



MOHOKARE
LOCAL MUNICIPALITY



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NOTICE AND AGENDA

FOR THE

SPECIAL COUNCIL MEETING

29 MARCH 2018

CONFIDENTIAL



MOHOKARE
LOCAL MUNICIPALITY



26 March 2017

To : Cllr. T.S Khasake
Cllr. T.I Phatsoane
Cllr. L. Lekhula
Cllr. T.D Mochechepa
Cllr. B.M Valashiya
Cllr. M.I Morapela
Cllr. I.S Riddle
Cllr. M.L Lephuthing
Cllr. B. Lobi
Cllr. L.J Lipholo

RE : NOTICE OF THE SPECIAL COUNCIL MEETING

NOTICE is hereby given in terms of Sec 10 (1) read together with Sec 58 of the Standard Rules and Orders that the Special Council meeting of Mohokare Local Municipality will be held under the following arrangements:

Date : Thursday, 29th of March 2018
Time : 10:00 (please note that the meeting will commence at 10:00 instead of 14:00)
Venue : Council Chamber, Zastron

In terms of section 20(1) of the Municipal Systems Act 32 of 2000 (as amended), members of the public, the media and other interested parties or bodies are invited to attend the meeting.

Hope you find this in order

Kind regards

Cllr. N.I. Mehlomakulu
Mayor



MOHOKARE LOCAL MUNICIPALITY

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4. **REPORTS OF THE MAYOR IN TERMS OF RULES 15(1) AND 99(4)**
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**REPORTS FROM OFFICE
OF THE MAYOR**

OFFICE OF THE MAYOR

29 March 2018

For submission to Council

TABLING OF THE 2018/19 ANNUAL BUDGET

PURPOSE

To present to Council the draft budget for 2018/19 financial year.

BACKGROUND

In terms of section 16(1) of the Local Government Municipal Finance Management Act 56 of 2003, the council of a municipality must for each financial year approve an annual budget for the municipality before the start of that financial year.

- (2) In order for the municipality to comply with subsection (1), the mayor of the municipality must table the annual budget at a council meeting at least 90 days before the start of the budget year.
- (3) Subsection (1) does not preclude the appropriation of money for capital expenditure for a period not exceeding three financial years, provided a separate appropriation is made for each of those financial years.

FINANCIAL IMPLICATIONS

Implications in line with provision made in the draft budget. This was done in conjunction with the guidelines as per all applicable MFMA Budget Circulars.

Please refer to Annexure A to this document for a detailed breakdown of all budgeted items for revenue, operational expenditure as well as capital expenditure.

The current cash-flow constraints experienced by the Municipality was taken into account on the preparation of this draft budget.

The Municipality also has outstanding creditors to an amount of R55 million which will put further pressure on the cash flow constraints experienced.

The pressures experienced at the Municipality is mainly caused by the poor collection rate on accounts billed for services that were delivered. This will be addressed in the coming years by implementing

revenue collection strategies that has been taken into account when the budget was performed. Once a steady cash flow can be maintained from the collections on services delivered, the outstanding creditors can be addressed.

Stricter controls will also be implemented on operational expenditures incurred by the Municipality. These controls will limit the unauthorized, irregular and fruitless & wasteful expenditures to a minimum.

LEGAL IMPLICATIONS

Local Government Municipal Finance Management Act No. 56 of 2003
All applicable MFMA Budget Circulars

PARTIES CONSULTED

Municipal Manager
Management
Budget Steering Committee

RECOMMENDATION

Council is requested to consider the draft budget as per the submission.

Submitted by:



**INEHLE MAKULU
MAYOR**



OFFICE OF THE MAYOR

Submission to Council

REPORT ON IDP COMMUNITY CONSULTATIONS

BACKGROUND

Council took note of the Process plan on 26 August 2017, it was further resolved that the plan be subjected to Public participation processes in the three towns as compliance to section 28(3) of the Municipal Systems Act No. 32 of 2000 which clearly states that a Municipality must give notice to the local Community of particulars of the process it intends to follow. The Community consultations took place from 20th to 23rd of March 2018.

PURPOSE

The Community consultations have been conducted as part of management of drafting processes for Municipal Strategic document. The Mayor of the Municipality must table the annual budget 90 days before the start of the financial year, and thus will be end of March 2018.

DISCUSSION

The adoption of the draft Municipal Integrated Development Planning and its annual review guided by section 30 and 34 of the Municipal Systems Act No: 32 of 2000 read with section 16(1) (2) of the Municipal Finance Management Act No: 56 of 2003. The community participation processes were held successfully in all three towns, the plan received overwhelming Community inputs for ward based development.

