

MINUTES OF THE NOVEMBER ORDINARY MEETING OF SLIGO COUNTY COUNCIL HELD ON MONDAY, 3RD NOVEMBER, 2014 AT 11.00AM IN THE COUNCIL CHAMBER, COUNTY HALL, RIVERSIDE, SLIGO

COUNCILLORS PRESENT: Baker, Bree, Casserly, Clarke, Gormley, Healy, Keaney, Kilgannon, Lundy, Maguire, MacManus, Mac Sharry, Mulvey, O'Boyle, O'Grady, Queenan, Scanlon and Taylor.

OFFICIALS IN ATTENDANCE:

Mr Ciaran Hayes, Chief Executive (CE)
Mr Tom Kilfeather, Director of Services (DOS)
Ms Dorothy Clarke, Director of Services (DOS)
Ms Margaret McConnell, Senior Executive Officer (SEO)
Mr Tom Brennan, Senior Engineer (SE)
Mr Fineen O'Driscoll, Acting Senior Engineer (A/SE)
Ms Caroline Conmy, Administrative Officer (AO)
Mr Kevin Colreavy, Meeting Administrator
Ms Marian McGovern, Clerical Officer (CO)

Councillor Bree requested that Standing Orders be suspended to allow consideration of the following motion:

Proposed by Councillor D. Bree

Seconded by Councillor M. Clarke

“That this Council extends its sympathy to Mrs Muriel Gormley and to the extended Gormley family of Bunninadden on the untimely death of Owen Gormley, a brother of our colleague Cllr Margaret Gormley and a son of the late Cllr Willie Gormley, and further that the business of this meeting stand adjourned for one week as a mark of respect.”

The Cathaoirleach, Councillor Queenan also extended his sympathy to Councillor Gormley and the Gormley family indicating that he knew Owen Gormley personally and his death was a great loss to his family and the local community.

The Cathaoirleach advised the meeting that the recently adopted Standing Orders provide for the adjournment of a council meeting for a duration of fifteen minutes as an expression of sympathy.

The Cathaoirleach noted the sensitivities surrounding the discussion. The CE, Mr. Hayes also extended his sympathy to Councillor Gormley and concurred with the Cathaoirleach's comments concerning the sensitive nature of this issue.

Following a brief conferral among party whips, it was proposed to place Councillor Bree's motion before the meeting as a private vote.

Councillor Clarke disputed the validity of a private vote and proposes the following;

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**Proposed by Councillor M. Clarke
Seconded by Councillor S. O'Boyle**

“That this Council would vote by public ballot on this issue.”

Following further discussion Councillor Clarke agreed to withdraw his motion to facilitate the vote, but requests that his objection to the private vote be recorded.

Following a further brief adjournment, the meeting resumed at 11.50am, it was;

**Proposed by Councillor H. Keaney
Seconded by Councillor M. Baker**

AND AGREED

“That a secret ballot to be taken on proposed changes to Standing Orders on the motion proposed by Cllr Declan Bree.”

The result of the vote was as follows;

No -11

Yes - 6

The Cathaoirleach declared the motion *defeated*.

The Cathaoirleach then called for an adjournment for 15 minutes as a mark of respect for the late Owen Gormley.

The meeting resumes at 12.10pm

1. MINUTES OF SLIGO MD MEETING - 21ST JULY:

Councillor Mac Manus asked for an amendment to the minutes of the Sligo Municipal District under the discussion on the Israeli attacks on Gaza

**Proposed by Councillor S. Mac Manus
Seconded by Councillor H. Keaney**

AND AGREED

“To confirm the Minutes of the Ordinary Meeting of Sligo Municipal District held on 21st July, 2014, as amended.”

2. MINUTES OF SLIGO MD BUDGET MEETING - 8TH OCT, 2014:

**Proposed by Councillor H. Keaney
Seconded by Councillor S. Kilgannon**

AND AGREED

“To confirm the Minutes of the Budget Meeting of Sligo Municipal District held on 8th October, 2014.”

