



MINUTES FOR THE
ORDINARY COUNCIL MEETING
HELD ON
WEDNESDAY
15TH DECEMBER 2010



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SHIRE OF MINGENEW
MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS,
MINGENEW, ON WEDNESDAY THE 15TH DECEMBER 2010

1.0 DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS

The Presiding Member, Cr Michelle Bagley, declared the meeting open at 2:34pm.

2.0 ATTENDANCE

2.1 PRESENT

MA Bagley	President	Rural Ward
ET Hathaway	Deputy President	Town Ward
BP Horwood	Councillor	Rural Ward
JL Holmes	Councillor	Town Ward
PJ Ward	Councillor	Rural Ward
MP Pearce	Councillor	Town Ward
PJ Gledhill	Councillor	Town Ward

STAFF

IB Fitzgerald	Chief Executive Officer
KA McGree	Senior Finance Officer
E Greaves	Community Development Officer
T Brandy	Environmental Health / Building Officer
WL Borrett	Works Manager

GUESTS

Suzanne Ward – Chief Executive Officer of MWRC
Narelle Gray – Training / Administration Officer

2.2 APOLOGIES

Nil

2.3 LEAVE OF ABSENCE

Nil

3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

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

Midwest Regional Council – Suzanne Ward & Narelle Gray

Suzanne Ward addressed Council, providing an update on current projects being worked on by the Mid West Regional Council.

Narelle Gray provided a presentation on the training programs she is currently involved with. Programs include the Workplace English Language & Literacy Program (WELL), the Enterprise Based Productivity Places Program (EBPPP) and E Learning training.

The WELL program is funded by the government and local shires (1 for 3 in the dollar). Training is provided by Durack and the expected outcomes are to improve job performance and safety within the workplace.

The EBPPP is a training program that has only just began, with the aim of recognising existing skills and increasing skills through the provision of formal qualifications. The secondary aim of this program is to assist employees to be skilled in preparation for amalgamation.

E Learning is online training being facilitated by Durack who have received \$45,000 in grant funding to trial this pilot program. Certificate IV in Frontline Management is being offered to both inside and outside staff.

Synergy and Records Archiving training is scheduled for 2011.

The Mid West Regional Council would like Councils to consider training needs and budgets for 2011 early in the new year; to enable staff to assess overall regional needs to work out their own framework and budget.

Council requested feedback on whether the training provided had encouraged further up skilling or training by staff and effect on workplace.

Shire President thanked Suzanne Ward and Narelle Gray for their attendance and they exited the meeting at 3:10pm.

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6.0 DECLARATIONS OF INTEREST

Nil

7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

101201

MOVED: Cr ET Hathaway

SECONDED: Cr JL Holmes

That the Minutes of the Ordinary Meeting of Council held on Wednesday, 17th November 2010, be confirmed as a true and accurate record of proceedings subject to the following amendments;

Minute No 101112

Cr ET Hathaway requested that her name be recorded as voting against this item.

Minute No 101111

Motion to read: That Council acknowledge receipt of the Historical Society's request and inform them of Council's intention to cover the insurance costs next year.

Minute No 101105

Motion to read: That Council authorises the administration to arrange installation of the new bore at the Tennis/Bowling Club area with funding to come from Karara Mining Ltd as per Minute number 100606 from the June 2010 Ordinary Meeting.

CARRIED
Voting 7/0

8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

8.0 PETITIONS/ DEPUTATIONS/ PRESENTATIONS/ SUBMISSIONS

Nil

9.0 OFFICERS REPORTS

EHO/ Building Officer, Trevor Brandy joined the meeting at 3:11pm.

9.1 HEALTH, BUILDING AND TOWN

9.1.1 Alternative Effluent Disposal Systems for the Shire of Mingenew

Agenda Reference:	EHO 12/10 - 01
Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
File Reference:	
Disclosure of Interest:	Nil
Date:	02.12.10
Author:	Trevor Brandy, EHO

SUMMARY

Council at its October meeting requested the EHO to investigate alternative effluent disposal systems for the Shire of Mingenew residential area.

ATTACHMENT

Nil

BACKGROUND

Discussions with the Health Department of Western Australia have indicated that if Septic Tanks are failing within a region the local authority can form a policy to use an alternative system.

COMMENT

Alternative Treatment Units (ATUs) cost around \$1000 more than the traditional Septic Tank systems but this cost is made up in water savings reuse. There is also an annual mandatory service fee of around \$200.00 per annum.

Although Council can not recommend a particular brand of ATU. The Biolitix system appears to be one of the more efficient systems on the market. The system use worms to break down effluent rather than Chlorine making it a more environmentally friendly option. The end result is close to an A class effluent but is still required to be dispersed underground.

There is a reputable service provider in the Midwest and any installer of ATU systems will require training to install these units.

CONSULTATION:

Health Department of Western Australia

STATUTORY ENVIRONMENT:

Health Act 1911

Code of Practise for the Design, manufacture, Installation and Operation of Aerobic Treatment Units (ATUs).

Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974

POLICY IMPLICATIONS

The Health Department has indicted the Shire may make a Policy if traditional systems appear to be failing.

