

TOWN OF RISING SUN

BOARD OF TOWN COMMISSIONERS

MAYOR
Judith M. Cox

COMMISSIONERS
Mary M. Bedsworth
Clinton E. Bowers
Deborah Craig
Thomas Mumey

TOWN ADMINISTRATOR
Jeffery A. Williams

CLERK-TREASURER
Sandra D. Didra

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February 14, 2006

Present: Judy Cox, Clint Bowers, Mary Bedsworth, Debbie Craig, Tom Mumey

Town Planner: Alex Smith

Guests: See Attached List

The regular meeting of the Mayor and Commissioners of Rising Sun was held on February 14, 2006 at the Town Hall with all members in attendance.. The meeting was called to order at 7:06 PM by Mayor Cox followed by the pledge of allegiance and a moment of silence. Mayor Cox requested that all cell phones be placed on manner mode and advised those in attendance that the meetings were now being tape recorded..

The minutes of the January 24, 2006 meeting was presented. With no additions or corrections a motion for approval was made by Mrs. Craig, seconded by Mr. Bowers and carried.

A public hearing was conducted to hear Annexation Resolution 2006-03, submitted by Stewart Wilson for 2.086 acres of land off of MD Rt. 274, tax map 10 parcels 283 and 756. Mayor Cox addressed Mr. Wilson and requested that the minutes reflect that there was currently no water and sewer available to the property and no water and sewer would be available until such a time as the Knutsen property was developed. Mr. Wilson was asked if he understood and advised that he did. Mr. Bowers also said that the property could not be developed during the water and sewer moratorium.

No persons appeared in opposition of the annexation. Mr. Pierson advised that this application had come before the Board and Planning and Zoning a few months ago and that he was in favor of the annexation. He felt that, while there were no immediate plans for development, Mr. Wilson was doing the right thing by annexing the property since he was surrounded on 3 sides by the Knutsen property.

A motion was made by Mr. Bowers to approve Annexation Resolution 2006-03. The motion was seconded by Mr. Mumey. Mrs. Craig asked Mr. Bowers and Mr. Mumey if they were not concerned about annexing during a moratorium and before the revised Comp Plan is adopted. Mr. Bowers advised that Mr. Wilson was advised of the moratorium and Mr. Mumey advised that the property was located in areas identified in the Comp Plan as areas to be considered for annexation. The motion passed with 4 yeas and 0 nay votes. The annexation will become effective in 45 days.

Resolution 2006-01 was read by Mayor Cox. This is a Resolution to impose a building moratorium on new construction based on the need for additional water supply sources for the Town of Rising Sun. This resolution is being adopted as an emergency measure. A motion for adoption was made by Mr. Bowers, seconded by Mr. Mumey and carried by a vote of 4 yeas and 0 nays.

Resolution 2006-02 was read by Mayor Cox. This is a Resolution to impose a building moratorium on new construction based on the current non-compliance with permit regulation at the Wastewater Treatment Plant for the Town of Rising Sun. This resolution is being adopted as an emergency measure. A motion for adoption was made by Mr. Mumey, seconded by Mr. Bowers and carried by a vote of 4 yeas and 0 nays.

Resolution 2006-03 was read by Mayor Cox. This is a Resolution to authorize the borrowing of funds from MDE, not to exceed 1.35 million dollars, by designated officials responsible for the deposit and withdrawal of such funds and matters generally related thereto. Mr. Bowers advised that in his opinion the Town has no choice but to borrow the money and repair the headworks. If we don't the state could take over the plant. He made a motion to adopt Resolution 2006-03, the motion was seconded by Mr. Mumey. Mrs. Craig questioned if Mr. Bowers intended to use some of the Capital Improvement monies to offset the amount that needed to be borrowed. Mr. Bowers advised that he was planning on using around \$500,000 of the Capital Improvement monies. The motion was carried by a vote of 4 yeas and 0 nays.

Mr. Bowers advise that there was a meeting with MDE, the Town's Engineers and the Town on Friday to discuss the consent order. He explained in detail the workings of the lagoon system as it should be and as it is.

He was questioned as to when construction would start and he advised that according to the engineers, 18 months after they have received the notice to proceed, the headworks should be finished. However, in February 2007, the ammonia issue must be addressed or the Town could be put in non-compliance again. The other alternative is that the State takes over the systems, hires a private firm to run it and then bills the Town.

Mr. Roy Smith addressed the Board concerning his residence at 124 Reynolds. His house was built around 1818. He would like the Town to recognize his property as being historically significant to the Town of Rising Sun. A Resolution to that effect is proposed and the Town Planner is to look into the matter to see if that will meet the needs to allow Mr. Smith to apply for historical restoration grants. A copy of Mr. Smith's letter is attached and made a part of these minutes.

REPORTS:

Mayor - Mayor Cox reported that she had attended the Mayor's conference in Annapolis last week. Along with other Mayors she met with Secretary Flannigan of the State Highway Administration to discuss the Highway User Revenue to local government which is usually one of the first items cut during budget time. She also advised that MACCo is lobbying to change annexation laws to give more power to County government and take power away from municipalities. She read a document produced by the Maryland Municipal League addressing annexations and urged everyone to contact their legislators and lobby not to take the annexation process out of the hands of the municipalities. A copy of the MML publication is attached and made a part of these minutes.