3. MINUTES OF OCTOBER ORDINARY MEETING - 8TH OCTOBER:

**Proposed by Councillor H. Keaney
Seconded by Councillor P. Taylor**

AND AGREED

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“To confirm the Minutes of the October Ordinary Meeting of Sligo County Council, held on 13th October, 2014.”

- 4. SECTION 183 – CARROWKEEL, BELTRA: Proposed by Councillor M. Clarke
Seconded by Councillor D. Mulvey**

AND AGREED

“To approve, pursuant to Section 183 of the Local Government Act 2001, the disposal of a dwelling at Carrowkeel, Beltra, Co Sligo to Mr. Martin McGloin.”

- 9. PRESENTATION BY OPW:** The Cathaoirleach indicated that he would take the presentation by the OPW on Catchment Flood Risk Assessment and Management (CFRAM) at this time.

The presentation entitled ‘Flood Mapping Public Consultation Day - CFRAM Council Members Briefing’ was delivered by Elizabeth Russell and Rosemarie Lawlor from the OPW. The members had a discussion on the presentation and in response to their queries Ms. Lawlor and Ms. Russell stated the following:

- Maps can be provided for the west Sligo area.
- This current study looked at worst affected towns and was shortlisted to 300. There is a website that the public can upload photos and locations of flooding outside these areas, www.floodmaps.ie This information will highlight these areas to the OPW. The initial study is focussing more on the effects of flooding on populated areas rather than agriculture.
- There is some funding available to carry out maintenance on existing drainage scheme which could ease some of the agricultural flooding.
- Following the consultation sessions proposals will be put forward for works but these will be subject to environmental assessment before proceeding.

- 8. APPOINT 2 MEMBERS TO THE AUDIT COMMITTEE: Proposed by Councillor S. Kilgannon
Seconded by Councillor H. Keaney**

“Appoint Mr. Aidan Colleary and Gerard Mullaney to the Audit Committee of Sligo County Council.”

Councillor Bree indicated that Councillor Gormley, who was absent from the meeting at this time, asked that her support of former councillor Aidan Colleary’s nomination be recorded. Councillor Bree also supported Aidan Colleary’s nomination and then proposed former councillor, David Cawley as a nominee.

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Proposed by Councillor D. Bree
Seconded by Councillor S. Mac Manus

“That former councillor David Cawley be appointed to the Audit Committee of Sligo County Council.”

The members had a discussion on the nominations and it was agreed to defer the motion until after lunch.

- 6. WINTER SERVICE PLAN: Proposed by Councillor H. Keaney**
Seconded by Councillor P. Taylor

AND AGREED

“To note the 2014/2015 Winter Service Plan.”

- 7. MANAGEMENT REPORT: Proposed by Councillor E. Scanlon**
Seconded by Councillor H. Keaney

AND AGREED

“To note the September Monthly Management Report.”

The meeting adjourns for lunch at 1.10pm

- 5. WORK FORCE PLANNING:**

The CE, Mr Hayes delivered a detailed presentation to members on a Work Force Planning document, to provide members with the necessary information regarding the reform and restructuring of the Council and to inform the debate regarding the Council’s financial position. Mr Hayes advised that the preparation of the document was informed by the Independent Financial Report in 2012 and the decisions taken and investments made on foot of government policy. He noted that the funding model was not fit for purpose and was not robust enough to withstand the financial crisis.

The members thanked Mr. Hayes for his report and following further discussion it was felt that given the background to the Council’s financial situation, some level of Department intervention would be required to address the problem.

It was then;

Proposed by Councillor H. Keaney
Seconded by Councillor S. Kilgannon

AND AGREED

“We propose that we unanimously endorse the analysis of the financial position of Sligo County Council and that we support the executive’s efforts in relation to demanding future financial support from the Department.”

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Councillor Bree asked to be recorded as dissenting from this motion.

8. AUDIT COMMITTEE:

The Cathaoirleach referred back to Item 8 at this time.

Councillor Queenan referred to the two motions before him with three names for the two positions available on the Audit Committee.

There was a discussion on the manner in which to deal with the vote on these motions. On the advice of the Chief Executive the Chairman ruled that he intended to take the motions in the sequence they were received and would therefore ask members to vote first on Cllr Kilgannon's motion. Councillor Bree agreed to withdraw his motion and put forward an amendment to Councillor Kilgannon's motion.

