

C07/09/2016

FINANCES: LOCAL GOVERNMENT: UPPER LIMIT OF TOTAL REMUNERATION PACKAGES PAYABLE TO MUNICIPAL MANAGERS AND MANAGERS DIRECTLY ACCOUNTABLE TO MUNICIPAL MANAGERS

1/1/2/6 (C)/yb

With the consideration of this item the following officials recused themselves:

- Mr S M Mnguni - Acting Municipal Manager
- Ms E Wassermann - Executive Director: Financial Services
- Ms C Hlatshwayo - Executive Director: Community Services

RESOLVED BY COUNCIL

- 1 **THAT** Council take note of the report on the upper limits of total remuneration packages payable to Municipal Managers and Managers directly accountable to Municipal Managers.
- 2 **THAT** the Acting Municipal Manager, Acting Executive Director: Corporate Services and Acting Executive Director: Infrastructure Services be remunerated according to the upper limits as per the Gazette for grade 5.
- 3 **THAT** the Executive Director: Financial Services, Executive Director: Community Services and Deputy Municipal Manager's packages be adjusted with a cost to living increase of 6%.
- 4 **THAT** a workshop on the upper limits of total remuneration packages payable to Municipal Managers and Managers directly accountable to Municipal Managers be arranged for Councillors and leadership of the labour force which will amongst others encompass how grading happens.
- 5 **THAT** the information regarding the workshop in paragraph 4 above be cascaded to the staff.

C10/09/2016

FINANCES : 2015/2016 DRAFT ANNUAL REPORT

3/4 (B)/ls

RESOLVED BY COUNCIL

- 1 **THAT** Council take note of the draft 2015/2016 Annual report as submitted in terms of Section 127 (2) of the Municipal Finance Management Act, 2003 and that this report be:
 - 1.1 Made public for comments by the community;
 - 1.2 Submitted to the Municipal Public Accounts Committee (MPAC) for consideration and recommendations to Council;

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- 1.3 Submitted to the Auditor-General, the Provincial Treasury and the Department of Co-operative Governance and Traditional Affairs;
- 2 **THAT** a further report be submitted after the above has been exhausted and final opinion from the Auditor-General.

C11/09/2016

SECURITY PLAN TO PREVENT LAND INVASION IN NEWTOWN

13/4/3/1 (F)/yb

RESOLVED BY COUNCIL

- 1 **THAT** Council take note of the report by the Executive Director: Community Services and Resolution M18/09/2014.
- 2 **THAT** Council take note of the progress report on the Security Plan for Newtown as elaborated in this report by the Executive Director: Community Services.
- 3 **THAT** Council take note of the security options by the Executive Director: Community Services on Newtown.
- 4 **THAT** four officers be deployed during weekends, and holidays focusing strictly on the existing Newtown and Newtown Phase 1. $4 \times 168 = 672$ hours per month.
- 5 **THAT** Council take note of the financial implications relating to the overtime that the officers will have to work.
- 6 **THAT** the multi-year budget and the IDP be adjusted for this purpose over a 5 year period.
- 7 **THAT** the overtime option 3 be approved.
- 8 **THAT** the overtime roster be drafted to determine fairness to all employees.
- 9 **THAT** a shift system for Law Enforcement Officers be facilitated by the Acting Executive Director: Corporate Services.
- 10 **THAT** the Acting Executive Director: Corporate Services be requested to arrange an inspection in loco on the project in Newtown.

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C14/09/2016**FINANCES: AMENDMENT BUDGET: UPGRADING OF MHLUZI OFFICES**

5/1/1/10 (D) /dp

RESOLVED BY COUNCIL

- 1 **THAT** the report by the Acting Executive Director: Infrastructure Services, be noted.
- 2 **THAT** the following project deliverables and the project name be amended:

Program Name	Project Deliverables	Project Output	Amount
Safeguard municipal assets	Erection of 350m security fence at Mhluzi offices, HEDC and Reabota	Fences at Mhluzi offices	R300 000,00

- 3 **THAT** note be taken that the funding source will stay the same and it will still be utilized for the Mhluzi Offices.
- 4 **THAT** an investigation be made on the possibilities to make provision on the budget to fence off the Post Office in Mhluzi as well as the nearby ablution facilities.

