



# **BOGAN SHIRE COUNCIL**

## **Minutes**

**March 2022**





### **Published Recording of Council Meeting**

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**Minutes of the Ordinary Meeting  
of Bogan Shire Council 24 March 2022**

**PRESENT:** Councillors GRJ Neill (in the Chair), VJ Boag, KJ Bright, WG Deacon, JL Douglas, AJ Elias, GN Jackson, DJ Menzies, R Milligan.

Also present were Mr Derek Francis (General Manager), Mrs Cathy Black (Director of Development & Environmental Services, Mr Graeme Bourke (Director of Engineering Services), Mrs Debb Wood (Director of People and Community Services), Mrs Stephanie Waterhouse (Director of Finance and Corporate Services), and Mrs Melissa Salter (Executive Officer).

**DECLARATION OF INTEREST:** Nil

**044/2022 RESOLVED** that the Minutes of the Ordinary Meeting of Council held on 24 February 2022, copies of which have been circulated to Councillors be taken as read and confirmed. **(Menzies/Jackson)**

**Business Arising:**

Cancelled Councillors Strategic Planning Meeting Thursday 7 April 2022.

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 24 March 2022:

**039/2022 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, Section 10A (2) (c) because it is information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. **(Boag/Jackson)**

**040/2022 RESOLVED** that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 22 February 2022, copies of which have been circulated to Councillors be taken as read and confirmed.  
**(Douglas/Elias)**

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**REPORTS TO CLOSED AND CONFIDENTIAL SECTION OF THE ORDINARY  
MEETING OF COUNCIL – GENERAL MANAGER**

**1 SALE OF LAND – JOHN HOARE OAM BUSINESS ESTATE**

**041/2022 RESOLVED:**

1. That Council sell Lot 7 DP 1177431 of the John Hoare OAM Business Estate for \$60,909, excluding GST, to the current proponent on the following terms:-
  - a. Council agrees to an interest free loan, secured by way of mortgage over the land, for 80% of the purchase price of the property repayable over 10 years, with the mortgagor to pay all associated legal costs.
  - b. Council agrees to fund and provide the following services to the block:
    - i. Access to Council's sewerage system from the perimeter of the block, including a grinder pump system.
    - ii. Access to Council's water reticulation system to the perimeter of the block.
    - iii. Kerb and guttering to the Lawlor Street frontage of the block.  
**Jackson/Deacon)**

**REPORTS TO THE CLOSED AND CONFIDENTIAL SECTION OF THE  
ORDINARY MEETING OF COUNCIL – DIRECTOR OF DEVELOPMENT &  
ENVIRONMENTAL SERVICES**

**1 NETWASTE HOUSEHOLD CHEMICAL CLEAN OUT**

**042/2022 RESOLVED that:**

1. Council agrees to participate in the 2022 Regional Household Chemical Clean Out and accepts the quotation submitted by Environmental Treatment Solutions (ETS).
2. Council agrees to pay the nominal advertising charge of \$1,000 from the waste fund.

**(Jackson/Menzies)**

**043/2022 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. (Elias/Douglas)**



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**COMMITTEE MEETING MINUTES**

**1 NYNGAN MUSEUM MEEETING**

**045/2022 RESOLVED** that the Minutes of the Nyngan Museum Committee meeting held at the Nyngan Museum on 2 March 2022 be received and noted.

**(Milligan/Deacon)**

**046/2022 RESOLVED** that \$1,000 be allocated to the Museum for the remainder of this financial year and this be reviewed in the next budget. **(Milligan/Deacon)**



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**REPORT TO ORDINARY MEETING OF COUNCIL – GENERAL MANAGER’S REPORT**

**Mayor and Councillors**

The following reports are submitted for consideration:

**1 CHECKLIST**

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
1	23/09/2021	249/2021	<b>Increase of train speed through Nyngan</b>	Prior to the next state Election, Council raise the issue of the Hoskins Street Level Crossing & Train Speeds with Barwon candidates.	<b>GM</b>	Pending discussions closer to State Elections.
2	24/04/2019	117/2019	<b>Cobar Water Board</b>	Whilst Council is prepared to have discussion with CWB to explore options for delivery of water to minor users within the Bogan Shire LGA, it does not agree to the Board’s proposal at this stage.	<b>GM</b>	Further correspondence sent to CWB.  <b>UPDATE:</b> Meeting held with CWB 30.11.2021. Further discussion to take place.





