

**A RESOLUTION FOR THE PURPOSE OF ADOPTING
THE OPERATING AND CAPITAL IMPROVEMENT BUDGETS FOR FISCAL YEAR
2018, SETTING CERTAIN FEES, AND LEVYING TAXES**

Budget Authority

WHEREAS, the 1985 Laws of Maryland, Chapter 725, the 1991 Laws of Maryland, Chapter 225, the 1992 Laws of Maryland, Chapter 22, the 1996 Laws of Maryland, Chapter 49, the 2001 Laws of Maryland, Chapter 237, 2015 Laws of Maryland Chapter 162, together codified as the Code of Public Local Laws of Maryland, Article 5, (Calvert County), Title 5, authorizes and empowers the Board of County Commissioners of Calvert County to adopt a Budget and Appropriations each fiscal year;

Compliance with Budget Procedures

WHEREAS, the Staff Recommended Budget was received in the office of the Board of County Commissioners by March 21, 2017;

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 5, (Calvert County), Section 5-102(b), a public hearing on the County Commissioners' Proposed Budget was duly advertised and conducted on May 23, 2017;

WHEREAS, the Board of County Commissioners of Calvert County received and has considered a County Budget for Fiscal Year 2018 consisting of the current expense (operating) budget, the capital program and capital improvement budget, and the budget message;

Property Tax Authority

WHEREAS, *Tax-Property Article* of the Maryland Annotated Code, Sections 6-202, 6-204, 6-302, 6-306 and 6-308 authorizes and empowers the Board of County Commissioners of Calvert County to levy a property tax and set the property tax rate for each fiscal year;

Authority for a Service Charge for the Semi-Annual Payment of Property Taxes

WHEREAS, the Maryland Department of Assessments and Taxation has approved a service charge of Eleven Hundredths percent, (0.11%), of the amount of tax due at the second installment to cover lost interest income and administrative expenses associated with the semiannual payment for a property owner electing to pay real property taxes under a semiannual payment schedule pursuant to Section 10-204.3 of the *Tax-Property Article* of the Maryland Annotated Code. As a result, the service charge shall be effective at the rate of Eleven Hundredths percent, (0.11%), of the amount of tax due at the second installment;

Income Tax Levy Authority

WHEREAS, pursuant to Section 10-106(a) (iii) of the *Tax-General Article* of the Maryland Annotated Code the Board of County Commissioners of Calvert County shall set, by ordinance or resolution, a County Income Tax equal to at least One Percent, (1%), but not more than Three and Two-Tenth Percent (3.20%) of an individual's Maryland taxable income for the taxable year beginning after December 31, 2001;

Water & Sewer Rate Authority

WHEREAS, the Board of County Commissioners is authorized by Section 9-722(a)(1) of the *Environment Article* of the Maryland Annotated Code to establish a reasonable charge that is not less than the actual cost for connection with a water or sewerage system;

WHEREAS, the Board of County Commissioners is authorized by Section 9-723(a) of the *Environment Article* of the Maryland Annotated Code to establish reasonable rates for water service, and reasonable charges for sewer upkeep and sewer service;

Solid Waste Fee and Tipping Rate Authority

WHEREAS, Section 13-403 of the *Local Government Article* of the Maryland Annotated Code authorizes the Board of County Commissioners of Calvert County, Maryland to provide for the disposal of refuse, garbage, rubbish and other solid waste by acquiring and operating refuse disposal facilities;

WHEREAS, the Board of County Commissioners is authorized by Section 13-403(b)(3) of the *Local Government Article* of the Maryland Annotated Code to establish a reasonable charge set and collect reasonable service charges or fees for the disposal of garbage;

WHEREAS, by said authority the Board of County Commissioners of Calvert County, Maryland may fix and collect reasonable service charges or fees from any owner or tenant in Calvert County for the use of solid waste facilities as enumerated in the Calvert County Comprehensive Solid Waste Management Plan;

WHEREAS, Section IV of the Solid Waste Ordinance of Calvert County (Resolution No. 38-75) provides for the disposal of refuse in a municipal sanitary landfill to be operated in compliance with State law;

WHEREAS, the Board of County Commissioners of Calvert County, Maryland, does operate a municipal sanitary landfill within Calvert County which must meet all local, State and Federal requirements for solid waste disposal; and

WHEREAS, the Board of County Commissioners of Calvert County, Maryland, has amended the previously adopted user fee structure assessed to residential and commercial users of the landfill and to owners of improved real property within the County, which benefit from the availability of such solid waste facilities, in Resolution No. 42-99, adopted November 9, 1999 and recorded November 17, 1999.

