



MINUTES

ORDINARY COUNCIL MEETING

TIME: 6.00 PM

25 JANUARY 2018

CITY OF JOONDALUP

*Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo
Towns of Cambridge and Victoria Park*



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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chair declared the meeting open at 6.00 pm.

2 ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Councillor Attendance

Cr R Fishwick JP (Chairman)	City of Joondalup
Cr D Boothman JP (Deputy Chairman)	City of Stirling
Cr J Adamos	City of Perth
Cr E Cole	City of Vincent
Cr F Cvitan JP	City of Wanneroo
Cr R Driver	City of Wanneroo
Cr A Guilfoyle <i>arrived 6.05 pm</i>	City of Stirling
Cr M Norman	City of Joondalup
Cr S Proud JP	City of Stirling
Cr K Sargent	City of Stirling
Cr K Shannon	Town of Cambridge
Cr K Vernon <i>arrived 6.08 pm</i>	Town of Victoria Park

Apologies

Nil

Leave of Absence

Nil

Absent

Nil

MRC Officers

Mr G Hoppe (A/Chief Executive Officer)
Ms D Toward (Executive Support)

MRC Observers

Nil

Member Council Observers

Ms R March (City of Joondalup)
Mr M Hamling (City of Joondalup)
Mr M Littleton (City of Stirling)
Mr P Crabbe (City of Stirling)
Mr A Murphy (City of Vincent)
Mr N Ahern (City of Perth)

Visitors

Nil

Members of the Public

Nil

Press

Nil

3 DECLARATION OF INTERESTS

Declaration of Financial/Conflict of Interest to be recorded prior to dealing with each item.

Disclosure of Financial and Proximity Interests

- (a) *Members must disclose the nature of their interest in matters to be discussed at the meeting. (Section 5.65 of the Local Government Act 1995).*
- (b) *Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 and 5.71 of the Local Government Act 1995).*

Disclosure of Interest Affecting Impartiality

- (a) *Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee has given or will give advice.*

Interest Type	Interest that may affect impartiality
Name and Position of Person	Cr David Boothman
Report Item No. and Topic	9.4 CEO Recruitment Panel's recommended consultant to assist in the CEO recruitment process
Nature of Interest	Beilby have provided CEO Appraisal assistance for City of Stirling

Interest Type	Interest that may affect impartiality
Name and Position of Person	Cr Emma Cole
Report Item No. and Topic	9.4 CEO Recruitment Panel's recommended consultant to assist in the CEO recruitment process
Nature of Interest	City of Vincent used Beilby Recruitment for recent Executive appointments

Interest Type	Interest that may affect impartiality
Name and Position of Person	Cr Andrew Guilfoyle
Report Item No. and Topic	9.4 CEO Recruitment Panel's recommended consultant to assist in the CEO recruitment process
Nature of Interest	Beilby previously employed by City of Stirling

Interest Type	Interest that may affect impartiality
Name and Position of Person	Cr Stephanie Proud
Report Item No. and Topic	9.4 CEO Recruitment Panel's recommended consultant to assist in the CEO recruitment process
Nature of Interest	Beilby have acted for the City of Stirling in the past for CEO review

Interest Type	Interest that may affect impartiality
Name and Position of Person	Cr Keith Sargent
Report Item No. and Topic	9.4 CEO Recruitment Panel's recommended consultant to assist in the CEO recruitment process
Nature of Interest	City of Stirling have previously used Beiby Recruitment

4 PUBLIC QUESTION TIME

None

5 ANNOUNCEMENTS BY THE PRESIDING PERSON

The Chair announced that he and the Acting CEO met with the Minister for the Environment's Chief Policy Advisors on 25 January 2018 to discuss a number of topics including the Levy on Landfill, Energy from Waste and funding for the Mindarie Regional Council's (MRC) Face Your Waste campaign.

A further meeting is scheduled with Minister Dawson on 7 March 2018.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Mike Norman requested leave of absence from 17 February 2018 to 28 February 2018.

