

TOWN OF RISING SUN

BOARD OF TOWN COMMISSIONERS

MAYOR
Judith M. Cox

COMMISSIONERS
Mary M. Bedsworth
Clinton E. Bowers
Deborah Craig
Thomas S. Mume

TOWN ADMINISTRATOR
Jeffery A. Williams

CLERK-TREASURER
Sandra D. Didra

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October 11, 2005

Rising Sun Board of Town Commissioners Minutes

Present: Judith Cox, Mary Bedsworth, Clinton Bowers, Deborah Craig, and Thomas Mume

Guests: See Attached List

The regularly scheduled meeting of the Mayor and Commissioners of the Town of Rising Sun was held on October 11, 2005 at the Rising Sun Town Hall. The meeting was called to order by Mayor Cox at 7:30 PM, followed by the pledge of allegiance.

Mr. Bowers motioned to approve the minutes of the September 27, 2005 meeting. The motion was seconded and carried unanimously.

Pursuant to the State Government Article, Section 10-508, Mayor Cox provided a summary of the executive session held on September 27, 2005. The summary is attached and made part of these minutes.

Reports:

Mayor Cox

Mayor Cox reported that the old water storage tank had been taken down and total removal would be completed within the week.

Mayor Cox informed the Board that a letter was received from Keith Baines expressing interest in the Town Attorney appointment. Mayor Cox recommended appointment of Keith Baines as the Town Attorney. Mrs. Craig motioned to appoint Keith Baines as the Town Attorney. The motion was seconded and carried unanimously.

Mayor Cox informed the Board that Chief Al Michael would be in charge of the committee to update the Hazard Mitigation Plan.

Mayor Cox informed the Board that she has received several responses for the Town Planner position.

Town Administrator Jeff Williams:

Mr. Williams reported on the financial status of the Streetscape project as of August 30, 2005. Mr. Williams provided a report that indicated the water main replacement is \$125,808 under budget and the sewer main replacement is \$270,924 under budget (not including the \$253,762 in grant funds received).

Commissioner Mumey:

Mr. Mumey reported that the paving and sidewalk improvements at Valley View Village would begin in a few weeks. The Town will be meeting with the contractor to coordinate a schedule for the project.

Commissioner Bedsworth:

Ms. Bedsworth reported that she was contacted by a constituent regarding the new police vehicle. The constituent requested that the vehicle remain unmarked.

Mr. Bedsworth has been reviewing retirement option plans for the employees and has obtained information from five firms. Ms. Bedsworth advised the Commission that input will need to be obtained from the employees and a description of the cost to administer the program.

Chief Michael reported that Sgt. Townsley will be starting employment with the Town of Rising Sun on October 24, 2005.

Commissioner Bowers:

Mr. Bowers reported that he has concerns with the existing water capacity and would like to impose a moratorium until the American Legion wells are operational. Mr. Bowers motioned to approve a building moratorium, excluding the Bryan's Grace Subdivision, the Maple Heights Subdivision, and the Maple Heights Apartments project, until the American Legion wells are operational. The motion was seconded by Mr. Mumey. The Commission discussed the Stephen's Preserve and the Wellington Manor projects. Mr. Bowers informed the Commission that these sites would not be issued building permits until the American Legion wells are on line. Mr. Bowers also advised that there may not be water available with the addition of the Legion wells but Ron Thomas would be monitoring the wells on a daily basis and the moratorium may need to be amended at a future date. With no further discussion, the motion carried unanimously.

Mr. Bowers informed the Board that a meeting has been scheduled with the Chester County Water Authority on October 17, 2005. Mr. Bowers would like to discuss the possibility of extending water service from the Chester County Water Authority to the Town of Rising Sun if feasible.

Mr. Bowers informed the Commission that the Town of Rising Sun was notified that a consent order would be issued from the Maryland Department of the Environment in the near future.

Mr. Bowers reported that the Town has been working with the Town Engineer, R, K & K, and the Maryland Department of the Environment to develop a capacity plan for the wastewater treatment plant. The capacity plan has been derived from population projections from the Comprehensive Plan update as prepared by Pete Johnston. The population projections can also be used for the evaluation of water capacity.

Mr. Bowers reported that the paving on Main Street would begin shortly after the milling of the street is complete.

Commissioner Craig:

Mrs. Craig requested input from the community for the development of the "Triangle Park" between Mount and Walnut Streets. Mrs. Craig discussed the existing horse shoe area, the construction of a pavilion, and the addition of trees. Commissioner Craig would like to develop a Concept Plan for the park with the input from the community.

Commissioner Craig informed the Commission that the lights are working at the pavilion in the Rising Sun Town Park and new receptacles will be installed. The Commission discussed the lights at the basketball court. Mr. Mumey raised the issue that the basketball court lights are on after dusk which violates the park rules. Mr. Mumey stated that the ordinance should be changed to allow the lights after dusk or the lights should be removed. Mrs. Craig advised that the decision to use the lights after dusk was made by a previous Board.

