

**MINUTES OF MORNINGTON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, MISSION ROAD, GUNUNA
ON WEDNESDAY, 15 JULY 2020 AT 9:00AM**

1 OPENING OF MEETING

The meeting was opened by Mayor Kyle Yanner at 9:03am.

2 ACKNOWLEDGEMENT OF COUNTRY**3 PRESENT**

Mayor Kyle Yanner, Deputy Mayor Dwayne Rogers, Cr David Barnes & Cr Roxanne Thomas

Lyndon Prior (Acting Chief Executive Officer), Owen Jensen (Acting Executive Manager of Finance and Human Services), Jarrod Martin (Acting Executive Manager of Technical Services), Michelle Retchford (Technical Services Administration Officer), Samala Cronin (Executive Advisor to the Mayor) & Jasmine Carson (Minute Taker).

4 APOLOGIES

Cr Bob Thompson (to join meeting at a later time)

5 DISCLOSURE OF INTEREST – COUNCILLORS AND STAFF

Nil

6 CONDOLENCES AND MEMORIALS

Nil

7 CONFIRMATION OF MINUTES**RESOLUTION 2020/105**

Moved: Mayor Kyle Yanner

Seconded: Cr David Barnes

That the minutes of the Ordinary Meeting held on 24 June 2020 be confirmed..

CARRIED 4/4

8 BUSINESS ARISING

Nil

9 ACTION SCHEDULE**9.1 ACTION ITEMS AS AT JULY 2020****RESOLUTION 2020/106**

Moved: Mayor Kyle Yanner

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 4/4

10 CALL FOR ITEMS OF GENERAL BUSINESS

- Coordination of meeting with Health Council – Deputy Mayor Dwayne Rogers
- Movement of motorbikes through community – Cr David Barnes
- Monitoring and maintenance of airport boundary fence – Cr Roxanne Thomas
- Proposal of ‘Funeral Fund Policy’ – Mayor Yanner

RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

11 COMMITTEE REPORTS

Presentation from Mornington Island Health Council – Susan Sewter and Jane Ah Kit

RECEPTION & CONSIDERATION OF OFFICERS REPORTS

12 MAYOR AND COUNCILLORS REPORTS

Nil

13 CHIEF EXECUTIVE OFFICER'S REPORTS

13.1 ACTING CHIEF EXECUTIVE OFFICER'S REPORT

RESOLUTION 2020/107

Moved: Deputy Mayor Dwayne Rogers

Seconded: Mayor Kyle Yanner

1. That Council receive and note this report
2. That Council approve the Acting CEO work remotely from the period 16th July to 30th July 2020.
3. That Council endorse the work done and proposed in the Special Projects Report
4. That Council agree to extend the Service Agreement No. CSYW7802 – Mornington Island Aboriginal and Torres Strait Islander Service Reform Project.
5. That Council approve the Acting CEO to sign off on a ‘Letter of request to extend Service Agreement’ to the Department of Child Safety Youth and Women.

CARRIED 4/4

13.2 ANNUAL OPERATING PLAN 2020-21

RESOLUTION 2020/108

Moved: Cr David Barnes

Seconded: Cr Roxanne Thomas

That Council adopt the draft Annual Operating Plan as its Annual Operating Plan for 2020-21.

CARRIED 4/4

13.3 DELEGATIONS REGISTER REVIEW**RESOLUTION 2020/109**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Roxanne Thomas

That Council adopt the attached draft Delegations Register as edited and amended as Council's Delegations Register.

CARRIED 4/4

13.4 MEETING PROCEDURES AND STANDING ORDERS POLICY**RESOLUTION 2020/110**

Moved: Cr Roxanne Thomas

Seconded: Cr David Barnes

1. That Council adopt the draft Meeting Procedure & Standing Orders Policy as Council's Meeting Procedure & Standing Orders Policy.
2. That the adopted Meeting Procedures & Standing orders Policy supersede and replace the following policies;
 - (i) Model Meeting Procedures Policy
 - (ii) Code of Meeting Practice Policy

CARRIED 4/4

13.5 ERGON POWER STATION FENCE**RESOLUTION 2020/111**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Roxanne Thomas

1. That Council does not support the proposal to add razor wire to the Ergon Power Station perimeter fence as an additional security measure.
2. That the Acting CEO conveys this response to Ergon.

CARRIED 4/4

At 10:08am, Council deferred Item 13.6 until Cr Bob Thompson is present.

At 10:33am, Council revisited Item 13.6.

13.6 MUNDALBE ENTERPRISES - DIRECTORSHIP**RESOLUTION 2020/112**

Moved: Cr Bob Thompson

Seconded: Deputy Mayor Dwayne Rogers

1. That the Acting CEO, on behalf of Council as the only member of Mundalbe Enterprises call for nominations from suitable community members to be directors of Mundalbe Enterprises.
2. That, if no suitable nominations are received, the Acting CEO report to Council at its next meeting the process and cost of winding up Mundalbe Enterprises.

CARRIED 5/5

13.7 COUNCILLOR INVESTIGATION POLICY

RESOLUTION 2020/113

Moved: Cr Roxanne Thomas

Seconded: Mayor Kyle Yanner

That Council adopt the attached draft Councillor Investigation Policy as its Councillor Investigation Policy.

CARRIED 4/4

At 10:10am, Cr Bob Thompson entered the meeting.

At 10:13am, Mayor Kyle Yanner paused the meeting.

At 10:32am, Mayor Kyle Yanner re-opened the meeting.

