

**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL
SPECIAL COUNCIL MEETING
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS
ON MONDAY, 14 NOVEMBER 2022 AT 9.00AM**

PRESENT: Cr Ross Andrews (Mayor), Cr Brian Underwood, Cr Lucrecia Willett, Cr Kenneth Jackson

IN ATTENDANCE: Richard Wright (Acting CEO)

1 WELCOME

Mayor Andrews declared the meeting open at 9.17 am.

The councillors and staff members present were welcomed to the meeting.

One minutes silence was observed to respect those who have passed away.

2 APOLOGIES

The Mayor noted the attendance by Cr Willett in this meeting by way of teleconference. The Mayor also advised that Cr Jackson had advised that he would be late and would be joining the meeting shortly.

3 DISCLOSURE OF INTEREST – COUNCIL / REGISTER UPDATES

The Mayor reminded the Councillors of the requirement to declare their conflicts of interest to the Acting CEO prior to the meeting and called on all councillors to re-declare then now.

The Acting CEO informed the Mayor that Item 6.1 was a confidential report in relation to the position of CEO and suggested that this may be heard in closed session. The Acting CEO would excuse themselves from the meeting whilst Councillors discussed this role.

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4 MATTERS FOR DISCUSSION**4.1 COUNCIL BY-ELECTION****PURPOSE OF THE REPORT**

To inform Council of requirements under the Local Government Act 2009 in relation to a By-Election. To inform Council of actions commenced in compliance with the legislation.

The Acting CEO read to the report.

Council inquired as to what actions were being taken to ensure community was aware of the by-election. The Acting CEO advised that in addition to emails and posting on Facebook, flyers were being placed on all public notice boards and arrangements were being made for Council staff to deliver these flyers door to door to residences.

RESOLUTION 01:14/11/2022

That Council resolve to note this report tabled, as read.

Moved: Cr Brian Underwood

Seconded: Cr Lucrecia Willett

CARRIED 3/3

9.25am: Cr Jackson entered the meeting.

4.2 POSITION OF DEPUTY MAYOR

PURPOSE OF THE REPORT

To inform Council of correspondence from Cr David Baird resigning from Council. This Councillor presently endorsed in position of Deputy Mayor.

To seek appointment of another Councillor to this position.

Council discussed options in relation to this. Cr Underwood had stood aside at the last meeting to allow Cr Baird to take the role to assist with issues known to Council. His term was due to finish in March 2023, at which time Cr Willett would be appointed to the role (rotation system). Alternative was to appoint Cr Willett for the remainder of this Council's elected term.

Cr Jackson suggested that Cr Underwood resume the role until March 2023. This action supported by all Councillors and accepted by Cr Underwood.

RESOLUTION 02:14/11/2022

That Council resolve to appoint Cr Underwood to the position of Deputy Mayor, effective 14 November 2022 until Ordinary Council Meeting in March 2023.

Moved: Cr Kenneth Jackson

Seconded: Cr Lucrecia Willett

CARRIED 4/4

4.3 APPOINTMENT TO AUDIT COMMITTEE

PURPOSE OF THE REPORT

To inform Council that as a result of the resignation from Council of Cr David Baird, there is a vacant position required to be filled on the Audit Committee.

To seek appointment of another Councillor to this position.

The Acting CEO briefed Council of the requirement for two Councillors on the Audit Committee. With the resignation of Cr Baird, Cr Jackson remained the only Councillor on the Audit Committee. In consideration of The Local Government Act and the Audit Committee Charter, a further Councillor was required. The Acting CEO reminded Council that this position was open to all elected members – Mayor and Councillors.

Council discussed role and proposed that the Mayor, Cr Andrews was most suitable for this role. Accepted by Mayor.

RESOLUTION 03:14/11/2022

That Council resolve to appoint Councillor Ross Andrews (Mayor) to the vacant position on Audit Committee, effective 14 November 2022.

Moved: Cr Lucrecia Willett

Seconded: Cr Kenneth Jackson

CARRIED 4/4

5 STRATEGIC PORTFOLIO UPDATE

Councillors to provide updates on Meetings and Trips and other information for the meeting.

6 CONFIDENTIAL MATTERS**RESOLUTION 04:14/11/2022**

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 2012:

6.1 Position of CEO

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.

Moved: Cr Ross Andrews

Seconded: Cr Kenneth Jackson

CARRIED 4/4

The Acting CEO advised Council advice as to requirements under Section 194 of the Local Government Act 2009.

9.35am: Acting CEO left the meeting.

Council discussed position of CEO.

9.40am: Acting CEO returned to meeting.

RESOLUTION 05:14/11/2022

That Council moves out of Closed Council into Open Council.

Moved: Cr Ross Andrews

Seconded: Cr Brian Underwood

CARRIED 4/4

Mayor advised Acting CEO that Council had considered provisions of Section 194 of the Local Government Act. Council note that the Acting CEO has been performing this role since 13 July 2022 and are satisfied with the professionalism and aptitude displayed by the Acting CEO during this time. To ensure the continued stability of the organisation as well as current budgetary constraints, Council has decided to offer the position of CEO to the Acting CEO.

The Acting CEO accepted the offer, noting it would be an honour to serve the Council and community in this role.

RESOLUTION 06:14/11/2022

That Council

1. Appoint the Acting CEO, Richard Wright to the position of CEO for a period of 3 years, commencing 14 November 2022.
2. Authorise the Mayor to finalise contract details for this position.

Moved: Cr Lucrecia Willett

Seconded: Cr Kenneth Jackson

CARRIED 4/4

7 CLOSE OF MEETING

Date for the next Council Ordinary Meeting is Monday 28 November 2022.

The Mayor thanked the councillors and staff for their participation and attendance at the meeting.

Meeting closed at 9.55am.



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MAYOR