

**MOGALAKWENA LOCAL MUNICIPALITY**

**COUNCIL**

**MINUTES OF THE 18<sup>TH</sup> COUNCIL MEETING OF THE MOGALAKWENA MUNICIPALITY  
HELD IN THE COUNCIL CHAMBER, CIVIC CENTRE, MOKOPANE ON WEDNESDAY,  
26 MAY 2010 AT 16:00**

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**PRESENT**

AS PER ATTACHED ATTENDANCE REGISTER.

**OFFICIALS**

Messrs.	S W KEKANA	-	MUNICIPAL MANAGER
	K J MPHAGO	-	CHIEF FINANCIAL OFFICER
	M H THOBEJANE	-	MANAGER: CORPORATE SUPPORT SERVICES
	J N FOURIE	-	MANAGER: ELECTRICAL SERVICES
	G A HUDSON	-	MANAGER: TRAFFIC & EMERGENCY SERVICES
Mesdames.	M C LSHILO	-	DIVISIONAL HEAD: LEGAL SERVICES
	D E MAILULA	-	MANAGER: DEVELOPMENTAL SERVICES
	W D JOUBERT	-	DEPUTY MANAGER: FINANCE
	I A DE VILLIERS	-	DEPUTY MANAGER: CORPORATE SUPPORT SERVICES
	M C NGOAKO	-	SENIOR CLERICAL ASSISTANT

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**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 M H Mashiane, M R Lebelo, K S Mpya , L G Mokale , T S Kgosana, S K Makgai, L P Maloba, R E Thobakgale, B T Pitjeng, M I Mogotlane and A Cachalia.

**RESOLVED:**

THAT leave of absence from the 18<sup>th</sup> council meeting of the Mogalakwena Municipality held on 26 May 2010 be granted to councillors M H Mashiane, M R Lebelo, K S Mpya , L G Mokale , T S Kgosana, S K Makgai, L P Maloba, R E Thobakgale, B T Pitjeng, M I Mogotlane and A Cachalia.

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**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 March, April and May 2010.

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

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Councillor Mokhonoana congratulated South Africans for celebrating Africa day on 24 May 2010 and further indicated that Mogalakwena Municipality also needs to welcome the people as only 18 days are left for the FIFA World Cup.

The mayor welcomed the Australian team which arrived in South Africa and also proposed condolences to councillor T S Kgosana whose grandmother passed away and the manager: community services aunt mother passed away.

Councillor Montane congratulated the speaker for her nomination as the provincial treasurer of ANC Women's League in Limpopo and councillor M M Lamola on his appointment as a senior manager in the Department of Health in the Waterberg District.

**6. MINUTES OF THE PREVIOUS MEETINGS**

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**RESOLVED:**

THAT the minutes of the 17<sup>th</sup> council meeting held on 24 February 2010 (pages 20 to 28), the minutes of the special council meeting held on 31 March 2010 (pages 43 to 48) and the minutes of the special council meeting held on 14 April 2010 (pages 53 to 54), 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**

None.

10. **THE REPORT OF THE EXECUTIVE COMMITTEE FOR MARCH, APRIL AND MAY 2010**

**SECTION A**

The mayor submitted the report of the executive committee (pages 4 to 10) and requested that it be considered.

A: **REPORT OF THE EXECUTIVE COMMITTEE FOR MARCH, APRIL AND MAY 2010 WITH REGARD TO MATTERS WHICH THE COUNCIL MUST CONSIDER**

1. **2<sup>ND</sup> QUARTERLY REPORT ON EMPLOYMENT CREATION IN THE MUNICIPAL AREA** (17/3/5)LA  
(ITEM 8 AGENDA EC 24 MARCH 2010)

**RESOLVED:**

THAT the second quarterly employment creation report for 1 October to 31 December 2009, be noted.

2. **2<sup>ND</sup> QUARTERLY LOCAL ECONOMIC DEVELOPMENT PROJECTS PROGRESS REPORT** (17/3/3/6)LA

(17/3/3/6)LA  
**(ITEM 9 AGENDA EC 24 MARCH 2010)**

**RESOLVED:**

THAT the second quarterly LED projects progress report for 1 October to 31 December 2009, be noted.

3. **QUARTERLY REPORTING FOR OCTOBER TO DECEMBER 2009** (11/3/2)DM  
(ITEM 10 AGENDA EC 24 MARCH 2010)

**RESOLVED:**

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

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4. **AWARD FOR TENDERS – FIRST AND SECOND QUARTER 2009/10: FROM 1 JULY 2009 TO 31 DECEMBER 2009** **(9/3/1)JM**  
**(ITEM 11 AGENDA EC 24 MARCH 2010)**

**RESOLVED:**

THAT

- a) the tenders awarded from 1 July 2009 to 31 December 2009, be noted.
- b) it be investigated how service providers can share municipal work.