C16/09/2016**COUNCIL ARRANGEMENTS: ESTABLISHMENT OF COUNCIL COMMITTEES**

3/2/3/1 (M)/ls

- a) With the consideration of this matter Cllr S D Nkadimeng proposed in terms of Section 43 of the Rules of Order that the meeting be temporarily adjourned. No counter proposal was received and therefore the meeting was adjourned from 15:27 to 15:45.
- b) The Speaker requested the meeting to submit nominations for the Section 79 Committees Chairpersons. The proposals were therefore received from the African National Congress only.

In view of the fact that no counter proposals were received, all proposals as submitted by the ANC were accepted.

RESOLVED BY COUNCIL

- 1 **THAT** all previous resolutions regarding the delegation of Councillors to serve on Committees and Structures, be rescinded.
- 2 **THAT** in terms of Section 79 of the Structures Act, Council establish the following Council Committees:
 - 2.1 Municipal Public Accounts Committee with eleven (11) Members.

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- 2.2 Rules and Ethics Committee with seven (7) Members.
- 2.3 Six (6) Political Monitoring Committees with seven (7) Members.
- 3 **THAT** the following Terms of Reference for Council Committees as attached to the Agenda of the Mayoral Committee, be approved:
- 3.1 Municipal Public Accounts Committee
- 3.2 Rules and Ethics Committee
- 3.3 Monitoring Committees
- 4 **THAT** the following Chairpersons in accordance with Schedule 3 of the Structures Act be elected:

NAME OF COUNCIL COMMITTEE	CHAIRPERSON OF COUNCIL COMMITTEE
Municipal Public Accounts Committee	Cllr Musa Masina
Rules and Ethics Committee	Cllr P M Masilela
Corporate and Support Services Monitoring Committee	Cllr N C Mkhuma
Financial Services Monitoring Committee	Cllr M M Mbatiwe
Infrastructure Development Services Monitoring Committee	Cllr M J Sekgwele
Spatial Development & Human Settlement Monitoring Committee	Cllr R Vilakazi
Community Safety Monitoring Committee	Cllr N T Morufane
Arts, Culture & Environmental Health Monitoring Committee	Cllr C Mphego

- 5 **THAT** in order to ensure fair representation of all political parties on Council Committees the Formula mentioned in the report be utilized to determine the allocation of seats on Council Committees.
- 6 **THAT** in view of the fact that the number of seats of each political party on a Council Committee are determined, the whips of the parties nominate their representatives whereafter Council confirm such nomination.
- 7 **THAT** the following Councillors serve on the under mentioned Section 79 Council Committees:
- 7.1 Municipal Public Accounts Committee
- 7.1.1 Cllr Musa Masina - Chairperson
- 7.1.2 Cllr M J Sekgwele - ANC
- 7.1.3 Cllr R M Xaba - ANC

7.1.4	Cllr N C Mkhuma	-	ANC
7.1.5	Cllr T S Motloung	-	ANC
7.1.6	Cllr A B Marumo	-	ANC
7.1.7	Cllr S J Roos	-	DA
7.1.8	Cllr A Struwig	-	DA
7.1.9	Cllr D Stuurman	-	DA
7.1.10	Cllr L C Masemula	-	EFF
7.1.11	Cllr J P Duvenage	-	FF+

7.2 Rules and Ethics Committee

7.2.1	Cllr P M Masilela	-	Chairperson
7.2.2	Cllr J Skosana	-	ANC
7.2.3	Cllr M M Skhosana	-	ANC
7.2.4	Cllr P Motau	-	ANC
7.2.5	Cllr H F Niemann	-	DA
7.2.6	Cllr P Mobango	-	DA
7.2.7	Cllr M Hadebe	-	EFF

7.3 Corporate and Support Services Monitoring Committee

7.3.1	Cllr N C Mkhuma	-	Chairperson
7.3.2	Cllr L K Mahlangu	-	ANC
7.3.3	Cllr D L Paul	-	ANC
7.3.4	Cllr A M Mahlangu	-	ANC
7.3.5	Cllr T N Van Zyl	-	DA
7.3.6	Ald E Du Toit	-	DA
7.3.7	Cllr E Sebesho	-	EFF

