

**APPROPRIATION ORDINANCE**

WHEREAS, the 1979 Laws of Maryland, Chapter 670, the 1982 Laws of Maryland, Chapter 75, and the 1986 Laws of Maryland, Chapter 48, codified as the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Sections 27-1 through 27-11 authorizes and empowers the Board of County Commissioners to adopt the Annual Budget and Appropriation Act by June 1 of each year;

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Section 27-5, the Recommended Budget was filed in the office of the Board of County Commissioners on March 30, 1999, public hearings were held on April 20 and 27, 1999, pursuant to Notice published on April 7 and 14, 1999 in The Enterprise, a newspaper of general circulation published in the county;

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of St. Mary's County, Maryland, that the operating budget for fiscal year 2000 (FY 2000) is hereby adopted as set forth in the St. Mary's County Approved Budget for Fiscal Year 2000, a copy of which is incorporated herein by reference. In accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Section 27-8, transfer of appropriations between general classification of expenditures as outlined in this Ordinance must be authorized by the Board of County Commissioners of St. Mary's County, Maryland;

NOW, THEREFORE, BE IT FURTHER ORDAINED, by the Board of County Commissioners of St. Mary's County, Maryland that the following appropriations and capital improvement program are enacted for St. Mary's County for the fiscal year beginning July 1, 1999 (FY 2000) as follows:

**SECTION 1. OPERATING APPROPRIATIONS**County Departments

County Commissioners/County Administrator	\$ 1,443,002
Office on Aging	\$ 1,233,017
Office of Central Services	\$ 5,846,274
Office of Community Services	\$ 678,171
County Attorney	\$ 366,384
Department of Economic & Community Development	\$ 771,037
Emergency Management Agency	\$ 1,256,098
Department of Finance	\$ 846,133
Marcey Halfway House	\$ 249,616
Management Information Systems Office	\$ 2,355,944
Department of Human Resources	\$ 492,515
Office of Capital Projects	\$ 388,919
Department of Planning and Zoning	\$ 1,822,274
Department of Public Works	\$ 5,773,554
Department of Recreation and Parks	\$ 1,924,052

RECORDING FEE 8.00  
TOTAL 8.00  
RESERVED REPT#990000  
EWA PL BIK#2648  
May 27, 1999 11:31 am

Elected Officials

Circuit Court	\$ 1,087,849
Orphan's Court	\$ 27,620
Office of the Sheriff	\$13,828,412
Office of the State's Attorney	\$ 1,582,402
County Treasurer	\$ 269,380

State Agencies and Independent Government Boards

Department of Health	\$ 820,903
Department of Social Services	\$ 323,882
Alcoholic Beverages Board	\$ 126,372
Supervisors of Elections	\$ 264,973
Cooperative Extension Service	\$ 122,908
Ethics Commission	\$ 11,000



## SUBJECT: FY 2000 ST. MARY'S COUNTY BUDGET

Soil Conservation District	\$ 33,034
Board of Education	\$46,340,317
Community College at St. Mary's	\$ 1,564,805
Board of Library Trustees	\$ 1,276,616
Southern Maryland Higher Education Center	\$ 50,000
Tri-County Council	\$ 94,200
<u>Non-Profit Private Entity Contributions</u>	
Association for Retarded Citizens	\$ 127,050
Catholic Charities	\$ 5,000
Chamber of Commerce	\$ 10,500
Developmental Center	\$ 155,908
Farmers' Markets	\$ 1,000
Historic St. Mary's City Foundation	\$ 10,000
Historical Society of St. Mary's	\$ 12,500
Hospice of St. Mary's	\$ 10,000
Literacy Council	\$ 10,000
Maryland Historical Society	\$ 1,000
Patuxent River Naval Air Museum	\$ 30,000
Navy Alliance <sup>1</sup>	\$ 20,000
Sotterley Mansion Foundation	\$ 50,000
So. Md. Interagency Consortium for Children & Families	\$ 5,300
So. Md. Resource Conservation/Development	\$ 5,200
Three Oaks Center	\$ 35,000
Tri-County Alternatives for Youth	\$ 25,000
Tri-County Community Action	\$ 17,751
Tri-County Youth Services Bureau	\$ 111,990
Walden/Sierra	\$ 207,812
Watermen's Association	\$ 13,000
Women's Center	\$ 66,739
<u>Private Entity Agents of County Government</u>	
Mental Health Authority of St. Mary's	\$ 52,345
<u>Private Entity Emergency Service Providers</u>	
Fire Departments and Rescue Squads	\$ 1,034,689
<u>Other Government Budget Costs</u>	
Environmental Education Program	\$ 23,500
Noxious Weed Control Program	\$ 14,520
Leonardtown - Tax Rebate Grant	\$ 41,409
Substance Abuse Screening Program	\$ 57,820
So. Md. Independent Life Environment	\$ 22,971
Employer Contributions	\$ 360,000
Debt Service	\$ 8,040,429
Capital Projects - General Fund Transfer	\$ 1,582,798
911 Emergency Communications	\$ 2,661,524
Economic Opportunities Program	\$ 300,000
Budgeted Reserve Account - Designated	\$ 191,293
Budgeted Reserve Account - Undesignated	\$ 331,624
TOTAL GENERAL FUND	\$108,917,335

<sup>1</sup> No federal funds are included in this appropriation.



BOOK 0015 PAGE 0703

NO.: 99-07

SUBJECT: FY 2000 ST. MARY'S COUNTY BUDGET

Nursing Center Enterprise Fund	\$ 9,842,445
Recreation and Parks Activities Fund	\$ 1,822,849
Wicomico Shores Municipal Golf Enterprise Fund	\$ 1,143,720
Medical Adult Day Care Special Revenue Fund	\$ 907,545
Special Assessments Fund	\$ 75,298
Miscellaneous Revolving Fund	\$ 90,224

SECTION 2. CAPITAL IMPROVEMENTS FUND APPROPRIATIONS

Public Facilities

Community College, Phase II	\$ 1,255,000
Lexington Park Library	\$ 3,544,104
Public Facilities Master Plan	\$ 85,000
Advanced Life Support (ALS) Expansion	\$ 143,100
St. Andrews Maintenance Facility	\$ 154,103
Commuter Air Service	\$ 725,000
Airport Improvements	\$ 551,941
Building Maintenance and Repairs	\$ 150,000
Roof Replacements - County Facilities	\$ 75,000
Fire and Rescue Revolving Loan Fund	\$ 500,000
Dakota Place Family and Aquatic Center	\$ 4,669,140
Parking/Site Improvements	\$ 147,500
New County Office Building Renovation	\$ 42,600
Tudor Hall Village	\$ 3,000,000
Land Acquisition	\$ 250,000

Land Conservation

Agricultural Preservation Program	\$ 792,500
Purchase of Development Rights Program	\$ 250,000
Rural Legacy Program	\$ 250,000

Marine

Murray Road Revetment	\$ 15,000
Ellis Road Revetment	\$ 13,000
St. Jerome's Creek Southern Prong	\$ 312,000

Highways

Asphalt Overlay	\$ 1,150,000
Surface Treatment	\$ 325,000
Slurry Seal	\$ 180,000
Guardrails and Pavement Markings	\$ 118,000
Removal of Roadside Obstacles	\$ 240,000
Bridge/Culvert Replacement	\$ 50,000
Retrofit Sidewalk Program	\$ 40,000
Transportation Plan Update	\$ 260,000
Flat Iron Road Intersection Improvements	\$ 85,750
FDR Boulevard Extended	\$ 175,000
Indian Bridge Road	\$ 674,000
Mcintosh Road	\$ 130,000
County Mapping	\$ 80,000

## SUBJECT: FY 2000 ST. MARY'S COUNTY BUDGET

Solid Waste

St. Andrews Landfill Closure	\$ 2,344,608
St. Andrews Landfill Area C Expansion	\$ 400,000
Recycling Support	\$ 276,100

Recreation and Facility Development

Margaret Brent Recreation Center Improvements	\$ 10,000
Mechanicsville Day Care Center Improvements	\$ 10,000
Piney Point Lighthouse Museum HVAC	\$ 14,000
St. Clement's Island Museum	\$ 62,000
Carver Ball Field Parking	\$ 25,000

Parks Acquisition and Development

Nicolet Park Expansion	\$ 40,000
Willows Road Park	\$ 816,900
Myrtle Point Park	\$ 50,000
Northern County Park	\$ 450,000
Chancellor's Run Park Improvements	\$ 50,000
Dorsey Park Improvements	\$ 175,000
Neighborhood Parks - Playground Replacement	\$ 80,000
Parks ADA Accessibility Project	\$ 200,000

Public Landings Acquisition and Development

Wicomico Shores Public Landing	\$ 25,000
Piney Point Public Landing	\$ 120,000
Derelect Boat Removal	\$ 30,000

Metropolitan Commission

Patapsco Aquifer	\$ 23,258
Alternative Aquifer Model Simulation	\$ 3,420
Aquifer Model Animation	\$ 15,620

Public Schools

Esperanza Middle Addition/Renovation	\$ 248,000
Leonardtwn High Addition/Renovation	\$19,007,000
Leonardtwn High Relocatable Classrooms	\$ 396,000
Banneker Elementary Addition/Renovation	\$ 460,000
Oakville Elementary Roof Systemic Renovation	\$ 551,000
Leonardtwn Middle Roof Systemic Renovation	\$ 1,109,000
Technology in Maryland (4) Schools	\$ 140,000
Leonardtwn High Local Relocatables	\$ 960,000
ADA Transition Plan	\$ 400,000
Spring Ridge Middle Entrance Modifications	\$ 110,000
Carver Elementary AICUZ Study	\$ 25,000
Asphalt Resurfacing - Various Locations	\$ 65,000

TOTAL CAPITAL IMPROVEMENTS FUND

\$49,124,644



NO.: 99-07

BOOK 0015 PAGE 0005

SUBJECT: FY 2000 ST. MARY'S COUNTY BUDGET

AND BE IT FURTHER ORDAINED, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Section 27-3, that the Capital Program for the fiscal years ending June 30, 2001; June 30, 2002; June 30, 2003; June 30, 2004 and June 30, 2005; is hereby adopted as set forth in the St. Mary's County Approved Budget for Fiscal Year 2000, a copy of which is incorporated herein by reference, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: Randall, Anderson, Guazze, Mattingly, Raley

Those voting Nay: \_\_\_\_\_

Those Absent: \_\_\_\_\_

Adoption Date: May 25, 1999  
Effective Date: July 1, 1999

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazze  
Shelby P. Guazze, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

Mortimer L. Smedley  
Mortimer L. Smedley  
County Administrator

Steven E. Welkos  
Steven E. Welkos  
Director of Finance

APPROVED AS TO FORM AND SUFFICIENCY:

Alfred A. Lacer  
Alfred A. Lacer  
County Attorney



SUBJECT: ORDINANCE FOR LEVYING RATES FOR  
ST. MARY'S COUNTY REVENUE TAXES,  
INCOME TAX RATE,  
FIRE TAX RATE,  
PROPERTY TAX RATE,  
ENERGY AND FUEL TAX RATES, AND  
SPECIAL DISTRICT TAX RATES

BOOK 0015 PAGE 0006

## REVENUE TAX ORDINANCE

### Budget Authority

RECORDING FEE 8.00  
TOTAL 8.00  
Res#3103 Rpt#333333  
EWA PL BIK#2648  
May 27, 1999 11:32 am

WHEREAS, the 1979 Laws of Maryland, Chapter 670, the 1982 Laws of Maryland, Chapter 75, and the 1986 Laws of Maryland, Chapter 48, codified as the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Sections 27-1 through 27-11 authorizes and empowers the Board of County Commissioners to adopt the Annual Budget and Appropriation Act by July 1 of each year;

### Compliance with Budget Procedures

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Section 27-5, the Recommended Budget was filed in the office of the Board of County Commissioners on March 30, 1999, public hearings were held on April 20 and 27, 1999, pursuant to Notice published on April 7 and 14, 1999 in The Enterprise, a newspaper of general circulation published in the county;

### Fire Property Tax Imposition and Authority

WHEREAS, the 1957 Laws of Maryland, Chapter 759, which has been codified as the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Section 49-1, authorizes and directs the Board of County Commissioners of St. Mary's County, Maryland to levy a fire tax of not more than fourteen cents (\$0.14) on every \$100.00 of assessed valuation of all real and personal property in the Election Districts wherein the question of levying said Fire Tax has been submitted to and approved by a referendum of the legally qualified voters;

WHEREAS, In Election Districts 1, 2, 3, 4, 5, 6, 7, 8 and 9, the Fire Tax has been voted upon and approved by the legally qualified voters;

### Property Tax Imposition and Authority

WHEREAS, Tax-Property Article, Sections 6-202, 6-204, 6-302, 6-306 and 6-308 of the Annotated Code of Maryland and the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Section 27-7(C), authorizes and empowers the Board of County Commissioners to levy a property tax rate for each fiscal year;

### Income Tax Imposition and Authority

WHEREAS, the 1992 General Assembly, 1<sup>st</sup> Special Session, amended Section 10-106(a) of the Tax-General Article of the Maryland Annotated Code authorizing each County to set, by ordinance or resolution, a County Income Tax equal to at least 20% but not more than 60%, to be applied to the State Income Tax for an individual,

WHEREAS, Tax-General; Article, §10-106(2) of the Maryland Annotated Code authorizes a county income tax to continue until the county changes the rate by ordinance or resolution;

WHEREAS, the Board of County Commissioners of St. Mary's County believes it to be in the best interest of County citizens to retain the current County Income Tax, as restated by the 1999 Laws of Maryland, Chapter 493, at 2.92% of Maryland taxable income and has incorporated this rate in the final approved budget for the fiscal year ending June 30, 2000.



BOOK 0015 PAGE 0707

SUBJECT: ORDINANCE FOR LEVYING RATES FOR ST. MARY'S COUNTY REVENUE TAXES, INCOME TAX RATE, FIRE TAX RATE, PROPERTY TAX RATE, ENERGY AND FUEL TAX RATES, AND SPECIAL DISTRICT TAX RATES

Energy and Fuel Tax Imposition and Authority

WHEREAS, Article 24, Section 9-604 of the Annotated Code of Maryland authorizes and empowers the Board of County Commissioners of St. Mary's County to impose, by ordinance, and collect a sales and use tax on any form of energy or fuel used or consumed in St. Mary's County;

WHEREAS, the Board of County Commissioners imposed such a sales and use tax on energy or fuel by Ordinance No. 89-13 adopted on May 16, 1989, and repealed and re-enacted by Ordinance No. 90-19 adopted on October 16, 1990, which ordinance has been codified as the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Sections 267-23 through 267-28;

Compliance with Energy and Fuel Tax Rate Levy Procedures

WHEREAS, Article 24, Section 9-604 of the Annotated Code of Maryland provides that the sales and use tax on energy or fuel may not exceed five percent (5%) of the sum of the total amounts billed in the County by all vendors for energy and fuel subject to the tax within classifications separated by energy or fuel during the calendar year that ends before the beginning of each fiscal year divided by the total number of units of energy or fuel subject to the tax within the classifications used or consumed in St. Mary's County during the calendar year that ends before the beginning of each fiscal year; and

WHEREAS, the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Section 267-24 (F) provides that the Board of County Commissioners shall levy the Energy and Fuel tax rates for each fiscal year ensuing after the fiscal year beginning after June 30, 1990, in accordance with the procedures set forth in that sub-section of the ordinance.

Levy of Fire Property Tax Rate

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of St. Mary's County, the Fire Tax is hereby assessed on every \$100.00 of assessed valuation of all real and personal property, effective July 1, 1999, as follows:

Fire Tax Rates:	Election District 1	\$ .09
	Election District 2	\$ .09
	Election District 3	\$ .06
	Election District 4	\$ .11
	Election District 5	\$ .11
	Election District 6	\$ .11
	Election District 7	\$ .11
	Election District 8	\$ .11
	Election District 9	\$ .09;

Levy of Property Tax Rate

NOW, THEREFORE BE IT ORDAINED, by the Board of County Commissioners of St. Mary's County, Maryland that the following property tax rate is enacted for St. Mary's County for fiscal year 2000:

\$2.08 per \$100 of assessed valuation; and the service charge for the optional semiannual payment schedule for State, County and special taxing district property taxes due on owner-occupied residential property is hereby established at 1.8% of the amount of tax due at the second installment;



BOOK 0015 PAGE 0508

NO.: 99-08

SUBJECT: ORDINANCE FOR LEVYING RATES FOR  
ST. MARY'S COUNTY REVENUE TAXES,  
INCOME TAX RATE,  
FIRE TAX RATE,  
PROPERTY TAX RATE,  
ENERGY AND FUEL TAX RATES, AND  
SPECIAL DISTRICT TAX RATES

Levy of Energy and Fuel Tax Rate

NOW, THEREFORE BE IT ORDAINED, by the Board of County Commissioners of St. Mary's County, Maryland that the following energy and fuel tax rates are enacted for St. Mary's County for fiscal year 2000:

Energy Tax Rates: Electricity - \$.00391 per kilowatt-hour.  
Liquefied Petroleum Gas - \$.05039 per gallon.  
Fuel Oil - \$.05090 per gallon.

Levy of Special District Tax Rate

WHEREAS, the Board of County Commissioners of St. Mary's County, Maryland are empowered by virtue of Article 25, Sections 167A through 167E of the Annotated Code of Maryland, to establish, create, repair, and maintain shore erosion control districts;

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, may act as District Council pursuant to authority granted in Article 25, Sections 161-167; in Article 25, Section 167 A-E; and Natural Resources Article Section 8-705 of the Annotated Code of Maryland for the Special Districts created as Shore Erosion, Erosion Control Districts and/or Waterway Improvement Districts;

WHEREAS, the Board of County Commissioners of St. Mary's County, Maryland are empowered under the provisions of the Code of Public Local Laws of Maryland, Article 19 (St. Mary's County) Section 109-2(C) and (D) for St. Mary's County to construct and improve private roads after the approval of a petition of a majority of the property owners whose property benefits from said improvements; and

WHEREAS, the Board of County Commissioners, acting as District Council, shall certify the amount of each assessment to the Treasurer of St. Mary's County, Maryland on or before May 1 of each year hereafter for debt service on the capital construction costs, utilizing a uniform assessment method whereby each property within the District, as defined above, shall pay an equal share;

Tanner Creek Erosion	\$1.64 per \$100 of assessment Tanner Creek waterfront property; \$.94 per \$100 of assessment surrounding owners property.
Breton Bay Shore Erosion	Group A - \$413.97 per year; Group B - \$137.49 per year.
Jefferson Island Erosion	Varying amounts each year, per DNR agreements.
Golden Beach #3 Road & Drainage	\$73.67 per lot.
Tall Timbers Erosion #1	\$115.33 per front lot; \$57.28 per back lot.
Tall Timbers Erosion #2	\$8.85 per front foot.
Duke Drive	\$67.29 per lot.
Southampton Lighting	\$19.76 per lot.
Kline Drive	\$100.48 per lot.
Scott Circle	\$130.76 per lot.
Roof Top Circle	\$237.80 per lot.
Miles Drive	\$270.24 per lot.
Rosebank Village	\$342.65 per lot.
Cloverdale Acres	\$512.75 per lot.
Wicomico Shores	\$228.73 per lot.
Hollywood Shores	\$43.69 per owner.