5. **FINANCIAL INDICATORS: 31 OCTOBER 2009** **(11/3/2)WDJ**  
**(ITEM 12 AGENDA EC 24 MARCH 2010)**

**RESOLVED:**

THAT

- a) the content of the monthly finance report for October 2009, be noted.
- b) it be noted that the high turnover rate is caused by the non-cutting of services and non-collection of outstanding debts due to political interference.

6. **FINANCIAL INDICATORS: 30 NOVEMBER 2009** **(11/3/2)WDJ**  
**(ITEM 13 AGENDA EC 24 MARCH 2010)**

**RESOLVED:**

THAT

- a) the content of the monthly finance report for November 2009, be noted.
- b) it be noted that the high turnover rate is caused by the non-cutting of services and non-collection of outstanding debts due to political interference.

7. **FINANCIAL INDICATORS: 31 DECEMBER 2009** **(11/3/2)WDJ**  
**(ITEM 14 AGENDA EC 24 MARCH 2010)**

**RESOLVED:**

THAT

- a) the content of the monthly finance report for December 2009, be noted.

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- b) it be noted that the high turnover rate is caused by the non-cutting of services and non-collection of outstanding debts due to political interference.

**8. FINANCIAL INDICATORS: 31 JANUARY 2010 (11/3/2)WDJ**  
**(ITEM 15 AGENDA EC 24 MARCH 2010)**

**RESOLVED:**

THAT

- a) the content of the monthly finance report for January 2010, be noted.
- b) it be noted that the high turnover rate is caused by the non-cutting of services and non-collection of outstanding debts due to political interference.

**9. MONTHLY BUDGET STATEMENTS: DECEMBER 2009 (11/3/2)IFM**  
**(ITEM 16 AGENDA EC 24 MARCH 2010)**

**RESOLVED:**

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

**10. MONTHLY BUDGET STATEMENTS: JANUARY 2010 (11/3/2)IFM**  
**(ITEM 17 AGENDA EC 24 MARCH 2010)**

**RESOLVED:**

THAT the monthly budget statements for January 2010 in terms of section 71 of the MFMA (Act 56 of 2003), be noted.

**11. SCHEDULE OF INSURED ASSETS OF THE MUNICIPALITY (6/11/2/1)WDJ**  
**(ITEM 18 AGENDA EC 24 MARCH 2010)**

**RESOLVED:**

THAT the schedule of insured assets attached as pages 160 to 215 to the executive committee agenda dated 17 March 2010, be noted.

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**12. MECHANISM TO MINIMIZE LOST LIBRARY BOOKS (19/4/4 &G24)ERM**  
**(ITEM 19 AGENDA EC 24 MARCH 2010)**

**RESOLVED:**

THAT

- a) Mogalakwena Public Library and its branch libraries be automated or computerized, and all automated tools, software and hardware that a public library use for providing library services be budgeted for in 2012/2013 financial year.
- b) library patrons be afforded an opportunity to replace the lost copy with a new copy, either of the same title or different title which must be determined by the librarian.
- c) a standardized tariff to the amount of R1 000,00 with a 10% annual escalation be paid by a library member for any lost book that is out of print.

**13. MUNICIPAL EMPLOYEES PENSION FUND : AMENDMENT OF RULES (5/6/7)I**  
**(ITEM 23 AGENDA EC 24 MARCH 2010)**

**RESOLVED:**

THAT

- a) the content of the letter received from the Municipal Employees Pension Fund dated 1 February 2010 regarding the amended fund rules on retirement age be noted.
- b) it be noted that some members are dissatisfied with the amendment and a complaint has been lodged with the Pension Fund Adjudicator.
- c) members of the Municipal Employees Pension Fund who don't want to retire at the age of 60 be allowed to continue their employment with the municipality.

**14. MONTHLY BUDGET STATEMENTS: FEBRUARY 2010 (11/3/2)IFM**  
**(ITEM 5 AGENDA EC 14 APRIL 2010)**

**RESOLVED:**

THAT the monthly budget statements for February 2010 in terms of section 71 of the MFMA (Act 56 of 2003), be noted.

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**15. MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT REPORT**  
**(6/1/1/37)(5/14)HSM**  
**(ITEM 6 AGENDA EC 14 APRIL 2010)**

**RESOLVED:**

THAT

- a) the mid-year budget and performance assessment report be referred back to enable the office of the municipal manager to attend to outstanding issues in the report and the report be re-submitted urgently.
- b) the council's disappointment in the completion of this report be noted.