FINANCIAL IMPLICATIONS

There is an annual maintenance fee of around \$200.00 associated with ATUs

STRATEGIC IMPLICATIONS:

The use of ATUs promotes a better use of effluent water and less reliance on scheme water for reticulated purposes.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.1

That Council consider forming a policy to require the use of Alternative Treatment Units (ATUs) for the residential area of the Shire of Mingenew.

101202

COUNCIL RESOLUTION – ITEM 9.1.1

MOVED: Cr PJ Gledhill

SECONDED: Cr BP Horwood

That Council develop a policy for Alternative Treatment Units to be considered for adoption at the February 2011 Ordinary Meeting of Council.

CARRIED
Voting 7/0

Trevor Brandy presented his monthly EHO report to Council

The Shire President thanked Mr Brandy for his attendance and he exited at 3:30pm

9.3.1 COUNCIL MEETING DATES - 2011

Agenda Reference: CEO 12/10 - 2
Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference:
Disclosure of Interest: Nil
Date: 7th December 2010
Author: Ian Fitzgerald

SUMMARY

Council is requested to formally agree to the Council meeting dates for 2011 as outlined in the body of this report.

ATTACHMENT

Nil

BACKGROUND

Nil

COMMENT

Council has an obligation under the Local Government Act 1995 and associated regulations to advertise at least once a year the proposed meeting dates, times and place for the coming year.

There is the ability to change the date and or time of a meeting if required and also the ability to call a Special Council Meeting if required. These changes are to be advertised if time permits.

The Resource Sharing Agreement with the Shire of Three Springs is no longer in place so Council is able to set the date and time of their meetings that suit the majority of members and without the obligation to consider joint council meetings.

The Shire of Mingenew has traditionally met on the third Wednesday of the month apart from September when the meeting has been altered to fit in with the dates of the Mingenew Expo. In the more recent past meetings have commenced at 2.30pm.

Council usually does not hold a meeting in January but can call a meeting if required.

The dates proposed for 2011 are:

MONTH	DATE	DAY	TIME
January	No Meeting		
February	16 th	Wednesday	2.30pm

March	16 th	Wednesday	2.30pm
April	20 th	Wednesday	2.30pm
May	18 th	Wednesday	2.30pm
June	15 th	Wednesday	2.30pm
July	20 th	Wednesday	2.30pm
August	17 th	Wednesday	2.30pm
September	21 st	Wednesday	2.30pm
October	19 th	Wednesday	2.30pm
November	16 th	Wednesday	2.30pm
December	21 st	Wednesday	2.30pm

The Mingenew Expo for 2011 is scheduled for Thursday and Friday 15 – 16 September so the meeting date has been scheduled for the third Wednesday.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 section 5.25 (1) g

Local Government Act 1995 – Administration Regulations – 12 (1)

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION – ITEM 9.3.1

101203

MOVED: Cr PJ Gledhill

SECONDED: Cr JL Holmes

That Council set the 2011 Council meeting dates as:

MONTH	DATE	DAY	TIME
January	No Meeting		
February	16 th	Wednesday	2.00pm
March	16 th	Wednesday	2.00pm
April	20 th	Wednesday	2.00pm
May	18 th	Wednesday	2.00pm
June	15 th	Wednesday	2.00pm
July	20 th	Wednesday	2.00pm
August	17 th	Wednesday	2.00pm
September	21 st	Wednesday	2.00pm
October	19 th	Wednesday	2.00pm
November	16 th	Wednesday	2.00pm
December	21 st	Wednesday	2.00pm

CARRIED
Voting 7/0

Council changed time to 2:00pm as it was considered a more appropriate start time.

Shire President adjourned the Council Meeting to hold a phone conference with Greg Godwin from UHY Haines Norton to discuss the Audit Report and commenced the Audit Committee Meeting at 3:34pm.

The Audit Committee meeting was closed at 3:50pm and the Ordinary Council Meeting resumed. Audit Committee Minutes recorded and attached as a separate document.

The Shire President adjourned the meeting for afternoon tea at 3:51pm.

The Council meeting was reopened at 4:17pm with Works Manager Warren Borrett attending to present his Works Report.

Mr Warren Borrett exited the meeting at 4:37pm

9.3.2 MINGENEW AUTUMN CENTRE

Agenda Reference: CEO 12/10-04
Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference:
Disclosure of Interest: Nil
Date: 9th December 2010
Author: Ian Fitzgerald

SUMMARY

With the completion of the fit-out of the Mingenew Autumn Centre Council is requested to consider a policy on its use and a range of fees and charges that may be applied for use of the centre.

ATTACHMENT

Draft Policy on use of the Autumn Centre, a schedule of Fees & Charges and Floor Plan.

BACKGROUND

After several years the Autumn Centre is now complete and available for use.

At the last Council meeting a verbal report was presented on the discussions held with Home and Community Care representatives on the use of the facility.

COMMENT

The internal refurbishment of the Autumn Centre has been completed and the building is now available for use.

