

BOGAN SHIRE COUNCIL

Minutes

23 February 2017



PRESENT: Councillors RL Donald OAM (in the Chair), VJ Boag, WG Deacon, JL Douglas, VJ Dutton, AJ Elias, GN Jackson, GRJ Neill and KM Ryan.

Also present were Mr Derek Francis (General Manager), Mr Graeme Bourke (Manager of Engineering Services), Miss Kayla Volker (Senior Development and Environmental Officer), Mrs Debb Wood (Manager People and Culture), and Mrs Cathy Ellison.

REMEMBRANCE: Fire Victims of the recent bush fires in Council's surrounding areas and long term residents of the Shire, Mrs Mary Dutton OAM and Mrs Mona Quinton.

DECLARATION OF INTEREST: Mayor Donald Precis item 2 – William Carter.

Council now discussed Precis item 2 – William Carter.

Mayor Donald declared an interest and left the room.

Deputy Mayor Neill now took the Chair.

2 WILLIAM CARTER

005/2017 RESOLVED that:-

- 1. Council investigate the cost of converting the Crown Road in question to a Shire Road and constructing the extension of Neeroc Road.
- 2. Mr Carter be requested to provide Council with the wording for the proposed easement conditions, if he were to purchase the road.
- 3. A report be submitted to the March Council Meeting. (Douglas/Jackson) Unanimous

Mayor Donald returned to room and took the Chair.

Council now adjourned for morning tea. The time being 10.40am.

Council resumed at 11.00am.



<u>006/2017</u> RESOLVED that the Minutes of the Ordinary Meeting of Council held on 15 December 2016, copies of which have been circularised to Councillors be taken as read and confirmed. **(Douglas/Ryan)**

Business Arising: Nil

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting 23 February 2017.

<u>001/2017</u> **EXCLUSION OF PRESS AND PUBLIC: RESOLVED** that Council move into a closed section of Council with the public excluded, in accordance with the Local Government Act 1993, Clause 10A (2) (a) because information provided and discussed involves personnel matters concerning particular individuals (other than Councillors). (Neill/Boag)

<u>002/2017</u> **RESOLVED** that the Minutes of the Closed and Confidential Meeting of Council held on 15 December 2016, copies of which have been circularised to Councillors be taken as read and confirmed. **(Ryan/Boag)**

003/2017 RESOLVED that:-

- 1. The report be received and noted.
- 2. The General Manager takes the necessary steps to establish the Bogan Shire Medical Centre under the management and control of Bogan Shire Council.
- 3. The General Manager be authorised to undertake the necessary recruitment and appointments to staff the Bogan Shire Medical Centre, including contractual negotiations and agreements with General Practitioners.
- 4. The following net adjustments be made to Council's 2016/17 operating budget to enable the establishment of the Bogan Shire Medical Centre:
 - i. Revenue \$144,563
 - ii. Expenditure \$178,473
- 5. Council distribute a letter drop to all Shire residents advising of the opening date of the Medical Centre. (Ryan/Neill) Unanimous

<u>004/2017</u> INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting moved into Open Council. (Neill/Boag)



COMMITTEE MEETING MINUTES

1 OROC BOARD MEETING

<u>007/2017</u> RESOLVED that the Minutes of the OROC Board Meeting held at the Bourke Shire Council on Friday 2 December 2016 be received and noted. (Neill/Elias)

2 MUSEUM MEETING

008/2017 RESOLVED that the Minutes of the Nyngan Museum Meeting held on Wednesday 7 December 2016 be received and noted. **(Dutton/Elias)**

<u>009/2017</u> RESOLVED that Council deal with the Mayoral Minute. (Douglas/Boag)

MAYORAL MINUTE

NURSES' SECURITY AT HOSPITAL

010/2017 RESOLVED that:-

- 1. Council urgently approach Mr Scott McLaughlin, CEO of Western NSW Area Health Network to represent the safety of staff at the Nyngan MPS, as well as the NSW Minister for Health and local member. The employment of an, "out of daylight hours" Security Officer / Officers at the hospital, improved entrance security to doors and windows at the MPS, provision of a modern Duress System (with internal communication) and ways to contact local emergency services were the main way staff felt would considerably improve their safety.
- 2. Bogan Shire Council wholeheartedly supports our local nursing staff in the vital services they provide to our community and strongly condemns the alleged threats of violence to them and their families. (Neill/Douglas)

<u>011/2017</u> RESOLVED that Council establishes what action was taken against the offender who kicked in the door at the local hospital. (Neill/Ryan)



<u>012/2017</u> RESOLVED that Council contribute \$10,000 to the Warrumbungle Shire Mayor's Appeal for the victims of the recent bush fires in the area. (Ryan/Neill) Unanimous

Other matters:-

The Mayor reported of a number of meetings which he and the General Manager had attended over the last two months.