RESOLVED

Moved Cr Fishwick, Seconded Cr Sargent

That the application by Cr Norman for leave of absence from 17 February to 28 February 2018 be granted.

(CARRIED UNANIMOUSLY 10/0)

6.05 pm Councillor Guilfoyle arrived

7 PETITIONS / DEPUTATIONS / PRESENTATIONS

None

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 ORDINARY COUNCIL MEETING – 14 DECEMBER 2017

The Minutes of the Ordinary Council Meeting held on 14 December 2017 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting of Council held on 14 December 2017 be confirmed as a true record of the proceedings.

RESOLUTION

Moved Cr Fishwick, seconded Cr Proud

That the Minutes of the Ordinary Council Meeting of Council held on 14 December 2017 be confirmed as a true record of the proceedings subject to an amendment on page 42, item 9.7, adding Cr Vernon's name to the list of Councillors who voted in favour of the item.

(CARRIED UNANIMOUSLY 11/0)

9	CHIEF EXECUTIVE OFFICER REPORTS
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9.1	FINANCIAL STATEMENTS FOR THE MONTH ENDED 30 NOVEMBER 2017
File No:	FIN/5-07
Appendix(s):	Appendix No. 1 Appendix No. 2
Date:	8 January 2018
Responsible Officer:	Acting Director Corporate Services

SUMMARY

The purpose of this report is to provide financial reporting in line with statutory requirements which provides useful information to stakeholders of the Council.

BACKGROUND

Reporting requirements are defined by Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996.

The financial statements presented for each month consist of:

- Operating Statement by Nature – Combined
- Operating Statement by Nature – RRF Only
- Operating Statement by Function
- Statement of Financial Activity
- Statement of Reserves
- Statement of Financial Position
- Statement of Investing Activities
- Information on Borrowings
- Tonnage Report

DETAIL

The Financial Statements are for the month ended 30 November 2017 and are attached at **Appendix No. 1** to this Item. The Tonnage Report for the 5 months to 31 November 2017 is attached at **Appendix No. 2**.

The complete suite of Financial Statements which includes the Operating Statements, Statement of Financial Position, Statement of Financial Activity and other related information are reported on a monthly basis.

The estimates for Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure are based on the estimated rates per tonne calculated with reference to estimated excavation cost of various stages of the landfill and the life of the landfill. An adjustment is made (if necessary) at the end of the year based on actual tonnages on a survey carried out to assess the “air space” remaining and other relevant information.

Summary of results for the five month period ended 30 November 2017

	Actual	Budget	Variance
	t	t	t
Tonnes – Members	115,347	131,019	(15,672)
Tonnes – Others	7,171	7,318	(147)
TOTAL TONNES	122,518	138,337	(15,819)
	\$	\$	\$
Revenue – Members	20,007,230	22,768,767	(2,761,537)
Revenue – Other	2,365,602	2,082,779	282,823
TOTAL REVENUE	22,372,831	24,851,546	(2,478,714)
Expenses	22,435,770	23,408,614	972,845
Profit on sale of assets	8,585	-	8,585
Loss on sale of assets	-	-	-
NET SURPLUS	(54,353)	1,442,932	(1,497,285)

Commentary

Member tonnes for the year to November 2017 are tracking 12% behind budget, which is directly attributable to the change in systems for bulk/verge collection implemented by various councils. Trade and casuals are 147 tonnes behind budget.

The net variance to budget of \$1,497,285 reflects this reduction in tonnage and RRF operating expenditures, offset by tonnage related expenditure (DWER Levy).

This reduction in waste to landfill is consistent with the MRC's vision of 'Winning Back Waste' but will over time see the cost per tonne to landfill for the remaining waste increasing proportionally.

RESPONSIBLE OFFICER RECOMMENDATION

That the Financial Statements set out in Appendix No. 1 for the month ended 30 November 2017 are received.