13.8 COUNCILLOR EXPENSES REIMBURSEMENT POLICY

RESOLUTION 2020/114

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

1. That Council adopt the draft Councillor Expenses Reimbursement Policy as edited and amended as its Councillor Expenses Reimbursement Policy.
2. That the Acting CEO causes the new policy to be given public notice by causing a copy to be posted to Council's website, Facebook page, and a hard copy posted to Council's noticeboards..

CARRIED 5/5

14 STAFF REPORTS - FINANCIAL SERVICES

14.1 FINANCIAL REPORT AS AT 30TH JUNE 2020

RESOLUTION 2020/115

Moved: Mayor Kyle Yanner

Seconded: Deputy Mayor Dwayne Rogers

That Council notes and receives and notes the information in this report..

CARRIED 5/5

14.2 STATUTORY POLICIES FOR ANNUAL REVIEW AND UPDATE**RESOLUTION 2020/116**

Moved: Cr Bob Thompson

Seconded: Cr Roxanne Thomas

1. That Council adopt the attached draft Debt Policy as its Debt Policy
2. That Council adopt the attached draft Procurement Policy as its Procurement Policy

CARRIED 5/5

15 STAFF REPORTS - INFRASTRUCTURE & TECHNICAL SERVICES**15.1 TENDER ASSESSMENT PANEL MEMBERS****RESOLUTION 2020/117**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Mayor Kyle Yanner

That Council approve the positions of the Chief Executive Officer, an Executive Manager, the Housing Manager and one sitting elected member of Council to form the tender assessment panel to evaluate tenders on behalf of Council.

CARRIED 5/5

15.2 TECHNICAL SERVICES MONTHLY REPORT**RESOLUTION 2020/118**

Moved: Cr Bob Thompson

Seconded: Mayor Kyle Yanner

That Council note and receive this report.

CARRIED 5/5

16 STAFF REPORTS - HUMAN SERVICES**16.1 ACTING EXECUTIVE MANAGER FINANCE AND HUMAN SERVICES****RESOLUTION 2020/119**

Moved: Mayor Kyle Yanner

Seconded: Cr Roxanne Thomas

That the information in this report be received and noted.

CARRIED 5/5

16.2 FACILITIES MANAGEMENT QUARTERLY REPORT**RESOLUTION 2020/120**

Moved: Cr David Barnes

Seconded: Deputy Mayor Dwayne Rogers

That the information in this report be received and noted.

CARRIED 5/5

At 11:17am, Cr Roxanne Thomas left the meeting.

At 11:20am, Cr Roxanne Thomas re-entered the meeting.

16.3 STAFF HOUSING POLICY**RESOLUTION 2020/121**

Moved: Cr Bob Thompson

Seconded: Cr Roxanne Thomas

That Council adopt the attached Draft Staff Housing Policy as its Staff Housing Policy.

CARRIED 5/5

16.4 HOUSING REPORT**RESOLUTION 2020/122**

Moved: Cr Roxanne Thomas

Seconded: Mayor Kyle Yanner

That Council receive and note this report.

CARRIED 5/5

17 GENERAL BUSINESS

- Coordination of meeting with Health Council – Deputy Mayor Dwayne Rogers
- Movement of motorbikes through community – Cr David Barnes
- Monitoring and maintenance of airport boundary fence – Cr Roxanne Thomas
- Proposal of 'Funeral Fund Policy' – Mayor Yanner

18 CONFIDENTIAL REPORTS

RESOLUTION 2020/123

Moved: Mayor Kyle Yanner

Seconded: Deputy Mayor Dwayne Rogers

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 Ex-Executive Manager Finance & Human Services

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.

18.2 Fraud Risk Questionnaire (Those Charged with Governance)

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.

18.3 Council Powers to Provide Visitor Permissions

This matter is considered to be confidential under Section 275(f) 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 starting or defending legal proceedings involving Mornington Shire Council.

CARRIED 5/5

Council moved into Confidential at 11:48pm.

RESOLUTION 2020/124

Moved: Mayor Kyle Yanner

Seconded: Cr Bob Thompson

That Council moves out of Closed Council into Open Council.

CARRIED 5/5

Council moved out of Confidential at 12:08pm.

18.1 EX-EXECUTIVE MANAGER FINANCE & HUMAN SERVICES**RESOLUTION 2020/125**

Moved: Cr Roxanne Thomas

Seconded: Deputy Mayor Dwayne Rogers

That the report be received and noted.

CARRIED 5/5

18.2 FRAUD RISK QUESTIONNAIRE (THOSE CHARGED WITH GOVERNANCE)

RESOLUTION 2020/126

Moved: Cr Bob Thompson

Seconded: Cr David Barnes

That the information in this report be received and noted.

CARRIED 5/5

At 11:52am, Lyndon Prior left the meeting.

At 11:53am, Lyndon Prior re-entered the meeting.

18.3 COUNCIL POWERS TO PROVIDE VISITOR PERMISSIONS

RESOLUTION 2020/127

Moved: Cr Roxanne Thomas

Seconded: Deputy Mayor Dwayne Rogers

- 1. That Council receive and note this report.
- 2. That the Acting CEO bring back an update to this report at its August Ordinary meeting.

CARRIED 5/5

19 NEXT MEETING

The next meeting will be held on 19 August 2020.

20 CLOSURE

Mayor Wilson closed the meeting at 12:10pm.

Lyndon Prior
Acting Chief Executive Officer

Minutes Confirmed:

Mayor

Date:

Lyndon Prior
Acting Chief Executive Officer