

## **MOGALAKWENA LOCAL MUNICIPALITY**

### **COUNCIL**

#### **MINUTES OF THE SPECIAL COUNCIL MEETING OF THE MOGALAKWENA MUNICIPALITY HELD IN THE LLEKA LEKALAKALA COUNCIL CHAMBER, CIVIC CENTRE, MOKOPANE ON MONDAY, 5 DECEMBER 2011 AT 14:02**

---

### **PRESENT**

### **COUNCILLORS**

AS PER ATTACHED ATTENDANCE REGISTER.

### **OFFICIALS**

Messrs.	S W KEKANA	-	MUNICIPAL MANAGER
	M H THOBEJANE	-	MANAGER: CORPORATE SUPPORT SERVICES
	G A HUDSON	-	MANAGER: TRAFFIC & EMERGENCY SERVICES
	S T MOGASHOA	-	MANAGER: TECHNICAL SERVICES
	L J SEBOLA	-	MANAGER: COMMUNITY SERVICES
	J N FOURIE	-	MANAGER: ELECTRICAL SERVICES
	M C LESHILO	-	DIVISIONAL HEAD: LEGAL SERVICES
Mesdames.	D E MAILULA	-	MANAGER: DEVELOPMENTAL SERVICES
	W D JOUBERT	-	ACTING CHIEF FINANCIAL OFFICER
	R MADIBELA	-	COUNCIL SECRETARIAT OFFICER

---

The municipal manager indicated that the speaker was not available and councillor M W Mabuela was elected as the acting speaker in terms of Rule 23(2) and (3) of the Standing Rules and Orders of the Municipality.

### **1. OPENING**

---

The acting speaker welcomed all present.

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

---

Applications for leave of absence were received from councillors R M Mabusela, L C Kganyago, R D Ramasobana, N V Mashamaite, D Dabula, R N Monene, D P Motlohoneng and L D Langa.

### **RESOLVED:**

THAT leave of absence from a special council meeting held on 5 December 2011 be granted to R M Mabusela, L C Kganyago, R D Ramasobana, N V Mashamaite, D Dabula, R N Monene, D P Motlohoneng and L D Langa.

**3. SELLING OF ERVEN PIET POTGIETERSRUST EXTENSION 12 TOWNSHIP  
(17/5/2/4)MH  
(ITEM 4 AGENDA SPECIAL EC 5 DECEMBER 2011)**

**RESOLVED:**

THAT

- a) legal opinion from Mangena Attorneys be considered.
- b) the council resolution of 25 August 2010 not be applied retrospectively with regards to the purchasers who bought the erven before 25 August 2010, as those sales have been concluded and cannot be reversed.

**4. TOWN PLANNING: ALLOCATION OF RESIDENTIAL ERVEN TO THE  
COMMUNITY OF BLACK ROCK ON PORTIONS OF MAHWELERENG  
TOWNSHIP (UNIT A, B & C) (17/3/4) MPM  
(ITEM 5 AGENDA SPECIAL EC 5 DECEMBER 2011)**

**RESOLVED:**

THAT

- a) the progress report in relation to the progress made to allocate residential erven to Black Rock residents be noted.
- b) members of the Executive Committee and Manager: Corporate Support Services be authorized to negotiate the selling prices with the 39 residents of Bargain and the remaining 161 erven be sold to the public.

**5. ESTABLISHMENT OF MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (6/12/1/5)I  
(ITEM 6 AGENDA SPECIAL EC 5 DECEMBER 2011)**

**RESOLVED:**

THAT

- a) the final Guideline for the Establishment of Municipal Public Accounts Committees issued by the Department of Cooperative Governance and National Treasury attached as pages 33 to 45 to the Special Executive Committee agenda dated 5 December 2011, be noted.

- b) a MPAC be established for Mogalakwena Municipality and the following councillors be nominated to serve on the committee:
1. M W Mabuela
  2. P G Pila
  3. R M Molekoa
  4. L B Mabusela
  5. P S Mabe
  6. L C Kganyago
  7. R L Kekana
  8. L J Mathabathe
  9. K Q Dekker
  10. D P Motlohoneng
  11. G E Morkel-Brink
  12. M J Chauke
- c) councillor M W Mabuela be nominated to serve as chairperson of the MPAC.
- d) the MPAC be authorized and mandated to fulfill the functions as provided for in the guideline *supra*.

**6. ADVERTISED POSITIONS: INVESTIGATION OFFICER AND PERSONAL ASSISTANT TO CHIEF OPERATIONS OFFICER (5/3)SM**  
**(ITEM 7 AGENDA SPECIAL EC 5 DECEMBER 2011)**

**RESOLVED:**

THAT

- a) the two positions, that of Investigation Officer and Personal Assistant: Chief Operations Officer be frozen.
- b) a report regarding correspondence from the Premier's Office with regard to the filling of three positions of investigation officers be submitted to council.

**7. TRAVEL AND CAR ALLOWANCE POLICY (5/5/4NM)**  
**(ITEM 8 AGENDA SPECIAL EC 5 DECEMBER 2011)**

**RESOLVED:**

THAT

- a) the Travel and Car Allowance Policy approved on 16 September 2011 be suspended with immediate effect and be referred back to the Local Labour Forum for an agreement to be reached.
- b) the previous Travel and Car Allowance Policy be implemented.

**8. REPORT ON MFMA SECTION 32 EXPENDITURE: 2009/10 FINANCIAL YEAR**  
**(6/1/5)(KJM)**  
**(ITEM 9 AGENDA SPECIAL EC 5 DECEMBER 2011)**

The DA councillors opposed that the Mayor and the Executive Committee be mandated to appoint a credible firm of forensic auditors and labour experts but that the MPAC be authorized to perform the functions below and an external audit services be procured to assist and the Supply Chain Policy be followed.

Councillor Maritz called for a division in terms of Rule 76 of the Standing Rules and Orders of Council and the acting speaker overruled her.

**RESOLVED:**

THAT

- a) the Mayor and Executive Committee collectively be empowered and mandated to appoint a credible firm of forensic auditors and labour experts within fourteen days to investigate the following:
  - i) all land issues
  - ii) all HR issues
  - iii) all irregular & unauthorized expenditure
  - iv) all awarded tenders from the beginning of the financial year 2008/09 to date.
  - v) all other financial matters raised by the Auditor General's report
  - vi) all issues raised in the memorandum of grievances by the community.
- b) the service provider/s give feedback to the Executive Committee every fortnight.

**The meeting closed at 14:35.**

.....  
**SPEAKER**

.....  
**DATE**