

Minutes of Meeting of Monaghan County Council held in the Mtek Building, Armagh Road, Monaghan on Monday 1 February, 2010 at 10.00 a.m.

Chair: Cllr H. Humphreys, Mayor.

Present: Cllrs. Bannigan, Carthy, Carville, Conlon, Connolly, Coyle, Crowe, Gallagher, Keelan, Maxwell, McElvaney, B. McKenna, S. McKenna, McNally, Murray, O'Brien, O'Hanlon, P. Treanor and S. Treanor.

Mr. D. Nelson, County Manager, Mr. P. Clifford, Mr. A. King, Mr. D. Fallon, Directors of Service, Mr. J. Murray, Head of Finance, Mr. A. Hughes, Senior Planner and Ms. C. Thornton, Meetings Administrator.

At the outset the Mayor proposed a vote of congratulations to Cllr Owen Bannigan on his election as Chairperson of County Monaghan Vocational Education Committee. Cllr Coyle seconded the proposal which was agreed by the Council.

On the proposal of Cllr Connolly seconded by Cllr Humphreys it was agreed that the Council congratulate Cllr P.J. O'Hanlon on being elected Vice Chairperson of the County Monaghan Vocational Education Committee.

A number of members joined in the votes of congratulations to Cllrs Bannigan and O'Hanlon who thanked the Members for their good wishes.

On the proposal of Cllr Humphreys seconded by Cllr Coyle it was agreed that the sympathy of the Council be extended to the following

- *Cllr John O'Brien and his wife Olive on the death of Olive's father, Tom Heneghan, Castleblayney R.I.P.*
- *Peter Hughes, Journalist and the Smyth Family on the death of Kathleen Smyth (wife of the late Paddy Smyth, Northern Standard) R.I.P.*

On the proposal of Cllr B. McKenna, seconded by Cllr Humphreys it was agreed that the sympathy of the Council be extended to Kay Cassidy, Library Service on the death of her mother Kathleen Lambe, Mullinacross, Smithboro R.I.P.

On the proposal of Cllr McElvaney, seconded by Cllr B. McKenna it was agreed that the sympathy of the Council be extended to Brian McCarron, Council Reception, on the death of his uncle Eddie McCarron, Brandrum, Monaghan, R.I.P.

The votes of sympathy were passed in silence, all present standing.

Cllr McElvaney called on the County Manager to make a statement in relation to the callous decision taken to close the St. Louis Nursing Home in Monaghan Town and as a result elderly nuns would have to be re-located to other premises and 34 jobs would be lost to the local economy. He stated that the public were of the view that the elected members had passed a resolution to close the nursing home and he wanted himself and his colleagues to be exonerated from blame.

At this point the Mayor advised the members that she had received a notice of urgent business in the name of Cllr S. Treanor as follows:

“ That this Council urgently discuss the proposed closure of the St. Louis Nursing Home in Monaghan town ”

In accordance with Standing Order 14.2 the members agreed to deal with the notice of urgent business.

Cllrs Gallagher and B. McKenna stated that it would be beneficial to hear the facts of the matter first before the members discuss it. The Mayor stated that she would allow Cllr S. Treanor to move his motion and then the County Manager would address the members.

In moving the motion Cllr S. Treanor stated that ‘red tape’ had lost the run of itself on this occasion. He felt that the Fire Officers should concentrate on discos and other public places – the nuns had been in Monaghan Town for over 150 years and were part of the fabric of Monaghan and anyone who know the particular building would say that it was safe. He claimed that Drogheda Hospital had failed six out of seven procedures for hygiene and safety but it had not been closed and he also referred to the number of patients on trolleys in Cavan hospital and asked what would happen if there was a fire there? All he was asking for is a level playing field. He stated that one of the occupants in the nursing home was 98 years of age and how could they think of taking her from her home. ‘Shame on us as public representatives’ he stated. He called on the Council to stand by the sisters in their hour of need.

The County Manager stated that he wished to deal with the issues surrounding the nursing home and also the language and methodology used by the members who raised the matter. He stated that the building in question was four storey and was built in the 1800s. There are currently 16 nuns in the facility – all of whom are over 85, 10 of whom are over 90 – many would not have the capacity to walk or be able to escape in the event of a fire, without assistance. The main staircase was an internal wooden staircase and if it was to be burned then the lives of the people trapped in the building would be lost, at least by smoke inhalation if not by being burned to death.

The HSE is responsible for the regulation of nursing homes. The HSE reported to the Council that this premises was not in compliance with fire regulations. The Council inspected the nursing home following this request to it from the HSE and has been trying to reach an agreement with the St. Louis Nuns for two years. Monaghan Town Council has granted planning permission to provide an external fire escape which has been approved by the Chief Fire Officer. The Council has a statutory responsibility to ensure that these premises comply with the fire safety regulations and it was the opinion of the Chief Fire Officer that the building did not comply with these regulations.

The Manager stated that the decision to close the premises was a decision made by the District Court Judge, who had inspected the premises, and not a decision of the Council. He would not like to have it on his conscience that one person died in this county because he did not implement regulations.

