

SHIRE OF PERENJORI
MINUTES OF THE ELECTORS MEETING HELD AT THE
LATHAM SPORTS CLUB ON TUESDAY 13th February 2018 COMMENCED AT 5.30 PM

1. ATTENDANCE/APOLOGIES

PRESENT	SHIRE PRESIDENT	Cr Laurie Butler
	DEPUTY SHIRE PRESIDENT	Cr Peter Waterhouse
	COUNCILLOR	Cr Rodney Desmond
	COUNCILLOR	Cr Lisa Smith
	COUNCILLOR	Cr Jo Hirsch
	COUNCILLOR	Cr Robin Spencer
	COUNCILLOR	Cr John Cunningham
	CEO	Ali Mills
	MIS	Ken Markham
	EXECUTIVE ASSISTANT	Bianca Plug
	RESIDENT	Joel Hesford
	RESIDENT	Jo Page
	RESIDENT	Sue Waterhouse
	RESIDENT	Elaine King
	RESIDENT	Brian King
	RESIDENT	Andrew King
	RESIDENT	Caroline Dahlberg
	RESIDENT	Paddy King
	RESIDENT	Rodney King
	RESIDENT	Brad Cannon
	RESIDENT	Chad Cannon
	RESIDENT	Ian Spencer
	RESIDENT	Paul Spencer
	RESIDENT	Russell White
	RESIDENT	Bev King
	RESIDENT	Les Hepworth
	RESIDENT	Norm Everett
	RESIDENT	Brian Baxter
	RESIDENT	John Bendsorp
	RESIDENT	Brad Spencer
	RESIDENT	Dale Fogarty
	RESIDENT	Grace Fogarty
	RESIDENT	Barrie McGlew
	RESIDENT	Harry James
	RESIDENT	Jeff Curtin
	RESIDENT	Aaron Brunschott
	RESIDENT	Colin Bryant
	RESIDENT	Marc Bennett
	RESIDENT	Brian Baxter
	RESIDENT	Ally Bryant
	RESIDENT	Janice Spencer
	RESIDENT	Adam Leopold
	RESIDENT	Brian McAlpine
APOLOGIES	COUNCILLOR	Cr Graeme Reid
	COUNCILLOR	Cr Kirk Pohl
	RESIDENT	Phil Logue
	RESIDENT	Bev Logue

The Shire President Cr L Butler opened the meeting at 5.32 pm

2. CONFIRMATION OF MINUTES

Moved: Cr P Waterhouse

Seconded: Cr R Spencer

That the minutes of the Electors meeting held at the Perenjori Pavilion on Tuesday 7th February 2017 be confirmed as a true and correct record.

CARRIED

3. RECEIVE ANNUAL REPORT

Moved: Cr J Cunningham

Seconded: Cr R Desmond

To receive the Annual Report for the year ended 30th June 2017.

Queries:

J. Spencer - Disposal of assets, Why is the book value higher then what the asset is sold for?

Answer: Red book is market value, this may be due to a surplus of what we are trying to get rid of. We will ensure we are more conservative in the future when estimating the values.

J. Bendsorp – The RSM Statutory Report regarding complying with regulations - nothing showed in the Annual Report but in the December meeting 8 things showed up that we were non-compliant with. Why is it not showing up in the annual report? I would like it to be noted that I am a negative vote against the Auditors Report.

Answer: The Independent Auditor's Report reflects on the year ended 30th June 2016. These were to do with purchasing and procurement. We will check on this with the Auditor and take this question on notice.

Auditors (RSM) answer:

Local Government (Audit) Regulation 10(3)(b) requires the audit report to include:

Any matters indicating non-compliance with Part 6 of the Act, the Local Government (Financial Management) Regulations 1996 or applicable financial controls in any other written law.

The **Report on Statutory Compliance** in our audit report dated 12 December 2017 covers our reporting requirements in relation to *Local Government (Audit) Regulation 10(3)(b)*.

