

8.2 Chief Executive Annual Review 2020/21

Moved Cr Richards
Seconded Cr Nottle

That pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Committee orders that all persons present with the exception of Sam Johnson, Chief Executive Officer and Jacqui Kelleher, Manager Administrative Services be excluded from the meeting as the Committee considers that the requirement for the meeting to be conducted in a place open to the public has been outweighed in circumstances where the Committee will receive and consider a report relating to the personal affairs of a person (living or dead) being a report associated with the outcomes of the Chief Executive Officer's 2020/21 performance review.

Carried Unanimously
[222-2021]

The Chief Executive Officer provided comments on fleet management matters and Council's procurement policy in the context of his remuneration arrangements.

The Chief Executive Officer left the meeting at 6.41pm.

Moved Cr McCarthy
Seconded Cr Norton

That Council:

1. receives and notes the report;
2.;
3. in accordance with "Clause 20 – Total Employment Cost (TEC) Package Review" of the CEO's current employment agreement, the following TEC, and as presented at Attachment 2 to the report be endorsed:
 - Base Salary to remain unchanged at \$170,000;
 - Agreed employer superannuation be increased from 9.5% (or \$16,150) to 15.4% (or \$26,180);
 - Agreed Motor vehicle value remain unchanged at \$10,000;
 - with the above changes, the Chief Executive Officer's Total Employment Cost (TEC) is \$206,180;
4. adopt a revised remuneration schedule to the employment agreement outlining the Chief Executive Officer's Total Employment Cost (TEC) package to apply for the period 1 July 2021 until 30 June 2022;
5. a variation to the CEO's employment agreement be executed to remove the current provision of premium level income protection insurance to the value of \$4,488 acknowledging that this benefit to the Chief Executive Officer should have previously been captured within the Chief Executive Officer's current TEC Schedule;
6. endorse Council's previous commitment to fund the CEO's enrolment in the Company Directors course through the Australian Institute of Company Directors (AICD) in the 2021/22 year;
7. endorse Council's previous commitment to fund completion of associated subjects related to the Bachelor of Public Administration including one (1) weeks' study leave for completion of the "intensive" subject be endorsed; and

8. the Chief Executive Officer be advised that the matters outlined in points 6 and 7 above are on the proviso that if for any reason should the Chief Executive Officer not complete these studies during his tenure as Chief Executive Officer of the District Council of Mount Remarkable, then the expenses associated with, and paid for by the Council, are to be repaid to the Council by the Chief Executive Officer.

Carried Unanimously

[223-2021]

Members also discussed that as part of the review process the Chief Executive Officer must be provided *natural justice* to enable him to formally respond to both the review outcomes and the decisions of Council. It was noted that the opportunity for this to occur will be provided to the CEO when the Chief Executive Review Committee next meets to determine the draft 2021/22 Key Performance Indicators (KPIs) to be presented to the September meeting of Council for adoption.

Moved Cr McCarthy
Seconded Cr Prestridge

That in accordance with Section 91(7) and (9) of the Local Government Act 1999, the Committee orders that report item 2.1 Chief Executive Officer Annual Review 2020/21, attachments, discussion and minutes pertaining to this item having been considered in confidence under Section 90(2) and 3(a) of the Act be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead). This order is to remain in force whilst the Chief Executive Officer remains in gainful employment with Council, or this order will remain in force for a period of two (2) years at which time it will be reviewed/remade as necessary, notwithstanding that it will be reviewed annually in December of each year.

Carried Unanimously

[224-2021]