

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY, PROVIDING OFFICIAL INTENT PURSUANT TO TREASURY REGULATION SECTION 1.150-2 IN CONNECTION WITH THE ISSUANCE AND SALE BY COUNTY COMMISSIONERS OF CALVERT COUNTY (THE "COUNTY") OF ONE OR MORE SERIES OF ITS GENERAL OBLIGATION CONSOLIDATED PUBLIC IMPROVEMENT BONDS OR OTHER DEBT OBLIGATIONS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$42,544,419 FOR THE PURPOSE OF FINANCING VARIOUS CAPITAL PROJECTS LOCATED OR TO BE LOCATED IN THE COUNTY.**

**RECITALS**

**WHEREAS**, the County Commissioners of Calvert County, a body politic and corporate and a political subdivision of the State of Maryland (the "County"), intends to issue bonds or other debt obligations to finance the Project Costs (hereinafter defined) of certain projects described herein (as hereinafter defined, the "Capital Projects"); and

**WHEREAS**, the U.S. Treasury Department issued Treasury Regulation Section 1.150-2 governing the use of the proceeds of tax-exempt bonds or other debt obligations for the purpose of reimbursing expenditures paid prior to the issuance of such bonds or obligations and requiring, among other things, the declaration of an official intent to reimburse; and

**WHEREAS**, U.S. Treasury Income Tax Regulation Section 1.150-2 requires that, in order to assure the eligibility of expenditures made with respect to the Capital Projects for reimbursement with the proceeds of tax-exempt obligations, the County generally must adopt a declaration of official intent in compliance with such regulation either before, or within 60 days after, payment of the expenditure, and further generally require that any reimbursement from the proceeds of such tax-exempt obligations for any Capital Project expense that is properly depreciable or amortizable or is otherwise treated as a capital expenditure for purposes of the Code, occur not later than eighteen (18) months after the later of: the date the expenditure was paid; or the date the property acquired with the expenditure was placed into service, except that any such reimbursement must be made not later than three (3) years after such expenditure was paid; and

**WHEREAS**, the County proposes to make certain capital expenditures in connection with the acquisition, design, construction, expansion and/or renovation and equipping of various capital projects, including the education projects, public facilities projects, recreation and natural resources projects, public works/transportation projects, public safety projects and public works/utilities projects described on Exhibit A attached hereto and made a part hereof, and other projects presently included in, or later appended to, the approved Calvert County, Maryland Capital Improvement Program and related issuance costs (collectively, the "Capital Projects"); and

**WHEREAS**, the County intends to issue general obligation consolidated public improvement bonds or other debt obligations to finance the acquisition, construction, design, renovation, expansion, equipping and installation expenses of the Capital Projects and issuance

costs of bonds or other debt obligations, all constituting capital expenditures (collectively referred to as the "Project Costs") pursuant to the authority granted by certain laws adopted from time to time by the Maryland General Assembly; and

**WHEREAS**, the County reasonably expects that a portion of the Project Costs will be paid by the County prior to the issuance of the bonds or other debt obligations and that certain proceeds of the bonds or other debt obligations will be used to reimburse the County for the Project Costs paid by the County prior to the issuance of the bonds or other debt obligations; and

**WHEREAS**, the County desires to declare its official intent to reimburse the costs of the Capital Projects with the proceeds of the County's bonds or other debt obligations in order to comply with the requirements of U.S. Treasury Income Tax Regulation Section 1.150-2 and thereby to assure the eligibility of expenditures made with respect to the Capital Projects for reimbursement from the proceeds of tax-exempt obligations of the County.

**NOW, THEREFORE, THE COUNTY MAKES THE FOLLOWING DECLARATION OF OFFICIAL INTENT:**

**SECTION 1. BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY**, That the County reasonably expects that: (i) it will issue bonds or other debt obligations to finance all or a portion of the Project Costs; (ii) capital expenditures may be paid or incurred for the Capital Projects prior to the issuance of such bonds or other debt obligations; and (iii) such expenditures will be reimbursed from the proceeds of such bonds or other debt obligations; and

**SECTION 2. BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY**, That the maximum aggregate principal amount of bonds or other debt obligations that the County expects to issue for Project Costs is \$42,544,419; and

**SECTION 3. BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY**, That the County intends that the adoption of this Resolution shall be and constitute an "official intent resolution" within the meaning of Section 1.150-2 of the Income Tax Regulations prescribed by the U.S. Treasury Department; and

**SECTION 4. BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY**, That the provisions of this Resolution are severable, and if any provision, sentence, clause, section or part hereof is held to be illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Resolution would have been passed if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included herein, and if the person or circumstances to which this Resolution or any part hereof is inapplicable had been specifically exempted therefrom; and

SUBJECT: Declaration of Intent of the County to reimburse from bonds or other debt obligations

**SECTION 5. BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY,** That the foregoing recitals are hereby incorporated by reference; and

**SECTION 6. BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY,** That this Resolution shall not discharge, impair or release any contract, obligation, duty, liability or penalty, whatever existing on the date of its enactment; and

**SECTION 7. BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY,** That this Resolution shall be effective upon its adoption, and publication of fair summary, in accordance with applicable law.

