



STEVE TSHWETE LOCAL MUNICIPALITY

MINUTES

OF A SPECIAL

COUNCIL

MEETING HELD ON

TUESDAY, 31 OCTOBER 2017

Life and legacy of
OR TAMBO.
100 YEARS



**MINUTES OF THE SPECIAL COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, MUNICIPAL
BUILDINGS ON TUESDAY, 31 OCTOBER 2017 AT
15:10**

PRESENT

Councillors

Ald M A Masina – Executive Mayor
Cllr A M Mabena
Cllr M J Kgalema
Cllr S M Maiepeng
Cllr J Matshiane
Cllr J M Mitchell
Cllr M T E Mnguni
Cllr D J Motsepe
Cllr S D Nkadimeng
Cllr A M Mahlangu
Cllr L K Mahlangu
Cllr R G Mamogale
Cllr A B Marumo
Cllr P M Masilela
Cllr Musa Masina
Cllr M N Mathibela
Cllr M Mbatiwe
Cllr T P Mnisi
Cllr T N Morufane
Cllr T P Motau
Cllr T S Motloung
Cllr T E Motsepe
Cllr M C Mphego
Cllr D L Paul
Cllr M J Sekgwele
Cllr D J Skhosana
Cllr M M Skhosana
Cllr J Skosana

Cllr T R Vilakazi
Ald R M Xaba
Cllr L J N Zondo
Cllr E M Bruiners
Cllr H G De Klerk
Ald E A Du Toit
Cllr J Dyason
Cllr A S Grobler
Cllr P Mobango
Cllr S M Mogola
Cllr H F Niemann
Cllr K J Phasha
Cllr J P Pretorius
Cllr G H E Romijn
Cllr S J Roos
Cllr A O Thabatha
Cllr A Struwig
Cllr D A Stuurman
Cllr T N Van Zyl
Cllr S Wait
Cllr M Hadebe
Cllr P Mailola
Cllr A Mangcotywa (entered 14:41)
Cllr L C Masemula
Cllr N J Mthombeni
Cllr E Sebesho
Cllr J P Duvenage
Cllr K P J Uys

Officials

Mr S M Mnguni
Ms E Wassermann
Mr S Mothiba
Mr M T Lelaka
Ms C Hlatshwayo
Mr M Masilela
Mr J Zulu

(Acting Municipal Manager)
(Executive Director: Financial Services)
(Acting Executive Director: Corporate Services)
(Executive Director: Infrastructure Services)
(Executive Director: Community Services)
(Director: Legal & Administration)
(Chief Administrative Officer)

AM

Ms L Skosana
Ms D Pillay

(Clerk Grade 1)
(Clerk Grade 2)

Temporary absence from the meeting in terms of Section 45(2)(c)

Name of Cllr	1		
	From	To	Item
Cllr S D Nkadameng	16:24	16:25	SC19/10/2017
Cllr M J Mitchell	16:49	16:51	SC21/10/2017
Cllr L K Mahlangu	16:49	16:50	SC21/10/2017
Cllr M M Skhosana	16:50	16:52	SC21/10/2017
Cllr P M Masilela	17:00	17:01	SC21/10/2017
Cllr A B Marumo	16:54	16:56	SC21/10/2017
Cllr T S Motloung	17:00	17:01	SC21/10/2017
Cllr L J N Zondo	16:58	16:59	SC21/10/2017

1 OPENING

The Speaker welcomed everybody and declared the meeting open and he conveyed a special word of welcome to Cllr A O Thabatha the new Democratic Alliance PR- Councillor.

2 APPLICATIONS FOR LEAVE OF ABSENCE

2.1 Application for leave of absence in terms of Section 13 (1) of the Rules of Order

Resolved

2.1.1 **THAT** note be taken that Cllrs M C Mkhuma and M C Mosoma have applied for leave of absence and their leave were approved due to other obligations.

