

**MINUTES OF THE 14TH COUNCIL MEETING WHICH WAS HELD ON THE 31ST OCTOBER 2018
AT 10H00 IN THE COUNCIL CHAMBER, CIVIC CENTRE, BA-PHALABORWA MUNICIPALITY**

ATTENDANCE

A. COUNCILLORS

| | | |
|-------------------------|---|------------|
| Cllr MM Malatji | - | Speaker |
| Cllr PJ Shayi | - | Mayor |
| Cllr E. Hlungwani | - | Chief Whip |
| Cllr SL Mohlala | | |
| Cllr MM Malesa | | |
| Cllr MS Magomane | | |
| Cllr AN Mmola | | |
| Cllr SR De Beer | | |
| Cllr NJ Mampuru | | |
| Cllr PK Mashego | | |
| Cllr LM Matlala | | |
| Cllr ST Mkansi | | |
| Cllr VM Rapatsa | | |
| Cllr SM Shayi | | |
| Cllr KP Mhlarhi | | |
| Cllr EA Mokoena-Mashele | | |
| Cllr ME Mokgalaka | | |
| Cllr PS Dikgale | | |
| Cllr DR Bayana | | |
| Cllr A. Ngobeni | | |
| Cllr MMA Mathebula | | |
| Cllr NB Maake | | |
| Cllr TS Ndlovu | | |
| Cllr Z. Ndhlovu | | |
| Cllr B. Ramathwala | | |
| Cllr RJ Mphogo | | |
| Cllr JA Williamson | | |
| Cllr SK Shayi | | |

B. OFFICIALS

| | | |
|------------------|---|---|
| Ms MI Moakamela | - | Municipal Manager |
| Mr H. Zungu | - | Senior Manager: Community & Social Services |
| Mr HP Maluleke | - | Senior Manager: Planning & Development |
| Ms L. Turbridge | - | Acting Senior Manager: Corporate Services |
| Mr CJ Lourens | - | Acting Senior Manager: Technical Services |
| Mr. A. Ndzimande | - | Acting Chief Financial Officer |

| | | |
|------------------|---|----------------------------------|
| Ms MM Makhongela | - | Chief Audit Executive |
| Mr TS Mashale | - | Manager: Legal |
| Mr TMT Sekwari | - | Manager: Risk Management |
| Mr JN Mahesu | - | Manager: Communications |
| Mr SE Mthombeni | - | Senior Admin Officer: Committees |
| Ms JJ Visser | - | Scribe |

1. OPENING AND WELCOME

The Honourable Speaker Cllr MM Malatji welcomed the Mayor, all Executive Committee members, Councillors, the Chairperson of the Audit Committee, Members of the Rate Payers Association and officials led by the Municipal Manager.

She declared the meeting officially opened.

2. SIGNING OF THE ATTENDANCE REGISTER

All members present were requested to sign the attendance register.

3. APPLICATIONS FOR LEAVE OF ABSENCE

Councillors

Cllr T. Nkuna
Cllr MJ Valoyi
Cllr TC Malatjie
Cllr KO Pilusa
Cllr NA Sono
Cllr GH Lamola

Officials

| | | |
|------------------------|---|------------------------------------|
| Mr TJ Mogano | - | Chief Financial Officer |
| Mr KKL Pilusa | - | Manager (Office of the MM) |
| Ms PF Nogilana-Raphela | - | Senior Manager: Corporate Services |
| Mr NOC Mdungazi | - | Senior Manager: Technical Services |

4. STATEMENTS AND COMMUNICATIONS BY THE SPEAKER

The Honourable Speaker Councillor MM Malatji in her opening, present the following:

“We are assembled here after week of hectic two days of MPAC Strategic session which was held in Hazyview from 25th to 26th October 2018. The session has set the tone on how the Municipality should improve on service delivery issues, particularly on promoting good governance, accountability and Transparency.

However, we are calling upon the department of Technical and Community Services to enforce the turnaround strategy to ensure that our people receives quality services. Honourable members, allow me to express my disappointment on how essential services were rendered in the past few days to our people. For the past few months we have seen numerous complaints lodged against the Municipality from our communities with regards to poor service delivery issues such as water shortages, sewage blockages and power outages and maintenance of parks.

We are urging our Technical Services department and Community Services, who are the heartbeat in providing quality services to the people. We can't be embarrassed by employees who are reluctant and lazy to work. You are urged to employ basic principles of public administration as enshrined in the constitution in terms of chapter 10, sub-sections 195. We don't want to be failed by any bode. Good governance must be upheld by all.

On behalf of this Council, I also like to welcome the appointment of panel debts collectors to assist the municipal with revenue collections mechanisms. We are also urging our Honourable Councillors to mobilise and encourage our residents to pay for the services provided by the Municipality.

In conclusion, I urge all Councillors to encourage our parents and other stakeholders to support our children during this examinations time.

Children are the most vulnerable citizens in any society and the greatest of our treasures – so said by the Dr Nelson Mandela”

5. STATEMENTS AND COMMUNICATIONS BY OTHER COUNCILLORS

Cllr NB Maake on behalf of the Economic Freedom Fighters raised his disappointment regarding some Ward Councillors who allocate RDP houses to people in exchange for sexual favours. The RDP houses is not for ANC members or Council. The EFF is busy

concluding a research after receiving complaints from members of the public. Whoever is implicated will face the full weight in the right of the law.

6. CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETINGS:

6.1 That the minutes of the 13th Council meeting held on the 30th August 2018 **BE APPROVED AND CONFIRMED** subject to the following corrections:

Page 3

- Under attendance, Cllr MS Magomane and Cllr AN Mmola be included as attended.

Page 5

That Cllr Make requested that the information be extended to include that the calculators which has been distributed to High School Frans du Toit should have been in good use if they have been distributed it to high schools for the poorest of the poor who could utilized them better than equipping those of Frans du Toit who come from families of tycoons.