LEGAL IMPLICATIONS

MSA 30

The Executive Committee or Executive Mayor of a Municipality or, if the Municipality does not have an executive committee or executive mayor, a committee of Councillors appointed by the Municipal Council, must, in accordance with section 29-

- (a) Manage the drafting of the Municipality's Integrated Development Planning;
- (b) Assign responsibilities in this regard to the Municipal Manager and
- (c) Submit the draft plan to the Municipal Council for adoption by Council

A Municipal Council-

- (a) Must review its Integrated Development Plan-
 - (i) Annually in accordance with an assessment of its performance measurements in terms of section 41; and
 - (ii) To the extent that changing circumstances so demand; and
- (b) May amend its Integrated Development Plan in accordance with prescribed process.

FINANCE IMPLICATIONS

MFMA 16(1) (2)

- (1) The Council of a Municipality must for each financial year approve an annual budget for the Municipality before the start of the financial year.
- (2) In order for a Municipality to comply with subsection (1), the Mayor of the Municipality must table the annual budget at a Council meeting 90 days before the start of the financial year.

PARTIES CONSULTED

Municipal Manager

RECOMMENDATION

Council to approve the draft Integrated Development Plan



Cllr. I. Mehlomakulu
Mayor/Speaker

OFFICE OF THE MAYOR

19 March 2018

For submission to Council

REPORT ON DRAFT SDBIP 2018/19

PURPOSE

The purpose of his report is for the Municipal Council to consider the attached Draft SDBIP for the 2018/19 financial year as required by legislation.

BACKGROUND

LEGISLATIVE REQUIREMENTS

In terms of the provisions of the Local Government: Municipal Finance Management Act, 2003, all municipalities should prepare and adopt the SDBIP. Section 1 of the MFMA describes the SDBIP as a detailed plan approved by the mayor of a municipality in terms of section 53(1)(c) (ii) for the implementation of the municipality's service delivery and execution of its annual budget.

REPORTING ON THE SDBIP

This section covers reporting on the SDBIP as a way of linking the SDBIP with the oversight and monitoring operations of the administration.

A series of reporting requirements are outlined in the MFMA. Both the mayor and the accounting officer have clear roles to play in preparing and presenting these reports.

The SDBIP provides an excellent basis for generating the reports for which MFMA outlines very clear outlines. The reports then allow the Councillors of the Mohokare Local Municipality to monitor the implementation of service delivery programs and initiatives across the municipality.

MONTHLY REPORTING

Section 71 of the MFMA stipulates that reporting on actual revenue targets and spending against the budget should occur on a monthly basis. This reporting must be conducted by the accounting officer of a municipality not later than 10 working days, after the end of each month.

Reporting must include the following:

- i. actual revenue, per source;
- ii. actual borrowings;
- iii. actual expenditure, per vote;
- iv. actual capital expenditure, per vote;
- v. the amount of any allocations received

If necessary, explanation of the following must be included in the monthly reports:

- a. any material variances from the municipality's projected revenue by source, and from the municipality's expenditure projections per vote
- b. any material variances from the service delivery and budget implementation plan and;
- c. any remedial or corrective steps taken or to be taken to ensure that the projected revenue and expenditure remain within the municipalities approved budget.

QUARTERLY REPORTING

Section 52 (d) of the MFMA compels the mayor to submit a report to the council on the implementation of the budget and the financial state of affairs of the municipality within 30 days of the end of each quarter. The quarterly performance projections captured in the SDBIP form the basis for the mayor's quarterly report.

NATIONAL TREASURY, CIRCULAR No.13.

Circular 13 of the National Treasury outlines the framework for municipalities to prepare SDBIP. The SDBIP of Mohokare has been prepared in terms of the provisions of the Circular 13.

According to Section 53 of the MFMA, the Mayor is expected to approve the SDBIP within 28 days after the approval of the budget.

DISCUSSION

The Draft SDBIP was prepared in conjunction with the Draft IDP and consultations and sessions with the following Departments:

- Technical Services
- Finance Services
- Corporate Services
- Office of the Municipal Manager

The only Department which was not conducted was Community Services due to management shortage.

The objectives of the Draft SDBIP are to:

- Give effect to the approved IDP and Budget;
- Promote accountability through transparency of expenditure;
- Revenue collection & service delivery targets
- Serve as a toll for implementation, management and monitoring of performance against year-end targets.

FINANCIAL IMPLICATIONS

None identified at the moment.

