

**MINUTES OF ORDINARY COUNCIL MEETING HELD ON 28 MARCH 2014 HELD
IN MUNICIPAL HALL, VREDEFORT ON FRIDAY AT 10:00**

PRESENT 24 as per attendance register
COUNCILLORS:

ABSENT: Cllr. DV Modiko
COUNCILLORS: Cllr. DM Radebe
Cllr. PS Choni
Cllr. AP Swart
Cllr. GP Mandelstam
Cllr. NA Ndlovu
Cllr. MJ Masooa
Cllr. NA Sehume
Cllr. PP Molaphene
Cllr. M Serathi
Cllr. C Serfontein
Cllr. SM Vermaak

OFFICIALS ON DUTY: Acting Municipal Manager, Mr. LD Kamolane
Director Corporate Service, Me. M Bopalamo
Acting Director Community Services, Mr. LA Marumo
CFO, Mr. OL Leeuw
Acting Director Technical Services, Mr. H Coetzer
Committee Clerks, Me. LA Moloji

ALSO PRESENT: Framton, Mr. Peter Langley
Framton, Mr. Bennies Ruiters

A. OPENING

The Chairperson, Cllr. RP Ndayi opened the meeting officially by welcoming everyone present and the late start of the meeting was condoned. Cllr. RP Ndayi complained about Councillors are not respecting time that time must be taken seriously.

B. APPLICATIONS FOR LEAVE OF ABSENCE

A written apology was received from Cllr. GP Mandelstam, Cllr. M Serathi who was arranging funeral for his driver who passed on and verbal apologies were received from Cllr Radebe who was arranging funeral for his mother who was passed on, Cllr V Modiko who receives family crisis on his way to the meeting, Cllr C Serfontein and other DA Councillors who attended other meeting.

C. OFFICIAL ANNOUNCEMENTS

Mayor announced that today 28/03/2014 is the official launching of fleet and Speaker will decide time.

There will be a SMME workshop on the 03/04-04-2014

Mayor organised Youth summit and invitations will be given to the Councillors.

Schedule of date for Draft IDP and Draft Budget for public participation will be submitted to Councillors

Mayor announced Cllr. V De Beer was seconded to present Ngwathe Local Municipality to serve at Fezile Dabi district Municipality

D. REPORTS OF THE SPEAKER IN TERMS OF RULES 10(1) AND 86(4)

None.

E. APPLICATION AND APPEALS FROM COUNCILLORS IN TERMS OF RULES 9(1), 71 AND 76

None.

F. REPORTS RECEIVED FROM THE SPEAKER

None.

G. MOTIONS OF SYMPATHY AND CONGRATULATION BY THE SPEAKER

Moment of silent was observed for Cllr. Serathi's driver and Cllr. Radebe's mother who passed on.

H. MOTIONS OF SYMPATHY AND CONGRATULATIONS BY OTHER COUNCILLORS

None

I. DEPUTATIONS AND INTERVIEW

Mr. Bennies Ruiters made a presentation on behalf of Framton and Council resolved as per item number 41

J. DISCLOSURE OF INTEREST

None.

K. MINUTES OF THE PREVIOUS MEETING

Speaker announced that the meeting is continuation. Caucus agreed that the meeting is ordinary council meeting and Speaker withdraw the statement and consider the whole agenda.

The minutes of the 12 February 2014 will be approved at the next Council meeting

Matters Arising:

None.

L. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

None.

M. MATTERS REFERRED FROM THE PREVIOUS MEETING

None.

N. REPORTS OF THE EXECUTIVE COMMITTEE

Report of the Executive Committee was considered

3. LEARNERSHIPS IT (NQF LEVEL 4), FIRE AND RESCUE

RESOLVED:

1. That the Executive Committee takes note of the Fire & Rescue learnership and Information Technology (IT) learnership programmes in progress.
2. That the Fire & Rescue learnership has 40 beneficiaries representing all Ngwathe communities and it commenced in November 2013 – November 2014, it is sponsored by Fezile Dabi District Municipality and LGSETA.
3. That the IT beneficiaries are 60, Vredefort 30 and Parys 30, it commenced in December 2013 – December 2014, it is sponsored by the Department of the Premier and Bytes.
4. That a list of learners/beneficiaries indicating towns be made available to the committee in the next meeting.
5. That in the next meeting the committee should deliberate on the exit strategy of all learnership programs in Ngwathe.