7. DEPUTATIONS

PRESENTATION BY THE CHAIRPERSON OF THE AUDIT COMMITTEE

393/18(A) AUDIT COMMITTEE REPORT FOR 1ST QUARTER 2018/19

(4/9/9)

(31ST OCTOBER 2018)

RESOLUTION

1. That Council **NOTE** and **ADOPT** as presented by the Audit Committee.
2. That Council **NOTE** the approval of AG Engagement letter and Audit Strategy & Budget for the period ending 30 June 2018.
3. That Council **NOTE** the approval of internal audit reports and progress report for the fourth quarter of 2017/18.
4. That Council **NOTE** the progress of 100% implementation of the Internal Audit Plan.
5. That Council **NOTE** the approval of the 2018/19 Strategic Risk register, Fraud Risk Register, IT Risk Register, MSCOA Risk Register and Project Risk Register be noted by the AC.
6. That Council **NOTE** the review of fourth quarter reports on Risk Management and Performance Management for 2017/18.

7. That Council **NOTE** the review of Annual Financial Statement and Annual Performance report for the period ended 30 June 2018.

8. QUESTIONS AND ANSWERS OF WHICH NOTICE HAS BEEN GIVEN

None.

9. MOTIONS OR PROPOSALS REFERRED FROM PREVIOUS MEETINGS

None.

10. COMMENTS OF THE MUNICIPAL MANAGER

The Municipal Manager invited all Councillors to the Mayoral Imbizo which will be held at Mashishimale Sports Grounds on 13 November 2018 at 10h00.

11. IMPLEMENTATION OF PREVIOUS COUNCIL RESOLUTIONS

RESOLUTION

That the implementation of previous Council resolutions **BE NOTED**.

12. REPORT OF THE EXECUTIVE COMMITTEE

A) RESOLUTIONS OF THE EXECUTIVE COMMITTEE ADDRESSED TO COUNCIL FOR COGNISANCE

(EXCO MEETING HELD ON 27TH SEPTEMBER 2018 & EXCO MEETING HELD ON 30TH OCTOBER 2018)

394/18 ASSET MANAGEMENT REPORT (CFO)

(7/2/1/30) (31ST OCTOBER 2018)

RESOLUTION

1. That Council **NOTE** an amount of R466,037.66 raised for Retention on Projects (WIP) assets for the month of August 2018.
2. That Council **NOTE** an amount of R4,194,338.75 recognized for infrastructure projects Asset WIP for the month of August 2018.
3. That Council **NOTE** Asset depreciation of R5,953,928.50 for the month of August 2018.
4. That Council **NOTE** Asset Amortization of R36,540.52 for the month of August 2018.

395/18 BILLING VS. COLLECTION REPORT (CFO)

(6/13/6) (31ST OCTOBER 2018)

RESOLUTION

1. That the Billing vs. Collection report **BE NOTED**.

396/18 BTO PERFORMANCE REPORT (CFO)

(10/2/2) (31ST OCTOBER 2018)

RESOLUTION

That the BTO Performance Report **BE NOTED**.

397/18 BUDGET STATEMENTS (CFO)

(6/1/1) (10/2/2) (31ST OCTOBER 2018)

RESOLUTION

1. That cognizance **BE TAKEN** of the contents of the report.
2. That the Mayor **CONSIDERS** the report and deals with it in terms of Section 54 of the Municipal Finance Management Act.

398/18 COUNCILLORS ACCOUNTS (CFO)

(6/13/6) (31ST OCTOBER 2018)

RESOLUTION

That the Councilors Accounts Report for the month of August 2018 **BE NOTED.**

399/18 CREDIT CONTROL AND DEBT MANAGEMENT REPORT (CFO)

(6/13/6) (31ST OCTOBER 2018)

RESOLUTION

That the report for Credit Control and Debt Management for the month of August 2018 **BE NOTED.**

400/18 EMPLOYEE'S ACCOUNTS (CFO)

(6/13/6) (31ST OCTOBER 2018)

RESOLUTION

1. That the Employee Accounts Report for the month of August 2018 **BE NOTED.**
2. That the Council make the employees **AWARE** of their accounts.
3. That the Municipal employees be **MADE AWARE** of the Credit Control Policy & Debt Management, Code of Conduct & Municipal Systems Act.

401/18

FINANCIAL REPORT (CFO)

(10/2/2) (31ST OCTOBER 2018)

RESOLUTION

That the following be noted:

1. The financial report for the period ended 31 August 2018 **excluding water and waste water management**
2. The summary of monthly budget statement report for the month ended 31 August 2018
3. The financial performance for the month ended 31 August 2018
4. The financial position as at 31 August 2018
5. The total operating revenue (as per GRAP) for the month ended 31 August 2018 is R24.4 million
6. Revenue capital contribution recognised amount to R5.4 million
7. Operational expenditure on financial performances is R27.9 million
8. Capital expenditure incurred during the month ended 31 August 2018 is R4.8 million
9. Consolidated call deposit accounts held at STD Bank and ABSA closed with a balance of R60 million on 31 August 2018
10. That councillors and staff benefits for August 2018 amount to R11.2 million be approved
11. Municipal primary bank reconciliation closed with a positive balance of **R7.2 Million**

402/18

FLEET MANAGEMENT REPORT (CFO)

(8/1/2/9) (31ST OCTOBER 2018)

RESOLUTION

1. That the Fleet Management Report for August 2018 **BE NOTED**.
2. That a report on disparities on refuse trucks **BE BROUGHT** to the next Executive Committee meeting.

403/18 GRANT RECONCILIATION REPORT (CFO)

(10/2/2) (31ST OCTOBER 2018)

RESOLUTION

That the Grant Reconciliation Report for August 2018 **BE NOTED**.

404/18 INVESTMENT REGISTER (CFO)

(6/9/1) (31ST OCTOBER 2018)

RESOLUTION

That the Investment Register for August 2018 **BE NOTED**.