LEGAL COMPLIANCE

Compliance to the

- MFMA section 1
- Circular 13
- MSA
- MPPR
- MPMR

PARTIES CONSULTED

HODs

Manager

RECOMMENDATION

Council requested to adopt the attached Draft SDBIP for the 2018/19 financial year.

Report submitted by



Clr. I.N MEHLOMAKULU
MAYOR

OFFICE OF THE MUNICIPAL MANAGER

19 March 2018

For submission to the Municipal Council

REPORT ON OVERSIGHT COMMITTEE ON THE 2016/17 ANNUAL REPORT

PURPOSE

To give Council a summary report about the Oversight Committee meeting which took place on the 06th of March 2018 to deliberate on the Draft Annual Report for the 2016/17 as required by legislation.

BACKGROUND

Section 121 (1) of the MFMA stipulates the following: “Every Municipality must, for each financial year prepare an Annual Report. The Council must within nine (9) months after the end of a financial year deal with annual report of a Municipality in accordance with section 129”.

Section 121 (2), of the MFMA states that the purpose of an Annual Reports is:

- a. To provide a record of activities of the Municipality during the Financial year to which the report relates;
- b. To provide a report on performance against the budget of the Municipality for the financial year; and
- c. To promote accountability to the local community for the decision made throughout the year by the municipality.

Section 127 (5) of the MFMA, the Accounting Officer must immediately after the Annual Report is tabled, make public the annual report, invite the local community to submit representations in connection with the annual report and submit the annual report to the Auditor General, the relevant Provincial Treasury and Provincial Department responsible for local government in the province.

In addition, **section 129(1) of the MFMA**, the council must consider the Annual Report by no later than two months from the date on which the Annual Report was tabled, adopt an oversight report containing the council's comments on the report which must include a statement whether –

- a. The Council has approved the annual report with or without reservations;
- b. Has rejected the annual report; or
- c. Has referred the annual report back for revision of those components that can be revised.

DISCUSSION

For a synoptic summary the report, kindly refer to the Oversight Report.

FINANCIAL IMPLICATIONS

None identified at the moment.

LEGAL COMPLIANCE

Compliance to the MFMA and Circular 32

PARTIES CONSULTED

Oversight Committee members

RECOMMENDATION

The Committee recommends that Council approves and adopts the 2016/17 Oversight Report in terms of Section 129 of the Municipal Financial Management Act.

Report submitted by:



**I.N MEHLOMAKULU
MAYOR**

OFFICE OF THE MAYOR

26 March 2018

For submission to Council

DELEGATION OF SIGNING POWERS

Purpose

To solicit a council resolution on granting the signing powers on all municipal bank accounts

Background

In terms of section 11 (1) of the Municipal Finance Management Act 56 of 2003, only the accounting officer or the chief financial officer of a municipality, or any other senior financial official of the municipality acting on the written authority of the accounting officer, may withdraw money or authorize the withdrawal of money from any of the municipality's bank accounts.

In terms of section 10 (1) of the Municipal Finance Management Act 56 of 2003, the accounting officer of the municipality-

- a) Must administer all the municipal's bank accounts
- b) Is accountable to the municipal council for the municipal bank accounts

Discussion(s)

With the appointment of the new municipal manager, Mr. S. Selepe, the signatories on all municipal bank accounts had to be altered for the smooth running of the operations of the municipality

Currently the signatories on the bank accounts are as follows:

First National Bank

- Mr. Shanyana Moorosi (Revenue Manager)
- Mrs Ria Van Pletzen (SNR Manager Administration)

Standard Bank

- Mr. Shanyana Moorosi (Revenue Manager)
- Mrs Ria Van Pletzen (SNR Manager Administration)

ABSA

- Mr. Shanyana Moorosi (Former Acting Municipal Manager)
- Mrs. E. Wilken (Acting CFO)
- Mr. S. Shamase (Acting Technical Director)

Recommendation(s)

- Council to approve the granting of signing powers on all municipal bank accounts to Mr. S. Selepe (Municipal Manager)

Compiled by:



I.N Mehlomakulu

Mayor

**REPORTS FROM OFFICE
OF THE MUNICIPAL
MANAGER**

OFFICE OF THE CHIEF FINANCIAL OFFICER

29 March 2018

For Submission to Council

REPORT ON PROCUREMENT OF A MAYORAL VEHICLE

Purpose

The objective of the report is to obtain Council approval for the procurement of a Mayoral Vehicle for the Mayor of Mohokare Local Municipality.

