



SPECIAL COUNCIL MEETING MINUTES

**Monday, 11 March 2013
6.00pm**

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NOTE: a) **Declaration of Councillors and Officers Interest is made at the time the item is discussed.**

MINUTES OF THE SPECIAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 6 PATERSON STREET, MUNDIJONG ON MONDAY, 11 MARCH 2013. THE SHIRE PRESIDENT DECLARED THE MEETING OPEN AT 6.02PM AND WELCOMED COUNCILLORS, STAFF AND MEMBERS OF THE GALLERY.

1. ATTENDANCES & APOLOGIES (including Leave of Absence):

IN ATTENDANCE:

COUNCILLORS: B Moore Presiding Member
D Atwell
J Kirkpatrick
S Piipponen
M Ricketts
B Urban
G Wilson

OFFICERS: Mr R Gorbunow.....Acting Chief Executive Officer
Mr B Gleeson.....Director Development Services
Mr A Hart Director Corporate Services/Strategic Community Planning
Mr Uwe StriepeActing Director Engineering
Ms P Kursar Minute Secretary

APOLOGIES: Nil

OBSERVER: Ms Linda JonesAgendas and Minutes Officer

Members of the Public - 3

Members of the Press - 0

2. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:

Merri Harris – 806 South West Highway, Byford

Given that the appointment of the Chief Executive Officer (CEO), the only employee of the body of elected members who make up the Council, is the single most important task that a Council performs, could I please request, for the public record:

- Q1 A full description of the process employed by the Council for the appointment of the CEO which is to include the time period over which the selection process occurred, whether any legal or consultant advice was provided and a description of the deliberative approach taken?
- A1 The Western Australian Local Government Association (WALGA) Workplace Solutions Recruitment Manager attended a meeting with the Staff Management Working Group on Tuesday 4th December 2012 at the Shire's Council Chambers.

The following draft documents were circulated to the Committee prior to the meeting and these were discussed and agreed upon:

- 1.1 Process overview;
1.2 Draft employment contract;

- 1.3 Chief Executive Officer Application Package containing, advertisement, position description, remuneration package, applicant notes and relevant information pertaining to the Shire;
- 1.4 Confidentiality Agreement - A brief was provided by the Consultant regarding breaches of confidentiality and each member of the Committee agreed and signed the document; and
- 1.5 Next Steps.
- 2.0 The position was advertised.
- 3.0 A shortlist was compiled by the Staff Management Working Group at a meeting held with the Consultant on Thursday 14th February 2013.
- 4.0 Interviews were conducted on Tuesday 19 February 2013.
- 5.0 The Staff Management Working Group, having conducted interviews with the short listed applicants, recommended two preferred applicants for Council's consideration.
- Q2 The number of applications received?
- A2 23 applications were received by WALGA Workplace Solutions.
- Q3 What is the name of the committee that oversees the process?
- A3 Staff Management Working Group.
- Q4 The names of the Councillors who sat on the committee for the selection process?
- A4 Cr Moore, Cr Wilson, Cr Atwell and former Cr Harris, who resigned from Council on 12 February 2013.
- Q5 When and how was the position advertised?
- A5 The position was advertised:
- 5.1 In the 'Professional Appointments' section of The West Australian newspaper on Saturday 19 January 2013; and
- 5.2 On the WALGA Local Government Workplace Solutions website.
- Q6 What was the date of the close of applications?
- A6 The closing date for applications was Monday 4 February 2013.

3. PUBLIC QUESTION TIME:

Nil

4. PUBLIC STATEMENT TIME:

Nil

5. PETITIONS AND DEPUTATIONS:

Nil

6. DECLARATION OF COUNCILLORS AND OFFICERS INTEREST:

The Acting Chief Executive Officer, Richard Gorbunow declared a financial interest in item SCM008/03/13 as he is an applicant for the position of Chief Executive Officer. He will leave the room when the item is discussed.

7. RECEIPT OF MINUTES OR REPORTS AND CONSIDERATION FOR RECOMMENDATIONS:**COUNCIL DECISION**

Moved Cr Kirkpatrick, seconded Cr Piipponen, that the meeting be closed to members of the public and officers in accordance with Section 5.23(2)(e) of the Local Government Act 1995, at 6.04pm.

CARRIED 7/0

Members of the gallery, Acting CEO, Director Corporate Services/Strategic Community Planning, Acting Director Engineering, Director Development Services, Agenda & Minutes Officer and Minute Taker left the room at 6.04pm

SCM008/03/13	CONFIDENTIAL ITEM – APPOINT AND ENDORSE THE CONTRACT FOR THE NEW CHIEF EXECUTIVE OFFICER (SJ1397)
Author:	Cr Bruce Moore – Shire President
Senior Officers:	
Date of report:	8 March 2013
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i> .

SCM008/03/13 APPOINTMENT OF NEW CHIEF EXECUTIVE OFFICER

This matter was considered with members of the public and officers excluded in accordance with Section 5.23(2) (b) of the Local Government Act as it related to the personal affair of a person and a contract that may be entered into.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY**COUNCIL DECISION**

Moved Cr Urban, seconded Cr Kirkpatrick
That standing orders 9.5, 9.6, 10.7 and 10.13 be suspended at 6.06pm.
CARRIED 7/0

COUNCIL DECISION

Moved Cr Kirkpatrick, seconded Cr Urban
That standing orders 9.5, 9.6, 10.7 and 10.13 be reinstated at 6.20pm.
CARRIED 7/0

SCM008/03/13 COUNCIL DECISION

Moved Cr Piipponen, seconded Cr Urban, that:

- Mr Richard Gorbunow be appointed as Chief Executive Officer with the Shire of Serpentine Jarrahdale for a period of three (3) years commencing on 12th March 2013 and concluding on the 11th March 2016;
- Council endorses the contract of employment drafted by WALGA Workplace Solutions as per the attachment circulated to Councillors with the confidential report.

CARRIED 7/0 by absolute majority

Council Note: Carried by an absolute majority vote was required under Section 5.36 of the Local Government Act 1995 to appoint a person to the position of Chief Executive Officer.

COUNCIL DECISION

Moved Cr Urban, seconded Cr Ricketts, that the meeting be re-opened to members of the public and officers in accordance with Section 5.23(2)(e) of the Local Government Act 1995, at 6.29pm.
CARRIED 7/0

Members of the gallery, Acting CEO, Director Corporate Services/Strategic Community Planning, Acting Director Engineering, Director Development Services, Agenda & Minutes Officer and Minute Secretary returned to the room at 6.29pm.

As item SCM008/03/13 is a confidential item, the reading aloud of the motion passed behind closed doors was dispensed with.

8. URGENT BUSINESS:

Nil

9. CLOSURE:

There being no further business the meeting closed at 6.29pm.

I certify that these minutes were confirmed at the Ordinary Council Meeting held on 25 March 2013.

.....
Presiding Member

.....
Date

