

MASTERTON TRUST LANDS TRUST

MINUTES OF A MEETING OF TRUSTEES

Held in the Trust Board Room, 189 Queen Street, Masterton

Monday 21st October 2019
OPEN MEETING

Meeting commenced: 4.00pm

Present: L Southey, C Brewster, J Bunny, F Mailman, S Ryan, B Johnson, G Caffell.
A Croskery (General Manager - GM), S Rix (Secretary).

1. MEETING OPENING

A Croskery acting as Chair.

a. Apologies.

T Hullena.

b. Welcome and introductions.

Trustees were given the opportunity to introduce themselves and provide an overview of their aims and objectives as a Trustee.

Leanne Southey:

- Is looking forward to the litigation being completed so the Trust can move on and re-focus on community grants.
- Wants to focus on implementation of the new strategy and other positive projects.
- Welcomed the new Trustees.

John Bunny:

- Is pleased to have been re-elected.
- Wants to complete the work that the Trust has been doing prior to the election and start new projects.
- Wants to work more closely with other organisations.
- Wants to make Masterton a better place.

Bex Johnson:

- Is looking forward to implementing the new education strategy – identifying and funding a major project.
- Wants to reinstate a public art fund.
- Wants to finalise the community property strategy.

Christine Brewster:

- Is looking forward to implementing the new education strategy for the next three years.
- Wants to see the litigation completed so the Trust can move on to more positive issues.

Sandy Ryan:

- Is pleased to have been re-elected.
- Wants to advance the community property strategy.
- Is very supportive of the library – would like to see it supported more and would like MTLT to be a partner in any conversations taking place for a new library.
- Is looking forward to the litigation being completed.
- Supports the General Manager's vision.
- Supports the reinstatement of a public art fund.

Gary Caffell:

- As a new Trustee, Gary advised he is not the sort of person to sit back and say nothing.
- Is impressed with what MTLT are doing and wants to continue that work.
- As a Councillor, is placing no blame for the litigation and would like to see it completed.
- Would like to see the Trust's education support expanded beyond what is currently funded – e.g. sports and cultural education initiatives.
- Is looking forward to his time on the Trust.

Frazer Mailman:

- Is looking forward to continued involvement with the education strategy.
- Believes the Trust is tracking well financially and would like to see the debt to debt+equity ratio reduced below 30% in the next few years.
- Supports a public art fund.

c. Election of Chair.

The GM called for nominations.

Nomination received: **Leanne Southey**
C Brewster/S Ryan

No further nominations received, therefore Leanne Southey was duly elected Chair.

L Southey took the Chair.

f. Election of Deputy Chair.

The Chair called for nominations.

Nomination received: **Christine Brewster**
S Ryan/B Johnson

No further nominations received, therefore Christine Brewster was duly elected Deputy Chair.

g. Committee appointments.

The following committee appointments were made:

Audit, Risk & Property Committee	Chair: John Bunny <i>L Southey/F Mailman</i> Committee: J Bunny, C Brewster, L Southey
Education Committee	Chair: Christine Brewster <i>L Southey/F Mailman</i> Committee: C Brewster, F Mailman, B Johnson, T Hullena
Community Property & Grants Committee	Chair: Sandy Ryan <i>L Southey/C Brewster</i> Committee: S Ryan, G Caffell, J Bunny, F Mailman, B Johnson
Aratoi	Committee: L Southey, G Caffell
MCCT	Appointment postponed until next meeting
Wairarapa College Farm Advisory Board	Appointment postponed until next meeting

d. Conflict of Interest – MDC staff and Councillors.

The GM tabled, read and explained the resolution drafted by Greenwood Roche to delegate powers in relation to certain legal proceedings to the Audit, Risk & Property Committee.

Resolution:

A copy of the approved resolution is attached as Appendix 1 to the minutes.

Moved: F Mailman / Seconded: B Johnson.

Note:

- The GM will check if there are any liability implications for the three Trustees on the Audit, Risk & Property Committee when making decisions on behalf of the full Board.
- It was agreed that all three Committee members must be present when making decisions.

J Bunny reiterated the importance that every Trustee must be very vigilant with knowing and understanding the boundaries of information sharing.

Bank authority.Resolution:

That the bank signing/electronic approval authority be amended to “any two of the GM or Audit, Risk & Property Committee members”.

S Ryan / B Johnson

APPROVED

e. Declaration of interest.

The Chair asked Trustees present to declare any agenda items in the Open Meeting in which they may have either a financial conflict of interest or the appearance of possible bias and acknowledge the receipt of the record of interest with the board pack.

None advised.

h. Declared 2019 election results.

