

# SPECIAL COUNCIL MEETING

## MINUTES



of a Special Meeting of Council held on

**2 JULY 2021**

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# MINUTES

## 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President, Cr Horrocks declared the meeting open at 10.04am. The Shire President alerted the meeting to the procedures for emergencies including evacuation, designated exits and muster points.

## 2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

### 2.1 ATTENDANCE

President	Cr PL (Phil) Horrocks
Deputy President	Cr ER (Ruth) Bigwood
Councillors	Cr PW (Peter) Slater Cr P (Peter) Denton Cr VN (Vanessa) Fiegert Cr JA (Jennifer) Quick Cr RW (Robert) Johnson

Acting Chief Executive Officer	Mr GR (Garry) Adams
Manager Corporate and Community	Mrs PA (Trish) Standish

Members of the Public	Nil
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### 2.2 APOLOGIES

Manager of Works	Mr JE (Jeff) Alderton
Councillors	Cr PM (Peter) Beech Cr DS (David) Carey

### 2.3 APPROVED LEAVE OF ABSENCE

Nil

## 3. PUBLIC QUESTION TIME

Nil

## 4. PURPOSE OF THE MEETING

The purpose of the meeting is to consider the recommendations of the Chief Executive Officer Selection Panel.

## **5. CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC**

Section 5.23 (2) of the Local Government Act 1995 allows the Council to close all or part of a Council Meeting to members of the public if the meeting or the part of the meeting deals with a range of issues, dealing with any of the following; (a) a matter affecting an employee or employees; (b) the personal affairs of any person; (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; (e) a matter that if disclosed, would reveal — (i) a trade secret; (ii) information that has a commercial value to a person; or (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; (f) a matter that if disclosed, could be reasonably expected to — (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; (ii) endanger the security of the local government's property; or (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and (h) such other matters as may be prescribed.

As such it is recommended that the meeting be closed to the public in order deal with these items.

A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

### **Voting Requirements**

Simple Majority

### **OFFICER'S RECOMMENDATION/COUNCIL DECISION**

#### **Motion 01072021**

**Moved Cr Denton, seconded Cr Slater that the meeting be closed to members of the public in accordance with section 5.23 (2) (b) (c) of the Local Government Act 1995, to discuss a contract to be entered into, or which may be entered into, by the local government.**

**CARRIED 7/0**

The meeting was closed to members of the public at 10.05am

**Financial Interest**

Acting Chief Executive Officer Garry Adams

Item 5.1

Type: Financial Interest pursuant to Section 5.60A Local Government Act 1995

Nature: Mr Adams declared that he is currently the Acting CEO of the Shire of Cranbrook and it should be noted that he did not apply for the permanent position of CEO. The appointment of the permanent CEO will impact on the length of Mr Adams tenure as Acting CEO.

The Acting Chief Executive Officer and the Manager of Corporate and Community left the chambers at 10.12am.

The Acting Chief Executive Officer and the Manager of Corporate and Community returned to the chambers at 10.20am.

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**5.1 CHIEF EXECUTIVE OFFICER – OFFER OF APPOINTMENT**

**RESPONSIBLE OFFICER:** Garry Adams – Acting Chief Executive Officer

**REPORT AUTHOR:** Garry Adams – Acting Chief Executive Officer

**FILE REFERENCE:** HR504

**APPLICANT:** N/A

**DATE OF REPORT:** 30 June 2021

**ATTACHMENTS:** Confidential Attachment One  
Confidential Attachment Two

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**COUNCIL DECISION**

**Motion 02072021**

**Moved Cr Slater, seconded Cr Denton that Council Resolves:**

- 1. The position of Chief Executive Officer of the Shire of Cranbrook be offered to the recommended candidate identified in the confidential report of Lester Blades Executive Search & Board Advisory circulated to councillors (on a confidential basis) on 30 June 2021 (the Lester Blades Report) for a period of 3 years, at the salary and conditions and on the terms of the draft Employment Contract (the Employment Contract) as per Confidential Attachment Two.**
- 2. That as required by section 5.36(2)(a) of the Local Government Act 1995 it believes that the preferred candidate is suitably qualified for the position.**
- 3. That as required by section 5.36(2)(b) of the Local Government Act 1995 it is satisfied with the provisions of the Employment Contract to be offered to the preferred candidate.**
- 4. That it is satisfied that the processes followed to date, to recruit a Chief Executive Officer, have met the requirements of the Local Government (Administration) Regulations 1996 and the Shire of Cranbrook Adopted Standards for CEO Recruitment, Performance and Termination.**
- 5. That in accordance with section 9.49A of the Local Government Act 1995, it authorises the signing of and affixing of the common seal of the Shire of Cranbrook in the presence of the President and Acting Chief Executive Officer to the Employment Contract approved by the Shire that accords with the provisions of resolution 1 above.**
- 6. Following the execution of the Employment Contract referred to in Resolution 5 above, the name of the preferred candidate be made public and notification to be given to the Department of Local Government, Sport and Cultural Industries.**

**Carried 7/0**

***By Absolute Majority***

**Motion 03072021**

**Moved Cr Bigwood, seconded Cr Fiegert that the meeting be re-opened to members of the public.**

**Carried 7/0**

Meeting re-opened to the public at 10.25am

**6. CLOSURE OF MEETING**

There being no further business to discuss, the Shire President, Cr Horrocks declared the meeting closed at 10.26 am.