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4	28/11/2019	368/2019	<b>Repairs to Nyngan &amp; Cobar Emergency Water Storage</b>	The General Manager be authorised to procure sufficient quantities Geosynthetic Clay Liner & Geotextile material to complete the remediation works, according to specifications provided by NSW Public Works. The procurement be carried out by way of quotations.	<b>DES</b>	Remediation work postponed due to wet weather and soft floor. Floor continues to be wet and soft from rain.  Requires warm weather to dry out sub- base <b>UPDATE:</b> A contract variation has been issued to the Contractor for change of scope for repairs to inside batters.
5	17/12/2020	373/2020	<b>Lack of Vacation Care/Before and After School Care in Nyngan</b>	Council approach both primary schools in Nyngan. Council bring this matter to the attention of local State Member and Hon. Sam Faraway MLC.	<b>DPCS</b>	Meetings held with Principals of Nyngan Public and St Joseph's Schools. Letter sent to Hon. Bronnie Taylor MLC, Minister for Mental Health, Rural Youth and Women.  Response received from



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					<p>Hon. Bronnie Taylor, indicating support for funding application by Nyngan Public School to the Department of Education for the construction of a purpose built building for Before and After School Care.</p> <p>The Department of Education, BASC (Before and After School Care) Team have provided written confirmation to Principal of Nyngan Public School that the Community of Nyngan will have access to Before and After School Care by the end of the school year 2021. This may depend on if a standalone building is to be provided or if the program can be housed within the current school building.</p>
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	24/02/2022	010/2022		<p>Council make enquiries from the State Government to find out why progress has halted on before and after school care.</p>	<b>DPCS</b>	<p>The BASC Team will communicate further with the principal of Nyngan Public School to determine if there is a need for a standalone building or if such a program can be accommodated within the current Nyngan Public School building. Principal of Nyngan Public School has advised that she has requested an update from the BASC team.</p> <p><b><u>UPDATE:</u></b> Letter sent to the Hon. Sarah Mitchell, MLC, Minister for Education and Early Learning.</p>
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8	27/05/2021	126/2021	<b>Addressing Local Job Vacancies</b>	Council delays the launch of the marketing campaign until progress is made with establishing more housing accommodation in Nyngan.	<b>DPCS</b>	<b><u>UPDATE:</u></b> Planning for new residential subdivision commenced.
	24/02/2022	009/2022	<b>Refugee Employment</b>	Council coordinates an approach to local businesses, schools and any other interested groups to gauge the level of interest in such a program and then liaises with the relevant authorities to progress the idea.	<b>DPCS</b>	<b><u>UPDATE:</u></b> Research into processes involved and funding available has commenced.  Report to April Council Meeting.

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9	24/06/2021	162/2021	<b>Section 355 Committee – Nyngan Museum</b>	General Manager to proceed with discussions to formalise a constitution and associated delegations for Nyngan Museum Committee as a Section 355 Management Committee of Council with a further report to Council.	<b>GM</b>	Initial meeting held with Museum Committee.  <b><u>UPDATE:</u></b> Draft delegations prepared for further discussions with Museum Committee.
11	25/11/2021	331/2021	<b>Recycling Bins in Town Main Street</b>  <b>Recycling Bin Waste Stickers</b>	Recycling bins be made available in town main street.  That all resident recycling bins be issued with a sticker on recycling waste.	<b>DDES</b>	<b><u>UPDATE:</u></b>  Eight Recycling Bins have been ordered.  Report to Council refers.



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**047/2022 RESOLVED** that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist.  
**(Elias/Deacon)**

**2 SECTION 355 COMMITTEE – GIRILAMBONE**

***Summary:***

*The purpose of this report is to recommend to Council to adopt the attached Delegation of Authority for the Girilambone Section 355 Management Committee, effective from 25 March 2022.*

**048/2022 RESOLVED** that:

1. Council adopts the attached Delegation of Authority for the Girilambone Section 355 Management Committee effective from 25 March 2022.  
**(Douglas/Deacon)**
2. Council nominated Councillor Karl Bright as representative on the Girilambone Section 355 Committee.  
**(Douglas/Deacon)**



### 3 2022 FEDERAL ELECTION CAMPAIGN

**Summary:**

*The purpose of this report is to recommend that Council supports the Australian Local Government Association (ALGA) funding priorities and participates in advocacy for further Federal Government funding.*