The non-compliance with Tender Regulations as noted, relate to *Local Government (Functions and General) R11 and R12*. As these matters relate to *Local Government (Functions and General) Regulations* and not Part 6 of the *Local Government Act 1995* or the *Local Government (Financial Management) Regulations 1996*, they did not give rise to a modification to the audit opinion in relation to the Report on Statutory Compliance.

In addition to the Audit Report, we also issued an Audit Findings Letter dated 12 December 2017.

The Audit Findings letter identified **two significant risk issues** related to non-compliance with Tender Regulations and **one significant risk issue** related to **non-compliance** the Shire's internal purchasing policy.

4. GENERAL BUSINESS

(Public Question Time)

H. James - The Dring Wady Forrest road zig zags and in most sections, has bends. One section where the Levy road crosses the Wady Forrest road there was a sign which you can't see from the south side. There is only room for one vehicle at any one time. I would like the Shire to have a look at the intersection and put proper markings and on the section near Malora. The steel strainer section needs to also be moved.

Answer – The Shire will look into this (Manager of Infrastructure Services)

J. Hirsch - Will the Shire of Perenjori be responsible should costs for the 2018 Blues for the Bush event be greater than grants and event income?

Answer: The Shire of Perenjori has entered into an agreement with Bush Heritage Australia to conduct a further three events. Any surplus or deficit is shared by both. As the event has been held three times, the learnings in terms of estimating real costs incorporating both cash and in-kind contributions are well documented. Bush Heritage Australia provides significant in-kind support to the event with volunteer support.

The following provides an estimate of staff hours from existing paid positions and the allocation of hours associated with the dollar value. All other costs are incorporated into the budget with payment expected to be made for any additional works.

Area of labour	Hours over 4 months	Wage costs
Accounting	20 hours	\$774
Creditors	140 hours	\$4060
Reception	40 hours	\$1080
CEO	40 hours	\$2972
CDO – Community Development	340 hours	\$10,200
MIS – Manager Infrastructure	20 hours	\$912
	TOTAL	\$19,998

J. Hirsch – Is there a cap on the financial costs for Blues for the Bush?

Answer: Council approves the budget each year, there will be no over runs. This is based on the Business Plan that Council accepted last year. All in kind cost and contributions are now nil, we have now added this into the budget including Shire employee wages, accommodation etc.

J. Spencer – How long will Blues for the Bush be funded?

Answer: This will be a Council Decision – A Business Plan was given to Council last year looking at the economic benefits, Council decided to run 3 more events, most likely every 2 years. Each year we budget and we cannot predict future budgets. We missed 2015 due to finances not adding up, and it being a difficult year for all. This made it more successful in 2016 allowing more time for planning and investigation of finances. There was a surplus of around \$10,000 in 2016.

J. Hirsch - Will all Shire of Perenjori in kind donations (such as accommodation, staff time input , insurance , vehicle and equipment use etc) for the 2018 Blues for the Bush event be recorded and reported accurately in the report following the event ?

Answer: A detailed budget and final report after each event will be provided.

R. White - How many litigious issues in total. Remain active at this point in time, requiring legal help?

R. White Could a brief status of position of where each of them is at, be given to ratepayers?

Answer: The Shire is seeking legal advice on one matter in relation to an agreement with MidWest Transportables (MWT) regarding the ownership and management of the village units at the caravan park. The negotiations are in the final stage and Council is waiting on advice from MWT lawyers.

Answer: Local Government Insurance Service – is managing two workers compensation cases at the moment for Shire employees. LGIS are in control and manage this process and any assessments that may be required. Employee matters are confidential to protect the employee.

R. White - Why was Peter Money “let go”, when he was acknowledged as the shire GO-TO person, offering advice, was when regarded knew the required relevant procedures and offered a good dose of empathy.

Answer: The previous Manager of Corporate and Development Services – Peter Money tendered his resignation on the 15th November 2017. The position has been advertised with Camerelli and Associates, who are assisting with the recruitment process.

R. White - What plans have been drawn up to tackle the “gone past its use-by-date” aging asbestos on houses and various derelict laneway fences, after consultation with the shire health officer as indicated last year?

