



MINUTES FOR THE  
SPECIAL COUNCIL MEETING  
HELD ON  
WEDNESDAY  
**30<sup>TH</sup> NOVEMBER 2011**





**SHIRE OF MINGENEW**  
**MINUTES OF THE SPECIAL MEETING HELD IN THE COUNCIL CHAMBERS,**  
**MINGENEW, ON WEDNESDAY THE 30<sup>TH</sup> NOVEMBER 2011**

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**1.0 DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS**

The Presiding Member, Cr Michelle Bagley, declared the meeting open 6:40am.

**2.0 ATTENDANCE**

**2.1 PRESENT**

MA Bagley	President	Rural Ward
PJ Gledhill	Deputy President	Town Ward
PJ Ward	Councillor	Rural Ward
MP Pearce	Councillor	Town Ward
GJ Cosgrove	Councillor	Rural Ward
HM Newton	Councillor	Town Ward
AT Sobey	Councillor	Town Ward

**STAFF**

IB Fitzgerald	Chief Executive Officer
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**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**

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**

The Shire President advised Council of the Country Local Government Fund meeting held on Tuesday the 29<sup>th</sup> November 2011– where it was agreed that the 2011/12 regional component of the Fund will be allocated to a new house in each of the Shires (Mingenew, Perenjori and Three Springs) at a cost of approximately \$310,000 per house and the Early Childhood Development Centre in Perenjori at an approximate cost of \$400,000.

The group (Mingenew, Morawa, Perenjori and Three Springs) have given their support for the regional component of the 2012/13 Fund to a solar thermal power project in Morawa.

**9.0 OFFICERS REPORTS**

**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:** 28<sup>th</sup> November 2011  
**Author:** Ian Fitzgerald

**SUMMARY**

The Executive Management Committee conducted interviews for the Chief Executive Officer position on Monday the 28<sup>th</sup> 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 18<sup>th</sup> 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 28<sup>th</sup> 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 19<sup>th</sup> 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

**111101S COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION 9.3.1**

**MOVED: Cr PJ Gledhill**

**SECONDED: Cr GJ Cosgrove**

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

**CARRIED**

**ABSOLUTE MAJORITY 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**

Nil

**13.0 COUNCILLOR REPORTS**

Nil

**14.0 TIME AND DATE OF NEXT MEETING**

That the next Ordinary Council Meeting be held on Wednesday, the 21<sup>st</sup> December 2011 at 2:00pm.

**15.0 CLOSURE**

The Shire President thanked all for attending and declared the meeting closed at 6:55am.

These minutes were confirmed at a meeting on 21<sup>st</sup> December 2011.

Signed: \_\_\_\_\_

Presiding Officer

Date: 21<sup>st</sup> December 2011