

MOGALAKWENA LOCAL MUNICIPALITY

COUNCIL

MINUTES OF THE 16th COUNCIL MEETING OF THE MOGALAKWENA MUNICIPALITY HELD IN THE COUNCIL CHAMBER, CIVIC CENTRE, MOKOPANE ON WEDNESDAY, 25 NOVEMBER 2009 AT 16:14

PRESENT

AS PER ATTACHED ATTENDANCE REGISTER.

OFFICIALS

Messrs.	S W KEKANA	-	MUNICIPAL MANAGER
	S T MOGASHOA	-	MANAGER: TECHNICAL SERVICES
	J N FOURIE	-	MANAGER: ELECTRICAL SERVICES
	L J SEBOLA	-	MANAGER: COMMUNITY SERVICES
	G A HUDSON	-	MANAGER: TRAFFIC & EMERGENCY SERVICES
	M P MASHOTJA	-	DEPUTY MANAGER: DEVELOPMENTAL SERVICES
	H S M NGOEPE	-	CHIEF OPERATIONS OFFICER – From 16:18
	S HLUNGWANI	-	DIVISIONAL HEAD: TOWN PLANNING
Mesdames.	D E MAILULA	-	MANAGER: DEVELOPMENTAL SERVICES
	I A DE VILLIERS	-	ACTING MANAGER: CORPORATE SUPPORT SERVICES
	W D JOUBERT	-	ACTING CHIEF FINANCIAL OFFICER
	R MADIBELA	-	COUNCIL SECRETARIAT OFFICER

1. OPENING

The speaker welcomed all present and also extended the welcome to guests from Molemole Municipality, councillors Manthata and Mokgadi Ratana and further 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 S J Sebola, M M Lamola, T E Mokhonoana, R M Molekoa, C Monkwe, M L Mashao, L G Mokale, M I Mogotlane, M N Somo, C M Mashalane and M B Mmola.

RESOLVED:

THAT leave of absence from the 16th council meeting of the Mogalakwena Municipality held on 26 August 2009 be granted to councillors S J Sebola, M M Lamola, T E Mokhonoana, R M Molekoa, C Monkwe, M L Mashao, L G Mokale, M I Mogotlane, M N Somo, C M Mashalane and M B Mmola.

187.
25.11.09

3. OFFICIAL NOTICES

None.

4. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY THE SPEAKER

The speaker congratulated councillors who celebrated their birthdays during September, October and November 2009.

5. PROPOSALS OF CONDOLENCES OR CONGRATULATIONS BY OTHER MEMBERS

Councillor R L Kganyago congratulated Simeon Hlungwani for receiving an award as the best student.

Councillor T S Kgosana proposed condolences for the late speaker of Waterberg District Municipality and also congratulated community services and all councillors as the municipality has received the fourth award in three years, the latest for participation in the greenest municipality competition.

6. MINUTES OF THE PREVIOUS MEETINGS

RESOLVED:

THAT the minutes of the special council meeting held on 19 August 2009 (pages 140 to 142), the minutes of the 15th council meeting held on 26 August 2009 (pages 146 to 162) and the minutes of the special council meeting held on 30 September 2009 (pages 171 to 173), 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 SEPTEMBER, OCTOBER AND NOVEMBER 2009

SECTION A

The acting mayor submitted the report of the executive committee (pages 3 to 16) and requested that it be considered.

SECTION B

The acting mayor submitted the report of the executive committee (pages 17 to 19) and requested that it be noted.

A : REPORT OF THE EXECUTIVE COMMITTEE FOR SEPTEMBER, OCTOBER AND NOVEMBER 2009 WITH REGARD TO MATTERS WHICH THE COUNCIL MUST CONSIDER

- 1. TOWN PLANNING: 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**
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- (17/3/4)HS**
(Developmental services)

A representative of Developlan Town and Regional Planners was granted an opportunity to make a presentation.

RESOLVED:

THAT

- a) the presentation made by Developlan Town and Regional Planners, be noted.
- b) the chairpersons of developmental services portfolio committee, technical services portfolio committee, electrical services portfolio committee and the relevant managers meet with the developers to discuss the matter and report back to council.

189.
25.11.09

2. PROVISIONAL SUPPLEMENTARY VALUATION ROLL: FINANCIAL YEAR 2007/2008 (6/2/4)I
(ITEM 5 AGENDA EC 16 SEPTEMBER 2009)

RESOLVED:

THAT

- a) the submission of the 2007/2008 provisional supplementary valuation roll in terms of sections 35 and 36 of the Local Authorities Rating Ordinance, 1977 (Ordinance 11 of 1977), be noted.
- b) it also be noted that no objections were received in respect of the 2007/2008 provisional supplementary valuation roll and that the roll will be submitted to the chairperson of the valuation board for the necessary certification.

