

**A RESOLUTION PERTAINING TO APPROVAL OF BUDGET ADJUSTMENT #BA004**

**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 Board of County Commissioners desires to increase the FY2016 capital budget to ensure there are funds available to complete the acquisition of 901 Dares Beach Road, Prince Frederick, Maryland 20678, commonly referred to as the “SMECO Property”, and closing costs;

**WHEREAS**, the Board of County Commissioners has been advised by the Department of Finance and Budget that it desires to utilize general obligation bond proceeds or other debt obligations to finance the acquisition;

**WHEREAS**, a public hearing regarding this Budget Adjustment #BA004 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 August 4, 2015, 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 #BA004 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 #BA004 in the amount of \$2,615,000, a copy of which is attached hereto as Exhibit “A” and made a part hereof, to amend and append financial resources to the FY2016 capital budget for General Services as set forth in Exhibit “A” to complete the acquisition of the property located at 901 Dares Beach Road, Prince Frederick, Maryland 20678.

**BE IT FURTHER RESOLVED AND ORDAINED**, by the Board of County Commissioners of Calvert County, Maryland that the Calvert County Capital Improvement Program for FY2016, 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

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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 fair notice.

**DONE**, this 4<sup>th</sup> day of August, 2015, 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  
Maureen L. Frederick, Clerk

Steven R. Weems  
Steven R. Weems, President

Evan K. Slaughenhaupt Jr.  
Evan K. Slaughenhaupt Jr., Vice President

Approved for legal sufficiency by:

Mike Hart  
Mike Hart

John B. Norris III  
John B. Norris III, County Attorney

Tom Hejl  
Tom Hejl

Pat Nutter  
Pat Nutter

Received for Record August 5 2015  
at 10:00 o'clock A M. Same day  
recorded in Liber KPS No. 47  
Folio 483 COUNTY COMMISSIONERS  
ORDINANCES AND RESOLUTION.

Garry P. Smith

**COMMISSIONERS OF CALVERT COUNTY, MARYLAND**

**FY2016**

**Fiscal Year Ending June 30, 2016**

**BUDGET ADJUSTMENT NO. BA004**

**POSTED BY Julie Paluda**

**DATE 07/01/15**

| <b>Fund Code</b>   | <b>Project Code</b> | <b>Department/Explanation</b> | <b>Increase</b>                | <b>Decrease</b> | <b>Adjusted Budget</b>   |
|--|---------------------|-------------------------------|--------------------------------|-----------------|--------------------------|
| 4217-06055   | 4217-06055          | SMECO Building                | \$2,615,000                    |                 | General Obligation Bonds |
| 4217-45001   | 4217-45001          | SMECO Building                | \$2,615,000                    |                 | Land Acquisition         |
|  |                     |                               |                                |                 |                          |
|  |                     |                               |                                |                 |                          |
|  |                     |                               |                                |                 |                          |
|  |                     |                               |                                |                 |                          |
| <b>**Budget adjustment to purchase 901 Dares Beach Road, Prince Frederick (SMECO Bldg)**</b> |                     |                               |                                |                 |                          |
|  |                     | <b>CORRESPONDING JP:</b>      | <b>JP12xxx, DATED 07/01/15</b> |                 |                          |
| <b>Estimated Costs:</b>  |                     |                               |                                |                 |                          |
| Good Faith Deposit   |                     | \$26,000                      |                                |                 |                          |
| Remainder of Purchase  |                     | \$2,574,000                   |                                |                 |                          |
| Settlement fee   |                     | \$295                         |                                |                 |                          |
| Title Search   |                     | \$750                         |                                |                 |                          |
| Title insurance  |                     | \$9,150                       |                                |                 |                          |
| Property survey  |                     | \$2,000                       |                                |                 |                          |
| Other costs or overrages   |                     | \$2,805                       |                                |                 |                          |
| <b>TOTAL</b>   |                     | <b>\$2,615,000</b>            |                                |                 |                          |

07/01/15 14:00:00