2.2 Application for leave of absence in terms of Section 13 (2) of the Rules of Order

2.2.1 None

3 DISCLOSURE OF INTEREST

3.1 None

4 CONSIDERATION OF THE ATTACHED REPORTS

AM

**REPORT OF THE SPECIAL MAYORAL COMMITTEE HELD
ON 24 OCTOBER 2017**

NON DELEGATED POWERS

Upon request by the Executive Mayor, it was

RESOLVED BY COUNCIL

*THAT the report by the Executive Mayor in respect of items SC17; 18; 19;
20 & SC21/10/2017 be considered.*

SC17/10/2017

FINANCES: FINANCIAL QUARTERLY REPORT: SEPTEMBER 2017

9/2/1 (S)

RESOLVED BY COUNCIL

- 1 **THAT** the quarterly in-year report on the implementation of the budget and the financial affairs for the municipality referred to in Section 52(d) of the MFMA for the quarter ending 30 September 2017, be noted.
- 2 **THAT** the report be submitted in both an electronic and hard copy format to the National and Provincial Treasuries within five (5) working days after tabling in the Council.
- 3 **THAT** the quarterly in-year report for the quarter ending 30 September 2017 be placed on the municipal website.

SC18/10/2017

ASSETS: DISPOSAL OF STOLEN, DAMAGED AND ASSETS WRITTEN-OFF BY INSURANCE FOR THE 2015/16 AND 2016/17 FINANCIAL YEARS

5/1/3 (B) /dp

With the consideration of this matter Cllr S D Nkadimeng requested a temporary adjournment of the meeting and such request was granted in terms of Section 43 (1) of the Rules of Order.

Temporary adjournment 15:32

AM

The continuation of the meeting resumed at 15:43

Cllr E M Bruiners submitted the following proposal which was seconded by Ald E A Du Toit:

- "1. *That SC18/10/2017 be referred back for further investigation and be resubmitted to Council.*"

The proposal by Cllr E M Bruiners was put to vote and the results were as follows:

In Favour of the proposal by Cllr E M Bruiners	= 17
Against the proposal by Cllr E M Bruiners	= 31
Abstain	= 08

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 = 31

Against the recommendation by the Executive Mayor = 25

Cllr P Mobango then requested a division on the vote and the results were as follows:

<i>In favour of the recommendation by the Executive Mayor</i>	<i>Against the recommendation by the Executive Mayor</i>
Ald M A Masina Executive Mayor	Cllr E M Bruiners
Cllr A M Mabena	Cllr H G De Klerk
Cllr M I Kgalema	Ald E A Du Toit
Cllr S M Malepeng	Cllr J Dyason
Cllr J Matshiane	Cllr A S Grobler
Cllr J M Mitchell	Cllr P Mobango
Cllr M T E Mnguni	Cllr S M Mogola
Cllr D J Motsepe	Cllr H F Niemann
Cllr S D Nkadameng	Cllr K J Phasha
Cllr A M Mahlangu	Cllr J P Pretorius

Cllr L K Mahlangu	Cllr G H E Romijn
Cllr R G Mamogale	Cllr S J Roos
Cllr A B Marumo	Cllr A O Thabatha
Cllr P M Masilela	Cllr A Struwig
Cllr Musa Masina	Cllr D A Stuurman
Cllr M N Mathibela	Cllr T N Van Zyl
Cllr M Mbatiwe	Cllr S Wait
Cllr T P Mnisi	Cllr M Hadebe
Cllr T N Morufane	Cllr P Mailola
Cllr T P Motau	Cllr A Mangcotywa
Cllr T S Motlounq	Cllr L C Masemula
Cllr T E Motsepe	Cllr N J Mthombeni
Cllr M C Mphego	Cllr E Sebesho
Cllr D L Paul	Cllr J P Duvenage
Cllr M J Sekgwele	Cllr K P J Uys
Cllr D J Skhosana	
Cllr M M Skhosana	
Cllr J Skosana	
Cllr T R Vilakazi	
Ald R M Xaba	
Cllr L J N Zondo	
Total = 31	Total = 25

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

RESOLVED BY COUNCIL

- 1 **THAT** Council approve the disposal of all assets reported as stolen, damaged and/or written-off during the 2015/16 financial year and 2016/17 financial year.
- 2 **THAT** these assets be removed from the asset register of the municipality.

2/2/16

- 3 **THAT** the net gain or loss on disposal of the capital assets be recognized in the statement of financial performance.
- 4 **THAT** a further report be submitted regarding asset number 27616 - Toyota Quantum with registration HKX 599 MP which is indicated as stolen on the attached **ANNEXURE A**.