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7.4 Arts, Culture & Environmental Health Monitoring Committee

7.4.1	Cllr C Mphego	-	Chairperson
7.4.2	Cllr L J N Zondo	-	ANC
7.4.3	Cllr T P Mnisi	-	ANC
7.4.4	Cllr A M Mahlangu	-	ANC
7.4.5	Cllr A S Grobler	-	DA
7.4.6	Cllr S Mogola	-	DA
7.4.7	Cllr C Mosoma	-	EFF

7.5 Financial Services Monitoring Committee

7.5.1	Cllr M M Mbatiwe	-	Chairperson
7.5.2	Cllr P Motau	-	ANC
7.5.3	Cllr D J Skhosana	-	ANC
7.5.4	Cllr P M Masilela	-	ANC
7.5.5	Cllr H G De Klerk	-	DA
7.5.6	Cllr E M Bruiners	-	DA
7.5.7	Cllr L C Masemula	-	EFF

7.6 Infrastructure Development Services Monitoring Committee

7.6.1	Cllr M J Sekgwele	-	Chairperson
7.6.2	Cllr A B Marumo	-	ANC
7.6.3	Cllr J Skosana	-	ANC
7.6.4	Cllr T S Motloug	-	ANC
7.6.5	Cllr J Dyason	-	DA
7.6.6	Cllr J P Pretorius	-	DA
7.6.7	Cllr P Mailola	-	EFF

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7.7 Spatial Development & Human Settlement Monitoring Committee

7.7.1	Cllr R Vilakazi	-	Chairperson
7.7.2	Cllr T N Morufane	-	ANC
7.7.3	Cllr R G Mamogale	-	ANC
7.7.4	Cllr E T Motsepe	-	ANC
7.7.5	Cllr P N Sithole	-	DA
7.7.6	Cllr J Phasha	-	DA
7.7.7	Cllr J Mthombeni	-	EFF

7.8 Community Safety Monitoring Committee

7.8.1	Cllr T N Morufane	-	Chairperson
7.8.2	Cllr M N Mathibela	-	ANC
7.8.3	Cllr M M Skhosana	-	ANC
7.8.4	Cllr R M Xaba	-	ANC
7.8.5	Cllr S Wait	-	DA
7.8.6	Cllr G H E Romijn	-	DA
7.8.7	Cllr A Mangcotywa	-	EFF

- 8 **THAT** the authority to nominate Full Time Councillors to serve on Forums and Structures be delegated to the Executive Mayor.
- 9 **THAT** an investigation be conducted on the future establishment of Section 80 Committees and if necessary a further report be submitted for consideration.

C17/09/2016

COUNCIL ARRANGEMENTS: SCHEDULE FOR COUNCIL, MAYORAL COMMITTEE AND COUNCIL COMMITTEE MEETINGS FOR REMAINDER OF THE 2016/2017 FINANCIAL YEAR

3/2/2/3 & 3/2/3/1 (B)/ls

With the consideration of this matter, Cllr H F Niemann submitted the following proposal which was seconded by Cllr S Wait:

“That the starting time for Council meetings be determined as 17:30 and not 15:00 as recommended in Recommendation 1.”

The proposal by Cllr H F Niemann was put to vote and the results were as follows:

In favour of the proposal by Cllr H F Niemann = 22
 Against the proposal by Cllr H F Niemann = 33

The proposal was therefore not accepted.

The recommendation by the Executive Mayor as contained in the Agenda was then put to vote. The results were as follows:

In favour of the Recommendation by the Executive Mayor = 33
 Against the Recommendation by the Executive Mayor = 22

The recommendation by the Executive Mayor as contained in the Agenda was therefore accepted.