VOTING REQUIREMENT

Simple Majority

RESOLVED

**Moved Cr Cvitan, seconded Cr Boothman
 That the Recommendation be adopted.
 (CARRIED UNANIMOUSLY 11/0)**

6.08 pm Councillor Vernon arrived

9.2	LIST OF PAYMENTS MADE FOR THE MONTH ENDED 30 NOVEMBER 2017
File No:	FIN/5-06
Appendix(s):	Appendix No. 3
Date:	8 January 2018
Responsible Officer:	Acting Director Corporate Services

SUMMARY

The purpose of this report is to provide details of payments made during the periods identified. This is in line with the requirement under the delegated authority to the Chief Executive Officer (CEO), that a list of payments made from the Municipal Fund since the last Ordinary Council meeting be presented to Council.

COMMENT

The lists of payments for the month ended 30 November 2017 are at **Appendix 3** to this Item and are presented to Council for noting. Payments have been made in accordance with the delegated authority to the CEO which allows payments to be made between meetings. At the Ordinary Council Meeting held on 14 September 2017, the Council delegated to the CEO the exercise of its power to make payments from the Municipal Fund. In order to satisfy the requirements of Clause 13(2) of the Local Government (Financial Management) Regulations, a list of payments made must be submitted to the next Council meeting following such payments.

It should be noted that generally all payments are GST inclusive and the Mindarie Regional Council is able to claim this tax as an input credit when GST remittances are made each month to the Australian Tax Office.

Months Ended	Account	Vouchers	Amount
30 November 2017	General Municipal	Cheques	\$10,424.92
		EFT	\$3,632,155.13
		DP	\$220,509.36
		Inter account transfers	<u>\$1,200,000.00</u>
		Total	\$5,063,089.41

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the list of payments made under delegated authority to the Chief Executive Officer for the month ended 30 November 2017 be noted.

Moved Cr Boothman, Seconded Cr Cole

That the recommendation be adopted.

CARRIED UNANIMOUSLY (12/0)

9.3	MID YEAR BUDGET REVIEW – 2017/18
File No:	FIN/146
Appendix(s):	Appendix 4
Date:	8 January 2018
Responsible Officer:	Acting Director Corporate Services

SUMMARY

The purpose of this report is to describe the financial position and performance of the organisation in relation to the Adopted Budget and recommend changes that will reflect the anticipated outcomes for the remainder of the 2017/18 financial year. This will provide stakeholders with a view of the likely results of the Mindarie Regional Council's (MRC) operations at the conclusion of the financial year.

It is anticipated that the MRC will move from a forecast surplus of \$1,034,325 to a forecast deficit of \$1,800,747, a reduction of \$2,835,072 (274%) (Refer **Appendix 4**). This change is primarily as a result of the effects of reduced members tonnes to the MRC.

It is anticipated that there will be an overall reduction in tonnes received by the MRC of 37,581 tonnes (11.8%). This reflects the decrease in member tonnes from 252,090 tonnes to 214,509 tonnes.

As a consequence of the reduction in tonnes, the MRC is proposing to increase the members' gate fee by \$6 per tonne, from \$174 per tonne to \$180 per tonne (excl. GST), effective from 1 February 2018. This will result in a forecast deficit of \$1.8 million which is to be funded through the Participants' Surplus Reserve (PSR).

BACKGROUND

Council at its ordinary council meeting held on 6 July 2017, resolved that council:

- (i) *adopt the Budget for the Mindarie Regional Council for 2017/18 financial year*
 - (ii) *endorse the on-going strategy of deferred payment of operational surpluses, as approved by Council at its August 2005 meeting, for the 2005/06 financial year and future years to meet its on-going capital requirements*
 - (iii) *approve the use of an on-going overdraft facility of \$1 million to manage cashflow 'short falls' during the 2017/18 financial year and future years*
-

- (iv) *Approve the Capital Budget Program of \$12,536,048 for 2017/18 as follows:*