SC19/10/2017

PERSONNEL: WORKING HOURS OF CASHIERS

4/6/3 (S)

With the consideration of this matter Cllr L C Masemula submitted the following proposal which was seconded by Cllr N M Hadebe:

"1. *That the paypoints be opened on Saturdays from 08:00 to 13:00.*"

The proposal by Cllr L C Masemula was put to vote and the results were as follows:

In Favour of the proposal by Cllr L C Masemula	= 06
Against the proposal by Cllr L C Masemula	= 32
Abstain	= 18

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	= 32
Against the recommendation by the Executive Mayor	= 06
Abstain	= 18

Cllr P Mailola then requested a division on the vote and the results were as follows:

<i>In favour of the recommendation by the Executive Mayor</i>	<i>Against the recommendation by the Executive Mayor</i>
Ald M A Masina Executive Mayor	Cllr M Hadebe
Cllr A M Mabena	Cllr P Mailola
Cllr M I Kgalema	Cllr A Mangcotywa
Cllr S M Malepeng	Cllr L C Masemula
Cllr J Matshiane	Cllr N J Mthombeni

RM

Cllr J M Mitchell	Cllr E Sebesho
Cllr M T E Mnguni	
Cllr D J Motsepe	
Cllr S D Nkadimeng	
Cllr A M Mahlangu	
Cllr L K Mahlangu	
Cllr R G Mamogale	
Cllr A B Marumo	
Cllr P M Masilela	
Cllr Musa Masina	
Cllr M N Mathibela	
Cllr M Mbatwe	
Cllr T P Mnisi	
Cllr T N Morufane	
Cllr T P Motau	
Cllr T S Motloung	
Cllr T E Motsepe	
Cllr M C Mphego	
Cllr D L Paul	
Cllr M J Sekgwele	
Cllr D J Skhosana	
Cllr M M Skhosana	
Cllr J Skosana	
Cllr T R Vilakazi	
Ald R M Xaba	
Cllr L J N Zondo	
Cllr K P J Uys	
Total = 32	Total = 06

18 Councillors left the Chamber in terms of Section 83 (2) of the Rules of Order.

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

RESOLVED BY COUNCIL

- 1 **THAT** the report by the Executive Director: Financial Services regarding the working hours of Cashiers, be noted.
- 2 **THAT** with effect from 01 November 2017 the trading hours of all paypoints be amended as follows:
 - 2.1 Monday to Thursday : 07:45 to 16:00
 - 2.2 Friday : 07:45 to 13:00
 - 2.3 Friday afternoon and Saturday: Closed
- 3 **THAT** the working hours of Cashiers be as follows:
 - 3.1 Monday to Thursday : 07:30 to 16:30
 - 3.2 Friday : 07:30 to 13:30
- 4 **THAT** the amended trading hours as mentioned in paragraph 2 above be brought to the attention of the Community by the Communication Section.
- 5 **THAT** note be taken that the Executive Director: Financial Services is in a process to obtain tenders to expand the 3rd party vending and payment of consumer accounts.
- 6 **THAT** the Cashiers be rotated between the different paypoints, and other operational requirements be delegated to the Accounting Officer.

SC20/10/2017

**LAND: FURTHER REPORT ON THE SALE OF RESIDENTIAL STANDS IN
AERORAND, EXTENSION 18, KOMATI AND PULLENSHOPE**

7/2/3/2/4 (E)mlm

With the consideration of this matter Cllr S M Mogola submitted the following proposal which was seconded by Cllr J Dyason:

"That a recommendation 14 be added which must read as follows:

- 14 **THAT** a clause be inserted in the Deed of Sale of all erven that all stands must be developed within a period of 3 years from the date of purchase."

AM.

In view of the fact that the proposal was not opposed, it was therefore accepted.