In relation to the “callous decision” remark of Cllr McElvaney, the Manager stated that it was not a callous decision and the remark was totally objectionable and outside the scope of the normal level of decorum he would expect from a member of the Council. He was not evicting the nuns – a stairway must be put in place which is capable of effecting a safe exit from the building. There is an engineering solution to the problem.

In relation to the use of the word ‘shame’ by Cllr S. Treanor the Manager asked if the members have debased themselves so low in the chamber that the staff now get blamed for carrying out their jobs?

Cllr Connolly proposed that Monaghan County Council examine ways of keeping the nursing home residents and workforce together by trying to locate accommodation locally, e.g. on the grounds of St. Davnets or elsewhere locally and extend the proposed closure deadline and examine ways of rendering the nursing home safe.

There was no seconder for this proposal.

Cllr Coyle proposed, Cllr O’Brien seconded, that Monaghan County Council, the St. Louis Order and the H.S.E. enter into further discussions to resolve the issues causing the current difficulties and avert the closure of the St. Louis Nursing home.

Cllr Gallagher proposed, Cllr O’Hanlon seconded that the County Manager would make immediate contact with the St. Louis Order with a view to finding a solution to the matter.

Cllr Coyle later withdrew this motion in favour of Cllr Gallagher’s motion.

Cllr Gallagher’s motion was put to the meeting and agreed unanimously.

Second notice of urgent business:

The Mayor advised that she had a second notice of urgent business from Cllr Connolly, as follows:

“ That Monaghan County Council review the remit of the Tenders Committee ”

It was agreed that this motion did not constitute urgent business and it was further agreed that the matter be referred to the Standing Orders and Procedures Committee for consideration.

1. Confirmation of Minutes:

- (i) *On the proposal of Cllr Carville, seconded by Cllr Gallagher it was agreed that the minutes of Council Meeting held on Monday 4th January, 2010 be confirmed.*

2. Correspondence:

The following correspondence was circulated to the Members:

- Letter of acknowledgement from the Office of the Minister for Transport in relation to the Council's request for a meeting with the Minister in relation to the N2 Clontibret to the Border Scheme
- Letter of acknowledgement from the Private Secretary to the Minister for Education in relation to the proposed education campus at the former military barracks site in Monaghan Town.
- Letter of acknowledgement from the Private Secretary to the Taoiseach in relation to the proposed education campus at the former military barracks site in Monaghan Town.
- Letter from the Minister for Health and Children in relation to the projected number of beds in St. Mary's Hospital, Castleblayney.
- Letter of acknowledgement from the Minister for Health and Children in relation to the criteria being applied nationally to medical card applications.
- Letter of acknowledgement from the Minister for Health and Children in relation to funding for the Regional Drugs Task Forces.
- Letter from the Private Secretary to the Minister for Finance in relation to the establishment of NAMA.
- Letter from Marian Harkin MEP enclosing letter from Sligo County Council in relation to the EU Globalisation Fund for workers who have been made redundant.
- Email from Michelle Murphy, Sports Co-ordinator, Monaghan Sports Partnership, seeking to make a presentation to the Council at the April meeting.
- Report from P. Clifford, Director of Services in relation to the legislative basis for changing the name of a town, village, locality or street.
- Letter from the Chairperson of the Co. Monaghan Joint Policing Committee in relation to new communications system erected on masts at Garda Stations.
- Email from Minister for Agriculture confirming that he would meet a deputation from the Council on Wednesday 17th February, 2010
- Resolution from Monaghan Town Council in relation to local authority rents
- Resolution from Killarney Town Council calling on the Minister for Enterprise and Employment to ensure the retention of the minimum wage.
- Resolution from Clones Town Council calling for the adoption of measures to insure that maximum social economic and environmental benefits will accrue to the Clones Erne East area during the construction of the Multi Sports complex and Ulster Canal Restoration projects.

Proposals arising out of correspondence:

The Mayor referred to the letter from the Chair of the Joint Policing Committee in relation to additional equipment that has been placed on Garda station masts. She stated that she had already written, in her capacity as Mayor of the Council, to the Garda Commissioner about the matter.

On the proposal of Cllr Humphreys, seconded by Cllr Maxwell, it was agreed that the Council write to the Office of Public Works outlining its concerns regarding the additional equipment that has been placed on Garda station masts.

On the proposal of Cllr P. Treanor, seconded by Cllr Gallagher, it was agreed that the Council would also write to the Department of Communications in the matter.

On the proposal of Cllr McElvaney, seconded by Cllr Carville it was agreed that the Council write to the Minister for Justice, Equality and Law Reform and the Garda Commissioner requesting that all current vacancies in Garda numbers in the county be filled.

On the proposal of Cllr Connolly seconded by Cllr Carville, it was agreed that the Council write to the CEO of the Health Service Executive outlining its concerns about the proposed reduction in beds at St. Mary's Hospital, Castleblayney i.e. 40 nursing home beds and five alzheimer's patient beds and further calls for the proposed extension to be built and that the respite bed levels be retained at six beds per ward.

