



CONFIRMED MINUTES

Special Council Meeting Monday, 21 October 2019

Date: Monday, 21 October 2019

Time: 3.30pm

Location: Council Chambers, York Town Hall, York

Order Of Business

1	Opening	3
1.1	Declaration of Opening.....	3
1.2	Disclaimer	3
1.3	Standing Orders.....	3
1.4	Announcement of Visitors	3
1.5	Declarations of Interest that Might Cause a Conflict	3
1.6	Declaration of Financial Interests	3
1.7	Disclosure of Interests that May Affect Impartiality	4
2	Attendance	4
2.1	Members	4
2.2	Staff	4
2.3	Apologies	4
2.4	Leave of Absence Previously Approved	4
2.5	Number of People in the Gallery at Commencement of Meeting	4
3	Election of Shire President	4
4.	Election of Deputy Shire President	5
5	Public Question Time	5
5.1	Written Questions – Current Agenda.....	6
5.2	Public Question Time	6
6	Applications For Leave of Absence	6
7	Presentations	6
7.1	Petitions	6
7.2	Presentations	7
7.3	Deputations.....	7
7.4	Delegates’ reports	7
8	Announcements by Presiding Member Without Discussion	7
9	Closure	7

**MINUTES OF SHIRE OF YORK
SPECIAL COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, YORK TOWN HALL, YORK
ON MONDAY, 21 OCTOBER 2019 AT 3.30PM**

The York Shire Council acknowledges the traditional owners of the land on which this meeting will be held.

The Acting Chief Executive Officer introduced Mr Gordon Marwick JP who is undertaking the Declaration by elected members of council. The newly elected members will take the Declaration in alphabetic order.

The Acting Chief Executive Officer invited Mr Gordon Marwick JP to perform the Swearing In Ceremony.

Declaration of newly Elected Members

Cr Ashley Garratt was sworn in

Cr Pam Heaton was sworn in

Cr Stephen Muhleisen was sworn in

Cr Denese Smythe was sworn in

Mr Gordon Marwick JP congratulated all the newly elected members.

The Acting Chief Executive Officer congratulated the newly elected members and emphasized that the positions were for a four (4) year term.

The Acting Chief Executive Officer thanked Mr Gordon Marwick JP for carrying out the Swearing In of the newly Elected Members.

1 OPENING

1.1 Declaration of Opening

The Acting Chief Executive Officer, declared the meeting open at 3.41pm.

1.2 Disclaimer

Nil

1.3 Standing Orders

Nil

1.4 Announcement of Visitors

Mr Gordon Marwick JP, Freeman of the Shire of York

1.5 Declarations of Interest that Might Cause a Conflict

Nil

1.6 Declaration of Financial Interests

Nil

1.7 Disclosure of Interests that May Affect Impartiality

Nil

2 ATTENDANCE

2.1 Members

Cr David Wallace; Cr Kevin Trent; Cr Pam Heaton; Cr Denese Smythe; Cr Denis Warnick; Cr Ashley Garratt; Cr Stephen Muhleisen

2.2 Staff

Allen Cooper, Acting Chief Executive Officer; Suzie Haslehurst, Executive Manager, Corporate & Community Services; Helen D'Arcy-Walker, Council & Executive Support Officer

2.3 Apologies

Nil

2.4 Leave of Absence Previously Approved

Nil

2.5 Number of People in the Gallery at Commencement of Meeting

There were four people in the Gallery at the commencement of the meeting.

3 ELECTION OF SHIRE PRESIDENT

The Acting Chief Executive Officer called for nominations for the position of Shire President.

A written nomination was received from Cr Denese Smythe nominating herself.

A written nomination was received from Cr Kevin Trent nominating Cr David Wallace.

Cr David Wallace accepted the nomination.

The Acting Chief Executive Officer called for any other nominations. No further nominations were received.

The Executive Manager Corporate & Community Services left the meeting at 3.44pm.

The Executive Manager Corporate & Community Services returned to the meeting at 3.47pm.

The Acting Chief Executive Officer placed the nominated names in the election balls for the ballot position to be drawn.

Ballot Position – Cr David Wallace first, Cr Denese Smythe second.

The Executive Manager Corporate & Community Services left the meeting at 3.48pm to print the ballot papers.

The Executive Manager Corporate & Community Services returned to the meeting at 3.52pm with the printed ballot papers.

