



AGENDA
of the
SPECIAL MEETING OF COUNCIL
to be held on
WEDNESDAY 31 OCTOBER 2012
in the
ALEXANDRA COUNCIL CHAMBERS
commencing at
6.00 pm

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The Chief Executive Officer will formally open the meeting with a welcome message.

1. PRAYER & RECONCILIATION STATEMENT

2. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

3. SWEARING IN OF ELECTED COUNCILLORS

(Refer Encl 3a and 3b)

In accordance with the provisions of the *Local Government Act 1989* and *Local Government (Elections) Regulations 1995*, an election will be held on Saturday 27 October 2012 to elect a new Council for the Murrindindi Shire.

In accordance with the *Local Government Act 1989* the Councillors-elect are required to either take the oath or affirmation of office. The Chief Executive Officer will proceed to administer the swearing in of the Councillors-elect, as prescribed under the *Local Government Act 1989*.

3.1 Oath of Office

'I swear by Almighty God that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Murrindindi and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1989* or any other Act to the best of my skill and judgment.'

3.2 Affirmation of Office

'I solemnly and sincerely declare and affirm that I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of Murrindindi and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1989* or any other Act to the best of my skill and judgment.'

4. APPOINTMENT OF TEMPORARY CHAIRPERSON

Under the provisions of *the Act*, the Mayor of the municipality must take the chair of all meetings of the Council at which she or he is present. As the Mayoral position became vacant at 6.00am on 27 October 2012, the Chief Executive Officer will call for a motion for appointment of an acting Chairperson.

Recommendation:

That Councillor be nominated.

5. ELECTION OF MAYOR

Section 71 of the *Local Government Act 1989* provides for the election of the Mayor after the fourth Saturday in October and no later than 30 November each year.

The Acting Chairperson will call for nominations and if there is only one nomination received, then that Councillor is declared elected as Mayor.

In the event of there being more than one nomination, the Acting Chairperson will conduct an election. The election will be conducted in accordance with Council's Governance Local Law 3 which incorporates its Code of Meeting Procedure.

The election is to be conducted by show of hands. Once declared, the elected Mayor will take the Chair and preside over the remainder of the meeting.

The process of election of the Mayor will take place in accordance with the provisions of s.13 of Council's *Governance Local Law No.3*, and legislative changes requiring election by open ballot.

On election of the Mayor, the Acting Chairperson vacates the Chair and the Mayor assumes the Chair.

Recommendation:

That Councillor be elected as Mayor of Murrindindi Shire Council for 2012 – 2013 (or 2012-2014).

6. ELECTION OF DEPUTY MAYOR

The process of election of the Deputy Mayor will take place in accordance with the provisions of s.6 of Council's *Local Law No.3 (Meeting Procedure)*.

Recommendation:

That Councillor be elected as Deputy Mayor of Murrindindi Shire Council for 2012 – 2013 (or 2012-2014).

7. YEA CEMETERY TRUST – APPOINTMENT OF TRUSTEES

The Yea Cemetery is located in the township of Yea and is administered by all Councillors as Trustees of the Yea Cemetery Trust.

Prior to the announcement of the elections on 27 October 2012 a meeting of the Yea Cemetery Trust was scheduled for Monday 12 November 2012. Good governance requires that Council appoints new Trustees to the Yea Cemetery Trust prior to that meeting.

Recommendation:

That the Councillors be appointed as Trustees of the Yea Cemetery Trust.

Refreshments will be served at the conclusion of the meeting.