On the proposal of Cllr Bannigan, seconded by Cllr Gallagher it was agreed that the Council write again to the Health Service Executive inviting an official from that body to attend a Council meeting to discuss the situation in relation to the reduction in beds at St. Mary's hospital.

On the proposal of Cllr Carville, seconded by Cllr Crowe it was agreed that the Council write to the Oireachtas members for the county asking them to highlight the matter in relation to the reduction in beds at St. Mary's Hospital and make representations on the Council's behalf.

On the proposal of Cllr Treanor, seconded by Cllr Keelan it was agreed that the Council invite Michelle Murphy, Sports Partnership Co-ordinator to make a presentation at the April Council meeting.

On the proposal of Cllr Conlon, seconded by Cllr Crowe it was agreed that the Council write to Minister Harney, Minister Ahern and Junior Minister John Curran, seeking the reversal of cuts that have resulted in the axing of the post of Regional Drugs Task Force "Drugs Education Co-ordinator"

On the proposal of Cllr Murray, seconded by Cllr Carville, it was agreed that the Council write to the Department of Finance asking the Minister to bring forward proposals to deal with the mortgage situation as a matter of urgency.
On the proposal of Cllr McNally, seconded by Cllr Gallagher, it was agreed that the Government provide assistance to all those suffering financial hardship as a result of the downturn in our economy – not just those who are not meeting their mortgage repayments – as many that have met their obligations have done so as a result of great hardship.

It was agreed that the Council would accept the invitation from the Minister for Agriculture to meet with a delegation from the Council on Wednesday 17th February, 2010 at 4.30 p.m. and that the Council would be represented by the Mayor and one from each political grouping on the Council.

Resolutions from other local authorities:

On the proposal of Cllr Treanor, seconded by Cllr Keelan, it was agreed that the Council support the resolution from Clones Town Council - That Clones Town Council warmly applauds all of those involved in bringing the Multi-sports Complex and Ulster Canal Restoration Projects to the point where construction will shortly begin and proposed that measures be adopted, prior to the procurement process, to insure that maximum social, economic and environmental benefits will accrue to the people of the Clones Erne East Area, during the construction phase of both projects”

On the proposal of Cllr Conlon, seconded by Cllr P. Treanor, it was agreed that this policy is applied to all future construction contracts.

On the proposal of Cllr Gallagher, seconded by Cllr B. McKenna it was agreed that the Council adopt the resolution from Killarney Town Council calling on the Minister for Enterprise and Employment to ensure the retention of the minimum wage.

On the proposal of Cllr Conlon, seconded by Cllr B. McKenna it was agreed that the Council adopt the resolution from Monaghan Town Council as follows: “In light of the continuing decrease in monthly residential rents in the private sector, that this Council write to Minister John Gormley, Department of Environment and Local Government, seeking similar decreases to rents imposed by local authorities to their tenants and that the reduction in revenue to the Council is subvented through the Local Government Fund allocation to each Council.

3. Part VIII Local Government (Planning and Development) Regulations 2001

(i) To consider granting permission for construction of R927 (Convent Link Road)/Junction improvement works at Drummond Otra, Carrickmacross (planning application **09/8004** refers)

“ On the proposal of Cllr Carthy, seconded by, Cllr Connolly, it was agreed to approve the proposed development as per the Director of Services’ report dated 25 January, 2010”

(ii) To consider granting permission for the construction of a link road facility to connect the R178 (Shercock Road) to R180 (Ballybay Road) at Carrickmacross (planning application **09/8005** refers)

“ On the proposal of Cllr Carthy, seconded by, Cllr McNally, it was agreed to approve the proposed development as per the Director of Services’ report dated 25 January, 2010”

4. To consider removal of structure from the Record of Protected Structures for County Monaghan

The Members considered the report and recommendation from Mr. A. Hughes, Senior Planner, dated 20th January, 2010, in relation to the proposed deletion of an outbuilding located to the rear of McCague's public house, Scotstown from the Record of Protected Structures for County Monaghan (RPS registration number 4100904).

On the proposal of Cllr S. McKenna, seconded by Cllr B. McKenna it was agreed that an outbuilding located to the rear of McCague's public house, Scotstown be deleted from the Record of Protected Structures for County Monaghan (RPS registration number 4100904).

5. To consider proposed takeover of Tattyreagh North Group Water Scheme

The Members considered the report dated 18th January, 2010 from Mr. D. Fallon, Director of Services in relation to the request from Tattyreagh North Group Water Supply Scheme that the Council would take the scheme in charge. The report confirmed that an inspection of the scheme has been carried out and it is in good order and repair. Mr. Fallon recommended that the Council would take the scheme in charge.

On the proposal of Cllr Carville seconded by Cllr Crowe it was agreed that the Council take in charge the Tattyreagh North Group Water Supply Scheme by virtue of Section 95(1) of the Water Services Act 2007.

6. To consider recommendations from Corporate Policy Group meeting held on 18th January, 2010

(i) Draft Corporate Plan 2009 – 2014

Mr. P. Clifford, Director of Corporate Services referred to the draft Corporate Plan 2010-2014 which had been circulated with the agenda and which had also been considered by the Corporate Policy Group. He advised that the draft plan outlines the principal activities of the local authority; the objectives for the next five years and the strategies for achieving those objectives together with proposals for the assessment of performance in achieving the objectives.

