

TOWN OF RISING SUN
MAYOR & COMMISSIONERS TOWN BUSINESS
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 third floor of Town Hall Tuesday January 22, 2013. For the record the meeting place and time were duly posted as required.

MEMBERS IN ATTENDANCE Mayor Robert A. Fisher, Commissioner Stephen Naughton, Commissioner Travis Marion, Commissioner Charles Berkowich and Commissioner Joanne Osborne.

MEMBERS ABSENT: None

STAFF/CONSULTANTS PRESENT –Town Administrator Calvin A. Bonenberger Jr.

Town Clerk Rhonda Harmison

GUESTS: See Attached List

MEETING OPENING – The meeting was called to order at 7:00 PM followed by the pledge of allegiance and a moment of silence.

APPROVAL OF MEETING MINUTES – Mayor Fisher asked for any corrections to the January 8, 2013 Town Workshop meeting minutes. Motion was made by Commissioner Naughton and seconded by Commissioner Osborne to accept the minutes as written. Motion passed 4-0.

RECORD OF CLOSED MEETING MINUTES – Mayor Fisher asked for the report of Executive Sessions. Calvin Bonenberger read into the minutes the Executive Sessions.

December 11, 2012 Executive Session: on the 2nd floor of Town Hall at 9:45 PM. The Mayor and all Commissioners were present with the exception of Commissioner Berkowich. The reason for the meeting was in accordance to the Maryland Open Meetings Act, Title 10. Governmental procedures, Subtitle 5 to discuss (1) the appointment, employment, assignment, promotion, discipline,

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demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or any other personnel matter that affects one or more specific individuals also item (8) to consult with staff, consultants or other individuals about pending or potential litigation. Topics discussed were personnel issues. Motion was made by Commissioner Osborne and seconded by Commissioner Marion to open the meeting. Motion passed 3-0. Motion was made by Commissioner Osborne and seconded by Commissioner Marion to enter the executive session. Motion passed 3-0. Motion was made by Commissioner Naughton and seconded by Commissioner Osborne to seal the minutes. Motion passed 3-0. Motion was made by Commissioner Naughton and seconded by Commissioner Marion to adjourn the meeting. Meeting adjourned at 10:15 PM.

December 18, 2012 Executive Ethics Board Meeting: on the 2nd floor of Town Hall at 5:30 PM. Motion to hold an executive session was made by Chip Slaybaugh and seconded by Dan Foxx. All Ethic members were present with the exception of Jim Jones. The reason for the meeting was to consult with counsel to obtain legal advice. Topics discussed were to review finance reporting forms and Campaign financing reporting forms. Persons present were Town Attorney Jay Gullo, Town Administrator Calvin Bonenberger. Actions taken; a motion made by Chip Slaybaugh and seconded by Dan Foxx to approve Campaign Finance report forms with recommended changes. Motion passed unanimously. Motion made by Chip Slaybaugh and seconded by Dan Foxx to approve financial disclosure forms as amended and discussed. Motion passed unanimously. Motion to adjourn the meeting was made by Chip Slaybaugh and seconded by Dan Foxx. Meeting adjourned at 6:25 PM.

December 18, 2012 Planning Commission Meeting: on the 2nd floor of Town Hall at 6:30 PM. All members were present. The reason for the meeting was to consult with council to obtain legal advice. The purpose of the meeting was to discuss legal guidelines for PBZA case 2012-03. Persons present were Town Attorney Jay Gullo and Town Administrator Calvin Bonenberger. Actions taken; a motion made by Stephen Naughton and seconded by Rebecca Grabarczyk to seal the minutes of the meeting. Motion passed unanimously. Motion made by Stephen Naughton

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and seconded by Rebecca Grabarczyk to exit the executive session. Motion passed unanimously. Meeting adjourned at 6:55 PM.

PRESENTATIONS, ORDINANCES AND RESOLUTIONS –

Year End Financial Report Mr. William Saddler representing the firm Weyrich Cronin & Sorra presented the Town with an overview of the year-end audit financial with highlights outlined below.

Town Liabilities; The Town exceeded its liabilities by \$6,898,557 (net assets). Of this amount, \$1,536,803 may be used to meet the Town's ongoing obligations to citizens and creditors.

Governmental General Fund; net assets of governmental activities increased \$82,368 from the previous year, while the net assets from business activities decreased \$20,640, with an ending balance of \$270,447 of which \$257,894 is unassigned and available for spending at the Town's discretion.