Councillors Bagley and Pearce met with Home and Community Care (HACC) representatives from Dongara and they are very pleased with the presentation of the facility and have since moved their furniture and equipment from the offices within the Administration Centre to the Autumn Centre. In addition HACC has provided a fridge and a range of tables and chairs for the centre which will be available for all users of the building. Council staff are currently preparing a grant application to be lodged with Lotterywest for equipment including washing machine and dryer, urns, microwave and television and video player. In the interim any required furniture and equipment will be sourced from other Council facilities on an as required basis. A small amount of crockery and cutlery, linen, and kitchen equipment will be purchased from funds allocated to the Autumn Centre in the 2010/11 budget.

During the discussions with HACC it was agreed they would be given exclusive use of the facilities on Friday's which is the day they normally meet and hold activities in Mingenew. In the past HACC staff has also visited Mingenew on one other day or part thereof per week or fortnight to provide services to their clients. This service is currently not provided but it was strongly suggested it be re-introduced and as such it is proposed that HACC be given

exclusive use of the facility every second Wednesday. The policy is written in such a way that if HACC do not require the building on any particular day when it has been set aside for them that it can be made available for other users.

It is proposed that other than the building being used by HACC for their activities with the seniors of the community it is only to be used for passive activities such as meetings or small seminars. Any use outside of the policy will need the express approval of Council. It is also proposed that the sale of alcohol will not be approved for any activity at the Autumn Centre but consumption of alcohol will be permitted –e.g. in case the seniors hold a luncheon and wish to have a glass of wine or beer with the meal.

It is proposed an official opening of the Autumn Centre will be held in March 2011 and those who contributed funding will be invited to attend the function.

CONSULTATION

Councillors Bagley and Pearce, HACC Dongara representatives

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

A new policy is proposed to cover the use of the Mingenew Autumn Centre.

FINANCIAL IMPLICATIONS

There will be minimal impact on Council's budget. At present a rental is received for the two offices allocated in the Administration Centre to HACC. The proposed Fees and Charges for the Autumn Centre will see a similar income received. In addition Council may be able to lease out or rent the vacated offices at the Administration Centre.

STRATEGIC IMPLICATIONS

The new Autumn Centre has been included within Council's Plan for the Future for a number of years and now it is completed will provide a great venue for senior citizens of our community to enjoy and call their own.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION – ITEM 9.3.2

That Council:

- a) Adopt the new Mingenew Autumn Centre policy as presented**
- b) Adopt the Schedule of Fees and Charges for the hire of the facility and advertise the setting of those new fees**

COUNCIL RESOLUTION – ITEM 9.3.2

101204

MOVED: Cr BP Horwood

SECONDED: Cr PJ Gledhill

That Council:

- a) **Adopt the new Mingenew Autumn Centre policy as amended**
- b) **Adopt the Schedule of Fees and Charges for the hire of the facility and advertise the setting of those new fees and bonds as present subject to the below amendments;**
 - **Hire Fee for Home & Community Care per month to be \$260 + gst**
 - **A bond charge of \$100 be enforced for visiting professionals and non-local meetings / seminars**

CARRIED
Voting 7/0

9.3.3 SALE OF SURPLUS EQUIPMENT – AIR CONDITIONER

Agenda Reference: CEO 11/10-06
Location/Address: Shire of Mingenew
Name of Applicant: Mr. G Bickford
File Reference:
Disclosure of Interest: Nil
Date: 9th December 2010
Author: Ian Fitzgerald

SUMMARY

Council is requested to accept an offer of \$500 from Mr. Gary Bickford for the purchase of the second-hand air-conditioner unit recently removed from the Community Resource Centre/Post Office.

ATTACHMENT

Nil

BACKGROUND

Council approved a new air-conditioner for the Community Resource Centre/Post Office in the 2010/11 budget with a contribution to be provided by the Community Resource Centre from a grant they had received.

COMMENT

The new air-conditioner has recently been installed and the old unit is currently being stored at the Shire Depot.

There has been no use identified for the old unit and Council has now received a written offer from Mr. Gary Bickford to purchase the unit for \$500.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The supply and installation of a new air-conditioner was provided for in the 2010/11 budget but no allowance was made for the sale of the old unit therefore any income received would be a bonus to the financial position.

The air-conditioner is not listed separately in the asset register and as such a written down value cannot be determined.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION – ITEM 9.3.3

101205 **MOVED:** Cr PJ Ward
 SECONDED: Cr BP Horwood

That Council accept the offer from Mr. G Bickford of \$500 for the purchase of the surplus air-conditioner unit from the Mingenew Community Resource Centre/Post Office.

LOST
Voting 0/7

COUNCIL RESOLUTION – ITEM 9.3.3

101206 **MOVED:** Cr ET Hathaway
 SECONDED: Cr MP Pearce

That Council authorise the Chief Executive Officer to compile a list of saleable items to be disposed of and put up for tender.

CARRIED
Voting 7/0

COUNCIL RESOLUTION

101207 **MOVED:** Cr ET Hathaway
 SECONDED: Cr MP Pearce

That Council move in-camera to discuss matters involving staff as per section 5.23 (2) (a) of the Local Government Act 1995.

CARRIED
Voting 7/0

Chief Executive Officer, Finance Officer and Community Development Officer exit the meeting at 4:37pm.