**049/2022 RESOLVED** that:

1. Council supports the national funding priorities of the Australian Local Government Association (ALGA), which is expected to contribute an estimated \$6.46 billion per year to Australia's GDP and create 43,444 jobs; and
2. Council agrees to support and participate in the Australian Local Government Association's advocacy for their endorsed national funding priorities by writing to the local Federal Member of Parliament, all known election candidates in local Federal electorates and the President of the Australian Local Government Association to:
  - a. express support for ALGA's funding priorities;
  - b. identify both the Bogan Shire Early Learning Centre and Bogan Shire Medical Centre as local projects that require additional financial assistance from the Federal Government, as sought by ALGA; and seek funding commitments from the members, candidates and their parties for these projects. **(Jackson/Elias)**



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#### 4 COUNCILLOR SUPERANNUATION

**Summary:**

*The purpose of this report is for Council to determine whether to make superannuation contribution payments for Councillors from 1 July 2022.*

It was **MOVED** that Council does not make superannuation contribution payments for Councillors from 1 July 2022. **(Douglas/Menzies)**

**MOTION** was **LOST**

It was **MOVED** that Councillors receive a superannuation payment, noting that Councillors have the option of opting out.

**050/2022 RESOLVED** that Councillors receive a superannuation payment, noting that Councillors have the option of opting out. **(Boag/Jackson)**

## REPORT TO ORDINARY MEETING OF COUNCIL – DIRECTOR PEOPLE AND COMMUNITY SERVICES

### 1 VISITOR INFORMATION CENTRE OPERATIONAL REPORT

**Summary:**

*The purpose of this report is to provide information to Council on the operations of the Visitor Information Centre.*

**051/2022 RESOLVED** that the Operational Report for the Visitor Information Centre be received and noted. **(Milligan/Bright)**

### 2 BOGAN SHIRE MEDICAL CENTRE

**Summary:**

*The purpose of this report is to provide information to Council on the operations and statistics of the Bogan Shire Medical Centre.*

The video recording of a presentation given by the General Manager and the Director of People and Community Services at the Rural Doctor's Network Rural Communities at the Centre Conference was played to the Council Meeting.

**052/2022 RESOLVED** that the Operational Report for the Bogan Shire Medical Centre be received and noted with congratulations extended to the General Manager and Director of People and Community Services for the presentation on the Bogan Shire Medical Centre to the Rural Doctor's Network Rural Communities at the Centre Conference. **(Milligan/Elias)**

*Council adjourned for supper at 6.48pm and the meeting resumed at 7.25pm*

### 3 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.*

**053/2022 RESOLVED** that the Early Learning Centre report be received and noted. **(Jackson/Boag)**



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#### 4 BOGAN SHIRE YOUTH & COMMUNITY CENTRE COMMITTEE

**Summary:**

*The purpose of this report is to recommend to Council the establishment of a Consultative Committee for the Bogan Shire Youth and Community Centre.*

**054/2022 RESOLVED** that:

1. A Consultative Committee be established for the Bogan Shire Youth and Community Centre with the following Terms of Reference:
  - Provide feedback to Bogan Shire Council on:
    - What's working well at the Centre and what's not working
    - How to increase usage of the Centre
    - How to increase intergenerational opportunities
    - Member's consultation and suggestions from the community
    - Suggested Youth activities
  - Provide access to existing networks and agencies for sharing of knowledge and expertise as well as funding opportunities.
2. The membership of the committee be as determined by Resolution 324/2021
3. The membership and terms of reference of the committee be amended from time to time as circumstances require. **(Milligan/Bright)**

The Mayor extended thanks to all involved in the forming of the Bogan Shire Youth and Community Centre Committee.

## 5 HOLIDAY BREAK PROGRAM

**Summary:**

*The purpose of this report is to recommend to Council applications for the Office of Regional Youth's Holiday Break program funding in 2022.*

**055/2022 RESOLVED** that Council apply for the following under the Office of Regional Youth's Holiday Break program funding allocations:

1. Autumn 2022:
  - Creative Arts workshops (e.g. Silversmith)
2. Winter 2022
  - Sporting/recreational equipment for Bogan Shire Youth and Community Centre and running associated activities (e.g. Basketballs, indoor/outdoor games).
3. Spring 2022.
  - IT equipment for the Bogan Shire Youth and Community Centre and running associated activities (e.g. 3D printer and resources)
4. Summer 2022/23.
  - Water sports equipment for the Bogan Shire Youth and Community Centre and running associated activities (e.g. kayaks).

