

**MINUTES OF SPECIAL MEETING OF AURUKUN SHIRE COUNCIL HELD IN THE
COUNCIL CHAMBERS, 39 KANG KANG ROAD, AURUKUN ON THURSDAY, 31
JANUARY 2013**

PRESENT: Cr Dereck Walpo
Cr Angus Kerindun
Cr Vera Koomeeta (from 9.15 am)
Cr Ada Woolla
Cr Edgar Kerindun

Mr Hayden Wright – Advisor to Mayor

- 1. NOTICE OF MOTION**
- 13.4740 **RESOLVED THAT** the resolution passed at a Special Meeting held on 11 January 2013 as below, be rescinded:
- “Resolved that Council:**
1. Confirm the appointment of the Chief Finance Officer as the Acting CEO in the absence of the CEO;
 2. Extend the appointment of Mr Bernie McCarthy as acting COO until a permanent COO is appointed;
 3. Instruct the Acting CEO to ensure that Mr Bernie McCarthy has no operational involvement in the current recruitment process for the positions of CEO and COO (to ensure that there is no actual or perceived conflict of interest in the recruitment process given that Mr Bernie McCarthy is an applicant for the COO role).
- Moved: Cr E Kerindun** **Seconded: Cr Koomeeta**
Carried in full”
- MOVED: Cr Walpo** **SECONDED: Cr A Kerindun**
CARRIED

- 2. APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER**
- 13.4741 **RESOLVED THAT** Council:
1. Appoint Mr Bernie McCarthy as the Acting Chief Executive Officer from 31 January 2013 until a permanent Chief Executive Officer is appointed;
 2. Instructing the Acting Chief Executive Officer to have no operational involvement in the current recruitment process for the positions of Chief Executive Officer and Chief Operating Officer (to ensure that there is no actual or perceived conflict of interest in the recruitment process given that Mr Bernie McCarthy is an applicant for the Chief Operating Officer Role)
- MOVED: Cr Walpo** **SECONDED: Cr A**
Kerindun
CARRIED

Cr Vera Koomeeta entered the Meeting at 9.15 am.

- 3. HUMAN RESOURCE FUNCTION**
- 13.4742 **RESOLVED THAT** the delivery of all Human Resource services be delivered from the Aurukun office only.
- MOVED: Cr E Kerindun** **SECONDED: Cr A Kerindun**
CARRIED

Confirmed as a true and correct record of proceedingsMayor

4. OTHER MATTERS

(a) Staff Suspensions

The Mayor raised the matter of the suspension of two (2) staff from the Cairns Office, and made the following statement:

“At the last meeting of Council in December the Council received a report from our lawyer Mr John Bottoms regarding the investigation into the Channells allegations.

The investigation found that all of the allegations were unfounded.

However it was not made clear to Council that as a result of the investigation, two officers of Council in the Cairns office were to be disciplined over inappropriate disclosure of information. These officers were Wayne Perry and Jenny Ronlund.

After Christmas in January, I became aware that Wayne and Jenny had been suspended on full pay.

I have subsequently found out that they were given Show Cause Notices and asked to show cause why they should not be dismissed based on the findings in the Channells’ report that they had inappropriately disclosed information.

This week I have asked for copies of all the documentation including copies of the Show Cause Notices and the responses that each of them have given. I have also been provided with a copy of the Channells investigation report which gave rise to the issuing of the notices.

I have looked at these thoroughly and have formed the view that the breaches are relatively minor and do not constitute grounds for their dismissal. I have told the Acting CEO, Barry my view that the dismissal appears to me to be vindictive and unwarranted.

Barry has advised me that they in process of negotiating commercial settlements with both of them that would result in them resigning from Council. I think that this outcome is not in Council’s best interests.

I have spoken to both Wayne and Jenny independently and they have both advised me that would be prepared to come back to work.

I have also spoken to Mr John Bottoms and asked him not to proceed any further until I come to a resolution of this matter.

I am of the opinion that the dismissal of both officers harsh and unwarranted and I therefore seek your support for me to direct the CEO to reinstate these offices immediately.”

The Councillors indicated that they supported the Mayor’s proposed actions.

(b) Recruitment of Chief Executive Officer and Chief Operating Officer

The Mayor reported that the field of candidates who had applied for the Chief Executive Officer’s role was relatively weak. The Mayor advised the Council that it

Confirmed as a true and correct record of proceedingsMayor

was his opinion that it would be advisable to halt this process and to re-advertise the position in about two (2) months when things in Aurukun Council had settled down.

In the case of applications for the Chief Operating Officer's role, there was a reasonable field of applicants and therefore he was confident that Council could proceed to interview and consider an appointment.

The Coucillors present indicated their support for the action proposed by the Mayor.

There being no further business, the Mayor closed the Meeting at 9.50 am.

Confirmed as a true and correct record of proceedingsMayor