

SHIRE OF MERREDIN



“Heart of the Wheatbelt”

MINUTES OF ORDINARY COUNCIL MEETING

15 January 2013

MINUTES OF THE SHIRE OF MERREDIN COUNCIL MEETING
HELD TUESDAY 15 JANUARY 2013

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**Minutes of the Ordinary Meeting of the Shire of Merredin held in the Council
Chambers, Corner King and Barrack Streets, Merredin on
Tuesday 15 January 2013 commencing at 3.03pm.**

ATTENDANCE:

Councillors:	D Crook	Shire President
	M Morris	Deputy Shire President
	BJ Anderson	
	RM Crees	
	KA Hooper	
	T McFarlane	
	D Morris	
	W Wallace	
Apologies:	DN Hayes-Thompson	
Staff:	G Powell	Chief Executive Officer
	L Wyatt	Executive Assistant to Chief Executive Officer

1.0 OFFICIAL OPENING

The Shire President declared the meeting open at 3.03pm. Roseanne Scott, Manager of Avongro Wheatbelt Tree Cropping Inc, Susie Padfield of Youth Connections (RDA) and Taya Fritsch of Max Employment were present.

2.0 PUBLIC QUESTION TIME

Nil

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr Dionne Hayes -Thompson had tendered her apologies for this meeting.

4.0 DISCLOSURE OF INTEREST

Nil

5.0 PETITIONS AND PRESENTATIONS

Roseanne Scott, Projects Manager, Avongro Wheatbelt Tree Cropping Inc made a presentation to Council about "Activate Merredin". Roseanne was supported by Susie Padfield of Youth Connections (RDA) and Taya Fritsch of Max Employment who, it is anticipated will partner with Avongro in the Activate Merredin pilot program.

The program aims to engage the community in training, education and employment through the arts, culture and the environment. Once established the centre will be a place where people can meet and share as part of the community in an inclusive manner welcoming all ages, cultures and socio-economic status.

A number of projects have already been identified and links with other community organisations have already been established.

6.0 CONFIRMATION OF MINUTES

6.1 Ordinary Council Meeting
Attachment 6.1A

Confirmation of the minutes of the Ordinary Council Meeting held on 18 December 2012.

- 31031** Moved: Cr D Morris Seconded: Cr McFarlane
Officer's Recommendation
That the minutes of the Ordinary Council Meeting held on 18 December 2012 be confirmed as a true and correct record of proceedings.

CARRIED 8/0

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil

8.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

- 17.1 Merredin Medical Centre – Expressions of Interest

9.0 RECEIVAL OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL

Nil

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10.0 DEVELOPMENT SERVICES

Nil recommendations to Council

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11.0 ENGINEERING SERVICES

Nil recommendations to Council.

12.0 CORPORATE AND COMMUNITY SERVICES

12.1 LIST OF ACCOUNTS PAID

Reporting Department:	Corporate and Community Services
Reporting Officer:	EMCCS
Legislation:	Local Government Act 1995 & Financial Management Regulations
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	List of Accounts Paid

Background

The attached List of Account Paid (**Attachment 12.1A**) during the month under Delegated Authority is provided for Council's information.

Statutory/Policy Implications

Local Government Act 1995 and Financial Management Regulations.

Financial Implications

All liabilities settled have been in accordance with the Annual Budget provisions. It should be noted that outstanding creditors total \$16,105.04.

31032 Moved: Cr M Morris Seconded: Cr McFarlane

Officer's Recommendation

That Council receive the schedule of accounts as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$1,090,040.12 from Council's Municipal Fund Bank Account.

CARRIED 8/0

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12.2 **MONTHLY FINANCE REPORT**

Reporting Department:	Corporate and Community Services
Reporting Officer:	EMCCS
Legislation:	Local Government Act 1995
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Monthly Finance Report

Background

The Monthly Finance Report is attached for Council's information.
(Attachment 12.2A)

Statutory/Policy Implications

Local Government Act 1995 and Financial Management Regulations.

Financial Implications

As outlined in **Attachment 12.2A**.