3. IDENTIFICATION OF NEW MAHWELERENG CEMETERY SITE (17/2)(11/2)GM
(ITEM 6 AGENDA EC 16 SEPTEMBER 2009)

RESOLVED:

THAT

- a) the letter of rejection of site proposal for the Mahwelereng Cemetery from Platinexco [Pty] Ltd, be noted.
- b) the new site as indicated as B on the map attached as page 9 to the executive committee agenda dated 16 September 2009 be developed for the use of a cemetery.
- c) a presentation regarding identification of new Mahwelereng cemetery site be made to council in this regard.

4. AWARDING OF TENDERS - THIRD AND FOURTH QUARTER 2008/09: 1 JANUARY 2009 TO 30 JUNE 2009 (11/3/2)JM
(ITEM 7 AGENDA EC 16 SEPTEMBER 2009)

RESOLVED:

THAT the tenders awarded from 1 January 2009 to 30 June 2009, be noted.

5. FINANCIAL INDICATORS: 31 JULY 2009 (11/3/2)WDJ
(ITEM 8 AGENDA EC 16 SEPTEMBER 2009)

RESOLVED:

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

6. **MONTHLY BUDGET STATEMENTS: JULY 2009** **(11/3/2)IFM**
(ITEM 9 AGENDA EC 16 SEPTEMBER 2009)

RESOLVED:

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

7. **QUARTERLY REPORTING FOR APRIL TO JUNE 2009** **(11/3/2)DM**
(ITEM 5 AGENDA EC 21 OCTOBER 2009)

RESOLVED:

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

8. **FINANCIAL INDICATORS: 31 AUGUST 2009** **(11/3/2)WDJ**
(ITEM 6 AGENDA EC 21 OCTOBER 2009)

RESOLVED:

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

9. **OBJECTIONS AGAINST CLOSURE OF PARK : PORTION OF PORTION 80 OF THE**
PIET POTGIETERSRUST TOWN AND TOWNLANDS, 44KS : FOURIE STREET
(17/4/7)(17/5B)I
(ITEM 8 AGENDA EC 21 OCTOBER 2009)

RESOLVED:

THAT it be noted that at this point in time there are sufficient middle and high income erven available in Extension 12 and that the park adjacent to Fourie Street not be closed.

10. **PROSPECTING AGREEMENT : PLATINEXCO (PTY) LTD** **(7/3/3/37)I**
(ITEM 9 AGENDA EC 21 OCTOBER 2009)

RESOLVED:

THAT

- a) it be noted that the addendum attached as pages 49 to 53 to extend the prospecting agreement with Platinexco (Pty) Ltd to 30 November 2013 has been signed.
- b) the company presents to council the prospecting results and mining potential in 2010 when the company's representative is in South Africa.

191.
25.11.09

11. **NATIONAL ROUTE N1/26X : PROPOSED TRANSFER INTO THE NAME OF THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED (18/5/1/2)I**
(ITEM 11 AGENDA EC 21 OCTOBER 2009)

RESOLVED:

THAT

- a) permission be granted to transfer portions 186 and 188 of the remainder of portion 80 of the farm Piet Potgietersrust Town and Townlands, 44KS on which road N1/26X is situated as indicated on the SG diagrams attached as pages 78 to 79 to the executive committee agenda dated 21 October 2009 to the South African National Roads Agency Limited.
- b) the agreement attached as pages 80 to 84 to the executive committee agenda dated 21 October 2009 be approved and the manager : corporate support services be authorized to sign the agreement on behalf of the municipality.

12. **DETERMINATION FOR DESIGNATION OF FULL TIME COUNCILLORS (3/2/51)I**
(ITEM 12 AGENDA EC 21 OCTOBER 2009)

RESOLVED:

THAT it be noted that notice 209 published in Provincial Gazette 1671 dated 20 August 2009 regarding the Determination for Designation of Full Time Councillors did not amend the number of fulltime councillors for a Grade 4 municipality.