**16. DECLARATION OF INTENT: SKILLS DEVELOPMENT AND CAPACITY BUILDING**  
**(5/4/2)NM**  
**(ITEM 7 AGENDA EC 14 APRIL 2010)**

**RESOLVED:**

THAT all relevant stakeholders commit themselves and sign the Declaration of Intent in respect of Skills Development and Capacity Building and ensure that training is implemented in terms of the WSP.

**17. CEMETERY BY-LAW 2010**  
**(1/3/7&G1)GM**  
**(ITEM 8 AGENDA EC 14 APRIL 2010)**

**RESOLVED:**

THAT

- a) the draft by-law relating to cemeteries attached as pages 37 to 49 be noted.
- b) the necessary community participation be conducted regarding the content of the by-law.

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26.05.10

**18. TOWN PLANNING: MOGALAKWENA LOCAL INTEGRATED TRANSPORT PLAN, 2010 (17/2/6/6/LITP)SH  
(ITEM 5 AGENDA EC 26 MAY 2010)**

**RESOLVED:**

THAT

- a) the Mogalakwena Local Integrated Transport Plan, 2010 attached as pages 5 to 305 of the executive committee agenda dated 26 May 2010, be noted.
- b) notice be given in the Provincial Gazette and any other appropriate media of such adoption, including the place and times at which the copy of Mogalakwena Local Integrated Transport Plan, 2010 is available for public comments and inspection for 28 working days.
- c) the inputs which were made by councillors during the workshop held on 24 May 2010 be taken into consideration with the execution of the Integrated Transport Plan.

**19. PROTECTION OF TRANSFORMERS ON FARMS (18/4/2)JF  
(ITEM 6 AGENDA EC 26 MAY 2010)**

**RESOLVED:**

THAT

- a) the installation of 14 Watt lights on transformers on the farms be approved on condition that the light and day-night sensor be supplied by the farmers.
- b) it be noted that the electricity losses will increase due to the implementation of such a system but that the reduction of losses suffered from the theft of copper related items will be much higher than the increase in the loss of electricity.

**20. FINANCE PORTFOLIO COMMITTEE (4/B)(5/13)I  
(ITEM 7 AGENDA EC 26 MAY 2010)**

**RESOLVED:**

THAT councillor C F B Smit replaces Mr M E Manganye on the finance portfolio committee.



**21. MID-YEAR BUDGET AND PERFORMANCE ASSESSMENT REPORT**

**(6/1/1/37)(5/14)HSM**

**(ITEM 8 AGENDA EC 26 MAY 2010)**

**RESOLVED:**

THAT the mid-year budget and performance assessment report be referred back and managers be cautioned in respect of the information contained therein and the report be re-submitted to the special executive committee and council on 31 May 2010.

**22. ALIENATION OF ERF 2/618 PIET POTGIETERSRUST : FILLING STATION**

**(7/3/3/58)I**

**(ITEM 9 AGENDA EC 26 MAY 2010)**

**RESOLVED:**

THAT

- a) it be resolved in terms of section 14 (2)(a) of the Local Government : Municipal Finance Management Act, 2003 (Act 56 of 2003) that portion 2 of erf 618 Piet Potgietersrust is not needed to provide the minimum level of basic municipal services.
- b) permission be granted to lease portion 2 of erf 618 Piet Potgietersrust for a period of five years by means of a tender process subject to the following conditions:
  - i) the valuer in terms of section 14 of the Local Government : Municipal Finance Management Act, 2003 (Act 56 of 2003) and section 79 (18) of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) be requested to determine the market related rental for the said erf;
  - ii) no tender below the market related rental be accepted.
- c) a draft lease agreement be submitted to the executive committee for approval.

**23. LIST OF OUTSTANDING ISSUES**

**(4/2/6)I**

**(ITEM 10 AGENDA EC 26 MAY 2010)**

**RESOLVED:**

THAT the content of a list of outstanding issues with regard to resolutions taken by the executive committee and council, be discussed during the workshop of restructuring of the organogram.

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**24. INCREASE: ELECTRICITY TARIFFS (18/4/2)JF**  
**(ITEM 11 AGENDA EC 26 MAY 2010)**

**RESOLVED:**

THAT the report in respect of the increase of the electricity tariffs be referred back and be re-submitted to the special executive committee and council on 31 May 2010.

**SECTION B**

**B: REPORT OF THE EXECUTIVE COMMITTEE FOR MARCH, APRIL AND MAY 2010**  
**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 11 to 13) and requested that it be noted.

**RESOLVED:**

THAT the content of the reports of March, April and May 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 16:45**

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**SPEAKER**

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**DATE**