



NOTICE OF MEETING

A Special Electors' Meeting will be held in the Capel Community Centre, Roe Road, Capel on Friday 14 September 2018 commencing at 4.30pm.

Ian McCabe
CHIEF EXECUTIVE OFFICER

1 DECLARATION OF OPENING/PURPOSE OF MEETING/STATEMENT BY PRESIDING MEMBER

Presiding Member: Deputy President, Cr Brian Hearne

2 RECORD OF ATTENDANCE/APOLOGIES

3 REQUEST FOR A SPECIAL MEETING OF ELECTORS

A request for a special meeting of electors was lodged by Ms Kaara Andrew of Stratham together with 151 signatures in accordance with regulation 16 of the Local Government (Administration) Regulations 1996, for the purpose of discussing 'The repayment of monies provided to Cr M Scott and ex-CEO Mr Sheedy to obtain legal advice and to retain legal representation to pursue cases for defamation against shire residents.'

4 EXPLANATORY STATEMENT BY THE CHIEF EXECUTIVE OFFICER

Various statements about the former Chief Executive Officer (CEO), Paul Sheedy, and the Shire President, Cr Murray Scott, are alleged to have been made by a number of individuals; these statements are alleged to have been broadcast to the world at large via Facebook and terms used which legal advice has assessed as defamatory.

Legal advice presented to Council on 27 June 2018 indicated that the former CEO and the President have a cause of action in defamation against a number of individuals.

That advice also advised Council that the connection of those defamatory statements to their roles as CEO and President meant that Council could indemnify those persons for costs in issuing concerns notices to the individuals who made those defamatory statements. This advice is privileged.

Council decided at the meeting of 27 June 2018 to support the issue of concerns notices. This means that the Shire of Capel made a payment of up to \$6,000 to the legal advisor for the issue of those show cause concerns notices; no payment was made to the former CEO or Cr Scott for this purpose. This is not personal expenditure – it is payment for the issue of legal notices in connection to the offices of Chief Executive Officer and President.

Since Council made its decision on 27 June 2018, the notices have been issued and payment made to the legal advisor. The Decision of 27 June 2018 has been given full effect.

The matter of defamation is yet to be resolved and could eventuate in court action by either of the injured parties.

5 PUBLIC QUESTIONS

Only questions related to business items listed on the agenda for the meeting will be accepted. If you would like to ask a question at the meeting, you are asked to register your question by either emailing it to info@capel.wa.gov.au or hand-delivering it to the Shire Office by 4.30pm the previous business day (Thursday 13 September 2018). This will assist in preparing an appropriate and adequate response to your question.

During the meeting, members of the public will be called forward to ask their question. Members of the public who have registered their question/s will be called in the order they have registered. Any person who has not registered will have an opportunity after registered persons.

When the Presiding Member invites you to ask your question, please state your full name and locality of address and then proceed to ask one question at a time.

All questions are to be directed to the Presiding Member who may invite a response from the CEO.

6 SUBSTANTIVE MOTION

7 SPEAKERS FOR / AGAINST

8 VOTING

9 CLOSE OF MEETING