

**TOWN OF RISING SUN  
RESOLUTION 2010-12**

WHEREAS, the Town, located in Cecil County, Maryland is a municipality organized under and governed by Article 23A of the Annotated Code of Maryland; and

WHEREAS, the Town is proclaimed as a perpetual entity with the right to pass laws; and

WHEREAS, the Town of Rising Sun has been placed under a consent decree with the Maryland Department of the Environment; and

WHEREAS, this consent decree includes daily and monthly fines if the Town fails to correct and abate outstanding environmental discharge issues related to its failing wastewater treatment facility; and

WHEREAS, the Town has been named in a \$90,000,000 lawsuit, based upon the plaintiffs claim that he is unable to move forward with an approved residential land development project; and

WHEREAS, these two separate issues are interrelated and share common paths to a successful resolution; and

WHEREAS, the mitigation and a successful conclusion of these issues involves the completion of daily tasks and interactions with multiple parties, federal and state agencies; and

WHEREAS, the window of opportunity to effectuate a successful conclusion of these issues is constrained and narrow; and

WHEREAS, the Mayor and Commissioners deem it necessary to facilitate the efforts of the Town Attorney and Town Administrator to affectively resolve these issues by creating a special Water and Sewer Legal Commission to act as a conduit between the daily activities and the Mayor and Commissioners.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Mayor and Commissioners have appointed Commissioner August Pierson, and Commissioner Thomas S. Mumey to act as this Water and Sewer Legal Commission and shall be charged with providing daily guidance and direction to the Town Attorney and Town Administrator on all issues related to the Construction of the New Wastewater Treatment Facility, Acquisition of a new Water Supply for the Town and mitigation of all legal issues or challenges stemming from the Town's sewer and water issues.

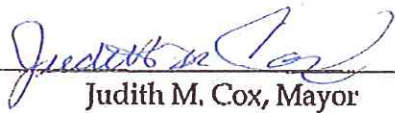
NOW THEREFORE BE IT FURTHER RESOLVED that the Mayor and Commissioners of the Town of Rising Sun passed, approved and adopted this resolution on this 30th day of JUNE, 2010

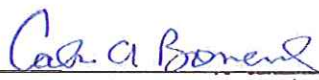
AYES: Majewski, Murney, Pierson.

NAYS: Bowers

THE MAYOR AND COMMISSIONERS  
OF THE TOWN OF RISING SUN

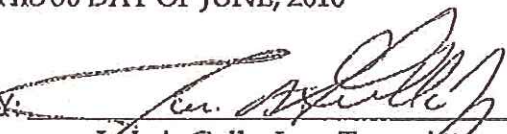
ATTEST:

BY:   
Judith M. Cox, Mayor

  
Calvin A Bonenberger Jr,  
Town Administrator/ Acting Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

THIS 30 DAY OF JUNE, 2010

BY:   
Jack A. Gullo, Jr., - Town Attorney

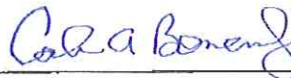
STATE OF MARYLAND)  
COUNTY OF CECIL)  
TOWN OF RISING SUN)

SS:

CERTIFICATE

I, Calvin A Bonenberger, Town Administrator and Interim Town Clerk for the Town of Rising Sun, Maryland, do hereby certify that the above and foregoing Resolution is a true, perfect and complete copy of the Resolution 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 the 30<sup>TH</sup> day of June 2010.



Calvin A Bonenberger Jr,  
Town Administrator/Acting Clerk