



Agenda
Annual General Meeting of Electors
Held on
Monday 8 December 2008
At the Moora Performing Arts Centre
Commencing at 8.00pm

1. OPENING
2. ATTENDANCE AND APOLOGIES
3. CONFIRMATION OF MINUTES OF THE ANNUAL GENERAL MEETING OF ELECTORS HELD 10 MARCH 2008
4. SHIRE PRESIDENT'S REPORT
5. CHIEF EXECUTIVE OFFICER'S REPORT
6. 2007/08 REPORT ON PRINCIPAL ACTIVITIES AND HIGHLIGHTS
7. FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2008
8. INDEPENDENT AUDIT REPORT TO THE ELECTORS OF THE SHIRE OF MOORA
9. GENERAL BUSINESS
 - 9a. QUESTIONS IN WRITING
 - 9b. OTHER GENERAL BUSINESS
10. CLOSURE OF MEETING

Light Supper and Refreshments to be provided following the meeting

1. **OPENING**

2. **ATTENDANCE**

APOLOGIES

3. **CONFIRMATION OF MINUTES OF THE ANNUAL GENERAL MEETING OF ELECTORS HELD 10 MARCH 2008**

That the Minutes of the Annual General Meeting of Electors held on the 10 March 2008 be confirmed.

4. **SHIRE PRESIDENT'S REPORT**

The Shire President to read aloud her report contained in the 2007/2008 Annual Report.

That the Shire President's report for the 2007/08 year, as printed and read aloud, be received.

5. **CHIEF EXECUTIVE OFFICER'S REPORT**

The Chief Executive Officer to read aloud the report of the Chief Executive Officer contained in the 2007/08 Annual Report.

That the Chief Executive Officer's report for the 2007/08 year, as printed and read aloud, be received.

6. **2007/08 REPORT ON PRINCIPAL ACTIVITIES AND HIGHLIGHTS**

That the 2007/08 Report on Principal Activities and Highlights as printed be received.

7. **FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2008**

That the Financial Report for the Year Ended 30 June 2008 be received.

8. **INDEPENDENT AUDIT REPORT TO THE ELECTORS OF THE SHIRE OF MOORA**

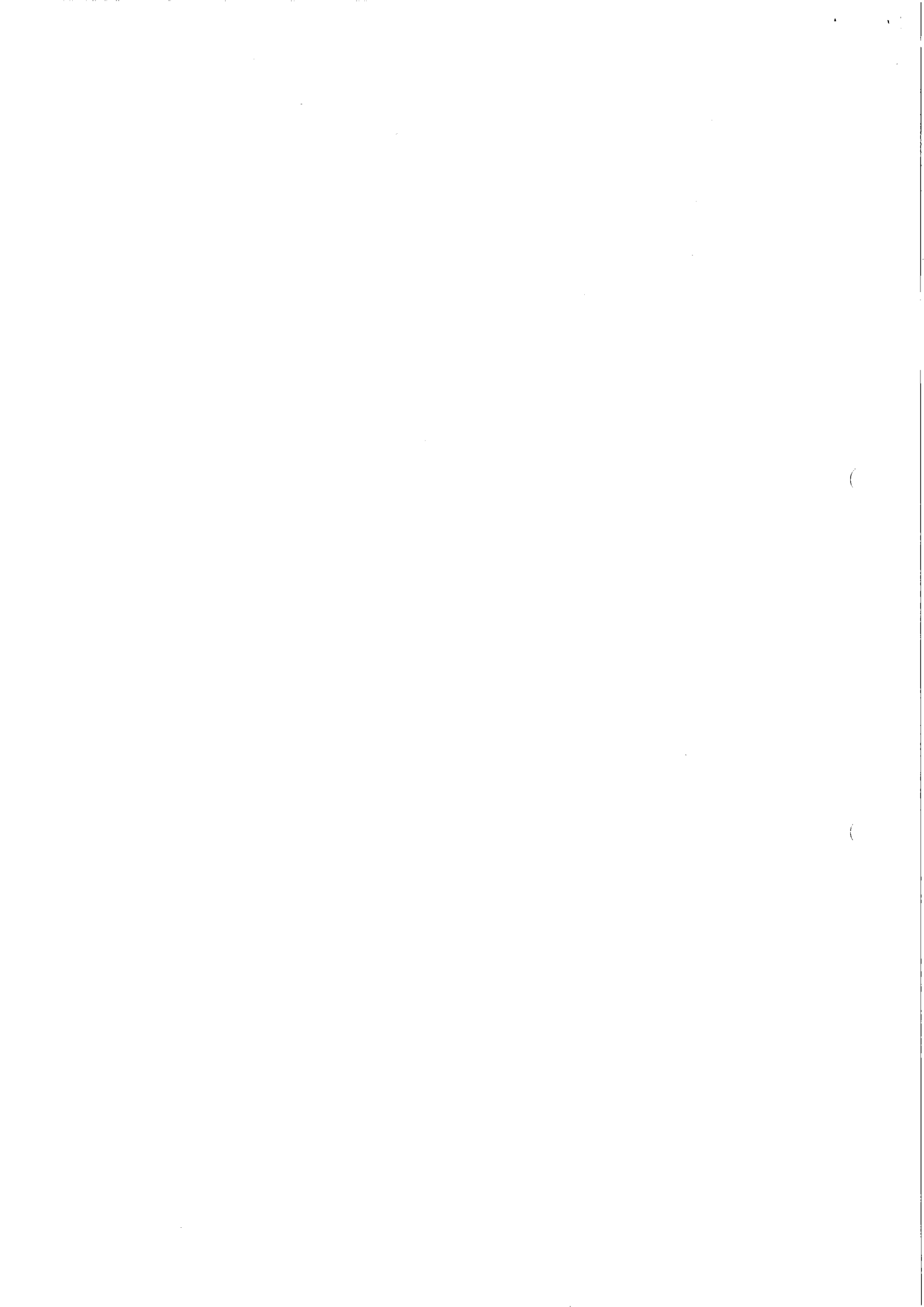
That the Independent Audit Report to the Electors of the Shire of Moora for the year ended 30 June 2008 be received.