Background

Section 46 of the Municipal Finance Management Act No.56 of 2003 states the following:

46(1) a municipality may incur long-term debt only in accordance with and subject to any applicable provisions of this Act, including section 19, and only for the purpose of –

- (a) Capital expenditure on property, plant or equipment to be used for the purpose of achieving the objects of local government as set out in section 152 of the Constitution, including costs referred to in subsection (4); or
- (b) Re-financing existing long-term debt subject to subsection (5)

(2) A municipality may incur long-term debt only if –

- (a) a resolution of the municipal council, signed by the mayor, has approved the debt agreement; and
- (b) the accounting officer has signed the agreement or other document which creates or acknowledges the debt.

During the month of November 2017, the Mayor's vehicle was hi-jacked and the vehicle was not recovered.

For details pertaining to the hi-jacking, please refer to the SAPS report included as Annexure A to this report.

The insurance company paid out a total amount of R565 745 for the insured vehicle of which R476 312.02 was paid over to the bank to settle the outstanding amount of the vehicle's finance lease. The amount of R 89 433.18 has been paid out to the Municipality.

Due to the fact that it took the insurance almost 4 months to finalise the investigation into the hi-jacked vehicle, the Municipality has been incurring rental costs for a mayoral vehicle since December 2017 in order for the Mayor to fulfill her mayoral duties.

The case has since been finalized and the amount of R89 433.18 has been paid over to the Municipality.

As stated above, in order to procure a new vehicle for the Mayor a council resolution approving the debt to be incurred has to be in place.

Council are asked to take note that the Council should guard against entering into an agreement that may encumber the incoming Council after the current Council, hence the amount should be financed over the remaining term of the current council (approximately 36 months).

Financial implications

Expenditure with regard to the procurement of a mayoral vehicle. Monthly installments including the cost of financing (interest) and other mandatory service related charges.

Legal implication(s)

Compliance with the following Legislation:

- Local Government: Municipal Finance Management Act 56 of 2003

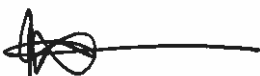
Parties consulted

- Municipal Manager
- Fleet Officer

Recommendation

- a) Council is requested to give approval for the procurement of a Mayoral Vehicle through making use of a bank loan (Vehicle Financing Agreement) with the Municipality's primary banking institution.

Submitted by:



WA Wilken
Acting Chief Financial Officer



SOUTH AFRICAN POLICE SERVICE

Private Bag / PO Box

Reference: VEREENIGING CAS
Enquiries: D/SGT NDLOU
Telephone number: 016 450 2555
Fax: 016 450 2626

Office of the Station Commander

VEREENIGING
Date: 2018-01-11

Mr / Mrs / Ms

N. XABA
25 HENDRICK
ZASTRON
FREE STATE

Dear Sir / Madam

STATUS OF THE INVESTIGATION: VEREENIGING CAS 482/11/2017
(station's name, CAS number and charge)

The current status of the investigation in the case that you have reported to the South African Police Service on 2017/11/23 is as follows:
(date on which the crime was reported)

MARK WITH X	STATUS OF INVESTIGATION
	The investigating officer is: <u>D/SGT F.K. NDLOU</u> (rank, initials and surname) Stationed at: <u>VEREENIGING DETECTIVES</u> (name of station / unit) Contact numbers: Office: <u>016 450 2555</u> Cell number: <u>084 483 0685</u>
	The suspect(s) in the case was / were arrested / summoned for court on (date) and will appear in the (name of court) Magistrate's court on (date). Bail had / had not been granted to the accused and the case was postponed to (date) in the (name of court) Magistrate's Court / Regional / High court.
	The accused was acquitted / found not guilty / case withdrawn in court on (date).
	The accused was found guilty on (date) and sentenced to by the court. The accused will be sentenced on (date) in the (name of court) Magistrate's court / Regional court / High court.
X	The investigation is continuing and statements must still be obtained / evidence collected / forensic analysis reports to be obtained / outstanding suspects to be arrested.
	The Prosecuting Authority declined to prosecute on (date), because of the following reasons:
	The investigation reached a stage where all existing leads had been followed up, but without any results. The case docket was closed as (manner of closure) and was filed in our archives. If new leads / information are obtained, the investigation will be re-opened.
	The accused failed to appear in court and a warrant of arrest for the accused was obtained. The accused cannot be traced and is listed as a wanted person. The accused passed away on (date) and the case against the accused was withdrawn in court on (date)

The investigating officer may be contacted, should you have any problems / queries / information regarding this matter. It was my privilege and a pleasure to be of service to you.