**DONE,** this 30<sup>th</sup> day of July, 2024, by the Board of County Commissioners for Calvert County, Maryland, sitting in regular session.

Aye: 5  
Nay: 0  
Absent/Abstain: 0

ATTEST:

**COUNTY COMMISSIONERS OF CALVERT COUNTY**

Katie E. Brittain  
Clerk to the Board of  
County Commissioners  
of Calvert County

Earl F. Hance  
Earl F. Hance, President

Catherine M. Grasso  
Catherine M. Grasso, Vice President

Approved for legal sufficiency by:

Mike Hart  
Mike Hart, County Commissioner

Anna C. Stoveray  
McGuireWoods LLP  
Bond Counsel

Mark C. Cox Sr.  
Mark C. Cox Sr., County Commissioner

Received for Record..... 7/31/24..... 2024  
at..... 1:15..... o'clock..... P..... M. Same day  
recorded in Liber KPS No. .... 74.....  
Folio..... 227..... COUNTY COMMISSIONERS  
ORDINANCES AND RESOLUTION.

Todd Ireland  
Todd Ireland, County Commissioner

Garry P. Smith

SUBJECT: Declaration of Intent of the County  
to reimburse from bonds or other debt obligations

EXHIBIT A

PROJECT LIST

Project	Phase of Project	Amount
ADA Transition Plan	Renovation/Upgrades	\$50,000
Barstow Laydown Yard	Construction	\$100,000
Battle Creek Cypress Swamp Nature Center - Building Renovation	Renovation/Upgrades	\$100,000
Battle Creek Cypress Swamp Nature Center - Exhibit Renovation	Renovation/Upgrades	\$100,000
Bridge and Dam Maintenance Repairs	Renovation/Upgrades	\$290,000
Calvert Pines Senior Center Renovation/Expansion	Re-purpose Space	\$424,803
Career EMS Apparatus	Apparatus	\$232,000
Chesapeake Hills Golf Course - Course and Drainage Improvements	Renovation/Upgrades	\$100,000
County Mailroom Reloc / Annex	Construction	\$300,000
County Paving	Paving	\$7,000,000
Countywide ROW Acquisitions	Acquisition	\$50,000
Dunkirk District Park - Restroom	New Restrooms	\$600,000
Election Board (Expansion)	Re-purpose Space	\$50,000
Emergency Communications - Fire Ground Personnel Accountability System	Apparatus	\$1,513,324
Enterprise System Implementation	Implementation	\$596,000
Fencing & Backstops	All Parks	\$50,000
Flood Mitigation Plan (FMP)	Plan Development	\$25,000
Grinder Pump Replacement	Sewer Main Replacement/Upgrade	\$33,000
Hall Aquatic Center - Roof/HVAC Replacement	HVAC/Roof	\$7,000,000
Hall Aquatic Center - Stormwater Conveyance Repair	Construction	\$250,000
Huntingtown VFD & RS (Company 6) - Replace Ambulance #69	Ambulance	\$444,000
Kings Landing Pool Improvements	Renovation/Upgrades	\$200,000
Maryland NPDES MS4	Construction	\$800,000
New Barstow Convenience Center	Construction	\$1,500,000
New Solid Waste Center Improvements	Construction	\$100,000
Northern Middle School	Construction	\$3,413,800
PF Pump Station Improvements	Construction	\$200,000
Plum Point Middle School	Construction	\$385,220
Prince Frederick Loop Road - NE Seg-Chesapeake BLVD./Fox Run BLVD	Construction	\$750,000

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Project	Phase of Project	Amount
Prince Frederick VRS (Company 4) - Replace Ambulance #49	Ambulance	\$444,000
Prince Frederick WWTP #1 Plant Upgrade	Construction	\$3,000,000
Public Safety System	Implementation	\$50,000
Recycling Materials Storage / Processing Building	Construction	\$1,150,000
Roadway Safety Improvements	Construction	\$400,000
Sewer Collection Rehabilitation	Sewer Main Replacement/Upgrade	\$4,929,199
Sidewalk Program	Construction	\$500,000
Small Water Main Replacements	Water Main Replacement/Upgrade	\$50,000
Solomons WWTP - Septage Receiving Upgrade	Construction	\$3,000,000
St. Leonard VFD & RS (Company 7) - Replace Ambulance #77	Ambulance	\$444,000
Stephen Reid Road	Construction	\$75,000
Storm Drainage Projects	Construction	\$800,000
Stormwater Management Maintenance	Construction	\$100,000
Transfer Station	Re-purpose Space	\$260,000
Transportation Safety Projects	Construction	\$90,000
Warren Drive	Construction	\$75,000
Water Quality Monitoring	Plan Development	\$111,773
Water Station Improvements	Construction	\$100,000
Windy Hill Middle School - HVAC Replacement	HVAC	\$308,300
<b>Total:</b>		<b>\$42,544,419</b>