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland by virtue of Article 25, Section 166(a) of the Annotated Code of Maryland shall appoint the Department of Public Works to conduct annual inspections of the District's improvements and to annually submit a budget for "district maintenance" including inspection, maintenance, repairs, and incidental and overhead expenses, for purposes of maintaining



BOOK 0015 PAGE 0509

NO.: 99-08

SUBJECT: ORDINANCE FOR LEVYING RATES FOR ST. MARY'S COUNTY REVENUE TAXES, INCOME TAX RATE, FIRE TAX RATE, PROPERTY TAX RATE, ENERGY AND FUEL TAX RATES, AND SPECIAL DISTRICT TAX RATES

and repairing the District's improvements; unless an increase is subsequently authorized by law, the annual inspection fee shall not exceed \$200 per year; and this inspection, maintenance, and repair obligation shall continue in perpetuity unless the District is first dissolved;

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners for St. Mary's County, Maryland acting as the District Council by virtue of Article 25, Section 166(b) hereby levies, on each "property" within the boundaries of the Special Districts, the first annual assessment of \$0.4298 cents per \$100 of value for inspection, maintenance, repairs, district overhead, and incidental expenses, as to the Hollywood Shores Shore Erosion Control District.

Those voting Aye: Brundall, Anderson, Guazzo, Mattingly, Raley  
Those voting Nay: \_\_\_\_\_  
Those Absent: \_\_\_\_\_

Adoption Date: May 25, 1999  
Effective Date of Ordinance: July 1, 1999  
Effective Date of Income Tax Rate: January 1, 1999  
Effective Date of Fire Tax Rates: July 1, 1999  
Effective Date of Property Tax Rate: July 1, 1999  
Effective Date of Energy and Fuel Tax Rate: July 1, 1999  
Effective Date of Special District Tax Rate: July 1, 1999

BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

Mortimer L. Smedley  
Mortimer L. Smedley  
County Administrator

Steven E. Welkos  
Steven E. Welkos  
Director of Finance

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:

Alfred A. Lacer  
Alfred A. Lacer  
County Attorney



**RESOLUTION**

WHEREAS, ambulance services in St. Mary's County are provided by volunteer ambulance companies; and,

WHEREAS, in support of these important volunteer services, St. Mary's County has provided funding to the ambulance companies based on a defined formula; and,

WHEREAS, in effort to enhance the ambulance services provided to the citizens of St. Mary's County, the St. Mary's County Ambulance and Rescue Association has requested an amendment to the ambulance company funding formula to provide a \$15.00 per response allowance for response by a utility vehicle to either an Advanced or Basic Life Support call when in lieu of an ambulance response; and,

WHEREAS, the Board of County Commissioners supports this effort to enhance the ambulance services in St. Mary's County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Mary's County, Maryland that the following funding formula for the volunteer ambulance companies in St. Mary's County is hereby adopted and the provision related to the utility vehicle responses shall be effective with the Fiscal Year 2000 Budget.

The Emergency Management Agency shall prepare worksheets each year documenting the funding formula allocation. The worksheets shall be submitted to the Department of Finance by January 31 based on the previous calendar year's statistics for funding in the budget year beginning July 1.

For each volunteer ambulance company, the funding formula allocation is comprised of the following components:

- 1. Base allowance for FY 2000 \$11,000
- Base allowance for FY 2001 \$14,000
- Base allowance for FY 2002 \$17,000
- Base allowance for FY 2003 \$19,000
- Base allowance per annum thereafter \$19,000

RECORDING FEE 8.00  
 TOTAL 11.00  
 RECEIVED BY: [Signature]  
 EMM 21 2000-03  
 May 27 1999 11:00 AM

- 2. Total annual ambulance responses at \$30 each.
- 3. Total utility vehicle responses to either an Advanced or Basic Life Support call when in lieu of an ambulance response at \$15 each.
- 4. Mileage allowance of \$0.30 per mile based on the number of in-County responses and the average miles per in-County response. The average miles per in-County response is as follows:

Leonardtown Volunteer Rescue Squad (Company 19)	10 miles round trip
Mechanicsville Volunteer Rescue Squad (Company 29)	30 miles round trip
Lexington Park Volunteer Rescue Squad (Company 39)	30 miles round trip
Ridge Volunteer Rescue Squad (Company 49)	45 miles round trip
Seventh District Volunteer Rescue Squad (Company 59)	25 miles round trip
Second District Volunteer Fire Department and Rescue Squad (Company 6)	25 miles round trip
Hollywood Volunteer Rescue Squad (Company 79)	15 miles round trip



BOOK 0015 PAGE 0511

NO: 99-11

SUBJECT: AMBULANCE COMPANY FUNDING FORMULA

- 5. Mileage allowance of \$0.30 per mile based on the number of out-of-County responses and the average miles per out-of-County response. The average miles per out-of-County response is as follows:

Leonardtown Volunteer Rescue Squad (Company 19)	150 miles round trip
Mechanicsville Volunteer Rescue Squad (Company 29)	170 miles round trip
Lexington Park Volunteer Rescue Squad (Company 39)	170 miles round trip
Ridge Volunteer Rescue Squad (Company 49)	180 miles round trip
Seventh District Volunteer Rescue Squad (Company 59)	170 miles round trip
Second District Volunteer Fire Department and Rescue Squad (Company 6)	170 miles round trip
Hollywood Volunteer Rescue Squad (Company 79)	155 miles round trip

Those voting Aye: Randall, Anderson, Guazzo, Mattingly, Raley

Those voting Nay: \_\_\_\_\_

Those Absent: \_\_\_\_\_

Date of Adoption: May 25, 1999

Effective Date: July 1, 1999

BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

Mortimer L. Smedley  
Mortimer L. Smedley  
County Administrator

Steven E. Welkos  
Steven E. Welkos  
Director of Finance

APPROVED AS TO FORM AND SUFFICIENCY:

Alfred A. Lacer  
Alfred A. Lacer  
County Attorney



BOOK 0015 PAGE 0012

ORDINANCE

WHEREAS, on June 18, 1992, July 29, 1992, August 26, 1992, February 4, 1993, and June 28, 1994, the St. Mary's County Department of Planning & Zoning held community workshops to discuss the revitalization of Lexington Park;

RECORDING FEE 9.00

WHEREAS, on February 21, 1994, Governor William Donald Schaefer awarded to St. Mary's County a federally-funded Small Cities Community Development Block Grant in the amount of \$725,000, for a revitalization program for the Lexington Park area, which program was to include a redevelopment plan; and

WHEREAS, Comprehensive Plans were adopted in 1988 and 1999, designating the Lexington Park Development District as the county's principal growth area. The 1999 Plan recognizes the importance of the Lexington Park area and its relationship to the Patuxent River Naval Air Warfare Center, and a program for needed revitalization to this area; and

TOTAL 9.00

WHEREAS, on February 22, 1994, the Board of County Commissioners appointed the Lexington Park Planning Task Force, charging them with preparing a comprehensive revitalization plan for the Tulagi Place core area and an overall development plan for the Lexington Park development district; and

WHEREAS, on March 1, 1995 the consulting firm of Environmental Resources Management (ERM) was hired to develop the Lexington Park Tulagi Place Master Plan; and

RECORDING FEE 9.00

WHEREAS, after holding monthly meetings, design workshops, on October 19, 1995, concept plans were presented to the public at an information meeting attended by many residents and task force members; and

EMA PL 31K42640

WHEREAS, the Lexington Park Planning Task Force voted to endorse the concept plan on October 23, 1995; and

May 27, 1999 11:24 am

WHEREAS, following a duly advertised public hearing held on December 11, 1995, the St. Mary's County Planning Commission, on January 29, 1996, voted to forward the plan to the Board of County Commissioners with a recommendation for adoption; and

WHEREAS, after holding work sessions on the plan from June to November 1996, on November 18, 1997, the Board of County Commissioners remanded the plan to the Planning Commission for specific revisions resulting from their 1996 work sessions; and

WHEREAS, on January 12, 1998, following a duly advertised public hearing on the proposed remand changes, the Planning Commission voted unanimously to recommend approval of the plan as modified; and

NOW, THEREFORE, BE IT ORDAINED that, by unanimous vote, the Board of County Commissioners approved the revised Lexington Park Tulagi Place Master Plan recommended by the Planning Commission on April 6, 1999; and

BE IT FURTHER ORDAINED, that the Lexington Park Tulagi-Place Master Plan be, and it hereby is adopted this 25th day of May, 1999.

Effective Date: 4/6/99

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

Attest:

Mortimer L. Smedley  
Mortimer L. Smedley  
County Administrator



BOOK 0015 PAGE 0013

NO: 99-12

SUBJECT: Reappointment of the Health Department as Local Lead Agency (St. Mary's Infants and Toddlers Program)

RESOLUTION

WHEREAS, the St. Mary's County Health Department has been the lead agency in the Multiagency (Board of Education, Department of Social Services, Health Department) Infants and Toddlers Program in St. Mary's County; and

WHEREAS, the Health Department has effectively performed the administrative and service functions in this program in cooperation with the other agencies for a number of years; and

WHEREAS, it is the desire of the local multiagency team to continue this arrangement;

NOW, THEREFORE, BE IT RESOLVED, in consideration of the above, the Board of County Commissioners hereby reappoints the St. Mary's County Health Department as the lead agency for the Infant and Toddlers Program in St. Mary's County as defined in COMAR 01.04.01. It is understood that no local fiscal participation is required.

Adoption Date: 6/22/99

Effective Date: 6/22/99

BOARD OF COUNTY COMMISSIONERS  
ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

Mortimer L. Smedley  
Mortimer L. Smedley  
County Administrator

RECORDING FEE 8.00  
TOTAL 8.00  
Res#3483 Rcrt#999999  
EWA MAR 81x#2564  
Jun 24, 1999 02:07 pm



No: 99-13

Subject: Application for  
Designation of Southern  
Maryland as a Recognized  
Heritage Area

RESOLUTION

RECORDING FEE 8.00  
TOTAL 8.00  
Rest#3483 Rct#1999999  
MAB 811-491  
1999 02:12 Pa

**WHEREAS**, the Board of County Commissioners of St. Mary's County, Maryland reviewed the recently completed application for designation as a Recognized Heritage Area prepared by the Southern Maryland Heritage Partnership;

**WHEREAS**, the Board of County Commissioners of St. Mary's County, Maryland acknowledge the presence of significant natural, cultural, recreational and historical resources and further recognize their importance to the cities and towns of the region, Calvert, Charles and St. Mary's Counties, the State of Maryland, the Potomac and Patuxent Rivers and the Chesapeake Bay Watersheds and the United States of America;

**WHEREAS**, the Board of County Commissioners of St. Mary's County, Maryland believe that these areas, features and values are worthy of conservation and that their managed use will promote resource protection and enhance recreational and economic opportunities within the Southern Maryland region;

**WHEREAS**, the application for designation as a Recognized Heritage Area reflects the visions, ideas and goals of a broad-based group of public officials, private organization representatives, and area residents, and is the product of a cooperative, publicly accessible and open process which has involved a wide range of community involvement through public meetings, workshops, interviews and the outreach activities of the various subcommittees working with the Southern Maryland Heritage Area Steering Committee;

**NOW, THEREFORE BE IT RESOLVED** that the Board of County Commissioners of St. Mary's County, Maryland approves and submits the application for designation as a Recognized Heritage Area to the Maryland Heritage Areas Authority. The Board of County Commissioners of St. Mary's County, Maryland is committed to working with public and private agencies, institutions and organizations to carry this out and do/does hereby recognize the Southern Maryland Heritage Area Partnership and Steering Committee as the body to continue further development of this concept.

**LET IT FURTHER BE KNOWN**, this endorsement by the Board of County Commissioners of St. Mary's County, Maryland does not mean any financial commitment to the Southern Maryland Heritage Area Partnership or Steering Committee. The Southern Maryland Heritage Area Partnership and Steering Committee are hereby encouraged to guide voluntary public and private sector actions to conserve, promote, enhance and improve the quality of life within the region while being sensitive to ecological factors, economic development needs, private property rights and the culture and traditions of town and county residents. The Southern Maryland Heritage Area Partnership and Steering Committee is encouraged to use this document to secure appropriate financial and technical assistance from local, state and federal government agencies, private organizations and individuals in order to cooperatively achieve this vision.

**AND BE IT FURTHER ENACTED**, that this Resolution shall take effect June <sup>29</sup> 22, 1999.

The above and preceding is adopted to have full force and effect of law in St. Mary's.

Those voting aye: Anderson, Guuzzo, Mattingly, Raley

Those voting nay: \_\_\_\_\_

Those abstaining or absent: BRANDALL




Approval Date: 6/29/99

BOOK 0015 PAGE 0015

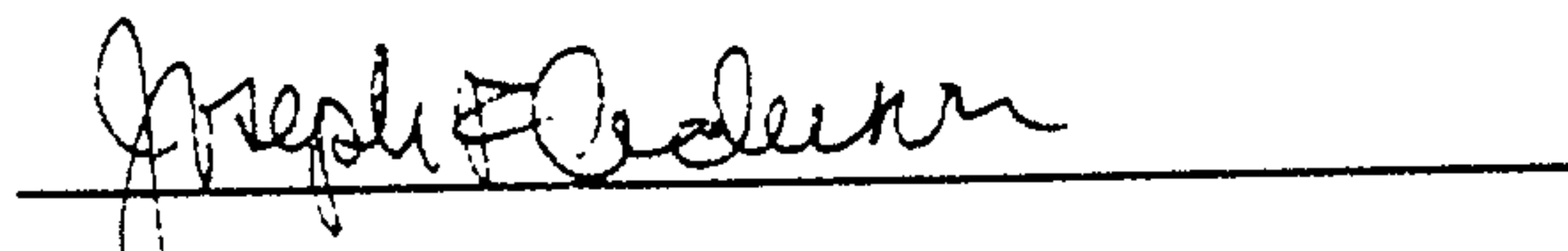
Effective Date: 6/29/99

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

ATTEST:

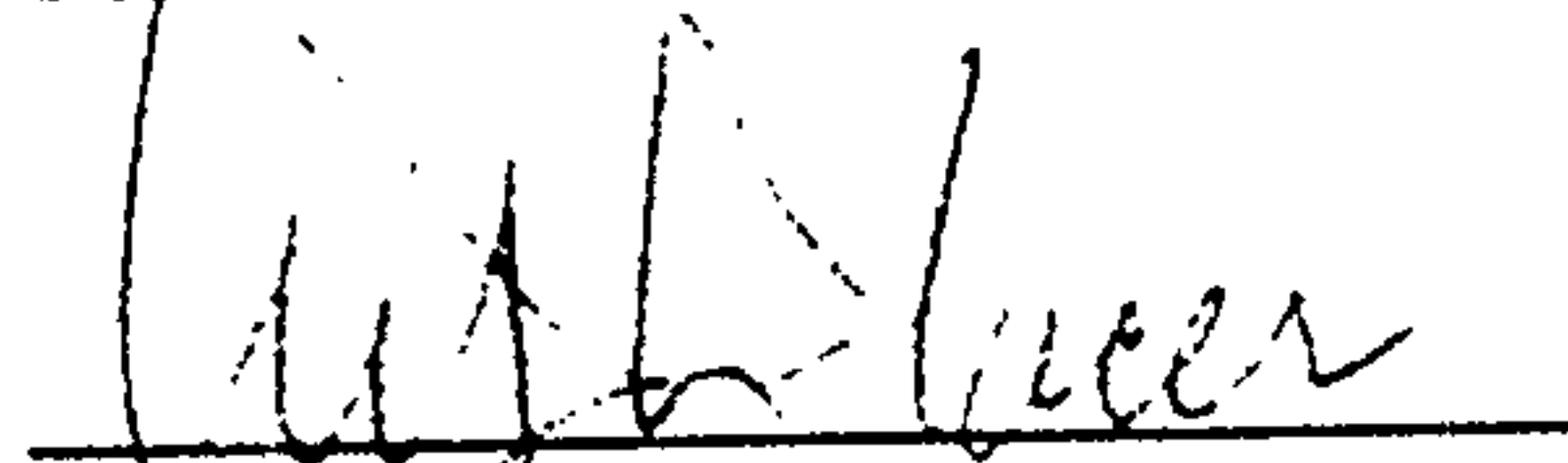
  
MORTIMER L. SMEDLEY,  
County Administrator

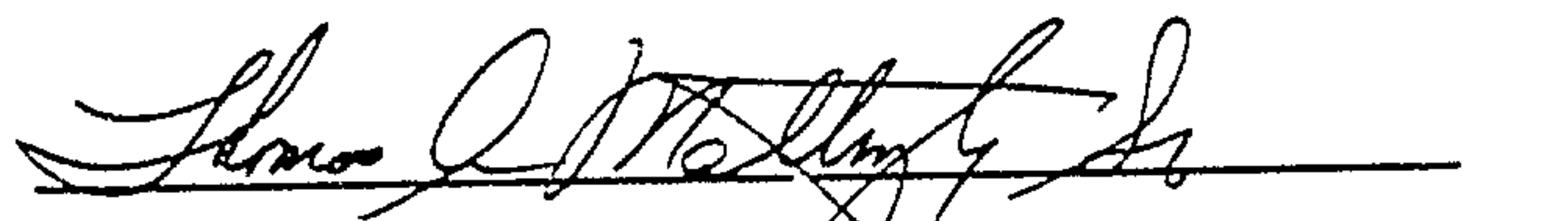
NOT PRESENT  
JULIE B. RANDALL, President

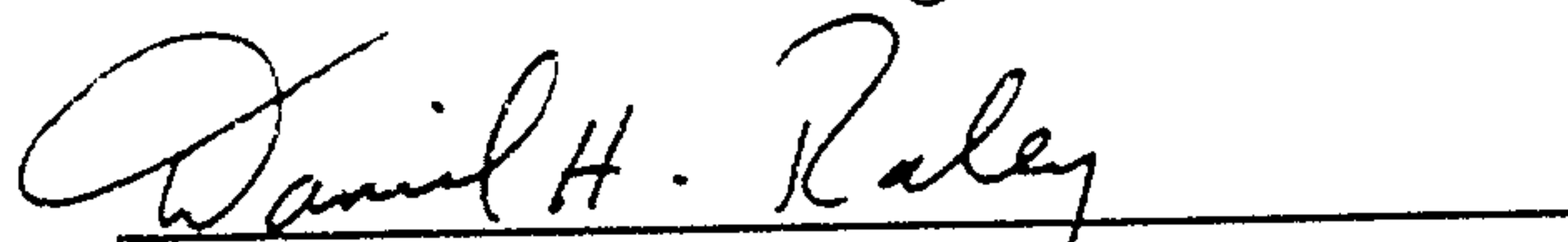
  
JOSEPH F. ANDERSON, Commissioner

  
SHELBY P. GUAZZO, Commissioner

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
ALFRED A. LACER,  
County Attorney

  
THOMAS A. MATTINGLY, SR., Commissioner

  
DANIEL H. RALEY, Commissioner



No: 99-14  
Subject: FY2000 CDBG  
Grant Application -  
Lexington Park  
Family Support and  
Head Start Center

RESOLUTION

WHEREAS, the State of Maryland through the Department of Housing and Community Development has solicited applications from eligible jurisdictions to apply for funding under the Maryland Community Development Block Grant (CDBG) Program; and

WHEREAS, St. Mary's County is eligible to apply for funds from the Maryland CDBG program through the Maryland Department of Housing and Community Development; and

WHEREAS, the Board of County Commissioners for St. Mary's County have held the required public hearing related to the formulation of the St. Mary's County Block Grant Application;

WHEREAS, a serious public need exists concerning a safe and adequate facility for Lexington Park's Family Support and Head Start Center;

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for St. Mary's County authorizes the submittal of an application for Community Development Block Grant funds in the amount of \$800,000 this 29<sup>th</sup> day of June 1999; and

BE IT FURTHER RESOLVED, that Commissioner President Julie B. Randall is authorized and empowered to execute any and all documents required for the submission of the application.