Mr. Saddler opened the floor for questions, Mayor Fisher asked about a line item in the audit and received the answer that it was an interest loan payment for the new sewer plant and will be reimbursed. With no more questions Mayor Fisher called for a motion. Commissioner Osborne motioned and was seconded by Commission Naughton to accept the year-end audit. Motion passed 4-0.

Mayors Report – Mayor Fisher reported on the following;

Decisions made in executive sessions made public; that he wants all decisions made in executive session to be publicly disclosed. Mr. Bonenberger responded to the request, stating that it could be counterproductive.

December 11, 2012 Executive Session; asking the Board to provide a full disclosure regarding any decisions that were made at the December 11, 2012 Executive Session.

Time limit for speaking during public comment; motioned to discuss a time limitation for the public comment portion of the meetings. Commissioner

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Berkowich stated that the time limit of ten minutes should remain until the Board can formally make a decision. Commissioner Naughton responded stating that the matter can be discussed at another time and possibly a compromise reached. Motion was made by Commissioner Berkowich and seconded by Commissioner Marion to table the discussion until time can be allotted. Motion passed 4-0.

Staff Reports – Mr. Bonenberger reported on the following:

Weather Alert; informing everyone, we could possibly be getting a snow storm and as in the past we will be updating the status of the storm on the Town's website.

Explorer Program Update; the Town's insurance company has raised liability concerns regarding the Explorer Program and recommends a formal adoption. He then suggested guidelines to formally adopt the Explorer Program, reading into the minutes the Town's mission statement.

Big Lots store update; we now have confirmation that they will be locating to the Old Martins store.

Ethics Disclosure Form; clarifying the reason for the disclosure form and reminding everyone that the deadline for filing is February 13th.

Financial Report - Ms. Wagner gave a summary on the year-to-date financial activities of the Town and compared revenues and expenses to budgeted amounts for various funds.

COMMISSIONER BERKOWICH REPORTED ON THE FOLLOWING:

- Explorer Program; reporting that the Explorer Post will be up and running shortly.

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COMMISSIONER MARION REPORTED ON THE FOLLOWING:

- Membership Parks and Recreation Board; anyone who would like to become a member of the Parks and Recreation Board can contact him directly or through the Town's website and the Town's Face-book page.

COMMISSIONER NAUGHTON REPORTED ON THE FOLLOWING:

- Addressing the Mayors request to work together; "the reason we cannot work together is because you, Mayor Fisher have filed a lawsuit that closes the door on us working together".
- Joe Appleby's recognition; stating that the owners of Chrome Dairy would have liked to attend the meeting when Mr. Appleby received his appreciation award, but the Mayor did not allow the time to notify the owners. Mayor Fisher responded, stating that he makes an agenda and then it is changed. Also stating that he has been locked out of Town Hall. Commissioner Osborne clarified and stated that due to the pending lawsuit Mayor Fisher is only locked out of certain areas.
- Ravens appreciation; standing up and showing off his support for the Ravens with his purple attire.

COMMISSIONER OSBORNE REPORTED ON THE FOLLOWING:

- Volunteers for the review of the Town's meeting minutes; thanking the volunteers for their interest and she will be contacting everyone with past years minutes for review of missing Town Ordinances. Mayor Fisher asked Commissioner Osborne to clarify why this is necessary, her response was that in the past Ordinances were not filed properly and we are striving to bring our code up to date.

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- Explorer Program; thanking all involved with their efforts.

OLD BUSINESS. – No Old Business

NEW BUSINESS. – No New Business

CITIZEN'S INPUT –

Tom Mumey; Clarifying the reason why the Town has missing Ordinances.

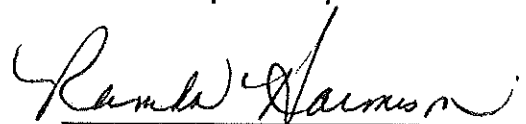
Jeff Aughenbaugh; Encouraging everyone to become involved with local political matters.

Lisa Tome; Asked the Board about the water moratorium in reference to the Old Martins space. Commissioner Osborne clarified that as a whole the shopping center has an allotment shareable throughout the shopping center and will be sufficient for the incoming Big Lots.

Lynn Griffin; Shared her concern about the time limit to speak at Town meetings.

ADJOURNMENT – With no other business before the board, a motion was made by Commissioner Osborne seconded by Commissioner Naughton to adjourn. The meeting adjourned at 8:50 PM.

Respectfully submitted



Rhonda Harmison
Town Clerk