Commissioner Craig reported that she is working on some type of fencing to prevent vehicles from accessing the park. There have been several types of fencing discussed including a post and chain fence. Mrs. Craig suggested the use of trees in conjunction with posts along the park. Mrs. Craig also suggested that the fence would need to be along the road for safety reasons. Mr. Mumey felt the fence should be constructed in such a manner to allow additional parking. The Commission discussed the possibility of using the grindings from the streetscape project to add a shoulder and parking to the road. Ron Thomas reminded the Commission that there will need to be an area to allow equipment access. It was suggested that the Town visit Elkton's park to see their post and chain fence.

Historic Preservation Commission:

Diane Ehrhart informed the Commission that two boxes that are stored in the basement have

been cataloged and there are many more boxes to complete. Mrs. Ehrhart distributed membership forms for the Historical Preservation Commission. Dee Emsley presented shirts and tote bags that were prepared for the Commission as a fundraiser. The shirts are \$10 for members and \$14 for non-members.

Unfinished Business:

Mrs. Craig reported that the agendas for the Town meetings have been reformatted. The web site is now fully functional and the web address is risingsunmd.org. Citizens are encouraged to provide input through the web site. The business cards were ordered on October 7, 2005 and should be available within two weeks.

Mrs. Craig requested the status of the Building Permit process that was discussed at the August 22, 2005 Planning and Zoning Commission meeting. Mr. Mumey read the letter from the Planning and Zoning Commission dated August 23, 2005. After a brief discussion, Mr. Mumey motioned to adopt the recommendation from the Planning and Zoning Commission for the building permit process whereby a. The application for a building permit is submitted to the Town Zoning Inspector for review and approval; b. Once approved by the Town, the application is forwarded to the County Office of Permits and Inspections where the actual building permit is issued; and c. Once approved by the County, the permit is returned to the Town of Rising Sun where the Zoning Inspector will sign off for construction authorization. The motion was seconded by Mr. Bowers. During discussion of the motion, Mrs. Craig requested the letter from the Planning and Zoning Commission be re-read for clarification. With no further discussion, the motion carried unanimously.

New Business:

Mrs. Craig informed the Commission that a fire hydrant was used illegally on North Walnut Street during the construction of one of the new houses of the Stephen's Preserve subdivision. Mrs. Craig advised that the use of fire hydrants in Harford County is metered and the user pays for the water. Mr. Mumey advised that the illegal use of fire hydrants is part of the problem with the amount of unaccountable water within the Town. During the discussion, everyone agreed the use of fire hydrants by anyone other than the Town or the fire company should be regulated. Augie Pierson suggested a special wrench that would prevent unauthorized use. Mr. Mumey requested that no action be taken on this issue until the next meeting.

Mayor Cox announced that Terry Wolf would be resigning from the Planning and Zoning Commission within a few months.

Ms. Bedsworth reported that there are fire hydrants located within the sidewalk at several locations around Town. Mr. Mumey suggested that fire hydrant locations be part of the subdivision check list.

Citizen Input:

Ron Jagers voiced his concern with the fencing at the Rising Sun Town Park and how it might affect the Civil War Reenactment. Mr. Jagers also informed the Board that lighting will be needed as well. The Board informed Mr. Jagers that the new fence at the park would not hinder the Civil War Reenactment and some type of lighting would be available.

Augie Pierson voiced his concern with the Town's exploration of additional wells and the future depletion of the Octoraro watershed.

Donald Craig congratulated the Board on the water moratorium but voiced concerns regarding the three violations and the consent order for the wastewater treatment plant. Mr. Craig also wanted to know if there would be a fine associated with the consent order. Mr. Bowers advised that the violations were part of the natural operations (turnover) of the wastewater treatment plant and the Town has had similar violations in the past and this is one of the reasons the Town is planning a new facility. Mr. Bowers also advised that MDE has not indicated whether a fine would be imposed with the consent order. Mr. Mumey added that the Town must demonstrate to MDE that a plan is being developed to meet the new and future standards of the plant.

Jeannine Edwards suggested that the Town consider walking trails or pet walking areas when developing plans for improvements to the parks. Ms. Edwards also stated that the Town shouldn't continue to allow building until the water system is improved.

There was a discussion concerning the building permit process and the role of the Planning and Zoning Commission. Mr. Mumey advised that once the Planning and Zoning Commission approves a final plat, building permits may be approved and issued by the Zoning Inspector. The building permits that are discussed at the Planning and Zoning Commission meetings are a formality since the permits have previously been approved.

Mr. Mumey motioned to adjourn the meeting. The motion was seconded and carried unanimously. The meeting adjourned at 9:10 PM.



Jeffery A. Williams
Secretary, Pro-Tem