



ROMA REGIONAL COUNCIL

MINUTES OF THE STATUTORY/POST ELECTION MEETING OF THE ROMA REGIONAL COUNCIL HELD AT ADMINISTRATION CENTRE, ROMA ON 4 APRIL 2008 COMMENCING AT 9.00AM

ATTENDANCE

Mayor, Cr. R S Loughnan chaired the meeting with Cr. J C Baker, Cr. J P Bartels, Cr. J L Chambers, Cr T G Hartley, Cr. R J Denton, Cr. M L Price, Cr. W S Wason, Cr. J S Watson, Acting Chief Executive Officer Dan Phillips, Officers, Desley Oates, Executive Director – Bungil Office, Tanya Mansfield, Executive Director – Mitchell Office, Martin Cookson, Executive Director – Roma Office, Peter Chay, Executive Director – Surat Office, Frank McArthur, Executive Director – Yuleba Office, Kelly Rogers, Minutes Officer in attendance.

GALLERY

Twenty Four (24) members of the public were present.

WELCOME

The Mayor welcomed all present to the meeting and declared it open at 9.14am.

APOLOGIES

No apologies were received for the meeting.

CONFIRMATION OF MINUTES

No Minutes were confirmed due to this being the first meeting post election of Roma Regional Council.

BUSINESS

Item Number:	01	File Number:	N/A
SUBJECT HEADING:	COUNCILLORS DECLARATION OF POLL		
Name of Applicant:	Not applicable		
Location:	Not applicable		
Author and Officer's Title:	Dan Phillips, Chief Executive officer		

Executive Summary: *It is customary at the Post Election meeting that Council considers the Returning Officers Report on the outcome of the Local Government Election.*



As this is the first time the election has not been run ‘in house’ by Councils Chief Executive Officer as its Returning Officer, I have provided a letter from the Electoral Commission of Queensland (ECQ) dated 26 March 2008, in which the result of the election of Candidates was declared.

Resolution No. PE 01.08
Moved Cr. Elect Baker **Seconded Cr. Elect Wason**
That the Special Report on Declaration of the Poll be received and noted.
CARRIED

Item Number: 02 **File Number: N/A**
SUBJECT HEADING: ADMINISTRATION OF DECLARATION OF OFFICE TO THE
MAYOR AND EIGHT COUNCILLORS
Name of Applicant: Not applicable
Location: Not applicable
Author and Officer’s Title: Dan Phillips, Chief Executive Officer

Executive Summary: *Under Section 242 of the Local Government Act 1993 it states that the Mayor and each Councillor, must individually and in alphabetical order in respect of the members, make a Declaration of Office, declaring that they will faithfully and impartially fulfil the duties of the office to the best of their judgement and ability and to comply with the Council’s Code of Conduct.*

As the Acting Chief Executive Officer of the Roma Regional Council, I am authorised to take these Declarations and to keep a register of the taking of the Declarations.

The Mayor Cr Robert Loughnan has taken the Declaration of Office on 28 March 2008 following the Poll Declaration on 26 March 2008, however, Cr Loughnan will re-affirm his Declaration at today’s meeting.

Resolution No. PE 02.08
Moved Cr. Chambers **Seconded Cr. Bartels**
That this Special Report on Administration of Declaration of Office to the Mayor and Eight Councillors be received.
CARRIED

Resolution No. PE 03.08
Moved Cr. Price **Seconded Cr. Hartley**
That the verbal Declaration of Office provided in alphabetical order by the Mayor and each of the eight Councillors be noted.
CARRIED



Item Number: 03 **File Number:** N/A
SUBJECT HEADING: MAYORAL SUBMISSION TO THE STATUTORY MEETING OF COUNCIL
Name of Applicant: Not applicable
Location: Not applicable
Author and Officer's Title: Dan Phillips, Acting Chief Executive Officer

Executive Summary: It is customary for the Mayor to address all Members present at the Commencement of the New Council. Individual Councillors also provided a brief address to all present.

Resolution No. PE 04.08
Moved Cr. Watson **Seconded Cr. Denton**
That the Mayor's Special Report be received and noted.
CARRIED

Item Number: 04 **File Number:** N/A
SUBJECT HEADING: APPOINTMENT OF DEPUTY MAYOR
Name of Applicant: Not applicable
Location: Not applicable
Author and Officer's Title: Dan Phillips, Acting Chief Executive Officer

Executive Summary: Under Section 232 of the Local Government Act 1993, a local government must, at its first Meeting after the conclusion of the quadrennial election, appoint a Deputy Mayor.

The act gives no prescription as to how this appointment is to take place and in the absence of statutory guidance, it must be assumed that the Act's standard provisions requiring decisions to be made by majority voting are to apply.