On the proposal of Cllr Conlon, seconded by Cllr Maxwell, it was agreed that the Draft Corporate Plan 2010-2014 be adopted.

(ii) Policy in relation to meeting requests with Government Ministers

The minutes of the Corporate Policy Group were noted in relation to this matter.

Cllr Murray proposed, Cllr McNally seconded that the Council rescind the previous motion regarding its policy in relation to protests at Government Ministers and adopt the following policy – “that on all visits by Ministers to County Monaghan this Council request that they meet with a delegation from the Council to discuss issues of concern including Monaghan General Hospital. Should this request be refused then the Mayor will hand in a letter of protest addressing our concerns and release this letter to the press.

Following a debate on the motion to which a number of the members contributed, the Mayor put Cllr Murray’s motion to the meeting. A recorded vote was taken which resulted as follows:

For: Cllrs Bannigan, Carville, Coyle, Gallagher, Humphreys, Maxwell, McNally, Murray, O’Brien, O’Hanlon. **Total 10**

Against: Cllrs Carthy, Conlon, Connolly, Crowe, Keelan, McElvaney, B. McKenna, S. McKenna, P. Treanor, S. Treanor **Total 10**

The Mayor gave her casting vote in favour of the motion. The Mayor declared the motion carried.

(iii) Invite from Geel City Council

It was agreed that the Council would accept the invitation from Geel City Council to attend the ‘Dimpna Days’ celebrations held once every five years and that the Council would be represented by the Deputy Mayor and one from each political grouping on the Council.

It was agreed that the minutes of the Corporate Policy Group meeting held on 18th January, 2010 be noted and approved.

7. To receive minutes of Coiste Gaeilge meeting held on 25/11/2009

The Members noted the minutes of the Coiste Gaeilge meeting held on 25th November, 2009.

8. To approve external membership of An Coiste Logainmneacha.

On the proposal of Cllr Treanor, seconded by Cllr Carville it was agreed that the Council approve the external membership of An Coiste Logainmneacha, as follows:

Sean Ó Raghallaigh, Lisanisk, Carrickmacross
Cití Mhic Clámha, 49, St. Macartan’s Villas, Carrickmacross
Síle Ní Neill, Smithboro, Co. Monaghan
Brian MacDomhnaill, Boyher, Rockcorry, Co. Monaghan
Grace Moloney, C/o Clogher Historical Society, Monaghan.

8a Eirgrid – proposed 440kv Interconnector:

Cllr Bannigan referred to the planning application for the proposed 440kv interconnector which is currently with An Bord Pleanala. He stated that there had been a number of public meetings held recently in the county and that the level of public concern about this project is growing by the day. He referred to a report which the Health Service Executive had received in 2007 in relation to the effect of electric magnetic fields but which had not been made public. During a debate on this item, to which a number of members contributed the following motion was passed by the Council -

On the proposal of Cllr Bannigan, seconded by Cllr Crowe it was agreed that this Council call on the Department of Health, the Health Service Executive and the Government to immediately publish the 2007 report on Electric and Magnetic Fields and the potential effects on human health;

That we write to all our county Oireachtas members and ask them to raise this issue in Dail Eireann and ensure that this report is immediately published and

That we write to Eirgrid, the Minister for Energy & Communications and the Minister for Health and Children and request that no decision be made on the high density overhead powerline application until the 2007 report is published and discussed.

It was agreed that time would be allocated at the Special Meeting scheduled for Monday 15th February to discuss the Eirgrid Strategic Infrastructure Development application.

9. To receive reports from Members attending Conferences:

The Members noted the report from Cllr Humphreys in respect of her attendance at the LAMA Winter Seminar, Limerick.

10. Business submitted by County Manager

Lough Muckno court case:

The Manager advised that the court hearing in relation to Hope Castle has been re-scheduled to 5th February in Carrick-on-Shannon.

Disposal of land at Lisanisk, Carrickmacross:

The County Manager advised the members that the landowner involved in this disposal is seeking payment in full from the Council for all legal costs incurred by him from 2006 to date, estimated at €20,000. The County Manager stated that he would require that the offer of €2,500 for the plot in question would be in full and final settlement and would be subject to High Court proceedings against the Council being withdrawn.

Cllr McElvaney expressed his disappointment to the County Manager at not being invited to the launch of the Clones Erne East Sports Partnership project. Mr. A. King Director of Services stated that the invites for the project were issued by email from the Clones Sports Partnership and that body may not have been aware that email was not suitable for some people. Mr. King apologised for the error.

Cllr McElvaney raised the matter again during the course of the meeting and following exchanges with the County Manager he withdrew from the meeting. He later returned to the meeting room and raised the matter again with the County Manager stating that he had contacted the Clones Erne East Sports Partnership and was advised that the invites for the project launch had been issued by the County Council.

