



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 April 12, 2011. For the record the meeting place and time were duly posted as required.

MEMBERS IN ATTENDANCE: Commissioner Thomas S. Mumey, Commissioner Clinton E. Bowers Commissioner Chris Callahan, and Commissioner August Pierson.

MEMBERS ABSENT: None

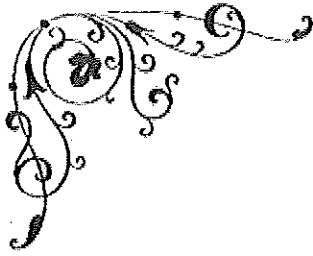
STAFF/CONSULTANTS PRESENT: Town Administrator Calvin A Bonenberger, Jr.

GUESTS: See Attached List

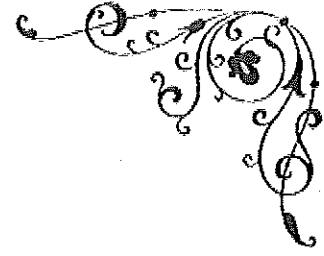
MEETING OPENING – The meeting was called to order at 7 : 00 PM by Vice-Mayor Clinton E. Bowers, followed by a pledge of allegiance and a moment of silence.

APPROVAL OF MEETING MINUTES – Vice Mayor Clinton E. Bowers asked for corrections to the March 8, 2011 meeting minutes. A motion was made by Commissioner Pierson seconded by Commissioner Mumey to accept the minutes as presented. Vote carried unanimously.

Vice Mayor Clinton E. Bowers asked Mr. Bonenberger to read into the minutes the Executive Session report. Mr. Bonenberger reported that an Executive Session was held on March 22, 2011 at 7:00 PM on the second floor of Town Hall. Mr. Bonenberger reported that all the board members were present and Mr. Bonenberger Town Administrator and Mr. Jay Gullo Town Attorney were also present. Mr. Bonenberger stated that motion made by Commissioner Pierson seconded by Commissioner Mumey to hold an Executive Session. Mr. Bonenberger stated that as provided for by the Maryland Open Act, the reason for the meeting was to discuss item number seven; (to consult with counsel to obtain legal advice). The topics discussed was the Attorney's report from the trial, what the guilty verdict means to the Town, the impact this verdict has on the office of the Mayor, the options which are available to the board, the next steps that must be taken in the criminal process, the matter of restitution from Ms. Didra as part of the criminal process, the other options available for obtaining restitution, and the attorney's report on parallel criminal investigations related to the Didra matter. A motion was made by Commissioner Pierson, seconded by Commissioner Callahan to have the Town Attorney draft a resolution regarding the position of Mayor and to act upon this resolution at a special meeting on Tuesday evening March 29, 2011 at 7:00 PM. motion passed unanimously. Mr. Bonenberger reported



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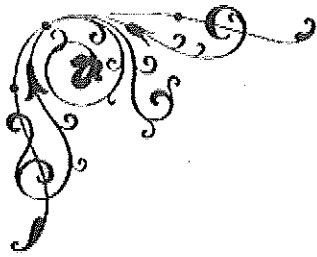
that the second action taken at the meeting was a motion made by Commissioner Pierson seconded by Commissioner Callahan, to adjourn the Executive Session. Motion passed unanimously. Commissioner Pierson motioned, seconded by Commissioner Callahan to accept the Executive Session meeting. Vote passed unanimously.

Vice Mayor Clinton E. Bowers asked for corrections to the March 29, 2011 Special Town Meeting minutes. A motion was made by Commissioner Mumey seconded by Commissioner Pierson to accept the minutes as presented. Vote carried unanimous.

PRESENTATIONS, ORDINANCES AND RESOLUTIONS – Vice Mayor Bowers reported that the first business tonight, is the election of the new Mayor. Commissioner Pierson motioned seconded by Commissioner Callahan to elect Commissioner Mumey as the Town of Rising Sun Mayor. The vote passed unanimously. Mr. Derrick Lowe from the Circuit Court of Cecil County swore Mr. Thomas S. Mumey into office.

Mayor Mumey asked Mr. Bonenberger to present Proclamation 2011-01 Tourism Month. Mr. Bonenberger read the proclamation 2011-01 into the record. Mayor Mumey called for a vote. Vote passed unanimously for approval.