9. **GENERAL BUSINESS**

9a. **QUESTIONS IN WRITING**

9b. **OTHER GENERAL BUSINESS**

10. **CLOSURE OF MEETING**





**Minutes
Annual General Meeting of Electors
Held on
Wednesday 10 March 2008
At the Moora Performing Arts Centre**

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Light Supper and Refreshments to be provided following the meeting

I. OPENING

The Shire President opened the meeting at 7.35pm welcoming those in attendance.

2. ATTENDANCE

Cr Sheryl Bryan	–	Shire President
Cr Colin Gardiner	-	Councillor
Cr Bill Barrett-Lennard	-	Councillor
Cr Chris Hawkins	-	Councillor
Cr Jim Pond (from 8pm)	-	Councillor
Cr Arthur Tonkin	-	Councillor
Cr Robert Keamy	-	Councillor
Mr Eddie Piper	–	Acting Chief Executive Officer
Mr Michael Prunster	–	Manager Community Development
Mr John Greay	–	Manager Engineering Services
Mr Darren Friend	–	Manager Finance & Corporate Services
Mrs Rebecca McCall	-	Manager Economic Development

PUBLIC

Mr Murray Matthews	Mr Dick Adamson	Mr David Stribley
Mr Aidan Bryan	Mrs Ann Lewis	Mr Stan Lewis
Mr Des Seymour	Mr Terry Reynolds	Mrs Lorraine Craven
Mr Len Holberton	Mrs Marie Carter	Mrs Kerry Bein
Mrs Merrel Pond		

APOLOGIES

Mr Steven Deckert	-	Chief Executive Officer
Mr Richard (Tich) Murray		
Mrs Audrey Brown		

3. CONFIRMATION OF MINUTES OF THE ANNUAL GENERAL MEETING OF ELECTORS HELD 13 DECEMBER 2006

48/08 Moved Mrs Lorraine Craven, seconded Mrs Ann Lewis that the Minutes of the Annual General Meeting of Electors held on the 13 December 2006 be confirmed.

CARRIED

Note - Mrs Ann Lewis asked that a clarification to her comments in relation to Item 9b, page 5 paragraph 4 of the Minutes be noted:

Mrs Lewis advised the Annual General Meeting of Electors that the Bindi Bindi Progress Association intends to approach Council with an offer to undertake maintenance of the Bindi Bindi Hall, with the Shire's financial assistance and under the Shire's direction.

