

A RESOLUTION PERTAINING TO APPROVAL OF BUDGET ADJUSTMENT #BA333

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 Waterline exceed the current amount of budget in the FY2014 capital program;

WHEREAS, the Board of County Commissioners has been advised by the Department of Finance and Budget that funds totaling \$272,000 are available in the Solid Waste Enterprise Fund Appeal Landfill Vehicle Area project 4900 from revenues generated from the 2010 general obligation bond sale and capital connection fees;

WHEREAS, the Board of County Commissioners has been advised by the Department of Finance and Budget that funds totaling \$88,000 are available in the Water and Sewer Enterprise Fund from capital connection revenues generated from users of public sewerage;

WHEREAS, the Board of County Commissioners has been advised by the Department of Finance and Budget that the expenditure of general obligation bond funds from the Appeal Landfill Vehicle Area project for use with the Appeal Landfill Waterline capital project is expressly authorized pursuant to the provisions of Resolution 10-10 that allow the County Commissioners to designate additional projects to be funded with the proceeds of the bond sale;

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 Waterline capital project for Solid Waste;

WHEREAS, the Board of County Commissioners desires to reallocate the appropriations of the capital budget totaling \$360,000 to ensure there are funds available to complete the required construction of the aforementioned project;

WHEREAS, a public hearing regarding this Budget Adjustment #BA333 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 March 11, 2014, 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 #BA333 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 #BA333 in the amount of \$360,000, 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 FY2014, 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.

DONE, this 11th day of March, 2014, by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: 5

Nay: 0

Absent/Abstain: 0

Received for Record March 12 2014
at 1:09 o'clock P. Same day
recorded in Liber KPS No. 44
100 COUNTY COMMISSIONERS
RESOLUTION.

ATTEST:

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

Maureen L. Frederick
Maureen L. Frederick, Clerk

Pat Nutter
Pat Nutter, President

Steven R. Weems
Steven R. Weems, Vice President

Approved for legal sufficiency on
March 03, 2014 by:

Gerald W. Clark
Gerald W. Clark

Cheryl O'Donnell Guth
Cheryl O'Donnell Guth, Bond Counsel

Susan Shaw
Susan Shaw

Evan K. Slaughenhoupt Jr.
Evan K. Slaughenhoupt Jr.

COMMISSIONERS OF CALVERT COUNTY, MARYLAND

FY2014

Fiscal Year Ending June 30, 2014

BUDGET ADJUSTMENT NO: BA333

POSTED BY: Julie Paluda

APPROVED BY: _____

DATE : 02/06/14

Account Code	Project Code	Department/Explanation	Increase	Decrease	Adjusted Budget
4900-45006	4900-45006	Appeal Landfill		\$360,000.00	Construction
4900-45114	4900-45114	Appeal Landfill	\$ 360,000.00		Waterline

**Reclass expenditure budget from construction to waterline extension needed because the engineer's estimate is higher than the budget originally established

for this project. See memo and resolution for public hearing, dated 3/11/14, for this budget adjustment.**