The above and preceding is adopted to have full force and effect of law in St. Mary's.

Those voting aye: Anderson, Guazzo, Mattingly, Raley

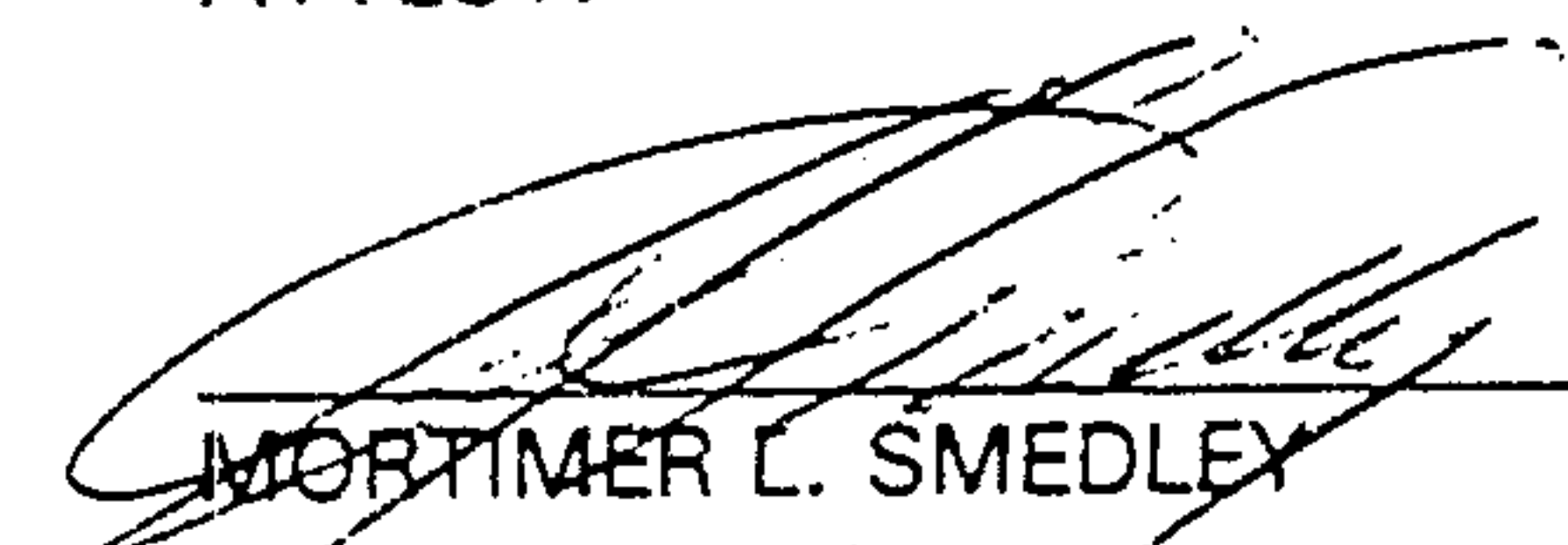
Those voting nay: \_\_\_\_\_

Those abstaining or absent: RANDALL

Approval Date: 6/29/99

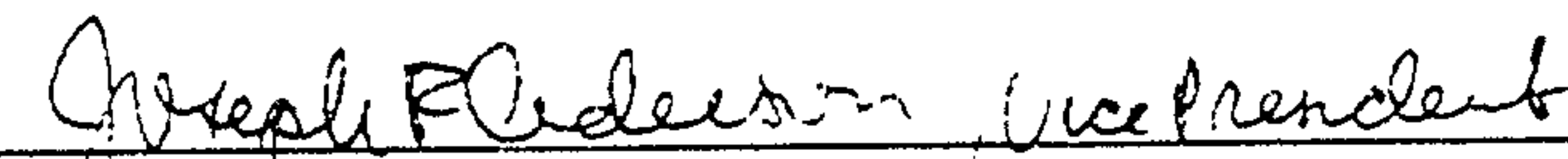
Effective Date: 6/29/99

ATTEST:


  
MORTIMER L. SMEDLEY  
County Administrator

BOARD OF COUNTY COMMISSIONERS  
FOR ST. MARY'S COUNTY, MARYLAND

NOT PRESENT  
JULIE B. RANDALL, PRESIDENT

  
JOSEPH P. ANDERSON, COMMISSIONER

  
SHELBY P. GUAZZO, COMMISSIONER

  
THOMAS A. MATTINGLY, SR., COMMISSIONER

  
DANIEL H. RALEY, COMMISSIONER

RECORDING FEE 0.00  
TOTAL 0.00  
Res#3283 Rcr#4999999  
EWA MAB BIK#91  
Jul 01, 1999 02:13 PM



BOOK 0015 PAGE 0017

No. 99-15  
SUBJ: Adoption of Policy of Equal Accessibility  
and Non-Discrimination on the Basis of  
Disability Policy

RECORDING FEE 0.00  
TOTAL 0.00

Res#3483 Ref#999999  
CHA NB BIK#1326  
Jul 29, 1999 09:27 am

RESOLUTION

WHEREAS, The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990 becoming the first comprehensive civil rights law for people with disabilities, and the adoption of this legislation represented an historical benchmark and milestone in America's commitment to equal opportunity for all its citizens; and

WHEREAS, St. Mary's County Government has demonstrated its commitment in fulfilling the goals of the ADA through the establishment of the Commission for the Disabled and ongoing efforts to improve accessibility to all county services; and

NOW THEREFORE, The Board of St. Mary's County Commissioners, in recognition of the Ninth Anniversary of the passage of the Americans with Disabilities Act, hereby adopts the following Policy of Equal Accessibility and Non-Discrimination on the Basis of Disability:

It is the policy of the St. Mary's County Board of County Commissioners to ensure that, when viewed in their entirety, St. Mary's County government services, programs, facilities, and communications are readily accessible and usable by qualified individuals with disabilities consistent with the standards of the ADA. St. Mary's county government is an equal opportunity employer, and no qualified individual with a disability shall, on the basis of disability, be subjected to discrimination in the employment, recruitment, or hiring practice of St. Mary's County government.


In compliance with the Americans with Disabilities Act of 1990 (ADA), no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of St. Mary's County government, or be subjected to discrimination in the provision of such services.

The St. Mary's County Board of County Commissioners has an ADA Coordinator to ensure the coordination of St. Mary's County's compliance with the ADA, including the investigation of any complaint alleging disability-based discrimination or lack of equal accessibility to county services, programs, or facilities.

For more information regarding St. Mary's County government's policy on equal accessibility and non-discrimination on the basis of disability, contact the ADA Coordinator at (301) 475-4632.


Approved on this \_\_\_ of July, 1999 by St. Mary's County Board of County Commissioners.

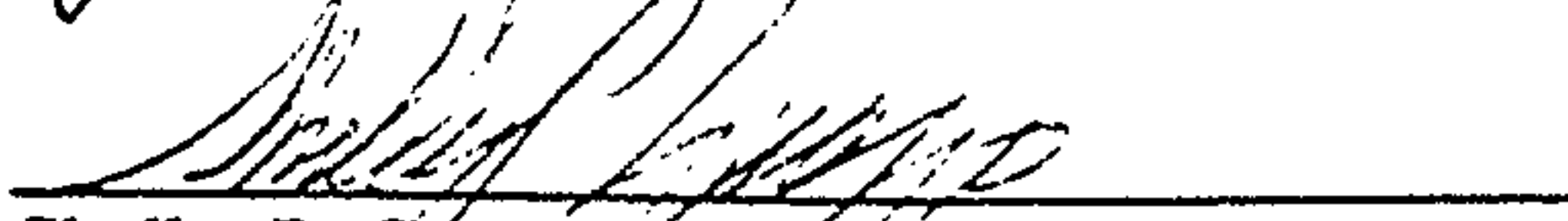
ATTEST:

  
Mortimer L. Smedley, Jr.  
County Administrator

BOARD OF COUNTY COMMISSIONERS  
ST. MARY'S COUNTY, MARYLAND

  
Julie B. Randall, President


  
Joseph F. Anderson, Commissioner

  
Shelby P. Guazzo, Commissioner

  
Thomas A. Mattingly, Sr., Commissioner

  
Daniel H. Raley, Commissioner

APPROVED AS TO FORM:

  
Alfred A. Lacer  
County Attorney



**PURPOSE**

FOR THE PURPOSES of (1) repealing Ordinance No. 86-14 which enacted the Public Accommodation Tax; (2) repealing Ordinance No. 93-30 which suspended the Public Accommodation Tax; (3) repealing Resolution No. 88-19 which imposed a Public Accommodation Tax; (4) enacting a Public Accommodation Tax under new Ordinance; and (5) exempting "Bed and Breakfasts" and/or "Country Inns" from payment of the Public Accommodation Tax.

**ORDINANCE**

RECORDING FEE 0.00  
TOTAL 0.00  
Rest#3403 Rcr#399999

**WHEREAS**, on June 10, 1986, the Board of County Commissioners for St. Mary's County adopted Ordinance No. 86-14, and on July 5, 1988, adopted Resolution No. 88-19, which imposed a Public Accommodation Tax; and

**WHEREAS**, on July 13, 1993, the Board of County Commissioners for St. Mary's County adopted Ordinance No. 93-90, suspending the Public Accommodation Tax enacted by Ordinance No. 86-14 and imposed by Resolution No. 88-19 effective August 1, 1993, until such time that the federal *per diem* rate was revised to be more fair to St. Mary's County in light of the competitive disparity between Calvert County and St. Mary's County public accommodation providers due to the fact Calvert County enjoyed a higher federal *per diem* rate than did St. Mary's County public accommodation providers; and

**WHEREAS**, it was the intention of the Board of County Commissioners for St. Mary's County in suspending the public accommodation tax pursuant to Ordinance No. 93-90 to assist providers of public accommodations in St. Mary's County to be competitive with Calvert County public accommodation providers; and

**WHEREAS**, the Board of County Commissioners for St. Mary's County, held a public hearing on July 6, 1999, pursuant to Article 24, section 9-303(b) of the Annotated Code of Maryland and pursuant to Article 25, section 3(r) of the Annotated Code of Maryland, pursuant to notice published in a local newspaper of general circulation in St. Mary's County, on June 23, 1999, and June 30, 1999, in order to consider (1) repealing Ordinance No. 86-14 which enacted the Public Accommodation Tax; (2) repealing Ordinance No. 93-30 which suspended the Public Accommodation Tax; (3) repealing Resolution No. 88-19 which imposed a Public Accommodation Tax; (4) enacting a Public Accommodation Tax under this new Ordinance; and (5) to exempt "Bed and Breakfasts" and/or "Country Inns" from payment of the Public Accommodation Tax and to hear public comments regarding those matters; and

**WHEREAS**, the Board of County Commissioners for St. Mary's County finds that the competitive disparity between Calvert County and St. Mary's County public accommodation providers has been removed by the revision of the federal *per diem* rate which is more fair to St. Mary's County in accordance with Ordinance No. 93-30; and

**WHEREAS**, the Board of County Commissioners for St. Mary's County finds that in order to maintain clarity and effective implementation of the Public Accommodation Tax that it is necessary to (1) repeal Ordinance Nos. 86-14 and 93-30; (2) repeal Resolution No. 88-19; and (3) enact this Ordinance imposing a Public Accommodation Tax; and

**WHEREAS**, pursuant to Article 24, §§ 9-301 to 9-326 of the Annotated Code of Maryland, as amended, the Board of County Commissioners for St. Mary's County is authorized by the General Assembly to, *inter alia*, impose, by resolution, a tax on a transient charge paid to a hotel located in St. Mary's County (also known as a "public accommodation tax") and to exempt, by resolution, classes of hotels from payment of the tax and to establish necessary regulations to provide for the orderly, systematic and thorough administration of the Public Accommodation Tax; and

**WHEREAS**, the Board of County Commissioners for St. Mary's County imposes this



tax in order to raise revenue for the county to enhance and promote economic development diversity with a priority on tourism, and believe it in the best interest of St. Mary's County to impose a Public Accommodation Tax; and

**WHEREAS**, the Board of County Commissioners for St. Mary's County, pursuant to Article 24, §§ 9-301 to 9-326 of the Annotated Code of Maryland, as amended, wishes to promote tourism and the rural heritage of St. Mary's County by exempting from the Public Accommodation Tax classes of hotels commonly referred to as "Bed and Breakfasts" and/or "Country Inns" as defined by Section 1 below; and

**NOW, THEREFORE, BE IT ORDAINED AND RESOLVED** by the Board of County Commissioners for St. Mary's County that classes of hotels commonly referred to as "Bed and Breakfasts" and/or "Country Inns" as defined by Section 1 below are exempt from payment of the Public Accommodation Tax

**NOW, THEREFORE, BE IT FURTHER ORDAINED** by the Board of County Commissioners for St. Mary's County that Ordinance Nos. 86-14 and 93-30 be and the same are hereby repealed effective August 1, 1999; and

**BE IT FURTHER ORDAINED** by the Board of County Commissioners for St. Mary's County that Resolution No. 88-19 be and the same is hereby repealed effective August 1, 1999; and

**BE IT FURTHER ORDAINED AND RESOLVED** by the Board of County Commissioners for St. Mary's County that this Ordinance enacting a Public Accommodation Tax shall take effect August 1, 1999.

**SECTION 1. DEFINITIONS** -- the following words have the meanings indicated.

- A. "Accommodation Tax" means the tax authorized under this Ordinance.
- B. "Bed and Breakfast" and "Country Inn" means a small owner-operated business, where the owner resides in the business premises, that provides overnight sleeping accommodation to transients for a fee or charge that includes lodging and breakfast. The building or facility where the business is located is a former single family dwelling containing no more than six (6) rooms regularly designated as sleeping quarters.
- C. "Board" means the Board of County Commissioners for St. Mary's County.
- D. "County" means, as the context requires, St. Mary's County.
- E. "Hotel" means an establishment, including an apartment, cottage, hostelry, inn, motel, rooming house, or tourist home that offers sleeping accommodation for compensation to any transient.
- F. "Person" means a natural person, individual, a firm, corporation, partnership, association, or other legal entity.
- G. "Transient" means any person who, for any period not exceeding four (4) consecutive months, obtains sleeping accommodation at any hotel, either at his or her own expense, or at the expense of another.
- H. "Transient Charge" means a hotel charge for sleeping accommodations for a period not exceeding four (4) consecutive months, but does not include any hotel charge for services and accommodations other than sleeping accommodations.



**SECTION 2. Imposition and Rate of Public Accommodation Tax**

- A. The Board hereby imposes an accommodation tax on the amount paid for a transient charge.
- B. The accommodation tax shall be five percent (5%) of the transient charge and shall be effective August 1, 1999.

**SECTION 3. Exemption**

- A. The Board hereby exempts from payment of the accommodation tax any and all bed and breakfasts and/or Country Inns (as defined in section 1 above) located within the geographic boundaries of the County.

**SECTION 4. Payment, Collection, and Return.**

- A. A person shall pay the accommodation tax to the hotel when the person pays the transient charge.
- B. The hotel shall:
  - (1) Give to the person who is required to pay a transient charge a bill that identifies the transient charge as a separate item from any other charge; and
  - (2) Collect the accommodation tax from the person who pays the transient charge.
- C. The hotel shall hold in trust the accommodation tax collected for the County until the hotel pays the tax to the County as required by this Ordinance.
- D. The hotel shall, on the form the County requires, complete, sign, and file an accommodation tax return and remit payment in full to the County on or before the twenty-first (21st) day of each and every month for the preceding month.
- E. The hotel is allowed, for administrative costs, a discount not to exceed one percent (1%) of the gross amount of the accommodations tax collected provided that the hotel, on or before the due date:
  - (1) Files the accommodation tax return; and
  - (2) Pays the accommodation tax.

**SECTION 5. Administration**

- A. The Board may adopt regulations consistent with Title 9 of Article 24 of the Annotated Code of Maryland, as amended, and Title 11 of the Tax-General Article of the Maryland Code Annotated, as amended, to provide for orderly, systematic, and thorough administration of the accommodation tax.
- B. The Board may increase the surety bond that the County requires for its treasurer in order to cover the revenue the treasurer collects from the accommodation tax. The County may treat any additional premium due to the surety bond increase allowed as an accommodation tax administrative cost.
- C. The Board shall distribute the accommodation tax revenue as follows:
  - (1) From the total revenue, a reasonable sum for accommodation tax administrative costs to the general fund of the County;
  - (2) After distribution in section 5(C)(1) above, the revenue attributable to a hotel within the geographic boundaries of Leonardtown shall be distributed to the Leonardtown Commissioners; and
  - (3) The remaining balance to the general fund of the County.



- D. The County shall make the distributions enumerated section 5(C)(1), (2) & (3) above between the fifteenth (15th) and thirtieth (30th) day of each calendar month.

