

**A RESOLUTION PERTAINING TO APPROVAL OF BUDGET ADJUSTMENT #BA238**

**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, Solid Waste Division that there is a need to purchase a replacement heavy duty diesel engine truck with roll-off hoist that is used in Solid Waste operations 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 \$150,000 and \$44,000 are available in the Solid Waste Fund equipment reserve and use of prior year fund balance accounts;

**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 utilize these funds for funding the roll-off dump truck replacement;

**WHEREAS**, a public hearing regarding this Budget Adjustment #BA238 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 December 3, 2020, 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 #BA238 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 #BA238 in the amount of \$194,000, 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 Operating Budget and the Solid Waste Enterprise Fund, 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 this Resolution shall be effective upon recordation and publication of a fair summary.

**DONE**, this 17<sup>th</sup> day of December 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

Kelly D. McConkey  
Kelly D. McConkey, President

Mike Hart  
Mike Hart, Vice President

Approved for form and legal sufficiency  
by:

Earl F. Hance  
Earl F. Hance

John B. Norris  
John B. Norris, County Attorney

Thomas E. Hutchins  
Thomas E. Hutchins

Steven R. Weems  
Steven R. Weems

Received for Record... December 19, 2019  
at... 11:35 o'clock... A M. Same day  
recorded in Liber KPS No. 59  
Folio... 409... COUNTY COMMISSIONERS  
ORDINANCES AND RESOLUTION.

Garry P. Smith

EXHIBIT A

COMMISSIONERS OF CALVERT COUNTY, MARYLAND

FY2020

Fiscal Year Ending June 30, 2020

BUDGET ADJUSTMENT #: BA238

POSTED BY: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_

DATE: 12/17/19

Fund Code	Project Code	Department/Explanation	Increase	Decrease	Adjusted Budget
243-31200		Solid Waste Fund - Automobiles & Trucks	\$ 194,000		
000316-07025		Solid Waste Services - Use of Equipment Reserve	\$ 150,000		
000312-07005		Solid Waste - Use of PY Fund Balance	\$ 44,000		
**Increase budget to cover heavy duty diesel engine truck with roll-off hoist - replacement truck #256*					

BK 0059PG0406