

**A RESOLUTION PERTAINING THE INCORPORATION
OF THE CALVERT SHORES MUNICIPALITY**

WHEREAS, Title 4, Subtitle 2 of the *Local Government Article* of the Maryland Annotated Code, as amended, sets for the procedures for incorporating a new municipality within Maryland;

WHEREAS, the Organizing Committee of Calvert Shores submitted a Petition to form the Calvert Shores Municipality to the Calvert County Board of Elections on November 9, 2015 selecting the alternative method of Petition whereby more than 25% of the registered voters in the proposed municipal boundary support the matter going to referendum;

WHEREAS, a new municipality was proposed in 2000, then called "Rousby Hall," which included the area proposed to be incorporated as Calvert Shores, which organizing committee shared members with the Calvert Shores Organizing Committee, and which petition did not then proceed to referendum;

WHEREAS, the Calvert County Board of Elections advised by "Petition processing Statistics Report" dated January 4, 2016, that 1,731 signatures were accepted, that being, according to the Calvert County Board of Elections, more than 25% of the registered voters within the proposed municipal boundary;

WHEREAS, the staff of the Board of County Commissioners of Calvert County did meet on several occasions with the Organizing Committee of Calvert Shores to answer questions and provide them information regarding governmental processes;

WHEREAS, the Organizing Committee of Calvert Shores submitted to the Board of County Commissioners the "Proposed Charter and Financial-Impact Analysis for the City of Calvert Shores" on April 26, 2016;

WHEREAS, the Board of County Commissioners did reject the petition of the Organizing Committee of Calvert Shores by Resolution 21-16, setting forth the reasons for rejection and an opportunity for a public hearing regarding the rejection;

WHEREAS, a public hearing, duly advertised, was conducted on July 11, 2017, at which time the Board of County Commissioners accepted a report and presentation from staff and 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 reject the Petition for reasons set forth in the record of the July 11, 2017 public hearing, including the staff reports and presentations, and:

- (1) That the concerns regarding the formation of Calvert Shores as a new municipality within Calvert County set forth within Resolution 21-16 have not been adequately addressed and remain valid reasons to reject this petition;
- (2) The likely adverse fiscal effect of the proposed incorporation on residents and businesses within the proposed municipality, businesses and residents in the vicinity of the proposed municipality, and upon the County as a whole, including, without limitation:
 - a. The municipal budgeting based upon a tax differential far in excess of the cost of services being proposed for which the County would no longer be responsible;
 - b. That the Organizing Committee has shown the tax differential as revenue to the municipality reflects a misunderstanding of the purpose and effect of a tax differential allowed under State law, which is a savings to taxpayers in the municipality, not a payment from the County to the municipality;
 - c. Impact upon businesses and persons outside the boundary of the Chesapeake Ranch Estates in paying for infrastructure within that private community;
- (3) The services that the proposed municipality is expected to provide appear lacking in several respects, including, without limitation, the absence of clarity on the provision of public water and sewer within the proposed municipality, and how additional layers of government and taxes will improve the provision of services; and
- (4) The impact that the proposed incorporation is expected to have on property tax rates, including, without limitation, the aforementioned tax differential and that the proposal that the municipality have a debt issuance limit of 20 percent of revenues, as compared to the County's debt issuance guideline of 9.5 percent.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Calvert County, Maryland finds that it is in the best interest of the public health, safety and welfare of the citizens of Calvert County, Maryland to reject the petition to submit to referendum the creation of the Calvert Shores municipality for the reasons set forth herein and within the record, including the staff reports and presentations;

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that the petition to submit to referendum the creation of the Calvert Shores municipality **BE AND IS HEREBY REJECTED**;

BE IT FURTHER RESOLVED 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 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, 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; and

BK 000524288

RE: A Resolution Pertaining the Incorporation of the Calvert Shores Municipality

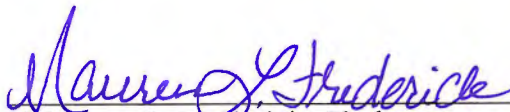
BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland that this Resolution shall be effective upon recordation without publication of a fair summary.

DONE, this 1st day of August 2017 by the Board of County Commissioners of Calvert County, Maryland.

Aye: 4
Nay: 0
Absent/Abstain: 1 - Hart (recused)

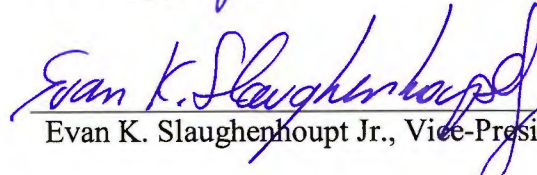
ATTEST:

BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY, MARYLAND


Maureen L. Frederick, Clerk


Tom Hejl, President

Approved for form and legal sufficiency by:


Evan K. Slaughterhoup Jr., Vice-President

Mike Hart


John B. Norris, III, County Attorney


Pat Nutter

Steven R. Weems

Received for Record... 8/2, 20... 17
at... 11:21 ...o'clock... A...M. Same day
recorded in Liber KPS No. 52
Folio... 286 ... COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.

