be for the account of the applicant, and copies of all notification in the Provincial Gazette be provided to the local authority within seven (7) days of publication;
- b) the executive committee visit the community to familiarize themselves with the above-mentioned recommendations before the report serves before the council.

12. **LAND DEVELOPMENT AND IMPLEMENTATION AGREEMENT BETWEEN MOGALAKWENA LOCAL MUNICIPALITY, LIMPOPO DEPARTMENT OF LOCAL GOVERNMENT AND HOUSING AND STANDARD BANK OF SOUTH AFRICA LIMITED FOR THE IMPLEMENTATION OF AN AFFORDABLE HOUSING DEVELOPMENT IN POTGIETERSRUST EXTENSION 20** **(17/3/4)MP**
(ITEM 8 AGENDA EC 17 APRIL 2012)

RESOLVED:

THAT

- a) the withdrawal of Standard Bank from the Land Development and Implementation Agreement entered between the Mogalakwena Local Municipality (Municipality), Co-operative Governance, Human Settlements and Traditional Affairs (CoGHSTA), and Standard Bank, be noted.
- b) the Department of Co-operative Governance, Human Settlements and Traditional Affairs (CoGHSTA) be requested to identify another financial institution to implement the project.

13. **REPORT ON THE BULK SERVICES AGREEMENT FOR PROUDAFRIQUE PIET POTGIETERSRUST EXTENSION 25** **(17/3/4)DE**
(ITEM 9 AGENDA EC 17 APRIL 2012)

RESOLVED:

THAT

- a) the progress made with regard to the bulk services agreement for ProudAfrique Estates, be noted.
- b) the services agreement for Piet Potgietersrust Extension 25 attached as pages 648 to 663 to the executive committee agenda dated 17 April 2012, be approved.

14. **UP-SCALING OF COMMUNITY WORK PROGRAMME (CWP) AT MOGALAKWENA MUNICIPALITY** **(17/3/3/6)MS**
(ITEM 11 AGENDA EC 17 APRIL 2012)

RESOLVED:

THAT the up-scaling of the implementation of the Community Work Programme (CWP) in wards 1 and 2, be noted.

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**15. NEIGHBOURHOOD DEVELOPMENT PARTNERSHIP GRANT PROGRESS
REPORT (5/7/2)LJ**
(ITEM 12 AGENDA EC 17 APRIL 2012)

RESOLVED:

THAT the Neighbourhood Development Partnership Grant progress report attached as pages 714 to 731 to the executive committee agenda dated 17 April 2012, be noted.

16. APPLICATION FOR MEDICAL DISABILITY : KEKANA T S (5/7/2 & 02392275)MFM
(ITEM 13 AGENDA EC 17 APRIL 2012)

RESOLVED:

THAT council applies for the constitution of a medical board in terms of section 34 (1) of the rules of the Municipal Employees Pension Fund, to determine the medical fitness of Mr Kekana T S.

17. EMPLOYEE ASSISTANCE PROGRAM (5/6/12)MP
(ITEM 15 AGENDA EC 17 APRIL 2012)

RESOLVED:

THAT

- a) employees who require further specialized help be referred to external specialists when longer terms or specialized help is needed.
- b) referrals for employees of Mogalakwena Municipality be made at the expense of the employer, from the vote allocated for Employee Assistance Program if the employee's medical scheme does not cover the expenses.
- c) it be ensured that only standard prescribed tariffs are paid.

**18. REVIEWED: WATER SERVICES DEVELOPMENT PLAN (WSDP) 2010 – 2011
FINANCIAL YEAR (18/3/3)MTS**
(ITEM 17 AGENDA EC 17 APRIL 2012)

RESOLVED:

THAT

- a) the Water Services Development Plan (WSDP) attached as pages 767 to 835 to the executive committee agenda dated 17 April 2012 as reviewed in 2010/11 financial year, be adopted.

- b) adequate budget required be made available annually for the review of the WSDP as directed by relevant legislation.