Our contracted Environmental Health Officer, has issued letters to residents across the Shire to address issues including, asbestos and untidy premises in 2017. Providing education and awareness was the approach taken reminding property owners of their obligations in relation to the health act.

There will need to be a follow-up with the contractor to take the next step which will likely involve the issuing of notices of non-compliance stating consequences. The contractor is due back in Perenjori in two weeks' time. This matter will be a priority for the contractor to attend to.

R. White – Can we put a fence around the asbestos? For 90 days?

Answer: we understand the frustration however; some residents don't have the capacity to comply. We will speak to our Health Officer about enforcement and the best approach to managing this.

J. Hirsch – From reading the previous minutes was there something wrong with the admin building relating to asbestos?

Answer: No. The admin building has an asbestos roof however, we have had it looked at and is it still intact and not a danger.

R. White - What happened to the anti-mosquito fogging program?

Answer: The program is in place and is being conducted in Perenjori and Latham. Unfortunately, recent bouts of windy conditions it has prevented this activity as this would be a waste of the expensive chemical. The current program will be conducted on week day evenings alternating between the towns of Perenjori and Latham – when conditions permit.

R. White - What is the problem getting in the way of having the street lighting restored to fully working, in co-operation with western power?

We are currently communicating with Western Power to address the lack of lighting across the town.

R. White – You need to be more proactive, get on the phone. Put fences around things.

Answer: Once you put in a complaint to Western Power it is then up to them. We will take this feedback on board, and continue our communications with Western Power. It is also helpful when community members also complain.

R. White - Why hasn't the Shire Executive been more proactive about the protracted failure of the BESS to nullify the towns ongoing power issues?

Does the shire accept it has been remiss in not having had a full back plan (also a non -functioning text notification, despite it being offered?)

Answer: Communications occur regularly on the BESS to ensure community are kept informed. This is a world first and is a trial so will require patience to see it developed to a working level. Understandably this is frustrating and has been expressed to Western Power and our MP's. Council is continuing to pursue a more reliable long-term solution with Western Power and the Department of Primary Industries and Regional Development. Data and local information has been provided to be assessed for potential future projects.

Answer: As stated the Shire is working to secure a longer term reliable power supply for Perenjori. The text messaging has not been activated due to the BESS not being fully functional. We will follow-up with Western Power to relay frustration with this. As it would be beneficial for individuals to do the same.

R. White - What is the fall back?

Answer: We are working very closely with Western Power, and the Department of Regional Development. BESS will not solve problems in the short term not the long term.

C. Bryant – Is there a timeline for results?

Answer: No. This is new technology, we have an opportunity to look into a solar project and we are looking at ways to capitalise on this. We have had less outages mainly due to more work on poles and more maintenance. We now have the attention of the government and we will continue to liaise with Western Power to ensure communications are regular to the community.

P. Waterhouse – They are experimenting, we are very lucky and we have not put forward any money towards this.

Jo Hirsch – I have an app that tells me when the power goes off. This app is no longer available. This is such an asset, maybe we talk to them to get them back up and running as it notifies you when the power is out on your property.

Answer: We will speak with Western Power about this.

R. White - As the reach mulchers is subjected to fire risk is there a possibility it can be more fully utilised during milder weather on all network 6 & 7 shire route where pralithic growth is hiding signs and posts, is overhanging, is narrowing the passing width, thus causing damage to large vehicles lights and mirrors and hide roos and emus.

Answer: Personnel has been an issue – as this machine does require training and for the operator to be competent and confident in it's use. It has been budgeted for the plant to be used approx. 2 days a week. Ideally it would be advantageous to extend this to more days however this would exceed our capacity. We are currently identifying suitable personnel to train and continue the works. Key routes and worst affected areas have been targeted to address intruding vegetation.

R.White - Hasn't the Shire owned this for 2 years? it is valuable Shire asset and did not turn a wheel for 9 weeks near Bunjil before Christmas.