#### **SECTION 6. Procedure**

- A. If a hotel fails to pay the accommodation tax, the hotel shall pay interest at a rate of one half of one percent (0.5%), for each month or fraction of a month, on the unpaid tax from the date on which the hotel is required to pay the tax to the date that the tax is paid.
- B. If a hotel fails to pay the accommodation tax to the County within thirty (30) days after the payment is due the hotel shall pay a tax penalty of ten percent (10%) of the unpaid tax.
- C. The Board may proceed to collect delinquent and unpaid taxes by suit or distraint.
- D. The Board may require a hotel to file security with the County in an amount that the Board determines is necessary in order to protect accommodation tax revenue. The security required shall be:
- (1) A bond issued by a surety company that is:
    - (i) Authorized to do business in the State; and
    - (ii) Approved by the Insurance Commissioner as to solvency and responsibility;
  - (2) Cash; or
  - (3) Securities approved by the Board.
- E. If security is required, the County shall give the hotel notice of the amount of security.
- F. Within five (5) days after a hotel receives notice that security is required, the hotel shall:
- (1) File the security; or
  - (2) Submit a written request for a hearing on the security requirement.
- G. If a hearing is requested, the Board shall hold a hearing to determine the necessity, propriety, and amount of the security. The determination made at the hearing is final, and the hotel shall comply within fifteen (15) days after the hotel receives notice of the determination.
- H. Without notice to the hotel that files security, the Board may at any time:
- (1) Apply the cash to the accommodation tax due; or
  - (2) Sell the security and apply the proceeds to of the sale to the accommodation tax due.

#### **SECTION 7. Effect of Adoption**

The above and preceding is adopted to have full force and effect of law in St. Mary's.

Those voting aye: BANDALL, Anderson, Guazzo, Mattingly, Baley

Those voting nay: \_\_\_\_\_

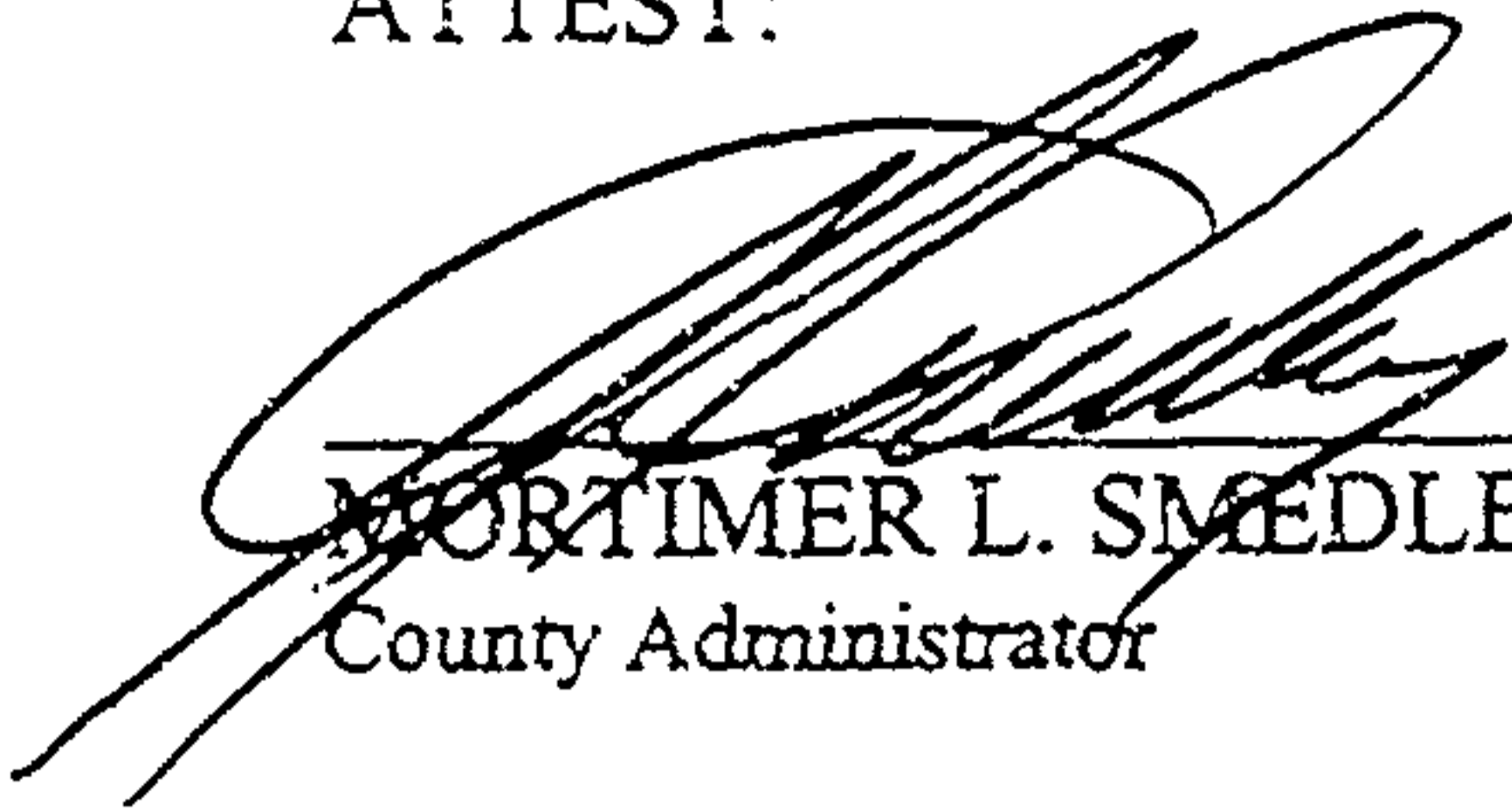
Those abstaining or absent: \_\_\_\_\_

Approval Date: 7/20/99

Effective Date: 8/1/99



ATTEST:

  
MORTIMER L. SMEDLEY,  
County Administrator


BOARD OF COUNTY COMMISSIONERS  
FOR ST. MARY'S COUNTY, MARYLAND

  
JULIE B. RANDALL, President


  
JOSEPH F. ANDERSON, Commissioner

  
SHELBY P. GUAZZO, Commissioner

  
THOMAS A. MATTINGLY SR., Commissioner

  
DANIEL H. RALEY, Commissioner

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

  
ALFRED A. LACER  
County Attorney



No. 99-116

BOOK 0015 PAGE 0023

SUBJ: Procurement Policy Review Committee

**RESOLUTION**

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, at the recommendation of the Transition Team, recognizes their recommendation to undertake a comprehensive restudy of the Procurement Policies as originally adopted on March 1, 1988; and

WHEREAS, the Board of County Commissioners recognizes that the currently approved Procurement Policies have provided value and benefit to the Citizens of St. Mary's County for more than ten (10) years; and

WHEREAS, the Board of County Commissioners recognize the limited personnel resources that challenge county government and the need to perform a review and analysis of these policies and procedures; and

RECORDING FEE 0.00

WHEREAS, the Board of County Commissioners has determined that a Review Committee should be established to assist the St. Mary's County Government in the evaluation of possible updates of the present Procurement Policies; and

TOTAL 0.00

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland, that there is hereby established a Procurement Policy Review Committee.

Rest#203 Acct#333333  
EWA FL 81K#2189

MEMBERSHIP

The Procurement Policy Review Committee shall consist of seven (7) members. Five (5) citizen members shall be appointed by a majority vote of the Board of County Commissioners. Two (2) members from County Staff shall be the County Procurement Officer and Director of Capital Projects. The County Procurement Officer shall perform as the Review Committee Chairman.

JUL 29 1999 09:17 am

DUTIES AND RESPONSIBILITIES

The Procurement Policy Review Committee shall serve in an advisory capacity to the Board of County Commissioners in the following capacities:

1. Perform a comprehensive review of the existing Procurement Policies and Procedures.
2. Review and evaluate the feasibility of a local, small, small disadvantaged vendors, and/or minority preference policy.
3. Prepare and present a final report of their findings and recommendations to the Board of County Commissioners for consideration.

RESOURCES

The Office of Central Services will provide all necessary support staff, services and materials required by the Procurement Policy Review Committee.

SCHEDULE

- |                             |                                                                                                                                                                                                                                                                                         |
|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| August, 1999                | Procurement Policy Review Committee convenes to develop a plan for the comprehensive review of the Procurement Policies, conducts survey of other local jurisdictions and local taxpayers to determine feasibility of the adoption of a local vendor and/or minority preference policy. |
| September/<br>October, 1999 | Procurement Policy Review Committee determines which areas of the policy need possible updating or change.                                                                                                                                                                              |
| November, 1999              | Procurement Policy Review Committee meets to review/discuss the survey and all other possible updates or recommended changes to the Procurement Policies and Procedures.                                                                                                                |



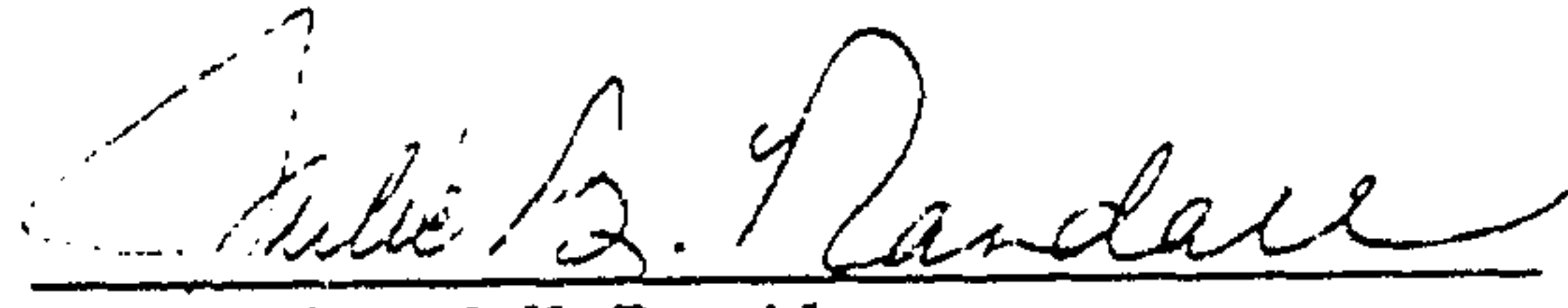
December, 1999

Procurement Policy Review Committee presents final report and recommendations to the Board of County Commissioners.

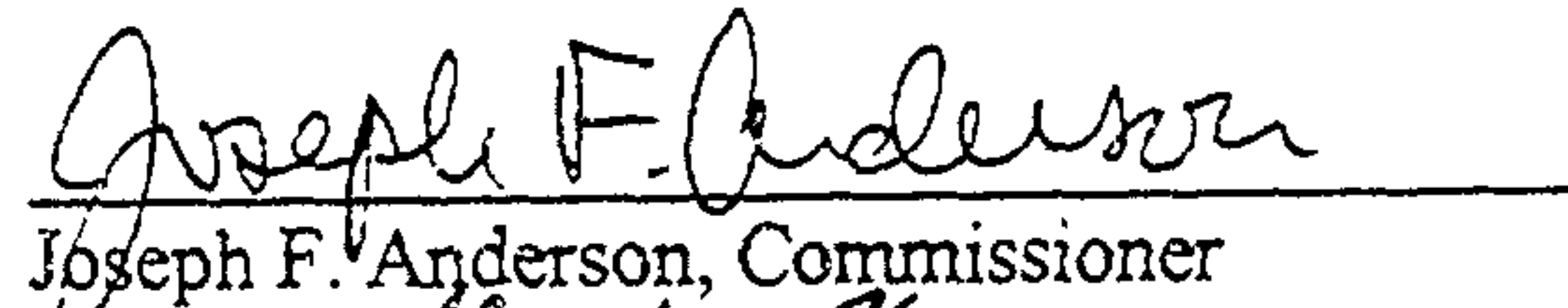
DATE OF ADOPTION: 7/27/99

EFFECTIVE DATE: 7/27/99

BOARD OF COUNTY COMMISSIONERS  
ST. MARY'S COUNTY, MARYLAND



Julie B. Randall, President



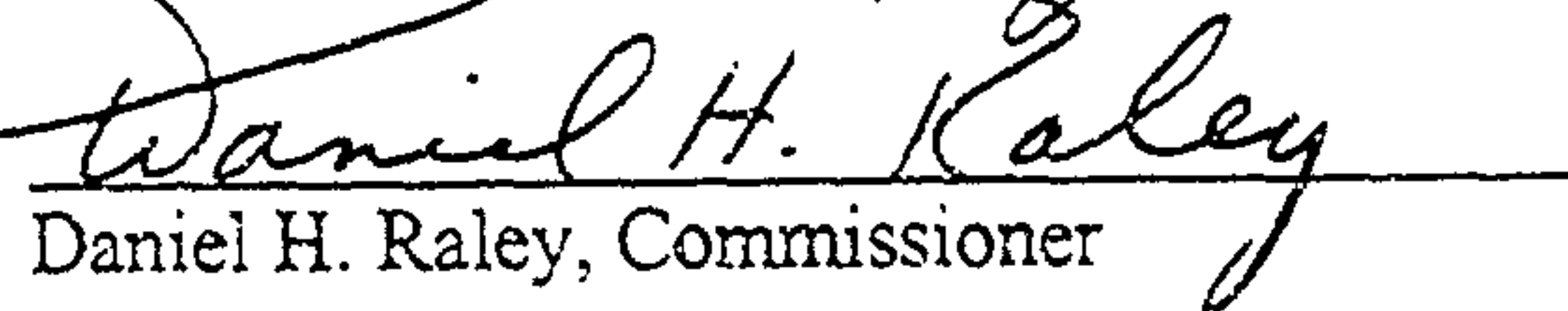
Joseph F. Anderson, Commissioner



Shelby P. Guazzo, Commissioner

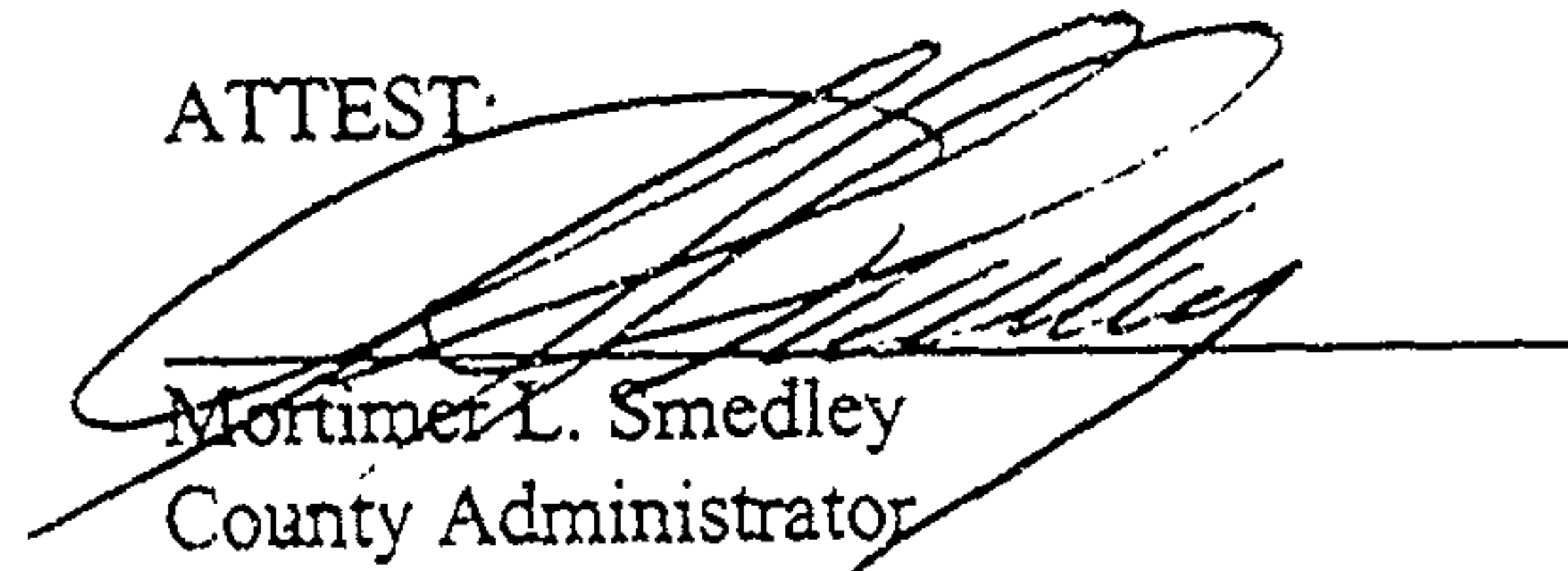


Thomas A. Mattingly, Sr., Commissioner



Daniel H. Raley, Commissioner

ATTEST:

  
Mortimer L. Smedley  
County Administrator

APPROVED AS TO LEGAL FORM AND  
SUFFICIENCY:

\_\_\_\_\_  
Alfred E. Lacer  
County Attorney



No. 79-17

SUBJ: Procurement Manual  
Amendment: #6

RESOLUTION

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, on September 15, 1987, adopted resolution 87-16 which set forth the adoption of a Procurement Manual for St. Mary's County on January 1, 1988; and

WHEREAS, the Board of County Commissioners directed the St. Mary's County Procurement Officer to implement the new procedures contained in the procurement manual and to evaluate through use, the effective and efficient utilization of all procedures contained in the manual; and

WHEREAS, the Procurement Officer after discussion with the Board of County Commissioners recommended to increase the \$500 limitation within the procurement manual to \$1,500 for departmental purchases not requiring Office of Procurement competition; and

WHEREAS, The Board of County Commissioners finds it is in the best interest of the County to increase the dollar limitation from \$500 to \$1,500 for departmental purchases; however, each department will be required to obtain three telephone quotes (on purchases from \$500 to \$1,500) to seek competition, and to document such quotes for auditing purposes;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland, that the dollar limitation for procurements not requiring Office of Procurement competition be changed from \$500 to \$1,500 and that the adopted procurement manual originally effective January 1, 1988 is hereby so amended.

DATE OF ADOPTION: 8/31/99

EFFECTIVE DATE: 8/31/99

BOARD OF COUNTY COMMISSIONERS  
ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Gazzo  
Shelby P. Gazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

Mortimer L. Smedley, Jr.  
Mortimer L. Smedley, Jr.  
County Administrator

APPROVED AS TO LEGAL FORM AND  
SUFFICIENCY:

Alfred A. Hacer, Esq.  
Alfred A. Hacer, Esq.  
County Attorney

RECORDING FEE 0.00  
TOTAL 0.00  
Res#3183 Rcf#4399999  
EVA PL BIK#422  
Aug 05, 1999 03:12 PM



No. WS-99-01  
Subject: W/S Plan Amendment  
MetCom Community Sewer  
(Amendment to Resolution No. W/S 92-01)  
Jesse J. Hinson

RESOLUTION

Whereas, On March 10, 1992 the Board of County Commissioners adopted Resolution No. W/S 92-01 amending the Comprehensive Water and Sewer Plan to reclassify the Sewer Categories for Airedele Road, Tall Timbers/South Potomac Shores, and St. George Island; and

Whereas, Resolution No W/S 92-01 limited the new sewer facilities on St. George Island to 219 Equivalent Dwelling Units (EDU's) as described in the attachment to aforementioned Resolution No. W/S 92-01; and

Whereas, On March 10, 1992 the Board of County Commissioners entered into an Agreement with the St. Mary's Metropolitan Commission and the Saint George Island Improvement Association restricting service to St. George Island to 219 EDU's; and

Whereas, the Board of County Commissioners, with the concurrence of the St. George Island Improvement Association, and the Metropolitan Commission adopted Resolution No W/S 93-02 on February 2, 1993 modifying the EDU sewer allocation for St. George Island to 220 EDU's and Resolution W/S 94-01 modifying the EDU sewer allocation for St. George Island to 224 EDU's and W/S Resolution 94-04 modifying the EDU sewer allocation for St. George Island to 229 EDU's and resolution W/S 95-02 modifying the EDU sewer allocation for St. George Island to 230 EDU's; and

Whereas, the Board of County Commissioners, with the concurrence of the St. George Island Improvement Association and the Metropolitan Commission has determined that the allocation of two (2) additional EDU's to Jesse J. Hinson for property described in deed MRB 426/62 (Tax Map 69, Parcel 59) would correct a miscounting of EDU's for which the property is eligible pursuant to said Resolution No. W/S 92-01,

Now, THEREFORE, The Board of County Commissioners hereby amends Resolution No. W/S 92-01 pursuant to the Agreement Restricting Service to St. George Island between the Board of County Commissioners and St. George Island Improvement Association to provide for two (2) additional EDU's to said parcel the total for St. George Island to 232 EDU's.

