



**MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN THE NGUIU OFFICE ON
FRIDAY, 14 AUGUST 2009 AT 10.00AM**

1 Welcome & Apologies

1.1 Welcome

The meeting opened at 10.08am
The Mayor welcomed councillors and guests.

1.2 Present

Mayor: Lynette De Santis

Councillors: Barry Puruntatameri, Raelene Mungatopi, David Boyd, Emmanuel Rioli, Maralampuwi Kurrupuwu, Walter Kerinauia, Kathleen Tipungwuti, Teresita Puruntatameri, Richard Tungutalum.

Officers: Craig Rutherford(A/Director of Corporate Services and Minute taker), Maurice Rioli (Director Community Services)

1.3 Apologies

Henry Dunn and Marius Puruntatameri

1.4 Leave of Absence

NIL

1.5 Confirmation of Previous Minutes

Special Meeting - 16 June 2009

RECOMMENDATION

That the minutes of the Special Meeting on 16 June 2009 as circulated, be confirmed as a true and correct record of that meeting.

These minutes has already been confirmed at the 24 June Council Meeting – NO ACTION Required here.

2 CORRESPONDENCE

Nil

3 GENERAL BUSINESS

Nil

4 REPORTS FOR INFORMATION

Nil

5 REPORTS FOR DECISION

5.1 VALIDITY OF SPECIAL MEETING

All Councillors agreed that the meeting was valid and that sufficient notice of the meeting had been given all in accordance with Section 59 of the Act.

RESOLUTION

Moved: *Raelene Mungatopi*

Seconded: *Kathleen Tipungwuti*

- (a) **That Council agree that the Special Meeting, held on 14th August 2009 at Nguiu was a legal constituted meeting and is therefore valid.**

CARRIED

6 Confidential Items

RECOMMENDATION

That pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public to consider a Confidential matter.

At the conclusion of the discussion on the confidential item(s), the meeting was reopened and the decision on the item(s) noted.

RECOMMENDATION

That the meeting be reopened and the decisions on the confidential item be noted.

CONFIDENTIAL ITEM DECISIONS

6.1 PERFORMANCE MANAGEMENT ISSUE - CEO - LEGAL ADVICE

Recent performance of the CEO – Legal Advice

RESOLUTION

Moved: *Barry Puruntatameri*

Seconded: *Francis Xavier Kurrupuwu*

- (a) **That Council resolves to have the Mayor liaise with Council lawyers to determine and resolve the legal matters surrounding the performance of the CEO and any potential resignation or termination of the CEO.**

CARRIED

6.2 PERFORMANCE MANAGEMENT ISSUES - CEO - RESIGNATION

Recent performance of the CEO

RESOLUTION

Moved: *Richard Tungutalum*

Seconded: *Emmanuel Rioli*

- (a) That Council resolves to have a letter of offer of acceptance of the CEO's potential resignation sent to him, followed by a letter of confirmation of acceptance of the CEO's resignation upon the receipt of a letter of resignation from the CEO

CARRIED

6.3 PERFORMANCE MANAGEMENT ISSUE - CEO - TERMINATION

Recent performance of the CEO

RESOLUTION

Moved: Kathleen Tipungwuti

Seconded: David Boyd

- (a) That Council resolves that if the CEO's resignation is not received within a specified time frame to be set by the Mayor, then the Council resolved to terminate the employment of the CEO in accordance with s8.3 of the CEO's employment contract.

CARRIED

6.4 PERFORMANCE MANAGEMENT ISSUE - CEO - INTERIM REPLACEMENT

Recent performance issues - CEO

RESOLUTION

Moved: Teresita Puruntatameri

Seconded: Barry Puruntatameri

- (a) That Council appoints David Bond to be the acting CEO of the Shire upon the resignation or termination of the CEO until a permanent replacement can be found.

CARRIED

7 Next Meeting

8 Closure

The meeting closed at 11.05am.
The Mayor thanked the Council for their support.