Answer: Personal are an issue at this stage, trained staff do move on. We are currently working on this. Further information after the meeting – The mulcher has completed 127 hours over an 11 month period, which exceeds our original projections. Modelling will be investigated to assess opportunities for further resources to be allocated and to be offered to surrounding Shire's.

D. Fogarty - I would appreciate details of MRD maintenance truck regarding payment details from MRD to the shire in the last 2 years of the contract.

Reason for cancelation of the contract.

The Shire participated in the Mid-West Local Government Services Agreement with six other Shires, being Geraldton, Mingenew, Morawa, Three Springs, Carnamah and Coorow. The Shire of Perenjori was fortunate to have a maintenance truck and two workers based in Perenjori. The details of payments within the agreement have been under an internal investigation recently to ensure these met the terms of the agreement which was confirmed.

Due to the term of the contract coming to an end the terms were being reviewed, with a view from the majority of Shires to dissolve the group and not re-new the agreement.

D. Fogarty – I thought the agreement had another 6 years and heard that invoices had not been sent out? Why is it still under investigation?

Answer: No it was up for review – there was a vote amongst the Shires and the majority voted for the agreement to finish. Unfortunately, the majority won. The investigation has been completed showing payments were made and invoices were sent.

J. Spencer - Since that ceased who has taken over?

Answer: DOWNER EDI, Main Roads went to tender and it went to someone else. We did try other Shires but they did not support it and we did pursue this vigorously – we were out voted.

J. Bendsorp – It is abit disappointing, the patching truck was paid for by Main Roads and we had two employees in town. Disappointing that we did not pursue it more vigorously.

Answer: We did try, Coorow and Perenjori voted for it however the other Shires voted against it.

D. Fogarty - Are suspected irregularities in the tender process being investigated?

Answer: The Department of Local Government is conducting an investigation on procurement including tendering across the organisation. A report will be presented to Council providing details of their findings.

D. Fogarty - Reason for local tender although appears \$12000 cheaper for toilet block at the incubator hub was not successful.

Answer: Quotes were received for the construct of an ablution facility to be adjoined to the Business Incubator Units. Quotes are assessed based on reputation – ensuring we get the right skills and experience, availability – ensuring the job can be completed within the time frame to meet funding body requirements, and price – ensuring best value for money.

A.King – Who was the successful tenderer?

Answer: GBSC

B. Cannon – I was the local who missed out on it, I was available to do the job, there was no communication and I had my tender in 3 months prior to the other company.

Answer: This is a Learning curve – we were pressured for time due to funding and there was a lack of communication, between Shire staff.

D. Fogarty - Differences in price on the white ant tender when local contractor was not successful

Answer: Quotes were sourced by the Manager of Corporate and Development Services for annual spraying of all council houses and buildings. A local quote and regional quote was received – each being assessed based on the above criteria. The preferred contractor is selected and awarded the work. It is not appropriate for us to reveal commercial information including submitted prices to the public. It can be said the criteria comparison was very even, however the price difference was quite significant.

D. Fogarty – I have heard a rumour that the other company isn’t doing the same job. I have read reports that they are meant to bait houses roofs. It only took this company two days and it used to take Frank Gilmour 5 days with two people.

Answer – They do the same job and the job was completed satisfactorily.

D. Fogarty - Are tenders considered by the councillors in conjunction with the CEO or by the CEO alone?

Answer: There are differences between tendering and quotes.

Tenders are required to meet the regulation of the Local Government Act 1995. The process involves an assessment panel which can include two or more people consisting of staff, CEO and or a contractor. A recommendation report assessing tenders against the criteria is presented to Council for approval.

