



**MINUTES FOR THE
SPECIAL COUNCIL MEETING
HELD ON
FRIDAY**

30 September 2016

SHIRE OF MINGENEW



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SHIRE OF MINGENEW

MINUTES FOR SPECIAL MEETING OF COUNCIL HELD IN COUNCIL 30 SEPTEMBER 2016 COMMENCING AT 9.00am

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President, Cr Bagley, declared the meeting open at 9.00am and welcomed all in attendance.

2.0 ATTENDANCE

MA Bagley	President	Rural Ward
HM Newton	Councillor	Town Ward
LM Eardley	Councillor	Town Ward
KL Criddle	Councillor	Rural Ward
MP Pearce	Councillor	Town Ward

STAFF

NS Jane	Deputy Chief Executive Officer
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APOLOGIES

CR Lucken	Councillor	Town Ward
GJ Cosgrove	Councillor	Rural Ward

LEAVE OF ABSENCE

Nil.

3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4.0 PUBLIC QUESTION TIME / PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil.

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6.0 DECLARATIONS OF INTEREST

Nil.

7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

Nil.

8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

9.0 OFFICERS REPORTS

9.1 DEPUTY CHIEF EXECUTIVE OFFICER

9.1.1 ACTING CHIEF EXECUTIVE OFFICER

Location/Address: Shire of Mingenew
File Reference: ADM0077
Date: 29th September 2016
Author: Michelle Bagley, Shire President

Summary

The purpose of this report is to appoint an Acting CEO while the CEO is on leave.

Attachment

Nil

Background

The CEO is on annual leave from the 27th September 2016 through to the 9th October 2016. Council must resolve to appoint an Acting CEO during this period.

Comment

The Local Government Act 1995 requires Council to appoint a Chief Executive Officer as outlined below.

Consultation

James McGovern, WALGA
Nita Jane, Deputy CEO

Statutory Environment

Local Government Act 1995 states as follows;

5.36. Local government employees

- (1) A local government is to employ —
 - (a) a person to be the CEO of the local government; and
 - (b) such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.
- (2) A person is not to be employed in the position of CEO unless the council —
 - (a) believes that the person is suitably qualified for the position; and
 - (b) is satisfied* with the provisions of the proposed employment contract.

5.41. Functions of CEO

The CEO's functions are to —

- (a) advise the council in relation to the functions of a local government under this Act and other written laws; and
- (b) ensure that advice and information is available to the council so that informed decisions can be made; and
- (c) cause council decisions to be implemented; and
- (d) manage the day to day operations of the local government; and
- (e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and
- (f) speak on behalf of the local government if the mayor or president agrees; and
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and
- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Community Strategic Plan

Outcome 4.2.1 – Continue to deliver quality local government services and facilities

Voting Requirements

Simple Majority

RECOMMENDATION – ITEM 9.1.1

That Council;

- 1. Appoint an Acting Chief Executive Officer for the period commencing Friday 30th September 2016 through to 9th October 2016 inclusive.**

MOTION

Moved Cr Newton

Seconded Cr Pearce

That Council:

1. Appoint an Acting Chief Executive Officer for the period commencing 30th September 2016 through to 9th October 2016 inclusive.

AMENDMENT

Moved Cr Pearce

Seconded Cr Eardley

That the motion be amended to include “Mrs Nita Jane”.

CARRIED 5/0

COUNCIL DECISION – ITEM 9.1.

President Bagley put the amended motion:

That Council:

1. Appoint Mrs Nita Jane as Acting Chief Executive Officer for the period commencing 30th September 2016 to 9th October 2016 inclusive.

CARRIED 5/0

President Bagley advised the meeting that the reason for the change would need to be recorded in the minutes.

Moved Cr Newton

Seconded Cr Pearce

That the reason the officer recommendation was changed was to identify the appointed Acting Chief Executive Officer.

CARRIED 5/0

10.0 ELECTED MEMBERS/MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
Nil.

10.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
Nil.

12.0 CONFIDENTIAL ITEMS

Nil

14.0 CLOSURE

The President thanked all for attending and declared the meeting closed at 9.05am

These minutes were confirmed at an Ordinary Council meeting on 19 October 2016.

Signed _____
Presiding Officer

Date: _____