Minutes of Annual Meeting of Carlow County Council

held in the Council Chamber, County Offices, Athy Road, Carlow on Friday, 7th June, 2019 at 2:00 p.m.

Present: Councillor F. Browne

Councillor J. Cassin
Councillor A. Dalton
Councillor M. Doran
Councillor A. Gladney
Councillor T. Kinsella
Councillor A. McDonald
Councillor J. McDonald
Councillor K. Murnane
Councillor C. Murphy
Councillor J. Murphy

Councillor B. O'Donoghue

Councillor T. O'Neill Councillor W. Paton Councillor J. Pender Councillor F. Phelan Councillor W. Quinn Councillor A. Wallace

In attendance: Ms. K. Holohan, Chief Executive

Mr D. McInerney, Director of Services, Transportation,

Environment & Water Services P. Delaney, Head of Finance

Mr. M. Brennan, Acting Director of Services, Housing

Ms. F. O'Neill, Acting Director of Service - Corporate, Planning,

Economic Development, Health and Safety

Mr. P.J Leonard, Financial Accountant

Ms. M. Ahearne, Senior Staff Officer, Environment

Mr. E. Brophy, Senior Executive Officer, Corporate Services. Ms. B. Whelan, Assistant Staff Officer, Corporate Services.

Also in attendance were Deputy Pat Deering and Senator Jennifer Murnane-O'Connor. The outgoing Cathaoirleach welcomed all present to the first meeting of the new Council. He welcomed the three newly elected Councillors. He paid tribute to the staff and retired staff he worked with over the previous five years and said it was his greatest honour to have served as Cathaoirleach of Carlow County Council. He thanked his fellow Councillors for their support during his term of office and to Eamonn Brophy and staff for their assistance. Councillor O'Donoghue paid special thanks to Marian Morgan, Corporate Services for her help and support to him and his fellow councillors and wished her well in her retirement. Councillor O'Donoghue also thanked Kieran Comerford, Head of LEO for his assistance.

Mr. Eamonn Brophy, Senior Executive Officer, Corporate Services, declared the result of elections held on 24th May, 2019 as follows:

RETURN OF PERSONS ELECTED - LOCAL ELECTIONS 2019

	Name			Description	
Local Electoral Area	Surname	Other name(s)	Address	Occupation	Name of Political Party, if any
Carlow	Browne	Fergal	Rutland, Carlow.	St. Joseph's School Principal	Fine Gae
	Cassin	John	2, Springdale, Tullow Road, Carlow.	Social Care Worker	Non Party
	Dalton	Andrea	Barr na Cassa, Tinryland, Carlow.	Community Worker/ Educator	Fianna Fáil
	Murnane	Ken	Kellistown West, Carlow.	Public Representative	Fianna Fáil
	O'Neill	Tom	146, JKL Avenue, Carlow.	Manager Carlow Golf Club	Fine Gael
	Phelan	Fintan	Brown's Hill Road Askea, Carlow Town, Carlow.	Public Representative	Fianna Fáil
	Wallace	Adrienne	34, Mac Gamhna Road, Green Lane, Carlow.	Office Administrator	Solidarity – People Before Profit

LOCAL ELECTIONS 2019

Return of Persons Elected

Name of Local Authority:	CARLOW COUNTY COUNCIL	

	Name			Description	
Local Electoral Area	Surname	Other name(s)	Address	Occupation	Name of Political Party, if any
Tullow	McDonald	John	Graiguealug, Nurney, Co. Carlow.	Farmer	Fianna Fáil
	Murphy	Charlie	Knockbrack, Myshall, Co. Carlow.	Farmer	Non Party
	Murphy	John	Glisheen, Boggan, Kilbride, Co. Carlow.	Public Representative	Fine Gael
	O'Donoghue	Brian	Williamstown, Rathvilly, Co. Carlow.	Public Representative	Fine Gael
	Paton	William	Mill Street, Tullow, Co. Carlow.	Company Director	The Labour Party
	Pender	John	Grange View, Friarstown, Carlow.	Public Representative	Fianna Fáil