The amendment read as follows:

Proposed by Councillor D. Bree

Seconded by Councillor S. Mac Manus

“That the name Gerard Mullaney be deleted and be replaced by the name David Cawley.”

As agreement could not be reached the Cathaoirleach called for a vote on Councillor Bree's proposed amendment.

For: Bree, Gormley, Mac Manus & O'Boyle.

Against: Baker, Keaney, Kilgannon, Lundy, Maguire, Mulvey, Queenan, Scanlon & Taylor.

Abstain: Casserly, Clarke & Healy.

*As the result was 4 For, 9 Against and 3 Abstentions the Cathaoirleach declared the motion **defeated**.*

Therefore, Councillor Kilgannon's motion was passed as follows:

“Appoint Mr. Aidan Colleary and Gerard Mullaney to the Audit Committee of Sligo County Council.”

10. BUENOS AIRES COURT:

With the agreement of the meeting this Item was deferred.

11. CATTLE PRICES:

With the agreement of the meeting this Item was deferred.

12. LEGAL SERVICES:

Proposed by Councillor D. Bree

Seconded by Councillor S. Mac Manus

“To ask the Chief Executive Officer when he intends to provide the Council with the report it sought in January of this year in respect of the legal services provided by the Councils solicitor and other law agency providers.”

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A report has been prepared and it was agreed to circulate this to the members via the Councillors Extranet.

13. WATER CHARGES:

Proposed by Councillor T. Healy

Seconded by Councillor S. Mac Manus

“That Sligo County Council calls on the Government to;

- Immediately reverse domestic water charges which are an unfair and unjust double charge being forced on already struggling households.
- Stop the roll out of metering and redirect the €39m loan finance from the National Pension Reserve Fund towards fixing the massive leakage problems and interruption to supply.
- Recognise that Irish Water is not fit for purpose since it is unaccountable to the Minister and therefore to the Oireachtas and the citizens of this State.
- Prevent Irish Water from any further excessive spending of taxpayer’s money, including the proposed further €35m on the use of external consultants in 2015.
- Oppose any duplication of services being delivered by Irish Water and Local authorities and retain these services within full public ownership now and in the future.
- Listen to the widespread public anger that exists towards this Government and Irish Water by the Irish people, who are now rightly organising and mobilising in protest and opposition to these water charges through the Right2Water public campaign which includes activists, citizens, community groups, political parties and trade unions.”

Following a discussion and as agreement could not be reached the Cathaoirleach called for a vote.

For: Baker, Bree, Casserly, Clarke, Gormley, Healy, Kilgannon, Lundy, Mac Manus, O’Boyle, O’Grady, Queenan, Scanlon & Taylor.

Against: Keaney, Maguire & Mulvey

*As the result was 14 For and 3 Against the Cathaoirleach declared the motion **carried.***

The Cathaoirleach, Councillor Queenan indicated that there were a number of other Irish Water related motions and he would take them all at this time.

23. IRISH WATER:

Proposed by Councillor S. Kilgannon

Seconded by Councillor R. O’Grady

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“Now that it has being proven over and over again, as we suspected for some time that Irish Water, as set up by Government is indeed a ‘Gold Plated Bonus Driven Super Quango’, Sligo County Council calls for a full Review of Irish Water’s Role Model, its policy and delivery.”

Following a discussion Councillor Bree proposed an amendment to Councillor Kilgannon’s motion as follows;

Proposed by Councillor D. Bree

Seconded by Councillor S. O’Boyle

“Amendment: That the words ‘for a full review of Irish Water’s role model, its policy and delivery’ be deleted from the motion and be replaced with the following wording ‘on the Government to abolish Irish Water and to abolish domestic water charges’.

The amended motion would read: ‘Now that it has being proven over and over again, as we suspected for some time that Irish Water, as set up by Government is indeed a ‘Gold Plated Bonus Driven Super Quango’, Sligo County Council calls on the Government to abolish Irish Water and to abolish domestic water charges.”