The Executive Manager Corporate & Community Services showed those present that the Ballot Box was empty.

Councillors voted.

Ballot papers were placed in the Ballot Box by each individual Councillor.

Mr Gordon Marwick JP and the Acting Chief Executive Officer counted the votes.

Seven papers were counted with no informal votes.

With counting complete Cr David Wallace had 3 votes and Cr Denese Smythe with 4 votes.

The Acting Chief Executive Officer announced Cr Denese Smythe as the new Shire President for a period of two years.

Mr Gordon Marwick JP performed the Swearing In ceremony of Cr Denese Smythe as Shire President.

Shire President, Cr Denese Smythe took the Chair at 3.56pm to preside over the meeting.

4. ELECTION OF DEPUTY SHIRE PRESIDENT

The Shire President called for nominations for the position of Deputy Shire President.

Written nominations were received from Cr Kevin Trent and Cr Denis Warnick nominating themselves.

The Shire President asked for any further nominations for the position. No further nominations were received.

The Acting Chief Executive Officer placed the nomination names in the election balls for the ballot position to be drawn.

Ballot Position – Cr Denis Warnick first, Cr Kevin Trent second.

The Executive Manager Corporate & Community Services left the meeting at 3.59pm to print the ballot papers.

The Executive Manager Corporate & Community Services returned to the meeting at 4.00pm with the printed ballot papers.

The Executive Manager Corporate & Community Services showed those present that the Ballot Box was empty.

Councillors then voted.

Ballot papers were placed in the Ballot Box by each individual Councillor.

Mr Gordon Marwick JP and the Acting Chief Executive Officer counted the votes.

Seven papers were counted with no informal votes.

With counting complete Cr Denis Warnick had 4 votes and Cr Kevin Trent had 3 votes.

The Acting Chief Executive Officer announced Cr Denis Warnick as the new Deputy Shire President for a period of two years.

Mr Gordon Marwick JP performed the Swearing In ceremony of Cr Denis Warnick as Deputy Shire President.

5 PUBLIC QUESTION TIME

Public Question Time is conducted in accordance with the Act and Regulations. In addition to this the Shire's Council Meetings Local Law 2016 states –

6.7 Other procedures for question time for the public

- (1) A member of the public who wishes to ask a question during question time must identify themselves and register with a Council Officer immediately prior to the meeting.
- (2) A question may be taken on notice by the Council for later response.

- (3) When a question is taken on notice the CEO is to ensure that—
 - (a) a response is given to the member of the public in writing; and
 - (b) a summary of the response is included in the agenda of the next meeting of the Council.
- (4) Where a question relating to a matter in which a relevant person has an interest is directed to the relevant person, the relevant person is to—
 - (a) declare that he or she has an interest in the matter; and
 - (b) allow another person to respond to the question.
- (5) Each member of the public with a question is entitled to ask up to 2 questions before other members of the public will be invited to ask their questions.
- (6) Where a member of the public provides written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
- (7) The Presiding Member may decide that a public question shall not be responded to where—
 - (a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;
 - (b) the member of the public uses public question time to make a statement, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the statement as a question; or
 - (c) the member of the public asks a question that is offensive or defamatory in nature, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.
- (8) A member of the public shall have 2 minutes to submit a question.
- (9) The Council, by resolution, may agree to extend public question time.
- (10) Where any questions remain unasked at the end of public question time they may be submitted to the CEO who will reply in writing and include the questions and answers in the agenda for the next ordinary Council meeting.
- (11) Where an answer to a question is given at a meeting, a summary of the question and the answer is to be included in the minutes.

Public Question Time Commenced at 4.08pm.

5.1 Written Questions – Current Agenda

Nil

5.2 Public Question Time

Nil

As there were no questions – Public Question Time concluded at: 4.09pm.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 PRESENTATIONS

7.1 Petitions

Nil

7.2 Presentations

Nil

7.3 Deputations

Nil

7.4 Delegates' reports

Nil

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President thanked Cr David Wallace and Cr Kevin Trent for leading the team over the last two years and welcomed the new Councillors. The Shire President looks forward to a great relationship with everyone.

4 CLOSURE

The Shire President thanked everyone for their attendance and closed the meeting at 4.10pm.

The minutes were confirmed by the Council as a true and accurate record at the Council Meeting held on 25 November 2019.

SHIRE PRESIDENT