405/18 REPLACEMENT OF ABSA ACCOUNT SIGNATORIES AND CLOSING OF THE ACCOUNT (CFO)

(6/15/2/2) (31ST OCTOBER 2018)

RESOLUTION

1. That signatories on the two Bank accounts with ABSA Bank **BE REPLACED**.
2. That the three signatories **BE REVOKED** and replaced with the new signatories.
3. That the two Bank accounts with ABSA Bank **BE CLOSED**.

406/18 RETENTION AND SUNDRY CREDITORS OPENING BALANCES (CFO)

(9/3/1) (31ST OCTOBER 2018)

RESOLUTION

1. That council **NOTE** the reports on the opening balance.
2. That council **APPROVE** the Journal YE 0092 Passed to correct the prior period error of include retentions without supporting documents.
3. That council **APPROVE** the removal of the retentions amount to the value of R 1331 046.46 without the supporting documents

4. That council **NOTE** that the amount removed will reduce the creditors balance even for the previous years
5. That council **APPROVE** the Journal YE 0138 to value of R 328 385.94 Passed to correct the prior period error of include sundry creditors without supporting documents.
6. That council **APPROVE** the Journal YE 0139 to the value of R 1 789 938.15 Passed to correct the prior period error of include sundry creditors without supporting documents.
7. The Council should **NOTE** that the removal of these amounts is in order will lead to lesser finding as limitations of scope.

407/18

KEY ACCOUNTS (CFO)

(6/13/6) (31ST OCTOBER 2018)

RESOLUTION

That the Key Accounts Report for the month of August 2018 **BE NOTED.**

408/18

METER READING PROGRESS REPORT (CFO)

(6/13/6) (31ST OCTOBER 2018)

RESOLUTION

That the meter reading report for the month of August 2018 **BE NOTED.**

409/18

DISPOSAL OF REDUNDANT ASSETS (CFO)

(8/1/3) (31ST OCTOBER 2018)

RESOLUTION

That the **Council APPROVE** Disposal of assets with carrying value of **R 12 850.46** using a Disposal Method of Donation because the value of assets is too little for Auction Process

410/18 RETENTION REGISTER (CFO)

(9/3/1) (31ST OCTOBER 2018)

RESOLUTION

That the Retention Register **BE NOTED**.

411/18 REVENUE MANAGEMENT REPORT (CFO)

(6/6/1/8) (31ST OCTOBER 2018)

RESOLUTION

1. That the Billing vs Collection report for the month of August 2018 **BE NOTED**
2. That the credit control and debt collection progress report of August 2018 **BE NOTED**
3. That the government debt schedule of outstanding debt for the month of August 2018 **BE NOTED**
4. That the property rates charges for the month of August 2018 **BE NOTED**
5. That the prepaid electricity report for the month of August 2018 **BE NOTED**

412/18 SCM REPORT (CFO)

(6/1/1) (10/2/2) (31ST OCTOBER 2018)

RESOLUTION

1. That council **NOTE** supply chain management report for August 2018
2. That council **NOTE** tenders advertised in August 2018
3. That council **NOTE** tenders evaluated in the month of August 2018
4. That council **NOTE** Tenders adjudicated phase for the month of August 2018
5. That council **NOTE** tenders awarded during the month of August 2018

6. That council **NOTE** business awarded to small business micro enterprise in the month of August 2018
7. That council **NOTE** Inventory report for August 2018
8. That council **NOTE** Deviations report for August 2018

413/18 WATER SERVICES REPORT (CFO)

(17/1/1/1) (6/5/2/6) (31ST OCTOBER 2018)

RESOLUTION

That the report for water and sanitation for the month of August 2018 be noted.

414/18 DEED OF LEASE OF BOUGAINVILLA PARK (CFO)

(7/2/2/1/3) (31ST OCTOBER 2018)

RESOLUTION

1. That council **NOTE** the report on the Deed of lease for Bougainvilla Park.
2. That council **NOTE** that the dweller are pensioners and rely on Social grant as source of income.
3. That council **NOTE** that Municipality had never made any annual increment of rental for the previous years.
4. That council **NOTE** that the omission of annual increment to rent resulted in revenue forgone which was subsequently disclaimed by auditor General.
5. That council **NOTE** the difficulty of charging the rental increments of rental income.
6. That council **APPROVES** that the annual increment not be effected from the date of lease on rental amount due affordability.
7. That the Service Level Agreement between Ba-Phalaborwa Municipality and Bougainvilla Park's occupants **BE REVIEWED.**

415/18 MONTHLY REPORT FOR AUGUST 2018 (MM)

(10/2/1) (31ST OCTOBER 2018)

RESOLUTION

1. That Council **NOTE** the Monthly Report for the Office of the MM for **August 2018**
2. That Council **NOTES** the progress on the compliance checklist
3. That Council **NOTES** the progress on the Strategic Risk
4. That Council **NOTES** the Expenditure Report.
5. That Councillor's who has not yet disclose their interest **ENSURE** to submit their disclosure of interest forms

416/18 BATHO-PELE REPORT FOR JULY 2018 (MM)

(13/2/1/47) (31ST OCTOBER 2018)

RESOLUTION

That Council **NOTES** JULY 2018 Batho-Pele Report.

417/18 ANNUAL MAYORAL SOCCER CHALLENGE EVENT REPORT (MM)

(12/4/1/1) (31ST OCTOBER 2018)

RESOLUTION

1. Our supporting units/departments **TO ASSIST** in maintaining our sports facilities.
2. Stakeholder to **BE ENGAGED** to support this event.
3. Sports events budget to **BE INCREASED**.

418/18 SECURITY REPORT (MM)

(8/2/4) (6/14/2) (31ST OCTOBER 2018)

RESOLUTION

That the Security Report for August 2018 **BE NOTED**.

419/18 FRAUD RISK REGISTER 2018/19 (MM)

(10/2/4) (31ST OCTOBER 2018)

RESOLUTION

That Council **APPROVES** the 2018/19 Fraud Risk Register.