In such circumstances the Council may exercise some discretion as to how it selects from the candidates, provided that the final decision of the matter is confirmed as a result of a formal resolution of the Council. Voting is as with any resolution in open Council.

Resolution No. PE 05.08
Moved Cr. Baker **Seconded Cr. Chambers**
That Council on receipt of nominations from the floor resolves that Cr Tom Hartley be the Deputy Mayor of Roma Regional Council.
CARRIED



Item Number: 05 **File Number:** N/A
SUBJECT HEADING: ADOPTION OF MODEL LOCAL LAW AND SUBORDINATE LOCAL LAW NO. 2 (MEETINGS) 2008
Name of Applicant: Not applicable
Location: Not applicable
Author and Officer’s Title: Dan Phillips, Acting Chief Executive Officer

Executive Summary: *The purpose of this report is to present the Model Local Law No. 2 (Meetings) 2008 and the related Subordinate Local Law (Standing Orders) to Council for adoption pursuant with the Local Government Reform Implementation Regulation 2008.*

Resolution No. PE 06.08
Moved Cr. Watson **Seconded Cr. Wason**
That Council receives and adopts the Model Local Law No. 2 (Meetings) 2008 and Subordinate Local Law No.2 (Meetings) 2008 as presented.
CARRIED

Item Number: 06 **File Number:** N/A
SUBJECT HEADING: SETTING OF MEETING DATES AND TIMES
Name of Applicant: Not applicable
Location: Not applicable
Author and Officer’s Title: Dan Phillips, Acting Chief Executive Officer

Executive Summary: *The report has been prepared to enable Council to consider the day and time for holding Council Meetings.*

Resolution No. PE 07.08
Moved Cr. Hartley **Seconded Cr. Baker**
That the report be received and adopted with;
a) The ordinary meetings be held on the second and fourth Wednesday;
b) That Committee Meetings ‘of the whole’ be held on the first and third Wednesdays of the month;
c) With Councils ordinary Meetings being held on a rotational basis, with Roma Hosting every second meeting and the District Offices in the order of Surat, Mitchell, Yuleba and Injune hosting the alternative meeting;
d) All ordinary and Committee Meetings to Commence at 9.00am.
CARRIED



Item Number: 07 **File Number:** N/A
SUBJECT HEADING: SPECIAL REPORT – COUNCILLOR REMUNERATION POLICY
 Name of Applicant: Not applicable
 Location: Not applicable
 Responsible Officer’s Title: Dan Phillips, Acting Chief Executive Officer
 Author and Officer’s Title: Donald Wells, Manager Human Resources – Roma Office

Executive Summary: *The remuneration system has been formulated on the basis that persons elected to Local Government should not be unreasonably financially disadvantaged by fulfilling the Office of Councillor. As such five basic principles have been used to remunerate Councillors for their contribution to Local Government in preparing for and attending:*

- o *General Meetings, Special Meetings, Committee Meetings and other authorised meetings of Council.*
- o *Regional Meetings, Conferences and Educational Training Seminars.*
- o *Inspections, Community Group Meetings, Community Consultation Meetings, Annual General Meetings and Community Events, Civic Receptions, Community and Developer Delegations and Deputations.*

The remuneration as set out in this policy document takes into account the following:

- o *Time commitment placed on Councillors to undertake duties.*
- o *Complexity of Local Government and Civic Affairs.*
- o *Attention to and management of the processes of change in Local Government.*
- o *Degree of responsibilities and judgement required to act as a Councillor.*

Resolution No. PE 08.08
Moved Cr. Chambers **Seconded Cr. Bartels**
That Council receives and adopts the Councillor Remuneration Policy as presented.
CARRIED

Item Number: 08 **File Number:** N/A
SUBJECT HEADING: SPECIAL REPORT – COUNCILLOR EXPENSES & PROVISION OF FACILITIES
 Name of Applicant: Not applicable
 Location: Not applicable
 Responsible Officer’s Title: Dan Phillips, Acting Chief Executive Officer
 Author and Officer’s Title: Donald Wells, Human Resource Manager –Roma Office

Executive Summary: *The Local Government Act 1993, as amended, provides for the reimbursement of expenses and provision of facilities. Payment of expenses and*



the provision of facilities has to be set by Council, having regard to the Act with particular reference to Chapter 4 – Local government councillors:

- *Part 3 Entitlements and obligations – Division 1 Entitlements of councillors and committee members – s236A; s236B; s237; s238; s238A; s239; s240.*
- *Part 3 Entitlements and obligations – Division 4 Reimbursement of expenses and provision of facilities – s250AR.*