Signature: [Signature]
Investigating Officer
Date: 2018/01/10
Place: VEREENIGING

SUID-AFRIKAANSE POLISIEDIENS
DETECTIVES
2018 -01- 11
VEREENIGING
SOUTH AFRICAN POLICE SERVICE

Signature of Complainant
Date:
Place: Date posted:

NROSAMA XABA STATE UNDER OATH IN English,

I am an african male age 35 yrs old id no 04085396083 residing at no 28 Hendrick Street, Easton. Am working at Local municipality free state. My Cellphone no 076-207-9075

②
On Wednesday 2017-11-22 at about 22:45 I was from work to home. I passby KFC to buy food. When I started to start my car a ^{silver} grey mercedes Benz GLC registration no FXT 508 FS, The three Coloured suspects approached me and one of them pointed me with a firearm and I started to fight with them and they hit me with firearm on my head.

③
So I leave them because I was bleeding a lot. They took me to the back seat of the car with two suspects and one of them was a driver. They were driving along reverting with me until they took me out of the car and put me in the boot.

④
They were trying to take out a tracker but they failed. and they took me out of the boot and placed me again to their car boot. They were driving along with me until they dropped me at both Rd Kew. The suspects were driving their car but I dont know the registration or colour

MRASANA XABA STATES UNDER OATH IN ENGLISH +
 of the car they were using. Inside the car
 there was 2 bags with clothes + shoes
 worth + R 9 000 -00, file with personal
 document, Laptop value R 4 000 -00, 2
 cell phones (Samsung J7 + 1 small Nokia
 phone value R 5300 -00 and a R 200 -00
 from my wallet.

⑤
 Description of the suspects; I cannot
 identify them and I did not see what they
 were wearing. I sustained 9 head
 injuries.

⑥
 I know and understand the contents of the above
 statement.

I have no objection in taking the prescribed oath
 I find the prescribed oath as binding on my
 conscience.

20/11/17
 Thursday 04:45
 Petera Komarek
 (HANDTEKENING) KOMMISSARIS VAN EDE
 (SIGNATURE) COMMISSIONER OF OATHS
 VOLLE VOORNAAM EN VAN IN DRIJKSRIF
 FULL FIRST NAMES AND SURNAME IN BLOCK LETTERS
 637 Louis Bonga Ari Banky
 BESIGHEIDSADRES (STRAATADRES)
 BUSINESS ADDRESS (STREET ADDRESS)
 CAP
 SA POLISIER
 SA POLICE

SOUTH AFRICAN POLICE SERVICE
 CLIENT SERVICE CENTRE
 BRAMLEY
 2017-11-23
 KLIENTE DIENSENTERUM
 BRAMLEY
 SUID AFRIKAANSE POLISIEDIENS

SUID-AFRIKAANSE POLISIEDIENS



SOUTH AFRICAN POLICE SERVICE

Privaatsak/Private Bag
Posbus/Post Office Box X 108

Verwysing Reference	29/28/2
Navrae Enquiries	KOLONEL M.E. NAMA A/O R VAN DEN BERG
Telefoon Telephone ((016) 450-2517)
Faksnommer Fax number	(016) 422-6087)

THE OFFICE OF THE STATION COMMANDER
DIE KANTOOR VAN DIE STASIE BEVELVOERDER

SOUTH AFRICAN POLICE SERVICE
SUID AFRIKAANSE POLISIE DIENS

VEREENIGING
1930

DIE LISENSIEHOOF / VERSEKERING

SUID-AFRIKAANSE POLISIEDIENS
DETECTIVES
2018 -01- 11
VEREENIGING
SOUTH AFRICAN POLICE SERVICE

*u/1/18
1/2/17*

Diefstal / Roof van Motorvoertuig
Stasie / Polisie Mas

1. Hiermee sertifiseer ek no: 0443576-1 Rang Adjutant Offisier

Naam Ronel van den Berg dat die voertuig teruggevind / nie teruggevind is nie.

2. Reg No: FXT 508 Fs

Maak: Mercedes - Benz

Model: _____

Kleur: Grey - Metallic

Enjin Nr: 65192133711127

O/stel Nr: WDC 2539052 F155420

Sirkulasie: 272 5048

3. Gerapporteer op 22/11/17 Teruggevind op NUT

4. Oorhandig op NUT aan NUT

5. Geliewe die skrywe in u lêer te plaas vir toekomstige verwysing.

Handwritten signatures and initials:
OHU2576
R. van den Berg