



Special Meeting of Council

Minutes

20 January 2015

MINUTES OF SPECIAL MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS ON 20 JANUARY 2015

Preface

When the Chief Executive Officer approves these Minutes for distribution they are in essence "Unconfirmed" until the following Ordinary Meeting of Council, where the Minutes will be confirmed subject to any amendments made by the Council.

The "Confirmed" Minutes are then signed off by the Presiding Person.

Attachments that formed part of the Agenda, in addition to those tabled at the Council Meeting are put together as an addendum to these Minutes with the exception of Confidential Items.

Confidential Items or attachments that are confidential are compiled as separate Confidential Minuted Agenda Items.

Unconfirmed Minutes

These minutes were approved for distribution on 21 January 2015.



Stan Scott
CHIEF EXECUTIVE OFFICER

Confirmed Minutes

These minutes were confirmed at an Ordinary Meeting of Council held on 27 January 2015.

Signed: *David R. Day*

Note: The Presiding Member at the meeting at which the minutes were confirmed is the person who signs above.

CONTENTS

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	1
2.	RECORDS OF ATTENDANCE	1
3.	DISCLOSURE OF INTERESTS	1
4.	PUBLIC QUESTIONS (relating to the purpose of the meeting)	1
5.	PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS (relating to the purpose of the meeting)	2
6.	PURPOSE OF MEETING	2
	This Special Meeting of Council is for the purpose of considering matters related to negotiations to renew the Chief Executive Officer's contract.	
6.1	Confidential Item – Negotiation of new Contract with CEO	2
7.	CLOSURE OF MEETING	4

There is NO ADDENDUM

Shire of Toodyay

SPECIAL MEETING – 20 JANUARY 2015

MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Cr Dow, Shire President, declared the meeting open at 7.09 pm.

2. RECORDS OF ATTENDANCE

Members

Cr D Dow	Shire President
Cr B Lloyd	Deputy Shire President
Cr P Greenway	
Cr A McCann	
Cr T Chitty	
Cr B Rayner	
Cr C Firns	
Cr S Craddock	
Cr R Madacsi	

Staff

Mr S Scott	Chief Executive Officer
Mrs M Rebane	Executive Assistant

Visitors

Mr J Phillips

2.1 APOLOGIES

Nil.

3. DISCLOSURE OF INTERESTS

The Shire President advised that no disclosures of interest in the form of a written notice had been received prior to the commencement of the meeting.

4. PUBLIC QUESTIONS (relating to the purpose of the meeting)

Nil

**5. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS
(relating to the purpose of the meeting)**

5.1 Petitions

Nil

5.2 Deputations

Nil

5.3 Presentations

Nil

5.4 Submissions

Nil

6. PURPOSE OF MEETING

This meeting was called by Cr D Dow, Shire President, for the purpose of considering matters related to negotiations to renew the Chief Executive Officer's contract.

The Shire President requested a motion be moved in accordance with Standing Order 5.2 (2) that the meeting be closed to the public.

COUNCIL RESOLUTION NO 01/01/15

MOVED Cr Rayner

That Council move behind closed doors in accordance with Standing Order 5.2(2) order for confidential business to be discussed.

MOTION CARRIED 9/0

The meeting was closed to the public in accordance with Section 5.23(2)(a)(b) (c) and (e) of the *Local Government Act 1995*.

There were no members of the public in the gallery. The doors were closed to Council Chambers at 7.12 pm.

6.1 Confidential Item – Negotiation of new Contract with CEO

The Shire President permitted questions of clarification to be made.

Cr Madacsi departed Council Chambers at 7.58 pm.

Cr Lloyd departed Council Chambers at 8.19 pm.

Cr Lloyd returned to Council Chambers at 8.22 pm.

The Shire President adjourned the meeting at 8.40 pm.

The Shire President resumed the meeting at 8.53 pm.

The Shire President advised that the CEO had made a financial disclosure of interest, in the form of a written notice, in relation to the Special Meeting of Council at 9.03 pm.

MOTION/COUNCIL RESOLUTION NO 03/01/15

MOVED Cr Chitty

SECONDED Cr Lloyd

That Council authorise the President to execute the new employment contract with the CEO subject to the following amendments to the contract:

- That at Clause 5.3.3 the word “Council” replace the word “facilitator”;
- That at Clause 6.3.1 the words “Unrestricted Private Use” is defined as access to the vehicle for periods including annual leave, long service leave and other paid leave but will exclude periods of unpaid leave be removed and inserted as a new Clause 6.3.2;
- Renumber all sub-clauses in 6.3 to accommodate the changes;
- At the new sub-Clause 6.3.7 the word “unrestricted” replace the word “unlimited” and delete the words “The Chief Executive Officer’s spouse may also drive the vehicle”;
- A new sub-Clause 6.3.8 be included to read “The Chief Executive Officer’s spouse may drive the vehicle”;
- At Clause 6.6.1 insert the word “legitimate” after the word “incurs” and before the word “expenses”;
- At Clause 7.6 the words “to reasonable executive leave and, if relevant,” be removed;
- At Clause 7.6 the term “Executive” be removed from the Heading;
- At Clause 9.2.2 include the words “In the event that the CEO’s employment is terminated in accordance with this clause, the ...”;
- A new clause 9.3.5 be inserted to read as follows: “A payment under subclause 9.2.2 does not apply where the termination is a result of an event identified under clause 9.3”;
- At Clause 9.4.2 the number “9.3” be amended to read “9.4”; and
- At Clause 9.2.2 the words “nine months” be changed to “six months” wherever it appears in the clause.

MOTION CARRIED 7/1

7. CLOSURE OF MEETING

The Shire President declared the meeting closed at 9.42 pm.