RESOLVED BY COUNCIL

- 1 **THAT** Council take note that the Speaker determined the following dates, venue and time for Council meetings during 2016/2017 financial year:

MEETING	DATE	VENUE	TIME
Ordinary Council	27 September 2016	Council Chamber	15:00
Special Council	25 October 2016	Council Chamber	15:00
Ordinary Council	29 November 2016	Council Chamber	15:00
Ordinary Council	24 January 2017	Council Chamber	15:00
Special Council	28 February 2017	Council Chamber	15:00
Ordinary Council	28 March 2017	Council Chamber	15:00
Special Council	25 April 2017	Council Chamber	15:00
Ordinary Council	30 May 2017	Council Chamber	15:00
Special Council	27 June 2017	Council Chamber	15:00

- 2 **THAT** Council take note that the Executive Mayor determined the following dates for Mayoral Committee meetings during the 2016/2017 financial year as well as the closing dates for submission of items other than the Monthly Financial Control item:

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<i>1st Mayoral Committee</i>		<i>2nd Mayoral Committee</i>	
<i>Closing date for items</i>	<i>Date of Mayoral Committee meeting</i>	<i>Closing dated for items</i>	<i>Date of Mayoral Committee meeting</i>
<i>30/09/2016</i>	<i>13/10/2016</i>	<i>07/10/2016</i>	<i>20/10/2016</i>
<i>03/11/2016</i>	<i>10/11/2016</i>	<i>10/11/2016</i>	<i>17/11/2016</i>
<i>01/12/2016</i>	<i>08/12/2016</i>	-	-
<i>03/01/2017</i>	<i>12/01/2017</i>	<i>12/01/2017</i>	<i>19/01/2017</i>
<i>01/02/2017</i>	<i>09/02/2017</i>	<i>08/02/2017</i>	<i>16/02/2017</i>
<i>02/03/2017</i>	<i>09/03/2017</i>	<i>09/03/2017</i>	<i>16/03/2017</i>
<i>03/04/2017</i>	<i>13/04/2017</i>	<i>12/04/2017</i>	<i>20/04/2017</i>
<i>04/05/2017</i>	<i>11/05/2017</i>	<i>11/05/2017</i>	<i>18/05/2017</i>
<i>26/05/2017</i>	<i>08/06/2017</i>	<i>15/06/2017</i>	<i>22/06/2017</i>

- 3 **THAT** the following schedule of dates for the 2016/2017 financial year for Section 79 Political Monitoring Committees be determined:

Section 79 Political Portfolio Committee	Oct 2016	Dec 2016	Feb 2017	Apr 2017	Jun 2017
Arts, Culture & Environmental Health Monitoring Committee (Time: 10:00)	4	6	7	4	6
Community Safety (Time: 14:00)	4	6	7	4	6
Financial Services (Time: 10:00)	5	7	8	5	7
Corporate and Support Services (Time: 14:00)	5	7	8	5	7
Spatial Development and Human Settlement (Time: 10:00)	6	8	9	6	8
Infrastructure Development Services (Time: 14:00)	6	8	9	6	8

- 4 **THAT** the following dates for MPAC meetings during the 2016/2017 financial year be determined:

11 October 2016
 15 November 2016
 13 December 2016
 10 January 2017
 14 February 2017
 14 March 2017
 11 April 2017
 16 May 2017
 13 June 2017

- 5 **THAT** the following dates for Rules and Ethics Committee meetings during the 2016/2017 financial year be determined:

22 November 2016
 17 January 2017
 21 March 2017
 23 May 2017

C18/09/2016

IMPROVEMENT OF NATIONAL ROUTE 11 SECTION 09 FROM HENDRINA TO HENDRINA POWER STATION - LAND ACQUISITION

15/4/1 (F)iec

[MM 116462]

RESOLVED BY COUNCIL

- 1 **THAT** Council confirm that the portion of Portion 1 of Erf 213 Hendrina identified on **ANNEXURE A** and measuring approximately 122m² in extent and an area to be determined on Portion 6 of the farm Grasfontein 199 IS is not needed to render a minimum level of basic municipal services and that the property will not be required for the municipality's own use at a later stage.
- 2 **THAT** the Accounting Officer be authorized to alienate the property as an unsolicited bid in terms of Section 44 of the Council's Supply Chain Management Policy.
- 3 **THAT** all costs including, but not limited to, transfer costs, advertisement costs, all related town planning, subdivisional, rezoning, consolidation and registration costs involved with the transfer and/or the alienation of the property be for the cost of the applicant.
- 4 **THAT** a written Deed of Donation be concluded with the applicant on condition that the land is used solely for purposes of a traffic circle.
- 5 **THAT** the proposed sale of the property be advertised in terms of Section 79 (18) of the Local Government Ordinance 17 of 1939, as amended, read together with Section 21 of the Municipal Systems Act 32 of 2000 as amended, Section 113 of the Municipal Finance Management Act 56 of 2003 and Section 44 of the Council's Supply Chain Management Policy.