Councillors felt Australia Day and the Christmas Lights Competition had been successful.



REPORT TO ORDINARY MEETING OF COUNCIL - GENERAL MANAGER'S REPORT

CHECKLIST

| Item No. | Date | Minute No | Matter | Action Required | Officer | Status |
|----------|--------------------------|----------------------|--|---|---------|--|
| | 13/12/2012 28/03/2013 | 418/2012 098/2013 | Davidson Park Revitalisation Program | Establish paving pathways to the mural. | MDES | To be completed in conjunction with Landscaping of Medical Centre and reinstatement of mural wall. |
| 2 | 24/09/2015 | 342/2015 | Teamster Rest Area | Invite NHS to make suggestions for internal & external painting that the school could undertake. Dump point be relocated to Flood Memorial Car Park. | MDES | Commitment from NHS to have sign completed by Christmas. Confirmed with NHS that the signage is almost complete. Relocation of dump point scheduled to be completed by end of March. |
| | 22/06/2014 | 209/2014 | Tourist Information Bay | On commencement of project, Council advise owners/apparent owners of existing highway signage that existing signs to be removed. Or maybe replaced by signs on the Information Bays. | В | Affected business owners identified and engagement process commenced. |



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| | Fire Safety Audit Reports (FSARs) to all selected properties completed. Meetings held with several owners / Boards. | Agreement on required works achieved with several owners / Boards. Efforts still being made to have owners upgrade building voluntary. | Discussions held with schools. Indications are that if designated a Local Event Day, schools could participate as an excursion. Advice from NSW Industrial Relations indicates that a Local Event Day is treated as an ordinary business day. Banks & shops do not have to close & schools have to remain open. |
|--|---|--|--|
| | MDES | | B |
| Council charge an annual fee and an initial fee. | Further report on progress of compliance with Program. | Legal proceedings including the issuing of Notices and Orders to commence against the owner/occupier of any premises who fails to confirm their agreement to comply with the findings of the FSAR. | Joint approach from Nyngan Combined Schools & Council be made to the Dept of Education for schools to have a full day holiday. |
| | Fire Safety Audit Program | | Show Day |
| | 363/2014 | 033/2015 | 440/2015 |
| | 26/09/2014 | 26/02/2015 | 26/11/2015 |
| | 4 | | 2 |



| Any leave granted /penalty rates are subject to industrial arrangements agreed to between employees & employers. In effect a Local Event Day is no more than a formal recognition that the declared day has special significance to the community. | Ongoing. Letters sent 29 November 2016 to the following:- NSW Country Rugby League NSW Netball Association Cricket NSW To date no replies have been received. |
|--|--|
| | MPC |
| | Council continue to follow up correspondence with the Minister for Sport, Minister for Health, Minister for Finance, Dept of Fair Trading, Australian Competition & Consumer Commission and Icare Workers Insurance concerning inadequate reply to Council's enquiry on what local sports insurance fees are spent on. |
| | Sports Insurance |
| | 457/2015 |
| | 26/11/2015 |
| | O |