This resolution shall become effective upon its adoption and recordation.

RECORDING FEE 0.00  
TOTAL 0.00  
Res: SW03 Rct: 1999999  
EHA LP RIK: 67  
Sep 01, 1999 12:14 PM

Date of Adoption: 8/31/99

Effective Date: 8/31/99

BOARD OF COUNTY COMMISSIONERS  
ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

Attest:

Mortimer L. Smedley  
Mortimer L. Smedley, County Administrator

Resolution Approved as to Legal Form and Sufficiency:

Alfred A. Lacer  
Alfred A. Lacer, County Attorney



SUBJ: FY 2000 SUPPLEMENTAL APPROPRIATIONS  
Office on Aging

BOOK 0015 AGE 0027

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2000 General Fund Operating Budget to increase the appropriation for the Office on Aging for St. Mary's County, and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$5,999.00 are available in State grant funds under the Senior Care Program for the purpose of addressing the needs of Senior Care clients.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on August 24, 1999 pursuant to Notice published on or about August 11, 1999 and August 18, 1999 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on August 24, 1999 to present and explain the requirements to increase the Fiscal Year 2000 Budget in the amount of \$5,999.00 (Five Thousand Nine Hundred Ninety-Nine Dollars), and such increase is hereby approved this 7<sup>th</sup> day of September, 1999, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: Randall, Guazzo, Mattingly, Raley

Those voting Nay: \_\_\_\_\_

Those Absent: Anderson (arrived after vote taken)

Date of Adoption: 09/07/99

Effective Date: 09/07/99

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly  
Thomas A. Mattingly, Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

Mortimer L. Smedley  
Mortimer L. Smedley  
County Administrator

\_\_\_\_\_  
Steven E. Welkos  
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Alfred A. Lacer  
Alfred A. Lacer  
County Attorney

RECORDING FEE 0.00  
TOTAL 0.00  
Res#3402 Rpt#999999  
EHA LP 01/11/98  
Sep 15, 1999 02:02 PM



SUBJ: FY 2000 SUPPLEMENTAL APPROPRIATIONS  
Office on Aging

BOOK 0015 PAGE 0028

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2000 General Fund Operating Budget to increase the appropriation for the Office on Aging for St. Mary's County, and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$1,100.00 are available in Federal grant funds under the Retired Senior Volunteer Program to cover travel expenses associated with the National Senior Corps Conference to be held in Orlando, Florida, June 22-23, 2000.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on August 24, 1999 pursuant to Notice published on or about August 11, 1999 and August 18, 1999 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on August 24, 1999 to present and explain the requirements to increase the Fiscal Year 2000 Budget in the amount of \$1,100.00 (One Thousand One Hundred Dollars), and such increase is hereby approved this 7th day of September, 1999, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: Randall, Guazzo, Mattingly, Raley  
Those voting Nay: \_\_\_\_\_  
Those Absent: Absent (arrived after vote taken)

Date of Adoption: 09/07/99

Effective Date: 09/07/99

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly  
Thomas A. Mattingly, Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

Martimer L. Smedley  
Martimer L. Smedley  
County Administrator

\_\_\_\_\_  
Steven E. Welkos  
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Alfred A. Lacer  
Alfred A. Lacer  
County Attorney

RECORDING FEE 0.00  
TOTAL 0.00  
Rest#5003 Rcpt#999999  
EPA LP BIK#1190  
Sep 15, 1999 02:03 PM



SUBJ: FY 2000 SUPPLEMENTAL APPROPRIATIONS  
Office on Aging

BOOK 0015 PAGE 0029

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2000 General Fund Operating Budget to increase the appropriation for the Office on Aging for St. Mary's County, and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$6,330.00 are available in State grant funds under the Vulnerable Elderly Program for the purpose of assisting long term care programs to become more in line with program standards.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on August 24, 1999 pursuant to Notice published on or about August 11, 1999 and August 18, 1999 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on August 24, 1999 to present and explain the requirements to increase the Fiscal Year 2000 Budget in the amount of \$6,330.00 (Six Thousand Three Hundred Thirty Dollars), and such increase is hereby approved this 7th day of September, 1999, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: Randall, Guazzo, Mattingly, Raley  
Those voting Nay: \_\_\_\_\_  
Those Absent: Anderson (arrived after vote taken)

Date of Adoption: 09/07/99

Effective Date: 09/07/99

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly  
Thomas A. Mattingly, Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

Mortimer L. Smedley  
Mortimer L. Smedley  
County Administrator

\_\_\_\_\_  
Steven E. Welkos  
Director of Finance

RECORDING FEE 0.00  
TOTAL 0.00  
Res#3183 Rcpt#999999  
EWA LP BIK#1198  
Sep 15, 1999 02:04 PM

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Alfred A. Lacer  
Alfred A. Lacer  
County Attorney



SUBJ.: FY 2000 Supplemental Appropriation  
Department of Recreation and Parks  
(Countywide Maintenance - Various Public Boat Ramps)

**ORDINANCE**

WHEREAS, the Board of County Commissioners believe it is in the best interest of the County to amend the Fiscal Year 2000 Capital Improvement Budget to increase the appropriation for the Department of Recreation and Parks for St. Mary's County, and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$5,000.00 are available in the form of State grant funds by the Maryland Department of Natural Resources, Natural Resource Article, §5-901, of the Annotated Code of Maryland, Waterway Improvement Fund, administered through the Program Open Space division, for the purpose of providing Countywide maintenance and repairs to various public boat ramps.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on September 7, 1999 pursuant to Notice published on or about August 25 and September 1, 1999 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on September 7, 1999 to present and explain the requirements to increase the Fiscal Year 2000 Budget in the amount of \$5,000.00 (Five Thousand Dollars) and such increase is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 1999, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: RANDALL, ANDERSON, GUAZZO, MATTINGLY, RALEY  
Those voting Nay: \_\_\_\_\_  
Those Absent: \_\_\_\_\_

Date of Adoption: 9/21/99  
Effective Date: 9/21/99

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

William L. Smedley  
William L. Smedley  
County Administrator

Steven E. Welkos  
Steven E. Welkos  
Director of Finance

RECORDING FEE 8.00  
TOTAL 8.00  
Res#5403 Rcpt#999999  
EMA NB 814#1968  
Sep 24, 1999 11:48 am

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Alfred A. Lacer  
Alfred A. Lacer  
County Attorney



SUBJ.: FY 2000 Supplemental Appropriation  
Department of Recreation and Parks  
(Abell's Wharf)

ORDINANCE

WHEREAS, the Board of County Commissioners believe it is in the best interest of the County to amend the Fiscal Year 2000 Capital Improvement Budget to increase the appropriation for the Department of Recreation and Parks for St. Mary's County, and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$25,000.00 are available in the form of State grant funds by the Maryland Department of Natural Resources, Natural Resource Article, §5-901, of the Annotated Code of Maryland, Waterway Improvement Fund, administered through the Program Open Space division, for the purpose of planning, designing and construction of a catwalk adjacent to an existing public boat ramp at Abell's Wharf.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on September 7, 1999 pursuant to Notice published on or about August 25 and September 1, 1999 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on September 7, 1999 to present and explain the requirements to increase the Fiscal Year 2000 Budget in the amount of \$25,000.00 (Five Thousand Dollars) and such increase is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 1999, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: Randall, Anderson, Guazzo, Mattingly, Raley  
Those voting Nay: \_\_\_\_\_  
Those Absent: \_\_\_\_\_

Date of Adoption: 9/21/99  
Effective Date: 9/21/99

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

[Signature]  
Martimer L. Smedley  
County Administrator

[Signature]  
Steven E. Welkos  
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

[Signature]  
Alfred A. Lacer  
County Attorney

RECORDING FEE 0.00  
TOTAL 0.00  
Res#SN03 Rcpt#999999  
EWA NB BK#1968  
Sep 24, 1999 11:49 am



SUBJ.: FY 2000 Supplemental Appropriation  
Department of Recreation and Parks  
(Piney Point Public Landing)

ORDINANCE

WHEREAS, the Board of County Commissioners believe it is in the best interest of the County to amend the Fiscal Year 2000 Capital Improvement Budget to increase the appropriation for the Department of Recreation and Parks for St. Mary's County, and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$50,000.00 are available in the form of State grant funds by the Maryland Department of Natural Resources, Natural Resource Article, §5-901, of the Annotated Code of Maryland, Waterway Improvement Fund, administered through the Program Open Space division, for the purpose of enabling an extension of the boat ramp into deeper water and dredging the area around the boat ramp at Piney Point Public Landing.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on September 7, 1999 pursuant to Notice published on or about August 25 and September 1, 1999 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on September 7, 1999 to present and explain the requirements to increase the Fiscal Year 2000 Budget in the amount of \$50,000.00 (Fifty Thousand Dollars) and such increase is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 1999, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: RANDALL, Anderson, Guazzo, Mattingly, Raley  
Those voting Nay: \_\_\_\_\_  
Those Absent: \_\_\_\_\_

Date of Adoption: 9/21/99  
Effective Date: 9/21/99

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr. Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

[Signature]  
Lawrence L. Smedley  
County Administrator

[Signature]  
Steven E. Welkos  
Director of Finance

RECORDING FEE 0.00  
TOTAL 0.00  
Res#SMB3 Rcpt#999999  
EWA NB BIK#1968  
Sep 24, 1999 11:50 am

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

[Signature]  
Alfred A. Lacer  
County Attorney



SUBJ: Waiver of Landfill Fees For Hurricane Floyd

RESOLUTION

WHEREAS, St. Mary's County experienced the effects of a significant weather-related event on September 16, 1999.

WHEREAS, over 9,000 St. Mary's County SMECO customers were without power and other utilities, many due to the damage caused by falling and wind blown debris; and

WHEREAS, the Board of County Commissioners wishes to support the residents of St. Mary's County in their cleanup efforts.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners that landfill fees for trash and debris associated with clean-up activities from Hurricane Floyd be waived.

ADOPTION DATE:

September 21, 1999

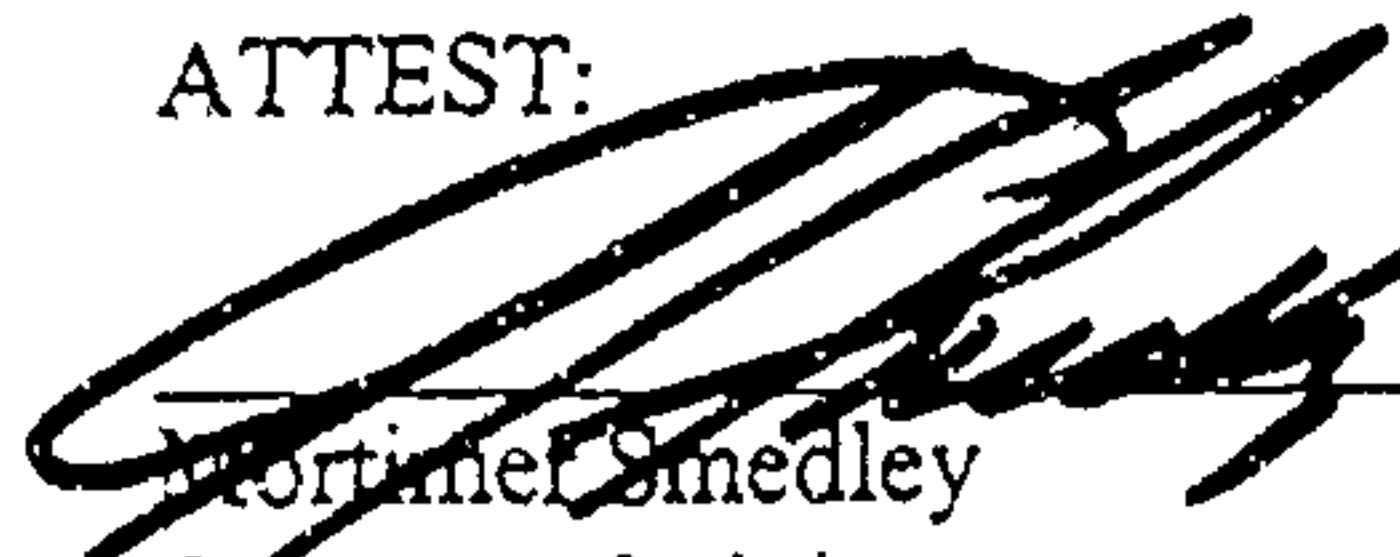
EFFECTIVE DATE:

September 16, 1999


EXPIRATION DATE:


October 9, 1999

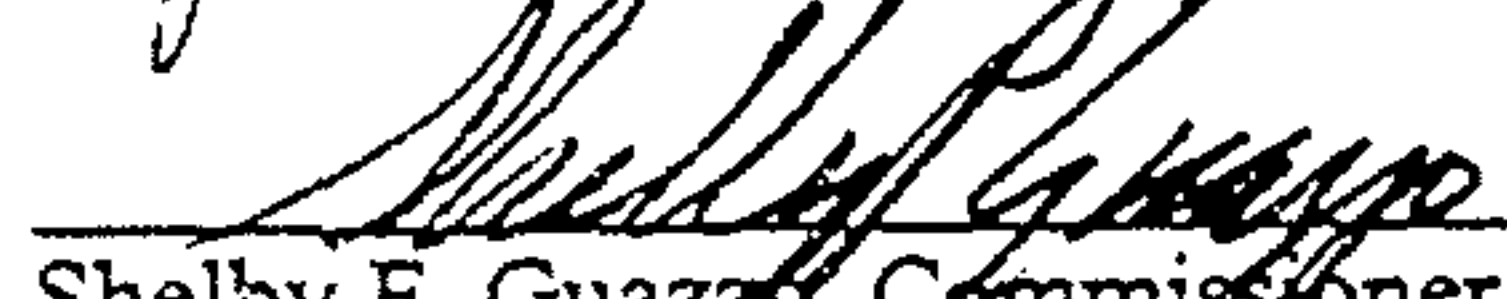
ATTEST:

  
Mortimer Smedley  
County Administrator

BOARD OF ST. MARY'S COUNTY COMMISSIONERS

  
Julie B. Randall, President

  
Joseph F. Anderson, Commissioner

  
Shelby F. Guazzo, Commissioner

  
Thomas A. Mattingly, Sr., Commissioner

  
Daniel H. Raley, Commissioner

RECORDING FEE 0.00  
TOTAL 0.00  
Res#3403 Rcpt#999999  
EMA NB B1k#1968  
Sep 24, 1999 11:51 am



SUBJ: Submission of Proposal by  
SMARTCO to Neighborhood  
Partnership Program (NPP)

**RESOLUTION**

A Resolution to approve a project being submitted by the Southern Maryland Applied Research and Technology Consortium, Inc. (SMARTCO) to the Maryland Department of Housing and Community Development for participation in the Neighborhood Partnership Program. The project, entitled Federal ADP Systems Transfer (FAST), recycles and provides excess government and industry Automatic Data Processing (ADP) equipment (mostly personal computers) to public, private and parochial school systems and eligible non-profit corporations located in the Southern Maryland Region.

WHEREAS, the Southern Maryland Applied Research and Technology Consortium, Inc. (SMARTCO), a nonprofit organization, proposes to undertake the project described above (the "Project"); and

WHEREAS, the Southern Maryland Applied Research and Technology Consortium, Inc. (the "non-profit organization") has applied to the Department of Housing and Community Development of the State of Maryland for approval of the project and an allocation of tax credits for business entities that contribute to the Project, under the Department's Neighborhood Partnership Program; and

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland approves the project;

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland hereby expresses approval of the Project, as described above.

Those voting Aye: BANDALL, Anderson, Guazzo, Mattingly, Raley  
Those voting Nay: \_\_\_\_\_  
Those Absent: \_\_\_\_\_

Date of Adoption: 9/21/99  
Effective Date: 9/21/99

BOARD OF COUNTY COMMISSIONERS  
ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

[Signature]  
Margaret L. Smedley  
County Administrator

RECORDING FEE 8.00  
TOTAL 8.00  
Res: 15403 Rpt: 999999  
EWA NB 811-1968  
Sep 24, 1999 11:52 am

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

[Signature]  
Alfred A. Lacer  
County Attorney



BOOK 0015 PAGE 0035

ORDINANCE NO: 99.16

SUBJECT: PROPERTY DISPOSITION  
PORTION OF TALL TIMBERS ROAD

ORDINANCE

WHEREAS, the Board of County Commissioners of St. Mary's County, Maryland is authorized to sell, at public or private sale, any property no longer needed for a public use pursuant to Article 25, Section 11A(b)(3-1)(i) of the Annotated Code of Maryland; and

WHEREAS, the Board of County Commissioners has determined that the property described as 0.265 acres of abandoned right-of-way of a portion of Tall Timbers Road and as also described as Parcel One (former MD. RTE. 861-F) in a deed recorded in the Land Records of St. Mary's County, Maryland at Liber EWA 1443, folio 419 is no longer needed for a public use; and

WHEREAS, the Board of County Commissioners has determined that disposition of the property described herein shall be via private sale; and

WHEREAS, as required by Article 25, Section 3(r) and Section 11A(b)(3-1)(ii) of the Annotated Code of Maryland, following proper notice, a public hearing was held on September 21, 1999.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of St. Mary's County, that Julie Randall, Commission President, is hereby authorized to execute such documents necessary to sell/transfer the property described herein.