The Manager replied that in Cllr McElvaney's absence he had been informed that the Council had been supplied with a list of people the Sports Partnership wanted to invite to the function in question. None of the local councillors were on the list and Mr. King's office added their names to the list. The invitations were then issued by email but the Clones office was not aware that Cllr McElvaney did not use email and therefore did not receive an invitation. The Manager stated that if the information given to him was incorrect he would apologise in advance to Cllr McElvaney.

11. Matters arising out of minutes of Council meeting held on 4th January, 2010

Matters arising out of the minutes of Council meetings held on 7th and 11th December, 2009 were responded to by the relevant officials.

12. Presentation from CAWT (Co-operation and Working Together) in relation to cross border health services (timed for 3.30 p.m.)

The Mayor welcomed Ms. Bernie McCrory, Chief Officer CAWT, Mr. Tom Daly, Management Board CAWT and Linda Saunderson, Acute Programme Manager and invited Ms. McCrory to address the Council.

Ms. McCrory thanked the Council for the opportunity to address the Members. In her presentation she outlined the role and remit of the Co-operation and Working Together (CAWT) cross border partnership. She outlined the activities and achievements of the partnership and briefed the members on the work programme under the EU Interreg IVa process. The objective of the partnership is to utilise the critical mass of populations across two jurisdictions to maximise value for money and reduce duplication of scarce resources. There are currently twelve cross border projects being undertaken by CAWT.

Following the presentation Ms. McCrory and Ms. Saunderson responded to queries raised by the Council members.

It was agreed that the group would report back to the Council in 12 months time.

The Mayor thanked the CAWT Members for a very informative presentation and wished them success with their projects.

13. Questions:

Cllr P. McNally asked:

1. When does this Council expect to be in a position to put in place the proposed turning lanes at the junction known locally as the ball-alley on the Kingscourt to Carrickmacross Road?

Reply: *This matter will be brought to the next Area Roads Meeting.*

2. Has this Council made any progress on the extension to the Carrickmacross Sewerage Plant?

Reply: *Monaghan County Council has made a technical submission to the DEHLG in relation to Carrickmacross Wastewater Treatment Plant. The submission proposes an interim solution to the WWTP deficiencies by advancing elements of the main contract. The advance works, designed to cater for the short term needs of Carrickmacross, will be incorporated into the new wastewater treatment plant, when complete.*

The advanced works proposal was submitted to the Department of the Environment, Heritage and Local Government on the 20th August 2009. The works are contingent on Departmental approval of the technical submission and the associated Water Pricing Report. Monaghan County Council currently awaits the Department's sanction to proceed to contract document and tender stage.

Cllr P. McNally asked:

3. Does this Council expect to fully resurface Rockdaniel Road, Cloughvalley, following the upgrading of the sewerage in that area as the road is in a terrible condition?

Reply: *Temporary reinstatement will be completed on Rockdaniel Road by week ending 5th February 2010.*

The type and extent of the permanent reinstatement required on the Rockdaniel road will be determined in the coming months. Consideration must be given to the fact that the existing road structure comprises a reinforced concrete slab overlaid with a thin layer macadam.

4. Has this Council made any progress regarding a new industrial/commercial business park on the newly zoned land, as it is important that Carrickmacross be in a position to attract new industry when the economy improves?

Reply: *Monaghan County Council has zoned approximately 53 hectares (130 acres) of lands for industrial and employment uses in Carrickmacross which is anticipated to be sufficient to accommodate the requirements of Carrickmacross during the life of the Monaghan County Development Plan 2007 – 2013. Part 8 proposals for a new road to serviced zoned land at Drummond Otra, Carrickmacross has been presented to the Council today.*

Cllr P. Connolly asked:

5. Following the recent spell of severe winter weather conditions and the high costs associated in trying to salt and grit our roads, what implications will this have for Council services throughout the remainder of the year?

Reply: *Winter Maintenance operations are partially charged to the Regional and Local Roads Discretionary and Ordinary Maintenance grants. Increased expenditure on these grants will limit the amount of funding available for other maintenance activities throughout the year.*

6. What plans are in place to ensure that a stockpile or reserve of salt and grit is established by Monaghan County Council to ensure an ability to cater for a similar harsh winter should it occur?

Reply: *The Council has capacity to store up to 750 tonnes of salt and are currently investigating a number of locations for future salt storage.*

7. In relation to the proposed relief road from the N2 Dublin -Derry Road to the N54 Clones Road, has a route been selected and agreed at County Council level?

Reply: *No agreement has been reached on the selection of a route at County Council level.*

Cllr P. Connolly asked:

8. In view of the ongoing traffic backup and congestion on the Clones Road, particularly the work traffic in the mornings and at school times, what is the current status of the proposed relief road from the N54 Clones Road to the N2 Dublin -Derry Road?

Reply: *The N54 link was raised with The National Roads Authority at a meeting with a delegation from Monaghan County Council. It was noted that there were no plans to provide funding for this scheme at present. It was noted that it falls within the study area being examined by the consultants engaged to progress the development of the N2 Clontibret to the North of Emyvale scheme.*

9. (a) How many water mains were burst during the recent heavy frost?
(b) How much water was lost as a result of burst water mains?
(c) Was there any threat to the level of water in our reservoirs at any point during the frost?