COUNCIL RESOLUTION

101208

MOVED: Cr ET Hathaway

SECONDED: Cr MP Pearce

That Council move out-of-camera in conclusion of confidential matter.

CARRIED

Voting 7/0

Chief Executive Officer and Community Development Officer return to the meeting at 5:27pm

9.3.4 RESOURCE SHARING AGREEMENT

Agenda Reference: CEO 11/10-01
Location/Address: Shire of Mingenew
Name of Applicant: Resource Sharing Committee
File Reference:
Disclosure of Interest: Nil
Date: 5th December 2010
Author: Ian Fitzgerald

SUMMARY

Council is requested to receive the minutes of the Resource Sharing Committee meeting held on 24th November 2010 and adopt the recommendations contained therein.

ATTACHMENT

A copy of the Resource Sharing Committee meeting minutes of 24th November 2010 is attached to this item.

BACKGROUND

Council at the November 2010 discussed informally the resource sharing arrangements in place with the Shire of Three Springs and some of the difficulties being encountered.

COMMENT

Unfortunately there have been a few problems with the Mingenew – Three Springs resource sharing arrangements despite the best intentions of all parties involved.

A Special Joint Council meeting was held on the 10th June to discuss some of these issues and in particular the conduct of the Chief Executive Officer's annual performance review. An independent facilitator was appointed to assist with the performance review and it was felt that at the end of the process the resource sharing arrangement could move forward and with the help of a consultant a new organisational structure was developed to help both shires move forward. The new structure was adopted at the October Council meetings but before it could begin to be implemented more pressures arose and this culminated with the Resource Sharing Committee meeting on the 24th November.

As a result of discussions, conducted in camera, a number of recommendations were made to both Councils and these are detailed in the attached minutes.

The Shire of Three Springs November Council meeting was held after the Resource Sharing Committee meeting and I can advise that they:

- a) Resolved to dissolve the Resource Sharing Agreement as from 31st December 2010
- b) That the sharing of the Finance Officer, Community Development Officer and Environmental Health Officer positions be continued where possible and the two shires continue to work closely together wherever possible

- c) Appointed Chris Jackson as Acting CEO for the period 1 January to 31 August 2011
- d) Agreed that in the event the four shire amalgamation not proceed further discussions be held, with the assistance of an independent consultant, between the two shires as to possible resource sharing opportunities

The decisions made by the Three Springs Council were relayed to Mingenew Councillors via email.

Planning immediately began on a smooth transition from the current arrangements to those that would need to be in place as from 1st January to allow both shires to operate effectively. Subsequently contractual issues have been raised by the Shire of Three Springs and legal advice has been sought on these matters and will be presented to the Three Springs Council as soon as they become available. The author is not aware, at present, of any contractual matters that affect the Shire of Mingenew.

The Senior Finance Officer, Works Manager and Community Development Officer have advised they no longer wish to participate in the resource sharing arrangement. The Works Manager will resume his position of Works Manager only for the Shire of Mingenew and the Community Development Officer will also return to her prior position of working solely for the Shire of Mingenew.

The Senior Finance Officer has agreed to continue to provide a service to the Shire of Mingenew. This will be on a part-time basis and the majority of work will be carried out remotely. This arrangement will be put in place until approximately the end of August 2011 to ensure Council has adequate financial support until either the amalgamation proceeds or if this is not to occur until a more permanent arrangement can be put in place. This will ensure staff are in place for the monthly reporting to Council, preparation of the 2011/12 budget and 2010/11 annual financial statements. The final arrangements are currently being negotiated and they will be reported to Council when finalised.

There will be the need for continued health and building services to be provided by the Shire of Three Springs at least until the future of the amalgamation project is known. However it is intended that the level of service be re-negotiated as the practice of paying 50% of the cost of this position and receiving around 20% of the time cannot be justified long term.

An anticipated financial position as a result of these changes, both for the remainder of 2010/11 and for a full financial year, will be presented to Council when completed.

CONSULTATION

Resource Sharing Committee

Shire of Three Springs

Staff

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION – ITEM 9.3.4

101209

MOVED: Cr PJ Ward

SECONDED: Cr BP Horwood

That Council agree to:

- a) **Receive the minutes of the Resource Sharing Committee of 24th November 2010**
- b) **Dissolve the Resource Sharing Agreement with the Shire of Three Springs with effect 31st December 2010**
- c) **That the sharing of staff be continued where possible and also the two shires continue to work closely together wherever possible**
- d) **That in the event the 4 shire amalgamation does not proceed further discussions be held, with the assistance of an independent consultant, between the two shires as to possible resource sharing opportunities**

CARRIED
Voting 7/0

Attachment 1

MINUTES OF THE RESOURCE SHARING COMMITTEE HELD ON WEDNESDAY 24th NOVEMBER 2010 IN THE SHIRE OF THREE SPRINGS OFFICES COMMENCING AT 9.12am

Present

Cr M Bagley	Mingenew Shire President
Cr A Treloar	Three Springs Shire President
Cr E Hathaway	Mingenew Deputy President
Cr B Burnett	Three Springs Councillor
Mr I Fitzgerald	Mingenew & Three Springs CEO

Apologies

Cr D Ashcroft	Three Springs Deputy President
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Minutes

RESOLVED that the minutes of the Committee Meeting held on Wednesday 21st October 2010 be confirmed as a true and accurate record.