13. **MONTHLY BUDGET STATEMENTS: AUGUST 2009 (11/3/2)IFM**
(ITEM 5 AGENDA EC 11 NOVEMBER 2009)

RESOLVED:

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

14. **MONTHLY BUDGET STATEMENTS : SEPTEMBER 2009 (11/3/2)IFM**
(ITEM 6 AGENDA EC 11 NOVEMBER 2009)

RESOLVED:

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

15. **4th AND 1st QUARTERLY REPORT ON EMPLOYMENT CREATION IN THE MUNICIPAL AREA** **(17/3/5)LA**
(ITEM 7 AGENDA EC 11 NOVEMBER 2009)

RESOLVED:

THAT the employment creation reports for the fourth quarter of 2008/9 financial year and the first quarter of 2009/10 financial year, be noted.

16. **4TH AND 1ST QUARTERLY LOCAL ECONOMIC DEVELOPMENT PROJECTS PROGRESS REPORT** **(17/3/3/6)LA**
(ITEM 8 AGENDA EC 11 NOVEMBER 2009)

RESOLVED:

THAT the LED projects progress reports for the fourth quarter of 2008/9 financial year and first quarter of 2009/10, be noted.

17. **REQUEST FOR THE CLOSURE OF MUNICIPAL OFFICES ON 28, 29, 30 & 31 DECEMBER 2009** **(5/10/1;5/10/4)TM**
(ITEM 11 AGENDA EC 11 NOVEMBER 2009)

RESOLVED:

THAT

- a) the closing of the municipal offices on 28, 29, 30 & 31 December 2009, be approved.
- b) emergency and essential services as well as an emergency cashier service be rendered during the mentioned days and that such personnel be given time off at a later stage.
- c) notices be placed in the local newspapers and on the notice boards to notify the public of the closure of the municipal offices.
- d) the library be closed on the dates in a) *supra*.
- e) the labour movements agreed with the resolutions above.

193.
25.11.09

18. WRITING OFF OF BURNT OUT VEHICLE: DLV 807 N (18/4/2)JNF
(ITEM 12 AGENDA EC 11 NOVEMBER 2009)

RESOLVED:

THAT

- a) the incident where a vehicle and equipment of the electrical department was totally destroyed by a fire which started in the engine compartment, possibly caused by an electrical short, be noted.
- b) the vehicle, a Mazda B3400, registration number: DLV 807 N, asset number: VEH 000000000074 Bar Code: 05236 be written off and deleted from the asset register, and scrapped from the E-natis system.
- c) the wreck be handed to the SAPS to destroy it totally.
- d) the vehicle and the equipment lost in the fire be replaced as soon as possible.
- e) a schedule of insured assets of the municipality be submitted.
- f) a workshop between section 57 managers and councillors be conducted on 1, 2 and 3 December 2009 regarding policies of the municipality.

19. INVITATION OF AUDIT COMMITTEE TO COUNCIL MEETINGS (6/12/1/2/3)BL
(ITEM 13 AGENDA EC 11 NOVEMBER 2009)

RESOLVED:

THAT

- a) reports regarding audit committee activities be submitted to the executive committee on a monthly basis.
- b) council be briefed by the chairperson of the audit committee on a quarterly basis.

20. APPOINTMENT OF FOURTH AUDIT COMMITTEE MEMBER (6/12/1/2/3)BL
(ITEM 14 AGENDA EC 11 NOVEMBER 2009)

RESOLVED:

THAT the appointment of Ms. Kobela Bridgette Mamabolo as the fourth member of the audit committee, be noted.

21. YEAR PLANNER FOR 2010 (4/1)I
(ITEM 16 AGENDA EC 11 NOVEMBER 2009)

RESOLVED:

THAT the content of the year planner for 2010 attached as page 20 to the council agenda dated 25 November 2009, 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.

22. DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF COUNCILLORS (6/9/1/2)I
(ITEM 22 AGENDA SPECIAL EC 25 NOVEMBER 2009)

RESOLVED:

THAT

- a) circular 52/2009 from SALGA be noted as well as the fact that the President has determined the actual remuneration levels of all public office bearers at an 7% across the board annual increase for 2009/2010.
- b) it also be noted that in respect of councillors, the Minister will issue a draft notice to MEC's, Treasury and SALGA for comments and which comments will inform the Minister's final determinations where after a final notice will be published for implementation.
- c) approval be granted that the notice referred to in b) *supra* be implemented as soon as it has been published and councillors be paid accordingly.

B: REPORT OF THE EXECUTIVE COMMITTEE FOR SEPTEMBER, OCTOBER AND NOVEMBER 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 September, October and November 2009 of the executive committee with regard to matters which have been finalised in terms of its delegated powers, be noted.

11. PETITIONS

None.

195.
25.11.09

12. **NEW MOTIONS** **4/2/3**

None.

The meeting closed at 17:12.

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SPEAKER

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DATE