Reply: (a), (b) & (c) *The countywide daily production of water on Public Water Supply Schemes increased from 11,350 m³/day (2.5 Million Gallons) in December 2009 to 13,918 m³/day (3.06 Million Gallons) at Mid January 2010.*

Despite considerable increases in water through-put, primarily attributable to leakages and customers allowing taps to run continuously, Monaghan County Council maintained reservoir levels and avoided water rationing. The effective response of Water Services Operation and Maintenance staff and the Water Conservation Team must be commended at this juncture. Burst mains were identified quickly and repaired as a matter of urgency with minimum disruption to consumers.

Cllr R. Gallagher asked:

10. Will the Council survey the amount of impact and damage done to roads as a result of road salt and the severe frost and detail what remedial action is proposed?

Reply: *Roads Section and the Area Offices are in the process of assessing this at present. The Area Engineers are carrying out a survey of the roads network for damage caused by the recent severe weather.*

11. Can the Council report on progress regarding signage in the village of Scotstown with particular reference to signs for Smithboro and Roslea?

Reply: *Both these signs are ordered for Roslea and Smithboro.*

12. What is the Council's policy with regard to the problems caused by surface water running off private property on to public roads with regard to: (a) communicating with landowners regarding their responsibilities and (b) working with landowners to alleviate the problem?

Reply: *This is covered under the 1993 Roads Act, which makes this an offence. The Area Office deals with such cases on an ongoing basis. The property owner is contacted and asked to rectify the problem within a certain time frame. If it is not completed a warning notice is sent. If this is not addressed the Council can carry out the work and seek to have the costs recouped from the person committing the offence.*

Cllr R. Gallagher asked:

13. Can the Council outline the procedures and timescale for progress for the proposed N54 / N2 link road between the Clones Road and Coolshannagh?

Reply: *The N54 link was raised with The National Roads Authority at a meeting with a delegation from the Monaghan County Council in July 2009. It was noted that there were no plans to provide funding for this scheme at present. It was noted that it falls within the study area being examined by the consultants engaged to progress the development of the N2 Clontibret to the North of Emyvale Scheme*

Cllr A. Murray asked:

14. Is Monaghan County Council currently implementing a Housing Shared Ownership Scheme?

Reply: Yes

Did the Council receive applications under this scheme in 2009?

Reply: 3 applications were received.

15. With regard to the Local Improvement (Road) Scheme (L I S)

(a) How many applications has Monaghan County Council at present?

Reply: 245

(b) What is the date of the oldest application?

Reply: One application from 2003, one application from 2005, the remainder were from April 2006. However all applicants were written to in 2007 and 2008 to confirm they wished to remain on list and to update details.

(c) How many roads were completed under the scheme in 2009?

Reply: Total 38

Cllr G. Carville asked:

16. (a) Has Monaghan County Council made any contact with the Department of Transport and/or the Department of the Environment with a view to seeking special funding for the deterioration of the county roads from the recent severe weather?

Reply: The Area Engineers are carrying out a survey of the road network for damage caused by the recent severe weather. This information will be furnished to the NRA and the Department of Transport, outlining the condition of the roads and the costs to repair these roads, with the objective of seeking special funding.

(b) Has any assessment of the additional burden on the Council been carried out?

Reply: Roads Section and the Area Offices are in the process of assessing this at present.

Cllr B. McKenna asked:

17. In relation to the ongoing work by consultants on the N2 from Clontibret to Moybridge, can this Council request that these works are fast-tracked to enable us seek further monies from the NRA for ongoing works so this section of road can catch up with works on the A5 thereby allowing the construction of both sections of the road run in parallel?

Reply: *The matter of fast tracking the scheme and providing additional funding was discussed at the meeting with the NRA and the delegation from Monaghan County Council on the 21st July last. The commitments on delivering the strategic Inter-urban routes by the end of 2010 were being given first priority in terms of available funding.*

Perhaps a formal request for fast tracking of the scheme from Monaghan County Council may be appropriate if such a proposal were to be adopted by the members.

18. Has an assessment been carried out in any of the four Road Areas in the county concerning damage to the road infrastructure during the recent prolonged cold spell of frost and snow?

If not, are there plans to have such an assessment carried out so we are in a position to put a financial figure on the assessment with a view to securing additional funding from the Department of Transport/NRA?

Reply: *Roads section and the area offices are in the process of assessing this at present.*

Cllr S. Conlon asked:

19. With the opening of tenders for the provision of a new fire station for Monaghan town now concluded, what are the next steps and timescales towards the construction stage? Is there preference given to local contractors who bid for this work?

Reply: *The tenders were opened on 26th January. The tenders will be assessed by our consultants, Van Dijk Architects, and they will make a recommendation to the Council within a few weeks. Following acceptance of the recommendation by the DOS the tenders will be forwarded to the Department for their approval. The contract will commence when approved by the Department. The timescale for Department approval is unknown. All tenders will be evaluated on their merits and no preference will be given to any contractor.*

20. Has a date been set for a meeting or presentation between the Office of Public Works and Monaghan County Council to debate issues around flooding in the county experienced recently?