CEO Report

The CEO presented a verbal report to the Committee including:

- a) Update on the proposed staff organizational structure which has been put on hold because of time restraints with the DCEO being absent on sick leave and also the uncertainty of Three Springs position on some of the proposals adopted at the October Council Meeting.
- b) Kylie McGree has formally submitted her resignation with a finish date of 4th January 2011
- c) DCEO has returned to work
- d) Problems with one of the Three Springs outside staff members that required CEO intervention. For confidentiality and privacy reason the name is not recorded.

The CEO was asked to withdraw from the meeting at 9.28am

The CEO rejoined the meeting at 10.01am

Committee recommendations:

- a) **That the Committee recommend to the Shire of Mingenew and the Shire of Three Springs that the Resource Sharing Agreement be dissolved as from 31st December 2010**
- b) **That the sharing of Finance Officer, Community Development Officer and Environmental Health Officer positions be continued where possible and also the two shires continue to work closely together wherever possible**
- c) **That the Shire of Three Springs consider appointing Chris Jackson as Acting CEO until 31st August 2011**
- d) **That in the event the amalgamation does not proceed further discussions be held, with the assistance of an independent consultant, between the two shires as to possible resource sharing opportunities**
- e) **That the CEO prepare a guide as to the possible financial implications of these recommendations**

Next Meeting

The next meeting would be held on a mutually acceptable date prior to the joint Council Meeting scheduled for the 15th December 2010.

Closure

There being no further business the meeting closed at 10.22am.

9.3.5 ORGANISATION STRUCTURE – JANUARY 2011

Agenda Reference: CEO 12/10-07
Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference:
Disclosure of Interest: Nil
Date: 9th December 2010
Author: Ian Fitzgerald

SUMMARY

The proposed ending of the Resource Sharing Agreement with the Shire of Three Springs, subject of a separate agenda item, has necessitated a further review of the Shire of Mingenew organisation structure and in particular in relation to provision of administration services. The proposed structure is presented for Council's information.

ATTACHMENT

Nil

BACKGROUND

The Shire of Mingenew began resource sharing with the Shire of Three springs in February 2008 and has gradually begun to share more staff since that time. Following the Chief Executive Officer's performance review this year, with the help of an external consultant, a new organisation structure was developed which was aimed not only at assisting the two shires with their resource sharing but also help lead smoothly into the proposed 4 shire amalgamation. The new organisation structure was adopted by both Councils in October 2010.

COMMENT

The Chief Executive Officer began to prepare plans to transition the shires and their staff towards the new structure which was to begin to be put into place from January 2011. Some Councillors from the Shire of Three Springs appeared to begin to question the new structure, especially after the formal resignation of the Senior Finance Officer was received with some questioning the idea of some services being provided remotely – at least in the short term until the decision on whether the 4 shire amalgamation was to proceed or not was known.

A number of other issues arose and at a Resource Sharing Committee meeting on the 24th November 2010 it was resolved to recommend to both Councils the dissolution of the Resource Sharing Agreement. This recommendation has been adopted by the Shire of Three Springs and is the subject of a separate agenda item to the Shire of Mingenew December Council meeting.

A number of staff that were originally Shire of Mingenew employees have indicated they no longer wish to work in a resource sharing role and want to return to their primary position. In addition the resignation of the Senior Finance Officer has necessitated arrangements to be

put in place to ensure the Shire of Mingenew has the resources to be able to meet their statutory and community obligations. At his time the only other shared position, other than the CEO, is that of the Environmental Health – Building Officer and it is proposed that this will continue albeit in a slightly reduced time allocation.

The Chief Executive Officer has a legally binding contract with the Shire of Mingenew that continues post the end of the Resource Sharing Agreement. It is proposed this contract be reviewed once all the matters in relation to the resource sharing and contracts of employment with the Shire of Three Springs are finalised. A preliminary draft contract has been provided to the Shire President but no discussions have been held and it is not proposed to discuss these matters until the issues above are finalised. At this stage Council will be invited to participate in the negotiations of any new or varied employment contract with the Chief Executive Officer in February 2011.

The organisation structure has been set up to help ensure the required level of service is provided to the Mingenew community and all statutory obligations are met. The new structure is also mindful of the proposed 4 shire amalgamation and therefore no long term agreements have been entered into.

The services of the Senior Finance Officer have been secured for the Shire of Mingenew to ensure continued good control and statutory reporting of Council's financial position. This role will commence early in January 2011 with an agreement for a range of services to be provided until the 31st August 2011. This will ensure we have the necessary skills to either guide us through an amalgamation process and finalisation of the Shire of Mingenew financials or to assist in the preparation of a budget for 2011/12 and end of 2010/11 financials depending on the decision on amalgamation. The services will be provided on a part-time basis by a combination of in-person or operating remotely.