420/18 IT RISK REGISTER 2018/19 (MM)

(10/2/5) (31ST OCTOBER 2018)

RESOLUTION

1. That Council **APPROVES** the 2018/19 Information Technology Risk Register.
2. That an investigation **BE DONE** regarding the Municipal's system going down.

421/18 MSCOA RISK REGISTER 2018/19 (MM)

(10/2/6) (31ST OCTOBER 2018)

RESOLUTION

That Council **APPROVES** the 2018/19 MSCOA Risk Register.

422/18 PROJECT RISK REGISTER 2018/19 (MM)

(10/2/7) (31ST OCTOBER 2018)

RESOLUTION

That Council **APPROVES** the 2018/19 Project Risk Register.

423/18 REPORT ON AC MINUTES (MM)**(4/9/9) (31ST OCTOBER 2018)****RESOLUTION**

1. That Council **NOTES** the minutes of the Audit Committee meetings held on the 28 May 2018 and the 16 June 2018 approved on the 16 June 2018 and the 25 August 2018 respectively.
2. That Council **NOTES** the Audit Committee resolutions as indicated in the Audit Committee minutes

424/18 INTERNAL AUDIT FOLLOW-UP REPORT (MM)**(4/9/9) (31ST OCTOBER 2018)****RESOLUTION**

The following report outlines the progress on implementation of internal audit recommendations for the month ended 31 May 2018. The report shows progress per department and also the institutional progress report:

| Department | Implemented | % Progress Implemented | Not Implemented | % Progress Not Implemented |
|--------------------------|-------------|------------------------|-----------------|----------------------------|
| Office of the MM | 6 | 75% | 2 | 25% |
| Budget & Treasury | 33 | 64% | 18 | 36% |
| Planning and Development | 18 | 53% | 16 | 47% |
| Corporate Services | 15 | 68% | 7 | 32% |
| Technical Services | 2 | 67% | 1 | 33% |
| Institutional Progress | 74 | 63% | 44 | 37% |

425/18 MONTHLY REPORT FOR AUGUST (CORPS)**(10/2/1) (31ST OCTOBER 2018)****RESOLUTION**

1. That the Monthly Report for Directorate Corporate Services for the month of August 2018 **BE NOTED**.

2. That the Progress on Strategic Risk Management Implementation for August 2018 **BE NOTED.**
3. That the Corporate Services Civil & Labour Cases Register for August 2018 **BE NOTED.**
4. That the Occupational Health & Safety Report for August 2018 **BE NOTED.**
5. That the Appointments for August 2018 **BE NOTED.**
6. That the Vacancy Rate for August 2018 **BE NOTED.**
7. That the Leave Report for August 2018 **BE NOTED.**
8. That the Overtime report for August 2018 **BE NOTED.**
9. That the IT Progress Report for August 2018 **BE NOTED.**
10. That the Expenditure Report for August 2018 **BE NOTED.**
11. That the Compliance Checklist for August 2018 **BE NOTED.**
12. That the Worksheet for implementation of Council Resolutions for August 2018 **BE NOTED.**

426/18

MONTHLY REPORT FOR AUGUST 2018 (CSS)

(10/2/1) (31ST OCTOBER 2018)

RESOLUTION

1. THAT the Monthly Report for Community and Social Services for August 2018 **BE NOTED.**
2. THAT the Monthly Report for the Testing Section (Licensing) for August 2018 **BE NOTED.**
3. THAT the Monthly Report for the Registration Authority **BE NOTED.**
4. THAT the Statistics for Traffic fines for August 2018 **BE NOTED.**
5. THAT the Traffic Roadblock Special Operation Report for August 2018 **BE NOTED.**

6. THAT the Traffic Special Operation Programme to be implemented in September 2018 **BE NOTED.**
7. THAT the Road marking report for August 2018 **BE NOTED.**
8. THAT the Illegal Dumping Report for August 2018 **BE NOTED.**
9. THAT the Ba-Phalaborwa Local Municipality Landfill Site Monthly and Operational report for August 2018 **BE NOTED.**
10. THAT the report on the Status of Refuse Removal Vehicles for August 2018 **BE NOTED.**
11. THAT the up keeping of Parks and Open spaces plan for September 2018 **BE NOTED.**
12. THAT the Maintenance and Mowing report for Developed Parks, Open spaces mowing roster for August 2018 **BE NOTED.**
13. THAT the Operators monthly programme for September 2018 from Parks and Cemeteries **BE NOTED.**
14. THAT the Cemeteries maintenance plan for September 2018 **BE NOTED.**
15. THAT the report on the Status of Parks and Cemeteries tractors for August 2018 **BE NOTED.**
16. THAT the Monthly Burial Report for August 2018 **BE NOTED.**
17. THAT the Tribal Cemeteries Burial Statistics for August 2018 **BE NOTED.**
18. THAT the Consolidated Library Services report for August 2018 **BE NOTED.**

427/18

PROGRESS REPORT ON THE STATE OF TRAFFIC OFFICERS PATROL VEHICLES (CSS)

(8/1/2/9) (31ST OCTOBER 2018)

RESOLUTION

1. That Council **NOTES** the progress report on the state of Traffic Officers' vehicles.

2. That there should **BE A BUDGET** in the next financial year for fleet replacement to be determined by BTO.
3. That action **BE TAKEN** regarding the abuse and speeding of Council vehicles.