Findings

WHEREAS, the revenue required for the implementation of the operating and capital improvements budgets for Fiscal Year 2018 necessitates a County Income Tax Rate at Three Percent (3.0%) of an individual's Maryland taxable income;

WHEREAS, the revenue required for the implementation of the operating and capital improvements budgets for Fiscal Year 2018 necessitates a real property tax rate of Nine Hundred

Fifty-Two Thousandths Dollars (\$0.952) per One Hundred Dollars (\$100.00) on the full cash assessed valuation of real property (with the exception of operating real property of a public utility) located outside the municipal limits of North Beach and Chesapeake Beach;

WHEREAS, the required revenue of the implementation of the said operating and capital improvements budgets for Fiscal Year 2018 necessitates an operating real and personal property of a public utility and a personal property tax rate of Two and 23/100 Dollars (\$2.23) per One Hundred Dollars (\$100.00) of the assessed valuation of property located outside the municipal limits of North Beach and Chesapeake Beach;

WHEREAS, the Board of County Commissioners has considered a tax rate differential for the Towns of Chesapeake Beach and North Beach, pursuant to *Tax-Property Article*, Section 6-306 of the Maryland Annotated Code;

WHEREAS, the revenue required for the implementation of the said operating and capital improvements budgets necessitates a real property tax rate of Six Hundred Sixteen Thousandths Dollars (\$0.616) per One Hundred Dollars (\$100.00) of the full cash assessed valuation of real property (with the exception of operating real property of a public utility) located inside the municipal limits of North Beach and Chesapeake Beach;

WHEREAS, the required revenue of the implementation of the said operating and capital improvements budgets necessitates an operating real and personal property of a public utility and a personal property tax rate of One and 39/100 Dollars (\$1.39) per One Hundred Dollars (\$100.00) of the assessed valuation of property located inside the municipal limits of North Beach and Chesapeake Beach;

WHEREAS, the Board of County Commissioners has found it necessary to set the income and property tax rates as found in this Resolution, with the wish that economic recovery and actions to broaden the tax base may warrant this increase being temporary; as such, these rates shall be re-evaluated annually to determine whether circumstances warrant continuation of the Fiscal Year FY 2017 increases; and

WHEREAS, the Board of County Commissioners of Calvert County believes it to be in the best economic interest of the County and its citizens to fix for Fiscal Year 2018 the County Income and Property Tax rates as set forth herein.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Calvert County, Maryland that there is hereby levied a County Income Tax Rate at Three Percent, (3.0%), of an individual's Maryland taxable income;

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that there is hereby levied a real property tax rate of Nine Hundred Fifty-Two Thousandths Dollars (\$0.952) per One Hundred Dollars (\$100.00) on the full cash assessed valuation of real property (with the exception of operating real property of a public utility) located outside the municipal limits of both North Beach and Chesapeake Beach in the estimated amount of Ten Billion Six Hundred Twenty-Nine Million Four Hundred Seventy-Three Thousand Dollars (\$10,629,473,000).

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that there is hereby levied a real property tax of Six Hundred Sixteen Thousandths Dollars (\$0.616) per One Hundred Dollars (\$100.00) of the full cash assessed valuation of real property (with the exception of operating real property of a public utility) within the municipal limits of North Beach and Chesapeake Beach, in the estimated amount of Two Hundred Forty-Two Million Six Hundred Eighty-Nine Thousand Dollars (\$242,689,000) in the Town of North Beach and Seven Hundred Sixty-Six Million One Hundred Eighty-One Thousand Dollars (\$766,181,000) in the Town of Chesapeake Beach.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that a personal property rate of Two and 23/100 Dollars (\$2.23) per One Hundred Dollars (\$100.00) of the assessed valuation is hereby levied on operating real and operating personal property of a public utility and personal property located outside the municipal limits of both North Beach and Chesapeake Beach in the estimated amount of Three Hundred One Million Dollars (\$301,000,000).

