

**MINUTES OF MORNINGTON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, MISSION ROAD, GUNUNA
ON WEDNESDAY, 16 SEPTEMBER 2020 AT 9:00AM**

1 OPENING OF MEETING

The meeting was opened by Mayor Kyle Yanner at 9:06 am.

2 ACKNOWLEDGEMENT OF COUNTRY

3 PRESENT

Mayor Kyle Yanner, Cr David Barnes, Cr Roxanne Thomas & Cr Bobby Thompson.

Also in attendance:

Lyndon Prior (Acting Chief Executive Officer), Peter Stewart, Owen Jensen (Acting Executive Manager of Finance and Human Services) & Jasmine Carson (Minute Taker).

4 APOLOGIES

Deputy Mayor Rogers (to join meeting at a later time)

5 DISCLOSURE OF INTEREST – COUNCILLORS AND STAFF

Cr Bob Thompson declared a disclosure of interest for item 13.3: *Mundalbe Enterprises LTD* as he is currently a Director.

6 CONDOLENCES AND MEMORIALS

A minute silence was undertaken for the late Mr. John Hills.

7 CONFIRMATION OF MINUTES

RESOLUTION 2020/88

Moved: Mayor Kyle Yanner

Seconded: Cr Bob Thompson

That the minutes of the Ordinary Meeting held on 19th of August 2020 be confirmed.

CARRIED 5/0

8 BUSINESS ARISING

Nil

9 ACTION SCHEDULE

9.1 ACTION SCHEDULE

RESOLUTION 2020/89

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Roxanne Thomas

1. That Council note and receive the Mornington Shire Action Schedule as tabled, and

2. That Council endorse the removal of all completed items from the schedule as tabled.

CARRIED 5/0

At 9:15 am, Council paused meeting for a presentation delivered by Reyne Harris (on behalf of Mornington Island State School students)

At 9:30 am, Mayor Kyle Yanner re-opened the meeting.

10 CALL FOR ITEMS OF GENERAL BUSINESS

- ❖ Dirt Bike Mitigation Plan – Cr David Barnes
- ❖ Carpentaria Electrical Prices – Cr Roxanne Thomas
- ❖ Conditions of APH – Mayor Kyle Yanner
- ❖ Security – Cr Roxanne Thomas
- ❖ Possibility of turning tackle store into Op Shop – Mayor Kyle Yanner

RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

11 COMMITTEE REPORTS

Nil

RECEPTION & CONSIDERATION OF OFFICERS REPORTS

12 MAYOR AND COUNCILLORS REPORTS

Nil

13 CHIEF EXECUTIVE OFFICER'S REPORTS

13.1 ACTING CHIEF EXECUTIVE OFFICER REPORT

RESOLUTION 2020/90

Moved: Mayor Kyle Yanner

Seconded: Cr Roxanne Thomas

1. That Council receive and note this report.
2. That Council list Mayor Yanner and the Acting CEO, as Council's delegates on the LGAQ Voting Entitlement Form..

CARRIED 5/0

13.2 SOCIAL MEDIA POLICY

RESOLUTION 2020/91

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council adopt the attached draft Social Policy as its Social Media Policy.

CARRIED 5/0

13.3 MUNDALBE ENTERPRISES LTD

RESOLUTION 2020/92

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr David Barnes

1. That the Acting CEO on behalf of Council as the only member of Mundalbe Enterprises call a general meeting and seek nominations for Directors and review the constitution.

CARRIED 4/0

13.4 WORKING FROM HOME POLICY

RESOLUTION 2020/93

Moved: Cr David Barnes

Seconded: Cr Bob Thompson

That Council adopt the attached draft Working from Home Policy as its Working from Home Policy.

CARRIED 5/0

13.5 SPECIAL PROJECTS REPORT

RESOLUTION 2020/94

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council

1. Notes and supports this report and the planned works.
2. Approves the Civic Centre methodology for delivery of a modular building with a traditional design phase including community consultation.
3. Confirms the preferred location of the Tavern outdoor area stage is centered and Council endorses the plans for circulation.

CARRIED 5/0

13.6 SERVICE DELIVERY - MORNINGTON ISLAND A&TSI SERVICE DELIVERY REFORM - MIATSISDR

RESOLUTION 2020/95

Moved: Cr Roxanne Thomas

Seconded: Cr Bob Thompson

That Council note and receive this report.

CARRIED 5/0

At 10:27 am, Mayor Kyle Yanner requested that Council take a break.
At 10:52 am, Mayor Kyle Yanner re-opened the meeting.

14 STAFF REPORTS - FINANCIAL SERVICES

14.1 FINANCIAL REPORT AS AT 31ST AUGUST 2020

RESOLUTION 2020/96

Moved: Cr Bob Thompson
Seconded: Mayor Kyle Yanner

That Council receives and notes the information in this report.

CARRIED 5/0

14.2 RETAIL FUEL PRICING POLICY

RESOLUTION 2020/97

Moved: Cr Roxanne Thomas
Seconded: Mayor Kyle Yanner

That Council adopts the draft Retail Fuel Pricing Policy as edited and amended as its Retail Fuel Pricing Policy.

CARRIED 5/0

14.3 INTERNAL AUDIT PROGRAM - 2020/2021 (DRAFT)

RESOLUTION 2020/98

Moved: Deputy Mayor Dwayne Rogers
Seconded: Cr Roxanne Thomas

1. That Council receive and note the information in this report.
2. That Council endorse the proposed internal audit program for 2020/2021 to review
 - (a) Financial Statement Maturity
 - (b) Risk Management Maturity
 - (c) Contract Management

CARRIED 5/0

14.4 2020 INTERIM AUDIT REPORT TO THE MAYOR (INCLUDING MANAGEMENT RESPONSE)

RESOLUTION 2020/99

Moved: Cr David Barnes
Seconded: Cr Roxanne Thomas

That Council receive and note the information contained in the 2020 Interim Audit Report to the Mayor.