428/18

MONTHLY REPORT FOR AUGUST 2018 (TS)

(10/2/1) (31ST OCTOBER 2018)

RESOLUTION

1. THAT the implementation of the DTS Performance Report for August 2018 **BE NOTED**
2. THAT the implementation report of the Water Services maintenance plan **BE NOTED**
3. THAT the implementation report of the Electrical, Mechanical & Fitting Maintenance plan **BE NOTED**
4. THAT the implementation report of the Building Services Maintenance plan & Building Inspectorate **BE NOTED**
5. THAT the implementation report of the Roads and Storm Water Maintenance plan **BE NOTED**
6. THAT the MIG Expenditure **BE NOTED**
7. That the compliance Check List **BE NOTED**
8. THAT the Integrated National Electrification programme **BE NOTED**
9. THAT the water and sanitation maintenance **BE NOTED**
10. THAT the stakeholders report **BE NOTED**
11. THAT the maintenance and procurement plans **BE NOTED**
12. THAT the Electrical submission **BE APPROVED**
13. THAT the PMU submission **BE APPROVED**

429/18

TAMBO UPGRADING OF INTERNAL STREETS PHASE 2: REQUEST FOR ALLOCATION OF CO-FUNDING FOR PROFESSIONAL FEES (TS)

(9/4/3/62) (31ST OCTOBER 2018)

RESOLUTION

That the report BE REFERRED BACK and LEGAL TO SUBMIT LEGAL OPINION.

430/18 REPORT ON HIGH MAST PROJECT: OUTSTANDING PAYMENT (TS)

(9/4/1/11) (31ST OCTOBER 2018)

RESOLUTION

That the report BE REFERRED BACK and LEGAL TO SUBMIT LEGAL OPINION.

431/18 MONTHLY REPORT FOR AUGUST 2018 (P&D)

(10/2/1) (31ST OCTOBER 2018)

RESOLUTION

1. That Council **NOTES** the Department of Planning and Development's August 2018 monthly report.
2. That Council **NOTES** progress on the Strategic Risk Register.
3. That Council **NOTES** the Planning and Development Expenditure report for August 2018.
4. That Council **NOTES** the Planning and Development Compliance Checklist for August 2018.

432/18 PROPERTIES WITH GENERAL PLANS BUT NOT INCLUDED IN THE GENERAL VALUATION ROLL (P&D)

(6/2/3) (31ST OCTOBER 2018)

RESOLUTION

That the item BE REFERRED BACK and Legal TO SUBMIT LEGAL OPINION.

433/18 ITEM ON RDP HOUSES BUILT PRIOR 2008 (P&D)

(18/5/1) (31ST OCTOBER 2018)

RESOLUTION

That the report BE REFERRED BACK and an in depth INVESTIGATION be done between Planning & Development and Technical Services.

434/18

REVIEW OF THE SPATIAL DEVELOPMENT FRAMEWORK (SDF) (P&D)

(16/1/3/8) (31ST OCTOBER 2018)

RESOLUTION

1. Council **APPROVES** the appointment of both the Project and Intergovernmental Steering Committees.
2. Council **NOTES** the commencement of the review of the Spatial Development Framework.
3. That Council **APPROVES** the establishment of internal Project Steering Committee that comprise of the following officials: Municipal Manager, senior managers from DPD, TECHS, CSS, officials who manage Town Planning and Human Settlements, LED and IDP.

435/18

PROPOSAL TO DISPOSE IDENTIFIED LAND PROPERTIES IN EXTENSION 9 (P&D)

(16/5/2/8) (31ST OCTOBER 2018)

RESOLUTION

1. Council **APPROVES** the proposal to dispose Phalaborwa Extension 9 in terms of Ba-Phalaborwa Municipal Policy on Sale and Disposal of Municipal Land/Property (Procedures and Principles on Disposal of Municipal Land) 2017/18.
2. Council **NOTES** that the successful investor will have the responsibility of install internal services to Phalaborwa Extension 9.
3. Council **NOTES** that the disposal of stands will be done by the investor to recover his/her money spent on reticulation of all services.

4. Council **NOTES** that Ba-Phalaborwa Municipality will generate revenue for from the all 1065 stands on a monthly basis.

436/18 4TH QUARTER PERFORMANCE REPORT (P&D)

(5/8/1) (31ST OCTOBER 2018)

RESOLUTION

That Council **NOTES** the Fourth Quarter Performance Assessment Report for the period 1st April to 30th June 2018.

437/18 BILLING VS. COLLECTION REPORT (CFO)

(6/13/6) (31ST OCTOBER 2018)

RESOLUTION

That the Billing vs. Collection report **BE NOTED**.

438/18 BUDGET STATEMENTS (CFO)

(6/1/1) (10/2/2) (31ST OCTOBER 2018)

RESOLUTION

1. That cognizance **BE TAKEN** of the contents of the report.
2. That the Mayor **CONSIDERS** the report and deals with it in terms of Section 54 of the Municipal Finance Management Act.

439/18 COUNCILLORS ACCOUNTS (CFO)

(6/13/6) (31ST OCTOBER 2018)

RESOLUTION

1. That the Councilors Accounts Report for the month of September 2018 **BE NOTED**.
2. That Councilor's who owes the Municipality should **BE SOLVED** as a matter of urgency.
3. That the deduction from Councilor's salaries **BE SOLVED** by Administration.

440/18 CREDIT CONTROL AND DEBT MANAGEMENT REPORT (CFO)

(6/13/6) (31ST OCTOBER 2018)

RESOLUTION

That the report for Credit Control and Debt Management for the month of September 2018 **BE NOTED.**

441/18 EMPLOYEE'S ACCOUNTS (CFO)

(6/13/6) (31ST OCTOBER 2018)

RESOLUTION

1. That the Employee Accounts Report for the month of September 2018 **BE NOTED.**
2. That Council make the employees **AWARE** of their accounts.
3. That the Municipal employees be **MADE AWARE** of the Credit Control Policy & Debt Management, Code of Conduct & Municipal Systems Act.