As agreement could not be reached the Cathaoirleach called for a vote.

For: Bree, Casserly, Clarke, Gormley, Healy, Kilgannon, Lundy, Mac Manus, O’Boyle, O’Grady, Queenan, & Taylor.

Against: Keaney, Maguire & Mulvey

As the result was 12 For and 3 Against the Cathaoirleach declared the motion carried.

24. IRISH WATER & FARMERS:

Proposed by Councillor M. Gormley

Seconded by Councillor M. Casserly

AND AGREED

“That this Council rejects the proposal by the Commission for Energy Regulation and Irish Water to charge the Farming Community;

(a) a standing charge for meters

(b) to bill them on the double for household and farm water

supplies. (A bill from Irish Water for the domestic use and bill from a local authority for the non-domestic use).”

27. LOUGH GARA WATER SUPPLY:

Proposed by Councillor P. Taylor

Seconded by Councillor J. Lundy

AND AGREED

“To ask Sligo County Council to demand that Irish Water suspend

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all charges on water users of the North Roscommon water supply coming from Lough Gara to parts of South Sligo.”

38. VOTES OF SYMPATHY:

**Proposed by Councillor M. Gormley
Seconded by Councillor D. Bree**

AND AGREED

“That a vote of sympathy be extended to Nancy Dunleavy on the death of her brother, Patrick Goonan.”

“That a vote of sympathy be extended to Padraic Folan on the death of his sister, Ann Curran.”

“That a vote of sympathy be extended to Kathleen Davey on the death of her brother, Michael Joe Lavin.”

“That a vote of sympathy be extended to Mary McGill on the death of her brother, Patrick Sherlock.”

“That a vote of sympathy be extended to Francie McLoughlin on the death of his mother, Lily McLoughlin.”

“That a vote of sympathy be extended to Vera Kennedy on the death of her brother, Packie McLoughlin.”

“That a vote of sympathy be extended to Gerry O’Hara and Family on the death of his mother, Mary O’Hara.”

**Proposed by Councillor D. Mulvey
Seconded by Councillor E. Scanlon**

AND AGREED

“That a vote of sympathy be extended to Gemma Crossan on the death of her father, Jimmy Crossan.”

“That a vote of sympathy be extended to Peter McManamy on the death of his mother, Kathleen McManamy.”

**Proposed by Councillor M. Baker
Seconded by Councillor D. Mulvey**

AND AGREED

“That a vote of sympathy be extended to Clodagh Conlon and Family on the death of her husband, Paul Conlon.”

“That a vote of sympathy be extended to Helen Maher on the death of her mother, Lily McKeon.”

“That a vote of sympathy be expressed on the recent death of

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Martin Mongan, a member of the Local Traveller Accommodation Consultative Committee.”

39. VOTE OF CONGRATULATIONS:

None

40. CONFERENCES:

**Proposed by Councillor H. Keaney
Seconded by Councillor R. O’Grady**

AND AGREED

“That the list of conferences circulated for November at this meeting, are unanimously agreed.”

41. CONFERENCE REPORTS:

**Proposed by Councillor H. Keaney
Seconded by Councillor R. O’Grady**

AND AGREED

“To note the summary of proceedings of conferences attended in accordance with Section 142(5) (f) of the Local Government Act, 2001.”

42. CORRESPONDENCE:

**Proposed by Councillor H. Keaney
Seconded by Councillor R. O’Grady**

AND AGREED

“To note the correspondence circulated with the agenda.”

43. MATTERS ARISING:

None

44. AOB:

Councillor O’Grady highlighted an issue with a Bus Éireann route change recently. This was raised by Councillor Keaney at the last Sligo Municipal District meeting but Councillor O’Grady was asking for the General Council’s support in asking Bus Éireann to review this decision.

Councillor O’Boyle asks the Chief Executive has there been a change in policy dealing with clients in relation to homelessness. Mr. Hayes indicates there has been no change in policy in dealing with tenants who are homeless due to their own behaviour.

END OF MEETING:

The meeting concluded at 5.20pm

Signed: _____
Meetings Administrator

Date: _____

Signed: _____
Cathaoirleach

Date: _____