RESOLVED BY COUNCIL

- 1 **THAT** the report by the Acting Municipal Manager, be noted.
- 2 **THAT** clause 2.5 of Council Resolution C51/07/2014 be amended to be in line with clause 3 of this report.
- 3 **THAT** the stands identified in this report be sold at a discount of 20% of the market value to first time property owners subject to the following conditions:
 - 3.1 **That** 40% of the stands should be reserved (ring fenced) for previously disadvantaged communities (Blacks, Coloureds and Indians).
 - 3.2 **That** preference be given to the residents within Steve Tshwete Local Municipality for the last 36 months.
 - 3.3 **That** the property shall not be disposed for the next 5 (five) years unless approved by Council through the Accounting Officer.
- 4 **THAT** the remainder of the stands be sold to previous/current property owners at no discount.
- 5 **THAT** the subject stands be alienated to the community of Steve Tshwete through a raffle (draw) process.
- 6 **THAT** Council resolves that the erven mentioned in the report is not needed to provide the minimum basic municipal services and will not be required for the Municipality's own use in future.
- 7 **THAT** the stands identified in this report be sold in terms of the above mentioned conditions:

7.1 Aerorand

ERF NUMBER	EXTENT (m ²)	MARKET VALUE (R)
667	1409	R 362 000
724	1240	R 383 000
944	1337	R 394 000
945	1260	R 385 000
946	1277	R 378 000
947	1187	R 376 000
948	1422	R 404 000

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949	1226	R 381 000
950	1160	R 372 000
951	1160	R 372 000
952	1160	R 372 000
953	1160	R 372 000
954	1160	R 372 000
955	1160	R 372 000
956	1160	R 372 000
957	1160	R 372 000
958	1187	R 376 000
959	1187	R 376 000
960	1160	R 372 000
961	1160	R 372 000
962	1160	R 372 000
963	1160	R 372 000
964	1160	R 372 000
965	1160	R 372 000
966	1160	R 372 000
967	1160	R 372 000
968	1233	R 382 000
969	1378	R 399 000
970	1240	R 383 000
971	1546	R 376 000
972	1532	R 374 000
973	1200	R 378 000
974	1200	R 378 000
975	1200	R 378 000
976	1200	R 378 000
977	1287	R 388 000
994	1500	R 412 000
995	1500	R 412 000
996	1500	R 412 000
997	1710	R 412 000
998	1631	R 405 000
999	1466	R 388 000
1000	1439	R 386 000
1001	1200	R 359 000
1002	1200	R 359 000
1003	1200	R 359 000
1004	1240	R 364 000
1005	1240	R 364 000
1006	1282	R 368 000
1007	1200	R 378 000
1008	1200	R 378 000

1009	1240	R 383 000
1010	1202	R 378 000
1011	1170	R 374 000
1012	1202	R 378 000
1013	1287	R 369 000
1014	1287	R 388 000
1015	1200	R 378 000
1016	1200	R 378 000
1017	1200	R 378 000
1018	1200	R 378 000
1019	1200	R 378 000
1020	1200	R 378 000
1021	1200	R 378 000
1022	1200	R 378 000
1023	1200	R 378 000
1024	1200	R 378 000
1025	1287	R 388 000
1026	1287	R 369 000
1027	1200	R 359 000
1028	1200	R 359 000
1029	1200	R 359 000
1030	1200	R 359 000
1031	1200	R 359 000
1032	1200	R 359 000
1033	1200	R 359 000
1034	1200	R 359 000
1035	1200	R 359 000
1036	1200	R 359 000
1037	1027	R 354 000
1038	1027	R 354 000
1039	1000	R 350 000
1040	1287	R 361 000
1041	1388	R 390 000
1042	1406	R 310 000
1043	1187	R 376 000
1044	1120	R 367 000
1045	1120	R 367 000
1046	1187	R 376 000
1047	1162	R 373 000
1048	1149	R 371 000
1049	1000	R 350 000
1050	1000	R 350 000
1051	1000	R 350 000
1075	1120	R 367 000

RM

1130	1200	R 378 000
1276	1615	R 382 000
1277	1259	R 366 000
1278	1435	R 349 000
1279	1354	R 341 000
2677	1295	R 370 000
2706	775	R 312 000
2724	580	R 271 000
2730	742	R 306 000
2732	766	R 303 000
2733	694	R 289 000
2734	1123	R 358 000
2735	830	R 322 000
2736	830	R 322 000
2737	830	R 322 000
2738	665	R 290 000
2746	630	R 282 000
2765	785	R 314 000
3003	856	R 327 000
3282	698	R 297 000
3292	697	R 297 000
3293	697	R 297 000
3313	1039	R 356 000
3314	1230	R 381 000
3315	1012	R 352 000
3316	1030	R 354 000
3317	1150	R 371 000
3318	1488	R 354 000
3319	1038	R 356 000
3320	1038	R 356 000
3321	1038	R 356 000
3322	1267	R 386 000
3323	1267	R 347 000
3324	1362	R 290 000
3325	1362	R 290 000
3326	1362	R 290 000
3327	1442	R 297 000
3328	1424	R 295 000
3329	1246	R 345 000
3333	978	R 347 000
3380	1329	R 354 000
3392	1086	R 362 000
3407	1610	R 309 000
3438	1362	R 290 000