19. YEAR PLANNER FOR 2012/2013 (4/1)I
(ITEM 5 AGENDA EC 15 MAY 2012)

RESOLVED:

THAT the content of the year planner for 2012/2013 attached as page 4 to the executive committee agenda dated 15 May 2012, which indicates the time and dates on which the portfolio meetings, ordinary executive committee and council meetings will take place as well as the time and dates on which the agendas will be available, be approved.

20. FINANCIAL INDICATORS: 29 FEBRUARY 2012 (11/3/2)KJM
(ITEM 6 AGENDA EC 15 MAY 2012)

RESOLVED:

THAT

- a) the content of the monthly finance report for February 2012 be noted.
- b) a list and explanation of all reconciling items which are outstanding for more than three months be submitted to the portfolio committee for scrutiny.
- c) a list of councillors owing the municipality be submitted to the office of the speaker.
- d) list of employees whose consumer accounts are in arrears for 90 days and more be incorporated in this report.

21. EXPENDITURE ON STAFF AND COUNCILLORS BENEFITS FOR THIRD QUARTER OF 2011/2012 FINANCIAL YEAR (11/3/2)NE
(ITEM 7 AGENDA EC 15 MAY 2012)

RESOLVED:

THAT

- a) the expenditure on staff and councillors' benefits in terms of section 66 of MFMA Act, no 56 of 2003 for January 2012 to March 2012, be noted.
- b) a report with regard to the directive from SALGA regarding the suspension of UIF deductions be submitted to council.

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29.05.12

22. QUARTERLY REPORTING FOR JANUARY TO MARCH 2012 (11/3/2)NE
(ITEM 8 AGENDA EC 15 MAY 2012)

RESOLVED:

THAT the quarterly reports in terms of section of 5 (7) (iii) of the Division of Revenue Act, 2003, for the month January 2012 to March 2012 be noted.

23. TOWN PLANNING: APPLICATION FOR THE REMOVAL OF RESTRICTIONS ON
PORTIONS 138 AND PORTION 143 (A PORTION OF PORTION 71) OF THE FARM
PIET POTGIETERSRUST TOWN AND TOWNLANDS 44, REGISTRATION DIVISION
K.S. LIMPOPO PROVINCE (17/4/1)NSP
(ITEM 11 AGENDA EC 15 MAY 2012)

RESOLVED:

THAT

- a) the application lodged in terms of the Removal of Restrictions Act, 1967 Act 84 of 1967) for the removal of the title conditions A and B of Portion 138 (a Portion of portion 71) Town and Townlands 44 K.S, Title Deed Number 90193/1993 as well as conditions 1 and 2 of Portion 143 (a Portion of portion 71) of the Town and Townlands 44 K.S, Title Deed Number T86798/1994 be recommended subject to the following conditions:
 - i) the property is rezoned from "Industrial 2" to "Business 4" in order to allow for office use.
 - ii) the site development plan be submitted to the local authority for approval together with the rezoning application.
 - iii) no building structure should be erected before the building plans are approved by the local authority.
 - iv) that if the removal of restrictions leads to the upgrading of or changing of the electrical connections, all costs involved, indicating payment of engineering levies and connection fees be payable by the applicant.
 - v) comments by corporate support services are adequately addressed.
 - vi) no parking should be allowed on the pavement
 - vii) pavement should be done to the street level.
- b) in future presentations be made to the executive committee with regard to all town planning reports.

24. **TOWN PLANNING: EXEMPTION FOR PAYMENT OF APPLICATION FEES FOR TOWNSHIP ESTABLISHMENT AND DEMARCATION OF SITES APPLICATIONS BY SERVICE PROVIDERS (TOWN PLANNERS) APPOINTED BY THE DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS (CoGHSTA) ON BEHALF OF THE MUNICIPALITY**
(17/3/4)SH
(ITEM 12 AGENDA EC 15 MAY 2012)

RESOLVED:

THAT

- a) service providers (town planners) appointed by the Department of Co-operative Governance, Human Settlements and Traditional Affairs (CoGHSTA) to assist the municipality with the demarcation of sites, township establishment, and development of Spatial Development Framework (SDF), Land Use Management Scheme/Town Planning Scheme (LUMS); and other land development or town planning projects be exempted from the payment of applications fees applicable to town planning as approved by Council from time to time.
- b) the exemption is only applicable to town planning projects funded by the Department of Co-operative Governance, Human Settlements and Traditional Affairs (CoGHSTA).