MAYOR'S REPORT – Newly elected Mayor Mumey reported that his first duty as Mayor he would like to read some remarks. Mayor Mumey read that this evening we find ourselves at a time not of our choosing, but of a time created by events beyond our expectations, thus decisions were thrust upon us not by our desires or wants, but by our duty as elected officials of the Town of Rising Sun. The circumstances of this time placed a burden on the Board of Commissioners they did not want, but recognized they had to do. It times like this nobody wins everyone loses. I want to say to the former and the present Commissioners on behalf all who care about this town, thank you for doing your duty. That duty you were charged with when elected unpleasant as it was, the criticisms, threats and insinuations made it all the more difficult. For over a year you could not address any of the questions caused by these circumstances for fear of comprising the rights of all involved. Mayor Mumey thanked the Police Chief, Town Attorney, Town Administrator and Staff, Town Accountant and the States Attorney for their advice and cooperation throughout this ordeal. Mayor Mumey stated that we have come to an end of this saga and it is time to move forward with a renewed spirit and willingness to face the challenges ahead of us. Mayor Mumey stated that we have already in place an accountable fiscal policy that with its check and balances we will have increased the accountability. A small town like ours is not insulated from the same problems faced by all the towns in the state. Therefore it takes all of us to be responsible and informed. That is the way we can all move the Town forward and meet the challenges head on. The Board asks you and I ask you, for your understanding and support.



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When questions come up call Town Hall and ask to speak to someone on an issue, attend Town meetings, and be informed. You may not always receive the answer you want but you will be informed so you can access your position and the Town's position not someone else's position that is not informed. In closing I would like to thank the members of the Board for putting their faith in entrusting me to carry out the duties of Mayor of The Town of Rising Sun. I will to the best of my ability strive to meet this trust. God Bless this Town and Thank You.

Mayor Mumey reported that Commissioner Bowers would like to be relieved of his duty as Vice Mayor duty and he would like to appoint Commissioner Pierson the position of Acting Mayor according to the Charter. Commissioner Bowers motioned to appoint Commissioner Pierson as Acting Mayor seconded by Commissioner Callahan. Motion passed 3-0 in favor.

Mayor Mumey asked for a motion to appoint Allen Authenreath to fill his Commissioner position on the board. Commissioner Pierson motioned seconded by Commissioner Bowers to appoint Mr. Authenreath. Motion passed 2-1 with Commissioner Callahan opposing.

Mayor Mumey asked for a motion to appoint Commissioner Pierson as Sewer and Water Commissioner. Commissioner Bowers motioned, seconded by Commissioner Callahan to appoint Commissioner Pierson as Sewer and Water Commissioner. Motion passed 3-0 in favor.

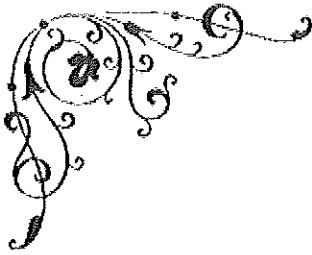
Mayor Mumey appointed Commissioner Allen Authenreath as Public Safety Commissioner.

Mayor Mumey appointed Commissioner Allen Authenreath as Ex Officio for the Planning and Zoning board.

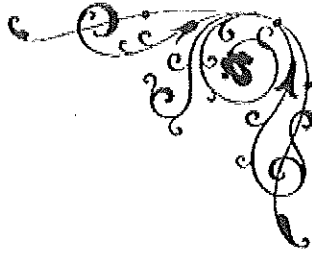
Mayor Mumey from recommendation of Mr. Bonenberger asked for a motion to appoint Rhonda Harmison as Town Clerk. Commissioner Pierson motioned seconded by Commissioner Bowers to appoint Rhonda Harmison as Town Clerk. Motion passed 3-0 in favor.

Mr. Bonenberger reported to Mayor Mumey a couple of housekeeping items stating that according to the Town Charter, if you have less than four Commissioners present at a meeting, which we do now that you have assumed the Mayor's position, any action item has to carry a 3-0 vote and Mr. Authenreath had a 2-1 vote. Mr. Bonenberger stated that technically the motion to appoint Mr. Authenreath as Commissioner has failed. Mayor Mumey asked for motion to table the appointment for a new Town Commissioner, a Public Safety Commissioner and an Ex Officio for the Planning and Zoning Board. Commissioner Pierson seconded by Commissioner Bowers to table the appointments.

Mayor Mumey presented to the Rising Sun Fire Company a \$10,000.00 donation.