**(Deacon/Milligan)**



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## 6 COVID-19 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE GRANT

**Summary:**

*The purpose of this report is to provide information to Council on funding from the Local Roads and Community Infrastructure Grant and for Council's consideration of eligible projects.*

**056/2022 RESOLVED** that half of the LRCI funding allocation be spent on Local Roads Projects and the other half on Community Infrastructure Projects  
**(Boag/Menzies)**

It was **MOVED** that Council fund the following road works with the LRCI Grant:

Construction 2km	\$320K
Resheeting	\$300K
Re-sealing	\$91K
Kerb & Guttering	\$200K

**(Boag/Jackson)**

An **AMENDMENT** was **MOVED** that Council fund the following road works with the LRCI Grant:

Resheeting	\$500K
Re-sealing	\$211K
Kerb & Guttering	\$200K

**(Douglas/Menzies)**

The **AMENDMENT** was **PUT** to Council and **LOST**.

**057/2022 RESOLVED** that Council fund the following road works with the LRCI Grant:

Construction 2km	\$320K
Resheeting	\$300K
Re-sealing	\$91K
Kerb & Guttering	\$200K

**(Boag/Jackson)**



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**058/2022 RESOLVED** that, as a first priority, The General Manager applies for funding under the Local Roads and Community Infrastructure Grant for the following projects, in order:

- |   |        |
|---|--------|
| 1. Early Learning Centre Extensions             | \$230K |
| 2. Early Learning Centre CCTV                   | \$30K  |
| 3. Bogan Shire Council Youth & Community Centre | \$150K |

**(Douglas/Jackson)**

**059/2022 RESOLVED** that, as a second priority, The General Manager applies for funding under the Local Roads and Community Infrastructure Grant for the following projects, in order:

- |                                   |        |
|-----------------------------------|--------|
| 4. Footpath priority replacements | \$150K |
| 5. Rodney Robb Arena Irrigation   | \$50K  |

**(Deacon/Jackson)**

**060/2022 RESOLVED** that, as a third priority, The General Manager applies for funding under the Local Roads and Community Infrastructure Grant for the following projects, in order:

- |   |       |
|---|-------|
| 6. Outdoor Recreational Drinking Fountains              | \$24K |
| 7. Carpark Upgrade for Electric Vehicle Charging Points | \$50K |
| 8. Nyngan Pool maintenance                              | \$76K |

**(Bright/Milligan)**

**061/2022 RESOLVED** that, as a fourth priority, The General Manager applies for funding under the Local Roads and Community Infrastructure Grant for the following projects, in order, until all grant funds are exhausted:

- |  |        |
|--|--------|
| 9. Electrical lead-in infrastructure BSYCC         | \$100K |
| 10. Tennis Courts Rehabilitation (include surface) | \$80K  |
| 11. Nyngan Showground Pavilion Upgrades            | \$75K  |
| 12. Dog Park Play Equipment                        | \$20K  |

**(Jackson/Douglas)**

**REPORT TO THE ORDINARY MEETING OF COUNCIL – DIRECTOR OF FINANCE AND CORPORATE SERVICES**

**1 INVESTMENTS FEBRUARY 2022**

**Summary:** The report is to outline the performance of Council's Investment Portfolio for the month of February 2022.

At the 28th February 2022 Council had \$13.3 million invested. There has been an increase of \$774,000 due to the third rates instalment falling due and emergency repairs claim for Flood Damage paid by TfNSW.

**062/2022 RESOLVED** that the Investments Report be received and noted.  
(Douglas/Deacon)

**2 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION**

**Summary:** The report is to provide a comparison of rate collections as at 28th February 2022, with the same period last year.

Total arrears have decreased from \$1,112,528 as at the 28th February 2021 to \$845,705 as at 28th February this year.

The Director of Finance and Corporate Services reported at the meeting, that at the date of the meeting, current arrears had decreased to \$720,991.

