

A RESOLUTION PERTAINING TO APPROVAL OF BUDGET ADJUSTMENT #BA002

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 has been advised by the Department of Public Works, Water & Sewerage Division that there is an essential need to encumber funds for the design and construction of the Chesapeake Beach Wastewater Treatment Plant ENR Upgrade capital project within fiscal year 2020;

WHEREAS, the Board of County Commissioners has been advised by the Department of Public Works and Department of Finance and Budget that funds totaling \$465,610.88 are available in the Water and Sewerage Enterprise Fund from sewer capital connections;

WHEREAS, the Board of County Commissioners has been advised by the Department of Public Works and Department of Finance and Budget that it desires to reallocate the appropriations to fund the Chesapeake Beach Wastewater Plant ENR capital project;

WHEREAS, the Board of County Commissioners desires to reallocate the appropriations of the capital budget totaling \$465,610.88 to ensure there are funds available to complete the required engineering and construction of the aforementioned project;

WHEREAS, a public hearing regarding this Budget Adjustment #BA002 was duly advertised in two newspapers of general circulation in Calvert County for two consecutive weeks before the public hearing, as required by Section 5-103(c) of the Code, and held on August 6, 2019, 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 #BA002 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 #BA002 in the amount of \$465,610.88, 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 FY2020, 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 6th day of August 2019, 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**

Karen S. Phelps
Karen Snyder Phelps, Clerk

Thomas E. Hutchins
Thomas E. Hutchins, President

Kelly D. McConkey
Kelly D. McConkey, Vice President

Approved for form and legal sufficiency
by:

Earl F. Hance
Earl F. Hance

John B. Norris
John B. Norris, County Attorney

Mike Hart
Mike Hart

Steven R. Weems
Steven R. Weems

Received for Record August 6, 2019
4:05 o'clock P M. Same day
Recorded in Liber KPS No. 58
Folio 411 COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.

Garry P. Smith

