

SHIRE OF LAKE GRACE



Minutes

Special Meeting

held 6 February 2006 to discuss:

1. Notice of Motion to rescind Motion 10040 of Council's 21 December 2005 Ordinary Meeting; and,
2. Medical services for the Shire of Lake Grace

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SHIRE OF LAKE GRACE

MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS, STUBBS ST LAKE GRACE ON MONDAY, 6 FEBRUARY 2006.

Preamble

Discussions with Dr Avron & Betty Moffson regarding medical services commenced at 5.30pm Monday 6 February 2006. During these discussions Dr Moffson proposed entering into a new service provider agreement for the operation of the Lake Grace & Newdegate Medical Practice.

Dr Moffson advised that he would require an answer to the offer by 12 noon Friday 10 February 2006. Dr Avron & Betty Moffson left the meeting at 5.55pm.

With all Councillors present the Chief Executive Officer was requested to call a Special Meeting of Council to formally discuss the matter immediately. Given the Friday deadline, the fact that all Councillors were present and that some would be unavailable in the time prior to the 10 February 2006, it was agreed that the meeting be held that evening.

The CEO, in accordance with Section 5.5(2) "Convening Council Meetings" of the Local Government Act 1995 and the Local Government (Administration) Regulations 1996 12(3) & (4) verbally advised all present, Crs Roberts, Walker, Taylor, Bennett, Chamberlain, Sinclair, Farrelly, Newman, Stewart and Executive Assistant Jeanette Bennett that a Special Meeting had been called for Monday 6 February 2006, commencing at 6.30pm in Council Chambers to discuss:

1. Notice of Motion to rescind Motion 10040 of Council's 21 December 2005 Ordinary Meeting received 6 January 2006; and,
2. Medical Services for the Shire of Lake Grace.

1.0 OPENING & ANNOUNCEMENT OF VISITORS

The Chairperson (President) opened the meeting at 6.55 pm.

2.0 ATTENDANCE RECORD

2.2 PRESENT

Cr G.E.J. Roberts	Shire President
Cr A.J. Walker	Deputy Shire President
Cr H.R. Bennett	
Cr I.G. Chamberlain	
Cr O.P. Farrelly	
Cr W.A. Newman	
Cr D.P. Sinclair	
Cr D.M.McL. Stewart	
Cr R.P. Taylor	

Mr C.G. Jackson	Chief Executive Officer
Mrs J. Bennett	Executive Assistant

2.3 APOLOGIES

None

2.4 LEAVE OF ABSENCE PREVIOUSLY GRANTED

None.

3.0 PUBLIC QUESTION TIME

No members of the public present.

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

None.

5.0 NOTICES OF URGENT BUSINESS

Not applicable.

MOTION 10141

Moved Cr Stewart
Seconded Cr Sinclair

That Council close the meeting to the public at this time, being 7.00pm to discuss the Notice of Motion to Rescind and the provision of Medical Services for the Shire of Lake Grace as both relate to contractual matters.

MOTION CARRIED 9/0

6.0 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED

6.1 NOTICE OF MOTION TO RESCIND

Summary

Notice of Motion to Rescind as per Local Govt Act 1995, section 5.4(a) (ii) by one third of Councillors – *refer p10 Attachment No 1 letter signed by Crs Chamberlain, Newman, Sinclair, Stewart.*

Background

Council, at its 21 December 2005 Ordinary Meeting, moved the following:

MOTION 10040

Moved Cr Taylor
Seconded Cr Bennett

That no further action be taken on alternative medical service arrangements with the current contract with Silverspoon Holdings Pty Ltd trading as River Medical Services to remain in place.

AMENDMENT

Moved Cr Walker
Seconded Cr Farrelly

As above with the addition of the following words:

2. That further negotiations be entered into with Dr Moffson under his current and possible ongoing contractual arrangements with River Medical, to provide for incentives that could be made by the Shire of Lake Grace.

AMENDMENT CARRIED 6/3

The Chairman then put the motion:

1. That no further action be taken on alternative medical service arrangements with the current contract with Silverspoon Holdings Pty Ltd trading as River Medical Services to remain in place; and,
2. That further negotiations be entered into with Dr Moffson under his current and possible ongoing contractual arrangements with River Medical, to provide for incentives that could be made by the Shire of Lake Grace.

MOTION CARRIED 6/3

On 6 January 2006, Notice of Motion to Rescind was received from Crs Chamberlain, Newman, Sinclair & Stewart (*refer p10 Attachment No 2*).

Reason

Reason for the rescindment being that, there is more information available on the subject and we believe after investigation that the motion is not in the best interest of the public.

Recommendation

That Motion 10040 of the Dec 05 Meeting is rescinded. *1/3 of Council members required to agree.*

As per the Local Government Act 1995, Local Government (Administration) Amendment Regulations 2005, Regulation 10, a notice of motion to revoke or change a decision is to be signed by at least 1/3 of the members of council.