New capital expenditures

	\$
• <i>Buildings</i>	210,000
• <i>Office furniture and equipment</i>	23,500
• <i>Computer equipment</i>	156,000
• <i>Plant and equipment</i>	310,000
• <i>Infrastructure</i>	3,907,548
• <i>Vehicles</i>	<u>1,368,000</u>
	5,975,048

Carried forward capital expenditures

• <i>Waste facility precinct</i>	6,000,000
• <i>Recycling centre realignment Phase 2</i>	275,000
• <i>Hino Truck replacement</i>	<u>286,000</u>
	6,561,000

Total Capital expenditure **12,536,048**

- (v) *approve that \$616,538 will be transferred from the Operating Surplus to the Site Rehabilitation Reserve.*
- (vi) *approve that \$6,000,000 will be transferred from the Operating Surplus to the Reserve for Capital Expenditure.*
- (vii) *approve that \$6,536,048 be transferred from the Reserve for Capital Expenditure to Operating Surplus to fund capital expenditures.*
- (viii) *approve that any funds required for carbon abatement projects be transferred from the Carbon Abatement Reserve to the Operating Surplus.*
- (ix) *approve that all interest earned on cash funds associated with cash-backed reserves will not be credited to the respective reserves.*

Council operations have been conducted in line with the Adopted Budget for 2017/18.

Monthly Financial Statements on the actual expenditure and variations from the Adopted Budget have been submitted to each Council meeting. In addition, monthly management accounts have been provided to Councillors and Member Council Officers on a regular basis.

In line with sound financial management practice, and in order to comply with Local Government Regulations, a detailed review of the MRC's operations, financial position and financial performance has been carried out as at 30 November 2017.

This reports highlights:

- those items that reflect significant trend variations to budgeted allocations, and
- the anticipated revised financial projections to 30 June 2018.

The Income Statement reflecting the Adopted Budget, Actual Expenditure to 30 November 2017 and projected expenditure to 30 June 2018, as well as the projected capital expenditure is enclosed as **Appendix 4** of this report.

DETAIL

Tonnage variation

The reforecast tonnes are significantly below the originally budgeted tonnage estimates.

The 11.8% or 37,581 tonne reduction in expected tonnes relates largely to the changes to their bulk verge collection systems made by the cities of Stirling and Wanneroo as can be seen from the table below. This is the primary driver of the \$2.8 million negative impact on the profit and loss statement.

Tonnes expected to be diverted to and received back from the Western Metropolitan Regional Council (WMRC) have been reduced by half, however there is no certainty that these tonnes will be required under the MRC's agreement with the WMRC as the DiCOM plant is still not at full production. The delivery or non-delivery of these tonnes has no impact on the budget bottom line.

TONNAGES RECEIVED BY THE MRC 2017/2018			
	Budget	Reforecast	Variance
Cambridge	7,700	7,250	(450)
Joondalup	55,218	52,129	(3,089)
Perth	13,600	13,000	(600)
Stirling	74,116	50,701	(23,415)
Victoria park	16,500	13,500	(3,000)
Vincent	14,600	14,600	-
Wanneroo	70,356	63,329	(7,027)
	252,090	214,509	(37,581)
RRF Residue	48,700	48,700	-
Non-members	16,400	16,400	-
	65,100	65,100	-
	317,190	279,609	(37,581)
			-11.80%
WMRC Residue	18,500	9,250	(9,250)

Revenue

Overall revenue is expected to drop by \$7.4 million (12%) from \$60.8 million to \$53.4 million. This is almost exclusively as a result of the reduction in tonnes committed by the member councils of the MRC.

Operating Expenditure

Operating expenditures have reduced overall by \$4.6 million (7%) primarily as a result of the reduced tonnes to landfill as a result of the reduction in tonnes from member councils.

This decrease in operating costs are partially offset by increases in: members fees (\$42k) as a result of unbudgeted energy for waste conference fees; an increase in RRF operating expenditure to take into account changes to the contractors fees (251k); an increase in landfill expenses (\$37k) mainly due to litter fencing and boundary fencing maintenance.