The following provides details of the Shire’s purchasing policy:

1.1 Purchasing Thresholds

The table below prescribes the purchasing process based on the purchase value:

Purchase Value Threshold	Purchasing Requirement
Up to \$5,000	<p>Purchase directly from a supplier using a Purchasing Order or Corporate Credit Card issued by the Shire, or obtain at least one (1) oral or written quotation from a suitable supplier, either from:</p> <ul style="list-style-type: none"> • an existing panel of pre-qualified suppliers administered by the Shire; or • a pre-qualified supplier on the WALGA Preferred Supply Program or State Government Common Use Arrangement (CUA); or • from the open market.
Over \$5,000 and up to \$10,000	<p>Purchase directly from a supplier using a Purchasing Order or Corporate Credit Card issued by the Shire and obtain at least one written quotation from a suitable supplier, either from:</p> <ul style="list-style-type: none"> • an existing panel of pre-qualified suppliers administered by the Shire; or • a pre-qualified supplier on the WALGA Preferred Supply Program or State

	<p>Government Common Use Arrangement (CUA); or</p> <ul style="list-style-type: none"> • from the open market.
Over \$10,000 and up to \$50,000	<p>Obtain at least two(2) written quotations from suppliers following a brief outlining the specified requirement, either from:</p> <ul style="list-style-type: none"> • an existing panel of pre-qualified suppliers administered by the Shire; or • a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA; or • from the open market. • If two written quotations can't be obtained the reason/s must be recorded on the purchaser order office copy.
Over \$50,000 and up to \$150,000	<p>Seek to obtain at least three (3) written quotations from suppliers by formal invitation under a Request for Quotation, containing price and detailed specification of goods and services required. The procurement decision is to be based on pre-determined evaluation criteria that assesses all value for money considerations in accordance with the definition stated within this Policy.</p> <p>Quotations within this threshold may be obtained from:</p> <ul style="list-style-type: none"> • an existing panel of pre-qualified suppliers administered by the Shire; or • a pre-qualified supplier on the WALGA Preferred Supply Program or State Government CUA; or • from the open market. <p>Requests for quotation from a pre-qualified panel of suppliers (whether administered by the Shire through the WALGA preferred supply program or State Government CUA) are not required to be invited using a Request for Quotation form, however at least three written quotes are still required to be obtained.</p> <p>Social impact of the purchase may be a consideration in quotations in accordance with Council Policy 4006 Regional Price Preference Policy.</p>
Over \$150,000	<p>Where the purchasing requirement is not suitable to be met through a panel of pre-qualified suppliers, or any other tender-exempt arrangement as listed under section 11 of this Policy, or if a broader range of suppliers is desired, conduct a public Request for Tender process in accordance with Part 4 of the <i>Local Government (Functions and General) Regulations 1996</i>, this Policy and the Shire's tender procedures. The procurement decision is to be based on pre-determined evaluation criteria which may include the Regional Price Preference Policy and social impact that assesses all value for money considerations in accordance with the definition stated within this Policy.</p>

J. Spencer – When locals put in for a tender do they get more preference? It Concerns me that families may be missing out meaning they may leave town.

Answer – We have a Price Preference Policy, your price can be 5 percent higher and you will still be considered. We are in the process of reviewing this policy to assist in providing more local benefit.

R. Desmond – Are you working with ALGA or WALGA?

Answer – we are working with Perth WALGA.

D. Fogarty – Can you please explain what happened with the Rubbish Collection tender, as the local in Morawa is very upset that he no longer has work.

Answer – This was a Joint venture with the Morawa Shire they handled all the tenders. Morawa had a panel of 4 or 5 tenders, one local and the others were outsiders. Morawa has a Buy Local Policy. The service that they all provided was the same however prices were significantly different. The Perenjori Council then discussed this at the December meeting and supported the officers recommendation.

L. Hepworth - Why do you have to go behind closed doors for everything?

Answer: All tenders are required to go behind doors, it is to protect the commercial information provided which is confidential.

J. Bendsorp – What’s changed with going behind closed doors – We never used to with the Agregate. You can’t see the recommendation anymore. Other councils don’t do this.

Answer – We take advice from WALGA. This is quite standard and once again is to protect the tenderers and commercial information.

J. Hirsch – In the previous minutes last year it was asked if there was going to be a building committee. Has this happened?

Answer: We now have working groups, Shire President, CEO, BMO, MCDS and Cr Spencer - It then comes back to Council.