31033

Moved: Cr Wallace

Seconded: Cr McFarlane

Officer's Recommendation

That Council receive the Monthly Finance Report for December 2012.

CARRIED 6/2

12.3 **WRITE-OFF OF DOUBTFUL DEBT**

Reporting Department:	Corporate and Community Services
Reporting Officer:	EMCCS
Legislation:	Local Government Act 1995
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Nil

Background

Council's Trade Debtor balance currently includes an amount owed by JFTA Engineering Services of \$7,425.00. These invoices relate to the disposal of bulk demolition waste at the Merredin Landfill Site, in February/ March of 2011.

Comment

In November 2011 JFTA Engineering Services went into liquidation. Staff registered Council's debt claim with the Liquidators, but it seems increasingly unlikely any monies will be recoverable.

Whilst the recommendation is to write off this debt, the intention is still to continue to pursue the outstanding money and recover as much as possible. Removing the debt from Sundry Debtors will not affect Council's claim to any final settlement the Liquidators may be able to achieve.

Statutory/Policy Implications

S 6.12 (1) (c) of Local Government Act 1995 'Power to defer, grant discounts, waive or write off debts'. Absolute Majority Required.

Financial Implications

The cost to the Merredin Shire Council of \$7,425, which has been provided for as part of the provision for doubtful debts (\$20,000).

31034

Moved: Cr Hooper

Seconded: Cr Wallace

Officer's Recommendation

That the amount of \$7,425.00 being the outstanding debt of JFTA Engineering Services deemed to be unrecoverable be written off.

CARRIED BY ABSOLUTE MAJORITY 8/0

12.4 **CUMMINS THEATRE RESOURCING**

Reporting Department:	Corporate and Community Services
Reporting Officer:	EMCCS
Legislation:	Local Government Act 1995
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Nil

Background

The Cummins Theatre, as a building and as an arts venue, has expanded in the past 2 years. Since the refurbishment of the venue, the Theatre has the following activities each year:

- 10-12 professional touring shows
- 2 performances by amateur theatrical society, the Merredin Repertory Club
- Annual exhibition by Merredin Fine Arts Society
- Annual exhibition by the Merredin Photographic Club
- Various community events (football round-up dinners, Merredin Community Awards, weddings, end of the year dinners for various businesses)
- Various events utilising the conference room (RDA Wheatbelt, WA Police Union, etc)

This translates to the Theatre being substantially more active as a facility and arts venue than prior to its refurbishment. However, the Theatre's staffing and structural organisation has not grown to meet these demands in a clear or strategic way.

Comment

There is an increasing expectation that the Cummins Theatre will become more of a "regional arts centre", which can provide cultural activity for the greater Wheatbelt, not just Merredin. This has the potential to generate greater revenue for the town—including local restaurants and motels; and attract more businesses and tourism into the area. Proper support of the Cummins Theatre, as well as the addition of some new programs, will help to "put Merredin on the map", and increase the overall presence of our community as the "heart of the Wheatbelt."

To achieve this goal the Cummins Theatre Manager has developed the following list of recommendations:

- Create a residency program for artists (local and international) in the visual and performing arts;
- Exchange programs between Cummins Theatre and/or Merredin College, and other companies / schools from abroad;
- Open an art gallery at the Theatre;

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- Support local performances by the Theatre Manager that “bridge the gap” between amateur and professional touring shows;
- Participate in IASKA’s (see Monthly Report for further detail) upcoming *Spaced* artist residency program 2013-14.

The requested resources to implement these initiatives are:

- A tangible incentive for the Cummins Theatre Manager to create new projects – the recommendation would be for a profit share arrangement in relation to the residency program and the exchange program.
- A part-time operations manager. Focusing primarily in the day to day operations and administration work at the job. This would free up time for the Theatre Manager to concentrate on audience development, coordinating the shows coming in and out of the venue, and programming. Staff would overlap in a number of duties; both could provide support with Technical Production and House Management; working hours and resourcing of job duties would become more efficient.