Forecast capital expenditure for the year has reduced by \$940k from the budget. There have been a number of changes which are listed below:

- The purchase of 2 replacement Komatsu front end loaders and a replacement dump truck have been deferred until 2018/2019 (\$940k).
- A realised saving of \$66,406 has been made on the replacement of a Hino bin truck.
- The purchase of a replacement cardboard compactor has been deferred until 2018/19 as part of the recycling alignment project. (\$50k).
- Purchase of additional landfill gas monitoring systems has been added for 2017/18 (\$66k).
- The purchase of a replacement excavator originally in the budget for \$200k but after quotes \$250k required. Therefore an extra \$50k commitment.

CONSULTATION

Consultation occurred with Member Councils in relation to their forecast tonnes for the remainder of the 2017/18 financial year.

The requirement to increase the members' gate fee as a result of the drop in member tonnes was discussed with the members of the Strategic Working Group (SWG) at a meeting on 6 December 2017.

At this meeting, the SWG members requested that the PSR be used in the first instance to reduce the quantum of any mid-year members' gate fee increase.

As a direct response to this the MRC budget review only envisages a \$6 per tonne increase in the members' gate fee from \$174 per tonne to \$180 per tonne (excl. GST). This will result in a forecast \$1.8 million deficit for the year which is to be funded from the PSR.

STATUTORY ENVIRONMENT

The half yearly budget review was carried out in accordance with the provision of the Local Government Act and Regulations.

STRATEGIC/COMMUNITY AND CORPORATE/BUSINESS PLAN IMPLICATIONS

The revised half yearly budget review presented for approval is consistent with the objectives and actions outlined in the MRC's Community Strategic Plan, Financial Plan and Asset Management Plan.

FINANCIAL IMPLICATIONS

There will be a change made to the members' gate fee of \$6 per tonne from \$174 per tonne to \$180 per tonne (excl. GST) and no change to the non-members' gate fee. There will be a reduction in the originally budgeted surplus of \$1.034 million to a deficit of \$2.835 million. The deficit will be funded from the PSR.

In order to replenish the PSR, it is likely that an additional \$1.8 million will need to be recovered in the 2018/19 budget. This recovery alone will require an increase of approximately \$10 per tonne on the members' gate fee for 2018/19, in addition to any other increases in respect of legislative and operating costs, and potential further reductions in member tonnes.

COMMENT

The budget revision reflects the efforts being made on the part of the MRC's member councils to improve the efficiency and diversion results of their individual waste collection system.

As member councils and the MRC itself increase their efforts to improve diversion of waste from landfill, the residual cost per tonne to operate the Tamala Park landfill site and the RRF contract with continue to increase.

The potential impact of a drop in member tonnes, such as is now being forecast, was raised in a budget presentation to councillors on 6 April 2017, where the potential financial impacts were also clearly highlighted.

In February 2018, the MRC will be meeting with member council CEO's to discuss the MRC's current level of service provision. This, along with an internal review of the MRC's services which is being undertaken, will help define potential future options to address the expected ongoing increases in the members' gate fee.

VOTING REQUIREMENT

Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

1. Approve by Absolute Majority the forecast deficit position estimated to be \$1,800,747 at 30 June 2018, which includes the following:

- **A net estimated decrease in total revenue of \$7,454,440;**
- **A net estimated increase in total other charges of approximately \$13,002;**
- **A net estimated decrease in expenditures of \$4,619,627;**
- **A net estimated decrease in the profit on sale of assets of \$259; and**
- **The proposed reallocations of capital expenditures, resulting in a net decrease in capital expenditures of \$940,786.**

2. Approve the application of the Participants' Surplus Reserve to fund any deficit for the 2017/18 financial year.

**Moved Cr Boothman, seconded Cr Adamos
That the recommendation be adopted
(CARRIED UNANIMOUSLY 12/0)**

9.4	CEO RECRUITMENT PANEL'S RECOMMENDED CONSULTANT TO ASSIST IN THE CEO RECRUITMENT PROCESS
File No:	PER/95
Appendix(s):	Nil
Attachment(s):	Nil
Date:	13 December 2017
Responsible Officer:	Human Resource Officer

SUMMARY

This item was held over at the Ordinary Council meeting held on 14 December 2017.