L. Hepworth - Can the shire explain if we lost money and how much concerning stand down time paid to the contractors on storm damaged roads in the southern end of the shire?

Answer: The Shire has recovered all allowable payments from Main Roads for the WANDRA works completed in the south of the Shire in the latter half of 2017. There is no recorded loss. There was significant lobbying from Shire’s Executive to ensure no losses were incurred.

J. Spencer – Why did it start without the permit?

Answer: We started in March and applied for the permit back in December they shouldn’t have had a problem however, it seems there were resourcing issues at the DER.

C. Bryant – Why was this project not given to a local?

Answer: The tender regulations were completely followed and managed independently and unfortunately the competition was very strong.

R. King – When did the Buy Local Policy start?

Answer: We have introduced more criteria, skills and experience in the last 6 months and are introducing community benefit criteria to provide advantage to local businesses.

R. White - Why can’t you split the jobs?

Answer: Due to tender regulations, splitting is not allowed.

J. Spencer – When is something going to get done about the cockatoos? You can't stand and have a conversation in the street and the Shire employees spend most of their time sweeping up after them.

Answer – We need to apply for damage licence every year, this year the gun licence went astray causing issues for the permit application. We take the point though and understand the need to get to the corellas early to prevent them from building numbers.

J. Spencer - Does it last for a year?

Answer: Yes. The permits last for a year, you have a limit once you have met your quota and then you must re-apply. You can also only shoot on Shire land.

P. Spencer – Why did we leave it so long?

Answer: We need to show evidence of the damage in order to receive the permit. We are looking into other options in conjunction with the shooting.

J. Spencer – We are in a grey area for mobile service, one tower needed to be closer to Perenjori we are only 7km down old Perth road and have no mobile service.

Answer: Four towers have been added. There is a tower on John Cunningham's hill, once that is operating it will cover your area however, there is currently no power up there – they are working on this.

D. Fogarty – What were the circumstances for Peter leaving?

Answer: He resigned.

J. Bendsorp – Auditors report – noncompliance for tendering, is anyone following up on it?

Answer: These were one off errors and practices have been in line with regulations since then.

L. Hepworth – Is the Shire under investigation? Do we have any areas of concern and are we only a moderate risk?

Answer: The Shire is being investigated by the Department of Local Government as stated previously.

D. Fogarty – who oversees the dust near the loading trucks? I have Iron Ore dust on my car very regularly.

Answer: Please let us know asap when this is happening and we will get in contact with Mt Gibson straight away, to address the matter.

A. Leopold – In November every year there is usually a tender for hired equipment? Why has this tender not come up last year?

Answer – We are now introducing a Purchasing Policy to introduce this month for tendering panels. Once we have a tender panel there will be no need for us or the contractor to resubmit tenders each year and hopefully will simplify the process. All existing contractors will be informed.

D. Fogarty – The HR officer, why was that necessary?

Answer: We had a report presented in December, they are not full time but on a contract basis only and provide independent support to staff. This is not unusual and an important specialist area to support the attention to HR matters.

J. Spencer – Is the HR company available to all employees? there seems to be a big turnover. Is it a wage issue?

Answer: that is a perception, stability is quite good amongst staff. Turnover is mainly due to personal issues and because of where we live. Yes, the HR company are available to all employees.

R. White – Request to move a motion that the public meet again in 90 days – we need clear outcomes, street lights, plans put forward through the bush telegraph, phone system.

Answer: This can be done through further information through the Bush Telegraph and through the Progress Association meeting on the 20th February 2018. All the bodies you talked about we have no control over however we will communicate with those bodies. We have influence, and will continue to advocate to bodies on behalf of the community, whilst it is also important for individuals to also do their own complaints.

J. Spencer– I read the CEO report in the bush, maybe more can be put in the Bush to update residents.

Answer – Thank you for the feedback, we can do this.

5. CLOSURE

With no further business Cr L Butler closed the meeting at 7.00 pm.

I certify that this copy of the Minutes is a true and correct record of the meeting held 13th February 2018.

***Signed: _____
Presiding Elected Member***

Date: _____