Date of Adoption: October 5, 1999

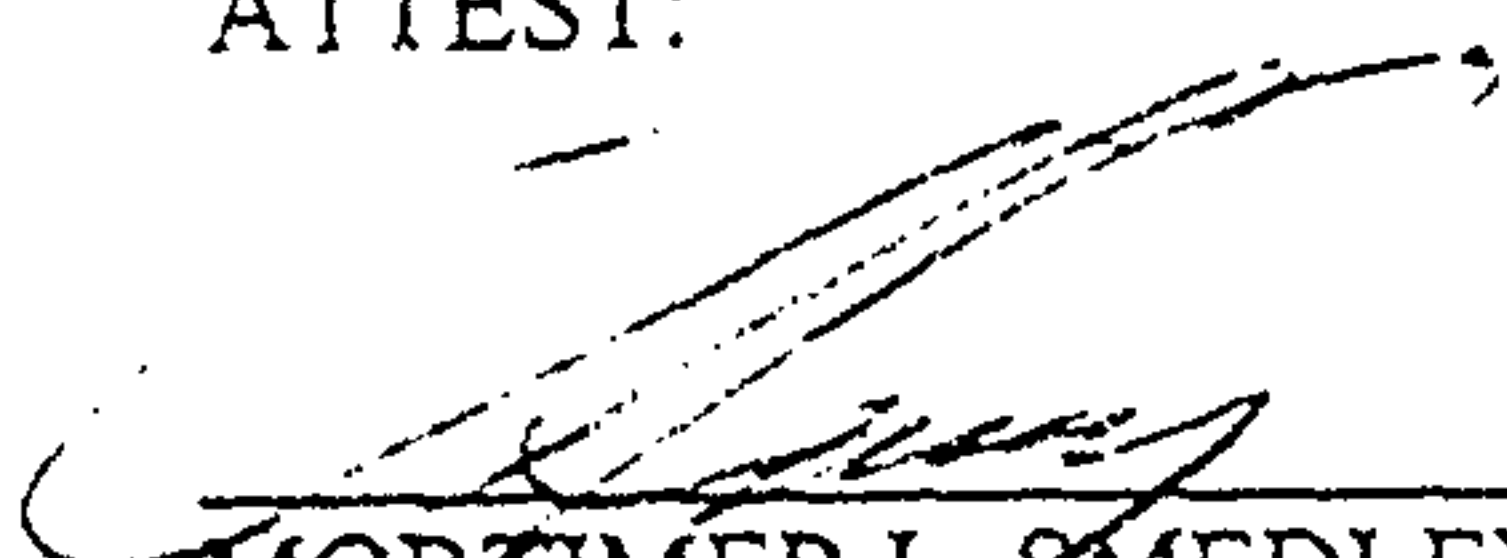
Ayes: RANDALL, Anderson, Guazzo, Mattingly, Raley

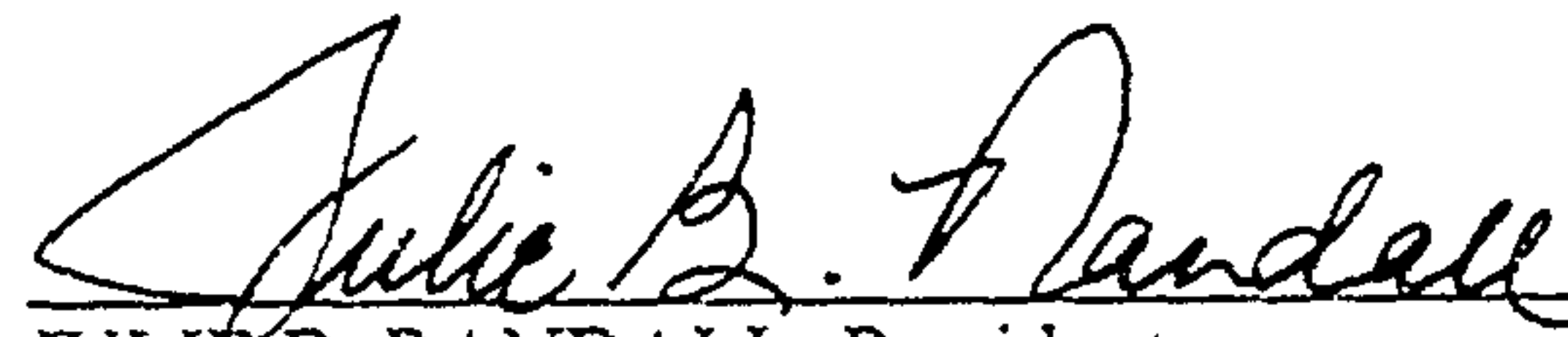
Effective Date: October 5, 1999

Nays:  
Abstain:

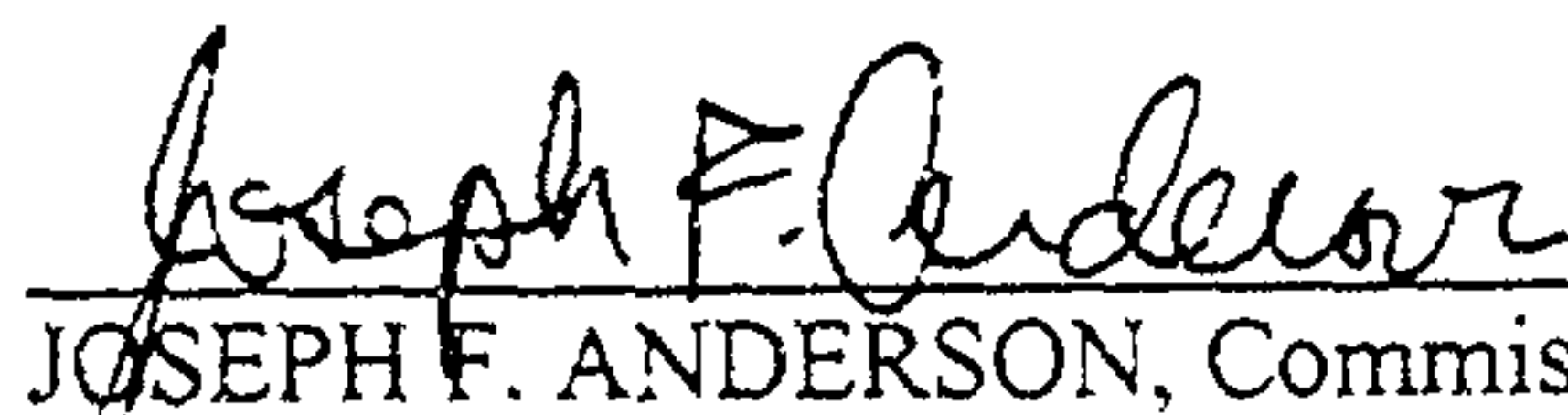
ATTEST:

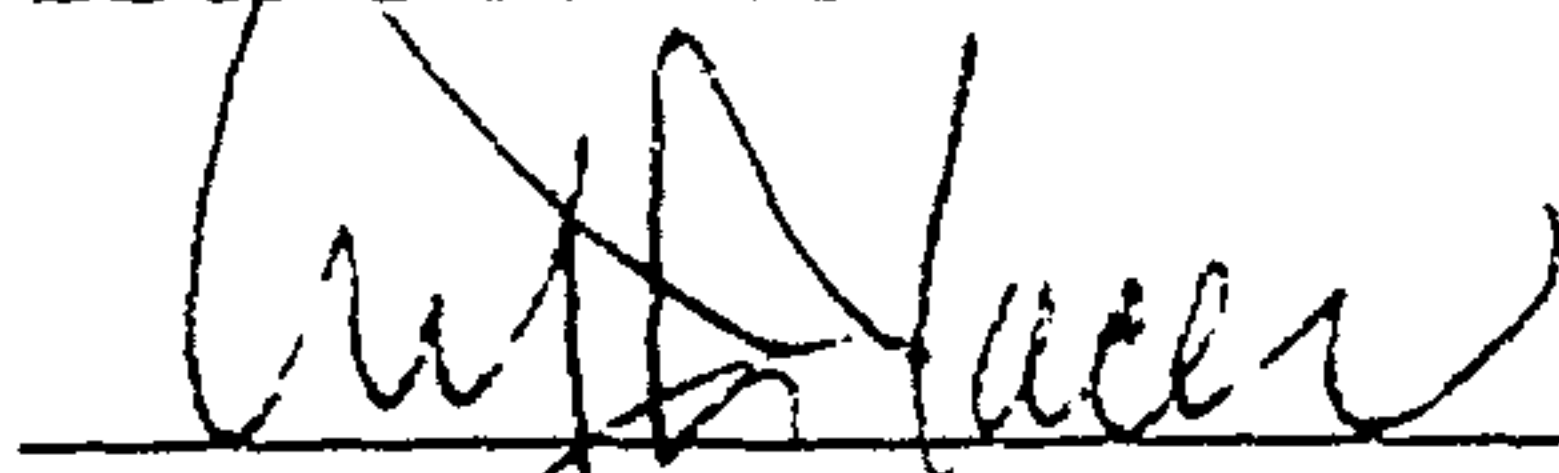
BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

  
MORTIMER L. SMEDLEY  
County Administrator

  
JULIE B. RANDALL, President


APPROVED AS FORM AND  
LEGAL SUFFICIENCY:

  
JOSEPH F. ANDERSON, Commissioner

  
ALFRED A. LACER  
County Attorney

  
SHELBY P. GUAZZO, Commissioner

  
THOMAS A. MATTINGLY, Sr. Commissioner

  
DANIEL H. RALEY, Commissioner

RECORDING FEE 8.00  
TOTAL 8.00  
Res#SM03 Rec#1999999  
EWA NB BK#1595  
Oct 28, 1999 11:07 am



BOOK 0015 PAGE 0036

No: 99- 17

Subject: FY 2000 Supplemental Appropriation  
St. Mary's County Agriculture, Seafood  
and Forestry Commission

ORDINANCE

WHEREAS, the Board of County Commissioners believe it is in the best interest of the County to amend the Fiscal Year 2000 General Fund Operating Budget to increase the appropriation for the St. Mary's County Agriculture, Seafood and Forestry Commission.

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$3,900.00 are available in Federal grant funds, administered through the Southern Maryland Career Connections Partnership (SMCCP), to the St. Mary's County Agriculture, Seafood and Forestry Commission for the purpose of establishing a Natural Resources Career Program for all students K - 12 in each school, and in addition, help establish the new Environmental and Natural Resources Management laboratory at the St. Mary's County Technical Center, which will provide a venue for specific educational experiences designed to prepare students for careers in environmental management.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on October 5, 1999, pursuant to Notice published on or about September 22, 1999 and September 29, 1999 in the Enterprise, and

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on October 5, 1999 to present and explain the requirements to increase the Fiscal Year 2000 Budget in the amount of \$3,900.00 (Three Thousand Nine Hundred Dollars), and such increase is hereby approved this 26th day of October, 1999, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: Commissioners Randall, Anderson, Guazzo, Mattingly & Raley  
Those voting Nay: \_\_\_\_\_  
Those Absent: \_\_\_\_\_

Date of Adoption: 10/26/99

Effective Date: 10/26/99

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly  
Thomas A. Mattingly, Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

Mortimer L. Smedley  
County Administrator

Steven E. Welkos  
Director of Finance

RECORDING FEE 0.00  
TOTAL 0.00  
Res#3923 Rec#3993993  
EWA LP BIK#379  
Nov 04, 1999 12:19 PM

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Alfred A. Lacer  
County Attorney



PURPOSE

RESOLUTION to Approve Agreement for Maryland Industrial Land Fund Grant of \$250,000 And Designation of St. Mary's County Community Development Corporation as Agent to Administer Said Grant.

RESOLUTION

WHEREAS, the Board of County Commissioners of St. Mary's County, Maryland, believe it to be in the public interest to apply for and obtain a \$250,000 Maryland Industrial Land Fund Grant for the purpose of loans for financing economic development projects in St. Mary's County; and

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, believes it to be in the public interest to designate the St. Mary's County Community Development Corporation as Agent to administer said Grant in accordance with the Grant Agreement with the Department of Business and Economic Development;

NOW THEREFORE BE IT RESOLVED, that the St. Mary's County Community Development Corporation is hereby authorized to administer the proceeds of the Grant on behalf of the Board of County Commissioners for St. Mary's County in accordance with the Grant Agreement between this Board of County Commissioners and the Department of Business and Economic Development; and it is further

RESOLVED, that the President of the Board of County Commissioners for St. Mary's County, Maryland, is authorized to execute the Grant Agreement on behalf of the Board of County Commissioners for the purposes stated therein.

Those voting Aye: Commissioners Randall, Anderson, Guazzo, Mattingly, Raley

Those voting Nay: \_\_\_\_\_

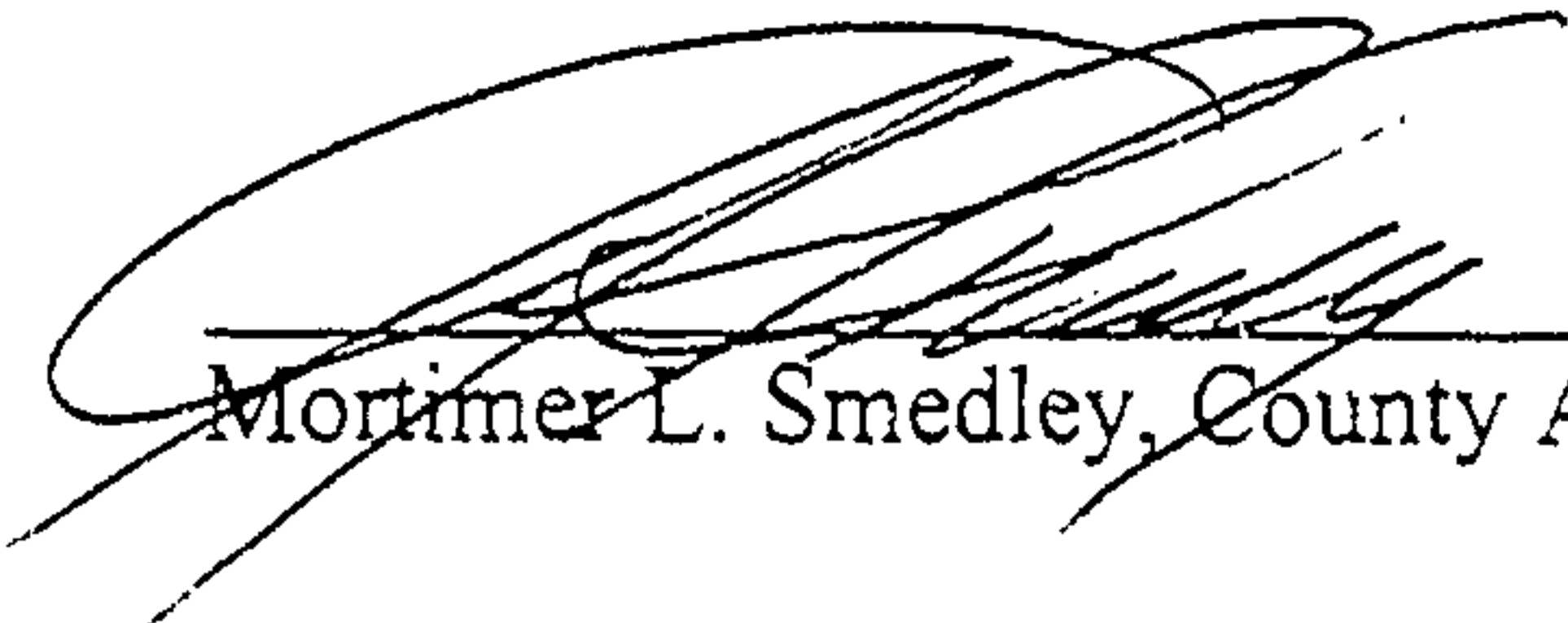
Those absent: \_\_\_\_\_

ADOPTED: 10/26/99

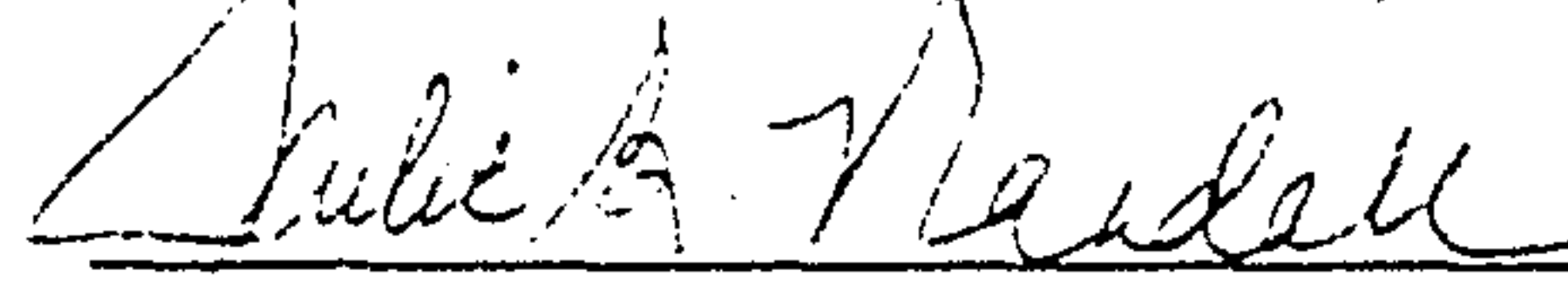
EFFECTIVE: 10/26/99


RECORDING FEE 0.00  
TOTAL 0.00  
Res#3463 Rep#399333  
EWA LP BIK#379  
Nov 04, 1999 12:30 PM

ATTEST:

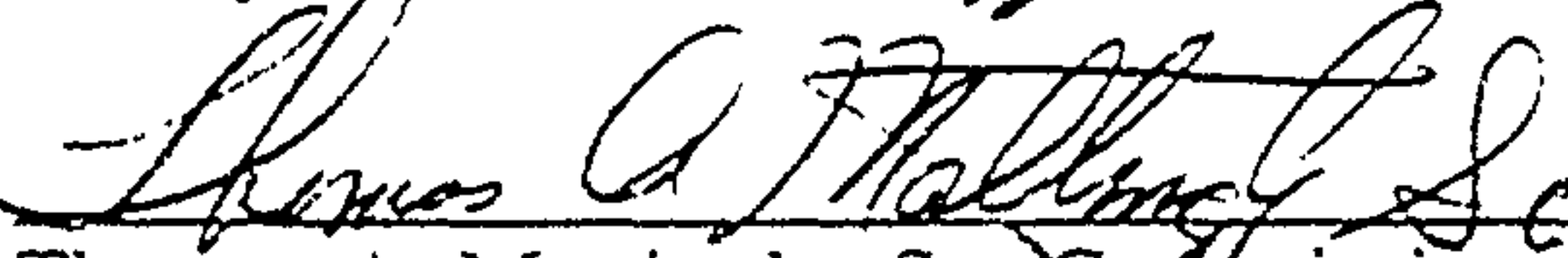
  
Mortimer L. Smedley, County Administrator

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

  
Julie B. Randall, President

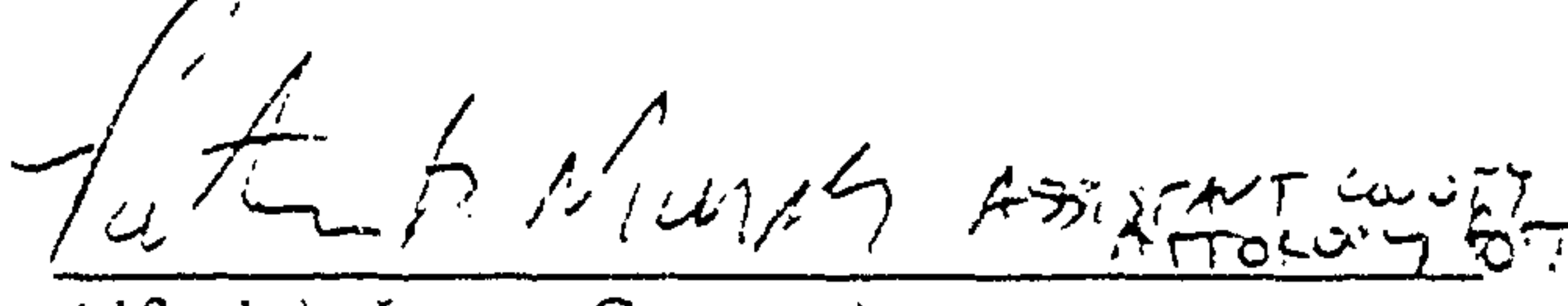
  
Joseph F. Anderson, Commissioner

  
Shelby P. Guazzo, Commissioner

  
Thomas A. Mattingly, Sr., Commissioner

  
Daniel H. Raley, Commissioner

APPROVED AS TO LEGAL FORM AND  
SUFFICIENCY:

  
Alfred A. Lacer, County Attorney



BOOK 0015 PAGE 0038

RESOLUTION NO. 97-22

SUBJ: Public Facilities Bonds of 1997  
Leonardtwn Middle School Roof

Page 1 of 3

RESOLUTION

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY for the purpose of supplementing the Resolution of the County adopted on August 26, 1997 authorizing the issuance of general obligation bonds of the County by designating certain new projects as additional projects authorized to be financed with the proceeds from the sale of such bonds.

