



AGENDA FOR THE
SPECIAL COUNCIL MEETING
TO BE HELD ON
WEDNESDAY
30TH NOVEMBER 2011



SHIRE OF MINGENEW
SPECIAL COUNCIL MEETING NOTICE PAPER
30TH NOVEMBER 2011

Madam President and Councillors,

A Special meeting of Council is called for **Wednesday, 30th November 2011**, in the Council Chambers, Victoria Street, Mingenew, commencing at **6:30am**.

Ian Fitzgerald
Chief Executive Officer
29th November 2011

MINGENEW SHIRE COUNCIL

DISCLAIMER

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CHIEF EXECUTIVE OFFICER

29th November 2011

SHIRE OF MINGENEW

**AGENDA FOR SPECIAL MEETING OF COUNCIL TO BE HELD IN COUNCIL CHAMBERS ON
30th NOVEMBER 2011 COMMENCING AT 6:30AM.**

- 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**
- 2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**
- 3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
- 4 PUBLIC QUESTION TIME / PETITIONS / DEPUTATIONS / PRESENTATIONS /
SUBMISSIONS**
- 5 APPLICATIONS FOR LEAVE OF ABSENCE**
- 6 DECLARATIONS OF INTEREST**
- 7 CONFIRMATION OF PREVIOUS MEETINGS MINUTES**
- 8 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**
- 9 OFFICERS REPORTS**
 - 9.1 HEALTH, BUILDING AND TOWN**
 - 9.2 WORKS AND SERVICES**
 - 9.3 CHIEF EXECUTIVE OFFICER**
 - 9.3.1 Appointment of Chief Executive Officer
 - 9.4 EMERGENCY SERVICES**
 - 9.5 COMMUNITY DEVELOPMENT**
 - 9.6 FINANCE**

9.3.1 APPOINTMENT OF CHIEF EXECUTIVE OFFICER

Agenda Reference: CEO S11/11-01
Location/Address: Shire of Mingenew
Name of Applicant: Executive Management Committee
File Reference: Nil
Disclosure of Interest: Nil
Date: 28th November 2011
Author: Ian Fitzgerald

Signature of Author: _____

SUMMARY

The Executive Management Committee conducted interviews for the Chief Executive Officer position on Monday the 28th November 2011 and is recommending the appointment of Mr Mike Sully to the position.

ATTACHMENT

Nil

BACKGROUND

The current Chief Executive Officer advised Council of his resignation, with effect 18th January 2012, at the October Council meeting. Council has advertised the position and discussed the applications received at their November Council meeting.

COMMENT

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

Division 4 — Local government employees

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.*

** Absolute majority required.*

- (3) *A person is not to be employed by a local government in any other position unless the CEO —*
- (a) believes that the person is suitably qualified for the position; and*
 - (b) is satisfied with the proposed arrangements relating to the person's employment.*
- (4) *Unless subsection (5A) applies, if the position of CEO of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.*
- (5A) *Subsection (4) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.*
- (5) *For the avoidance of doubt, subsection (4) does not impose a requirement to advertise a position before the renewal of a contract referred to in section 5.39.*
- [Section 5.36 amended by No. 49 of 2004 s. 44; No. 17 of 2009 s. 21.]*

The Executive Management Committee interviewed 4 applicants on the 28th November and has resolved to recommend to Council the appointment of Mr Mike Sully, currently Chief Executive Officer with the Shire of Murchison, to the position on a three year performance based contract with an initial remuneration package of \$178,700. Mr Sully will commence on the 19th January 2012 – the day after the existing Chief Executive Officer officially ceases with the shire.

STATUTORY IMPLICATIONS

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The remuneration package is within the budget allowance for the existing Chief Executive Officer however the payment of relocation expenses will be a non-budget item.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

COMMITTEE RECOMMENDATION – ITEM NO 9.3.1

That Council appoint Mr Mike Sully as Chief Executive Officer on a 3 year performance based contract commencing on 19th January 2012 and with an initial remuneration package of \$178,700.

- 10 ELECTED MEMBERS/ MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
 - 11.1 ELECTED MEMBERS**
 - 11.2 STAFF**
- 12 CONFIDENTIAL ITEMS**
- 13 COUNCILLOR REPORTS**
- 14 TIME AND DATE OF NEXT MEETING**
- 15 CLOSURE**