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| Meeting held 1 December 2016. | Council's response report sent to PwC, with a copy to Mark Coulton on 27 Jan 2017. Copy of response provided to Councillors included in the mail out. | Noted that Darling River Command have confirmed Dob in a Dealer Campaign is a Crime stoppers Initiative. Recommended to be discussed with local Police & at next Community Safety Precinct Meeting. | Peter Zanetti & his team have commenced the project. Currently working on options for community engagement & communication, with April suggested for workshop. |
|---|---|---|--|
| GM | | GM | GM |
| Delegation is planned to meet with Minister. | Council works together with MCSA & other Councils in Parkes Electorate to formulate a combined response to the proposed BBF funding changes, expressing grave concerns that a valuable service to our rural | Make available at a number of locations in town, boxes that people can anonymously leave information, about: - suspected drug dealers & information about any dogs. | The General Manager work with Peter Zanetti to undertake the necessary work to complete the reinstatement of the wall & mural. |
| Bogan Bush Mobile | | Dob in a Dealer Campaign | Bicentennial Wall & Ceramic Mural |
| 022/2016 | 481/2016 | 058/2016 | 078/2016 485/2016 |
| 25/02/2016 | 15/12/2016 | 24/03/2016 | 24/03/2016 15/12/2016 |
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| Waiting for response from villages. Provide update at meeting. | Senior staff held village meetings with Coolabah & Girilambone 6 December 2016. | In progress – on going. Have obtained complete information & decent portrait photos on the following:- • Jack Vanges • Charles O'Reilly |
|--|--|--|
| MENG | | MPC |
| Entrance Signs into villages be pursued in conjunction with the villages' communities. Costing to be part funded from village allocation & part funded by Council. | Council provides choice of two options. Council to fund half the cost, if two signs are required for each village. Council to fund the full cost of the villages only require one entrance sign. | Investigate the history of the former Nyngan residents and sportsmen, after whom parks and sportfields are named, with a suggested wording & cost for signage. |
| Village Tour | | Signs at Ovals & Parks |
| 107/2016 | 448/2016 | 266/2016 |
| 28/04/2016 | 24/11/2016 | 28/07/2016 |
| 10 | | |



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| Unable to find photos of the following people:- Ronald Larkin Frank Smith Mark Davidson Have insufficient information on:- Charles O'Reilly | Report to February meeting refers. | Public Information Meeting 14 December 2016. Community expressed a preference for the Cobar/Dandaloo site. A site plan is being prepared & will be costed & presented to Council for consideration at the March Council Meeting. |
|--|---|---|
| | MENG | D D |
| | A report be presented to Council on the proposed locations for <i>Roads Closed</i> signs. | Consult with community to gauge interest in the project before making a decision on which location & how many units to build & advise prospective tenants of what the highest rental payment will be & what they would receive for their payment. |
| | Operational - Roads | Seniors Living – Rental Units |
| | 321/2016 | 423/2016 |
| | 25/8/2016 | 27/10/2016 |
| | 2 | 2 |



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| Draft received, currently being reviewed by staff prior to presentation to Council in March. | February - Precis refers. | RMS District Works Manager advised RMS aware of issues raised by Council. Rehabilitation delayed as resources directed to flood repairs on the Newell Hwy. Being inspected and expecting to erect warning and temporary speed limit signs. |
|--|---|--|
| © B | GM | MES |
| The GM request Mike Brearley & Associates to develop an option 2 for the Business Case Study prioritising the construction of an additional 700Ml off-line storage adjacent to the first storage, & an additional 3000 Ml off-line storage on a site to be determined. | Council send response to applicants advising of Council's resolutions regarding transferring of roads and closures. | Council make urgent representation to RMS & Minister concerning the condition, safety & dangerous section of the Highway east of APC. |
| Albert Priest Channel Pipeline | Nyngan Solar Plant | Mitchell Highway |
| 406/2016 | 439/2016 | 442/2016 |
| 27/10/2016 | 24/11/2016 | 24/11/2016. |
| 4 | 15 | 9 |



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| Letter sent, no response to date. | Operations Manual currently in draft format and working on some of the application requirements before submission. Report to Council for March meeting. | Report refers with proposed table of amendments for Council consideration prior to placing plan on exhibition due to timing of the review undertaken. |
|--|---|---|
| | MPC | MDES |
| As a priority, further urgent representation to the Minister for Transport & RMS concerning the conditions, safety & dangerous section of the Highway. | Develop a Business/Marketing Plan & Operations Manual following which the General Manager makes applications for Level 2 Accreditation for the VIC. | Council review the Bogan DCP 2012 & amend the current maximum outbuilding size & height. |
| | Visitor Information Centre | Proposed Amendment to the Bogan Development Control Plan 2012 for Outbuilding Height & Size |
| 491/2016 | 482/2016 | 494/2016 |
| 15/12/2016 | 15/12/2016 | 15/12/2016 |
| | 17 | 87 |