Streets & Sidewalks - Mr. Mumey advised that some sidewalks are cleared and others are still snow covered. He is still working on a solution to the parking situation on Louise. There is a section of the Maryland Code that allows the assigned residential parking. When he has all the facts he will be sending a letter to the residents of Louse Court and getting feedback from them.

Public Safety - Mrs. Bedsworth advised that the police department was upholding the parking rules and issuing parking tickets. They have made a few drug arrests. No problems with the police department or public safety.

Mr. Bowers advised that there was one vehicle that had not been moved at the Pogue garage for the demolition. If it is still there tomorrow, it will be towed at the owner's expenses as a notice had been placed on the windshield advising of the demolition. The Chief is to keep trying to locate the owner.

Mrs. Bedsworth advised that she, Mayor Cox and Commissioner Mumey had met with Nick Cusmano, a financial advisor, who is reviewing the current pension plan and contributions and will get back with the Board with a recommendation. Once he has done this, there will be a meeting of the Board to look at the overall options and decide what is best for the Town and then do a presentation to the employees.

Chief Michael advised that the police had been busy and had made 12 criminal arrests. The officers have attended some "gang" related training and he is still looking for additional training.

Parks & Recreation - Mrs. Craig advised that she and the Mayor had met with Mr. Megee our mowing contractor, who was concerned about the pooling of water on one side of the park to the point that he cannot mow in that area. A check will be made with MDE on Friday to see how the situation can best be addressed.

Mr. Bowers questioned if any Open Space money had been applied for in 2006. Mrs. Craig advised him that it had not because the deadline had been missed. He asked about the skateboard park and she advised that that money would be coming from the State's Parks & Playground Equipment fund. He questioned liability insurance.

Water & Sewer - Mr. Bowers advised he had nothing further to report. He did advise that for anyone who was interested, Chris George has volunteered to take anyone on a tour of the wastewater treatment plant and to answer any questions. The pond is 11 acres and holds 16,000,000 gallons of water. Chris can be reached at 443-206-3668.

Diane Ehrhart reported on the RSHPC. She thanked Tom & Theresa Mumey for all the work they had done of the IRS paper work and announced that they had received their 501(c)(3) status which was dated back to April 1998. She reported on a fund raiser dance in April. Mr. Slaybaugh has donated 24 8 x 10 pictures of the centennial celebration in 1960. She reminded everyone that the 150th celebration would be in 2010, which is not too far away. Mrs. Creeger and Mrs. Finley have volunteered to mat some of the items to be on display at cost. She questioned about a Resolution for the Captain John Smith Voyage in 2007 from the Town of Rising Sun. Mayor Cox advised that one would be presented at the next meeting and that Rising Sun would be sharing in the celebration with Port Deposit and Perryville. She also advised that she had applications for members and a few newsletters available.

UNFINISHED BUSINESS –

Mayor Cox advised that the Personnel Manual should be ready for the Board's review next week. After which it will be sent to the attorney for his review and comments.

It was decided by the Board that interviews for the position of Town Administrator will begin the week of February 27. There will be 2 per day beginning a 3 in the afternoon. E-mails have been sent to those that are qualified for the position.

CITIZEN INPUT –

Richard Harmon addressed the Board advising that there had been a problem last Thursday with the construction workers on one of the Stephens' Homes houses. They were putting shingles on the roof and because of the wind, allowed the paper from the shingles to blow all over the neighborhood. He had contacted the police and they had made contact with the workers who put the trash in a dumpster, which also blew out and around the neighborhood. He picked up 3 bags of trash from along his fence that had blown there from the site. He requested that the police keep a closer eye on the contractor. Mr. Harmon also questioned enforcement of snow removal from sidewalks in Town. Following a lengthy discussion, it was decided to have our mowing contractor Airlie Farms to remove the snow from those sidewalks that have not been cleared in accordance with the current ordinances which say that they Town can hold a lien against the property for the cost of the removal. Property owners will be sent a bill for the amount due.

Mr. Barr asked about hauling the snow away in Valley View Village. Mr. Mumey advised that if the Town removed snow on Louise Crt., they would have to do so all over Town and until taxes are raised there is not enough money in the budget to do so.

Mr. Montgomery questioned the meeting with Planning and Zoning with regard to the streets. He was advised that they Mayor & Commissioners would meet with the P & Z Board on Monday, February 20, 2006 at 7:30 PM at the Town Hall.

He questioned the moratorium issues and was advised that when the Town set down with MDE and the engineer, we would have a better time frame on the moratoriums. Mr. Smith advised that he thought the developers should pay for any upgrades. Chris advised that the I & I problems were being addressed.

Mr. Wilson questioned if walking trails and parts were part of the development for the Knutsen property. He was advised that they were.

With no additional business coming before the Board, a motion for adjournment was made by Mr. Mumey, seconded by Mr. Bowers and carried.

Meeting was adjourned at 9:20 PM

Respectfully submitted

Sandra D. Didra
Secretary