AM

3442	1363	R 290 000
3294	1362	R 290 000
3295	1362	R 290 000
3296	1362	R 290 000
3297	1362	R 290 000
3298	1362	R 290 000
3299	1362	R 290 000
3300	1362	R 290 000
3301	1362	R 290 000
3302	1362	R 290 000
3303	1228	R 343 000
3304	1228	R 381 000
3305	1038	R 356 000
3306	1038	R 356 000
3307	1038	R 356 000
3308	1038	R 356 000
3309	1038	R 356 000
3310	1039	R 356 000
3311	1038	R 356 000
3312	1039	R 356 000
3313	1039	R 356 000

7.2 Middelburg Extension 18:

ERF NO.	EXTENT	MARKET VALUE (R)
9339	720	R 254 000
9482	400	R 185 000
9697	455	R 200 000
9710	523	R 216 000
9216	577	R 228 000
9757	426	R 192 000

7.3 Komati:

ERF NO.	EXTENT	MARKET VALUE (R)
447	428	R 33 000
448	1256	R 55 000
449	968	R 49 000

7.4 Pullenshope:

ERF NO.	EXTENT	MARKET VALUE (R)
892	290	R 24 000

- 8 **THAT** note be taken that the above values exclude VAT.
- 9 **THAT** should any of the above stands not be sold within 12 months from the date of valuation (17/05/2017), the stands be re-valued.
- 10 **THAT** the stands be derecognized from inventory once sold.
- 11 **THAT** the stands be sold for cash according to the Supply Chain Management Policy.
- 12 **THAT** the profit or loss for the sale be recognized in the statement of financial performance.
- 13 **THAT** payment of transfer costs to be paid directly together with the purchase price on the day of sale and be transferred to the appointed conveyancer during the transfer process.
- 14 **THAT** a clause be inserted in the Deed of Sale of all erven that all stands must be developed within a period of 3 years from the date of purchase.

SC21/10/2017

FINANCES: LOCAL GOVERNMENT: UPPER LIMITS OF TOTAL REMUNERATION PACKAGES PAYABLE TO MUNICIPAL MANAGERS AND MANAGERS DIRECTLY ACCOUNTABLE TO MUNICIPAL MANAGERS - 2017/2018

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

With the consideration of this matter, the following officials recused themselves:

Acting Municipal Manager (Mr S M Mnguni)
Executive Director: Community Services (Ms C Hlatshwayo)
Executive Director: Financial Services (Ms E Wassermann)
Executive Director: Infrastructure Services (Mr M T Lelaka)

RESOLVED BY COUNCIL

- 1 **THAT** Council take note of the report by the Acting Executive Director: Corporate Services on the upper limits of total remuneration packages payable to the Municipal Managers and Managers directly accountable to Municipal Managers.
- 2 **THAT** Council note the categorization change from five (5) to six (6).
- 3 **THAT** an application be made to the Minister in consultation with the MEC for local government in the province to implement the higher categorization.

AM

- 4 **THAT** the Municipal Manager and Senior Managers reporting directly to the Municipal Manager be remunerated accordingly to a categorization five (5) from 1 July 2017.
- 5 **THAT** subject to the approval of the Minister and if sufficient savings could be identified in the adjustment budget process in February 2018, a further report be submitted to increase the total remuneration packages to a category six (6) or alternatively the higher category be implemented from 1 July 2018.
- 6 **THAT** the remuneration packages of Senior Managers appointed before 1 July 2014 be increased with the same percentage of 5,9% as reflected in the upper limit of total remuneration packages gazette from 1 July 2017.

AM

DELEGATED POWERS

RESOLVED BY COUNCIL

THAT Council take note that no delegated matters were considered under this report.

5 CLOSURE

Meeting adjourned at 17:02

SIGNED AT MIDDELBURG ON 28/11/17

SPEAKER  _____