Voting Requirements

Absolute majority required.

MOTION 10142

Moved Cr Newman
Seconded Cr Sinclair

That Motion 10040 of the Dec 05 Meeting is rescinded.

MOTION CARRIED BY ABSOLUTE MAJORITY 5/4

7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Not applicable.

8.0 MEMBERS' REPORTS

Not applicable.

9.0 MATTERS FOR CONSIDERATION

9.1 MEDICAL SERVICES – SHIRE OF LAKE GRACE

Applicant:	Avron Moffson Pty Ltd
File No.	18.1.2
Attachments:	Attachment No 2 - Meeting notes – refer p11
Author:	Mr Chris Jackson Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	6 February 2006
Senior Officer:	Mr Chris Jackson Chief Executive Officer

Summary

To discuss Service Provider arrangements for the provision of medical services for the Shire of Lake Grace.

Background

Council has previously discussed medical services at ordinary meetings held in March 2005 (renewal of current Contract), July 2005 (community petition), September 2005 and December 2005. The motion moved by Council at the December meeting is as follows,

1. *That no further action be taken on alternative medical service arrangements with the current contract with Silverspoon Holdings Pty Ltd trading as River Medical Services to remain in place; and,*

2. *That further negotiations be entered into with Dr Moffson under his current and possible ongoing contractual arrangements with River Medical, to provide for incentives that could be made by the Shire of Lake Grace.*

Comment

Following informal discussion with Dr Moffson on 6 February 2006, the following proposal was put for Avron Moffson Pty Ltd to operate the practice under the following arrangements:

- Agreement is for a 5 year period commencing from 17 April 2006 then 12 monthly thereafter. The current agreement is on a 12 monthly rolling basis.
- A Clause in the contract to be added to include reassessment of agreement if events such as the Hospital being down graded occurs.
- Details on inventory for Lake Grace and Newdegate to be prepared.
- Standard of vehicle amended to “Ford Territory Ghia or Equivalent”
- Service Fee to remain at the current \$30,000 with a CPI index
- New one off relocation fee of \$5,000 added.
(refer p11 Attachment No 2 - Meeting notes)

In summary the proposed new agreement provides an initial period of 5 years (the current contract is on a 12 month basis), 12 monthly thereafter, a one off \$5,000 relocation cost (furniture moved from overseas) and an increase in the cost of a new upgraded vehicle (4 x 4).

Dr Moffson has advised that he will require an answer to the offer by 12 noon on Friday 10 February 2006.

Clause 4 (b) of the current Service Provider agreement provides that the shire would be required to pay the provider \$10,000 as a recruitment fee if the agreement is terminated early.

Legal Implications

The current Service Provider Agreement with River Medical Services provides the basis for the ongoing provision of medical services. Any new agreement would be on the same basis.

Policy Implications

N/A

Community Consultation

N/A

Financial Implications

The Agreement sets out Council's financial obligations for the provision of a medical practitioner refer the following budget accounts;

Operating

E077030 Doctors Residence \$4,384
E077035 Doctors Vehicle \$960
E077040 Administration \$3,941
E077050 Newdegate Medical Centre \$599
E077110 Interest on Loan 172 \$10,126
E077020 Lake Grace Medical Centre \$2,538
E077021 Medical Practice Subsidy \$30,600

Capital

E077172 Principle on Loan \$25,373
E077210 Lake Grace Medical Centre Development Nil
E077220 Newdegate Medical Plans \$6,000
E077250 Ngt Medical Centre \$250,000
E077500 Doctors Vehicle \$57,782
E077650 Purchase of Land Newdegate \$35,000

Income

I077600 Sale of Vehicle \$54,782
I077500 Transfer from Reserve Newdegate Land \$35,000

Strategic Implications

The provision of a reliable, continuous medical service is of the utmost importance to the Shire and its community.

Voting Requirements

Simple majority required.

Recommendation

That Dr Avron Moffson be advised that the Shire of Lake Grace is prepared to consider entering into a new service provider agreement with Avron Moffson Pty Ltd subject to;

- 1) A suitable service provider agreement to be prepared that is acceptable to both parties,
- 2) The agreement is to be in a format similar to the current service provider agreement with the proposed changes as listed above,
- 3) The agreement is to be presented for final endorsement at Council's Ordinary meeting to be held 22 February 2006,

- 4) Negotiation with River Medical Services in relation to the requirement to pay a \$10,000 recruitment fee,
- 5) Funding for upgrade of the existing vehicle and a \$5,000 relocation fee is to be included in Council's 2006/2007 Budget.