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| Council delegate the Plan & review to the | General Manager & | Mayor & permit the | amended Plan to be | placed on public | exhibition for 28 days | with a further report to | February 2017 Council | Meeting in order to adopt | the Plan or make further | amendments as required | post exhibition. | |
|---|-------------------|--------------------|--------------------|------------------|------------------------|--------------------------|-----------------------|---------------------------|--------------------------|------------------------|------------------|--|
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<u>013/2017</u> RESOLVED that Council advise RMS that it is not prepared to support work on the Mitchell Highway, between Adavale and the Shire boundary unless the full width of the pavement is rehabilitated. (Ryan/Neill)

<u>014/2017</u> RESOLVED that the report relating to the Monthly Checklist be received and those items marked as "Completed" be removed from the checklist. (Deacon/Elias)

REPORT TO THE ORDINARY MEETING OF COUNCIL - COMMUNITY SERVICES

1 BOGAN SHIRE EARLY LEARNING CENTRE

Summary:

The purpose of this report is to advise Council of the activities and statistics of the operation of the Bogan Shire Early Learning Centre.

015/2017 RESOLVED that:-

- 1. The Early Learning Centre report be received and noted.
- 2. Council adopts the fee of \$10.00 per child for Before School Care, from 7.30am to 8.30am and \$30.00 per child for After School Care, from 3.00pm to 6.00pm. (Ryan/Dutton)

2 LIBRARY REPORT

Summary:-

The purpose of this report is to provide Council with information both statistical and informative in regards to the Library's function.

016/2017 RESOLVED that:-

- 1. The Library report be received and noted.
- 2. Council adopt the North Western Library Service Agreement (2017 -2021).
- 3. Council approves the \$1,600 per year increase in payment to the North Western Library Co-operative, to cover the cost of the increase in the Technical Services Library Officer salary which is higher than the annual IPART rate pegging from 2017/18. (Jackson/Boag)



REPORT TO THE ORDINARY MEETING OF COUNCIL - CORPORATE SERVICES

1 BANK RECONCILIATION

Summary:-

The report is to present the reconciliation of Council's Cash Book, Bank Statements and Ledger Bank Account as at 31 January 2017.

<u>017/2017</u> RESOLVED that the Bank Reconciliation Report as at 31 January 2017 be received and noted. (Ryan/Douglas)

2 INVESTMENTS DECEMBER 2016 & JANUARY 2017

Summary:-

The report is to outline the performance of Council's Investment Portfolio for the months of December 2016 and January 2017.

At the 31 January 2017 Council had \$10.2 million invested. There has been a decrease of \$1,456,807 to Council's investments since the November 2016 report due to of expenses relating to Capital projects.

<u>018/2017</u> RESOLVED that the Investments Report for December 2016 and January 2017 be received and noted. (Neill/Ryan)

3 SUMMARY OF RATES & ANNUAL CHARGES COLLECTION

Summary:-

- The report is to provide a comparison of rate collections as at 31 January, 2017, with the same period last year.
- Total arrears have increased from \$ 243,448 at the 31 January 2016 to \$259,181 as at 31 January this year.
- Council has stepped up its debt collection processes to reduce these arrears in line with Council's Debt Collection Policy.

<u>019/2017</u> RESOLVED that the Rates and Annual Charges Collection Report as at 31 January 2017 be received and noted. (Boag/Deacon)



4 SECOND QUARTER 2016/17 BUDGET REVIEW

Summary:-

- Council remains in a sound financial position and is broadly on budget.
- Cash Balance is strong although decreasing as expected due to large capital projects currently being undertaken.
- Second quarter adjustments to the year-end position are a nett amount of \$563,083.

020/2017 RESOLVED that:-

- 1. The report be received and noted.
- 2. Council adopts the budget amendments shown on the Budget Review Statement (Appendix A) for the 2016/2017 Operating and Capital Budgets.
- 3. \$400,000 and \$38,985 be transferred from the Water and Building Reserves respectively to fund current year expenditure.
- 4. \$8,000 be included in the Capital Budget for four bench seats at the cemetery.
- 5. An extra \$9,400 be included in the Capital Budget for work at the Nyngan Airport. (Ryan/Neill)

Councillor Neill now left the meeting.

Council adjourned for lunch at 12.35pm and resumed at 1.35pm.

After lunch, Councillors and Senior Staff inspected the Dog-off Leash Area.



5 CREDIT CARD POLICY

Summary:-

 The purpose of this report is to establish appropriate controls on the use of Council issued credit cards.

