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DOOMADGEE ABORIGINAL SHIRE COUNCIL
MINUTES – SPECIAL ORDINARY MEETING OF COUNCIL
6th 7th and 12th DECEMBER 2016

DRAFT Minutes of a Special Meeting of the Doomadgee Aboriginal Shire Council held in the Boardroom, 275 Sharpe Street, Doomadgee on Tuesday 6th December 2016 scheduled to commence at 9am., adjourned to Wednesday 7th December 2016 and further adjourned to Monday 12th December 2016.

PRESENT

Cr E Walden	Mayor	(from 9.00a.m. 12 Dec 2016)
Cr J Ned	Deputy Mayor	(from 9.50a.m. 12 Dec 2016)
Cr S Foster	Councillor	(from 9.47a.m. 12 Dec 2016)
Cr D Jupiter	Councillor	(from 9.25a.m. 12 Dec 2016)

Council Officers:

J Kelly Acting Chief Executive Officer

MEETING RE-SCHEDULING - 6th DECEMBER 2016

Due to non-attendance of Councillors after fifteen minutes and after consultation with the Mayor, the Acting Chief Executive Officer adjourned the meeting at 9.15a.m. to 9.00a.m. Wednesday 7th December 2016, in acknowledgement of Sorry Business that will be observed from mid-day.

MEETING RE-SCHEDULING - 7th DECEMBER 2016

Due to non-attendance of Councillors after fifteen minutes, the Acting Chief Executive Officer adjourned the meeting at 9.15a.m. to 9.30a.m.

Due to non-attendance of Councillors at 9.30a.m. and after waiting a further fifteen minutes the Acting Chief Executive Officer and in consultation with the Mayor, adjourned the meeting at 9.45a.m. to 9.00a.m. Monday 12th December 2016.

MEETING RE-SCHEDULING – 12th December 2016

Due to non-attendance of a quorum of Councillors at 9.15a.m. the Mayor being the only Councillor present adjourned the meeting until 9.30a.m.

Due to non-attendance of a quorum of Councillors at 9.30a.m. (the Mayor and Cr Jupiter present) the Mayor adjourned the meeting until 9.45a.m.

OPENING

There being four Councillors present, Mayor Cr Edric Walden declared the meeting opened at 9.50a.m. noting that Cr Tony Chong was not present.

APOLOGIES & LEAVE OF ABSENCE

Council noted the apology from Cr Chong and granted him leave of absence from the Meeting.

CONFIRMATION OF PREVIOUS MINUTES

Not applicable

DISCLOSURE OF MATERIAL PERSONAL INTEREST AND CONFLICT OF INTEREST

Nil

PRESENTATION AND/OR ELECTED MEMBERS REPORTS

Not applicable

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PURPOSES OF THE SPECIAL MEETING

1. To consider and adopt the terms of settlement of the Contract of Employment of the Chief Executive Officer.
2. To appoint a new Acting Chief Executive Officer to replace the current Acting Chief Executive Officer.
3. To receive a presentation from representatives of the Tribal Council
4. To consider the items requested by Mayor Edric Walden and Cr Chong reference pages 22, 23 and 24 of 17th Nov 2016 Meeting Agenda ref: res 9-11/16.
5. To receive a presentation from Building Contractor Jason English for possible joint employment working arrangements.

1. CONTRACT OF EMPLOYMENT OF CHIEF EXECUTIVE OFFICER

The Acting CEO advised the meeting that because the purpose of the meeting relates to a contract and legal matter it is therefore CONFIDENTIAL. Council is advised to close the meeting to the public as allowed under Section 275 (1) (e) and (f) of the Local Government Regulations:

- (e) contracts proposed to be made;*
- (f) starting or defending legal proceedings*

PROCEDURAL MOTION closure of meeting – 9.55a.m.

Moved Cr Walden, Seconded Cr Ned;

That Council resolve that the meeting be closed to the public under Section 275 (1) (e) & (f) of the Local Government Regulations 2012.

CARRIED 4/0

PROCEDURAL MOTION re-opening of Meeting – 10.14 a.m.

Moved Cr Ned, Seconded Cr Jupiter;

That the meeting be re-opened to the public

Carried 4/0

DEED OF SETTLEMENT (Terms Strictly Confidential and No Derogatory Comments)

Mayor Edric Walden reported that whilst “in committee” the Meeting received and considered a CONFIDENTIAL report from the Acting Chief Executive Officer relating to the contract of employment of the Chief Executive Officer and during those discussions the meeting received and considered legal advice from solicitor Suzanne Wishart as conveyed by the Acting Chief Executive Officer.

RESOLUTION

Moved Cr Ned, Seconded Cr Jupiter;

Council authorizes the Mayor to execute the Deed of Settlement and Release of Mr Rod Richardson from his employment as Chief Executive Officer of Doomadgee Aboriginal Shire Council in the terms and conditions detailed in the draft Deed tabled at the Special Meeting of Council held on 12th December 2016 or as amended on the advice of Council’s solicitor.

CARRIED 4/0

2. APPOINTMENT OF NEW ACTING CHIEF EXECUTIVE OFFICER TO REPLACE CURRENT ACTING CEO

Moved Cr Walden, Seconded Cc Jupiter;

The consideration and decision on the applicants for the position of Acting Chief Executive Officer to replace A/CEO John Kelly be deferred to the Ordinary Meeting of Council to be held on Wednesday 14th December 2016 when a full attendance of Councillors is anticipated.

CARRIED (4/0)

ADJOURNMENT

At this time 10.45a.m. the Mayor adjourned the meeting for morning tea and reconvened the meeting at 10.55a.m.

3. THE TRIBAL COUNCIL

Moved Cr Jupiter, seconded Cr Foster;

That a decision on the level of support for the Tribal Council be deferred to a future meeting of Council pending receipt of the registration and constitution of the Tribal Council.

CARRIED (4/0)

4. ITEMS REQUESTED BY MAYOR EDRIC WALDEN AND CR CHONG

Moved Cr Walden, Seconded Cr Ned

That the matters raised by the Mayor and Cr Chong be deferred to the Ordinary Meeting of Council to be held on Wednesday 14th December 2016.

CARRIED (4/0)

5. PRESENTATION FROM BUILDING CONTRACTOR JASON ENGLISH

Moved Cr Ned, Seconded Cr Walden;

That the appointment for Contractor Jason English be deferred to the Ordinary Meeting of Council to be held on Wednesday 14th December 2016.

CARRIED (4/0)

CLOSE OF MEETING

There being no further business the Mayor declared the meeting closed at 11.16 a.m.