Recommendation/Resolution

MOTION 10143

Moved Cr Newman
Seconded Cr Stewart

That Dr Avron Moffson be advised that the Shire of Lake Grace is prepared to consider entering into a new service provider agreement with Avron Moffson Pty Ltd subject to:

1. A suitable service provider agreement to be prepared that is acceptable to both parties,
2. The agreement is to be in a format similar to the current service provider agreement with the proposed changes as listed above,
3. The agreement is to be presented to Council for final endorsement at its Ordinary meeting to be held 22 February 2006,
4. Negotiation with River Medical Services in relation to the requirement to pay a \$10,000 recruitment fee,
5. Funding for upgrade of the existing vehicle and a \$5,000 relocation fee is to be included in Council's 2006/2007 Budget.

MOTION LOST 4/5

*Voting for the motion: Crs Newman, Chamberlain, Sinclair & Stewart
Voting against the motion: Crs Roberts, Taylor, Bennett, Farrelly & Walker.*

MOTION 10144

Moved Cr Farrelly
Seconded Cr Bennett

That the meeting be re-opened to the public at this time, being 7.21pm.

MOTION CARRIED 9/0

The CEO then read aloud motions 10142 and 10143

10.0 URGENT BUSINESS BY DECISION OF THE MEETING

Not applicable.

11.0 CONFIDENTIAL BUSINESS – As per Local Government Act s.5.23 (2)

Not applicable.

12.0 CLOSURE

There being no further business, the Chairperson closed the meeting at 7.22pm pm.

13.0 CERTIFICATION

I Gary Ernest John Roberts certify that the minutes of the Special Meeting held on the 6 February 2006 as shown on page numbers _____ to _____ were confirmed as a true record at the meeting held on the 22 February 2006.

Chairman

Date

Attachment No 1

5 11:02 61-8-98711587 WOODSTOCK TRADING P
 16 11:00 93396938 W PA
 05/01/2006 08:57 2-98-712842 DINGEL JA STEWART PAGE 01

05/31/2006 22:41 61-8-98711587 WOODSTOCK TRADING PAGE 01
 05/01/2006 22:06 FAX 1202

RECEIVED
 06 JAN 2006
 BY: CEO 0041

Notice of Motion to Rescind.

Moved by the following councillors that motion 10040 of the Dec 05 meeting is rescinded.

Moved Councillors; Chamberlain. *Jim Chamberlain*
 Newman. *WA Newman*
 Sinclair. *D.P.S.L.*
 Stewart. *John M. Stewart*

Reason for the rescindment being that, there is more information available on the subject and we believe after investigation that the motion is not in the best interest of shire constituents.

06/01 '06 FRI 11:01 [TX/RX NO 5



Attachment No 2

Shire of Lake Grace

PROVISION OF MEDICAL SERVICES – LAKE GRACE

Notes of meeting with Dr Avron Moffson – Monday 6 February 2006

PRESENT: Dr Avron & Betty Moffson, Cr Darcy Roberts, Cr Andrew Walker, Cr Helen Bennett, Cr I Chamberlain, Cr Ollie Farrelly, Cr W Newman, Cr D Sinclair, Cr M Stewart, Cr R Taylor, CEO Chris Jackson, EA J Bennett.

Cr Roberts welcomed Avron & Betty to the meeting and invited them to present their offer to Council.

Dr Moffson offered Council a package on behalf of Avron Moffson Pty Ltd as per Council's current contract with River Medical which includes the following:

- A 5 year contract commencing on 17 April 2006 with option for renewal on annual basis by either party.
- Continuous medical and dispensing services.
- Shire to be without medical service for no more than 4 days at a time.
- Female GP service – this service is supplied by contract with Dr Moffson through a federal grant administered by RFDS with 8 to 10 visits per year – service to continue for as long as it is funded.
- Free residence.
- Free surgery in Lake Grace & Newdegate.
- Motor vehicle upgrade to Ford Territory.
- \$30,000 pa service fee + GST, subject to CPI increase.
- Relocation fee of \$5,000.
- Special condition – should hospital be downgraded or closed (i.e. Accident & Emergency) or another GP or Pharmacist come to town, the contract to be reviewed within 30 days.

This basic proposal to be accepted or declined by Council by noon this Friday 10th February 2006.

Council then discussed various options with Dr Moffson, summarised as follows:

- Dr Moffson gave an undertaking that he would run practise himself excluding illness and holidays.
- Staff would be supplied by Dr Moffson.
- When asked if services would improve Dr Moffson indicated that an after hours surgery session could be an option.
- The \$45,000 after hours fee as per original contract offered has been scrapped.
- Inventory for surgeries in Lake Grace and Newdegate – are required asap.
- Concerns over availability of back up service should illness occur – Dr Moffson assured Council that relief doctors are available through same sources for Practices run by individual GP's as those pools currently used by River Medical.
- Patient files – on termination of contract to be handed to Lake Grace Hospital.
- Locums accommodation is currently paid by River – Dr Moffson would take on that cost.
- River Medical \$10,000 contract termination fee – believed to be negotiable.

5.55pm - Cr Roberts thanked Dr Avron & Betty Moffson for their attendance and they left the meeting.