021/2017 RESOLVED that:-

- 1. The overall credit limit on the credit cards issued to the General Manager and staff be \$20,000.00.
- 2. Council adopt the attached draft policy FIN003 to be known as Bogan Shire Council's "Corporate Credit Card Policy". (Ryan/Elias)

6 REVISION OF COUNCIL POLICY FOR MEAL ALLOWANCES WHILE TRAVELLING

Summary:-

The purpose of this report is to review policy AP003 Travel Allowance for Meals. The Policy was adopted on 27 February 2014 and is now due to be reviewed.

022/2017 RESOLVED that Council adopt the revised policy AP003 Travel Allowance for Meals, "Per Diem", with the following amendment:-

City Travel: Total \$104.00

(Boag/Ryan)

7 CONCEALED WATER LEAK POLICY

Summary:-

- This report seeks the adoption of the Concealed Water Leaks Policy.
- Council has received a request for the reduction of a water bill due to a concealed leak.

023/2017 RESOLVED that:-

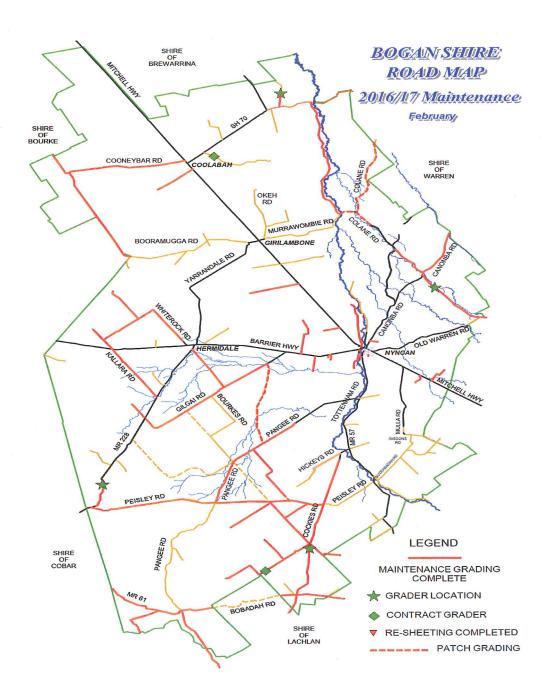
- 1. Council adopt the Concealed Water Leak Policy FIN005.
- 2. delegation be given to the General Manager to approve all applications from ratepayers in relation to a Concealed Leak Allowance. (Deacon/Dutton)



REPORT TO THE ORDINARY MEETING OF COUNCIL - ENGINEERING SERVICES

1 OPERATIONAL REPORT

<u>024/2017</u> RESOLVED that the Operational Report for the reporting period of 8 December 2016 to 10 February 2017 be received and noted. (Douglas/Boag)





2 UNSEALED ROADS CLOSURE SIGNS

Summary:-

- The purpose of this report is to recommend to Council advisory Road Closed sign types and locations for wet weather closures.
- It is recommended that \$18,600 for the installation of wet weather road closed signs is included in the 2017/18 budget for Councils consideration.

025/2017 RESOLVED that \$18,600 for the installation of wet weather road closed signs is included in the 2017/18 budget for Council's consideration. (Jackson/Douglas)

REPORT TO THE ORDINARY MEETING OF COUNCIL – DEVELOPMENT AND ENVIRONMENTAL SERVIC

1 DEVELOPMENT APPLICATIONS

<u>026/2017</u> RESOLVED that the Development Application Report since Council's December 2016 Meeting be received and noted. (Ryan/Deacon)

2 OPERATIONAL REPORTS

027/2017 RESOLVED that:-

- 1. The Operational Report, including Parks and Gardens and Noxious Weeds since Council's December 2016 Meeting be received and noted.
- 2. Council investigate replacing the road base with sand or a suitable alternate at the Lions Park Crickets Nets. (**Dutton/Boag**)



3 PROPOSED AMENDMENT TO THE BOGAN DEVELOPMENT CONTROL PLAN 2012 FOR OUTBUILDING HEIGHT AND SIZE

Summary:-

- A report was present to the December 2016 Council meeting regarding the proposed review to the Bogan Development Control Plan 2012 to include amendments to the current heights and size of new sheds on residential land.
- A review has been undertaken and the proposed amendments to the Plan is presented to Council prior to placing the Plan on public exhibition for 28 days.

