

**MINUTES OF ORDINARY COUNCIL MEETING HELD ON 31 MAY 2012 HELD
IN TOWN HALL , VREDEFORT ON THURSDAY AT 12:00**

PRESENT: 33 as per attendance register
COUNCILLORS:

ABSENT: Cllr. RJ Molotsane
COUNCILLORS: Cllr. GP Mandelstam
Cllr. PS Choni
Cllr. T Vandisi
Cllr. AP Swart
Cllr. L Hlapane

OFFICIALS ON DUTY: Municipal Manager, ADV. T Mokoena
Director Technical Services, Mr. KT Malebane
Committee Clerks, LA Molo

A. OPENING

The Chairperson, Cllr. PR Ndayi opened the meeting officially and requested Cllr. AM Oliphant to pray.

B. APPLICATION FOR LEAVE OF ABSENCE

A written apology was received from Cllr. GP Mandelstam, Cllr. PS Choni, Cllr. T Vandisi and Director Corporate Services Mr.ET Martins who was ill and submitted a medical certificate.

A verbal apology was received from Cllr. AP Swart

C. OFFICIAL ANNOUNCEMENTS

None

D. REPORTS OF THE SPEAKER IN TERMS OF RULES (15)1 AND (99)4

None.

E. APPLICATION AND APPEALS FROM COUNCILLORS IN TERMS OF RULES (14)1, 67 AND 72

None.

F. REPORTS RECEIVED FROM THE SPEAKER

None.

G. MOTIONS OF SYMPATHY AND CONGRATULATION BY THE SPEAKER

None

H. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY OTHER COUNCILLORS

None

I. DEPUTATIONS AND INTERVIEWS

None

J. DISCLOSURE OF INTEREST

None.

K. MINUTES OF THE PREVIOUS MEETING

1. Proposal for adoption Cllr. EC Sothoane, seconded by Cllr. IM Ramabitsa

It was resolved that:

- Minutes of Special Council meeting held on the 13 April 2012 be approved with the following corrections:

Item 4 DRAFT IDP & BUDGET PROCESS PLAN 2012/13 RESOVED

THAT:

Council adopt the draft IDP & Budget process plan 2012/13 for public participation process

2. Proposal for adoption Cllr EC Sothoane, seconded by Cllr. IM Ramabitsa

It was resolved that:

- Minutes of Ordinary Council meeting held on the 13 April 2012 be approved with the following corrections.
 - That Cllr. M Serathi and Cllr M Oliphant were present at the meeting not absent

3. Proposal for adoption Cllr. EM Magashule, seconded by Cllr. IM Ramabitsa

It was resolved that:

- Minutes of continuation of Special Council meeting held on the 30 April 2012 be approved.

✚ Matters arising.

1. On item AUDITOR GENERAL'S REPORT

That the committee has been established already as requested?

2. QUESTION OF WHICH NOTICE HAS BEEN GIVEN

What progress has been made on the wasteful and fruitless expenditure?

3. PROMULGATION OF MUNICIPAL BY-LAW

That the workshop has not yet be rearrange and the budget had to be approved without having a workshop

4. DEMARCATION BOARD

The Board asked Municipal Manager of Fezile Dabi to facilitate a meeting between all Municipalities in his area regarding the recommendations that was submitted from all the municipalities, one of the officials must make the follow up on the matter.

5. DRAFT ANNUAL BUDGET

That the names of the opposition party was submitted to the office of the Mayor on the 14 May 2012 for the oversight committee and why the committee has not sit

L. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

None.

M. MATTERS REFERRED FROM THE PREVIOUS MEETING

None.

N. REPORTS OF THE EXECUTIVE COMMITTEE

The report of Executive Committee was considered.

1. QUESTIONS ON NOTICE

RESOLVED:

1. That Council take cognisance of the cases handled by Shongwe Attorneys
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2. PROGRESS REPORT ON SPECAIL TASK TEAM

RESOLVED:

1. That council take note of the attached report
 2. That council must lay criminal charges against Mr. Tladi Mokoena and also Mr. R Malamule who was his assistance in defrauding the council.
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3. PARYS DEVELOPMENT FORUM

RESOLVED:

1. That council take cognisance of the court order
 2. That municipality abide by court order
 3. That municipality to effect payment as a matter of urgency
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4. MEMORANDUM OF AGREEMENT BETWEEN IEMAS AND NGWATHE LOCAL MUNICIPALITY

RESOLVED:

1. That council to approve the reversed document that was submitted to the office of the Municipal Manager agreement between IEMAS and Ngwathe Local Municipality
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5. APPLICATION TO SERVE AS MEMBER OF THE AUDIT COMMITTEE

RESOLVED:

1. That the advert be re-advertised for at least three months for us to get the bigger pool of the best candidates
 2. As Ngwathe share service with Fezile Dabi District Municipality we can engage with them to use the existing audit committee of Fezile Dabi District Municipality
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6. APPROVAL OF THE COUNCIL MINUTES DATED 21 OCTOBER 2011

RESOLVED:

1. That council takes cognisance of the minutes of urgent special council held on 21 October 2011
 2. That municipal council approves the minutes of the urgent special council held on 21 October 2011
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7. TRADE UNION WAGE DEMANDS

RESOLVED:

1. That council take note of the wage demands
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THE HONORABLE MAYOR, CLLR. J MOCHELA PRESENTED THE IDP AND BUDGET TO THE COUNCILLORS.

8. FINAL ANNUAL BUDGET FOR 2012/13

RESOLVED:

1. That in terms of section 24 of the municipal Finance Management Act 56 of 2003, the annual budget of the municipality for the financial year 2012/12; and indicative allocations for the two projected outer year 2013/14 and 2014/15; and the multi-year and single year capital appropriations be approved

2. Below is the list of draft policies and tariff list to be approved
 - Fruitless and Wasteful Policy
 - Transfers and Veriments
 - Borrowing policy
 - Budget policy
 - Subsistence and travelling policy
 - Credit Control policy
 - Indigent policy
 - Property Rates policy
 - Tariff policy
 - Bad debt Write-off policy
 - Cell phone policy
 - Fixed asset management policy
 - Banking and investment policy
 - Funding and reserves policy
 - Risk management policy

3. Council adopted the draft IDP & draft budget and the policies that are brought forward to the attention of the council.

4. Council take into considerable all the issues raised by Cllr PP van der Merwe and Cllr A Schoonwinkel be addressed and deal with during the budget Adjustment

5. That there should be allowance for mayoral vehicle in the mid-term budget as we known the status of mayoral vehicle and the two vehicle be auctioned and get a mayor vehicle

6. DA & VF+ doesn't support the recommendations and they are against the budget but not the approval of policies

7. The 8(eight) Councillors were against the recommendations and 21(twenty one) Councillors agreed with the recommendations

8. ANC rejected the proposal to review and readjusted the budget before the prescribed table six months
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9. FINAL DRAFT SIMPLIFIED IDP 2012/17

RESOLVED:

1. That Council take cognisance of the final Draft IDP (to be completed during the week due to conflicting and outstanding information)
 2. That council approves the final Draft simplified IDP 2012/2017
 3. That Training for councillors on the Simplified IDP Framework is to be arranged
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**The late submission of the addendum item 10 - 13 was condoned
Cllr. S Kruger was requested to be excused from the meeting**

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10. BY- ELECTIONS

RESOLVED:

1. Council to take note of the decision of the Democratic Alliance Party.
 2. That Cllr Serfontein was appointed as a member of EXCO
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11. MINIMUM COMPETENCY LEVEL REGULATION

RESOLVED:

1. That the relevant manager and officials comply with regulations by registering for the programmes
2. That cost implications be considered for the programme

3. Below are some of the approved services providers by Treasury and the costing: R52 800.00 per person (University of Pretoria) R50 400.00 per person (Deloitte Consultation)
 4. That approval be made for the programme to commence
 5. That the person had to enter into agreement with the Municipality to refund their studies by working for Ngwathe municipality at least for 3 years after they obtained their qualification.
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12. CCMA HEARING TJ MOKOENA\ NGWATHE MUNICIPALITY

RESOLVED:

1. That council should take cognisance of CCMA documents
 2. That council should appoint an independent labour relations practitioner in the event that the CFO pursue unfair dismissal to handle the matter
 3. That COGTA appoint other Acting CFO as Mr. T Kometsi has finished his term.
 4. That council request Municipal Manager to proceed with civil and criminal charges
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12. SECTION 79 COMMITTEES

RESOLVED:

1. That council appoints the Councillors to the committee in terms of S79 of local Government Municipal Structures Act 117 of 1998
2. That Council takes cognisance of the committee and names of Councillors as per schedule
3. That we should refer to Section 80 not Section 79 committees
4. That Cllr. Serfontein be appointed as chairperson of Social and Community Development Committee
5. That the name of Cllr. Molotsane be removed from LLF and be replaced by Cllr M Serathi

6. That Cllr. Spence be removed from Corporate Services Committee and be placed to Infrastructure and LED Committee

REPORTS OF DECISION TAKEN UNDER DELEGATED POWERS

None.

P. SECTION 71 REPORT

None

Q. QUARTERLY REPORT

None.

The meeting closed at 14: 55

APPROVED:

CHAIRPERSON:

DATE: