

**A RESOLUTION PERTAINING TO APPROVAL OF BUDGET ADJUSTMENT #BA201**

**WHEREAS**, Title 5 of the Code of Public Local Laws of Calvert County, Maryland, being Title 5 of Article 5 of the Code of Public Laws of Maryland (hereinafter, the “Code”), authorizes and empowers the Board of County Commissioners of Calvert County, Maryland (hereinafter, the “Board of County Commissioners”) to adopt the Annual Budget and Appropriation Act each year;

**WHEREAS**, the Board of County Commissioners has the authority pursuant to Section 5-103 of the Code to enact certain budgetary adjustments by Resolution;

**WHEREAS**, the construction costs for the Appeal Landfill Utility Upgrade – Water & Sewer exceed the current amount of budget in the FY2017 capital program;

**WHEREAS**, the Board of County Commissioners has been advised by the Department of Finance and Budget and the County Attorney that funds totaling \$334,439.39 will be provided by Dominion Cove Point, LNG, LP for an additional payment of the Water & Sewer Surcharge;

**WHEREAS**, the Board of County Commissioners has been advised by the Department of Finance and Budget that it desires to utilize these funds for funding the Appeal Landfill Utility Upgrade – Water & Sewer capital project for the Water & Sewer Enterprise Fund;

**WHEREAS**, a public hearing regarding this Budget Adjustment #BA201 was duly advertised in two County newspapers for two consecutive weeks before the public hearing as required by Section 5-103(c) of the Code and held on November 15, 2016, at which time the Board of County Commissioners received public comment; and

**WHEREAS**, upon due consideration of the comments of the public and staff and in furtherance of the public health, safety and welfare, the Board of County Commissioners finds that it is in the best interest of the public health, safety and welfare of the citizens of Calvert County, Maryland to adopt Budget Adjustment #BA201 as set forth in Exhibit “A,” attached hereto and made a part hereof.

**NOW, THEREFORE, BE IT RESOLVED AND ORDAINED**, that the Board of County Commissioners of Calvert County, Maryland, hereby approves and enacts the appropriations and expenditures set forth in Budget Adjustment #BA201 in the amount of \$334,439.39, a copy of which is attached hereto as Exhibit “A” and made a part hereof.

**BE IT FURTHER RESOLVED AND ORDAINED**, by the Board of County Commissioners of Calvert County, Maryland that the Calvert County Capital Improvement Program for FY2017, as amended hereby, shall remain in full force and effect.

**BE IT FURTHER RESOLVED AND ORDAINED**, by the Board of County Commissioners of Calvert County, Maryland, that, in the event any portion of this Resolution is found to be unconstitutional, illegal, null or void, by a court of competent jurisdiction, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Resolution shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the Resolution, or unless deletion of the valid portion would produce a result inconsistent with the purpose and intent of the Board of County Commissioners in enacting this Resolution.

**BE IT FURTHER RESOLVED AND ORDAINED**, by the Board of County Commissioners of Calvert County, Maryland that the foregoing recitals are adopted as if fully rewritten herein.

**BE IT FURTHER RESOLVED AND ORDAINED**, by the Board of County Commissioners of Calvert County, Maryland that this Resolution shall be effective upon recordation without publication of a fair summary.

**DONE**, this 15<sup>th</sup> day of November, 2016, by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

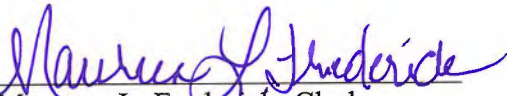
Aye: 5

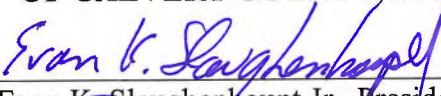
Nay: 0

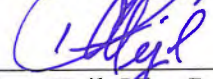
Absent/Abstain: 0

**ATTEST:**

**BOARD OF COUNTY COMMISSIONERS  
OF CALVERT COUNTY, MARYLAND**

  
Maureen L. Frederick, Clerk

  
Evan K. Slaughenhaupt Jr., President

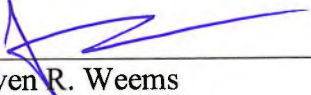
  
Tom Hejl, Vice President

Approved for legal sufficiency by:

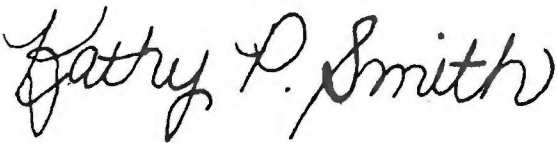
  
Mike Hart

  
John B. Norris, County Attorney

  
Pat Nutter

  
Steven R. Weems

Received for Record... November 16, 2016  
at 10:25 o'clock... A.M. Same day  
recorded in Liber KPS No. 50  
Folio 295... COUNTY COMMISSIONERS  
ORDINANCES AND RESOLUTION.





**COMMISSIONERS OF CALVERT COUNTY, MARYLAND**

FY2017

Fiscal Year Ending June 30, 2017

**BUDGET ADJUSTMENT NO: BA201**

**POSTED BY: Julie Paluda**

**APPROVED BY: \_\_\_\_\_**

**DATE : 11/22/16**

Account Code	Project Code	Department/Explanation	Increase	Decrease	Adjusted Budget
4818-07030	4818-07030	Appeal Landfill Utility Upgrade - Water	\$124,763.79		Developer Contribution
4882-07030	4882-07030	Appeal Landfill Utility Upgrade - Sewer	\$174,675.60		Developer Contribution
000136-05220		Miscellaneous Revenue	\$35,000.00		Miscellaneous Income
4818-45006	4818-45006	Appeal Landfill Utility Upgrade - Water	\$124,785.43		Construction
4882-45006	4882-45006	Appeal Landfill Utility Upgrade - Sewer	\$174,678.15		Construction
061-27515		County Attorney	\$35,000.00		Contracted Services
4818-45005	4818-45005	Appeal Landfill Utility Upgrade - Water		\$21.64	A/E
4882-45005	4882-45005	Appeal Landfill Utility Upgrade - Sewer		\$2.55	A/E
**Increase expenditure and revenue budget to pay the \$331,558 settlement agreement with Snyder Construction, Inc.**					
**Increase expenditure budget for County Attorney to recapture the funds spent for litigation services provided.**					

DK 1065016297