



MINUTES FOR THE
ORDINARY COUNCIL MEETING
HELD ON
WEDNESDAY
20TH JULY 2011



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SHIRE OF MINGENEW
MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS,
MINGENEW, ON WEDNESDAY THE 20TH JULY 2011

1.0 DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS

The Presiding Member, Cr Elisabeth Hathaway, declared the meeting open at 2:00pm.

2.0 ATTENDANCE

2.1 PRESENT

ET Hathaway	Acting 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
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APOLOGIES

Nil

2.3 LEAVE OF ABSENCE

Cr MA Bagley	Shire President	Rural Ward
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3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

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

2:00pm Kym McGlinn – Rodeo Committee

Ms McGlinn reported on a very successful inaugural rodeo event held in Mingenew on Saturday 16th July 2011 with reports of up to 3,000 visitors during the day.

Ms McGlinn felt there had been a lack of support from Council for this event and in addition the anti-Karara water signs had made it difficult to attract sponsors and had caused friction with potential suppliers.

The event had made a \$20,000 profit and it was planned to make the event an annual event. A suitable area of land close to town was required for future events and if a site could not be found the event may be moved to another location. Several potential sites were identified by Ms McGlinn but Council advised none were under their control but would be willing to work with the Rodeo Committee to try and source a suitable location for future events.

Ms McGlinn withdrew from the meeting at 2.14pm.

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6.0 DECLARATIONS OF INTEREST

Nil

7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

110701

MOVED: Cr JL Holmes

SECONDED: Cr BP Horwood

That the Minutes of the Ordinary Meeting of Council held on Wednesday, 15th June 2011, be confirmed as a true and accurate record of proceedings.

CARRIED

Voting 6/0

110702

MOVED: Cr PJ Ward

SECONDED: Cr PJ Gledhill

That the Minutes of the Audit Committee meeting held on Thursday, 9th June 2011, be received.

CARRIED

Voting 6/0

8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

Nil

9.0 OFFICERS REPORTS

9.3 CHIEF EXECUTIVE OFFICER

9.3.1 Mid West Regional Council - Membership

Agenda Reference:	CEO 07/11 - 01
Location/Address:	Shire of Mingenew
Name of Applicant:	Mid West Regional Council
File Reference:	
Disclosure of Interest:	Nil
Date:	14 th July 2011
Author:	Ian Fitzgerald

SUMMARY

As of the 30th June 2011 the Shire of Mingenew is technically no longer a member of the Mid West Regional Council. Council requested the MWRC allow the resignation to be deferred for 12 months and as a result the MWRC has prepared a Deed of Variation which would allow both Mingenew and Three Springs to be re-admitted as members of the MWRC.

This report seeks council's approval for the Shire President and Chief Executive officer to execute under common seal the Deed of Variation.

ATTACHMENT

A copy of the draft Deed of Amendment of the Establishment Agreement of the Mid West Regional Council is attached.

A copy of the item from the May Council meeting is also attached.

BACKGROUND

In December 2009 Council gave notice of their intention of withdrawal from the MWRC – to take effect on 30th June 2011. 18 months notice was given as per clause 13 of the Establishment Agreement

After the collapse of the proposed four shire amalgamation Council, at the May 2011 meeting, resolved to request their resignation be deferred for 12 months subject to a review of MWRC's operations.

COMMENT

Our request was presented to the MWRC Meeting on the 29th June 2011 but could not be addressed as a decision was required from each member local government.

Legal Advice has been received by the MWRC that, by virtue of the Establishment Agreement, the 2 shires have now withdrawn and that, as a consequence, they will need to be readmitted. This requires a Deed of Amendment (of the Establishment Agreement) to be executed by the remaining shires and the 2 rejoining shires.

The Deed will provide that the 2 shires which have withdrawn are to be readmitted from and including 1 July 2011. As the Deed amends the Establishment Agreement it will also require to be approved by the Minister for Local Government. This is a requirement under section 3.65 of the Local Government Act 1995.

The MWRC has arranged for preparation of the required Deed and a copy if the Deed is attached.

It is also recommended that the council authorise the Shire President and the CEO to execute the Deed under common seal. The MWRC will arrange to obtain the Minister's approval.

It should be noted that as it is not intended to amend clause 13 of the Establishment Agreement with this Deed of Agreement it is the author's interpretation that in order to withdraw Council would have to again give 18 months notice.

The MWRC has agreed to conduct a review of the Establishment Agreement and Strategic Plan during the 2011/12 financial year. A grant from the Department of Local Government has had its purpose changed to provide funding for this review (\$50,000). It is possible as part of this review the method and notice period of withdrawal may be amended.

It is also worth noting that involvement with the MWRC and investigating amalgamation options pleases the Minister for Local Government and helps to keep grant funding coming.

CONSULTATION

Mid West Regional Council

Woodhouse Legal

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Provision has been made in the 2011/12 Budget for continuing membership of the MWRC

STRATEGIC IMPLICATIONS

It is planned a review of the MWRC Establishment Agreement and Strategic Plan will be carried out during 2011/12

VOTING REQUIREMENTS

Simple Majority

110703 OFFICER RECOMMENDATION & COUNCIL RESOLUTION 9.3.1

MOVED: Cr BP Horwood

SECONDED: Cr JL Holmes

“That:

- 1. The Shire enters into the Deed of Amendment of the Establishment Agreement for the Mid West Regional Council which is attached to and forms part of the report.**
- 2. The Council authorise the Shire President and the CEO to execute the Deed under common seal.”**

CARRIED
VOTING 6/0

CONFIDENTIAL ITEM 9.3.2 HAS BEEN DEFFERED FOR CONSIDERATION AS THE LAST ITEM OF THE MEETING.

ITEM 9.3.3 WAS REFERRED TO THE END OF THE MEETING TO ALLOW COUNCIL TO HAVE FULL AND OPEN DISCUSSION ON THE DRAFT 2011/12 BUDGET

NOTE: FOLLOWING THE JUNE 18th ONSITE MEETING WITH REPRESENTATIVES FROM THE TURF CLUB WHERE SUPPORT WAS GIVEN FOR THE PROJECT THIS ITEM IS BROUGHT BACK TO COUNCIL FOR FORMAL DISCUSSION AND APPROVAL.

9.3.4 TURF CLUB STEWARDS TOWER

Agenda Reference: CEO 7/11-04
Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference:
Disclosure of Interest: Nil
Date: 10th May 2011
Author: Ian Fitzgerald

SUMMARY

A request, with preliminary sketch drawings, has been received from the Mingenew Turf Club seeking approval to replace the existing Stewards/Race Callers tower at the Mingenew recreation ground. The proposed new structure would be a new but modified container type structure.

ATTACHMENT

Sketch drawings received as a part of the request.

BACKGROUND

Nil

COMMENT

The existing tower has been deemed unsuitable by the stewards that visit Mingenew to officiate at our annual race meet. In addition the Turf Club has concerns as to the safety of the existing structure and its durability given its age.

The Turf Club has been able to attract grant funds from the Department of Racing and Gaming to assist in the supply and erection of a new facility.

The proposal is to replace the existing tower with a fully engineered, modified container set-up to be located in the same position as the existing tower. The end doors of the container would be removed and replaced with a solid wall complete with a window, a personal access door would be cut into the rear and there would be 2 roller doors installed across the front. New steps would be constructed to provide access to the tower. It is planned, at this stage, to use the top of the existing tower on top of the new container.

The new structure would be painted in the wheat and heritage red colour of the Turf Club Bar building to blend in.

The proposed new structure would be fully engineered to ensure all standards are fully met and there are no safety issues.

The Mingenew Turf Club has advised that when complete the new tower would be available to other sports and activities including Expo, football and cricket.

There has been no request for assistance from Council with this project.

CONSULTATION

Robert Newton – Mingenew Turf Club

The proposal has been discussed informally at the Sportsground Advisory Committee

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority

110704 COUNCIL RESOLUTION 9.3.4

MOVED: Cr BP Horwood

SECONDED: Cr JL Holmes

That Council accept and discuss the late item referring to the Turf Club Steward's Tower.

CARRIED
Voting 6/0

110705 OFFICER RECOMMENDATION AND COUNCIL RESOLUTION– ITEM 9.3.4

**MOVED: Cr BP Horwood
SECONDED: Cr MP Pearce**

That Council:

- a) Resolves to lift this item from the table and**
- b) gives in principle approval for the installation of a new Stewards/Race Callers tower at the Mingenew recreation ground subject to suitable engineered drawings and certification being received**

NOTE: The Sportsground Advisory Committee has given their support to the project subject to drawings and specifications meeting Council's requirements.

**CARRIED
VOTING 6/0**

9.6 FINANCE

9.6.1 FINANCIAL STATEMENTS FOR MONTH ENDING 30 JUNE, 2011

Agenda Reference: SFO 07/11 - 01
Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference:
Disclosure of Interest: Nil
Date: 15 July, 2011
Author: Kylie McGree, Senior Finance Officer

SUMMARY

The Monthly Statement of Financial Activity report for the month ending 30 June, 2011 is presented to Council for adoption.

ATTACHMENT

Finance Report ending 30 June, 2011

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 June, 2011 is \$492,194.00

SUMMARY OF FUNDS – SHIRE OF MINGENEW	
Municipal Account	\$125,651.38
Business Cash Maximiser (Municipal Funds)	\$333,991.62
Trust Account	\$85,189.10
Reserve Maximiser Account	\$523,616.22

Debtor's accounts continue to be monitored with all efforts being made to ensure that monies are recovered. \$89,397.06 remains outstanding as at 30 June, 2011 with approximately \$20,000.00 outstanding for 90 days or more. The two major outstanding debtors being; Midwest Development Commission and the Mingenew Community Resource

Centre with the first debtor paid since then. Still awaiting any payment plan for the Mingenew Community Resource Centre after a letter had been sent in March. Ian Fitzgerald is following up with them regarding this.

The total outstanding rates debt is \$18,264.26 as at 30 June 2011.

It should be noted that Rates Outstanding as at end of June, 2010 was \$13,990.41.

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

It should also be noted that there will be some changes to the June financials due to end of year processes; mainly depreciation on roads, movement in excess rates and stock take movements. These will all be reflected in the Annual Report.

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

110706 OFFICER RECOMMENDATION AND COUNCIL RESOLUTION– ITEM 9.6.1

MOVED: Cr BP Horwood

SECONDED: Cr PJ Ward

That Council adopts the Monthly Statement of Financial Activity for the month ending the 30 June, 2011.

CARRIED
VOTING 6/0

9.6.2 ACCOUNTS FOR PAYMENT – JUNE 2011

Agenda Reference: AO 11/07 - 01
Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference:
Disclosure of Interest: Nil
Date:
Author: Julie Borrett

SUMMARY

Council to confirm the payment of creditors for the month of June 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

110707 OFFICER RECOMMENDATION AND COUNCIL RESOLUTION– ITEM 9.6.2

MOVED: Cr BP Horwood

SECONDED: Cr PJ Ward

That Council confirm the accounts as presented for June 2011 from the Municipal Fund totalling \$351507.32 represented by Electronic Funds Transfers of EFT5160 to EFT5247 and Cheque Nos 7379 – 7398, Trust Cheques 384-385.

CARRIED
VOTING 6/0

THIS ITEM WAS REFERRED TO THE END OF THE MEETING TO ALLOW COUNCIL TO HAVE FULL AND OPEN DISCUSSION ON THE DRAFT 2011/12 BUDGET

9.3.3 Draft Budget 2011/12

Agenda Reference: CEO 07/11 - 03
Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference:
Disclosure of Interest: Nil
Date: 14th July 2011
Author: Ian Fitzgerald

SUMMARY

A draft of the 2011/12 Budget is presented for Council's consideration.

ATTACHMENT

The draft budget has been provided as a separate document.

BACKGROUND

Nil

COMMENT

Each year a draft budget is presented to Council for consideration and input prior to the formal document being presented for adoption.

Detailed notes are contained within the draft budget document.

CONSULTATION

Senior staff

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The formal adoption of the budget is the formal instrument that allows Council to set rate income requirements for the financial year.

STRATEGIC IMPLICATIONS

The budget provides the direction for Council and staff for the financial year and determines which projects will proceed.

VOTING REQUIREMENTS

Simple Majority (Absolute Majority for formal adoption)

110708 OFFICER RECOMMENDATION AND COUNCIL RESOLUTION– ITEM 9.3.3

MOVED: Cr PJ Gledhill

SECONDED: Cr BP Horwood

That Council:

- a) Review the draft budget document and**
- b) Determine what changes they wish to make to allow preparation of the formal budget document for adoption at the August Council meeting.**

CARRIED
VOTING 6/0

Council went through in detail the draft budget and identified areas where adjustments could be made to the draft budget to achieve desired outcomes whilst minimising impacts on rate income increases. The revised budget to be presented to the August Council meeting for formal adoption.

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

Nil

13.0 COUNCILLOR REPORTS

General Discussions

Cr PJ Gledhill

Advised that it had been reported to him there may be a need for a toilet at the BP fuel site as patrons had been observed relieving themselves in the open whilst refuelling.

Cr JL Holmes

Cr JL Holmes requested a detailed break-up of Councillor payments be provided and also a listing of eligible meetings for Councillors to claim for to be provided.

Also it was requested that once the budget process is finalised the process of allocating funds from the Sinosteel Community Trust be initiated.

Cr MP Pearce

Cr MP Pearce advised that together with Cr Gledhill there had been a meeting with the seniors at the Autumn Centre. Everything is going reasonably well but a request had been made for the solar hot water booster switch to be re-located and for a clock to be provided. There was some discussion as to clashes with CWA using the facility and the CEO advised he had begun discussions on this matter.

Cr MP Pearce advised that Aero Medical appeared now to be coming on a monthly basis rather than fortnightly and this could lead to a drop in patronage to the service and further cutbacks. The Chief Executive Officer is to investigate.

Cr MP Pearce also reported on feedback from the Mingenew Golf Club on preparation of the course. The Chief Executive Officer is to follow up on this matter.

14.0 TIME AND DATE OF NEXT MEETING

That the next Ordinary Council Meeting be held on Wednesday, the 17th August 2011 at 2:00pm.

15.0 CLOSURE

The Acting President – Cr ET Hathaway thanked all for attending and declared the meeting closed at 7:19pm. Council acknowledged Cr Hathaway's efforts in chairing her first full Council Meeting.

These minutes were confirmed at a meeting on 17th August 2011.

Signed: _____

Presiding Officer

Date: 17th August 2011