LOCAL ELECTIONS 2019

Return of Persons Elected

Name of Local Authority:	_CARLOW COUNTY COUNCIL

	Name			Description	
Local Electoral Area	Surname	Other name(s)	Address	Occupation	Name of Political Party, if any
Muinebheag	Doran	Michael	Main Street, Leighlinbridge, Co. Carlow.	Electronic Technician	Fine Gael
	Gladney	Andy	23, St. Bridgid's Crescent, Muinebheag, Co. Carlow.	Cleaning Services Provider	Sinn Féin
	Kinsella	Tommy	Kilcumney, Goresbridge, Co. Carlow.	Farmer	Fine Gael
	McDonald	Arthur	Kilcarrig, Fenagh Road, Muinebheag, Co. Carlow.	Public Representative	Fianna Fái
	Quinn	Willie	Spahill, Borris, Co. Carlow.	Public Representative	The Labour Party

Election of Cathaoirleach

Proposed by Councillor F. Phelan Seconded by Councillor A. Dalton

That Councillor J. Pender be elected Cathaoirleach of Carlow County Council.

As there was no other proposal Councillor J. Pender was deemed elected in accordance with Section 37 (b) of the Local Government Act, 2001.

Taking the chair, Councillor Pender thanked his proposer and seconder, fellow Councillors and the Fianna Fáil Party for electing him to the position of Cathaoirleach. Councillor Pender said it was an honour to be elected Cathaoirleach having served 35 years on the Council as a member of the Fianna Fáil party.

The new Cathaoirleach paid warm tributes to Denis Foley and Jim Deane who were unsuccessful in contesting the local election. He also paid tribute to Walter Lacey following his resignation from the Council. He said the three of them had served the people of Carlow with distinction. The Cathaoirleach welcomed the new members to the chamber and wished them well in their new role.

Councillor Pender said it was a special occasion for him, that Carlow was a great county where personal and political differences are set aside and everyone works for the betterment of the County. He thanked his family for their support. He thanked Eamonn Brophy and his staff for conducting the local election count in such a professional manner.

The new Cathaoirleach paid a special tribute to the outgoing Cathaoirleach Councillor B. O'Donoghue. He said he was fair, impartial, a role model for young people and an excellent ambassador for County Carlow.

The Members congratulated Councillor Pender on his election as Cathaoirleach and paid tribute to outgoing Cathaoirleach Councillor B. O'Donoghue.

The Chief Executive on behalf of the executive congratulated Councillor Pender on his election as Cathaoirleach and said she looked forward to working with him in the year ahead. She thanked Councillor O'Donoghue for his year in office, for his support to all community groups and assisting and supporting events. She commiserated with Denis Foley and Jim Deane on losing their seats and acknowledged their work for the betterment of County Carlow. The Chief Executive welcomed the newly elected members to the Council and said she looked forward to working with them.

The Cathaoirleach invited the newly elected members, Councillors J. McDonald, A. Wallace and T. O'Neill to address the meeting.

Election of Leas Cathaoirleach

Proposed by Councillor F. Phelan Seconded by Councillor A. Dalton

That Councillor A. McDonald be elected Leas Cathaoirleach of Carlow County Council.

As there was no other proposal Councillor A. McDonald was deemed elected in accordance with Section 37 (b) of the Local Government Act, 2001. Councillor A. McDonald thanked his proposer and seconder and fellow Members for their support. He said he has a long history in politics and was looking forward to the role.

The Chief Executive presented Councillor B. O'Donoghue with a photographic record of his year in office.

4. Appointment of Members to Committees.

Right to form groups applies to the following appointments.

(a) Appointment of Chairs Designate to Strategic Policy Committees. (4

Group:- Councillors Paton, Gladney, Quinn, Cassin and Wallace proposed that Councillor Cassin be elected Chair Designate to a Strategic Policy Committee.

Following a show of hands it was resolved:-

"That Councillor Cassin be elected Chairperson Designate of a Strategic Policy Committee.

It was agreed that in the event of rotating the Chair or on Councillor Cassin resigning as Chair of the SPC during the five-year term that the five members of the block group would appoint a new Chairperson.

This reciprocal arrangement will apply to all Strategic Policy Committee Chairs.

It was

Proposed by Councillor M. Doran Seconded by Councillor F. Browne And

Following a show of hands it was was resolved:-

"That Councillors T. Kinsella, A. McDonald and J. Murphy be elected Chair Designates of the remaining three Strategic Policy Committees.