Report seeks approval to appoint a Recruitment Agency to assist the Chief Executive Officer (CEO) Recruitment Panel (the Panel) in the recruitment of a new CEO.

BACKGROUND

At the Ordinary Council Meeting 9 November 2017 the Council resolved to appoint a recruitment panel consisting of the Chairperson, Cr Fishwick, Deputy Chair, Cr Boothman, Councillors Cole, Cvitan, Guilfoyle, and Norman. The defined purpose of the Panel is to:

- a) *Review submissions from recruitment agencies;*
- b) *Make a recommendation to council on the preferred recruitment agency at its meeting on 14 December 2017;*
- c) *Assess applications received for the CEO position (shortlisted by the successful recruitment agency);*
- d) *Interview the shortlisted applicants together with the recruitment agent; and*
- e) *Make a recommendation to council on the preferred candidate.*

DETAIL

On 16 November 2017 request for quotation letters were sent out to eleven (11) recruitment agencies seeking quotation for services to assist the Panel to recruit a new CEO. At the time of closing the request for quotation on 24 November 2017, seven (7) submissions were received.

On 27 November 2017 the submissions were forwarded to the Panel with an evaluation workbook to assist the Panel in evaluating the quotations against a pre-set qualitative criterion. The submissions were also distributed to the remaining councillors on Tuesday 12 December 2017 to assist them in making an informed decision on the appointment of a consultant to assist the Panel in the recruitment of a new CEO.

Once collated the responses from the Panel confirmed the Recruitment Agency with the highest score was Logo Appointments. The following table details the agencies that responded to the request and the qualitative scores as evaluated by the Panel:

Quotations	Methodology	Availability	Experience	Price	Total
The Nexus Group	4.3	1.9	4.5	7.2	17.9
Management Projects	4.8	1.6	4.3	6.0	16.6
Chandler Macleod	3.8	1.6	3.8	4.8	13.9
Price Consulting	4.8	1.7	4.0	4.8	15.3
Beilby Recruitment	4.8	1.7	5.3	6.0	17.7
WALGA	4.5	1.7	4.8	7.6	18.6
LOGO Appointments	5.3	1.7	4.8	8.0	19.7

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The maximum quoted price of Logo Appointments is \$13,000 including GST. The current Budget has \$7,000 set aside for CEO recruitment. It is proposed to fund the shortfall of \$6,000 in the half-yearly budget review.

VOTING REQUIREMENT

Simple/Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

- 1. Appoint Logo Appointments to assist the CEO Recruitment Panel in the recruitment of a new CEO at a maximum cost of \$13,000; and**
- 2. Fund the budget shortfall of \$6,000 in the half yearly budget review.**

(Absolute Majority Required)

Moved Cr Boothman, seconded Cr Proud

That the recommendation be adopted

(CARRIED BY ABSOLUTE MAJORITY 10/2)

For: Fishwick, Boothman, Cvitan, Vernon, Adamos, Proud, Guilfoyle, Sargent, Norman, Driver

Against: Cole, Shannon

10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 39

RESPONSIBLE OFFICER RECOMMENDATION

That the Members Information Bulletin Issue No. 39 be received.

RESOLVED:

Moved by Cr Boothman seconded by Cr Adamos

That the recommendation be adopted

(CARRIED UNANIMOUSLY 12/0)

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS

Nil

13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

Nil

15 NEXT MEETING

Next meeting to be held on Thursday 22 March 2018 in the Council Chambers at the City of Wanneroo commencing at 6.00 pm.

16 CLOSURE

The Chairman closed the meeting at 6.38pm and thanked the City of Joondalup for their hospitality and use of their meeting facilities.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 25 January 2018.

Signed Chairman

Dated this day of 2018