442/18 FINANCIAL REPORT (CFO)

(10/2/2) (31ST OCTOBER 2018)

RESOLUTION

That the following BE NOTED:

1. The financial report for the period ended 30 September 2018 **excluding water and waste water management**
2. The summary of monthly budget statement report for the month ended 30 September 2018
3. The financial performance for the month ended 30 September 2018
4. The financial position as at 30 September 2018
5. The total operating revenue (as per GRAP) for the month ended 30 September 2018 is R23.8 million

6. No Revenue capital contribution recognised for the month ended 30 September 2018
7. Operational expenditure on financial performances is R25.4 million
8. Capital expenditure incurred during the month ended 30 September 2018 is R18 thousand
9. Consolidated call deposit accounts held at STD Bank and ABSA closed with a balance of R50 million on 30 September 2018
- 10. That councillors and staff benefits for September 2018 amount to R12.8 million **BE APPROVED.****
11. Municipal primary bank reconciliation closed with a positive balance of **R443 Thousand**

443/18 GRANT RECONCILIATION REPORT (CFO)

(10/2/2) (31ST OCTOBER 2018)

RESOLUTION

That the Grant Reconciliation Report for September 2018 **BE NOTED.**

444/18 INVESTMENT REGISTER (CFO)

(6/9/1) (31ST OCTOBER 2018)

RESOLUTION

That the Investment Register for September 2018 **BE NOTED.**

445/18 KEY ACCOUNTS (CFO)

(6/13/6) (31ST OCTOBER 2018)

RESOLUTION

That the Key Accounts Report for the month of September 2018 **BE NOTED.**

446/18 METER READING PROGRESS REPORT (CFO)

(6/13/6) (31ST OCTOBER 2018)

RESOLUTION

That the meter reading report for the month of September 2018 **BE NOTED.**

447/18 RETENTION REGISTER (CFO)

(9/3/1) (31ST OCTOBER 2018)

RESOLUTION

That the Retention Register **BE NOTED.**

448/18 REVENUE MANAGEMENT REPORT (CFO)

(6/6/1/8) (31ST OCTOBER 2018)

RESOLUTION

1. That the Billing vs Collection report for the month of September 2018 **BE NOTED.**
2. That the credit control and debt collection progress report of September 2018 **BE NOTED.**
3. That the government debt schedule of outstanding debt for the month of September 2018 **BE NOTED.**
4. That the property rates charges for the month of September 2018 **BE NOTED.**
5. That the prepaid electricity report for the month of September 2018 **BE NOTED.**

449/18

SCM REPORT (CFO)

(6/1/1)

(10/2/2)

(31ST OCTOBER 2018)

RESOLUTION

1. That council **NOTE** supply chain management report for September 2018.
2. That council **NOTE** tenders advertised in September 2018.
3. That council **NOTE** tenders evaluated in the month of September 2018.
4. That council **NOTE** Tenders adjudicated phase for the month of September 2018.
5. That council **NOTE** tenders awarded during the month of September 2018.
6. That council **NOTE** business awarded to small business micro enterprise in the month of September 2018.
7. That council **NOTE** Inventory report for September 2018.
8. That council **NOTE** Deviations report for September 2018.

450/18

WATER SERVICES REPORT (CFO)

(17/1/1/1)

(6/5/2/6)

(31ST OCTOBER 2018)

RESOLUTION

1. That the report for water and sanitation for the month of August 2018 **BE NOTED**.
2. That the meeting with MDM **BE ARRANGED** as a matter of urgency.

451/18

BTO PERFORMANCE REPORT FOR SEPTEMBER 2018 (CFO)

(10/2/2)

(31ST OCTOBER 2018)

RESOLUTION

That the Performance report for September 2018 **BE NOTED**.

452/18 ITEM – VERIFICATION OF MTREF INFORMATION 2018/19 (CFO)

(6/1/1) (31ST OCTOBER 2018)

RESOLUTION

1. That Council **NOTE** the changes effected on A1 schedule for 2018/19 audited outcomes figures for 2014/15 and 2015/16 financial years.
2. That Council **NOTE** That the changes were done in order to align with the previous audited financial statements and any restatement of audit figures before publication by parliament.

453/18 FLEET REPORT (CFO)

(8/1/2/9) (31ST OCTOBER 2018)

RESOLUTION

That the Fleet report for the month of September 2018 **BE NOTED**.

454/18 MONTHLY REPORT FOR SEPTEMBER 2018 (MM)

(10/2/1) (31ST OCTOBER 2018)

RESOLUTION

1. That Council **NOTE** the Monthly Report for the Office of the MM for September 2018
2. That Council **NOTES** the progress on the compliance checklist
3. That Council **NOTES** the progress on the Strategic Risk
4. That Council **NOTES** the Expenditure Report.

455/18 SECURITY REPORT FOR SEPTEMBER 2018 (MM)

(6/14/2) (8/2/4) (31ST OCTOBER 2018)

RESOLUTION

That the Security Report for September 2018 **BE NOTED**.

456/18 1ST QUARTER INSURANCE REPORT (MM)

(6/14/1) (31ST OCTOBER 2018)

RESOLUTION

That Council **NOTES** the 1st Quarter Insurance Report.

457/18 BATHO-PELE REPORT FOR AUGUST 2018 (MM)

(13/2/1/47) (31ST OCTOBER 2018)

RESOLUTION

That Council **NOTES** the August 2018 Batho-Pele Report.

458/18 AC RESOLUTION REGISTER (MM)

(4/9/9) (31ST OCTOBER 2018)

RESOLUTION

1. That Audit Committee **NOTES** progress report on implementation of Audit Committee Resolution.
2. That Council **NOTES** 76% AC resolutions implemented and 24% not implemented.

459/18 FMCMM PROGRESS REPORT (MM)

(4/9/9) (31ST OCTOBER 2018)

RESOLUTION

That Council **NOTES** the FMCMM Progress report.