(b) Local Community Development Committee (LCDC) (4)

Group:- Councillors Paton, Gladney, Quinn, Cassin and Wallace proposed that Councillor Quinn be appointed to the local Community Development Committee.

Following a show of hands it was resolved:-

"That Councillor W. Quinn be elected to the local Community Development Committee.

It was

Proposed by Councillor F. Phelan Seconded by Councillor B. O'Donoghue And Following a show of hands it was resolved:-

"That Councillor A. Dalton be elected as a Member of Local Community Development Committee (LCDC)"

"That Councillor T. Kinsella be elected as a Member of Local Community Development Committee (LCDC)"

"That Councillor T. O'Neill be elected as a Member of Local Community Development Committee (LCDC).

(c) Kilkenny & Carlow Education & Training Board (KCETB) (4)

E. Brophy advised that under the Local Government Act 2001 Schedule 10 Paragraph 19 (1) a local authority shall seek to promote the objective of an appropriate gender balance in the making of appointments by it to bodies to which paragraph 18 applies and to other bodies.

An issue arose in relation to group voting and the number required as Councillors Dalton and Wallace were automatically appointed. The members sought clarification and legal advice of requirement for a group of 4 or 9 for making

appointments. E. Brophy said it was his clear understanding that the requirement was a group of 9.

E. Brophy further advised that if a member is related to a person employed in an administrative capacity by the ETB that the member should make the connection known and not seek a nomination to sit on the board.

The appointments were delayed allowing time to seek legal advice and clarification on the matter.

(d) Regional Health Forum South (3)

Proposed by Councillor F. Phelan Seconded by Councillor M. Doran And

Following a show of hands was resolved:-

Proposed by Councillor F. Phelan Seconded by Councillor M. Doran And

Following a show of hands was resolved:-

Proposed by Councillor F. Phelan Seconded by Councillor M. Doran And

Following a show of hands was resolved:-

(e) Regional Assembly South (2)

Proposed by Councillor M. Doran Seconded by Councillor B. O'Donoghue And

Following a show of hands it was resolved:-

Proposed by Councillor M. Doran Seconded by Councillor B. O'Donoghue

[&]quot;That Councillor A. McDonald be appointed to the Regional Health Forum South.

[&]quot;That Councillor B. O'Donoghue be appointed to the Regional Health Forum South.

[&]quot;That Councillor J. McDonald be appointed to the Regional Health Forum South.

[&]quot;That Councillor K. Murnane be appointed to the Regional Assembly South

[&]quot;That Councillor T. Kinsella be appointed to the Regional Assembly South.

(f) Association of Irish Local Government (AILG) (3)

Proposed by Councillor F. Phelan Seconded by Councillor T. O'Neill And

Following a show of hands was resolved:-

"That Councillor T. Kinsella be appointed to the Association of Irish Local Government (AILG)"

Proposed by Councillor F. Phelan Seconded by Councillor T. O'Neill And

Following a show of hands it was resolved:-

"That Councillor A. McDonald be appointed to the Association of Irish Local Government (AILG)"

Proposed by Councillor F. Phelan Seconded by Councillor T. O'Neill And

Following a show of hands was resolved:-

"That Councillor J. Pender be appointed to the Association of Irish Local Government (AILG)."

(g) Audit Committee (2)

Proposed by Councillor B. O'Donoghue Seconded by Councillor A. McDonald And

Following a show of hands was resolved:"That Jim Deane be appointed to the Audit Committee

Proposed by Councillor B. O'Donoghue Seconded by Councillor A. McDonald And

Following a show of hands was resolved:-

"That Denis Foley be appointed to the Audit Commitee.

(h) Carlow Rural Water Monitoring Committee (3)

Proposed by Councillor M. Doran Seconded by Councillor T. O'Neill And

Following a show of hands was resolved:-

"That Councillor J. McDonald be appointed to the Carlow Rural Water Monitoring Committee".

Proposed by Councillor M. Doran Seconded by Councillor T. O'Neill And

Following a show of hands was resolved:-

"That Councillor T. Kinsella be appointed to the Carlow Rural Water Monitoring Committee".

Proposed by Councillor M. Doran Seconded by Councillor T. O'Neill And

Following a show of hands was resolved:-

"That Councillor B. O'Donoghue be appointed to the Carlow Rural Water Monitoring Committee".