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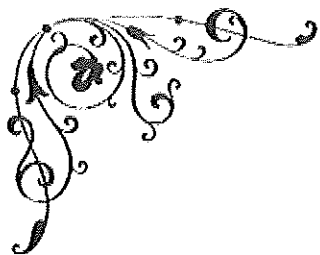


FINANCES – Mayor Mumey asked Mr. Bonenberger to present the Financial Report. Mr. Bonenberger reported that the Town's revenue verses expenditures the Town has a \$152,210.00 positive cash flow in the General Fund. Mr. Bonenberger reported that he has talked to Commissioner Mumey about changing the funds because all funds are deposited into one account and it was difficult to verify water and sewer revenue funds. Mr. Bonenberger also reported the Town is now working on the budget and also reported on the constant yield rate tax. He stated that this year the State assessment for the constant yield rate tax has dropped and what this means is the revenue with the new tax rate would be \$710,000 for the Town and if the Town keeps the rate at the same rate as last year which is .36 the Town would generate a total of \$836,000. Mr. Bonenberger expressed that the Town needs to be creative with Town finances going forward.

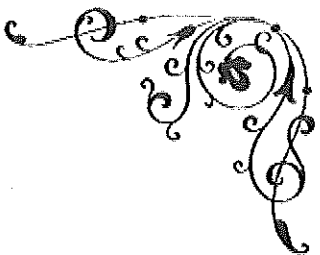
SEWER AND WATER REPORT – As we move forward with the solution to our well documented water deficiencies, we would like to bring an expert on board to help us with the final conceptual design and planning. It has been agreed by the board and our sewer consultants that we should have an independent consultant not directly involved with the sewer project, to help us with this process. Given the past tract record and success that we had with Camp, Dresser & McKee Inc, (CDM) we would like to hire their firm to provide technical assistance and guidance on an hourly basis, as we worked to finalize our solution to our water deficiencies. You have been provided with a proposal and list of hourly rates for your review. Commissioner Pierson motioned seconded by Commissioner Callahan to hire Camp, Dresser & McKee Inc, (CDM) on an hourly basis to provide Engineering and technical support in dealings with Chester Water Authority or any other entity involved in the process of evaluating the town's future water supply demands; and to further provide assistance to the town's planning and conceptual design efforts to meet the future water supply demands for the Town. Motion passed unanimously.

STREETS AND SIDEWALKS REPORT – Commissioner Callahan reported that we are trying to arrange a meeting with the County to talk about the tar and chipping process that they use to defray the cost of actual paving overlays on some of their streets. As you know we have extremely limited paving funds available to the Town given the sharp cuts by the State to our highway user funds. Commissioner Callahan stated that tar and chipping may be a cost effective alternative.

Commissioner Callahan reported on sidewalk repairs stating that he would like to suggest accessing some of our streets and sidewalk reserve funds as a way of repairing some of our defective sidewalks. Those moneys were collected in the past to address these types of issues and we should access their availability and develop a plan to use them in the next budget.



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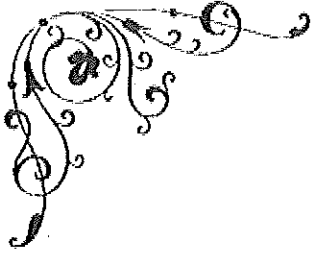


Commissioner Callahan reported that we are finally working to finalize the billing for the various sidewalks that the Town has fixed in the past. In accordance to the Town code, residents are responsible for 50% of those repairs. We have several locations that we need to bill.

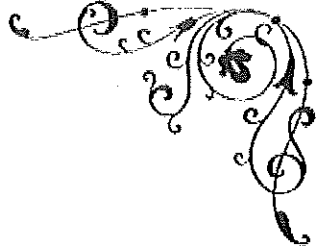
PUBLIC SAFETY – Chief Peterson presented a proposal for a card swipe security system. He stated that currently the system uses a secure key way system that is constructed surround “D” key. This key system is unique and presents a problem when obtaining additional keys. Chief Peterson reported that recently the Town of Rising Sun has had to change several locks within the Town Hall twice in a six-month period. Under the current security system, if an employee leaves or loses a key the locks must be changed or rekeyed. As a result of the many changes in keys, since the inception of this system, it has grown increasingly difficult to track the many keys that will operate the different key ways.

Chief Peterson reported that upon the receipt of the two submitted proposals, for a card swipe security system, he charted a comparison and recommends the Homeland Security Group and installed by the Towne Group. Commissioner Pierson asked about the fire system tie in. Chief Peterson replied that the fire doors will release when the fire system sounds alarm. Commissioner Pierson motioned seconded by Commissioner Callahan to accept the Town Group at a cost of \$16,441.00. Mayor Mumey called for a vote. Vote passed unanimously. Commissioner Pierson questioned if this was a budgeted item. Mr. Bonenberger replied that it was.

PARKS AND RECREATION – Commissioner Bowers reported that we now have an RFP for the Playground equipment and Mayor Mumey, Mr. Bonenberger, and I will be meeting next Thursday to review that RFP. Commissioner Bowers also reported that he has received a last price from Lockwood builders for a price on the log cabin and we will be meeting with Mayor Mumey, Mr. Bonenberger, Mr. Ron Thomas and I will meet next week to review the estimates and we will be meeting with the Boy Scouts, the American Legion and the Lions Club at the end of the month to discuss log cabin specifications and funding sources. Commissioner Bowers also reported on the Triangle Park stating the he Mayor Mumey and Mr. Bonenberger will be meeting with Mr. Rossetti to discuss the next phase of his Triangle Park Water Shed Grant. Commissioner Bowers presented a request from the Rising Sun High School stating that the school is having a non alcoholic after Prom Party and would like the Town to become a sponsor the event. After discussion of how the kids would greatly benefit from an after prom party. Commissioner Bowers motioned seconded by Commissioner Pierson to sponsor and donate \$200.00 to the Rising Sun after Prom Party. Motion passed unanimously.



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TOWN ADMINISTRATOR'S REPORT – Mr. Bonenberger reported to the board the request from Chief Peterson on appointment of Harrienne Caskey police administrative assistant from part time to full time. Commissioner Bowers motioned seconded by Commissioner Callahan. Motion passed unanimously to approve.

Mr. Bonenberger reported on the Mercury spill clean-up on West Cherry St. stating that children playing with a bottle containing mercury dropped the bottle spilling mercury. Mr. Bonenberger stated that contamination has been found in the floor boards on the second floor and Mr. Bonenberger reported that there is a website to track the progress of the clean-up and that website is www.epaosc.org/Wcsmercury

Mr. Bonenberger reported that May 14th Surf-Fest a work will be donating

PLANNING AND ZONING BOARD – Bonenberger reported that the next meeting is scheduled for April 25th 2011 at 7:00 PM.

BOARD OF ZONING APPEALS – No Report

CODE ENFORCEMENT – No Report

HISTORICAL PRESERVATION COMMISSION – No Report

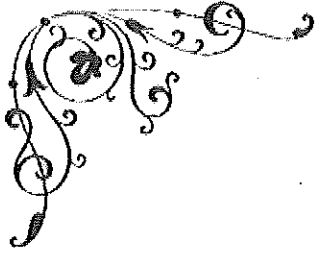
OLD BUSINESS. – Commissioner Pierson asked Mr. Dave Taylor are we making progress with the disc golf course. Mr. Taylor reported that we have a \$5,000 donation.

NEW BUSINESS. – No new business

CITIZEN'S INPUT – Ms. Dee Emsley questioned the board about a wall that has been installed in room. Chief Peterson replied that the wall is for security reasons and he would explain further after the meeting.

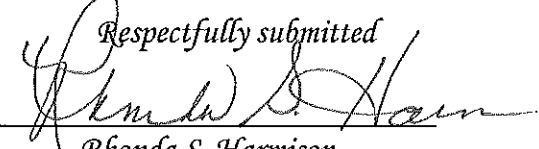
ADJOURNMENT – With no other business before the board a motion was made by Commissioner Clinton E. Bowers to adjourn the meeting.

Meeting Adjourned at 8: 25 PM.

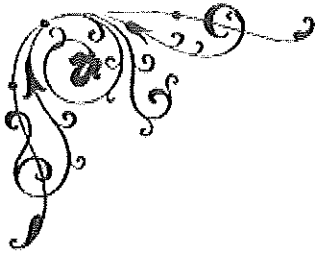


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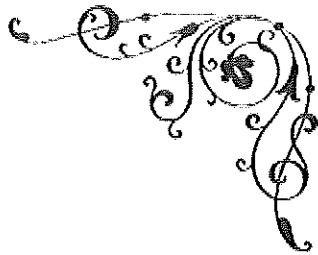


Respectfully submitted

Rhonda S. Harmison
Town Clerk

*Motion to approve the minutes made by, Commissioner Pierson, seconded by
Commissioner Callahan at the April 26, 2011 Town Meeting
Motion Passed 4 to 0*



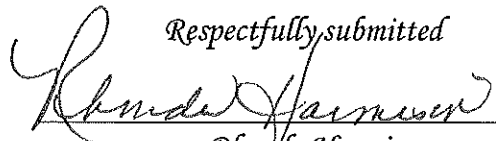
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DECLARATION AND VERIFICATION OF AUTHENTICITY

I, Rhonda S. Harmison, Town Clerk for the Town of Rising Sun, Maryland, do hereby 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 28th day of April 2010.

Respectfully submitted

Rhonda Harmison
Town Clerk

CERTIFICATE & TOWN SEAL

(STATE OF MARYLAND)

(COUNTY OF CECIL)

(TOWN OF RISING SUN)