RECORDING FEE 9.00  
TOTAL 9.00  
RES 13463 Rpt# 4299999  
EWA LP BIK#379  
Nov 24, 1999 12:21 PM

RECITALS

On August 26, 1997, the County Commissioners of St. Mary's County (the "County") adopted its Resolution (the "Authorizing Resolution") authorizing the issuance and sale of \$26,555,000 County Commissioners of St. Mary's County Public Facilities Bonds of 1997 dated September 1, 1997 (the "Bonds"), a portion of the proceeds of which were to be used to finance the construction, improvement or development of certain capital projects described in such Authorizing Resolution (the "Original Projects").

Section 1 of the Authorizing Resolution provides that the proceeds of the Bonds shall be applied to the payment of the cost of the projects described in Resolution No. 97-33, unless the County by resolution authorizes the application of the proceeds of the Bonds to other capital projects of the County, and any unexpended proceeds of the Bonds shall otherwise be applied as provided in Resolution No. 97-33.

The County has determined that a portion of the proceeds of the sale of the Bonds originally designated to be used to finance the costs of the Original Projects is no longer required for such purpose.

The County has determined that it is in its best interest to use \$8,374.00 of the proceeds of the Bonds to finance all or a portion of the costs of certain projects listed on Schedule A attached hereto.

The County has further determined that the projects being financed by the proceeds of the Bonds and listed on Schedule A attached hereto have been authorized by Chapter 360 of the Laws of Maryland of 1992, as amended, Chapter 52 of the Laws of Maryland of 1993, as amended, Chapter 439 of the Laws of Maryland of 1996, as amended, Section 46-2 of the St. Mary's County Code, as amended, and Sections 2C and 24 of Article 31 of the Annotated Code of Maryland, as amended, and have been approved by St. Mary's County Board of County Commissioners Approved Budget.

**BE IT RESOLVED BY COUNTY COMMISSIONERS OF ST. MARY'S COUNTY:**

Section 1: The authorizing resolution adopted by the County Commissioners of St. Mary's County on August 26, 1997 (the "Authorizing Resolution") authorizing the issuance and sale of \$26,555,000 aggregate principal amount of County Commissioners of St. Mary's County Public Facilities Bonds of 1997, dated September 1, 1997 (the "Bonds") is hereby supplemented for the sole purpose of designating the projects described in Section 2 below as additional projects the costs of which are authorized to be financed with the proceeds of the sale of the Bonds.

Section 2: The County hereby finds and determines that a portion of the proceeds from the sale of the Bonds designated to finance the construction, improvement or development of certain capital projects approved by the Authorizing Resolution is no longer required for such purpose. The County hereby designates \$8,374.00 from the proceeds of



the sale of the Bonds to be used to finance the construction, improvement or development of the projects in the County set forth in Schedule A attached to and made a part of this Resolution. The designation of such additional projects authorized to be financed from the proceeds of the sale of the Bonds shall in no way limit the County from designating such further additional projects as permitted under the Authorizing Resolution and shall in no way modify, amend or rescind any other provisions of the Authorizing Resolution.

Section 3: This Supplement Resolution shall become effective immediately upon its passage.

Date of Adoption: \_\_\_\_\_

Effective Date: \_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS OF  
ST. MARY'S COUNTY, MARYLAND



Julie B Randall, President



Joseph F. Anderson, Commissioner



Shelby P. Guazzo, Commissioner




Thomas A. Mattingly, Sr., Commissioner



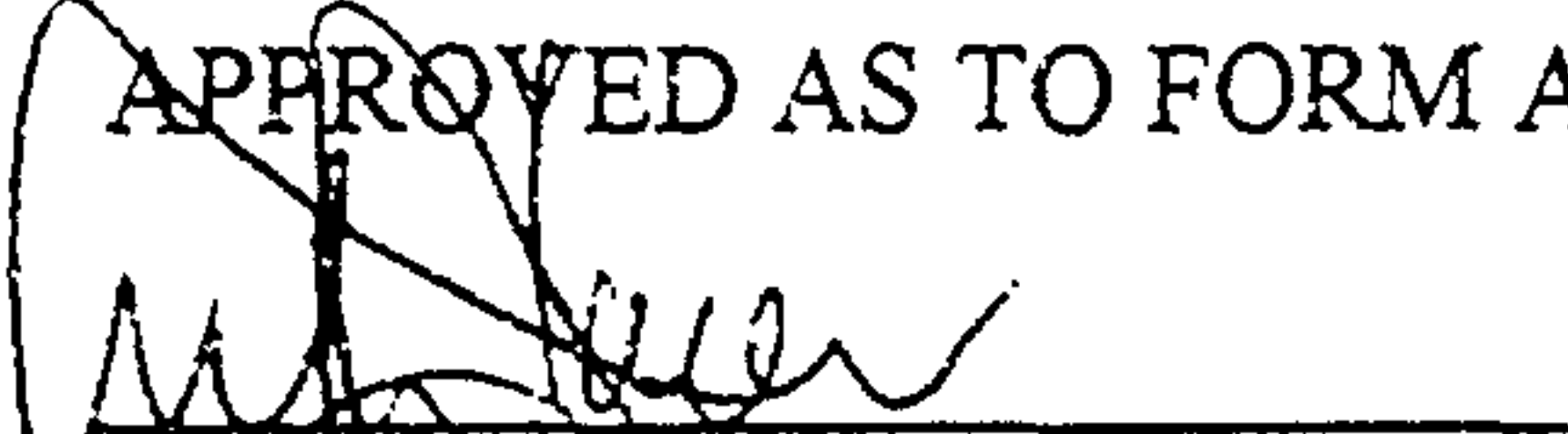
Daniel H. Raley, Commissioner

ATTEST:

  
Mortimer L. Smedley  
Acting County Administrator

\_\_\_\_\_  
Steven E. Welkos  
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

  
Alfred A. Lacer  
County Attorney



BOOK 0015 PAGE 06 40

SCHEDULE A to  
RESOLUTION NO.: \_\_\_\_\_  
Leonardtown Middle School Roof  
Page 3 of 3

Description of Additional Projects Authorized to be Financed with  
the Proceeds of the County Commissioners of St. Mary's County  
Public Facilities Bonds of 1997.

Leonardtown Middle School Roof	\$8,374.00
--------------------------------	------------



Subject: Railroad Right-of-Way  
Administrative Costs

**PURPOSE**

FOR THE PURPOSE of establishing a new fee regarding the processing, reviewing, and preparation of Railroad Right-of-Way Crossing Easements as processed and collected by the Department of Public Works.

RECORDING FEE 0.00  
TOTAL 0.00  
Res:MSB3 Rcr:999999  
EWA LP Bk#379

**RESOLUTION**

**WHEREAS**, the Board of County Commissioners of St. Mary's County, Maryland believe it is in the interest of the County to protect the Railroad Right-of-Way and as such to modify existing policies with regard to the issuance of crossing easements;

Nov 04, 1999 12:22 PM

**WHEREAS**, on August 31, 1999, the Board of County Commissioners directed staff to amend the Railroad Right-of-Way Easement Agreement;

**WHEREAS**, in furtherance of those directions the Board of County Commissioners of St. Mary's County, Maryland authorized implementation of a \$500 fee to cover estimated overhead costs incurred by St. Mary's County Government in reviewing and preparing said documents;

**WHEREAS**, the Board of County Commissioners for St. Mary's County, Maryland, wish to hereby add a fee requirement for reviewing and processing applications for railroad right-of-way crossing easements pending a comprehensive update of its Fee Resolution;

**NOW THEREFORE BE IT RESOLVED**, by the Board of County Commissioners for St. Mary's County, Maryland, that a fee of \$500 shall be collected from an applicant in conjunction with processing, review, revision, and preparation of each Railroad Right-of-Way Easement Agreement application and that the Department of Public Works is authorized to implement a procedure for the collection of said fee effective upon the adoption of this Resolution; and

**FURTHER BE IT RESOLVED**, that the Board of County Commissioners for St. Mary's County, Maryland hereby reserves the option to not grant the crossing easement upon its review of the application; and

**FURTHER BE IT RESOLVED**, that the Board of County Commissioners for St. Mary's County, Maryland, may exempt an applicant from this fee by motion duly adopted at a meeting of the Board of County Commissioner's; and

**FURTHER, BE IT RESOLVED**, 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 invalid portion would



produce a result inconsistent with the purpose and intent of the Board of County Commissioners in enacting this Resolution.

Those voting Aye: \_\_\_\_\_

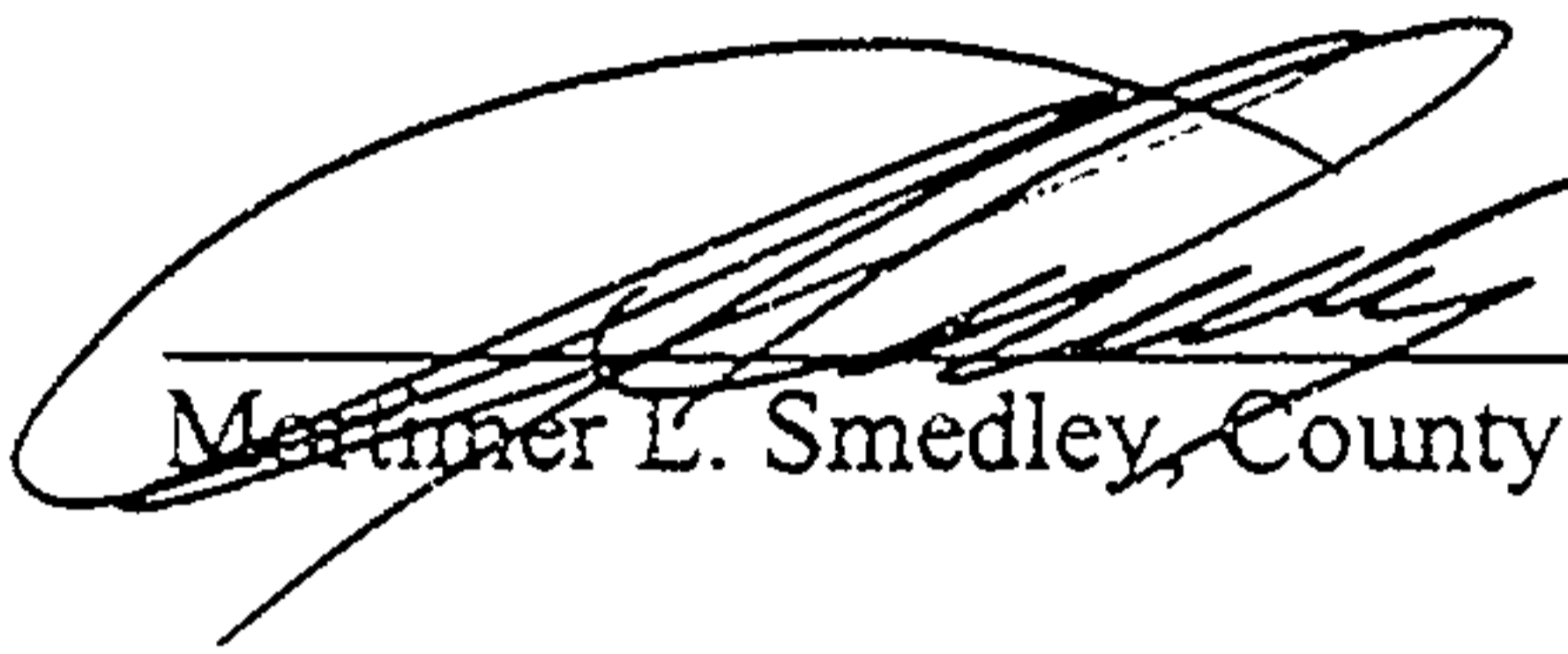
Those voting Nay: \_\_\_\_\_

Those Absent: \_\_\_\_\_

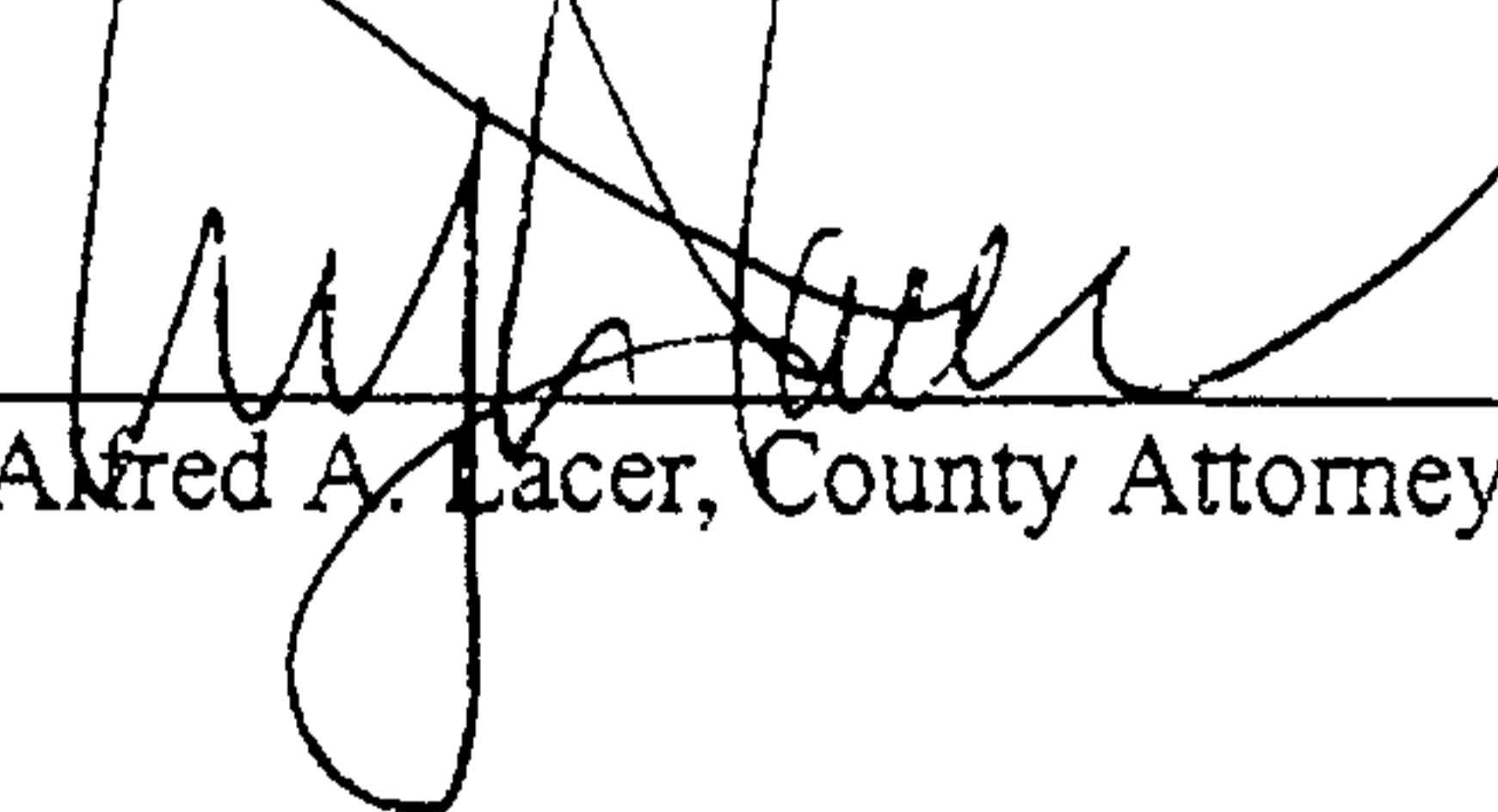
ADOPTED: \_\_\_\_\_

EFFECTIVE: \_\_\_\_\_

ATTEST:

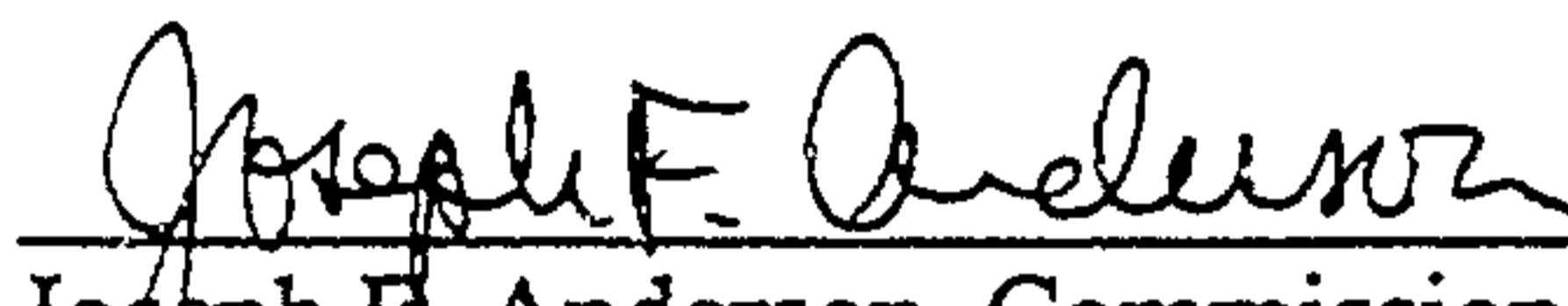
  
Martin E. Smedley, County Administrator

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:


  
Alfred A. Lacer, County Attorney

BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND

  
Julie B. Randall, President

  
Joseph F. Anderson, Commissioner

  
Shelby P. Guzzo, Commissioner

  
Thomas A. Mattingly, Sr., Commissioner

  
Daniel H. Raley, Commissioner



No: 99-16

Subject: FY 2000 Supplemental Appropriation  
St. Mary's County Department of  
Economic and Community Development

BOOK 0013 PAGE 0043

**ORDINANCE**

WHEREAS, the Board of County Commissioners believe it is in the best interest of the County to amend the Fiscal Year 2000 General Fund Operating Budget to increase the appropriation for the St. Mary's County Department of Economic and Community Development.