Reply: *A request has issued to the Office of Public Works but no response has been received, to date.*

Cllr S. Conlon asked:

21. To avoid the risk of road salt supplies being depleted during periods of prolonged freezing, are the Roads Section considering the provision of additional bulk storage facilities that will enable increasing the quantity of road salt supplies being held?

Reply: *The Council has capacity to store up to 750 tonnes of salt and are currently investigating a number of locations for future salt storage.*

22. Can street lighting be installed on the road LT16301 leading from the N2 to Ballyalbany Cross in this area that has had considerable increase in dwellings built over recent years?

Reply: *This can be costed and presented at the Road Area Meeting.*

23. With the impending completion of works and departure of Gama Tubin from their compound along N2 Castleblayney by-pass, please outline what works are yet to be completed in the townland of Glennyhorn that will give closure to all outstanding terms and contracts?

Reply: *Works remaining to be carried out by Gama Tubin Construction Ltd at Glennyhorn Td. include:*

- (a) Mainline Works,*
- (b) Employer Requirement Works in relation to height restriction barriers,*
- (c) Accommodation Works for Landowners,*
- (d) Snagging Works.*

Cllr O. Bannigan asked:

24. (a) What is the up to date position with the Clones Road junction in Ballybay town?

Reply: *The reports as per the conditions of planning are substantially complete.*

Cllr O. Bannigan asked:

- (b) Has Monaghan County Council carried out all the reports as instructed by the Part 8 of the Planning process?

Reply: *As above.*

- (c) Is the funding in place to ensure that the works on the Clones Road junction will be completed in 2010?

Reply: *The roads budgets have not been announced to date.*

Cllr O. Bannigan asked:

25. (a) What is the up to date position with the outstanding works in Wylies Hill, Ballybay?
(b) Has Monaghan Co. Council served a notice of non compliance on the developer?

Reply: *Following the receipt of a number of complaints from residents of Wylies' Hill, the development was inspected by the planning and engineering sections of the Council and matters of non-compliance identified. Enforcement notices in respect of these matters have been served on both developers responsible for the development.*

26. (a) How much extra expenditure was incurred by Monaghan County Council as a result of the recent cold spell due to the cost of overtime and materials?

Reply: *From the start of the Winter Maintenance season up to 19th January this year there has been an extra €156,428 spent compared to the 2008/2009. However, the 2008/2009 winter maintenance season was also a severe winter. The 2007/2008 winter maintenance season represents the average winter we get and comparing figures with that season there has been an extra €272,592 spent this year.*

- (b) Has Monaghan County Council estimated the cost of repairing our roads due to the damage caused by the recent severe weather?

Reply: *Roads Section and the Area offices are in the process of assessing this at present.*

- (c) Has Monaghan County Council made a claim for extra funding to the Department of Environment and Transport due to the extra expenditure incurred and the extra expenditure pending due to the severe weather conditions?

Reply: *Roads section and the area offices are in the process of assessing this at present.*

27. (a) Did any consultation take place between Eirgrid and the County Manager and County Council officials?

Reply: *Two meetings were held between Monaghan County Council, Planning staff and Eirgrid (previously ESB National Grid) on 11th May 2006 and 14th December 2006. The Meath, Louth, Monaghan and Cavan County Managers were briefed by Eirgrid in Navan approximately 3 years ago. No minutes of the meeting were taken. Dermot Byrne met with the Monaghan and Cavan County Managers approximately 2 years ago in relation to the project. No minutes were taken.*

- (b) What were the issues discussed and can the minutes of any such meetings be made available to the members of this Council?

Reply: *The main issues discussed in the first meeting were justification of the project, alternative options, route selection, tower design, project programming, and*

the consultation process. The main issues discussed in the second meeting were route selection, tower design, update on Northern Ireland element of proposal, and update on consultations with An Bord Pleanala. Copies of the minutes of these meetings form part of the submitted application by Eirgrid and are available for public inspection.

Cllr O. Bannigan asked:

- (c) Will the County Monaghan Contribution Development Scheme apply to the Interconnector project if it is granted planning permission by An Bord Pleanala?

Reply: *An Bord Pleanala may attach financial development / supplementary development scheme conditions or special contribution conditions under sections 48 and 49 of the 2000 Act in respect of applications for strategic infrastructure development. The Bord may also impose ‘community gain’ conditions i.e. requiring the construction or the financing, in whole or in part, of a facility or the provision or financing, in whole or in part, of a service in the area under section 4 of the Planning and Development (Strategic Infrastructure) Act 2006. In respect of the Gas Powered Electricity Generating Station at Toomes, Co. Louth, An Bord Pleanala attached a condition to the permission requiring that the developer pay development contributions to both Monaghan County Council and Louth County Council in accordance with their respective development contribution schemes made under Section 48 of the Planning and Development Act.*

Cllr. N. Keelan asked:

28. In relation to Inniskeen Village, what is the up-to-date position regarding the opening of the new public toilets at the Pitch & Putt Club?