4. DRAFT SDBIP

RESOLVED:

1. That Council to take note of the Draft SDBIP 2013/14.
 2. That SDBIP be a standing item in all section 80 Committee agendas which will be used as a monitoring tool on the progress of the projects (service delivery targets).
 3. That Council takes note of the SDBIP 2013-2014 and that the report is six (6) months late.
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6. REBUILDING OF THE HOUSE OF ME. LESEBA: HEILBRON

RESOLVED:

1. That council takes note of the progress regarding the rebuilding of the house of Me. Leseba.
 2. That a letter of gratitude be written to the contractor who rebuilt the house of Me. Leseba.
 3. That a further report be submitted after the house has been completed and occupied by Me. Leseba.
 4. That the house be formally handed over by the Mayor and the contractor be invited.
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7. SUMMIT ON CEMETERIES: 26-27 SEPTEMBER 2013

RESOLVED:

1. That the contents of the report be noted.
2. That sufficient land be provided for cemeteries in terms of Spatial Development Framework (SDF).
3. That the new alternative burial methods be explored by the municipality e.g. cremation.
4. That an investigation be done so that communities through public participation processes are informed of the cost implication for all alternative burial methods.
5. That a separate area should be set aside in a cemetery for pauper burials.
6. That indigent burials be conducted with dignity.
7. That Director Community Services investigate amendments that can be made in the Indigent Burial Policy.
8. That the forum be established by Council which will deal with cemeteries.

9. That a workshop be conducted on the Policy for Councillors on the document provided during the Provincial summit on Cemeteries held in Bloemfontein.
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9. OR TAMBO GAMES

RESOLVED:

1. That Council takes cognizance of the OR TAMBO Games report.
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10. LICENCING OF LANDFILL SITES IN NGWATHE LOCAL MUNICIPALITY

RESOLVED:

1. That the contents of the report be noted.
 2. That the Municipal Manager delegates an official as a "designated Waste Management Officer" for Ngwathe Local Municipality.
 3. That service providers be sourced to manage the landfill sites as soon as they are licensed.
 4. That Supply Chain Policy be followed when sourcing service providers.
 5. That Director Community Service provide progress report on all landfill sites in Ngwathe Local Municipality.
 6. That a monthly progress report be submitted to Executive committee meeting.
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12. NGWATHE MUNICIPALITY: PLANNING, PEGGING AND OPENING OF TOWN REGISTERS 5300 NEW ERVEN

RESOLVED:

1. That the content of the report be noted.

2. That Council is made aware of the progress to address the informal settlements and shortage of Erven on the waiting list for residential Erven.
 3. That Planning, Pegging and opening of town registers of 5300 new erven project be a standing item on the agenda of Urban/ Rural Planning & Housing committee until the matter is finalized.
 - 4.
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14. CONSTRUCTION OF A MULTI PURPOSE CENTRE IN TUMAHOLE

RESOLVED:

1. That Council approves site number 6654 portion 1 in ward 8 for the purpose of building a Multi-Purpose Center.
 2. That the Provincial Department of Sport Art and Culture be allowed to build the Multi-Purpose Center.
 3. That the project be accepted by Ngwathe Municipality as their own property.
 4. That the Municipal Manager be authorized to sign agreements pertaining to the project.
 5. That the Provincial Department of Social Development be thanked for the project.
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15. ASSISTANCE TO BE RENDERED BY THE PROVINCIAL DEPARTMENT OF SOCIAL DEVELOPMENT IN PARTNERSHIP WITH BIBI CASH AND CARRY TOWARDS YOUTH'S TUCK-SHOP OWNERS

RESOLVED:

1. That cognisance of the above report be taken.
 2. That Ngwathe Local Municipality continues to support SMME's.
 3. That the Provincial Department of Social Development be thanked for the project.
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16. PROGRESS REPORT ON MIG PROJECTS

RESOLVED:

1. That cognisance of the report be taken.
 2. That Acting Director Technical Services, Mr. H Coetzer submit a full updated progress report regarding MIG projects.
 3. That Acting Director Technical Services, Mr. H Coetzer submit reports timeously.
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17. PROGRESS REPORT ON THE TUMAHOLE TOILET STRUCTURES PROJECT

RESOLVED:

1. That Council takes cognisance of the report.
 2. That Council takes note of the progress that has been achieved on the project.
 3. That the toilets be captured as part of Ngwathe Local Municipality efforts to eradicate bucket systems.
 4. That Acting Director Technical Services, Mr. H Coetzer submit reports timeously.
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18. REVISED ALLOCATION FOR THE MUNICIPALITY'S REGIONAL BULK INFRASTRUCTURE GRANT (RBIG) FOR THE 2013/2014 FINANCIAL

RESOLVED:

1. That Council resolves that it acknowledges receipt of the confirmation letter from DWA to abovementioned effect.
 2. That a report on cash flow and financial implications be submitted before the 28th February 2014.
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20. A SUBMISSION FOR COUNCIL TO ADOPT THE EXPANDED PUBLIC WORKS PROGRAMME MUNICIPAL POLICY AND IMPLEMENTATION GUIDELINES

RESOLVED:

1. That Council Approves Municipal Policy and Implementation Guidelines.
 2. That a workshop be conducted for Councillors on the policy.
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21. VREDEFORT PEDESTRIAN BRIDGE

RESOLVED:

1. That Council takes cognisance of WITS application.
 2. That Council approve the project
 3. That the application for registration/ licensing be submitted to DWA after approval by Council.
 4. That progress report be submitted to Council.
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24. ONE WAY STREET

RESOLVED:

1. That Council to take note of the report.
 2. That the application be supported.
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25. REPORT ON DAMAGED VEHICLE CNZ 226 FS AND STOLEN VEHICLE FBK 696 FS

RESOLVED:

1. That the content of the report be noted.
2. That it be noted that the damaged vehicle CZN 226 FS has been repaired and is in operation.
3. That it be noted that vehicle FBK 696 FS cannot be traced by the SAPS and that the case is now closed.
4. That an investigation be conducted by the Fleet Manager on the cost implications of tracking system for all Municipal vehicles.
5. That the CFO submits a comprehensive report to Finance committee regarding all insurance claims made.
6. .

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26. METER READINGS ACTION PLAN

RESOLVED:

1. That cognizance been taken of the report.

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27. COUNCIL RESOLUTION MUNICIPAL VALUATION DATE

RESOLVED:

1. The Ngwathe Local Municipality resolved to implement the local Government: municipal Property rates Act, (ActNo.6 of 2004) and to levy rates on the properties in its area of junction.
2. Subject to the adoption of (16.1) above the date of implementations 1 July 2014.
3. Subject to the adaptation of (16.2) above the date General Valuations 1 October 2013.
4. Subject to the adoption of (16.3) Ngwathe Local Municipality resolves to levy different rates for different categories of properties

5. Subject to the adoption of (16.4) above that:
 - I. The criteria for the determination of a particular category shall be the actual use of the property. A change in use will result in a change of category
 - II. In case of vacant land the permitted use in terms of any legislation will determine the category. In the absence of any legislation which regulates the use of properties the category will be determined on the most feasible use.
 6. That Property Rates Policy and By – Law for 2014/15 is open the inputs and the community will be informed accordingly.
 7. That in terms of section 33 of Act 6 of 2004 Mr. Nqole Lelosa be designated as the municipal valuer for Ngwathe Local Municipality, with effect from 16 September 2013 to June 2018 subject to:
 - a. The provisions of the Act
 - b. The conditions of the Memorandum of Agreement between the Municipality and the said Manna Holdings(PTY) LTD
 - c. All other contracts and agreements related to BID No (NLM/FN/14/13)
 8. That the Valuation Project Plan be fully implemented.
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41. FRAMTON – ESTABLISHMENT OF AN IRON ORE REFINERY FACTORY

RESOLVED:

1. That the contents of the report be noted
2. That Council approves the initiative as set out in the report
3. That Council dispose of the proposed land in terms of land Disposal Policy and supply Chain management Policy
4. That Council dispose of the land at market value to attract this massive investment
5. That Framton make a presentation to the Council
6. That there must be a progress in three years failing which the site will be taken back to the Municipality

Votes were as follows:

20 Councillors agreed with the resolutions.

**42. REGULATIONS FOR APPOINTMENT AND CONDITIONS OF
EMPLOYMENT FOR SENIOR MANAGERS IN MUNICIPALITIES**

RESOLVED:

1. That the Council takes note of the regulations for the appointment and conditions of employment for senior Managers
2. That the regulations should be implemented to ensure compliance and the reports be presented to the MEC
3. That Council condone the re-advertisement of the post of Director Technical Services which closes on the 01 April 2014 in line with clause 19 of the regulations
4. That in line with clause 12 of the regulations which says, " A Municipal Council must appoint a selection panel to make recommendations for the appointment of candidates to vacant senior manager post
 - (1). The selection panel for the appointment of a Municipal Manager must consist of at least three and not more than five members, constituted as follows:
 - a. The Mayor who will be the Chairperson, or her delegate
 - b. A councillor designated by the Municipal Council
 - c. At least one other person who is not a Councillor or a staff member of the municipality and who has expertise or experience in the area of the advertised post
 - (2). The selection panel for the appointment of a Manager directly accountable to the Municipal manager must consist of at least three and not more than five members, constituted as follows:
 - a. The Municipal Manager who will be the Chairperson
 - b. A Councillor who is the **Portfolio Head of the relevant portfolio**

- c. At least one other person, who is not a Councillor or a staff member of the Municipality and who has expertise or experience in the area of the advertised post
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43. RENEWAL OF LEASE AGREEMENT (PRIMEDIA)

RESOLVED:

1. That the be referred to Council with the following information
 - How many structure were erected and possible income for those structures
 - Policy on billboard be attached
 - Supply Chain management Policy be followed to allow for competitive bidding.
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44. REVISE DRAFT OF HOUSING DEVELOPMENT AGENCY REGULATIONS

RESOLVED:

1. That Council be aware of the revised Housing Development Agency Regulations
 2. That Council comment on the Draft Regulation
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45. REZONING AND SUBDIVISION OF PARK STAND 6147, REZONING OF BUSINESS ERVEN 6164-6168 AND SUBDIVISION OF 1-6 ERVEN TO RESIDENTIAL ERVEN, TUMAHOLE

RESOLVED:

1. That Council take note of the report
 2. That Ngwathe Local Municipality budget for the project of township establishment and open a township register
 3. That a report be submitted to council with technical inputs from Director Technical services, Mr. H Coetzer
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46. ANNUAL REPORT OF THE AUDIT COMMITTEE FOR THE FINANCIAL YEAR 2012/13

RESOLVED:

1. That cognizance be taken of its report for the 2012-13 financial year.
 2. That the audit action plan be prepared for the annual audit performed by Auditor-General for 2012-13 financial year.
 3. That the audit Committee be utilized to advice and provide a mechanism for the rendering of impartial advice and recommendations to the Municipal Manager and council on financial and non-financial matters, to improve accountability and governance over the activities of municipalities and municipal entities
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47. REPORT OF THE AUDIT COMMITTEE FOR THE 1ST AND 2ND QUARTER OF FINANCIAL YEAR 2013/14

RESOLVED:

The Audit committee reports that it has complied substantially with its responsibilities arising from section 166 (2) of the Municipal Finance Management Act (MFMA) in terms of its defined responsibilities as an advisory body to the municipality.

It also reports that it has adopted appropriate formal terms of reference as its audit committee charter, has regulated its affairs in compliance with this charter and has discharged all its responsibilities as contained therein.

1. It therefore recommends that cognizance be taken of its report for the first and Second Quarter of 2013-14 financial year;
2. That the findings, risks and recommendations by the Internal Audit be taken into consideration;
3. That the Management Comments and audit action plans be prepared and submitted to internal audit; and

4. That the audit action plans to be prepared be implemented to resolve or correct the audit issues raised by the Internal Audit Unit.

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48. DRAFT 2014/2015 MTREF BUDGET

RESOLVED:

1. That Council takes note of proposed 2014/2015 MTREF Budget
2. That the draft 2014/2015 budget be sent for public participation

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49. DRAFT REVIEWED INTERGRATED DEVELOPMENT PLAN 2014-2015

RESOLVED:

1. Council to take note of the Draft Reviewed IDP 2014/15
2. Council to take note of the attached Draft Strategic Planning session Report
3. Council take note of the attached Proposed Public participation schedule for IDP, Budget, SDF and PMS
4. Council to adopt the Draft Reviewed IDP 2014/15 as working document

The meeting closed at 14:17

APPROVED:

CHAIRPERSON: CLLR. RP NDAYI

DATE: