

COMHAIRLE CHONTAE DHUN NA nGALL

Oifig Riarthóir na
gCruinnithe
Áras an Chontae
LEIFEAR
21 Meitheamh,
2004.

FOGRA CRUINNITHE

Beidh an chéad Cruinniu Blaintuil de Chomhairle Chontae Dhún na nGall ag dul ar aghaidh ag 25 Meitheamh, 2004 ag 11.00 a.m. ag Áras an Chontae, Leifear.

DO GACH BHALL DEN CHOMHAIRLE.

A Chara

Iarrtar ort bheith i lathair ag an gcruinniu seo den Chomhairle. Tá Clár an Cruinnithe le seo.

Is féidir cóip den chlár a scrúdú in Oifig Riarthóir na gCruinnithe, Áras an Chontae, Leifear.

Mise, le meas

A. MacSuibhne

Riarthóir Cruinniu (RUNAI CHONTAE)

DONEGAL COUNTY COUNCIL

Office of Meetings
Administrator
County House
Lifford

21st June, 2004

NOTICE OF MEETING

The First Annual General Meeting of Donegal County Council will be held on Friday 25th June, 2004 at 11.00 am. in the County House, Lifford.

TO EACH MEMBER OF DONEGAL COUNTY COUNCIL.

Dear Councillor

You are summoned to attend this meeting of the Council. The Agenda is attached. A copy of the agenda may be inspected in the Office of the Meetings Administrator, County House, Lifford

Yours sincerely

E. Sweeney (Meetings Administrator)

AGENDA

1. Election of Cathaoirleach
2. Election of Leas Cathaoirleach
3. Donegal Vocational Education Committee
Appointments to County Donegal Vocational Educational Committee have been deferred pending new arrangements being brought into force (Department of the Environment, Heritage and Local Government Circular LG10/04, refers).
4. Election of Chairs of Strategic Policy Committees
(5 no.)
5. Election of Members to County Development Board
(Chairs of Strategic Policy Committees plus Cathaoirleach of the day)
6. Election of Members to Donegal County Enterprise Board
(3 no)(plus Cathaoirleach of the day)
7. Election of Representatives to County Enterprise Fund
(2 no)
8. Election of Members to Border Regional Authority
(7 no)
9. Election of Representatives to Operational Committee of the Border Regional Authority.
(Cathaoirleach of the day plus 1 no. member from Council' s membership on the Border Regional Authority)
10. Election of Representative to Border, Midland and Western Regional Assembly
(3 no from the membership of the Border Regional Authority)
11. Election of Members to General Council of County Councils
(3 no)
12. Election of LAMA Delegate
(1 no.)

13. Election of Members to Donegal County Tourism
(1 no)
14. Election of Members to ERNACT
(2 no)
15. Election of Members to LATCH. Ltd.
(3 no)
16. Election of Members to Strabane/Lifford Development
Commission
(2 no)
17. Election of Member to Irish Public Bodies Mutual Insurances Ltd.
(1 no)
18. Election of Members to NorthWest Region Cross Border Group
Ltd.
(6 no)
19. Election of Members to NWRCB Interreg III A Partnership
(3 no from the above 6)
20. Election of Members to Irish Central Border Area Network
(4 no)
21. Irish Central Border Area Network Ltd.
(2 no from 4 at no. 20 above)
22. Irish Central Border Area Interreg IIIA Partnership
(2 as at 21 above)
23. Election of Representative and Substitute to Assembly of European
Regions (A.E.R.)
(1 no. plus substitute)
24. Election of Representative and Substitute to Conference of
Peripheral Maritime Regions (C.P.M.R.)
(1 no. plus substitute)
25. Election of Members to Inishowen Partnership Company
(2 no.)
26. Election of Members to Inishowen Rural Development
(2 no)

27. Election of Members to Comhdháil Oileáin Na hÉireann
(2 no)
28. Election of Member to Meitheal Forbartha Na Gaeltachta Teo
(1 no)
29. Election of Members to Donegal Local Development Company
(2 no)
30. Election of Representatives to Colmcille Heritage Trust
(5 no)
31. Election of Representative to Erne Enterprise Development Company Ltd.
(1 no)
32. Election of Representatives to Lifford Development Ltd.
(2 no)
33. Election of Representatives to Clonleigh-Lifford Resource Centre
(2 no. *To the Management Advisory Committee*)
34. Election of Members to County Committee for Rural Water Monitoring (2002-2005)
(3 *elected members*)
2 representatives from Group Schemes
2 representatives from Rural Organisations
35. Election of Members to Donegal Local Traveller Accommodation Consultative Committee (2002-2005)
(6 *elected members, 3 traveller representatives and 3 officials*)
36. Election of Members to General Purposes Committee
(*All members of the Council*)
37. Election of Members to the following Sub-Committees of the General Purposes Committee.

Glenties Electoral Area Committee
Inishowen Electoral Area Committee
Letterkenny Electoral Area Committee
Milford Electoral Area Committee
Stranorlar Electoral Area Committee
Donegal Electoral Area Committee
38. Election of Members to Cultural Committee

29 members, to be either:-

(a) Councillor

or

(b) Nominee of Councillor

39. Election of Members to Agricultural Committee
(10 elected members plus 7 non-elected representatives)
40. Election of Members to Fisheries and Coastal Protection Committee
The Committee consisted in 2003 of 7 elected members and 11 non-elected representatives. In 1999 this consisted of 8 elected members and 10 non-elected representatives, the ten were:-
Mr. Seamus Gill
Mr. Harry Lloyd
Mr. John O'Donnell
Mr. Michael Mullen
Mr. Joe Doherty
Mr. John P. Gallagher
Mr. Martin Farren
Mr. Pat Conaghan
Mr. Gerard Kelly
Mr. John O'Brien
41. Election of Members to Airport Committee
(8 elected members)
Representative of North West Regional Tourism Organisation Ltd
Representative of Letterkenny Airport Committee
Representative of Letterkenny Town Council
Representative of Buncrana Town Council
42. Election of Members to Port and Sea Transportation Committee
(Members of Milford and Inishowen Electoral Areas and representative from Buncrana Town Council)
43. Election of Members to Islands Committee
(Sub Committee of General Purposes Committee)
Members of Milford and Glenties Electoral Areas
5 no. Islands representatives
1 no. representative from Roinn Gnothaí Pobail Tuaithe agus Gaeltachta
1 no. representative from the Islands Council