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- 6 **THAT** the expected loss of R30/m² for an area still to be determined, on portion 6 of the farm Grasfontein 199IS and R10 858,00 on Erf 213 portion 1 Hendrina be recognized in the statement of financial performance.
- 7 **THAT** the properties be removed from the property, plant and equipment register once the deed of donation has been signed by both parties.

C19/09/2016

PMS: SIGNED 2016/2017 PERFORMANCE AGREEMENTS BY THE ACTING MUNICIPAL MANAGER AND THE SECTION 57 MANAGERS

3/5 (D)/dp

RESOLVED BY COUNCIL

- 1 **THAT** the Municipal Performance Plan, as approved in the 2016/2017 IDP attached as **ANNEXURE A**, be noted.
- 2 **THAT** the Performance Agreements of the Acting Municipal Manager and the Section 57 managers for the 2016/2017 financial year attached as **ANNEXURE B**, be noted.

C20/09/2016

COUNCIL ARRANGEMENTS: ESTABLISHMENT OF WARD COMMITTEES WITHIN STEVE TSHWETE LOCAL MUNICIPALITY

3/2/6/1 (D) /dp

RESOLVED BY COUNCIL

- 1 **THAT** the Municipality establish Ward Committees to all 29 Wards within Steve Tshwete Local Municipality jurisdiction and the process of establishing Ward Committees to commence as from 01 October 2016.
- 2 **THAT** the Municipality to use both model of sector and geographical system when establishing Ward Committees.
- 3 **THAT** equal representatives of women and youth in Ward Committee be taken into consideration and Council reserve the right not to accept the Ward Committee which is not inclusive of the youth and women.
- 4 **THAT** the Office of the Speaker be mandated to monitor and oversee the establishment of Ward Committees.
- 5 **THAT** the Office of the Council's Whip be mandated to deploy PR Councilors to various wards.
- 6 **THAT** the Municipal Manager to allocate officials to assist with the process of establishing Ward Committees.

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- 7 **THAT** an amount of R1000.00 per month be paid to Ward Committee members as the out of pocket expense.
- 8 **THAT** all the newly elected Ward Committee members to sign the Ward Committee Code of Conduct.

C22/09/2016

HAND OVER REPORT BY PREVIOUS COUNCIL TO THE NEWLY ELECTED COUNCIL

5/11/1/1 (C)

RESOLVED BY COUNCIL

THAT the content of the report by the Acting Municipal Manager on the hand over report by the previous Council (period 2011-2016) to the newly elected Council in August 2016, be noted.

C23/09/2016

FINANCES: STORES STOCK TAKING AT YEAR END 2015/2016

6/1/1 (U)

RESOLVED BY COUNCIL

- 1 **THAT** the report by the Executive Director: Financial Services on the result of the financial year end stocktaking, be noted.
- 2 **THAT** the shortages of 54 commodities to the amount of R109 378,91 be written off against vote number 230/642 (Stores: Stock).
- 3 **THAT** the surpluses of 72 commodities to the amount of R88 457,95 be taken up against vote number 230/010 (Stores: Stock Surpluses).

C24/09/2016

EMAKHAZENI LOCAL MUNICIPALITY: REQUEST FOR ASSISTANCE WITH THE SERVICES OF A PROFESSIONAL VALUER

5/2/1 (F)

RESOLVED BY COUNCIL

- 1 **THAT** Council take note of the report by the Acting Municipal Manager on request from Emakhazeni Local Municipality for assistance with the services of a Professional Valuer.
- 2 **THAT** the Municipality attend and/or assist only on requests that are in writing for ad-hoc valuations.

