

# SHIRE OF KOJONUP



## Special Council Minutes

***23<sup>rd</sup> August 2012***

***at 4.30pm***

**SHIRE OF KOJONUP**

**MINUTES FOR THE SPECIAL COUNCIL MEETING HELD ON 23rd August 2012**

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**SHIRE OF KOJONUP****MINUTES****1 DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS**

The Shire President declared the meeting opened at 4:45pm and alerted the meeting of the procedures for emergencies including evacuation, designated exits and muster points and draw the meetings attention to the disclaimer below:

**Disclaimer**

No person should rely on or act on the basis of any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

The Shire of Kojonup expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the meeting.

Where an application for an approval, a license or the like is discussed or determined during the meeting, the Shire warns that neither the applicant, nor any other person or body, should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it, or the refusal of the application has been issued by the Shire.

**2 ATTENDANCE, APOLOGIES & LEAVE OF ABSENCE**

Cr Jane Trethowan	Shire President
Cr John Benn	Deputy Shire President
Cr Rosie Hewson	
Cr Frank Pritchard	
Cr Ian Pedler	
Cr Jill Mathwin	
Cr Greg Marsh	
Mr Stephen Gash	Chief Executive Officer
Mrs Anne Lake	Anne Lake Consulting

**APOLOGIES**

Cr Michael Baulch

**3 PUBLIC QUESTION TIME**

On matters relating to the purpose of the meeting.

Nil

**4 ANNOUNCEMENTS by the Presiding Member without discussion**

Nil

**5 DECLARATION OF INTEREST**

Mr Stephen Gash, Chief Executive Officer declared a financial interest in the items as they relate to his employment and primary source of income.

Anne Lake declared a financial interest in the appointment to assist the Council with the Chief Executive Officer recruitment.

**6 CONFIDENTIAL ITEMS**

- 6.1 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW 2011/12
- 6.2 CHIEF EXECUTIVE OFFICER APPOINTMENT PROCESS

**COUNCIL DECISION**

**75/12 MOVED Cr Hewson seconded Cr Mathwin that the meeting be closed to the public in accordance with Section 5.23 (2) of the Local Government Act, 1995 for the purpose of discussing matters affecting or involving an employee.**

**CARRIED 7/0**

*Mr Stephen Gash left the Chamber at 4:46pm*

**COUNCIL DECISION**

**84/12 MOVED Cr Marsh seconded Cr Benn that the meeting be reopened to the public.**

**CARRIED 7/0**

*The meeting was reopened to the public at 7:08pm with the following Council decisions and movements from the chambers noted.*

**COUNCIL DECISION**

**76/12 MOVED Cr Mathwin seconded Cr Benn that the Chief Executive Officer review for 2011/2012 has been complete in accordance with the Local Government Act and Best Practice.**

**CARRIED 7/0**

**COUNCIL DECISION**

**77/12 MOVED Cr Marsh seconded Cr Hewson that the Chief Executive Officer be thanked for his exemplary work and that all of Council wish him well in his future endeavours.**

**CARRIED 7/0**

**COUNCIL DECISION**

**78/12 MOVED Cr Hewson seconded Cr Marsh that:**

- 1. Council advertise for an Acting Chief Executive Officer for a period of approximately six (6) months at an annual remuneration package of \$155,000, including a cash component of \$130,000, in accordance with Local Government Act.**
- 2. An advertisement be placed on the Shire notice board, the Shire's website, and within the Library and Offices.**

**CARRIED 7/0**

**COUNCIL DECISION**

**79/12 MOVED Cr Mathwin seconded Cr Benn that Council adopt the attached position description for the Chief Executive Officer position.**

**CARRIED 7/0**

**COUNCIL DECISION**

**80/12 MOVED** Cr Pritchard seconded Cr Marsh that Council advertise its Chief Executive Officer's position with an advertisement containing the following:

- Advise that the total package value being offered is between \$154,200.00 and \$190,000.00 per annum.
- The salary component of the overall employment contract is to be in the range of \$130,000.00 to \$163,000.00 per annum.
- Other relevant non financial background material to entice a suitable applicant as the Shire President, in consultation with Anne Lake Consultancy, may feel is required.

**CARRIED 7/0**

*6:44pm Mrs Anne Lake declared a financial interest and left the Chamber.*

*6:45pm Mr Stephen Gash re-entered the Chamber.*

**COUNCIL DECISION**

**81/12 MOVED** Cr Hewson seconded Cr Marsh that Council engage Anne Lake Consultancy to commence the Chief Executive Officer recruitment process by conducting the required advertising by mid September 2012.

**CARRIED 7/0**

*6:46pm Mr Stephen Gash left the Chamber.*

*6:47pm Mrs Anne Lake re-entered the Chamber.*

**COUNCIL DECISION**

**82/12 MOVED** Cr Benn seconded Cr Pritchard that Council accept a notice period from Mr Stephen Gash to provide the last day at work to be 14 September 2012, on the condition that Mr Gash provides appropriate asset management plans by 30 March 2013. All annual leave and long service leave entitlements to be paid out on termination.

**CARRIED 7/0**

**COUNCIL DECISION**

**83/12 MOVED** Cr Mathwin seconded Cr Benn that Mr Stephen Gash and the Council enter into binding contract to reflect that should Mr Stephen Gash not produce the Asset Management Plan by the agreed date a penalty payment equivalent to 8 (eight) weeks cash remuneration be paid to Council.

**CARRIED 7/0**

*The Shire President thanked Anne Lake from Anne Lake Consulting for her support of the Council.*

**7 CLOSURE**

There being no further notice of business for the Special Meeting under section 5.5 of the Local Government Act 1995, the President thanked the members for their attendance and declared the meeting closed at 7:15 pm.

**8 APPENDICES AND TABLED DOCUMENTS**

Confidential Attachments

- 6.1 Chief Executive Officer Performance Review
- 6.2 Chief Executive Officer Appointment Process

\_\_\_\_\_  
Presiding Member

\_\_\_\_\_  
Date