T Hullena	4,666	<i>elected</i>	K Taucher	2,518	<i>not elected</i>
J Bunny	3,167	<i>elected</i>	B Milnes	1,863	<i>not elected</i>
G Caffell	2,887	<i>elected</i>	C Gollins	1,434	<i>not elected</i>
S Ryan	2,752	<i>elected</i>	A Parker	1,329	<i>not elected</i>
			A Lodge	1,224	<i>not elected</i>

i. Late items.

E I Stephens Estate – additional information received.

2. MINUTES OF PREVIOUS MEETING**a. Minutes of meeting held 30th September 2019.**Resolution:

That the minutes of meeting held 30th September 2019 be approved as a true and correct record.

C Brewster / B Johnson

APPROVED

b. Matters arising.

No matters arising.

3. LATE ITEMSE I Stephens Estate – Bequest:

The GM updated Trustees with the additional background information provided by Bruce Wagg.

4. USE OF SEALResolution:

The affixing of the common seal by the Chair and General Manager to the following, be approved:

- QUE108/7 – PN Furniture Ltd t/a Beds4U – Deed of renewal of lease and rent review.

L Southey / J Bunny

APPROVED

5. FINANCE

The Balance Sheet and Profit & Loss Statement as at 30th September 2019 were noted.

6. GENERAL BUSINESS**a. Function for Karl Taucher.**

An evening function is to be arranged for Karl Taucher to acknowledge his service to the Trust. This will take place after the next board meeting on 25th November 2019.

b. Simon Prior Charitable Trust.

C Brewster queried the status of the scholarship fund.

The fund is available for scholarship applications, however due to the modest amount in the fund the scholarships are not being actively marketed.

Applications may be submitted via MTLT.

7. The Chair to move that the meeting moves into Committee.

That the public be excluded from –

The following parts of the proceedings of this meeting, namely, -

Finance items, Grant requests, Property items, Staff matters:

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of its resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Property items	Commercial sensitivity	7(2)(b)(11)
Finance items	Commercial privacy	7(2)(b)(11)
Grant requests	Privacy	7(2)(a)
Staff matters	Privacy	7(2)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act.

L Southey / B Johnson
APPROVED

Meeting moved into Committee: 4.30pm

Open meeting resumed: 5.40pm

8. ITEMS TRANSFERRED FROM IN COMMITTEE

Items released to Open meeting:

No items released.

Meeting closed: 5.40pm

CHAIR:

DATE: 21st October 2019

Appendix 1 – Resolution

FM/BJ

Masterton Trust Lands Trust (the Trust)

Trustees' resolutions passed on the 21 day of October 2019

Introduction

The Masterton Trust Lands Trust Act 2003 (Act) permits the Trust to delegate certain Trust powers to a committee and to provide a committee with general directions.

The Trust is the plaintiff in the following legal proceedings:

- CIV-2016-435-26;
- CIV-2017-435-12;
- CIV-2018-435-05;
- CIV-2018-435-12;
- CIV-2018-435-15;
- CIV-2019-435-27; and
- CIV-2018-035-197,

(together with any ancillary applications, actions, proceedings, appeals or other matters, the *Legal Proceedings*).

The Trust wishes to:

- 1 delegate to the Trust's Audit, Risk and Property Committee all Trust powers in relation to the conduct and/or resolution (including by way of mediation) of the Legal Proceedings; and
- 2 provide a general direction to the Audit, Risk and Property Committee for the conduct, settlement and/or resolution (including by way of mediation) of the Legal Proceedings in the best interests of the Trust.

Resolutions

After careful consideration it is resolved that:

- 1 Pursuant to clause 9(1) of Schedule 2 of the Act, the Trust delegates to the members of the Trust's Audit, Risk and Property Committee from time to time, all Trust powers in relation to the conduct, settlement and/or resolution of the Legal Proceedings.
- 2 Pursuant to clause 5(2) of Schedule 2 of the Act (and 30.3 of schedule 7 of the Local Government Act 2002), the Trust generally directs the members of the Trust's Audit, Risk and Property Committee from time to time to conduct and/or resolve the Legal Proceedings (including by way of settlement, if appropriate) in the best interests of the Trust.

- 3 Pursuant to clause 17(1) of Schedule 2 of the Act, to give effect to Resolutions 1 and/or 2 the requisite number of Trust members and/or the Secretary-Manager may from time to time:
- (a) execute any relevant documents by affixing the Trust's common seal in accordance with clause 17(2) of Schedule 2 of the Act; and
 - (b) execute any other relevant documents and do such other things as may be necessary or desirable including giving any communications, amending any documents and take any other action that is permitted of the Trust and its trustees under the Act.

Signed by the Trustees of the Trust