The other staff that will be involved in the provision of administration services will be a front Customer Services Officer, a part-time Administration (finance) Officer and a Community Development/Administration Officer. There will be some restructuring of roles between these positions including more involvement with operational functions currently carried out by the CEO. This has been discussed with the staff and they believe there is the capacity post January 1st for this to be successfully enacted without the need for additional staff. There may be the need for a small increase in the hours worked by the part-time administration/finance officer. It is believed the re-structure will provide the CEO with more time to look at more strategic matters as requested as a part of his recent performance review.

In essence Council and the community will notice little change other than the CEO will be in Mingenew on a more regular basis.

A preliminary costing has been prepared to give an indication of the likely impact on the budget of the structure post the resource sharing. The initial review indicates that the proposed structure will generate a moderate savings for 2010/11. This is subject to the health/building position being down sized time wise but even without this there will be a minor savings to the Shire of Mingenew. This in part has been assisted by the short period of resource sharing a Works Manager position which has seen receipt of unbudgeted revenue. When a full year estimation is prepared, using the 2010/11 budget as a base, the new

structure will generate minor savings but this will be dependent upon a reduced health/building service being negotiated. This should be achievable and will not mean less community service or Council not meeting their statutory obligations but indicates more that we are currently paying for more services than we are receiving.

CONSULTATION

Administration staff
Shire President

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There will no negative impact on the current budget of the proposed re-structure and may have a minor positive impact.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION – ITEM 9.3.5

That Council note the report on the organisation structure for the Shire of Mingenew to be established as from 1st January 2011.

COUNCIL RESOLUTION – ITEM 9.3.5

101210

MOVED: Cr MP Pearce

SECONDED: Cr JL Holmes

That Council lay this item on the table for discussion at the February 2011 Ordinary Council Meeting, with the CEO to produce a more detailed draft organisation structure proposal for Council to consider.

CARRIED

Voting 7/0

9.3.6 COMPUTER PURCHASE – FINANCE STAFF

Agenda Reference: CEO 12/10-05
Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference:
Disclosure of Interest: Nil
Date: 8th December 2010
Author: Ian Fitzgerald

SUMMARY

Council is requested to endorse the purchase of a laptop computer for use by the Senior Finance Officer who will be working both remotely and from within the Administration Centre.

ATTACHMENT

Nil

BACKGROUND

In the 2010/11 annual budget provision was made for the purchase of a new laptop computer for the Chief Executive Officer but no other new computers were proposed to be purchased in 2010/11.

COMMENT

The demise of the Resource Sharing Agreement with the Shire of Three Springs, covered by a separate agenda item, and the subsequent need for the re-structuring of the administration staff has resulted in the need for a second laptop computer to be purchased. The Chief Executive Officer's computer is continually failing and its replacement could not be deferred.

The Senior Finance Officer, Kylie McGree, has resigned from her position with the Shire of Three Springs (and will be leaving the district) and this together with the end of the Resource Sharing Agreement saw the need for an alternative arrangement to be put in place. It has been possible to negotiate with Ms. McGree an arrangement where a range of finance services will be provided on a part-time basis. This arrangement will initially be put in place from January to August 2011 to ensure the appropriate skills and services are available until the amalgamation decision is made and also to help guide us through either the finalisation of the Shire of Mingenew financials or the setting of a new budget for 2011/12. If the amalgamation is not to proceed there will be sufficient time available to work on alternative arrangements for the provision of the high end financial support required to meet our statutory obligations.

Some of these services will be provided remotely by dialling into the Mingenew server and others by a visit to the Shire Office. A quality laptop computer that can be used for both purposes as required and it was felt appropriate to order and have configured the two computers at the same time.

The 2010/11 budget provides \$5,000 for the purchase of office furniture and equipment. Whilst it is not broken down in the budget document, the working papers indicate the proposal was to purchase a new laptop computer and a new front counter. It is now proposed that the front counter purchase be deferred until the next budget or until savings are identified in other areas which may allow Council to re-allocate funds to the purchase of a new front counter.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil. This proposal will have no impact on the finances outlined in the 2010/11 budget but will see the replacement of the front counter deferred.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.3.6

That Council endorses the re-allocation of funds within account 0584 Office Furniture and Equipment to provide for the purchase of a second laptop computer.

COUNCIL RESOLUTION – ITEM 9.3.6

101211

MOVED: Cr MP Pearce

SECONDED: Cr ET Hathaway

That Council endorses the re-allocation of funds within account 0584 Office Furniture and Equipment to provide for the purchase of a second laptop computer. Should the position be relinquished the computer will be returned to the Shire of Mingenew.

CARRIED
Voting 7/0

9.3.7 DELEGATIONS REGISTER

Agenda Reference:	CEO 12/10-03
Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
File Reference:	
Disclosure of Interest:	Nil
Date:	5 th December 2010
Author:	Ian Fitzgerald

SUMMARY

A revised Delegations Register which provides for the changes in staff appointments is presented for Council's adoption.

ATTACHMENT

A copy of the revised 2010/11 Delegations Register is attached to this item.

BACKGROUND

Council is required to review delegations at least once per financial year by the Local Government Act 1995 section 5.46(2).

COMMENT

The previous review of the Delegations Register was conducted in November 2009 and adopted at the November 2009 Council meeting.