4. SHIRE PRESIDENTS REPORT

The Shire President to read aloud her report contained in the 2006/2007 Annual Report.

49/08 Moved Mrs Lorraine Craven, seconded Mr David Stribley that the Shire President's report for the 2006/07 year, as printed and read aloud, be received.

CARRIED

5. CHIEF EXECUTIVE OFFICER'S REPORT

The Chief Executive Officer to read aloud the report of the Chief Executive Officer contained in the 2006/07 Annual Report.

50/08 Moved Mr Aidan Bryan, seconded Mr David Stribley that the Chief Executive Officer's report for the 2006/07 year, as printed and read aloud, be received.

CARRIED

At 8pm Cr Pond joined the meeting.

6. 2006/07 REPORT ON PRINCIPAL ACTIVITIES AND HIGHLIGHTS

51/08 Moved Mr Aidan Bryan, seconded Mr David Stribley that the 2006/07 Report on Principal Activities and Highlights as printed be received.

CARRIED

7. FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2007

52/08 Moved Mr Murray Matthews, seconded Mrs Kerry Bein that the Financial Report for the Year Ended 30 June 2007 be received.

CARRIED

Mrs Lorraine Craven expressed concern regarding the \$380,000 error in the 2007-08 Budget and asked if the public had been made aware of this fact.

The Shire President advised no, however a report was going to Council.

The Manager Finance and Corporate Services explained the error to the meeting and advised that a budget review was underway and a report will be put to Council next month.

Mr Stan Lewis expressed concern that the Audit Report made some unflattering comments regarding the late presentation of the Annual report to the Auditors and that the Budget review had not been forwarded to the Department of Local Government & Regional Development.

The Manager Finance and Corporate Services responded and advised the Budget review documents had been forwarded to the Department and he would be discussing the issue with the Auditors.

8. INDEPENDENT AUDIT REPORT TO THE ELECTORS OF THE SHIRE OF MOORA

53/08 Moved Mrs Merrel Pond, seconded Mr Aidan Bryan that the Independent Audit Report to the Electors of the Shire of Moora for the year ended 30 June 2007 be received.

CARRIED

9. GENERAL BUSINESS

The Shire President informed the meeting that Councils position on the Bindi Bindi Hall (remains as that adopted on the 25th July 2007, (item no. 11.5.3 minute no. 152/07) being

“that Council records that it is Councils preference that during 2007/08 to investigate options to construct a new meeting room attached to the proposed future fire shed, however before progressing further to consult with the Bindi Bindi community.”

The Shire President explained she was making this statement prior to the meeting addressing the schedule of questions submitted by Mr Stan Lewis. She felt that this may overcome a number of his concerns.

9a. QUESTIONS IN WRITING

Please note that the questions as listed from Mr Stan Lewis have been reproduced (verbatim from the letter received from Mr Lewis (sic).

TO: MOORA SHIRE Elector’s Meeting From: Stan Lewis

I HAVE 2 SEPARATE Sets of QUESTIONS;

The FIRST SET Concerns Bindi Bindi Hall SUPPER ROOM

BINDI HALL Q1: Why, - when Shire decided 9May07 to close Bindi Hall “until...meetRegulations” and “closed in accordance..with..above: - did the affixed notice declare “..closed indefinitely”? when those minutes record category “high level of protection” and “community shown great interest in preserving..for present usage” and “it is believed..Bindi Badmington and..Progress use Bindi Hall” when diligent enquiry would have shown Bindi used its Hall Complex at least 22 times in previous year including a popular baptism, a Christmas party,etc..Bindi had held Uniting Churh services in its Hall – more recently in its supper Room – CONTINUOUSLY since it was built in 1934.

Page 18 of 9May minutes report “non-compliance of the **BUILDING**” when **TRUTH** is non-compliance of the **SHIRE**’s niggardly responses to **Bindi**’s continuing pleas.

Q2. Why didn’t Melissa Rourke use her initiative to suggest the Supper Room be kept in service in compliance with (b) “..any place or PART of a building”, being mindful (in the very best traditions of the public service) of the minimal needs of a community whose sole remaining social focal point is now the ladys’ and the gent’s toilets- with a total seating capacity – of – THREE – persons at any one time. Was Madam Chair aware that her authorative announcement to Council: “You can’t close just ONE PART of building” was untrue and could have swayed councilors against keeping the Supper Room open?

