



MINUTES

UNSCHEDULED MEETING OF COUNCIL

Thursday, 4 November 2021

Virtual Meeting
Via Zoom
Commenced at 9am

COUNCIL:

Cr B Moar – Mayor

Cr J Benham
Cr A Young
Cr LT McPhee
Cr C Jeffery
Cr S King
Cr N McKay

Confirmed 16 November 2021

Chairperson.....

SECTION A – PROCEDURAL MATTERS3
SECTION B – REPORTS.....4
B.21.103 APPOINTMENT OF AN ACTING CHIEF EXECUTIVE
OFFICER (CEO).....4

SECTION A – PROCEDURAL MATTERS

- **Welcome**

Mayor, Councillor Bill Moar assumed the chair and declared the meeting open at 9.02pm.

- **Acknowledgement of Country**

Mayor, Councillor Bill Moar read the Acknowledgement of Country.

- **Prayer**

Cr Jade Benham read the prayer.

- **Apologies/Leaves of Absence**

Nil

Recommendations

That the apologies be accepted.

- **Directors/Officers Present**

John McLinden, Chief Executive Officer
Heather Green, Director Development and Planning
Bruce Myers, Director Community and Cultural Services
Svetla Petkova, Director Infrastructure
Joel Lieschke, Director Corporate Services
Karen Taylor, Web Design and Development Officer
Sharon Lindsay, Executive Assistant
Terri McCormick, Executive Support Officer

- **Disclosures of Conflict of Interest**

Nil

134/21 Motion

MOVED Cr King

That the meeting be closed to the public as Council discuss personnel matters at 9.06pm.

SECONDED Cr McKay

The Motion was put and CARRIED

Officers were asked to leave the meeting and the live-stream was paused while in-camera.

SECTION B – REPORTS

B.21.103 APPOINTMENT OF AN ACTING CHIEF EXECUTIVE OFFICER (CEO)

Responsible Officer: Chief Executive Officer
File Number: S18-14-05-001
Attachments: Nil

Declarations of Interest:

John McLinden - as the responsible officer, I declare that I have no disclosable interests in this matter.

Summary

Following the resignation of Councils CEO Mr John McLinden, it will be necessary to appoint a short term acting CEO until Councils resolution of 26 October to appoint an acting CEO through an agency can be put in place.

Discussion

Council received and accepted the resignation of Mr John McLinden Chief Executive Officer at its meeting of Tuesday, 26 October 2021. Mr McLinden's last day in office is Friday 5 November 2021. At the meeting of 26 October, Council resolved to direct the Director of Corporate Services to commence engagement of a temporary CEO through an agency prior to commencing the appointment of a recruitment company to recruit a permanent CEO.

The appointment of an Acting CEO through an agency will require some time as Council goes through an appropriate procurement process and it will not be possible to have this person in place by 5 November 2021.

It is therefore suggested that Council appoint from within its directorship a person to be an Acting CEO from the 5 November 2021 until such time as a longer term Acting CEO is appointed through an agency. A potential timeline is set out below:

- 5.00pm Friday 5 November - CEO McLinden concludes his service and the short term acting CEO commences
- Friday 5 November - Submissions close from agencies for the supply of a longer term acting CEO. Submissions and CVs circulated to all Councillors
- Tuesday 9 November- Councillors meet to review applications and make a selection in the Councillor Assembly
- Tuesday 16 November - Council appoints a longer term acting CEO and Council instructs the CEO to commence the process of selecting a recruitment company to assist with the recruitment of a permanent CEO (*note that the*

Director Corporate Services will have commenced this process in line with Councils resolution of 26 October)

- Some time in November - Longer term acting CEO commences and short term CEO returns to their substantive role.

From the potential timeline above is clear that, Council should be in a position to recruit a longer term Acting CEO by mid-November and have that person in place shortly thereafter and certainly by the end of November.

The recruitment process for a permanent CEO will roll into January or February 2022.

Each of the current directors employed by Swan Hill Rural City Council is capable of performing the job of Acting CEO and in fact, each has fulfilled that role during times of leave of the incumbent.

Consultation

Not applicable.

Financial Implications

Salary cost for the acting CEO will be met from the Salary and Wages budget.

Social Implications

Not applicable.

Economic Implications

Not applicable.

Environmental Implications

Not applicable.

Risk Management Implications

The Local Government Act 2020 requires Council to appoint a CEO and an acting CEO when a vacancy arises. This resolution of Council will keep Council compliant with the Local Government Act 2020.

Council Plan Strategy Addressed

Governance and leadership - Effective and efficient utilisation of resources.

Options

Council may adopt or amend the recommendation.

Recommendations

That Council pursuant to section 44 (4) of the Local Government Act 2020 appoints one of the Directors of the Swan Hill Rural City Council to be a short-term Acting CEO commencing at 5pm on Friday, 5 November 2021 and continuing in that role until a longer term Acting CEO is appointed pursuant to Council's resolution of the 26th of October 2021.

135/21 Motion

MOVED Cr Benham

That Council pursuant to section 44 (4) of the Local Government Act 2020 appoints Ms Heather Green of the Swan Hill Rural City Council to be a short-term Acting CEO commencing at 5pm on Friday, 5 November 2021 and continuing in that role until a longer term Acting CEO is appointed pursuant to Council's resolution of the 26th of October 2021.

SECONDED Cr McPhee

The Motion was put and CARRIED

136/21 Motion

MOVED Cr King

That Council move out of in-camera at 9.23pm.

SECONDED Cr Benham

The Motion was put and CARRIED

The Mayor read out the Motion which was put and carried while In-Camera “That Council pursuant to section 44 (4) of the Local Government Act 2020 appoints Ms Heather Green of the Swan Hill Rural City Council to be a short-term Acting CEO commencing at 5pm on Friday, 5 November 2021 and continuing in that role until a longer term Acting CEO is appointed pursuant to Council's resolution of the 26th of October 2021” for the live-stream audience.

There being no further business the Mayor, Councillor Bill Moar closed the meeting at 9.26am.