460/18 INTERNAL AUDIT FOLLOW-UP REPORT (MM)**(4/9/9) (31ST OCTOBER 2018)****RESOLUTION**

The following report outlines the progress on implementation of internal audit recommendations for the month ended **31 August 2018**. The report shows progress per department and also the institutional progress report:

| Department | Implemented | % Progress Implemented | Not Implemented | % Progress Not Implemented |
|--------------------------|-------------|------------------------|-----------------|----------------------------|
| Office of the MM | 6 | 75% | 2 | 25% |
| Budget & Treasury | 34 | 62% | 21 | 38% |
| Planning and Development | 13 | 81% | 3 | 19% |
| Corporate Services | 16 | 64% | 9 | 36% |
| Technical Services | 7 | 46% | 8 | 53% |
| Institutional Progress | 76 | 64% | 43 | 36% |

461/18 LOSS CONTROL POLICY (MM)**(1/2/5/115) (31ST OCTOBER 2018)****RESOLUTION**

1. That the Loss Control Policy for 2018/19 **BE NOTED**.
2. That the Loss Control Policy for 2018/19 **BE APPROVED**.

462/18 REPORT ON INTENSIFYING SECURITY TO PREVENT CABLE THEFT (MM)**(6/14/2) (31ST OCTOBER 2018)****RESOLUTION**

That the measures taken to intensify security to prevent cable theft **BE NOTED**.

463/18

EMPLOYEE WELLNESS GAMES ON REDUCED EXPENDITURE (MM)

(18/7/1) (31ST OCTOBER 2018)

RESOLUTION

1. Council **NOTE** the participation of Ba-Phalaborwa municipal employees in the wellness games
2. Council **NOTE** the trip of Ba-Phalaborwa municipal employees to Swaziland to participate in 2018 SAIMSA Games
3. Council **NOTE** compliance to resolution 379/18 - (29 August 2018) in reducing the number of employees who participated in the 2018 SAIMSA Games
4. Council **NOTE** compliance to resolution 379/18 - (29 August 2018) in reducing the expenditure for the SAIMSA Games 2018 in Swaziland
5. Council **NOTE** the original expenditure was **R582750,00**
6. Council **NOTE** the reduced expenditure was **R350680,00**

464/18

MONTHLY REPORT FOR SEPTEMBER (CORPS)

(10/2/1) (31ST OCTOBER 2018)

RESOLUTION

1. That the Monthly Report for Directorate Corporate Services for the month of September 2018 **BE NOTED**.
2. That the Progress on Strategic Risk Management Implementation for September 2018 **BE NOTED**.
3. That the Corporate Services Civil & Labour Cases Register for September 2018 **BE NOTED**.
4. That the Occupational Health & Safety Report for September 2018 **BE NOTED**.
5. That the Appointments for September 2018 **BE NOTED**.
6. That the Vacancy Rate for September 2018 **BE NOTED**.
7. That the Leave Report for September 2018 **BE NOTED**.

8. That the Overtime report for September 2018 **BE NOTED**.
9. That the IT Progress Report for September 2018 **BE NOTED**.
10. That the Expenditure Report for September 2018 **BE NOTED**.
11. That the Compliance Checklist for September 2018 **BE NOTED**.
12. That the Worksheet for implementation of Council Resolutions for September 2018 **BE NOTED**.

465/18 1ST QUARTER OHS REPORT (CORPS)

(5/7/7) (31ST OCTOBER 2018)

RESOLUTION

1. That the 1st Quarter OHS Report **BE NOTED**.
2. That Senior Management **CONSIDER** the Safety in the working environment as a serious matter.

466/18 LAPTOP POLICY (CORPS)

(1/2/5/16) (31ST OCTOBER 2018)

RESOLUTION

1. That Council **NOTES** the Laptop Policy.
2. That Council **ADOPT** the Laptop Policy.

467/18 EMPLOYEE TRANSFER POLICY (CORPS)

(1/2/5/93) (31ST OCTOBER 2018)

RESOLUTION

1. That Council **NOTES** the report.
2. That Council **APPROVE** the Employee transfer policy.

468/18 ACTING ON HIGHER POSITIONS POLICY (CORPS)

(5/5/2/7) (31ST OCTOBER 2018)

RESOLUTION

1. That Council **NOTES** the report.
2. That council **APPROVE** the Acting on higher positions policy.

469/18 LEGAL ADVICE ON HIGH MAST PROJECT: OUTSTANDING PAYMENT (CORPS)

(9/4/1/11) (31ST OCTOBER 2018)

RESOLUTION

That the matter **BE REFERRED** to COGSTA for further legal advice.

**470/18 LEGAL ADVICE ON PROPERTIES WITH GENERAL PLANS BUT NOT INCLUDED
IN THE GENERAL VALUATION ROLL (CORPS)**

(6/2/3) (31ST OCTOBER 2018)

RESOLUTION

That the Service Provider should **BE FULLY HELD TO THE TERMS** of the agreement and that no addendum to the agreement **BE MADE** as it will amount to fraud.

**471/18 LEGAL ADVICE ON TAMBO UPGRADING OF INTERNAL STREETS PHASE 2
(CORPS)**

(9/4/3/62) (31ST OCTOBER 2018)

RESOLUTION

1. That the report **BE NOTED**.
2. That clarity **BE SOUGHT** from the custodian department i.e. COgHSTA.

472/18

MONTHLY REPORT FOR SEPTEMBER 2018 (TS)

(10/2/1) (31ST OCTOBER 2018)

RESOLUTION

1. THAT the implementation of the DTS Performance Report for September 2018 **BE NOTED**
2. THAT the MIG Expenditure **BE NOTED.**
3. That the compliance Check List **BE NOTED.**
4. THAT the Integrated National Electrification programme **BE NOTED.**
5. THAT Report on Council Vehicle **BE NOTED.**
6. THAT Project done by MDM in Ward 7 ESKOM lines **BE NOTED.**
7. That the traffic circle problems at Tselang Gape **BE SORTED.**

473/18

MONTHLY REPORT FOR SEPTEMBER 2018 (CSS)

(10/2/1) (31ST OCTOBER 2018)

RESOLUTION

1. That the Monthly Report for Community and Social Services for September 2018 **BE NOTED.**
2. That the Monthly Report for the Testing Section (Licensing) for September 2018 **BE NOTED.**
3. That the Monthly Report for the Registration Authority **BE NOTED.**
4. That the Statistics for Traffic fines for September 2018 **BE NOTED.**
5. That the Traffic Roadblock Special Operation Report for September 2018 **BE NOTED.**
6. That the Traffic Special Operation Programme to be implemented in October 2018 **BE NOTED.**
7. That the Road marking report for September 2018 **BE NOTED.**
8. That the Illegal Dumping Report for September 2018 **BE NOTED.**
9. That awareness campaigns **BE DONE** to the residents with the effort to discourage illegal dumping.

