



SHIRE OF MENZIES

MINUTES

**OF THE SPECIAL MEETING OF COUNCIL
HELD**

Monday 15 June 2015

Shire of Menzies Council Chambers

Commencing at 6:53pm

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 THE SPECIAL MEETING OF COUNCIL

1. DECLARATION OF OPENING

The Shire President, Cr Greg Dwyer, declared the meeting open at 6:15pm, welcomed the attendees and proceeded with the Agenda as planned.

2. ANNOUNCEMENT OF VISITORS

3. RECORD OF ATTENDANCE

3.1 PRESENT:

Councillors:	Cr G Dwyer	President
	Cr J Dwyer	Councillor
	Cr J Lee	Councillor
	Cr I Tucker	Councillor
Staff:	M Fitzgerald	A/CEO
	L Downie	Minutes

3.2 APOLOGIES

Councillors:	Cr P Twigg	Deputy President
	Cr J Mazza	Councillor

Staff: Nil

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 – 8 JUNE 2015

VOTING REQUIREMENTS:

Simple Majority Decision required

Moved: Cr Lee

Seconded: Cr J Dwyer

COUNCIL DECISION:

That the Minutes of the Special Meeting of Council held on 8 June 2015 be confirmed as a true and accurate record.

6:56pm

CARRIED 4/0

8. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Item 10.1 CEO Recruitment Process be discussed behind closed doors as the item relates to an employee contract.

9. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

Moved: Cr J Dwyer

Seconded: Cr Tucker

COUNCIL DECISION:

That Council move behind closed doors to discuss Item 10.1 CEO Recruitment Process.

6:57pm

CARRIED 4/0

Mike Fitzgerald left the meeting at 7:26pm and returned at 7:34pm

Moved: Cr Tucker

Seconded: Cr Lee

COUNCIL DECISION:

That Council:

- 1. Approve the review and development of the Position Description as presented;**
- 2. Approve the review and development of the Performance Criteria as presented;**
- 3. Approve the review and development of a Salary and Conditions Package as presented;**
- 4. Approve the review and development of the draft Contract of Employment as presented;**
- 5. Approve the Selection and Appointment Process as presented;**
- 6. Approve the advertising and interview timelines as presented;**
- 7. Approve the draft advertisement as presented; and**
- 8. Approve the terms and conditions of the appointment of the next Acting Chief Executive Officer as presented.**

8:34pm

CARRIED 4/0

Moved: Cr J Dwyer

Seconded: Cr Tucker

COUNCIL DECISION:

That Council move out from behind closed doors.

8:36pm

CARRIED 4/0

10. REPORTS OF COMMITTEES AND OFFICERS

10.2 MINUTES OF THE AUDIT COMMITTEE MEETING 15 JUNE 2015

SUBMISSION TO:	Special Meeting of Council – 15 June 2015
LOCATION:	Shire of Menzies
APPLICANT:	N/A
FILE REF:	ADM073
DISCLOSURE OF INTEREST:	None
DATE:	11 June 2015
AUTHOR:	Karen Oborn, Deputy Chief Executive Officer
SIGNATURE OF AUTHOR:	
SENIOR OFFICER:	Mike Fitzgerald, A/Chief Executive Officer
SIGNATURE OF SENIOR OFFICER:	
PREVIOUS MEETING REFERENCE:	12.2.3 Ordinary Council Meeting 15 June 2015

ATTACHMENTS:

To be circulated at the Ordinary Meeting of Council:

1. Minutes of the Audit Committee Meeting held 15 June 2015 (to be tabled at the meeting)

SUMMARY:

Receipt of the Minutes of the Audit Committee meeting which is to be held on 15 June 2015;

COMMENT:

The Minutes of the Audit Committee meeting held on 15 June 2015 are now presented to Council for consideration.

CONSULTATION:

UHY Haines Norton

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 the 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.

POLICY IMPLICATIONS:

Council has no policies relating to this matter.

FINANCIAL IMPLICATIONS:

None

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple Majority decision required

Moved: Cr Lee

Seconded: Cr J Dwyer

COUNCIL DECISION:

That Council:

1. Receives the Minutes of the Audit Committee Meeting held on 26 March 2015; and
2. Adopts the recommendations of the Audit Committee as Resolutions of Council.

8:37pm


CARRIED 4/0

11. NEXT MEETING

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

12. CLOSURE OF MEETING

There being no further business the President closed the meeting at 8:42pm.

I,  hereby certify that the Minutes of the Special Meeting of Council held 15 June 2015 are confirmed as a true and correct record, as per the Council Resolution of the Ordinary Meeting of Council held on 27 August 2015.

Signed



Dated: 27th August 2015