Reply: *Monaghan County Council has an agreement with the committee of Inniskeen Pitch & Putt Club that they will operate and maintain the public toilets on behalf of the local community. The committee of Inniskeen Pitch & Putt Club are to confirm when it will be in a position to commence this agreement.*

29. Will the Council consider putting in place a ‘No Parking Sign’ and/or double yellow lines adjacent to the Poet’s Rest in Inniskeen Village as vehicles parking there are a pedestrian hazard for people visiting the Kavanagh Centre, Graveyard and Coffee Shop?

Reply: *This matter will be brought to the Road Area Meeting.*

30. Given that Inniskeen Grattans GFC have paid their financial contribution in relation to the provision of a footpath out to the Club grounds at Kednaminsha, when is it hoped that this work would commence?

Reply: *The severe weather has delayed the contractor from commencing works.*

Cllr. N. Keelan asked:

31. In relation to Carrickmacross town has Monaghan County Council a plan in place and a timescale to overlay the approach roads to the town, including the Main Street, that have been damaged as a result of the ongoing sewerage works?

Reply:

Permanent Road / Trench Reinstatements - Completed at End January 2010

*Farney Street,
O'Neill Street,
Parnell Street,*

*Chapel Lane Upper,
Ballybay Road*

Permanent Road / Trench Reinstatements Scheduled for Completion in Q1 2010

*Magheross Road
Kingscourt Road
Shercock Road*

*Oriel Road
Chapel Lane Lower*

Pipe-laying works on the other approaches to Carrickmacross are incomplete at this time or have outstanding elements yet to be addressed by the main contractor. The permanent reinstatement schedule will be reviewed on a monthly basis.

Works on Main Street are incomplete at this time and no permanent reinstatement will be completed on Main Street until Q3 / Q4 2010.

32. In relation to the recent cold spell of weather, how much money was spent to-date on the salting programme in the county; what impact will this have in relation to our road upgrading programme for 2010 and our ongoing maintenance and pothole filling work?

Reply: From the start of the Winter Maintenance season up to 19th January this year there has been an extra €156,428 spent compared to the 2008/2009. However, the 2008/2009 winter maintenance season was also a severe winter. The 2007/2008 winter maintenance season represents the average winter we get and comparing figures with that season there has been an extra €272,592 spent this year.

Winter Maintenance operations are partially charged to the Regional and Local Roads Discretionary and Ordinary Maintenance grants. Increased expenditure on these grants will limit the amount of funding available for other maintenance activities throughout the year.

14. Notices of Motion:

Cllr Murray proposed, Cllr Keelan seconded

“ That Monaghan County Council calls on the Minister for Environment, Heritage and Local Government, Mr John Gormley T.D., to suspend further debate and implementation on the proposed Planning & Development Bill 2009 until the proposed full review of Local Government has taken place and is agreed. ”

In proposing the motion Cllr Murray stated that the new Planning and Development Bill which is nearing completion will have a negative impact on the powers exercised by local authorities. Local authorities already have to abide by spatial strategies, national and regional planning guidelines. He stated that there should be a bottom up approach to development with local authorities deciding what they want for their area and that the regional structures and the Minister would have a co-ordinating role where they would try to respond to the local needs. He referred to the proposed 80% windfall tax as ridiculous. He called on the Minister to defer further debate on the new bill until the full review of Local Government is completed.

Cllr Keelan seconded the motion and concurred with the comments expressed by Cllr Murray. Cllrs O’Hanlon, Humphreys, B. McKenna and Connolly also spoke to the motion.

The Mayor then put the motion to the meeting and it was agreed unanimously.

15. Votes of Sympathy/Congratulations:

This matter was dealt with at the start of the meeting.

16. Conferences:

On the proposal of Cllr Maxwell, seconded by Cllr McNally, it was agreed that the Council be represented at the following conferences by the Members listed.

Promoting Authority	Subject/Theme	Venue	Dates	Members
Mid-West Regional Authority	Annual Conference – Environmental designations – barriers or opportunities	Greenhills Hotel, Ennis Road, Limerick	4 th /5 th February, 2010	Jackie Crowe Owen Bannigan Gary Carville Hugh McElvaney Heather Humphreys John O’Brien Padraig McNally
AMAI	Annual Spring Seminar	Sligo Park Hotel	12 th /13 th February, 2010	Noel Keelan Aidan Murray Owen Bannigan Gary Carville P.J. O’Hanlon, Seamus Coyle

16. Conferences (contd):

NILGA	Annual Conference	Slieve Donard Hotel, Newcastle, Co. Down	18/19 th February, 2010	Sean Conlon
Colmcille Heritage Trust	The Role of Small Enterprises in overcoming the recession	Colmcille Heritage Centre, Church Hill, Letterkenny	26/28 February 2010	Matt Carthy Paudge Connolly Aidan Murray David Maxwell Hugh McElvaney Heather Humphreys Padraig McNally P.J. O'Hanlon
Association of County & City Councils	Annual Conference	Ballykisteen Hotel, Limerick Junction, Co. Tipperary	4 th /5 th March, 2010	Brian McKenna Gary Carville David Maxwell Owen Bannigan Heather Humphreys Seamus Coyle Robbie Gallagher

The meeting then concluded.

Signed: _____
Meara Meetings Administrator

Date: _____