<b>Rate Collections</b>	<b>2021-2022</b>	<b>2020-2021</b>
Arrears Prior to 01/07/2021	520,033	520,203
First Instalment in arrears as at 28/2/2022	18,144	67,063
Second Instalment in arrears as at 28/2/2022	65,998	145,201
Third Instalment in arrears as at 28/2/2022	116,816	380,061
Fourth Instalment Outstanding as at 28/2/2022	972,591	1,015,014
<b>Total Arrears</b>	<b>720,991</b>	<b>1,112,528</b>
<b>Total Outstanding</b>	<b>1,693,583</b>	<b>2,127,542</b>
<b>Monthly Transactions</b>		
Amount Levied & B/Fwd	<b>5,867,648</b>	<b>6,046,697</b>
Add: Adjustments	27,827	8,190
Less: Payments to end of February	-4,122,979	-3,844,814
Less: Rebates	-78,840	-82,531
Add: Postponed	0	0
<b>Gross Total Balance</b>	<b>1,863,171</b>	<b>2,127,542</b>
<b>Arrears of total amount levied %</b>	<b>12%</b>	<b>18%</b>

**063/2022 RESOLVED** that the Rates and Annual Charges collection report be received and noted. (Jackson/Douglas)





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### 3 REVISION OF COUNCIL'S INVESTMENT POLICY – FIN002

**Summary:**

*The purpose of this report is to review Policy FIN002 Investment Policy.*

**064/2022 RESOLVED** that Council adopt Investment Policy FIN002.  
(Douglas/Jackson)

### 4 WATER STAND PIPE – USAGE CHARGES

**Summary:**

*The purpose of this report is to for Council to consider and adopt new user charges for access to Council's high flow Water Stand Pipe.*

*A new user access system is currently being installed to replace the old system for the stand pipe near the Hoskins Street railway crossing in Pangee Street.*

**065/2022 RESOLVED** that:

1. Council adopts the recommended charge of \$3 per kilolitre for access to the new water stand pipe for account users .
2. If credit card fees cannot be passed onto the user at the time of transaction, a charge of \$3.20 per kilolitre be levied on credit card users.

**(Menzies/Deacon)**



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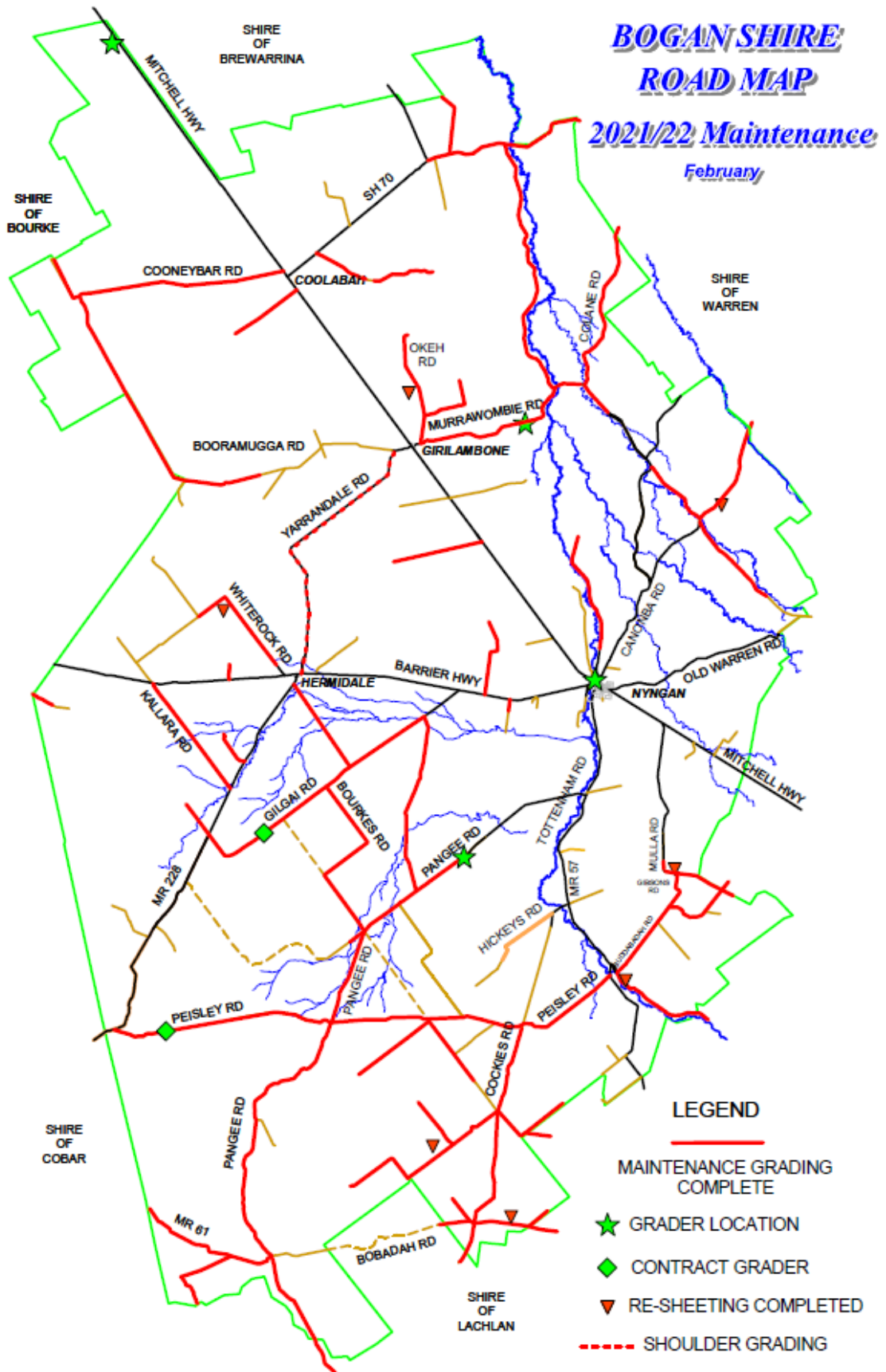
**REPORT TO THE ORDINARY MEETING OF COUNCIL – DIRECTOR OF  
ENGINEERING SERVICES**