10. That the Ba-Phalaborwa Local Municipality Landfill Site Monthly and Operational report for September 2018 **BE NOTED**.
11. That the report on the Status of Refuse Removal Vehicles for September 2018 **BE NOTED**.
12. That CSS **IMPLEMENT** a sustainable plan regarding the illegal Mechanics and hawkers.
13. That the CSS **DEAL** with the matter of trucks parking at Engen Garage.
14. That the up keeping of Parks and Open spaces plan for October 2018 **BE NOTED**.
15. That the Maintenance and Mowing report for Developed Parks, Open spaces mowing roster for September 2018 **BE NOTED**.
16. That the Operators monthly programme for October 2018 from Parks and Cemeteries **BE NOTED**.
17. That the Cemeteries maintenance plan for October 2018 **BE NOTED**.
18. That the report on the Status of Parks and Cemeteries tractors for September 2018 **BE NOTED**.
19. That the Monthly Burial Report for September 2018 **BE NOTED**.
20. That the Tribal Cemeteries Burial Statistics for September 2018 **BE NOTED**.
21. That the Consolidated Library Services report for September 2018 **BE NOTED**.
22. That a report on Enviro Mobi **BE BROUGHT** to the next Executive Committee meeting.

474/18

REPORT ON THE DISCOVERY OF GRAVES ON THE TSHELANG GAPE ROAD CONSTRUCTION SITE (CSS)

(17/6/1) (31ST OCTOBER 2018)

RESOLUTION

1. That the Council **NOTES** the report on the discovery of graves on the Tshelang Gape Road construction site.

2. That Council **FACILITATES** a meeting of all stakeholders to include the tribal authority, the archaeologist and any other interested party That can contribute to an amicable decision being reached.
3. That the Council **PROVIDE** the “wake fee” in a form of material items, namely, the food parcels, the tombstone and the grave, if the re-burial is to be done at one of the municipality controlled cemeteries, in lieu of cash.
4. That the convergence of the meeting must **BE TREATED AS A MATTER OF URGENCY.**
5. That a policy **BE DRAFTED** to cover the financial implications (wake fee).

475/18

ITEM – BA-PHALABORWA MUNICIPALITY VEHICLE LEFT ABANDONED ON A PUBLIC ROAD REMOVAL POLICY (CSS)

(1/2/5/117) (31ST OCTOBER 2018)

RESOLUTION

1. That Council **NOTES** the Ba-Phalaborwa Municipality Vehicle left or abandoned on a Public Road Removal Policy.
2. That Council **APPROVES** the Ba-Phalaborwa Municipality Vehicle left or abandoned on a Public Road Removal Policy.

476/18

ITEM – REPORT ON THE LIBRARY VISIT TO SINGAPORE AND IFLA CONFERENCE IN MALAYSIA AUGUST 2018 (CSS)

(PERS FILE) (5/4/3/8) (5/8/1)

(31ST OCTOBER 2018)

RESOLUTION

That Council **NOTE** the report on the visit to Singapore for library best practice and the IFLA World Library and Information Conference 2018 held in Malaysia, Kuala Lumpur.

**477/18 ITEM – REPORT BACK ON THE ATTENDANCE AT THE INSTITUTE OF
MUNICIPAL PUBLIC SAFETY OF SOUTHERN AFRICA (CSS)**

(5/4/3/7) (31ST OCTOBER 2018)

RESOLUTION

That Council **NOTES** the report back on the attendance at the Institute of Municipal Public Safety of Southern Africa (IMPS-SA) Conference from the 5 to 6 September 2018 by the Councillor and the municipal employees at Ballito, KwaDukuza in the KwaZulu-Natal Province.

478/18 MONTHLY REPORT FOR SEPTEMBER 2018 (P&D)

(10/2/1) (31ST OCTOBER 2018)

RESOLUTION

1. That Council **NOTES** the Department of Planning and Development September 2018 monthly report.
2. That Council **NOTES** progress on the Strategic Risk Register.
3. That Council **NOTES** the Planning and Development Expenditure report for September 2018.
4. That Council **NOTES** the Planning and Development Compliance Checklist for September 2018.

479/18 SEPTEMBER 2018 TOURISM MONTHLY REPORT (P&D)

(13/2/3/3) (31ST OCTOBER 2018)

RESOLUTION

1. That an annual tourism month calendar **BE DEVELOPED** and **BE ALIGNED** it to the provincial and national plans.
2. Encourage and sensitize council and staff members about the importance of the tourism and hospitality industry as a commodity and sector in Ba-Phalaborwa Local Municipality.

480/18 PMS POLICY (P&D)

(1/2/5/44) (31ST OCTOBER 2018)

RESOLUTION

1. That Council **NOTES** the policy.
2. That Council **APPROVE** the policy.

481/18 REWARD & INCENTIVE POLICY (P&D)

(1/2/5/55) (31ST OCTOBER 2018)

RESOLUTION

1. That Council **NOTES** the report
2. That Council **APPROVE** the Reward and Incentive system policy.

THE FOLLOWING ITEM HAS BEEN DISCUSSED IN COMMITTEE

482/18 SALARY INCREMENT OF SECTION 56-57 MANAGERS (CORPS)

(PERS FILES) (5/1/1/1) (31ST OCTOBER 2018)

RESOLUTION

1. That the item **BE WITHDRAWN** until **INPUTS** have been received from **COGHSTA**.

13. NEW MOTIONS

None.

14. PETITIONS

None.

15. ITEMS FOR THE NEXT COUNCIL MEETING

None.

16. CLOSURE

The meeting adjourned at 12h30.

CHAIRPERSON