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- 3 **THAT** a fee structure be negotiated with Emakhazeni Local Municipality.
- 4 **THAT** a Service Level Agreement be entered into on the services to be provided.
- 5 **THAT** access be given to all relevant information that might be required such as the report for which the valuation is requested, municipal valuation, geographical information (aerial photos, etc) services, etc.
- 6 **THAT** only a condensed report and/or valuation certificate be provided.
- 7 **THAT** urgent valuations only be undertaken subject to the availability of personnel.
- 8 **THAT** Emakhazeni Local Municipality reimburse the valuers directly for travelling and subsistence claims.
- 9 **THAT** any other reimbursement fees be invoiced to Emakhazeni Local Municipality based on the time sheets submitted.
- 10 **THAT** should Emakhazeni Local Municipality fail to reimburse Council and/or the valuers, the services provided be stopped.

C25/09/2016

**COUNCIL ARRANGEMENTS: SALGA PROVINCIAL CONFERENCE : 5
TO 7 OCTOBER 2016**

12/2/2/1 (M)/ls

RESOLVED BY COUNCIL

- 1 **THAT** Council note the letter from SALGA regarding their Provincial Conference that will be held in Secunda from 5 to 7 October 2016.
- 2 **THAT** the following Councillors and Officials be delegated to attend the above-mentioned conference:
 - 2.1 The Executive Mayor or a Councillor delegated by him;
 - 2.2 Three (3) other Councillors as delegated by the Executive Mayor;
 - 2.3 The Municipal Manager or a Senior official delegated by him.
- 3 **THAT** the Executive Mayor be delegated to vote on behalf of the Municipality at the Conference.
- 4 **THAT** the accommodation, travelling and subsistence costs for the Executive Mayor and Councillors be allocated to vote 100/510 (Council General: Travel and Subsistence) and for the Acting Municipal Manager be allocated to vote 110/510 (Municipal Manager: Travel and Subsistence).

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- 5 **THAT** the authority to vote on behalf of the municipality at future SALGA conferences be delegated to the Executive Mayor.

C26/09/2016

LAND: ALIENATION OF INDUSTRIAL STANDS AT MIDDELBURG EXTENSION

33

7/2/3/2/4 & 15/3/5/2 (L/nj)

RESOLVED BY COUNCIL

- 1 **THAT** the Acting Municipal Manager be authorised to lease the available industrial stands in Middelburg Extension 33 to the prospective applicants at the market related rentals in order to enable the Municipality to generate revenue.
- 2 **THAT** Council Resolution SC29/02/2014 regarding the sale of the said stands over the counter on the first come first serve basis be re-confirmed.

C27/09/2016

HOUSING : PROPOSAL TO DIVERT THE DOORKOP CPA VILLAGE (100 EPHP UNITS): LOW COST HOUSING RDP ALLOCATION FOR THE 2016/2017 FINANCIAL YEAR

17/5/1 (L/nj)

RESOLVED BY COUNCIL

- 1 **THAT** the Council take note of the challenges with regard to the Doornkop CPA project.
- 2 **THAT** the allocation for Doornkop CPA village of 100 units under Enhanced People Housing Process be diverted to Rockdale.
- 3 **THAT** paragraph 6 of Council Resolution C43/07/2016 be amended in order to give effect to the implementation of the diversion of the Doornkop project to Rockdale.
- 4 **THAT** the Mpumalanga Department of Human Settlement be requested to approve the diversion from their initial allocation.
- 5 **THAT** Council approve the transfer of 100 units under the Enhanced Peoples Housing Process (EPHP) from Doornkop CPA Village to Rockdale.
- 6 **THAT** a further report be submitted on the alienation of the stands to the beneficiaries.

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- 7 **THAT** a further report be submitted on the donation of land in terms of the asset transfer regulation.

- 8 **THAT** a further report be submitted on who will be responsible for the transfer cost, sewer, water and electricity connection fees under the EPHP process.

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DELEGATED POWERS

Upon request by the Executive Mayor, it was

RESOLVED BY COUNCIL

THAT Council take note of resolutions M03;05;06;08;09;12;13;15 & M21/09/2016 taken by the Executive Mayor in terms of Delegated Powers.

7 CLOSURE

The meeting closed at 16:40

SIGNED AT MIDDELBURG ON 6/12/2016



SPEAKER