As well as having a statutory obligation to review delegations annually the current changes in staffing require a review and update of delegations.

The revised delegations register removes the Manager of Corporate Services position and provides delegated authority to staff to authorise purchase orders or process the payment of creditors – both in the absence of the Chief Executive Officer. The revised Delegations Register imposes financial limits on the approval levels for some positions.

CONSULTATION

Senior Finance Officer

STATUTORY ENVIRONMENT

Local Government Act 1995 – section 5.46(2)

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION – ITEM 9.3.7

101212

MOVED: Cr JL Holmes

SECONDED: Cr PJ Gledhill

That Council adopts the 2010/11 Delegations Register as presented.

CARRIED
Voting 7/0

9.6 FINANCE

9.6.1 FINANCIAL STATEMENTS FOR MONTH ENDING 30 NOVEMBER, 2010

Agenda Reference: SFO 12/10 - 01
Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference:
Disclosure of Interest: Nil
Date: 10 December, 2010
Author: Kylie McGree, Senior Finance Officer

SUMMARY

The Monthly Statement of Financial Activity report for the month ending 30 November, 2010 is presented to Council for adoption.

ATTACHMENT

Finance Report ending 30 November, 2010

BACKGROUND

Financial Regulations require a monthly statement of financial activity report to be presented to Council.

COMMENT

Council's current operating surplus as at the 30 November, 2010 is \$870,942.00

SUMMARY OF FUNDS – SHIRE OF MINGENEW	
Municipal Account	\$291,212.34
Business Cash Maximiser (Municipal Funds)	\$523,514.79
Trust Account	\$59,603.10
Reserve Maximiser Account	\$548,707.34

Debtor's accounts continue to be monitored with all efforts being made to ensure that monies are recovered. \$64,828.54 remains outstanding as at 30 November, 2010 with only some Debtors outstanding for 30 days or more. Aimee Bendsdorp is following up on the other outstanding debtors.

The total outstanding rates debt is \$174,839.41 as at 30 November, 2010. Final notices have been issued for outstanding rates.

It should be noted that Rates Outstanding as at end of November, 2009 was \$159,216.16.

The Statement of Financial Activities Report contains explanations of Councils variances for the 2010 / 2011 financial year.

CONSULTATION

No consultation required

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Financial implications are outlined in comments.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION – ITEM 9.6.1

101213

MOVED: Cr ET Hathaway

SECONDED: Cr JL Holmes

That Council adopts the Monthly Statement of Financial Activity for the month ending the 30 November, 2010

CARRIED
Voting 7/0

9.6.2 ACCOUNTS FOR PAYMENT – NOVEMBER 2010

Agenda Reference: AO 12/10 - 01
Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference: n/a
Disclosure of Interest: Nil
Date: 8th December 2010
Author: Julie Borrett

SUMMARY

Council to confirm the payment of creditors for the month of November in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

ATTACHMENT

Copy of list of accounts due (EFT & cheque payments), which will enable Council to confirm the payment of its creditors in accordance with Local Government (Financial Management) Regulations 1996, Section 13 (1).

BACKGROUND

Financial Regulations require a schedule of payments made through the Council bank accounts to be presented to Council for their inspection. The list includes details for each account paid incorporating the payee's name, amount of payment, date of payment and sufficient information to identify the transaction.

COMMENT

Invoices supporting all payments are available for inspection. All invoices and vouchers presented to Council have been certified as to the receipt of goods and the rendition of services and as to prices, computations and costings, and that the amounts shown were due for payment.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996, Sections 12, 13 and 14

POLICY IMPLICATIONS

Payments have been made under delegation

FINANCIAL IMPLICATIONS

Funds available to meet expenditure

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION – ITEM 9.6.2

101214

MOVED: Cr PJ Gledhill

SECONDED: Cr PJ Ward

That Council confirm the accounts as presented for November 2010 from the Municipal Fund totalling \$265,569.80 represented by Electronic Funds Transfers of EFT4647 to EFT4716 and Cheque No's 7287 – 7297 and 379 - 380

CARRIED
Voting 7/0

10.0 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

11.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

Nil

12.0 CONFIDENTIAL ITEMS

CONFIDENTIAL ITEM

12.1 SALE OF LOT 6 ERNEST STREET - LIGHT INDUSTRIAL BLOCK

Agenda Reference: CEO 11/10-08
Location/Address: Shire of Mingenew
Name of Applicant: Cr. P Ward
File Reference:
Disclosure of Interest: Nil
Date: 9th December 2010
Author: Ian Fitzgerald

SUMMARY

Councillor P. Ward has had discussions with a business interested in purchasing Lot 6 in the light industrial area – one of the new lots currently being prepared for release by Council and it has been requested the matter including the possible sale price be brought to Council for discussion.

OFFICER RECOMMENDATION – ITEM 12.1

That Council discuss this matter and give staff direction as to what action to take in relation to the potential sale of Lot 6 Ernest Street.

