

**A RESOLUTION PERTAINING TO APPROVAL OF BUDGET ADJUSTMENT #BA180**

**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 County collects a grant from the Program Open Space Land Acquisition Fund, along with additional funding that will be reallocated from the County Administration Building Project, with the intent of providing for the purchase of several parcels of property on Fairground Road in Prince Frederick, MD for a potential site of a Recreational Facility;

**WHEREAS**, the Board of County Commissioners has been advised by the Department of Finance and Budget that the Program Open Space Land Acquisition fund has \$500,000 available for use in land acquisition for recreational purposes;

**WHEREAS**, the Board of County Commissioners has been advised by the Department of Finance and Budget that the County Administration Building Project budget of \$3,500,000, of which \$1,300,000 will not be needed in Fiscal 2018 due to project phasing;

**WHEREAS**, the Board of County Commissioners has been advised by the Department of Finance and Budget that it desires to use these funds to purchase several parcels of land to complete a community center/recreational facility in the Price Frederick Town Center as has been discussed since the adoption of the 1997 comprehensive plan. The BOCC entered into an option agreement with the owners of several parcels of property on July 25<sup>th</sup>, 2017: 110 Fairground Road, Prince Frederick, MD, 20678; 30 Fairground RD, Prince Frederick MD, 20678; 76 Rawlings Road, Prince Frederick MD 20678; 72 Rawlings Road, Prince Frederick, MD 20678 (collectively, the “Property”);

**WHEREAS**, the Board of County Commissioners desires to increase the capital budget to ensure there are funds available to complete the acquisition of the Property;

**WHEREAS**, a public hearing regarding this Budget Adjustment #BA180 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 October 31<sup>st</sup> 2017, 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 #BA180 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 #BA180 in the amount of \$1,800,000 a copy of which is attached hereto as Exhibit “A” and made a part hereof, to amend

and append financial resources to the FY2018 capital budget as set forth in Exhibit "A" to complete the property acquisition.

**BE IT FURTHER RESOLVED AND ORDAINED**, by the Board of County Commissioners of Calvert County, Maryland that the Calvert County Capital Improvement Program for FY2018, 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 and publication of a fair summary.

**DONE**, this 14<sup>th</sup> day of November, 2017, by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

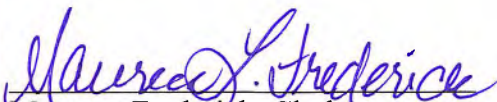
Aye: 5

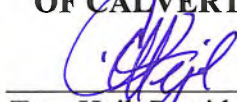
Nay: 0

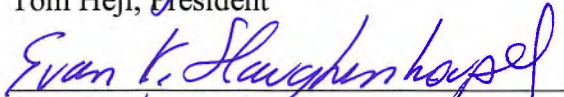
Absent/Abstain: 0

**ATTEST:**

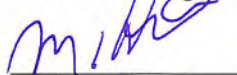
**BOARD OF COUNTY COMMISSIONERS  
OF CALVERT COUNTY, MARYLAND**

  
Maureen Frederick, Clerk

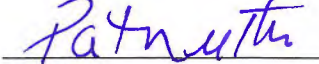
  
Tom Hejl, President

  
Evan K. Slaughenhaupt Jr., Vice President

Approved for form & legal sufficiency  
by:

  
Mike Hart

  
John B. Norris III, County Attorney

  
Pat Nutter

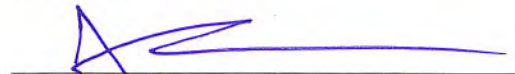
  
Steven R. Weems

EXHIBIT A

BUDGET ADJUSTMENT # 180

POSTED BY \_\_\_\_\_

APPROVED BY \_\_\_\_\_

DATE 10/17/2017

FY18

Fiscal Year Ending June 30, 2018

Account Code	Project Code	Department/Explanation	Account Name	Increase	Decrease	Adjusted Budget
4317-45005	4317-45005	County Administration Bldgs	A&E		\$1,300,000	\$2,200,000
4338-45001	4338-45001	PF Recreational Facility	Land Acquisition	\$1,300,000		\$1,314,780
4317-06055	4317-06055	County Administration Bldgs	GO Bonds		\$1,300,000	\$2,200,000
4338-06055	4338-06055	PF Recreational Facility	GO Bonds	\$1,300,000		\$1,314,780
4338-02705	4338-02705	PF Recreational Facility	POS Funding	\$500,000		\$500,000
4338-45001	4338-45001	PF Recreational Facility	Land Acquisition	\$500,000		\$1,814,780
		*Transfer \$1,300,000 from County Administration Building Project to Property Acquisition for Watson Park and \$500,000 in Program Open Space Revenue				
		JP Needed:	NO			

Received for Record..... 11-15, 2017  
 at 10:00 o'clock..... A M. Same day  
 recorded in Liber KPS No. 53  
 Folio 13 COUNTY COMMISSIONERS  
 ORDINANCES AND RESOLUTION.

*Garry P. Smith*

BR 00053 PG 015