TOWN OF RISING SUN MAYOR & COMMISSIONERS TOWN MEETING MINUTES

Let it be remembered that the Mayor and Board of Commissioners of the Town of Rising Sun, held a Town Meeting on the 3rd floor of the Town Hall on Tuesday evening July 13, 2010. For the record the meeting place and time were duly posted as required.

<u>MEMBERS IN ATTENDANCE</u>: Mayor Judith M. Cox, Commissioner Clinton E. Bowers, Commissioner Jim Majewski, Commissioner Thomas S. Mumey and Commissioner Augie Pierson.

<u>MEMBERS ABSENT:</u> (None)

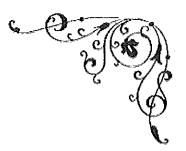
STAFF/CONSULTANTS PRESENT: (absent) Town Administrator Calvin Bonenberger

GUESTS: See Attached List

<u>MEETING OPENING</u> – The meeting was called to order at 7:00 PM by Mayor Judith M. Cox, followed by a pledge of allegiance and a moment of silence.

APPROVAL OF MEETING MINUTES - Mayor asked for any corrections to the minutes for the Pierson requested an amendment to the minutes on June 22, 2010 Town Meeting. Commissioner page 3 section Finances to amend the line "to reimburse it-self monies spend", to "monies spent". A motion was made by Commissioner Pierson and seconded by Commissioner Mumey to approve the minutes of June 22, 2010. Motion carried unanimously. Commissioner Pierson read an executive session report for a meeting held at 7:00 p.m. on June 30, 2010 to discuss with Staff various legal issues regarding the Town's efforts to comply with the Town's Consent decree with MDE and the Frapple lawsuit. A motion was made by Commissioner Mumey seconded by Commissioner Pierson to accept the executive session report. Motion carried unanimously. Commissioner Pierson read resolution 2010-12 into the minutes. This resolution had been introduced and voted on at the Closed Session. Upon completion of the reading, Commissioner Majewski stated that he had voted for the resolution at the executive session because Commissioner Bowers had stated that he would not be interested in taking the position of Sewer and Water Commissioner. He further stated that if Commissioner Bowers was intending to take the position of Sewer and Water Commissioner, he felt that the resolution should be revisited. Commission Pierson explained his position on approving the original resolution was similar to the views expressed by Commissioner Majewski and he would not be opposed to revisiting the resolution if Commission Bowers was going to take the Sewer and Water Commissioner Appointment. Mayor Cox called for a vote on the subject and the vote was 3-1.





Commissioner Pierson read an executive session report for a meeting held at 6:00 p.m. on July 13, 2010 to discuss with Legal Council, the various legal issues regarding the Town's efforts to comply with the Town's Consent decree with MD and the Frapple Lawsuit. A motion was made by Commissioner Bowers seconded by Commissioner Pierson to accept the executive session report.

<u>PRESENTATIONS</u>, <u>ORDINANCES AND RESOLUTIONS</u> – Sandi Didra was sworn in as newly elected mayor of The Town of Rising Sun. Chris Callahan and August Pierson were sworn in as newly elected Town Commissioners. Outgoing Mayor Judith M. Cox and Commissioner Majewski vacated their seats and Incoming Mayor Sandi Didra and Incoming Commissioner Callahan took their places at the head table.

MAYOR'S REPORT - Mayor Sandi Didra thanked the voters for their support. Mayor Didra stated that the Town Meeting agendas will be posted on the Town's website by 6:00 pm on the Thursday prior to the day of the meeting. There will be no changes to the agenda except for extreme emergency. Mayor Didra stated that all reports and information will be in the hands of the Mayor and Commissioners by noon on the following Friday. Any information given after that time will be carried as new business or agenda for the next meeting. All ordinances, resolutions or amendments thereof must be presented to the Mayor and Commission in final form, signed off by the Town Attorney at least one week prior to the meeting; they will be introduced at one meeting and adopted at the next meeting. They will be posted on the Town's website prior to introduction.

Appointments - Mayor Didra asked Commissioner Mumey to stay on parks and recreation, planning and zoning, and water and sewer legal commission, he agreed. Commissioner Pierson agreed to stay on public safety. Commissioner Bowers stated he wanted to stay on water and sewer. Mayor Didra requested Commissioner Callahan to handle streets and sidewalks, he agreed.

Mayor Didra stated her desire that the board may move forward with the business of the Town of Rising Sun.

FINANCES - (No Report)

SEWER, AND WATER LEGAL COMMISSIONER REPORT – Commissioner Pierson read a proposal from RKLK to an application for a new NPDES discharge permit to allow the Town to discharge up to 500,000 gallons per day of sewage. The cost for the proposal is \$7,500.00. Commissioner Bowers made a motion to accept RK LK's proposal seconded by Commissioner Pierson. Motion carried unanimously.





Commissioner Pierson read a proposal from RKLK to proceed with the design, of a 500,000 gpd wastewater treatment plant. The cost for the design upgrade is \$138,000. A motion was made by Commissioner Bowers, seconded by Commissioner Pierson to accept the proposal from RK LK to proceed with the design of the 500,000 gallon per day wastewater treatment facility. Motion carried unanimously.

Commissioner Pierson read the summary page for Resolution number 2010-13 titled General Obligation Bonds and Resolution number 2010-14 titled General Obligation Bond Anticipation Notes into the minutes. Mayor Didra stated that the resolutions would be posted on the website. Commissioner Pierson gave a brief overview of the purpose of these resolutions. He stated that the money referenced in the resolutions was likely more than what was needed but the resolutions were structured to provide the Town the ability to secure the necessary amounts without having to amend the resolutions in the future if the amounts listed are too low. Commissioner Bowers stated that the Bond Council and Financial consultants would be present at future meeting to explain the resolutions in more detail. Commissioner Mumey stated that the resolutions were necessary for the Town to be able to build the new sewer plant. A resident, Mrs. Fran Hammond, questioned why resolution 2010-11 was not read to the audience here tonight. Commissioner Mumey and Pierson tried to explain that this resolution was read and adopted at a previously meeting. Mayor Didra read a section from the previously approved minutes from 6-22-10 in which resolution 2010-11 was read and adopted. Mrs. Hammond stated that she did not think the resolution should have been approved, and she questioned Commissioner Bowers and Pierson for approving the resolution, and stated that the resolution should be brought up again. Mayor Didra thanked her for her input.

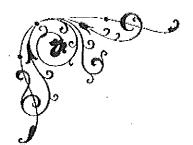
SEWER AND WATER REPORT – (No Report)

STREETS AND SIDEWALKS REPORT – Mayor Didra asked Commissioner Bowers if they had a chance to look at the sidewalks at Valley View (flaking and chipping). Commissioner Bowers stated that Ron had looked at them and that they could handle those types of small issues in house.

<u> PUBLIC SAFETY</u> – (No Report)

<u>PARKS AND RECREATION</u> – Commissioner Mumey reported on the Town Social event sponsored by the 150th committee held in the Community Park. He stated that there was a fair amount of participation and everything went well, but would have liked to have seen more participation from the Town but all those that did come certainly enjoyed it.

TOWN ADMINISTRATOR'S REPORT - (No Report)





PLANNING AND ZONING BOARD- (No Report)

BOARD OF ZONING APPEALS - (No Report)

CODE ENFORCEMENT – (No Report)

HISTORICAL PRESERVATION COMMISSION – (No Report)

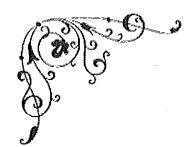
OLD BUSINESS. (No Old Business)

<u>NEW BUSINESS</u>. Mayor Didra introduced Adam Tarre from the local Boy Scouts. He is here working on his communication badge.

Commissioner Pierson reported that he had been contacted by a private citizen as well as the NBRS bank about the parking situation along Pearl St. Commissioner Pierson proposed a four hour parking limit alongside NBRS. Commissioner Pierson further explained that cars are parking in these spots for days at a time and that a 4 hours parking limit could accommodate anyone parking in that area for local business. Commissioner Callahan raised an option that the parking could be limited to 7:00 a.m. to 7:00 p.m. After a discussion on the subject Mayor Didra asked Chief Peterson to look into the matter and report back. Commissioner Mumey wanted the Chief to research the reasons why the person that is parking there all the time is doing this. He cautioned that the Town already has restricted parking with very limited parking available, and would not want to make even harder for people to park.

CITIZEN'S INPUT — Mr. Jaggers asked about the status on the cabin. Commissioner Mumey responded that we are still working to resolve the water and sewer issues along with other issues. He stated that a prefabricated cabin will be purchased. He also stated that we are trying to figure out how to take the cabin down without leaving a big hole in the ground. Commissioner Mumey also stated that he has a local person who has expressed an interest in taking cabin down at cost. Mr. Jaggers also asked if the Town would consider turning the sand volley ball court back into grass. Commissioner Mumey stated that he has been observing that there is very little activity on the volley ball court; in fact the court is being used more by cats than anyone else. He stated that they would have to take a closer look at the use of the Court!

Mrs. Fran Hammond congratulated Sandi Didra on becoming Mayor and stated that "I hope that you thanked them for that little article that they put in the Whig about you before the election and I would have voted for you then if you would have robbed the National Bank of Rising Sun" She





further reminded Sandi that she had been elected by the Town and that she would be a good Mayor. Mayor Didra stated that she hoped that she could live up the expectations.

Karen Majewski stated that she agreed with Mrs. Hammond that resolution 2010-11 should be revisited.

Ed Ellison asked if we since the contracts for the sewer plant are being done over the winter, could they be done in time. Commissioner Mumey stated that we could but if we do not we would have to pay the fines. He further stated that MDE has the Town under a consent decree and that they are not in the frame of mind to grant the Town an extension.

Jim Gibney-thanked Sandi for what she has done for the Town and that she would do a good job for the Town. He commented on the parked car on Pearl Street and stated that the car parking there was not a one day issues and that he closely monitors the parking situation and that the car is parked there for up to 5 days straight.

Tina Garvey commented on a car wash that the 4-H club wanted to have at the Legion Post in August. Mayor Didra responded on the issues pertaining to water capabilities in the town and the Town is bordering on a drought situation in the Town. Commissioner Bowers stated that he would check with Ron about the current water levels in Town. Mayor Didra stated that if the Town granted this approval that they would be inundated by other requests she stated she would take the all requests into consideration, but not to get your hopes up.

John commented about the generosity of the town towards civil war weekend and congratulated Sandi on becoming Mayor.

Mayor Didra recognized Allen Authenreath in the audience and commended him on his bid to run for Commissioner. She stated that the election was very close and that only 12 votes separated the 3 commissioner candidates.

<u>ADJOURNMENT</u> – With no other business before the board a motion was made by Commissioner Thomas S. Mumey to adjourn the meeting.

Meeting Adjourned at 7: 57 PM.



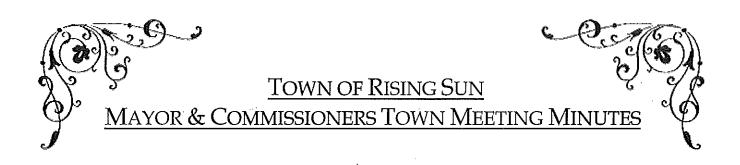


Respectfully submitted

Calvin A Bonenberger Jr.,

Town Administrator / Acting Town Clerk

Motion to approve the minutes made by Commissioner August Pierson, seconded by Commissioner
Thomas S. Mumey at the August 10, 2010 Town Meeting
Motion Passed 4 to 0



DECLARATION AND VERIFICATION OF AUTHENTICITY

I, Calvin A Bonenberger, Town Administrator and Interim Town Clerk for the Town of Rising Sun, Maryland, do herby certify that the above and foregoing minutes are a true, perfect and complete copy of the Minutes adopted by the Mayor and Commissioners of the Town of Rising Sun, Maryland, and is identical to the original thereof appearing in the official records of the Town of Rising Sun, Maryland and the same has not, since its adoption, been rescinded or amended in any respect.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have affixed the seal of the Town of Rising Sun as of this 11th day of August 2010.

Respectfully submitted

Calvin A Bonenberger Jr.,
Town Administrator / Acting Town Clerk

CERTIFICATE & TOWN SEAL

(STATE OF MARYLAND)

(COUNTY OF CECIL)

(TOWN OF RISING SUN)