(i) Traveller Accommodation Committee (4)

Group:- Councillors Paton, Gladney, Quinn, Cassin and Wallace proposed **And**

Following a show of hands was resolved:-

"That Councillor A. Wallace be appointed to the Traveller Accommodation Committee".

Proposed by Councillor F. Phelan Seconded by Councillor M. Doran And

Following a show of hands was resolved:-

"That Councillor F. Browne be appointed to the Traveller Accommodation Committee".

Proposed by Councillor F. Phelan Seconded by Councillor M. Doran And

Following a show of hands was resolved:-

"That Councillor A. Dalton be appointed to the Traveller Accommodation Committee".

Proposed by Councillor F. Phelan Seconded by Councillor M. Doran And

Following a show of hands was resolved:-

"That Councillor T. O'Neill be appointed to the Traveller Accommodation Committee".

(j) Public Art Working Group (3)1 from each Municipal District

Proposed by Councillor B. O'Donoghue Seconded by Councillor F. Phelan And

Following a show of hands was resolved:-

"That Councillor T. O'Neill be appointed to Public Art Working Group".

Proposed by Councillor B. O'Donoghue Seconded by Councillor F. Phelan And

Following a show of hands was resolved:-

"That Councillor J. McDonald be appointed to the Public Art Working Group".

Proposed by Councillor B. O'Donoghue Seconded by Councillor F. Phelan And

Following a show of hands was resolved:-

"That Councillor M. Doran be appointed to the Public Art Working Group".

(k) Carlow County Museum Board (3)

Proposed by Councillor M. Doran Seconded by Councillor T. O'Neill And

Following a show of hands was resolved:-

"That Councillor K. Murnane be appointed to Carlow County Museum Board

Proposed by Councillor M. Doran Seconded by Councillor T. O'Neill And

Following a show of hands was resolved:-

"That Councillor F. Browne be appointed to Carlow County Museum Board

Proposed by Councillor M. Doran Seconded by Councillor T. O'Neill And

Following a show of hands was resolved:-

"That Councillor A. Dalton be appointed to Carlow County Museum Board

(n) Carlow Comhairle Na nÓg (2)

Proposed by Councillor A Dalton Seconded by Councillor A. McDonald And

Following a show of hands was resolved:-

"That Councillor T. O'Neill be appointed to Carlow Comhairle Na nÓg.

Proposed by Councillor A. Dalton Seconded by Councillor A. McDonald And

Following a show of hands was resolved:-

"That Councillor F. Phelan be appointed to Carlow Comhairle Na nÓg.

The formation of groups does not apply to the following appointments.

(o) Carlow Tourism (2) (1 from each Municipal District)

Proposed by Councillor M. Doran Seconded by Councillor A. McDonald And

Following a show of hands was resolved:-

"That Councillor J. Murphy be appointed to Carlow Tourism

Proposed by Councillor M. Doran Seconded by Councillor A. McDonald And

Following a show of hands was resolved:-

"That Councillor K. Murnane be appointed to Carlow Tourism.

(p) Carlow Rural Transport Company (1)

Proposed by Councillor F. Phelan Seconded by Councillor M. Doran And

Following a show of hands was resolved:-

"That Councillor K. Murnane be appointed to Carlow Rural Transport Company.

(Q) Carlow Arts Centre Limited – VISUAL (2)

Proposed by Councillor M. Doran Seconded by Councillor J. Murphy And

Following a show of hands was resolved:-

"That Councillor K. Murnane be appointed to Carlow Arts Centre Ltd Visual".

Proposed by Councillor M. Doran Seconded by Councillor J. Murphy And

Following a show of hands was resolved:-

"That Councillor T. O'Neill be appointed to Carlow Arts Centre Ltd Visual".

(r) Carlow Arts Festival Ltd. Eigse (1)

Proposed by Councillor M. Doran Seconded by Councillor T. O'Neill And

Following a show of hands was resolved:-

"That Councillor F. Phelan be appointed to Carlow Arts Festival Ltd. Éigse

(s) 3 Counties Energy Agency (1)

Proposed by Councillor B. O'Donoghue Seconded by Councillor A. McDonald

"That Councillor M. Doran be appointed to 3 Counties Energy Agency

(t) Irish Public Bodies Mutual Insurances Ltd. (1)

Proposed by Councillor F. Phelan Seconded by Councillor J. Murphy

And

Following a show of hands was resolved:-

"That Councillor A. McDonald be appointed to the Irish Public Bodies Mutual Insurances Ltd."