These changes would allow the Theatre to meet the current activity and expectations of the venue, and have the staffing of the venue “catch up” to the advances already in place with the facility’s use and programming. It would also mean that the Theatre would operate closer to a small- to medium-sized professional arts venue (which is what it is currently operating as), versus a community events centre.

Statutory/Policy Implications

Local Government Act 1995 and the Local Government Regulations 1996 (amended 2007).

Financial Implications

The cost of a creating a part-time position at the Theatre commencing March 2013 would be \$9,200 additional expenditure in the 2012/13 year. The profit share arrangement would be self - supporting.

Officer’s Recommendation

1. *That Council approve the creation of a part time operation manager role at Cummins Theatre at a cost of \$25,000 per annum plus superannuation.*
2. *That Council delegate authority to the CEO to negotiate a profit share agreement between the Shire of Merredin and the Cummins Theatre Manager to provide an incentive program to support the establishment of the residency program and exchange program.*

ABSOLUTE MAJORITY REQUIRED

31035

Moved: Cr M Morris

Seconded: Cr Anderson

Resolution

- 1. That Council approve the creation of a part time operation manager role at Cummins Theatre to a value of \$25,000 per annum plus superannuation.**
- 2. That Council delegate authority to the CEO to negotiate a profit share agreement between the Shire of Merredin and the Cummins Theatre Manager to provide an incentive program to support the establishment of the residency program and exchange program.**

CARRIED BY ABSOLUTE MAJORITY 8/0

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- 12.5 **MANAGEMENT REPORT FOR THE YEAR ENDED 30th JUNE 2012**
Reporting Department: Corporate and Community Services
Reporting Officer: EMCCS
Legislation: Local Government Act 1995
File Reference:
Disclosure of Interest: Nil
Attachment: Management Report
-

Background

As part of the annual audit process UHY Haines Norton prepare a management report to comment on any issues and make recommendations in relation to the financial position of the Shire of Merredin. The complete report is attached for Councils consideration.

Comment

The key areas highlighted are summarised below along with the action taken:

Management Point	Action Taken
Rates Coverage: this indicates Council's dependence on rate revenue to fund operations. The trend here is that the ratio is reducing indicating an increased reliance on external funding sources to fund operations.	This trend has been highlighted in the long term financial plan. In the 2012/13 year differential rating was introduced in an effort to address this negative trend.
Outstanding Rates Ratio: This ratio reflects the percentage of rates revenue still outstanding at the end of the year.	In 2011/12 the debt collection was handled "in house". However, this proved to be ineffective in reducing the debt outstanding. In 2012/13 the intention is to appoint an external agent to assist with the debt collection process principally because of staffing issues.
Tender Register: The register had not been kept up to date correctly.	The staff involved has been given additional training to ensure all steps outlined in the regulations are being followed.
Accumulation of Leave: A review of the leave schedules revealed a number of staff have accumulated greater than 4 weeks leave.	Leave will continue to be monitored and those staff that have accumulated a large amount will be encouraged to take leave.

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Statutory/Policy Implications

Local Government Act 1995.

Financial Implications

Nil

31036

Moved: Cr McFarlane

Seconded: Cr Hooper

Officer's Recommendation

That Council note the points made by the auditors and the action proposed to be taken.

CARRIED 7/1

13.0 ADMINISTRATION

13.1 SHIRE OF MERREDIN ANNUAL REPORT 2011/2012

Reporting Department:	Administration
Reporting Officer:	Greg Powell – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Shire of Merredin Annual Report 2011-2012 including Council's Audited Financial Statements to year ended 30 June 2012

Background

The Shire of Merredin Annual Report for 2011-12 financial year was presented to Council at the December 2012 meeting. The resolution reached is as follows:

31023 Moved: Cr McFarlane Seconded Cr Anderson

Resolution

That the matter lay on the table until the January meeting.

CARRIED 5/2

This item is again presented below.

Council's Annual Financial statements for the year ended 30 June 2012 have been completed as has the annual audit of the financial statements by Council's auditors, UHY Haines Norton Chartered Accountants. The Annual Report is included in **Attachment 13.1A**.

