

A RESOLUTION PERTAINING TO APPROVAL OF BUDGET ADJUSTMENT #BA274

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; and

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

WHEREAS, the Board of County Commissioners have executed two (2) Memoranda of Agreements with the Maryland Emergency Management Agency pertaining to funding two (2) Hazard Mitigation Grant Programs with the intent of providing the County funding for the purchase of ten (10) properties identified to be at imminent risk of destruction due to cliff erosion; and

WHEREAS, the Board of County Commissioners has been advised by the Department of Finance and Budget that it desires to utilize these funds to complete the site engineering work, develop the Erosion Control Plan, provide a scope of work, required advertising, purchase, demolish and remove ten properties identified in two Memorandum of Agreements with Maryland Emergency Management Agency; and

WHEREAS, the Board of County Commissioners desires to increase the capital budget to ensure there are funds available to complete the property acquisitions and demolition of the ten properties identified in the Memorandums of Agreements with Maryland Emergency Management Agency; and

WHEREAS, a public hearing regarding this Budget Adjustment #BA274 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 January 29, 2013, 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 #BA274 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 #BA274 in the amount of \$5,111,588, a copy of which is attached hereto as Exhibit "A" and made a part hereof, to amend and append financial resources to the FY2013 capital budget for General Services as set forth in Exhibit "A" to complete the property acquisition and demolition of the ten properties identified in the Memorandums of Agreement with Maryland Emergency Management Agency.

BE IT FURTHER RESOLVED AND ORDAINED, by the Board of County Commissioners of Calvert County, Maryland that the Calvert County Capital Improvement Program for FY2013, 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 29th day of January, 2013, by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: 5
Nay: 0
Absent/Abstain: 0

Received for Record January 30 2013
10:55 o'clock A.M. Same day
395 COUNTY COMMISSIONERS
AND RESOLUTION.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF CALVERT COUNTY, MARYLAND

Maureen Frederick
Maureen Frederick, Clerk

Pat Nutter
Pat Nutter, President

Steven R. Weems
Steven R. Weems, Vice-President

Approved for form and legal sufficiency
on January 25, 2013 by:

Gerald W. Clark
Gerald W. Clark

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

Susan Shaw
Susan Shaw

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

COMMISSIONERS OF CALVERT COUNTY, MARYLAND

FY2013

**BUDGET ADJUSTMENT NO. BA274
POSTED BY Julie Paluda
APPROVED BY _____
DATE 01/18/13**

Fiscal Year Ending June 30, 2013

Fund Code	Project Code	Department/Explanation	Increase	Decrease	Adjusted Budget
4106-02010	4106-02010	Cliff Houses	\$ 5,111,588.00		FEMA
4106-45001	4106-45001	Cliff Houses	\$ 4,104,490.00		Land Acquisition
4106-45096	4106-45096	Cliff Houses	\$ 353,640.00		Demolition
4106-45001	4106-45001	Cliff Houses	\$ 201,864.00		Closing Costs
4106-45024	4106-45024	Cliff Houses	\$ 451,594.00		Contingency
** Establish budget for the site engineering work, developing the Erosion Control Plan, provide a scope of work, advertise a request for bid, purchase, demolish, and remove ten (10) properties identified in the Memorandums of Understanding.*					
FEMA GRANT = DR-1875-DR-MD (Project #0022)					
FEMA GRANT = DR-1910-DR-MD (Project #0022)					