CARRIED 5/0

15 STAFF REPORTS - INFRASTRUCTURE & TECHNICAL SERVICES

15.1 HOUSING REPORT

RESOLUTION 2020/100

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council review and note this report.

CARRIED 5/0

15.2 TECHNICAL SERVICES MONTHLY REPORT

RESOLUTION 2020/101

Moved: Cr Bob Thompson

Seconded: Cr Roxanne Thomas

That the Council note and receive this report.

CARRIED 5/0

16 STAFF REPORTS - HUMAN SERVICES

16.1 ACTING EXECUTIVE MANAGER FINANCE AND HUMAN SERVICES

RESOLUTION 2020/102

Moved: Cr Bob Thompson

Seconded: Deputy Mayor Dwayne Rogers

That the information in this report be received and noted.

CARRIED 5/0

16.2 2020-2021 RECREATION EVENTS ANNUAL CALENDAR (DRAFT)

RESOLUTION 2020/103

Moved: Mayor Kyle Yanner

Seconded: Cr Roxanne Thomas

That Council endorse the proposed events and date listings being displayed in the community calendar.

CARRIED 5/0

16.3 INWARDS CORRESPONDENCE - LETTER OF APPRECIATION

RESOLUTION 2020/104

Moved: Cr Roxanne Thomas

Initial: KY

Seconded: Cr Bob Thompson

That;

1. The information in this report be received and noted.
2. That the Mayor write to the Mornington Island State School expressing thanks for the opportunity to visit, and update on plans towards achieving suggested project ideas.

CARRIED 5/0

At 12:44 pm, Council took a break for lunch.

At 1:09 pm, Mayor Kyle Yanner re-opened the meeting.

17 GENERAL BUSINESS

- ❖ Dirt Bike Mitigation Plan – Cr David Barnes

RESOLUTION 2020/105

Moved: Cr David Barnes

Seconded: Mayor Kyle Yanner

That the Acting Executive Manager of Finance and Human Services work on a dirt bike nuisance and mitigation strategy (including a plan) and report back to October Ordinary Council Meeting.

CARRIED 5/0

- ❖ Carpentaria Electrical Pricing – Cr Roxanne Thomas

RESOLUTION 2020/106

Moved: Cr Roxanne Thomas

Seconded: Cr David Barnes

That;

1. The Acting CEO undertake a review of the current service contract arrangement with Carpentaria Electrical.
2. The Acting CEO report findings to October Ordinary Council Meeting.

CARRIED 5/0

- ❖ Conditions of APH – Mayor Kyle Yanner
- ❖ Security – Cr Roxanne Thomas
- ❖ Possibility of turning tackle store into Op Shop – Mayor Kyle Yanner

18 CONFIDENTIAL REPORTS**RESOLUTION 2020/107**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Mayor Kyle Yanner

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275 of the Local Government Act 2009:

18.1 Review of Chief Executive Officer Position

This matter is considered to be confidential under Section 275(b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with industrial matters affecting employees.

18.2 Staff Absenteeism Report

This matter is considered to be confidential under Section 275(b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with industrial matters affecting employees.

18.3 Executive Recruitment

This matter is considered to be confidential under Section 275(a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the appointment, dismissal or discipline of employees.

18.4 CCC - Procurement Bilby Security Contract

This matter is considered to be confidential under Section 275(h) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

CARRIED 5/0

Council moved into Confidential at 1:19 pm.

RESOLUTION 2020/108

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr David Barnes

That Council moves out of Closed Council into Open Council.

CARRIED 5/0

Council moved out of Confidential at 1:57 pm.

18.1 REVIEW OF CHIEF EXECUTIVE OFFICER POSITION**RESOLUTION 2020/109**

Moved: Cr David Barnes

Seconded: Mayor Kyle Yanner

1. That Council receive and note this report.
2. That Council approves current annual leave for CEO Mr Frank Mills.

3. That Council appoints Mr Peter Stewart Acting Chief Executive Officer, effective 18th September 2020.

CARRIED 5/0

18.2 STAFF ABSENTEEISM REPORT

RESOLUTION 2020/110

Moved: Mayor Kyle Yanner

Seconded: Cr David Barnes

That Council receive and note this report.

CARRIED 5/0

18.3 EXECUTIVE RECRUITMENT

RESOLUTION 2020/111

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr David Barnes

1. That Council ratify the appointment of Mr David Sechtig as Executive Manager Technical Services and Infrastructure.
2. That Council ratify the appointment of Ms Cherie Campbell as Executive Manager Finance & Human Services
3. That Council recognises the efforts of David Torr and Owen Jensen for their contributions in their respective acting roles.

CARRIED 5/0

18.4 CCC - PROCUREMENT BILBY SECURITY CONTRACT

RESOLUTION 2020/112

Moved: Mayor Kyle Yanner

Seconded: Cr David Barnes

That Council endorse the Acting CEO in engaging an independent investigator to undertake an investigation of CCC Complaint File Ref: CO-20-2009.

CARRIED 5/0

19 NEXT MEETING

The next meeting will be held on 21st of October 2020.

20 CLOSURE

Mayor Kyle Yanner closed the meeting at 2:00 pm.

Initial: KY