COUNCIL RESOLUTION – ITEM 9.6.2

101215 **MOVED:** Cr PJ Ward
 SECONDED: Cr PJ Gledhill

That this matter lay on the table for consideration at the February 2011 Ordinary Council Meeting. Staff to arrange an independent valuation as per Local Government Act 1995 – sections 3.58 (3), (4), with results available for the next meeting. The CEO is to write a letter to the interested purchaser of Council's intention.

CARRIED
Voting 7/0

13.0 COUNCILLOR REPORTS

Cr MA Bagley

Functions attended;

22 nd November 2010	Northern Country Zone Meeting
24 th November 2010	Resource Sharing Committee Meeting
24 th November 2010	Met with Harry Goff of Asia Iron Mining
25 th November 2010	Met with representatives from Water Action Group
26 th November 2010	Mid West Development Commission Workshop
7 th December 2010	Structural Reform Working Group Meeting in Perenjori
7 th December 2010	Dinner at Karara Minesite
8 th December 2010	Mid West Regional Council Meeting
9 th December 2010	Opening of new building at Mingenew Primary
14 th December 2010	Attended Annual School Concert to present Sportsperson of the Year Award (awarded to Kobe Simpson & Serena Bickford)

Cr MA Bagley reported that the MWDC Workshop was very worthwhile. Purpose was to create priority list for the region. The repositioning of Depot Hill Crossing was listed in top 10.

Cr ET Hathaway

Meetings attended;

24 th November 2010	Resource Sharing Committee Meeting
26 th November 2010	Mid West Development Commission Workshop

Cr ET Hathaway also reported that the MWDC Workshop was very successful.

Cr JL Holmes

Meetings attended;

7 th December 2010	Structural Reform Working Group Meeting
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Issues to be noted, from this meeting are as follows;

Linc (Consultants) provided feedback from results of Community Surveys regarding amalgamation that were completed in each town. Results were inconclusive and not viewed as accurate. Main theme from survey was that there is poor communication in getting the right information out to the public.

Linc have set up a website specifically dedicated to the amalgamation process and allows for the community to make comments online. Should be up and running next week.

There have been confirmed negotiations with Telstra regarding establishing a BDSL network in each current shire with possible 7 additional outlets for each community to access.

Concerns were raised over differing emergency channels across the four shires. Mingenew, Morawa and Three Springs on channel 11 however Perenjori is running on channel 5. This will need to be addressed once outcome of amalgamations is known.

If a poll for voting on amalgamation goes ahead voting will take place on the 9th April 2010 and results of this poll will be available later in that month.

Cr JL Holmes queried the Shire's legal stance should the Karara Pipeline be damaged by staff. CEO assured Council that this would be covered by Insurance however Ian to contact Local Government Insurance Services to clarify stance.

Cr PJ Gledhill

No meetings attended.

Community Sport & Recreation Meeting is being held on the 20th December in Council Chambers, which Cr Gledhill will be attending as Council's representative.

Cr PJ Gledhill raised concerns that Mr Boyland may be storing explosives in his storage shed on Reserves 48245 & 16635, leased out by Council. Staff to investigate claims and consult Lease Agreement.

Cr MP Pearce

Meetings attended;

18th November 2010 Video Conference RE: Ambulance Bay (Silver Chain)

Cr MP Pearce requested that items be removed, added or actioned from the Status Report;

NAB Lease – staff to follow up with NAB – NAB yet to sign and return documents

Main Roads MOU has been addressed and can be removed

Water Audit to be added to Status Report

SRWG – separate account listing to be added.

Cr PJ Ward

Cr PJ Ward reported that there has been a request to replace the lawn at Playgroup – CEO informed Council that the Works Manager has addressed the problem.

Gary Cosgrove has made an enquiry, through Cr Ward, as to Council's stance on Water Action Group

Cr PJ Ward expressed desire to encourage and promote new residents to Mingenew, particularly those involved in mining industry – to encourage living and working local. With focus on safe community with low crime rate.

Suggestion that local landowners could be approached, enquiring as to whether they are interested selling land on the edge of town.

Major future project to consider – obtaining a C class hospital due to increasing aged population and lack of care in region.

Cr BP Horwood

Meetings attended;

6th December 2010 Meeting with Cr JL Holmes and Cr PJ Ward

Cr BP Horwood informed Council that at a recent School Management Council Meeting, the P&C did agree to provide a letter of support for the Community Bus however it is possible, due to Department of Education policy, that the Bus may not be approved for transporting children for school purposes in the future. This is due to the policy review of accepted seatbelt configurations.

Chief Executive Officer

The CEO informed Council that FESA have agreed to fund 70% of costs associated with new shared Community Services Management Officer.

A card received by the Bligh family was presented to Councillors.

Submissions from the community for ideas for a Dry Season Event are to be advertised in the next Mingenew Matters (2011). \$20,000 available but must be spent on an event.

14.0 TIME AND DATE OF NEXT MEETING

The next Ordinary Council Meeting be held on Wednesday, the 16th February 2011 at 2:00pm.

15.0 CLOSURE

Shire President, MA Bagley wished everyone a Merry Xmas and declared the meeting closed at 7:00pm.

These minutes were confirmed at a meeting on 16th February 2010

Signed: _____

Presiding Officer

Date: 16th February 2010