



SHIRE OF MENZIES

MINUTES

**OF THE SPECIAL MEETING OF COUNCIL
HELD**

Thursday 19 June 2014

Shire of Menzies Council Chambers

Commencing at 10.00am

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Menzies for any act or omission or statement or intimation occurring during this meeting.

It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this meeting.

FINANCIAL INTEREST (EFFECTIVE 1 JULY 1996)

A financial interest occurs where a Councillor, or person with whom the Councillor is closely associated, has direct or indirect financial interest in the matter. That is, the person stands to make a financial gain or loss from the decision, either now or at some time in the future.

An indirect financial interest includes a reference to a financial relationship between that person and another person who requires a Local Government decision in relation to the matter.

Councillors should declare an interest:

- a) In a written notice given to the CEO before the meeting: or**
- b) At the meeting immediately before the matter is discussed**

A member who has declared an interest must not:

Preside at the part of the meeting relating to the matter: or
Participate in, or be present during any discussion or decision making procedure relating to the matter.

Unless the member is allowed to do so under Section 5.68 or 5.69, Local Government Act 1995

Ref: Local Government Act 1995 Division 6 – Disclosure of Financial Interest.
Specifically Sections 5.60, 5.61, 5.65 and 5.67

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MINUTES OF SPECIAL MEETING OF COUNCIL

1. DECLARATION OF OPENING

The Shire President (Cr Greg Dwyer) declared the meeting open at 10:00am, welcomed the attendees, and proceeded with the Agenda as planned.

2. ANNOUNCEMENT OF VISITORS

Nil

3. RECORD OF ATTENDANCE

3.1 PRESENT:

Councillors:	Cr G Dwyer	President
	Cr J Lee	Councillor
	Cr I Tucker	Councillor
	Cr J Mazza	Councillor
Staff:	B Povah	Deputy CEO
	L Downie	Minutes

3.2 APOLOGIES:

Councillors:	Cr P Twigg	Deputy President
	Cr C Bennell	Councillor
	Cr J Graham	Councillor
Staff:	P Crawford	Chief Executive Officer
	R Pepper	MWS

3.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. DECLARATIONS OF INTEREST

Nil

7. CONFIRMATION OF MINUTES

7.1 SPECIAL COUNCIL MEETING – 30 JANUARY 2014

VOTING REQUIREMENTS:

Simple Majority Decision required

Moved: Cr Mazza

Seconded: Cr Tucker

That the Minutes of the Special Meeting of Council held on 30 January 2014 be confirmed as a true and accurate record.

10:03am

CARRIED 4/0

8. PETITIONS/DEPUTATIONS/PRESENTATIONS
Nil

9. REPORTS OF COMMITTEES AND OFFICERS

9.1 MANAGEMENT AND POLICY BUSINESS

9.1.1 APPOINTMENT OF DEPUTY CHIEF EXECUTIVE OFFICER

SUBMISSION TO:	Special Meeting of Council, 19 June 2014
LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
FILE REF:	ADM405
DISCLOSURE OF INTEREST:	None
DATE:	16 June 2014
AUTHOR:	Peter Crawford, Chief Executive Officer
SIGNATURE OF AUTHOR:	
PREVIOUS MEETING REFERENCE:	None

9.1.1 Attachment #1 – Position Description

9.1.1 Attachment #2 - Contract of Employment

SUMMARY:

For Council to approve the appointment of a Deputy Chief Executive Officer

BACKGROUND:

Our current Deputy Chief Executive Officer, Brooke Povah, tendered her resignation on 1 May 2014 with her final day of work being 1 August 2014.

The CEO advised Councillors by email of the resignation and sought permission to advertise the position immediately due to the time involved in having a replacement DCEO commence duties.

COMMENT:

Advertising was carried out in the West Australian newspaper, Local Government Job Directory as well as on the websites LGAssist and SEEK.

A total of 21 position descriptions were requested and eight applications were received. Of those applications, only two were shortlisted and the Chief Executive Officer and Deputy Chief Executive Officer initially conducted telephone interviews with those two applicants.

Following the telephone interviews, one applicant was selected to attend a Skype interview (due to her isolated location) and one was invited for an in person interview in Menzies.

Ms Karen Oborn was interviewed by Skype on Thursday, 12 June 2014 by the interview panel comprising Shire President, Councillor Gregory Dwyer, Councillor Justin Lee, the CEO and DCEO.

The interview panel then conducted an in person interview with Mr John Bingham on Monday, 16 June 2014.

After the interviews were completed, referees were checked for each applicant. It is the opinion of the CEO and DCEO that Karen Oborn is capable of carrying out the role of DCEO and that a tentative offer of employment should be made to Ms Oborn. A firm offer of employment would be subject to a satisfactory medical examination, drug and alcohol test and production of a National Police Clearance.

Ms Oborn indicated that she would accept the role if it was offered to her and would be available to attend a hand over in mid July.

CONSULTATION:

Cr Gregory Dwyer, Shire President
Cr Justin Lee
Peter Crawford, Chief Executive Officer
Brooke Povah, Deputy Chief Executive Officer
Various applicant's referees

STATUTORY ENVIRONMENT:

Local Government Act 1995
Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine local government policies; and
Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.
Section 5.37(1) – Provides for the local government may designate that a person may be classed as a senior employee
Section 5.39(1) – Requires the local government to enter into a contract of employment with a senior employee

POLICY IMPLICATIONS:

Council has no policies in relation to this matter

FINANCIAL IMPLICATIONS:

All implications in regard to expenditure were provided for in the Budget

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority Decision required

OFFICER'S RECOMMENDATION:

Moved: Cr Mazza

Seconded: Cr Lee

That Council:

1. Approve the position description for the advertised position of Deputy Chief Executive Officer;
2. Appoint Ms Karen Oborn to the position of Deputy Chief Executive Officer;
3. Authorise the Chief Executive Officer to negotiate a Contract of Employment for a term of 4 years with Ms Oborn and set the Key Performance Indicators; and
4. Authorise the Chief Executive Officer to negotiate a salary package with Ms Oborn within the parameters as approved by Council.

Moved: Cr Mazza

Seconded: Cr Lee

Amendment Resolution

That Council:

1. Approve the position description for the advertised position of Deputy Chief Executive Officer;
2. Endorse the appointment of Ms Karen Oborn to the position of Deputy Chief Executive Officer;
3. Authorise the Chief Executive Officer to negotiate a Contract of Employment for a term of 4 years with Ms Oborn and set the Key Performance Indicators; and
4. Authorise the Chief Executive Officer to negotiate a salary package with Ms Oborn within the parameters as approved by Council.

10:03am

CARRIED 4/0

Reason for the change was to clarify Council's action in endorsing the appointment of the Deputy Chief Executive Officer.

10. NEXT MEETING

The next Special Meeting of Council will be held on a date to be determined.

11. CLOSURE OF MEETING

There being no further business the President declared the meeting closed at 10.08am.

I, GREGORY DWYER hereby certify that the Minutes of the Special Meeting of Council held 19 June 2014 are confirmed as a true and correct record, as per the Council Resolution of the Special Meeting of Council held on 18 March 2015.

Signed



Dated:

18th March

2015