25. **REPRESENTATIVES FOR MUNICIPAL EMPLOYEES PENSION FUND, MUNICIPAL GRATUITY FUND, NATIONAL FUND FOR MUNICIPAL WORKERS AND MUNICIPAL COUNCILLORS PENSION FUND**
(14/4/18) & (6/9/2)MFM
(ITEM 13 AGENDA EC 15 MAY 2012)

RESOLVED:

THAT the following representatives and alternates be nominated:

- | | |
|--------------------------------------|---|
| Municipal Employees Pension Fund: | Councillor H S Mathebula (representative)
Councillor R M Molekoa (alternate) |
| Municipal Gratuity Fund: | Councillor R S Masipa (representative)
Councillor M E Manganye (alternate) |
| National Fund for Municipal Workers: | Councillor S G Ngobeni (representative)
Councillor M K Kgalo (alternate) |
| Municipal Councillors Pension Fund: | Councillor T A Kgaphola (representative)
Councillor H T Baloyi (alternate) |

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26. CALL CENTRE STAFF (5/1/2/2(5/1B)I
(ITEM 14 AGENDA EC 15 MAY 2012)

RESOLVED:

THAT

- a) it be noted that due to budget constraints provision could only be made for the following positions on the 2012/2013 salary budget in respect of the call centre:

Call centre supervisor – level 6

2 Call centre officers - level 8

- b) the approved organogram be amended accordingly in respect of the call centre supervisor on level 6 and three positions of call centre officers be frozen.

27. CONDUCTING OF EXCO MEETINGS IN SDA'S (4/6/2)I
(ITEM 16 AGENDA EC 15 MAY 2012)

RESOLVED:

THAT

- a) it be noted that it is not possible to have executive committee meetings on a rotational basis at the SDA's as resolved by council on 29 February 2012.
- b) if required that managers must attend the house to house visits with executive committee members, the mayor compiles a schedule in this regard.
- c) three imbizos which does not have any bearing on the mayoral programmes be budgeted for each financial year and the executive committee determines where the imbizos must be held.

28. MFMA SECTION 71 REPORT (SCHEDULE C) FEBRUARY 2012 (11/3/2)BLM
(ITEM 18 AGENDA EC 15 MAY 2012)

RESOLVED:

THAT

- a) the section 71 report (C Schedule) for February 2012, be noted.
- b) departments account in a report to their relevant portfolio committees with regard to the non- and under-spending of funds.

29. MFMA SECTION 71 REPORT (SCHEDULE C) MARCH 2012 (11/3/2)BLM
(ITEM 19 AGENDA EC 15 MAY 2012)

RESOLVED:

THAT

- a) the section 71 report for March 2012, be noted.
- b) departments account in a report to their relevant portfolio committees with regard to the non- and under-spending of funds.

30. REQUEST FOR THE EXTENSION OF EMPLOYMENT CONTRACT : MANAGER : COMMUNITY SERVICES (S/7)I
(ITEM 22 AGENDA EC 15 MAY 2012)

RESOLVED:

THAT the employment contract dated 31 May 2007 of the manager : community services, Mr L J Sebola, be extended with six months until 30 November 2012 on the same terms and conditions.

31. FINAL DRAFT INTEGRATED DEVELOPMENT PLAN: 2012/2013 TO 2016/2017 FINANCIAL YEARS (17/3/4)DE
(ITEM 3 AGENDA SPECIAL EC 29 MAY 2012)

RESOLVED:

THAT

- a) it be noted that the draft IDP for 2012/13 to 2016/17 financial years was subjected to community participation.
- b) the inputs from the community be noted and further that departments provide and implement action plans to address the community inputs.
- c) the final Integrated Development Plan attached as pages 6 to 288 of the special executive committee agenda dated 29 May 2012 for the 2012/13 to 2016/17 financial years be adopted.
- d) project designs form an annexure to the final document after adoption by council prior to printing of the document.
- e) it be noted that the projects are aligned to the final capital budget for 2012/13 to 2014/15 financial year as submitted by finance department.