44. Election of Members to Standing Orders Sub-Committee
(6 no.) The Corporate Policy Group recommended previously that this Committee be abolished and its functions subsumed in the Group.
45. Election of Members to Coiste Na Gaelige
(8 no.)
46. Election of Representatives to the Placenames Committee
(2 no. per Electoral Area)
47. Election of Members to City of Derry Airport Committee
(4 no)
48. Election of Members to Donegal Peace II Taskforce (Sub-Committee of Donegal County Development Board)
(2 no per Electoral Area plus the Cathaoirleach of the day)
49. Election of Members to Board of Fort Dunree Military Museum
(3 no)
50. Election of Members to Earagail Arts Festival Management Company Ltd.
(3 no)
51. Election of Members to Letterkenny Theatre Management Company Ltd.
(2 no)
52. Election of Members to the Management Committee of Ballyshannon Leisure Centre
(2 no)
53. Election of Members to Donegal Ancestry Centre Ltd.
(2 no)
54. Election of Members to Gartan Outdoor Pursuit Centre
(2 no)
55. Election of Members to Buncrana Urban Renewal Monitoring Committee
(2 no)
56. Election of Members to Anti Poverty Learning Network
(3 no)
57. Election of Members to Donegal Sports Partnership

(4 no)

58. Election of Representatives to Cultural Diversity Project in conjunction with Dungannon Borough Council.
(2 no)
59. Election of Representatives to Peace II Cross Border Co-Operation Project between Donegal County Council and Derry City Council.
(3 no)
60. Local Elections (Disclosure of Donations and Expenditure) Act, 1999, as amended by the Electoral (Amendment) Act, 2001 obligations on members (and unsuccessful candidates) to furnish returns of election expenditure incurred, and donations received as where appropriate by 9th September 2004.
61. (Part 15) of the Local Government Act, 2001 - Ethics Framework
 - (a) Obligations on new members to furnish Declaration of Interest within 6 weeks of election day
 - (b) General obligations in relation to conduct at meetings
62. To agree Schedule of Meetings June –December, 2004
63. Seeking, Reception of Tenders
(Proposals currently under review and will be submitted for consideration at future Council Meeting)

**MINUTES OF FIRST ANNUAL GENERAL MEETING OF
DONEGAL COUNTY COUNCIL HELD IN THE COUNTY HOUSE,
LIFFORD ON THE 25TH JUNE, 2004**

C/252/04 **MEMBERS PRESENT**

Clrs. D. Alcorn, L. Blaney, A. Bonner, E. Bonner, J. Boyle, C. Brogan, B. Byrne, F. Conaghan, G. Crawford, Padraig Doherty, Pearse Doherty, R. Donaghey, P. Kennedy, D. Larkin, N. McBride, T. McDaid, M. McDonald, S. McEniff, I. McGarvey, D. McMonagle, P. McGowan, B. McGuinness, B. O'Domhnaill, B. O'Neill, T. Pringle, J.J. Reid and T. Slowey.

C/253/04 **OFFICIALS IN ATTENDANCE**

Mr. M. McLoone, County Manager, Mr. L. Kelly, Assistant County Manager, Director Housing, Mr. J. McLaughlin, Director Roads & Transportation, Mr. J. Holohan, Director Water, Environment & Emergency Services, Mr. S. Sheridan, Director Corporate Services, Mr. F. Coyle, Director Planning & Economic Development, Mr. M. Heaney, Director Community, Culture & Enterprise, Mr. A. McNicholas, Head of Finance, Mr. E. Sweeney, Meetings Administrator, Ms. A. M. Crawford, S.O.

The outgoing Cathaoirleach, Clr. Alcorn, took the chair pending the election of a Cathaoirleach and called on the Meetings Administrator to read into the record the names of the 29 newly elected members of Donegal County Council. Mr. E. Sweeney read into the record the names of those elected to Donegal County Council as a result of the local elections held on 11th June, 2004. These were as follows:-

Inishowen Electoral Area

Francis Conaghan, Monfad, Newtowncunningham

Denis McGonagle, Tiernaleague, Carndonagh

Rena Donaghey, Cockhill, Bunrana.

Marian McDonald, 171 Ard Foyle, Moville

Padraig McLochlainn, 13 The Meadows, Bunrana

Bernard McGuinness, Culdaff.

Donegal Electoral Area

John Boyle, Corkemore, Dunkineely.

Peter Kennedy, 25 St. Joseph's Ave. Donegal Town

Brendan Byrne Creenveen, Carrick
Barry O'Neill, East Port, Ballyshannon
Sean McEniff, 'Derlua', Bundoran.
Thomas Pringle, 151 Church Road, Killybegs.

Glenties Electoral Area

Terence Slowey, Tullycleave, Ardara
David Alcorn, Lackenagh, Burtonport
Enda Bonner, Gweedore Road, Dungloe
Pádraig Doherty, Derrybeg.
Pearse Doherty, Magheraclogher, Derrybeg
Brian O Domhnaill, Killult, Falcarragh

Letterkenny Electoral Area

Gerry Crawford, Porthall, Lifford
Jimmy Harte, 3 Sylvan Park, Letterkenny
Ciaran Brogan, 43A Manorview, Letterkenny
Tony McDaid. 11 Chestnut Grove, Lifford
Dessie Larkin, 36 Carolina Park, Letterkenny.

Milford Electoral Area

Liam Blaney, Ballina, Tamney
Ian McGarvey, Glenleary, Ramelton
Noel McBride, Umlagh, Carrigart

Stranorlar Electoral Area

Alice Bonner, Main Street, Stranorlar
Patrick McGowan, Mayfield, Killygordon
J.J. Reid, Knockfair, Stranorlar

Clr. Alcorn thanked the County Manager and all his staff who had supported him during his term as Cathaoirleach. He acknowledged the co-operation shown by the outgoing Council and noted that major changes were once again taking place within the chamber.

Tributes were paid to former members Clrs. P. Kelly, A. Doherty and U. Sheridan.

Clr. Alcorn stated that he had thoroughly enjoyed his time in office, and had at all times strived to work as a team player. It had been, he acknowledged, a privilege and an honour to wear the chain of office. The role of the elected representative was, he stated, becoming more and more time consuming, thus he advised members to take their duties seriously and treat their office with the utmost respect.

Clr. Alcorn congratulated the County Manager and the Executive on the success of the decentralisation programme. In conclusion, he urged the Executive to strive towards even greater efficiency yet at all times recognising the rights of the individual to an effective and quality driven service. He once again extended heartfelt thanks to all who had helped him in any way over the past year.

C/254/04 ELECTION OF CATHAOIRLEACH

Clr. Alcorn invited nominations for the office of Cathaoirleach.

- Clr. McGowan was proposed by Clr. Conaghan and seconded by A. Bonner.
- Clr. Boyle was proposed by Clr. McGuinness and seconded by Clr. Slowey.
- Clr. Pringle was proposed by Clr. Pearse Doherty and seconded by Clr. McDaid.

Clr. Alcorn advised that as there were three nominations a poll would be taken.

Mr. E. Sweeney, Meetings Administrator stated that the three names proposed for the office of Cathaoirleach were as follows:-

Clrs. McGowan, Boyle and Pringle.

In response to a request from Clr. McGuinness on behalf of the Fine Gael members, Clr. Alcorn requested the Meetings Administrator to have a recorded vote taken.

A recorded vote was then taken, resulting in 16 votes for Clr. McGowan, 7 votes for Clr. Boyle and 3 votes for Clr. Pringle.

Those voting in favour of Clr. McGowan were:-
Clrs. Alcorn, Blaney, A. Bonner, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Larkin, McDonald, McEniff, McGonagle, McGowan and O'Domhnaill. (16)

Those voting in favour of Clr. Boyle were:-
Clrs. Boyle, Pdraig Doherty, McBride, McGuinness, O'Neill, Reid and Slowey. (7)

Those voting in favour of Clr. Pringle were:-

Cls. Pearse Doherty, McDaid and Pringle. (3)

Clr. McGarvey abstained.

As a majority of the members present had voted for Clr. McGowan, he was declared elected Cathaoirleach of Donegal County Council for 2004-2005.

Clr. Alcorn then handed over the chain of office to the incoming Cathaoirleach, Clr. McGowan who took the chair for the remainder of the meeting.

Clr. McGowan informed members that it was a great honour to be selected as Cathaoirleach of Donegal County Council, and that he was conscious of the responsibility that the role brought. He thanked his family and friends, fellow Councillors and officials who had helped him over the years and acknowledged the hard work and dedication shown by his predecessor, Clr. Alcorn. He also paid tribute to Clr. Donaghey the outgoing Leas Cathaoirleach.

Clr. McGowan paid particular tribute to his late father, former Councillor Paddy McGowan, who had also been Cathaoirleach of Donegal County Council. He proceeded to outline his main priorities and objectives for the incoming year.

- To enhance the effective running of Council Meetings by abiding by Standing Orders.
- To work with the County Manager, his staff and fellow members to promote and enhance development in the county.
- To promote the carrying out of works within the Stranorlar Electoral Area, particularly the swimming pool and development of serviced lands in the area.
- To promote openness and transparency and allow the Office of Cathaoirleach to be open to all.

Congratulations were extended to Mr. Connie Duffy who had recently been appointed Editor of the Sunday Democrat. Clr. McGowan acknowledged the important and constructive role the media played in Council Meetings.

Tributes were paid to the new Cathaoirleach by Clr. Conaghan on behalf of Fianna Fail, Clr. McGuinness on behalf of Fine Gael, Clr. Larkin on behalf of Independent Fianna Fail and Clr. Pringle on behalf of Sinn Fein.

Clr. Pringle stated that it was disappointing that the power sharing pact which had existed during the lifetime of the previous Council had been set aside and noted that it did not augur well for the next five years.

Clr. Larkin acknowledged the outstanding service shown by former Clrs. P. Kelly and A. Doherty. He requested that the entire Electoral Register be carefully examined as all indications were that the Register was in need of a radical overhaul.

Clr. Larkin also outlined the need to update press facilities in the Council Chamber.

Clr. McGarvey extended sincere congratulations to the new Cathaoirleach. He advised, that in his capacity as a voluntary worker, he had received great co-operation from all sections of the Council. He stated that he had set himself the following objectives:

- To work collectively for the people of Donegal
- To promote the Milford Electoral Area
- To highlight ongoing issues and problems in the Milford Electoral Area.

It was essential, he advised, that no area of the county was deprived. He concluded by saying that he would not stand for anything other than fair consideration of all matters raised.

C/255/04

ELECTION OF LEAS CATHAOIRLEACH

The Cathaoirleach invited nominations for the office of Leas Cathaoirleach.

- Clr. McEniff was proposed by Clr. Conaghan and seconded by Clr. Alcorn.
- Clr. Pearse Doherty was proposed by Clr. McDaid and seconded by Clr. Pringle.
- Clr. Pdraig Doherty was proposed by Clr. McGuinness and seconded by Clr. Boyle.

A recorded vote was requested and carried out by the Meetings Administrator, which resulted in 16 members voting for Clr. McEniff, 7 members voting for Clr. Pdraig Doherty, 3 members voting for Clr. Pearse Doherty and 1 abstention.

Those voting in favour of Clr. McEniff were:-
Clrs. Alcorn, Blaney, A. Bonner, E. Bonner, Brogan, Byrne,
Conghan, Crawford, Donaghey, Kennedy, Larkin,
McDonald, McEniff, McGonagle, McGowan and
O'Domhnaill. (16)

Those voting in favour of Clr. Padraig Doherty were:-
Clrs. Boyle, Padraig Doherty, McBride, McGuinness,
O'Neill, Reid and Slowey. (7)

Those voting in favour of Clr. Pearse Doherty were:-
Clrs. Pearse Doherty, McDaid and Pringle.(3)

Clr. McGarvey abstained.

As the majority of members present had voted for Clr.
McEniff, he was elected Leas Cathaoirleach of Donegal
County Council for 2004-2005.

C/256/04 DONEGAL VOCATIONAL EDUCATION COMMITTEE
Members were informed by the Meetings Administrator that
appointments to the County Donegal Educational Committee
had been deferred pending new arrangements being brought
into force by the Department of Education and Science on
the implementation of the Vocational Education
(Amendment) Act, 2001. The Meetings Administrator
advised that the existing membership would continue for the
time being.

C/257/04 ELECTION OF CHAIRS OF THE STRATEGIC POLICY
COMMITTEES.
Clr. Padraig Doherty requested clarification on the operation
of the grouping system. It was regrettable, he stated that a
pact of 16 members existed. This pact, he added, was not
representative of the entire electorate and certainly did not
indicate fair and proportional representation.
Mr. E. Sweeney, Meetings Administrator, referred members
to Schedule 10, paragraph 18 of the Local Government Act,
2001 dealing with the right to form groups for certain
appointments. He advised that the number of members
needed to form a group would be determined by dividing the
number of members present with the number of positions to
be filled and rounding the result to the next whole number.
Mr. Sweeney stated that as there were 27 members present at
that moment and five positions to be filled, the number
required to form a group was six. If there were no other
groups formed the four remaining chairs of the SPC's, would

be appointed, successively, by those members who were not members of the group formed under paragraph 18(1)(a). Mr. Sweeney then informed members that they could not be a member of more than one group when appointing representatives to a given body.

A roll call was then taken and the Meetings Administrator recorded as in attendance those listed below:-

Clrs. Alcorn, Blaney, A. Bonner, E. Bonner, Boyle, Brogan, Byrne, Conaghan, Crawford, Pdraig Doherty, Pearse Doherty, Donaghey, Kennedy, Larkin, McBride, McDaid, McDonald, McEniff, McGarvey, McGonagle, McGowan, McGuinness, O'Domhnaill, O'Neill, Pringle, Reid and Slowey.(27)

The Cathaoirleach declared, therefore, that six members were necessary to form a group for the purpose of nominating a member to be a Chair of an SPC.

Clr. McGuinness informed the Cathaoirleach that the following members wished to form a group:-
Clrs. McBride, O'Neill, Pdraig Doherty, J.J. Reid, Boyle, and Slowey. **Clr. Boyle was nominated by the Group and appointed as a Chair of an SPC.**

As no other groups were formed, the Meetings Administrator advised that the four remaining chairs should be appointed, successively, by the 21 members present who were not members of a group formed under paragraph 18(1)(a), Schedule 10, the Local Government Act, 2001.

Nominations were then invited for the second position.

- Clr. O'Domhnaill was proposed by Clr. Conaghan and seconded by Clr. McEniff.
- Clr. Pdraig Doherty was proposed by Clr. McGuinness and seconded by Clr. Boyle.
- Clr. McLochlainn was proposed by Clr. Pringle and seconded by Clr. Pearse Doherty.

A recorded vote was then taken resulting in 16 for Clr. O'Domhnaill, 1 for Clr. Pdraig Doherty 3 for Clr. McLochlainn and 1 abstention.

Those voting in favour of Clr. O'Domhnaill were:-

Cls. Alcorn, Blaney, A. Bonner, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Larkin, McDonald, McEniff, McGonagle, McGowan and O'Domhnaill. (16)

Those voting in favour of Clr. Pádraig Doherty were:-
Clr McGuinness (1)

Those voting in favour of Clr. McLochlainn were:-
Cls. Pearse Doherty, McDaid and Pringle. (3)

Clr. McGarvey abstained.

Clr. O'Domhnaill was declared appointed to the second position

Nominations for the third position were then taken.

- Clr. Kennedy was proposed by Clr. Conaghan and seconded by Clr. McEniff.
- Clr. Pádraig Doherty was proposed by Clr. McGuinness and seconded by Clr. Boyle.
- Clr. McLochlainn was proposed by Clr. Pringle and seconded by Clr. McDaid.

A recorded vote was taken resulting in
16 votes for Clr. Kennedy
1 vote for Clr. Pádraig Doherty
3 votes for Clr. McLochlainn
1 abstention

Those voting in favour of Clr. Kennedy were:-

Cls. Alcorn, Blaney, A. Bonner, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Larkin, McDonald, McEniff, McGonagle, McGowan and O'Domhnaill. (16)

Those voting in favour of Clr. Pádraig Doherty were:-
Clr. McGuinness. (1)

Those voting in favour of Clr. McLochlainn were :-
Cls. Pearse Doherty, McDaid and Pringle (3)

Clr. McGarvey abstained.

Clr. Kennedy was declared appointed to the third position.

Nominations for the fourth position were then taken.

- Clr. Conaghan was proposed by Clr. McEniff and seconded by Clr. Alcorn.
- Clr. Padraig Doherty was proposed by Clr. McGuinness and seconded by Clr. Boyle.
- Clr. McLochlainn was proposed by Clr. McDaid and seconded by Clr. Pringle.

A recorded vote was then taken resulting in 16 votes for Clr. Conaghan, 1 vote for Clr. Padraig Doherty, 2 votes for Clr. McLochlainn and 1 abstention.

Those voting in favour of Clr. Conaghan were:-

Cls. Alcorn, Blaney, A. Bonner, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Larkin, McDonald, McEniff, McGonagle, McGowan and O'Domhnaill. (16)

Those voting in favour of Clr. Padraig Doherty were:-

Clr. McGuinness (1)

Those voting in favour of Clr. McLochlainn were:-

Cls. McDaid and Pringle. (2)

Clr. McGarvey abstained.

Clr. Conaghan was declared appointed to the 4th position.

Nominations for the fifth position were then taken.

- Clr. Crawford was proposed by Clr. Conaghan and seconded by Clr. McEniff.
- Clr. Padraig Doherty was proposed by Clr. Slowey and seconded by Clr. McGuinness.

At this juncture, Clr. Blaney queried whether or not it was in order for Clr. Slowey to propose a nominee as he was a member of a group. Mr. E. Sweeney, Meetings Administrator confirmed that this was not in order and that a member a group could not vote.

Clr. McLochlainn was then proposed by Clr. Pearse Doherty and seconded by Clr. McDaid.

A recorded vote was taken on the nominations of Clrs. Crawford and MacLochlainn, resulting in 16 votes for Clr. Crawford, 3 votes for Clr. MacLochlainn and 2 abstentions.

Those voting in favour of Clr. Crawford were:-
Clrs. Alcorn, Blaney, A. Bonner, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Larkin, McDonald, McEniff, McGonagle, McGowan and O'Domhnaill (16)

Those voting in favour of Clr. McLochlainn were:-
Clrs. Pearse Doherty, McDaid and Pringle. (3)

Clrs. McGarvey and McGuinness abstained.

Clr. Crawford was declared appointed to the fifth position.

The Meetings Administrator was then asked to clarify why Clr. Slowey's proposal had not been taken. Mr. E. Sweeney, Meetings Administrator replied that the proposal had been made by a member who was a member of a group.

Clrs. Boyle, O'Domhnaill, Kennedy, Conaghan and Crawford were appointed Chairs (designate) of the five Strategic Policy Committees.

C/258/04

ELECTION OF MEMBERS TO THE COUNTY DEVELOPMENT BOARD.

The Meetings Administrator advised that the Council was represented by the five Chairs of the SPC's and the Cathaoirleach of the day.

Clr. Conaghan proposed Clrs. Boyle, O'Domhnaill, Kennedy and Crawford together with the Cathaoirleach, Clr. McGowan, as the Council's nominees for the six appointments to the County Development Board. The proposal was seconded by Clr. McEniff and agreed.

C/259/04

ELECTION OF MEMBERS TO DONEGAL COUNTY ENTERPRISE BOARD.

The Meetings Administrator advised that the election of members to this Board fell within Paragraph 18, Schedule 10 of the Local Government Act, 2001.

The Meetings Administrator carried out a roll call of members, and recorded as in attendance those listed below:-

Clrs. Alcorn, Blaney, A. Bonner, E. Bonner, Boyle, Brogan, Byrne, Conaghan, Crawford, Pdraig Doherty, Pearse Doherty, Donaghey, Kennedy, Larkin, McBride, McDaid, McDonald, McEniff, McGarvey, McGonagle, McGowan, McGuinness, O'Domhnaill, O'Neill, Pringle, Reid and Slowey.(27)

As no group was formed, positions were filled, successively, by majority vote.

Nominations were taken for the first position.

- Clr. Brogan was proposed by Clr. Conaghan and seconded by Clr. McEniff.
- Clr. Reid was proposed by Clr. McGuinness and seconded by Clr. Boyle.
- Clr. McDaid was proposed by Clr. Pringle and seconded by Clr. Pearse Doherty.

A recorded vote was then taken resulting in 16 votes for Clr. Brogan, 7 votes for Clr. Reid, 3 votes for Clr. McDaid and 1 abstention.

Those voting in favour of Clr. Brogan were:-

Clrs. Alcorn, Blaney, A. Bonner, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Larkin, McDonald, McEniff, McGonagle, McGowan and O'Domhnaill. (16)

Those voting in favour of Clr. Reid were:-

Clrs. Boyle, Pdraig Doherty, McBride, McGuinness, O'Neill, Reid and Slowey (7)

Those voting in favour of Clr. McDaid were:-

Clrs. Pearse Doherty, McDaid, and Pringle (3)

Clr. McGarvey abstained.

Clr. Brogan was declared appointed to the first position on the Donegal County Enterprise Board.

Nominations for the second position were then taken.

- Clr. A. Bonner was proposed by Clr. Conaghan and seconded by Clr. McEniff.

- Clr. O'Neill was proposed by Clr. McGuinness and seconded by Clr. Padraig Doherty.
- Clr. McDaid was proposed by Clr. Pringle and seconded by Clr. Pearse Doherty.

A recorded vote was taken resulting in 16 votes for Clr. A. Bonner, 7 votes for Clr. O'Neill and 3 votes for Clr. McDaid.

Those voting in favour of Clr. A. Bonner were:-
 Clrs. Alcorn, Blaney, A. Bonner, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Larkin, McDonald, McEniff, McGonagle, McGowan and O'Domhnaill.(16)

Those voting in favour of Clr. O'Neill were:-
 Clrs. Boyle, Padraig Doherty, McBride, McGuinness, O'Neill, Reid and Slowey.(7)

Those voting in favour of Clr. McDaid were:-
 Clrs. Pearse Doherty, McDaid and Pringle. (3)

Clr. A. Bonner was declared appointed to the second position on the County Enterprise Board.

Nominations for the third position were then taken.

- Clr. McBride was proposed by Clr. Slowey and seconded by Clr. O'Neill.
- Clr. McDaid was proposed by Clr. Pringle and seconded by Clr. Pearse Doherty

A recorded vote was then taken resulting in 3 votes for Clr. McDaid and 7 votes for Clr. McBride.

Those voting in favour of Clr. McBride were:-
 Clrs. Boyle, Padraig Doherty, McBride, McGuinness, O'Neill, Reid and Slowey.(7)

Those voting in favour of Clr. McDaid were:-
 Clrs. Pearse Doherty, McDaid and Pringle.(3)

Clrs. Alcorn, Blaney, A. Bonner, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donghey, Larkin, McDonald, McEniff, McGonagle, McGowan and O'Domhnaill abstained.

Clr. McBride was declared appointed to the third position on the Donegal County Enterprise Board.

The members appointed to the Donegal County Enterprise Board were, therefore, Clrs. Brogan, A. Bonner, and McBride.

C/260/04 ELECTION OF REPRESENTATIVE TO THE COUNTY ENTERPRISE FUND.

- Clr. Brogan was proposed by Clr. Conaghan and seconded by Clr. McEniff.
- Clr. Reid was proposed by Clr. McGuinness and seconded by Clr. Slowey.

As the number of candidates did not exceed the number of vacancies, Clrs. Brogan and Reid were declared elected.

C/261/04 ELECTION OF MEMBERS TO THE BORDER REGIONAL AUTHORITY.

The Meetings Administrator advised that the election of members to the Border Regional Authority was covered by Paragraph 18, Schedule 10 of the Local Government Act, 2001.

A roll call of members was taken and the Meetings Administrator recorded as in attendance those listed below :-

Clrs. Alcorn, Blaney, A. Bonner, E. Bonner, Boyle, Brogan, Byrne, Conaghan, Crawford, Pdraig Doherty, Pearse Doherty, Donaghey, Kennedy, Larkin, McBride, McDonald, McEniff, McGonagle, McGowan, McGuinness, O'Domhnaill, O'Neill, Reid and Slowey.(24)

Mr. E. Sweeney advised that the number of members required to form a group was four.

A group was then formed, consisting of Clrs. Pdraig Doherty, Reid, Boyle and Slowey, who nominated Clr. Slowey and Clr. Slowey was duly appointed.

The members remaining proceeded to make appointments to the next four positions, successively, by majority vote. However, on reaching the 5th position it was discovered that Clr. Pearse Doherty had been inadvertently excluded from voting because of confusion between his name and that of Clr. Pdraig Doherty who was a member of the group.

The Cathaoirleach, on the advise of the Meetings Administrator, ruled the appointments made to positions 2 to 4 invalid and ordered that these be remade.

An issue was also raised in relation to the appointments of the Chairs of the SPC's pertaining to the fact that Clr. Boyle, who was a member of a group, had seconded a number of proposals. The Cathaoirleach noted, that whilst not in accordance with paragraph 18, Schedule 10 of the Local Government Act, 2001, it had no material bearing on the decisions taken.

Nominations were taken for the second position.

- Clr. O'Neill was proposed by Clr. McGuinness and seconded by Clr. McBride.
- Clr. Larkin was proposed by Clr. Blaney and seconded by Clr. Brogan.

A recorded vote was then taken resulting in 16 votes for Clr. Larkin, 3 votes for Clr. McBride and 1 abstention.

Those voting in favour of Clr. Larkin were:-

Cls. Alcorn, Blaney, A. Bonner, .E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Larkin, McDonald, McEniff, McGonagle, McGowan and O'Neill
(16)

Those voting in favour of Clr. O'Neill were:-

Cls. McBride, McGuinness, O'Neill. (3)

Clr. Pearse Doherty abstained.

Clr. Larkin was therefore, deemed appointed to the second position.

Nominations for the third position were then taken.

- Clr. Crawford was proposed by Clr. Conaghan and seconded by Clr. McEniff.
- Clr. O'Neill was proposed by Clr. McGuinness and seconded by Clr. McBride.

A recorded vote was then taken resulting in 15 votes for Clr. Crawford 3 votes for Clr. O'Neill and 1 abstention.

Those voting in favour of Clr. Crawford were:-

Cls. Blaney, A. Bonner, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Larkin,

McDonald, McEniff, McGonagle, McGowan and O'Domhnaill. (15)

Those voting in favour of Clr. O'Neill were:-
Clr. McBride, McGuinness and O'Neill. (3)

Clr. Pearse Doherty abstained.

Clr. Crawford was deemed appointed to the third position.

Nominations for the fourth position were then taken.

- Clr. Donaghey was proposed by Clr. Conaghan and seconded by Clr. McEniff.
- Clr. O'Neill was proposed by Clr. McGuinness and seconded by Clr. McBride.

A recorded vote was then taken resulting in 16 votes for Clr. Donaghey, 3 votes for Clr. O'Neill and 1 abstention.

Those voting in favour of Clr. Donaghey were:-
Clrs. Alcorn, Blaney, E. Bonner, A. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Larkin, McDonald, McEniff, McGonagle, McGowan and O'Domhnaill. (16)

Those voting in favour of Clr. O'Neill were:-
Clrs. McBride, McGuinness and O'Neill. (3)

Clr. Pearse Doherty abstained.

Clr. Donaghey was deemed appointed to the fourth position.

Nominations were then taken for the fifth position.

- Clr. McDonald was proposed by Clr. Conaghan and seconded by Clr. McEniff.
- Clr. O'Neill was proposed by Clr. McGuinness and seconded by Clr. McBride.

A recorded vote was then taken resulting in 16 votes for Clr. McDonald, 3 votes for Clr. O'Neill and 1 abstention.

Those voting in favour of Clr. McDonald were:-

Clrs. Alcorn, Blaney, E. Bonner, A. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Larkin, McDonald, McEniff, McGonagle, McGowan and O'Domhnaill.(16)

Those voting in favour of Clr. O'Neill were:-
Clrs. McBride, McGuinness and O'Neill. (3)

Clr. Pearse Doherty abstained.

Clr. McDonald was declared appointed to the fifth position.

Nominations were then taken for the sixth position.

- Clr. Kennedy was proposed by Clr. Conaghan and seconded by Clr. McEniff.
- Clr. O'Neill was proposed by Clr. McGuinness and seconded by Clr. McBride.

A recorded vote was then taken resulting in 15 votes for Clr. Kennedy, 3 votes for Clr. O'Neill and 1 abstention.

Those voting in favour of Clr. Kennedy were:-
Clrs. Alcorn, Blaney, A. Bonner, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Larkin, McDonald, McGonagle, McGowan and O'Domhnaill (15)

Those voting in favour of Clr. O'Neill were:-
Clrs. McBride, McGuinness and O'Neill. (3)

Clr. Pearse Doherty abstained.

Clr. Kennedy was appointed to the sixth position.

Nominations were then taken for the seventh and final position on the Border Regional Authority.

- Clr. O'Neill was proposed by Clr. McGuinness and seconded by Clr. McBride.
- Clr. O'Domhnaill was proposed by Clr. Conaghan and seconded by Clr. McEniff.

A recorded vote was then taken resulting in 16 votes for Clr. O'Domhnaill, 3 votes for Clr. O'Neill and 1 abstention.

Those voting in favour of Clr. O'Domhnaill were:-
Clrs. Alcorn, Blaney, A. Bonner, E. Bonner, Brogan, Byrne,
Conaghan, Crawford, Donaghey, Kennedy, Larkin,
McDonald, McEniff, McGonagle, McGowan and
O'Domhnaill.(16)

Those voting in favour of Clr. O'Neill were:-
Clrs. McBride, McGuinness and O'Neill.(3)

Clr. Pearse Doherty abstained.

Clr. O'Domhnaill was declared appointed to the seventh position on the Border Regional Authority.

The members appointed to represent Donegal County Council on the Border Regional Authority were, therefore, Clrs. Slowey, Larkin, Crawford, Donaghey, McDonald, Kennedy and O'Domhnaill.

C/262/04

ELECTION OF REPRESENTATIVES TO
OPERATIONAL COMMITTEE OF THE BORDER
REGIONAL AUTHORITY.

Clr. McGowan invited nominations for a representative to the Operational Committee of the Border Regional Authority. It was noted that the representation would consist of 1 no. member from the Councils membership on the Border Regional Authority plus the Cathaoirleach of the day.

- Clr. Donaghey was proposed by Clr. Conaghan and seconded by Clr. McEniff.
- Clr. Slowey was proposed by Clr. McGuinness and seconded by Clr. McBride.

A recorded vote was taken resulting in 16 votes for Clr. Donaghey, 7 votes for Clr. Slowey and 4 abstentions.

Those voting in favour of Clr. Donaghey were:-
Clrs. Alcorn, Blaney, A. Bonner, E. Bonner, Brogan, Byrne,
Conaghan, Crawford, Donaghey, Kennedy, Larkin,
McDonald, McEniff, McGonagle, McGowan and
O'Domhnaill. (16)

Those voting in favour of Clr. Slowey were:-
Clrs. Boyle, Pdraig Doherty, McBride, McGuinness,
O'Neill, Reid and Slowey.(7)

Clrs. Pearse Doherty, McDaid, McGarvey and Pringle abstained.

Clr. Donaghey was declared appointed as the representative to the Operational Committee of the Border Regional Authority together with the Cathaoirleach of the day.

C/263/04

ELECTION OF REPRESENTATIVES TO THE BORDER, MIDLAND AND WESTERN REGIONAL ASSEMBLY.

The Meetings Administrator advised that appointments to this body were covered by Paragraph 18, Schedule 10 of the Local Government Act, 2001 (grouping system) and that in this case, the three members had to be appointed from those members appointed to the Border Regional Authority.

Mr. E. Sweeney, Meetings Administrator reminded members that the positions had to be filled, successively.

Nominations were then taken for the first position.

- Clr. Crawford was proposed by Clr. Conaghan and seconded by Clr. McEniff.
- Clr. Slowey was proposed by Clr. McGuinness and seconded by Clr. McBride.

A recorded vote was taken resulting in 16 votes for Clr. Crawford, 7 votes for Clr. Slowey and 4 abstentions.

Those voting in favour of Clr. Crawford were :-
Clrs. Alcorn, Blaney, A. Bonner, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Larkin, McDonald, McEniff, McGonagle, McGowan and O'Domhnaill. (16)

Those voting in favour of Clr. Slowey were:-
Clrs. Boyle, Pdraig Doherty, McBride, McGuinness, O'Neill, Reid and Slowey. (7)

Clrs. Pearse Doherty, McDaid, McGarvey and Pringle abstained.

Clr. Crawford was declared appointed to the first position.

Nominations were then taken for the second position.

- Clr. McDonald was proposed by Clr. Conaghan and seconded by Clr. McEniff.
- Clr. Slowey was proposed by Clr. McGuinness and seconded by Clr. McBride.

A recorded vote was then taken with 16 voting in favour of Clr. McDonald, 7 voting in favour of Clr. Slowey and 4 abstentions.

Those voting in favour of Clr. McDonald were:-

Cls. Alcorn, Blaney, A. Bonner, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Larkin, McDonald, McEniff, McGonagle, McGowan and O'Domhnaill. (16)

Those voting in favour of Clr. Slowey were:-

Cls. Boyle, Pdraig Doherty, McBride, McGuinness, O'Neill, Reid and Slowey. (7)

Cls. Pearse Doherty, McDaid, McGarvey and Pringle abstained.

Clr. McDonald was declared appointed to the second position.

Nominations for the third position were then taken.

- Clr. Larkin was proposed by Clr. Blaney and seconded by Clr. McEniff.
- Clr. Slowey was proposed by Clr. McGuinness and seconded by Clr. McBride.

A recorded vote was then taken resulting in 16 votes for Clr. Larkin, 7 votes for Clr. Slowey and 4 abstentions.

Those voting in favour of Clr. Larkin were:-

Cls. Alcorn, Blaney, A. Bonner, E. Bonner, Brogan, Byrne, Conahaghan, Crawford, Donaghey, Kennedy, Larkin, McDonald, McEniff, McGonagle, McGowan and O'Domhnaill. (16)

Those voting in favour of Clr. Slowey were:-

Cls. Boyle, Pdraig Doherty, McBride, McGuinness, O'Neill, Reid and Slowey. (7)

Clrs. Pearse Doherty, McDaid, McGarvey and Pringle abstained.

Clrs. Crawford, McDonald and Larkin were declared appointed to the Border, Midland and Western Regional Assembly.

C/264/04 ELECTION OF MEMBERS TO GENERAL COUNCIL OF COUNTY COUNCILS.

As there was no indication of any group being formed, the election of members to the General Council of County Councils was carried out, successively, by majority vote.

Nominations were then taken for position one.

- Clr. E. Bonner was proposed by Clr. Conaghan and seconded by Clr. McEniff.
- Clr. Padraig Doherty was proposed by Clr. McGuinness and seconded by Clr. McBride
- Clr. McDaid was proposed by Clr. Pringle and seconded by Clr. Pearse Doherty.

A recorded vote was then taken resulting in 16 votes for Clr. E. Bonner, 7 votes for Clr. Padraig Doherty, 3 votes for Clr. McDaid and 1 abstention.

Those voting in favour of Clr. E. Bonner were:-
Clrs. Alcorn, Blaney, E. Bonner, A. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Larkin, McDonald, McEniff, McGonagle, McGowan and O'Domhnaill. (16)

Those voting in favour of Clr. Padraig Doherty were:-
Clrs. Boyle, Padraig Doherty, McBride, McGuinness, O'Neill, Reid and Slowey. (7)

Those voting in favour of Clr. McDaid were:-
Clrs. Pearse Doherty, McDaid and Pringle. (3)

Clr. McGarvey abstained.

Clr. E. Bonner was declared appointed to the first position.

Nominations for position two were then taken.

- Clr. Alcorn was proposed by Clr. Conaghan and seconded by Clr. McEniff.
- Clr. Padraig Doherty was proposed by Clr. McGuinness and seconded by Clr. McBride.
- Clr. Daid was proposed by Clr. Pringle and seconded by Clr. Pearse Doherty.

A recorded vote was taken resulting in 16 votes for Clr. Alcorn, 7 votes for Clr. Padraig Doherty, 3 votes for Clr. McDaid and 1 abstention.

Those voting in favour of Clr. Alcorn were:-

Clrs. Alcorn, Blaney, E. Bonner, A. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Larkin, McDonald, McEniff, McGonagle, McGowan and O'Domhnaill. (16)

Those voting in favour of Clr. Padraig Doherty were:-

Clrs. Boyle, Padraig Doherty, McBride, McGuinness, O'Neill, Reid and Slowey. (7)

Those voting in favour of Clr. McDaid were:-

Clrs. Pearse Doherty, McDaid and Pringle. (3)

Clr. McGarvey abstained.

Clr. Alcorn was declared appointed to the second position.

Nominations were then taken for the third position.

- Clr. Blaney was proposed by Clr. Larkin and seconded by Clr. O'Domhnaill.
- Clr. Padraig Doherty was proposed by Clr. McGuinness and seconded by Clr. McBride.
- Clr. McDaid was proposed by Clr. Pringle and seconded by Clr. Pearse Doherty.

A recorded vote was then taken resulting in 16 votes for Clr. Blaney, 7 votes for Clr. Padraig Doherty, 3 votes for Clr. McDaid and 1 abstention.

Those voting in favour of Clr. Blaney were:-

Clrs. Alcorn, Blaney, E. Bonner, A. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Larkin, McDonald, McEniff, McGonagle, McGowan and O'Domhnaill. (16)

Those voting in favour of Clr. Padraig Doherty were:-
Clrs. Boyle, Padraig Doherty, McBride, McGuinness, O'Neill, Reid and Slowey. (7)

Those voting in favour of Clr. McDaid were:-
Clrs. Pearse Doherty, McDaid and Pringle. (3)

Clr. McGarvey abstained.

Clr. Blaney was declared appointed to the third position on the General Council of County Councils.

Clrs. E. Bonner, Alcorn and Blaney were declared appointed as delegates to the General Council of County Councils for 2004/2005

C/265/04

ELECTION OF LAMA DELEGATE

Nominations were invited for the position of LAMA delegate.

- Clr. Conaghan was proposed by Clr. McEniff and seconded by Clr. Alcorn.
- Clr. Padraig Doherty was proposed by Clr. McGuinness, seconded by Clr. McBride.
- Clr. McLochlainn was proposed by Clr. Pringle and seconded by Clr. McDaid.

A recorded vote was then taken resulting in 16 votes for Clr. Conaghan, 7 votes for Clr. P. Doherty, 3 votes for Clr. McLochlainn and 1 abstention.

Those voting in favour of Clr. Conaghan were:-
Clrs. Alcorn, Blaney, E. Bonner, A. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Larkin, McDonald, McEniff, McGonagle, McGowan and O'Domhnaill. (16)

Those voting in favour of Clr. Padraig Doherty were:-
Clrs. Boyle, Padraig Doherty, McBride, McGuinness, O'Neill, Reid and Slowey. (7)

Those voting in favour of Clr. McLochlainn were:-
Clr. Pearse Doherty, McDaid and Pringle. (3)

Clr. McGarvey abstained.

Clr. Conaghan was declared appointed as the LAMA delegate for 2004-2005.

C/266/04 ELECTION OF MEMBERS TO DONEGAL COUNTY TOURISM COMMITTEE

Nominations were invited for the one position on the Donegal County Council Tourism Committee.

- Mr. Noel McGinley was proposed by Clr. Conaghan and seconded by Clr. O'Domhnaill.
- Clr. O'Neill was proposed by Clr. McGuinness and seconded by Clr. Boyle.
- Clr. McDaid was proposed by Clr. Pearse Doherty and Clr. Pringle.

Clr. Pdraig Doherty requested clarification on the appointment in question and queried whether it was in order to nominate an outside representative.

Mr. E. Sweeney, Meetings Administrator stated that the matter had been checked with the North West Regional Tourism and that it was in order to select an outside nominee.

A recorded vote was then taken resulting in 16 votes for Clr. McGinley, 7 votes for Clr. O'Neill, 3 votes for Clr. McDaid and 1 abstention.

Those voting in favour of Mr. Noel McGinley were:-
Clrs. Alcorn, Blaney, A. Bonner, E. Bonner, Brogan, Byrne, Conaghan, Crawford, Donaghey, Kennedy, Larkin, McDonald, McEniff, McGonagle, McGowan and O'Domhnaill. (16)

Those voting in favour of Clr. O'Neill were Clrs. Boyle, Pdraig Doherty, McBride, McGuinness, O'Neill, Reid and Slowey. (7)

Clr. McGarvey abstained.

Mr. Noel McGinley was, therefore, declared elected to Donegal County Tourism Committee.

On the proposal of Clr. Conaghan, seconded by Clr. McEniff, it was resolved to adjourn the meeting for thirty minutes.

C/267/04

ELECTION OF MEMBERS TO ERNACT

On resumption, members were invited to nominate representatives to ERNACT.

A number of proposals were made and seconded. Clr. McEniff queried the lengthy procedures involved in documenting recorded votes. He asked whether or not it would be in order to register votes with a simple show of hands.

Clr. Pringle raised the issue of Standing Order 101 and in particular point (i) which stated that when the number of those proposed and seconded exceeded the number of vacancies, that the vote should be taken by way of secret ballot. There was, he stated, no provision here for a show of hands.

Clr. Pringle further advised that Standing Orders did not provide for voting to take place at an Annual General Meeting either by recorded vote or a show of hands and that Schedule 10 of the Local Government Act, 2001 did not indicate the type of vote to be used.

Mr. Sweeney stated that in relation to the formation of Committees, Schedule 10 of the Local Government Act, 2001 set out the procedures to be followed and statutory provisions took precedence over Standing Orders.

Clr. McGuinness also queried the procedures involved, and whether at this meeting the votes taken and procedures followed in such instances were in effect incorrect.

Mr. E. Sweeney informed members that it would be necessary at this stage to get legal opinion on the matter. On the proposal of Clr. Donaghey, seconded by Clr. A. Bonner, it was agreed to adjourn the meeting for thirty minutes so that legal advice could be sought.

When the meeting resumed, the Cathaoirleach advised that legal advice had been sought on the issues raised.

The Meetings Administrator, Mr. E. Sweeney, clarified for those present what the issues were:-

- A query, he advised, existed in relation to whether or not a secret ballot should be used
- The general applicability of Standing Order 101 to the filling of the remaining positions in a situation whereby the initial vacancies had been filled by the grouping system.

Clr. McGuinness then queried the filling of positions, where paragraph 18 Schedule 10 of the Local Government Act, 2001 did not apply. There was, he stated, no clear indication of the procedures involved, when people did not want to form a group.

Mr. Sweeney informed members that the Council's Solicitor was reviewing the decisions taken today, and the points raised by members. It would, he advised, take some time to deal with the technicalities involved, thus, the Annual General Meeting would have to be adjourned.

Clr. Pringle queried whether or not this advice could be available before the next meeting.

The County Manager advised that he intended to include items 4-13 on the agenda for the adjourned meeting, for the purpose of having clarification from the Council's Solicitor on whether all appointments made were in accordance with the statutory provisions of the Local Government Act, 2001 and the Council's Standing Orders.

Clr. Pringle requested that the Council's Solicitor be available to provide advice to each party.

Clr. McGuinness called for the election of members to the Border Regional Authority to be declared void as there had been inconsistencies in the voting process.

Clr. Pringle also requested that the County Solicitor provide advice on the legality of Standing Orders covering the voting for Cathaoirleach and Leas Cathaoirleach.

The County Manager advised that he had discussed the procedures used in the election of Cathaoirleach and Leas Cathaoirleach with the Council's Solicitor and was of the opinion that the procedures used in these elections satisfied the requirements of the legislation and were the

same procedures as had been used in the past for the election of the Cathaoirleach and the Leas Cathaoirleach. Accordingly, he did not propose to have items 1 and 2 on the agenda for the adjourned meeting.

On the proposal of Clr. Conaghan, seconded by Clr. McEniff, it was resolved to adjourn the meeting until 10.00am on Friday 09th July, 2004, to enable legal advice to be obtained on the issues raised.