In adopting this policy Council should consider;

1. *That expenses reimbursement and facilities provision are not included in Councillor Remuneration.*
2. *The policy must comply with the guidelines (January 2008) issued by the Local Government department.*
3. *As per s250A of the Act, Council must adopt the policy by resolution.*
4. *Once Adopted the policy must proposed policy must be submitted to Director General of the Department for approval*
5. *Upon approval Council adopts the approved policy.*
6. *Once Adopted the policy must be advertised in a local paper as per s250AT of the Act.*

Resolution No. PE 09.08

Moved Cr. Price

Seconded Cr. Chambers

THAT Council adopts the Councillor Expenses and Provision of Facilities Policy as presented inclusive of the following amendment with respect to Section 8.1 of the Policy – Mobile Telephone:

Option 3

Where a Councillor chooses not to be provided a Council owned mobile telephone and chooses not to use a personally owned mobile device, or a Councillor does not have network coverage, and the Councillor has an existing home landline at the Councillor’s residence, Council will reimburse the monthly rental of the service including service fees and the cost of total calls made for Council business. Any STD or international calls made from the home telephone will only be reimbursed if appropriate evidence is provided by the Councillor that the call was related to Council business.

and;

That the amended policy as detailed above be submitted to Director General of the Department of Local Government, Sport and Recreation for approval.

CARRIED

Item Number:

09

File Number: N/A

SUBJECT HEADING:

SPECIAL REPORT – LEGAL COSTS & INSURANCE COVER

Name of Applicant:

Not applicable

Location:

Not applicable



Responsible Officer's Title: Dan Phillips, Acting Chief Executive Officer

Author and Officer's Title: Donald Wells, Manager Human Resources – Roma Office

Executive Summary: *This report was provided to give Council assurance of Liability & indemnity Insurance until 30 June 2008.*

Resolution No. PE 10.08

Moved Cr. Baker

Seconded Cr. Hartley

That Council receives and notes the Certificate of Currency that covers Councillors for public liability, professional indemnity and Councillor's liability arising out of, or in connection with, the Councillor's performance of his/her civic functions.

CARRIED

Item Number:

10

File Number: N/A

SUBJECT HEADING:

SPECIAL REPORT – COMPULSORY VOTING – PERSONS ENROLLED ELECTORAL ROLL FAILED TO VOTE ELECTION 2008

Name of Applicant:

Not applicable

Location:

Not applicable

Author and Officer's Title:

Dan Phillips, Acting Chief Executive Officer

Executive Summary: *This report has been compiled for Council to make a determination on taking any action against those persons enrolled on the Electoral Roll however failed to vote.*

Section 373 of the Local Government Act states:

“Resolution about electors who fail to vote – As soon as practicable after the conclusion of the election, the local government must make a resolution deciding whether to take action under Section 375 about electors who failed to vote in the election”.

The local government can decide in its own discretion, whether or not to pursue the alleged failure to vote by any person.

Resolution No. PE 11.08

Moved Cr. Wason

Seconded Cr. Watson

That Council receives the report as detailed with reference to Persons Enrolled on the Electoral Role and failed to vote and that Council take no action against persons enrolled on the Electoral Roll however failed to vote at the 2008 election.

CARRIED



Item Number: 11 **File Number:** N/A
SUBJECT HEADING: LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND
REQUEST NOMINATION ELECTION DISTRICT
REPRESENTATIVE TO ASSOCIATION
Name of Applicant: Not applicable
Location: Not applicable
Author and Officer's Title: Dan Phillips, Acting Chief Executive Officer

Executive Summary: *A letter dated 17 March 2008 advising that in accordance with Rule 37 of the Association's Constitution and Rules, nominations are hereby called for the election of District Representatives to the Association's Executive for the period 2008/2012.*

Nominations close at 5.00pm Friday 18 April 2008.

Resolution No. PE 12.08
Moved Cr. Denton **Seconded Cr. Chambers**

That Council receives and notes the letter received from the Local Government Association of Queensland dated 17 March 2008.
And;
That Cr R S Loughnan be the nominated Executive District representative for the Local Government Association of Queensland from the Roma Regional Council.
CARRIED

NEXT MEETING

The date and time of the next General Meeting was set for Wednesday 4th April 2008, to commence at 12.00pm at the Roma Bungil Cultural Community Centre, Cnr Bungil & Quintin Streets, Roma.

CLOSURE

At 10.00am, there being no further business, the Mayor thanked Council for their attendance and declared the Meeting closed.

These Minutes will be confirmed as a correct record at the General meeting on 23 April, 2008.

.....
Mayor.

.....
Date.