(u) Local Authority Members Association (LAMA) (1) Proposed by Councillor M. Doran Seconded by Councillor T. O'Neill

"That Councillor B. O'Donoghue be appointed to the Local Authority Members Association (LAMA)

(v) Joint Policing Committee (13) (The thirteen shall comprise of 2 members from each local electoral area and each political grouping must be represented. Cathoirleach shall be an ex-officio member).

It was agreed that any member that wished to put their name forward could do so providing the criteria for appointments was met.

And

Following a show of hands was resolved:-

"That Councillor K. Murnane be appointed to the Joint Policing Committee."

"That Councillor J. McDonald be appointed to the Joint Policing Committee."

"That Councillor W. Paton be appointed to the Joint Policing Committee."

"That Councillor A. McDonald be appointed to the Joint Policing Committee."

"That Councillor A. Dalton be appointed to the Joint Policing Committee."

"That Councillor F. Phelan be appointed to the Joint Policing Committee."

"That Councillor T. O'Neill be appointed to the Joint Policing Committee."

"That Councillor F. Browne be appointed to the Joint Policing Committee."

"That Councillor J. Murphy be appointed to the Joint Policing Committee."

"That Councillor B. O'Donoghue be appointed to the Joint Policing Committee."

"That Councillor M. Doran be appointed to the Joint Policing Committee."

"That Councillor J. Cassin be appointed to the Joint Policing Committee."

"That Councillor J. Pender be appointed to the Joint Policing Committee."

In response to Members query the filling of appointments to The Commemoration Committee and the New Oak Committee will be made when the number of appointments is available.

5. Circular F 13/03 – Local Elections (Disclosure of Donations and Expenditure) Act 1999, as amended.

Members were circulated with Local Elections (Disclosure of Donations and Expenditure) Act, 1999 as amended Guidelines for Candidates, National Agents, Designated persons and Third Parties for the 2019 Local Elections. The guidelines outline requirements for candidates at a local election. Mr. E. Brophy, Senior Executive Officer reminded Members of their responsibility to submit a statement of expenditure including a statutory declaration to the local authority within 90 days of polling day (i.e on or before 22nd August, 2019).

6. Standing Orders Carlow County Council – Review

E. Brophy advised that if any group wish to make changes to Standing Orders that the matter be brought to the Corporate Policy Group for consideration.

7. Code of Conduct for Councillors

E. Brophy advised that AILG is currently updating Code of Conduct for Councillors and the updated documentation will be made available.

8. Induction Training for Elected Members

E. Brophy advised Members that AILG will be providing Induction Training for Councillors, details of which will be available shortly.

The Chief Executive advised that a briefing for members will be arranged.

E. Brophy advised of training budget for Councillors.

Councillor Browne queried protocol for the wearing of chains at official functions. The Cathaoirleach suggested an in-committee meeting be arranged to clarify this issue and other matters.

9. Affixing of the Council Seal

E. Brophy requested approval that all members be nominated members for the purpose of signing such documents where the seal of the Council is required.

Proposed by Councillor M. Doran Seconded by Councillor W. Paton And

Following a show of hands it was resolved:-

'that all Members sitting be authorised to sign documents where the seal of the Council is required.'

10. Fix Dates of Council Meetings

Dates of Council Meetings

Members had for consideration suggested dates for Council Meetings for the ensuing months to the next Annual Meeting.

Members spoke of the necessity to streamline dates of meetings to facilitate members that are in other employment or self-employed.

The issue is to be addressed by group leaders and whips.

Proposed by Councillor J. Murphy Seconded by Councillor B. O'Donoghue And

Following a show of hands it was resolved:-

"That the proposed dates for Council Meetings for the ensuing months to the next Annual Meeting are as follows:-

2019	July	-	8 th
	September	-	9 th
	October	-	14 th
	November	-	11 th
	December	-	9 th
2020	January	-	13 ^h
	February	-	10 th
	March	-	9 th
	April	-	20 th
	May	-	11 th
	June	-	8 th

11. Fix Dates for first meetings of Carlow Municipal District, Muinebheag Municipal District and Tullow Municipal District.