Q3. Following a well attended (40 people) meeting of Bindi Prog Assn at Bindi Supper Room evening 24May07 to discuss the closure tow important motions were carried: (See attached copy herewith), reflecting our determination to have a more satisfactory level of communication with Shire The second motion clearly demonstrated our desire to keep the Supper Room open until either replacement or restoration – And carried unanimously 39 for; 1 against.

Q4 Can ANYcouncilor remember, these (extracts of) the 24May Bindi Prog. Minutes EVER going before Council? I am reliably informed those minutes were mislaid for nearly 3 weeks and some councilors say those Minutes never at any time went before Council. Cr.Barrett-Lennard voted against at the second B.Prog Assn motion and therefore Not (strictly) unanimous.

I moved both motions and I feel sure there was only one voter against each of the attached copy above the forementioned motion.

I supported (with my addendum “with a social component”) advocating a Bindi firseshed.

Ann Lewis clearly remembers handing the Bindi Minutes to Shire desk, at Audrey’s request, for Cr Barrett-Lennards convenience prior to that afternoon’s Shire meeting. Can Madam Chair please try to verify so as to account for Council’s wedded course.

Q5 Is there ANY evidence that our (then/Ward member) Cr Barrett-Lennard at any time then or since supported preservation of Bindi’s Supper Room until, on the morning of a subsequent Shire Meeting Cr B-L and les Crane met and Cr B-L was able thence to confidently claim (flying in the face of the previous ‘unanimous’ KEEP SUPPER ROOM OPEN) the motion: “the Bindi people did not want money spent on the Bindi Hall”

Q6 Is it not possible that careless manipulative use of the word HALL could mislead Councilors into failing to understand the difference between that of closing the WHOLE Hall Complex and that of leaving its Supper Room open.

Q7 Did Councilors understand that Health Regs are based on Hall Capacity (numbers) and the much reduced SR proposition would bear favourably in reducing upgrading costs eg. No longer need extra 3 handbasins in the lady's toilet, (costly) hard-wiring electrics to the outside toilets etc.

It should be noted that there was and is little wrong with the SR. I think most serious were no RCD in the SR switchboard, double lever exit door and out-of-date F/Extinguisher-all Shire responsibilities substantially overcomable with busy bee help as witness our busybee landscaped front garden..

Q8 Did Councilors know (do they yet?) that Ann Lewis, in her devotion to keeping SR open, within days of its closure, donated (strickly anonymously-cheque herewith) \$6 000 toward keeping SR open. That cheque sat unremarked in limbo 8 weeks before being returned to her with Shire note couched as inappropriate, in a letter addressed with my name (I had no foreknowledge of her donation and didn't need to - t being her own money and I respect her independence)

Q9 How does Q8 implications sit with councilors AND PUBLIC against subsequent (very appropriate and wisely) announcement by Madam Chair, in declining Round Hill Deputation's plea for finance for RH Hall "...unless a generous benefactor...etc".

What appeal can the crass Q8 handling of a "generous benefactor" have on those precious few public "benefactors" who ARE out there? Is Council so entirely bankrupt of both money and courtesy that it can no longer afford to say thankyou in a way that means thankyou?

This shameful rudeness showed again at Bindi Prog.Assn Aug'07 when Ann's attempted donation was discussed and rejected with derisive laughter and sniggers, unchecked by Chairman Crane. Our good friends the public are worthy of less cupboard-love contempt!

Q10 Are councilors aware that Ann (Lives 20 km from Bindi took over the (honorary) role from Audrey Brown of cleaning the Bindi Hall toilets and, but for her generosity of spirit I'm sure those toilets would rapidly be closed down in favour of the alfresco version that is mountingly evident by divots and toilet paper strewn around the unofficial truckbay just north of Bindi rail crossing.

Q11.....Can Councilors and public grasp the concept that Bindi's social fabric - and its social conscience is rapidly coming apart. We are adrift. Our Hall has been neglected, Hall vandalized, now subject of police investigation. Pride of identity is in desperate need of a social focal point. Our negatively focused local leaderships are sadly wanting.