**1 DEPARTMENTAL ACTIVITY REPORT**

**Summary:** *The purpose of this report is to provide Council with information that is both statistical and informative in regards to the activities of the Engineering Services Department.*

**066/2022 RESOLVED** that the Departmental Activity Report be received and noted. **(Jackson/Deacon)**

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**REPORTS TO ORDINARY MEETING OF COUNCIL – DIRECTOR OF  
DEVELOPMENT & ENVIRONMENTAL SERVICES REPORT**

**1 DEPARTMENTAL ACTIVITY REPORT**

**Summary:-**

*The purpose of this report is to provide Council with information that is both statistical and informative in regards to the activities of the Development and Environmental Services Department.*

**067/2022 RESOLVED** that the Development and Environmental Services Departmental Activity Report be received and noted. **(Milligan/Bright)**

**2 RESIDENTIAL RECYCLING BINS**

**Summary:**

*The purpose of this report is to seek direction from Council on the placing of stickers on residential recycling bins.*

**068/2022 RESOLVED** that Council, as part of the recycling education program that will be conducted through schools, also supply students with a sticker and encourage them to stick it to their household recycling bin. **(Milligan/Jackson)**

**3 STANDARD INSTRUMENT LEP AGRITOURISM AMENDMENT ORDER**

**Summary:**

*The purpose of this report is to seek Council's endorsement to adopt the proposed draft Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021.*

**069/2022 RESOLVED** that Council nominate to adopt the draft *Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 (LEP Order)*. **(Jackson/Menzies)**



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**PRECIS OF CORRESPONDENCE**

**1 THE HON. WENDY TUCKERMAN MP, MINISTER FOR LOCAL GOVERNMENT AND OFFICE OF LOCAL GOVERNMENT CIRCULAR TO COUNCILS 22-0/7 MARCH 2022 / A811946 – GUIDELINES FOR ADDITIONAL SPECIAL VARIATION (ASV) PROCESS FOR 2022-23**

**070/2022 RESOLVED** that Council include an assumption of 2% rates increase in the draft Operating Budget for 2022/23 for further consideration at the Estimates Meeting. **(Jackson/Elias)**

**2 LOCAL GOVERNMENT NSW - APPOINTMENT OF BOGAN SHIRE COUNCIL GENERAL MANAGER TO THE LGNSW INDUSTRIAL ADVISORY COMMITTEE (IAC)**

**071/2022 RESOLVED** that Correspondence from Local Government NSW be received and noted, with congratulations to the General Manager on his appointment on the LGNSW Industrial Advisory Committee (IAC). **(Deacon/Elias)**

**3 WT & TS ROACH**

**072/2022 RESOLVED** that Council pay 50% of the fee for the acoustic assessment, or \$5,000, whichever is the lesser amount, and any future development be looked at on a case by case basis.  
**(Bright/Deacon)**



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There being no further business, the meeting closed at 9.05pm

These Minutes were confirmed by resolution at a meeting held on

..... and were signed as a true record.

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**GENERAL MANAGER**

**MAYOR**