Following a show of hands

Members agreed that the Carlow Municipal District first meeting be held in the Town Hall on Monday 17th June at 4.00p.m

Members agreed that the first meeting of Muinebheag Municipal District be held on Friday 14th June at 4.00p.m

Members agreed that the first meeting of Tullow Municipal District be held on Thursday 13th June at 4.00p.m

12. Any Other Business

Approval of Draft Affordable Dwelling Purchase Arrangements Scheme of Priority.

M. Brennan, Acting Director of Services advised Members of the Affordable Dwelling Purchase Arrangements Draft Scheme of Priority approved by Members at the May meeting of Council.

M. Brennan advised that the Department of Housing, Planning and Local Government has reviewed the Draft Scheme and requested that Carlow County Council proceed to final approval. The Scheme of Priority must be approved by 18th June 2019.

Proposed by Councillor A. McDonald Seconded by Councillor K. Murnane And

Following a show of hands was resolved:-

'That we, the Members of Carlow County Council approve the Draft Scheme of Priority for Affordable Dwelling Purchase Arrangements for Carlow County Council in accordance with the Housing (Miscellaneous Provisions Act, 2009 Affordable Housing (Part 5) Regulations 2019.'

- M. Brennan answered queries from Members on the scheme.
- D. McInerney, Director of Services advised Members of workshop to be held for Members on Carlow County Council's Climate Change Adaptation Strategy. The Strategy has undergone a Strategic Environmental Assessment and went to public consultation on 21st May 2019 for a period of four weeks.
- D. McInerney to revert to Members with date.

Councillor Gladney raised issue of councillors not getting paid councillors' expenses when on sick leave.

E. Brophy advised that the Department guidelines are expenses are for attendance at meetings and suggested a notice of motion on the issue be brought to Council for consideration and approval. The Notice of Motion will be forwarded to AILG for their attention.

The Chief Executive advised that the Department is currently reviewing all areas of Councillor expenses. AILG can make such submissions to the Department for review.

Councillor Quinn urged members to avail of annual insurance at €50 per annum to cover members to hold clinics in their own homes.

Councillor McDonald referred to Irish Public Bodies Policy in relation to sick leave and suggested that Scheme A or Scheme B be made available to members.

Ms F. O'Neill, Acting Director of Services advised that she was unable to get clarification, due to short notice, in relation to required group number for appointments to the ETB.

Following detailed discussion on the issue and as the executive was unable to get confirmation on group number requirement for making of relevant appointments by close of meeting it was as follows:-

In accordance with S.I no. 271 of 2014 Councillor A. Dalton was deemed elected as a Members of Kilkenny and Carlow Education & Training Board. In accordance with S.I no. 271 of 2014 Councillor A. Wallace was deemed elected as a Members of Kilkenny and Carlow Education & Training Board.

Proposed by Councillor M. Doran Seconded by Councillor F. Phelan And

Following a show of hands was resolved:-

"That Councillor B. O'Donoghue be elected as a Member of Kilkenny & Carlow Education & Training Board."

"That Councillor F. Browne be elected as a Member of Kilkenny & Carlow Education & Training Board to be replaced by Councillor W. Paton, if following legal advice that a group of 4 and not 9 is acceptable for the making of appointments."

Councillor Browne said he had no issue with this arrangement.

Alan O'Neill, Acting Chief Fire Officer joined the meeting.

The Cathaoirleach advised the members that Alan O'Neill was leaving the service of Carlow County Council to take up the role of Chief Fire Officer with Westmeath County Council. The Members paid warm tributes to Alan and thanked him for his service with Carlow County Council over 17 years.

D. McInerney, Director of Services also paid tribute to Alan for his dedicated service to Carlow County Council and for carrying on the mantle of his father Fintan O'Neill, who served as Assistant Chief Fire Officer, in such a dedicated manner. Alan O'Neill thanked everyone for their kind words and said he was grateful for the opportunities afforded him in Carlow.

Councillor Browne expressed a vote of congratulations to Bennekerry National School on their tremendous success being the only school in Carlow to hold all Division 1 Cumann na mBunscoil titles within a single school year, in the girls' and boys' football, camogie and hurling.

E. Brophy advised that email addresses for the new councillors will be set up.

This concluded the business of the meeting.