Q12.....At Bindi's last Prog. Assn meeting chairman Les Crane pointedly avoided reading the Minutes until I repeatedly protested POINT of ORDER, (exposing Crane's reluctance to advance the two aforementioned 24May motions). My proposition to ask Shire for allocation for Bindi's 'fired' needs from the \$25 000 sale of Bindi's Lot 50 was stubbornly, repeated forcefully and authoritatively 3 times by Crane to an incredibly trusting audience as "There's a law against it!" even when I protested "it CAN be done administratively" In consequence we may well have lost that budget opportunity. Any claim we had could rapidly dilute by identity, time, other claims, politics and razor gang stringencies.

I have checked the veracity of Crane's above assertion with Mr Gray in Ministry of Local Government and he assured me "it is done all the time". "A law against it?" He laughed "What law?"

Essence of Q12 is Does Council realise how far our Prog Assn leadership has deceived our trusting people with persuasive actions that fly in the face of overwhelming formal directives of constitutionally called meetings? Does Council know that is response to my question at Bindi's (at Miling) Aug07 Prog Meeting when I asked Crane "How are we getting on with the Formal Consultative Process (Prog Assn 24May) Crane said he called on CEO Deckert personally to discuss Bindi issues; I said "Les, why you alone? Why not 2 or 3 of you to Council as a deputation – consistent with 'Formal Consultative Process' on Bindi's important issues?" Crane replied "Deckert would only see ONE person"

Upon probing Chairman Crane 3 times he each time asserted ONE PERSON and held up one finger. Because I had learned to distrust Cranes assertion I checked with Deckert and Deckert denies he confined Crane to one, saying Les did not ask for more than one and would not have refused 3 persons. Deckert should be invited to comment at Electors.

Q13 Since closure of Bindi Hall has there been ANY formal Deputation from Bindi Prog. Assn to Council? What issues? Outcome?

Does Council think that Crane/Deckert meeting in any sense approaches the unanimous Bindi Prog Assn motion calling for a Formal Consultative Process with Council?

Q14 Is Council aware that when Ann tabled a 'wallet' named Partnership Program, sent her from Wilson Tuckey (specialising on parameters for applying for grants commonly \$20 000 to \$30 000) for refurbishment of Country Halls and placed it on the table Bindi's committee showed not the slightest interest. It lay untouched!

Q15 Should the public know that when I, in an attempt have Bindi SR re-opened, suggested that if the electricity was cut from the SR that would greatly reduce compliance costs enabling the SR at almost no cost FOR DAYLIGHT USE ONLY thus allowing our historic Uniting Church congregation – and other interests to function. (copy UC letter herewith) at quite minimal

cost). Council voted 5 to 3 against. Our local member's vote might well, (with Madam Chair's casting vote) have saved the day for Bindi's SR – until a satisfactory replacement solution eventuates.

Q16 My final question is: Will this Elector's Meeting agree to a Formal Enquiry into the circumstances leading to the demise of Bindi Bindi from May07 to present date? – and make recommendations?

Mr Lewis requested after some discussion the meeting address Q16. Some further discussion followed regarding his request for a 'Formal Enquiry' however the matter lapsed.

9b. OTHER GENERAL BUSINESS

The Shire President opened the meeting for General Business and invited questions from the public.

Mrs Lorraine Craven asked whether Council can accept contributions/donations? Does it have a policy?

Shire President advised that Councils can and do accept contributions/donations as and when they arise.

Mr Dick Adamson – provision of new piano for Moora Performing Arts Centre. Quote sourced for Bernstein model which is in excess of \$16,000. Can the Council see fit to paying the additional funding? Not sure of the time limit of the quote.

Cr Hawkins advised that Council may have access to additional community funding which will allow for the purchase of a substantial model and discussions have been held concerning this matter.

The Shire President advised that Council should get three quotes.

Mrs Marie Carter commented that perhaps Mr Adamson could be invited into the decision making process.

Cr Hawkins hopes this is the case and he will pass on the information.

10. CLOSURE OF MEETING

The Shire President thanked the members of the public for their attendance and input into the meeting and declared the meeting closed at 8.52pm.

After closing the meeting the Shire President advised all those still present of the new Chief Executive Officer appointment of Mrs Lynette O'Reilly.

CONFIRMED

PRESIDING MEMBER

Supper and Refreshments were provided following the meeting.