Comment

Taking into account the statutory requirements for adoption of the report and advertising of the annual electors meeting, the options for dates are as follows:

	Adoption Date	Advertising Availability of Report	Advertising minimum (notice of Meeting)	Electors Meeting (56 days max)
Option 1	18 Dec 2012	16 Jan 2013	29 Jan 2013	12 Feb 2013
Option 2	15 Jan 2013	22 Jan 2013	5 Feb 2012	19 Feb 2013

Statutory/Policy Implications

The Local Government Act 1995 requires Council to adopt the Annual Report and to set the meeting date for the Annual General Meeting of Electors.

The Chief Executive Officer is required to advertise by local public notice the availability of the Annual Report after it has been adopted by Council and an Annual Electors meeting is to be held no later than 56 days after the adoption of the report (Section 5.55 of the Act).

Council is required to give 14 days' notice of the Annual Electors Meeting (Section 5.29 of the Act).

If the Annual Report is adopted at this meeting the 56 days would expire on Tuesday 12 February 2013. If the report is adopted at the January 2013 Council meeting the Annual Electors meeting can be held on 19 February 2013 and is also an Ordinary Council Meeting day.

Last year the Annual Electors Meeting was held on a separate night to the February Council meeting. In previous years the Annual Electors Meeting and Council meeting day have been held congruently.

Financial Implications

Nil.

31037

Moved: Cr D Morris

Seconded: Cr Anderson

Officer's Recommendation

That Council:

- 1. adopt the Shire of Merredin Annual Report for the 2011/2012 financial year and receive the Auditor's Report from UHY Haines Norton Chartered Accountants for the 2011/2012 financial year; and***
- 2. hold its Annual General Meeting of Electors on 19 February 2013 commencing at 7.00pm in the Shire Administration Centre.***

CARRIED 7/1

13.2 **WHEATBELT HEALTH MOU GROUP - VACANCY**

Reporting Department:	Administration
Reporting Officer:	CEO
Legislation:	Local Government Act 1995
File Reference:	
Disclosure of Interest:	Nil
Attachment:	Nil

Background

The retirement of Mr Steve O'Halloran, CEO Shire of Bruce Rock, means that an election must be held to appoint his replacement to the Wheatbelt Health MOU Group.

As a consequence, nominations are being called to elect a new representative to the Wheatbelt Health MOU Group. The successful nominee will hold office until the October 2013 Local Government elections when there will be Zone elections for all Zone positions.

Comment

Councillors were advised informally of this vacancy last month. It was suggested that a nomination be submitted for consideration. It should be noted that the positions remains until the October 2013 elections.

Cr Hooper may wish to comment as he is currently a member of the Group.

Statutory/Policy Implications

Nil

Financial Implications

Nil

Officer's Recommendation

That Council nominates Cr _____ as a candidate for the vacancy on the Wheatbelt Health MOU Group caused by the retirement and resignation of the CEO Bruce Rock.

31038

Moved: Cr M Morris

Seconded: Cr D Morris

Resolution

That Council nominates Cr Crook as a candidate for the vacancy on the Wheatbelt Health MOU Group caused by the retirement and resignation of the CEO Bruce Rock.

LOST 1/7

Note: Council will support Cr Crook's nomination from the floor on the day of the WALGA Zone meeting should there be no other nominations.

14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

15.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

Nil

16.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

17.0 MATTERS BEHIND CLOSED DOORS

31039 Moved Cr Wallace Cr McFarlane

That Council move behind closed doors.

CARRIED 8/0

31040 Moved Cr M Morris Seconded: Cr Wallace

That the meeting resume in open session.

CARRIED 8/0

17.1 Merredin Medical Centre

31041 Moved: Cr M Morris Seconded: Cr McFarlane

Resolution

That the CEO prepare a draft lease and comment be sought on the document from those parties who expressed an interest in leasing the Merredin Medical Centre.

CARRIED 8/0

18.0 CLOSURE

There being no further business the President declared the meeting closed at 4.25pm.