32. EPWP INCENTIVE GRANT (18/6/2 & G21)MGM
(ITEM 4 AGENDA SPECIAL EC 29 MAY 2012)

RESOLVED:

THAT

- a) the R1 038 000,00 additional funding received from the Department of Public Works as an incentive grant be noted.
- b) the funds be utilized for a proposed environmental project.
- c) the project be implemented at Extensions 14, 19 and 20, Mokopane.

33. FINAL 2012/13 TO 2014/15 MEDIUM TERM REVENUE AND EXPENDITURE
FRAMEWORK: 2012/13 FINANCIAL YEAR (6/1/1/34)KJM
(ITEM 5 AGENDA SPECIAL EC 29 MAY 2012)

RESOLVED:

THAT

- a) the final annual budget for the financial years 2012/13 to 2014/15 as set out in the following tables and schedules be approved:
 - i) Budget summary reflected as table A1 (attached as page 335).
 - ii) Budgeted Financial Performance (revenue and expenditure by standard classification reflected as table A2 (attached as pages 336 to 338).
 - iii) Budgeted Financial Performance (revenue and expenditure by municipal vote) reflected as table A3 (attached as pages 339 to 345).
 - iv) Budgeted Financial Performance reflected as table A4 (attached as page 346).
 - v) Budgeted Capital Expenditure by vote, standard classification and Funding reflected as table A5 (attached as pages 347 to 349).
 - vi) Budgeted Financial Position reflected as table A6 (attached as page 350).
 - vii) Budgeted Cash Flows reflected as table A7 (attached as page 351).
 - viii) Cash backed reserves/ accumulated surpluses reconciliation reflected as table A8 (attached as page 352).
 - ix) Asset Management reflected as table A9 (attached as page 353).
 - x) Basic Service Delivery Measures reflected as table A10 (attached as page 354).

- xi) Supporting information, charts and explanations of trends and anomalies for each table reflected as table SA1 – SA37 (attached as pages 355 to 404).
- b) the final 2012/13 to 2014/15 capital budget attached as pages 405 to 422 to the special executive committee agenda dated 29 May 2012 be approved.
- c) in terms of section 14 of the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004) (MPRA) the assessment rates reflected in Annexure A attached as pages 423 to 426 to the special executive committee agenda dated 29 May 2012 be approved for the budget year 2012/13.
- d) in terms of section 75A of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) the tariffs and charges reflected in Annexures B to G attached as pages 427 to 443 to the special executive committee agenda dated 29 May 2012, be approved for the financial year 2012/13.
- e) in terms of section 75A of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) an average of 11% increase on the electricity tariffs as reflected in Annexure H attached as pages 444 to 451 to the special executive committee agenda dated 29 May 2012 as approved by NERSA, be approved.
- f) the Tariff Policy attached as pages 452 to 464, the Rates Policy attached as pages 465 to 484, the Credit Control and Debt Collection Policy attached as pages 485 to 495, amended Indigent Policy attached as pages 496 to 501, the Investment and Cash Management Policy attached as pages 502 to 516, the Asset Management Policy attached as pages 517 to 548, the Asset Management Procedure Manual attached as pages 549 to 558 and the amended Supply Chain Management Policy attached as pages 559 to 638, the Irregular, Fruitless and Wasteful Expenditure Policy attached as pages 639 to 643, the Expenditure Policy and Procedure Manual attached as pages 644 to 652, to the special executive committee agenda dated 29 May 2012, be approved for the budget year 2012/13.
- g) transfer of savings in respect of the operating budget be limited to expenditure within the same vote and expenditure category unless the mayor authorizes the transfer.
- h) the 2012/13 capital and operating budget be submitted to National Treasury and Provincial Treasury in both electronic and printed format immediately after tabling the budget but not later than 10 June 2012.
- i) interest on all amounts in arrears be charged at the rate determined from time to time in terms of the provisions of the Prescribed Rate of Interest Act, 1975 (Act 54 of 1975) or any other relevant Act.
- j) it be noted that section 53(1)(c)(ii) of the MFMA provides that the Mayor must take all reasonable steps to ensure that the municipality's Service Delivery and Budget Implementation Plan is approved by the Mayor within 28 days after the approval of the budget.
- k) it be noted that the final job evaluation results from SALGBC have not yet been issued to the municipality and that no provision was made on the budget for the implementation of these salaries in the 2012/13 budget year.