028/2017 RESOLVED that:-

- 1. Council approves the amendments to the current maximum outbuilding size and height in accordance with table 2 of the report for exhibition.
- 2. Council place the plan on public exhibition for 28 days to seek community feedback on the proposed amendment. (Ryan/Elias)

4 OPERATIONAL CHARGES 2016/2017 -

Waste and Resource Recovery Facility - Cooking Oil

Summary:-

- The report is submitted for Council to consider a review of the current operational charge for cooking oil which has been included under the Operational Plan and Budget.
- Following consultation with local restaurants / businesses, it is understood that the businesses have made arrangements for a private contractor to collect cooking oil from their premises.
- A recommendation is made to Council based on research and comparisons with other waste facilities that are both licensed and unlicensed, indicate that waste facilities are not collecting cooking oil and business owners are responsible for the collection of their waste via a private contractor.
- It is therefore recommended that Council remove the charge for cooking oil from the current Operational Plan and not accept or store this form of waste at the Nyngan Waste Facility.



<u>029/2017</u> RESOLVED that Council remove the cooking oil charge from the current Operational Plan and not accept this form of waste at the Nyngan Waste Facility. (Ryan/Boag)

5 ALCOHOL FREE ZONES

Summary:-

The report is submitted for Council to consider the continuation of alcohol free zones in the Nyngan township.

Q30/2017 RESOLVED that Council continue the current alcohol free zones in all roads, laneways, footpaths, public car parks, parks and reserves, within the levee bank and update all notices with the date of 28 Febuary 2021 (covering the additional 4 years). **(Elias/Boag)**

6 PROPOSED MOBILE FOOD VENDING VEHICLE POLICY (FOOD AND DRINK)

Summary:-

The report is submitted for Council to consider the establishment of a Mobile Food and Drink Vending Vehicle Policy. The policy is proposed to guide new mobile food and drink vendors seeking to establish and sell from roadways, reserves and local events which is required to be approved by Council before commencement.

031/2017 RESOLVED that Council introduce a policy to control the establishment of mobile food and drink vending vehicles in the Shire and this policy be presented at the March Council meeting for consideration. **(Jackson/Deacon)**



PRECIS OF CORRESPONDENCE

1 NYNGAN GOLF CLUB

The Committee of the Nyngan Golf Club seeking sponsorship or donations to assist in holding the Western District Ladies Rose Bowl Golfing event on 15 and 16 July 2017.

It was **MOVED** that Council provide the Golf Club the use of Council facilities free of charge. **(Ryan/**)

The Motion lapsed for want of a seconder.

Councillor Douglas declared an interest and did not take part in the discussion.

<u>032/2017</u> RESOLVED that this matter be deferred until the March Council Meeting. (Boag/Elias)

- 2 **WILLIAM CARTER** this item was discussed earlier in the meeting.
- 3 WEEKLY CIRCULARS

<u>033/2017</u> RESOLVED that the Local Government Weekly Circulars 49/16 to 50/16 and 01/17 to 05/17 be noted. (Boag/Deacon)

GRANTS AND FUNDING

Funding for Live Music events in Regional NSW

The NSW Government has committed a total of \$150,000 to Councils in regional NSW to provide local live music events – **investigate**.

Local Drug Action Teams Program Grants

The Alcohol and Drug Foundation is seeking applications under its local Drug Action Teams grants program which seeks to prevent and reduce alcohol and other drug harms in communities – **check if Program Grants available next year.**



Building Better Regions Fund – Round 1 Applications Open

The Building Better Regions program provides funding for infrastructure projects and community investment that will create jobs, drive economic growth and build stronger regional communities – **Council will prepare a grant submission for Round 2.**

NSW Aboriginal Regional Arts Grants Available

Individuals and Councils in regional NSW are eligible to apply for grants under the 2017 NSW Aboriginal Regional Arts Fund – CDO to liaise with Councillor Dutton.

Other Matters:-

- Council has received a letter of support from Member Kevin Humphries for the Larkin Oval Improvement Application.
- Investigate waterhole near Cathundril Street.

There being no further business the meeting closed at 2.40pm.

- Investigate termites trees Cobar Street.
- Waste Tip concerns of opening hours. Report to March Council meeting.

These Minutes were confirmed by resolution at a meeting held onand were signed as a true record.

MAYOR

GENERAL MANAGER



| NOTES | |
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