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that a personal property tax rate of One and 39/100 Dollars (\$1.39) per One Hundred Dollars (\$100.00) is hereby levied on the assessed valuation of operating real and operating personal property of a public utility and personal property located within the municipal limits of North Beach and Chesapeake Beach, in the estimated amount of One Million Three Hundred Seventy Thousand Dollars (\$1,370,000) in the Town of North Beach and Nine Million Four Hundred Thousand Dollars (\$9,400,000) in the Town of Chesapeake Beach.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that, notwithstanding the foregoing, every valid Tax Credit agreement and agreement for the Payment In Lieu of Taxes executed by the Board of County Commissioners of Calvert County, Maryland heretofore, shall supersede the tax rates set forth herein and taxes levied hereby for so long as that agreement shall remain valid and effective.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that an interest rate of Four Tenths Percent (0.40%) annual percentage rate (APR) be established for the semi-annual real property tax payment option. This APR plus an administrative fee (Ten Percent (10%) of the APR) equates to a total semi-annual payment service charge rate of Forty-Four Hundredths Percent (0.44%). Therefore, for the three-month period, October 2017 to December 2017, this fee is Eleven Hundredths percent, (0.11%) of the unpaid balance.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that General Fund appropriations for FY 2018 in the amount of Two Hundred Eighty-Two Million Eight Hundred Thousand Five Hundred Thirty-Eight Dollars (\$282,800,538), allocated as set forth in Exhibit 1 and incorporated herein by reference, is adopted and enacted for the County Fiscal Year 2018 beginning July 1, 2017.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that the Capital Improvement appropriations for FY 2018 in the amount of Fifty-Four Million, Six Hundred Ninety-One Thousand Three Hundred Dollars (\$54,691,300), allocated as set

forth in Exhibit 1 attached hereto and incorporated herein by reference, is adopted and enacted for the County Fiscal Year 2018 beginning July 1, 2017.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that the capital program for the fiscal years ending June 30, 2019; June 30, 2020; June 30, 2021; June 30, 2022 and June 30, 2023; is hereby approved as a plan for the continuation of existing and a prospectus of future capital projects as set forth in the Calvert County Capital Improvement Plan, a copy of which is attached hereto as Exhibit 1 and incorporated herein by reference.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that the following rates shall be effective beginning January 1, 2018: the quarterly water base rate (charged per equivalent dwelling unit) shall be Fifty-Five and 51/100 Dollars (\$55.51). The quarterly sewer base rate (charged per equivalent dwelling unit) beginning January 1, 2018 shall be One Hundred Eleven and 35/100 Dollars (\$111.35). The variable rates (charged quarterly per 1,000 gallons) beginning January 1, 2018 shall be Two and 74/100 Dollars (\$2.74) for water and Five and 91/100 Dollars (\$5.91) for sewer. The quarterly base rate for both water and sewer beginning January 1, 2018 shall be One Hundred Sixty-Six and 86/100 Dollars (\$166.86). The flat quarterly sewer rate beginning January 1, 2018 shall be One Hundred Seventy-Six and 36/100 Dollars (\$176.36).

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert that the following rates shall be effective for the County Fiscal Year 2018 beginning July 1, 2017: bulk water shall be Four and 50/100 Dollars (\$4.50) per thousand gallons; holding tank treatment shall be Sixty-Five Dollars (\$65) per One Thousand (1,000) gallons, or fraction thereof; septage and portable toilet waste treatment shall be Sixty-Five Dollars (\$65) per One Thousand (1,000) gallons or fraction thereof; and grease trap waste treatment One Hundred Dollars (\$100) per One Thousand (1,000) gallons or fraction thereof. The following fees, charged per occurrence, shall be effective for the County Fiscal Year 2018 beginning July 1, 2017: Recreational Vehicle (RV) discharge at Ten Dollars (\$10) and the reconnect water service at Thirty-Five Dollars (\$35). The grinder pump maintenance fee effective for the County Fiscal Year 2018 beginning July 1, 2017 shall be Forty-Five Dollars (\$45) per quarter; and the rate for an additional trip, final or meter reread fee shall be Thirty-Five Dollars (\$35) per occurrence effective for the County Fiscal Year 2018 beginning July 1, 2017 and there shall be an additional reconnect water service fee on or after July 1, 2017 of Fifteen Dollars (\$15) for reconnection between the hours of 4:30 p.m. to 8:30 a.m., local prevailing time, holidays and Saturdays and Sundays.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that the solid waste tipping fee shall be Seventy-One and 48/100 Dollars (\$71.48) per ton for residents, and Seventy-Nine and 42/100 Dollars (\$79.42) per ton for commercial and out-of-county customers.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland, that Resolution 42-99 be and is hereby repealed and user fees for the Calvert County solid waste facilities be assessed and levied as follows:

1. For County Fiscal Year 2018 beginning July 1, 2017, a user fee of One Hundred Twenty-Six

Dollars (\$126.00) per dwelling, commercial or industrial unit, as set forth below, shall be billed to each owner of improved real property:

- a. The fee will be levied upon each dwelling, commercial or industrial unit;
 - b. Where more than one unit exists or is constructed upon a lot or parcel is under common ownership, the assessed fee will be based on the number of commercial, industrial or residential units, including, but not limited to, individual stores, or multi-family units, including, without limitation, condominiums and apartments, provided that there shall not be overlapping fees.
2. This fee shall continue until amended in subsequent fiscal years, but, until such amendment, shall automatically increase Two Percent (2%) each fiscal year after County Fiscal Year 2018, then be rounded up to the next dollar each year.
 3. Each solid waste facilities user fee shall be added to the real property tax bill of the owner of the unit and:
 - a. shall be levied and collected from the owner of the property in the same manner as real property taxes;
 - b. shall be a lien against the real property on which it is imposed; and
 - c. shall have the same priority rights and bear the same interest and penalty and, in every respect, be treated as a real property tax.

BE IT FURTHER RESOLVED, by the Board of County Commissioners of Calvert County, Maryland that: this Resolution shall be effective as set forth below; that the Clerk shall cause a Fair Summary to be published; and the Director of Finance & Budget shall give the Comptroller notice of any rate change and the effective date of any rate change on or before July 1, 2017, as prescribed by Section 10-106(b)(2) of the *Tax-General Article* of the Maryland Annotated Code.

DONE, this 6th day of June, 2017, by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: 4
 Nay: 1 - Weems
 Absent/Abstain: 0

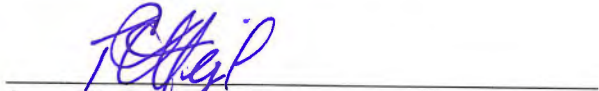
Effective Date of Ordinance:	July 1, 2017
Effective Date of Property Tax & Service Charge:	July 1, 2017
Effective Date of Income Tax Rate:	January 1, 2018
Effective Date of Water and Sewer Base plus Variable Usage Rates	January 1, 2018
Effective Date of new Water and Sewer Fees:	July 1, 2017
Effective Date of Solid Waste Rates:	July 1, 2017

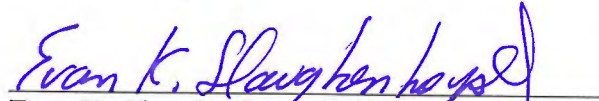
[SIGNATURES ON FOLLOWING PAGE]

ATTEST:

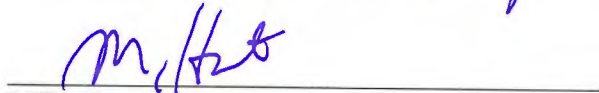
BOARD OF COUNTY COMMISSIONERS
OF CALVERT COUNTY, MARYLAND


Maureen Frederick, Clerk


Tom Hejl, President


Evan K. Slaughenhaupt Jr., Vice-President

Approved for form and legal sufficiency
by:


Mike Hart


John B. Norris, County Attorney


Pat Nutter


Steven R. Weems

Filed for Record... June 6....., 2017
2:40 o'clock..... P..... M. Same day
Recorded in Liber KPS No. 52 ..
folio..... 66..... COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.