- l) it be approved that If a consumer is in arrears on his rates, levies and other services the selling of pre-paid electricity/water be reduced to 30% of the amount paid and the 70% be allocated to the arrear account until the full outstanding amount has been paid or an installment agreement has been signed and if the consumer defaults on the installment agreement the selling of pre-paid electricity/water again be reduced with 70% with immediate effect and the defaulting consumers will also be prohibited from renewing their vehicle license registrations.
- m) the following indigent welfare package for 2012/13 be approved:

Package Compilation for Indigent	11/12 R(VAT excluded)	12/13 R(VAT excluded)
Rates – R100 000 Valuation	37,97	40,25
Refuse (up to 500 m2)	34,57	36,64
Sewage (up to 500 m2)	17,68	18,74
Electricity – 50kwh	31,50	33,00
Water – 6kl	44.22	48,20
Total indigent package per month	165,94	176,83

- n) the following be adhered to:
1. printing and stationery – no glossy prints, pamphlets and no stock piling of any stationery;
 2. no printing and procuring of paraphernalia, like caps, t-shirts, etcetera;
 3. no overnight accommodation unless approved by the municipal manager or acting municipal manager;
 4. maximize passenger capacity per vehicle for all trips;
 5. no farewell functions to be financed by Mogalakwena Municipality.
- o) the tariff increase for water be 9% for the 2012/13 financial year.
- p) no sector department infrastructure projects to be accepted by the municipality without additional funds being allocated for the provision of bulk services and no new township development due to lack of resources to provide bulk services.
- q) no RDP houses to be built during the 2012/2013 financial year as the municipality has no funds to provide bulk services to these areas.

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- r) no new positions to be created during the 2012/2013 financial year due to financial constraints, except for critical positions on the approved organogram and where there are savings of funds.
- s) all positions that become vacant during the 2012/2013 financial year must not be advertised without the prior approval of the Municipal Manager and the Municipal Manager in making his decision must establish whether the position is needed or not.
- t) it be noted that there is a deficit of R32 Million in 2012/2013, which is for the Eskom connection and which will be funded from accumulated surpluses.
- u) roll-over requests for 2011-2012 must be done by August 2012 in terms of MFMA circular 59.

34. OBSELETE ASSETS TO BE WRITTEN - OFF (16/14/1)KJ
(ITEM 6 AGENDA SPECIAL EC 29 MAY 2012)

RESOLVED:

THAT

- a) obsolete assets indicated in Annexure A attached as page 699 to the special executive committee agenda dated 29 May 2012, be approved for write- off and removed from the municipality's asset register.
- b) assets indicated in Annexure A be disposed of through public auction.
- c) the Municipal Manager utilises other methods of disposal for assets that do not sell during the auction.
- d) obsolete chairs and tables be donated to NGO's and community based centres identified by the mayor within the municipality.

SECTION B

B: REPORT OF THE EXECUTIVE COMMITTEE FOR WITH REGARD TO MATTERS WHICH HAVE BEEN DELEGATED TO THE EXECUTIVE COMMITTEE FOR THE INFORMATION OF THE COUNCIL

The mayor submitted the report of the executive committee (pages 20 to 24) and requested that it be noted.

RESOLVED:

THAT the content of the reports of March, April and May 2012 of the executive committee with regard to matters which have been finalised in terms of its delegated powers, be noted.

10. **PETITIONS**

None.

11. **NEW MOTIONS**

4/2/3

None.

The meeting closed at 15:10.

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SPEAKER

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DATE