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$63,445.00 are available in State grant funds, administered through the State of Maryland Department of Labor, Licensing and Regulation to the St. Mary's County Department of Economic and Community Development for the purpose of transition planning from the Joint Training Partnership Act (JTPA) programs and the Private Industry Councils (PIC's) to the Workforce Investment Act (WIA) and Local Workforce Investment Board (LWIB) in Southern Maryland. The purpose of the Workforce Investment Act is to design a comprehensive workforce development system that will respond effectively to the rapidly changing needs of both employers and workers in a global economy.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on October 26, 1999, pursuant to Notice published on or about October 13, 1999 and October 20, 1999 in the Enterprise, and

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on October 26, 1999 to present and explain the requirements to increase the Fiscal Year 2000 Budget in the amount of \$63,445.00 (Sixty-Three Thousand Four Hundred Forty-Five Dollars), and such increase is hereby approved this 4th day of November, 1999, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: Commissioners Randall, Anderson, Guazzo, Mattingly & Raley  
Those voting Nay: \_\_\_\_\_  
Those Absent: \_\_\_\_\_

Date of Adoption: 11/9/99

Effective Date: 11/9/99

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly  
Thomas A. Mattingly, Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

RECORDING FEE 0.00  
TOTAL 0.00  
Rec#003 Rec#000000  
E# LP 814#1073  
Nov 15, 1999 12:00 PM

ATTEST:  
Mortimer L. Smedley  
Mortimer L. Smedley  
County Administrator

Steven E. Welkos  
Steven E. Welkos  
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:  
Alfred A. Lacer  
Alfred A. Lacer  
County Attorney



Subject: Railroad Right-of-Way  
Administrative Costs

BOOK 0015 PAGE 0044

**PURPOSE**

FOR THE PURPOSE of establishing a new fee regarding the processing, reviewing, and preparation of Railroad Right-of-Way Crossing Easement applications processed and collected by the Department of Public Works.

RESOLUTION NO. 99-23  
RCS:SNB Rcyt:1399333  
EWA LP BIK:288  
Dec 88, 1999 03:01 PM

**RESOLUTION**

**WHEREAS**, the Board of County Commissioners of St. Mary's County, Maryland believe it is in the interest of the County to protect the Railroad Right-of-Way and as such to modify existing policies with regard to the issuance of crossing easements;

**WHEREAS**, on August 31, 1999, the Board of County Commissioners directed staff to amend the Railroad Right-of-Way Easement Agreement;

**WHEREAS**, in furtherance of those directions the Board of County Commissioners of St. Mary's County, Maryland authorized implementation of a \$500 fee to cover estimated overhead costs incurred by St. Mary's County Government in reviewing and preparing said documents;

**WHEREAS**, the Board of County Commissioners for St. Mary's County, Maryland, wish to hereby add a fee requirement for reviewing and processing applications for railroad right-of-way crossing easements pending a comprehensive update of its Fee Resolution;

**NOW THEREFORE BE IT RESOLVED**, by the Board of County Commissioners for St. Mary's County, Maryland, that a fee of \$500 shall be collected from an applicant in conjunction with processing, review, revision, and preparation of each Railroad Right-of-Way Easement Agreement application and that the Department of Public Works is authorized to implement a procedure for the collection of said fee effective upon the adoption of this Resolution; and

**FURTHER BE IT RESOLVED**, that the Board of County Commissioners for St. Mary's County, Maryland hereby reserves the option to not grant the crossing easement upon its review of the application; and

**FURTHER BE IT RESOLVED**, that the Board of County Commissioners for St. Mary's County, Maryland, may exempt an applicant from this fee by motion duly adopted at a meeting of the Board of County Commissioner's; and

**FURTHER, BE IT RESOLVED**, 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 invalid portion would



produce a result inconsistent with the purpose and intent of the Board of County Commissioners in enacting this Resolution.

Those voting Aye: Randall, Anderson, Guazzo, Mattingly, and Raley

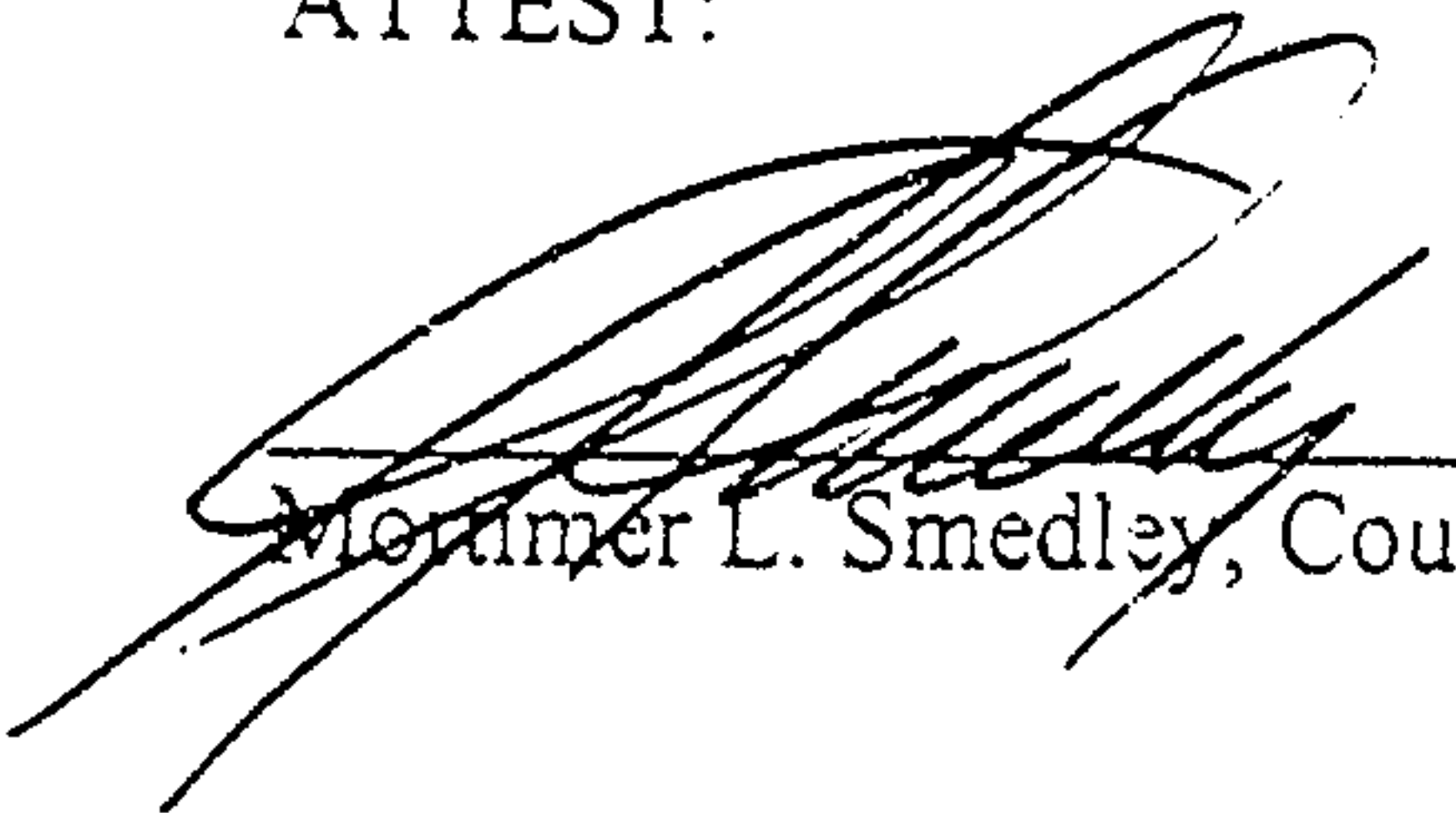
Those voting Nay: \_\_\_\_\_

Those Absent: \_\_\_\_\_

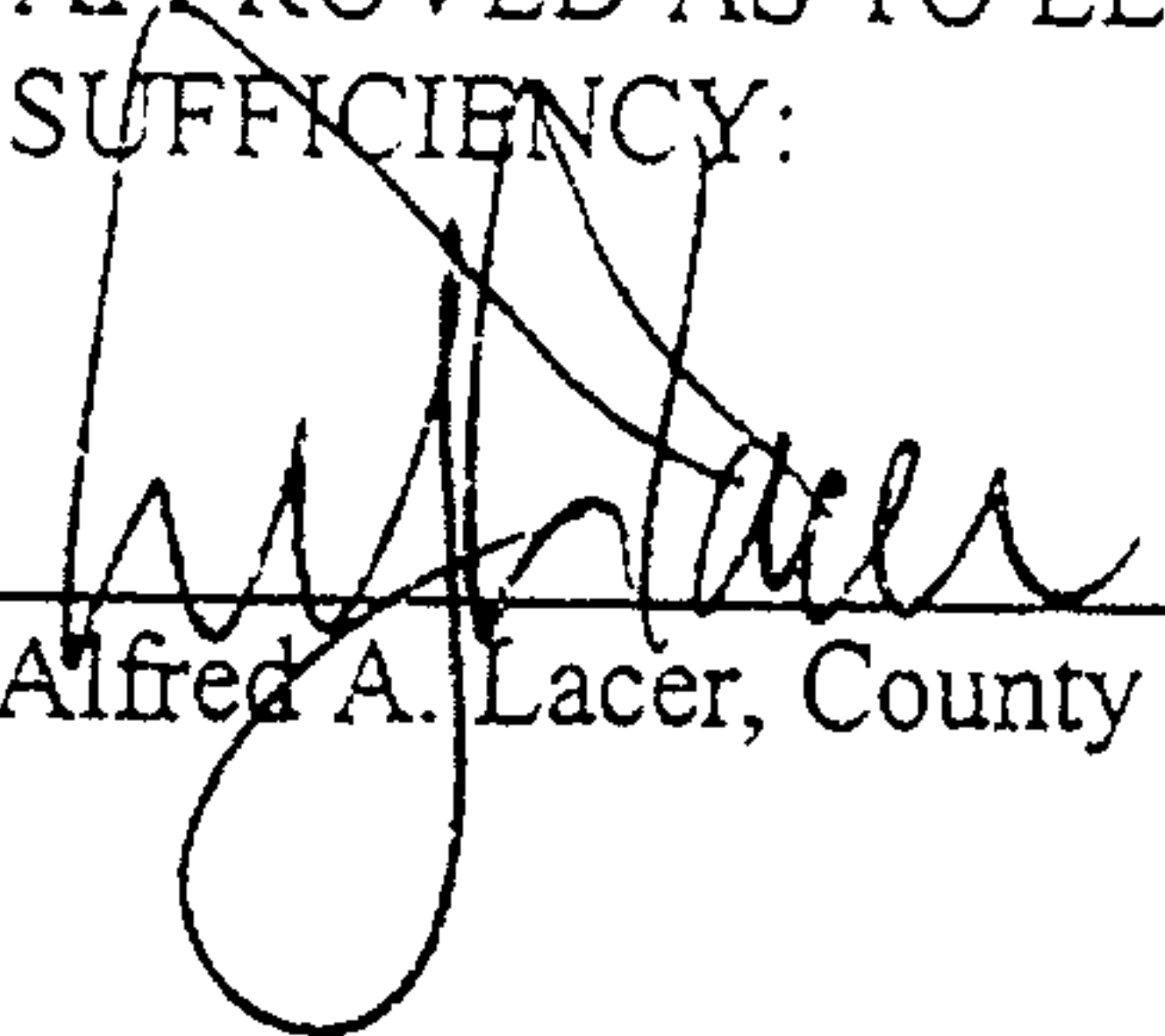
ADOPTED: November 2, 1999

EFFECTIVE: November 2, 1999

ATTEST:

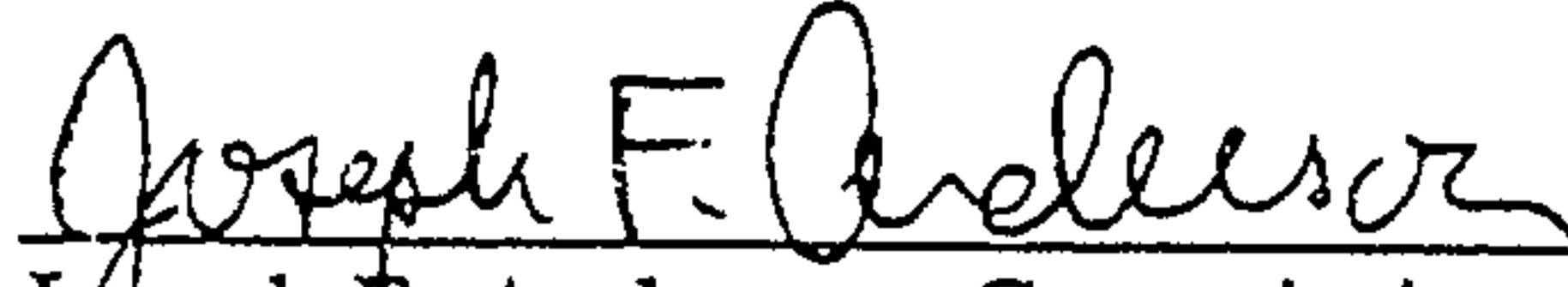
  
Mortimer L. Smedley, County Administrator

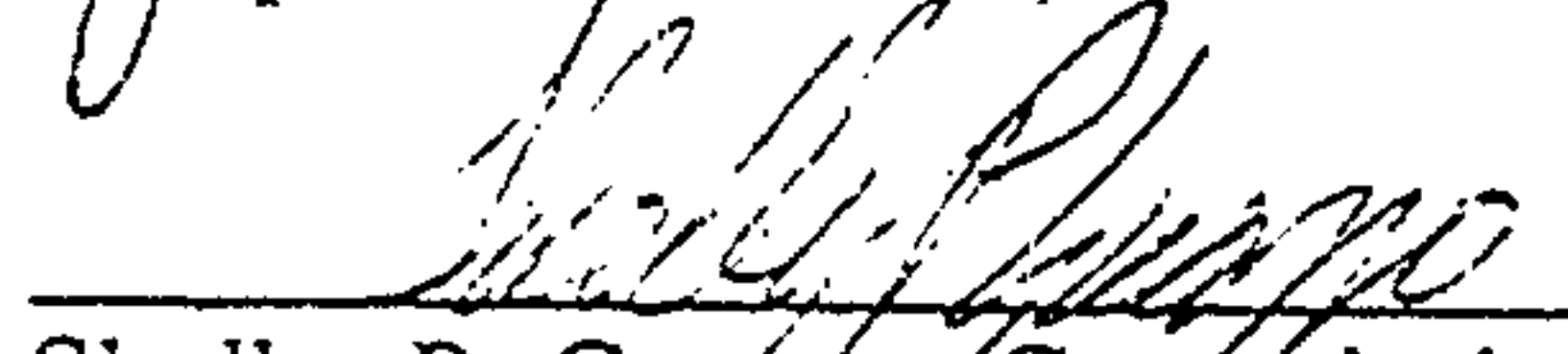
APPROVED AS TO LEGAL FORM AND SUFFICIENCY:


  
Alfred A. Lacer, County Attorney

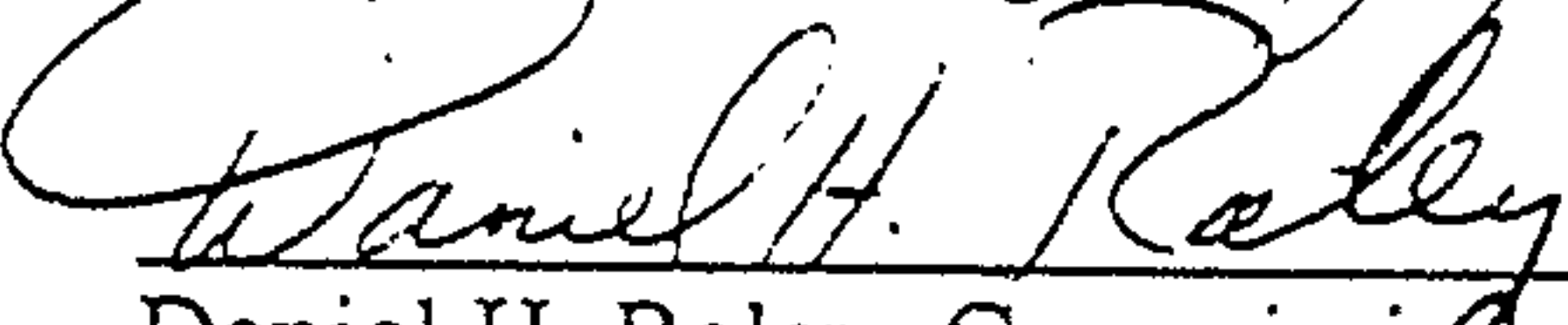
BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND

  
Julie B. Randall, President

  
Joseph F. Anderson, Commissioner

  
Shelby P. Guazzo, Commissioner

  
Thomas A. Mattingly, Sr., Commissioner

  
Daniel H. Raley, Commissioner



ORDINANCE

WHEREAS, the Board of County Commissioners believe it is in the best interest of the County to amend the Capital Improvement Budget to provide for the appropriation of a grant to the St. Mary's Home for the Elderly III, Inc. to help finance the construction of senior citizen housing for the general health and welfare of the people of St. Mary's County, Maryland; and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Section 27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$800,000.00 will be available in the form of State grant funds by the Maryland Department of Aging, which funds were bequeathed to the State of Maryland to use in memory of Bruce Colton's parents, Richard and Ophelia Colton for the purpose of providing financial assistance to non-profit organizations for the development or operation of affordable housing for the elderly and to assist individuals with low and moderate income who have housing needs; and

WHEREAS, the Board of County Commissioners intends to disburse said funds to the St. Mary's Home for the Elderly III, Inc. as recommended by the Board of County Commissioners and approved by the Maryland Department of Aging and in accordance with the Subrecipient Agreement between The Board of County Commissioners for St. Mary's County, Maryland and the St. Mary's Home for the Elderly III, Inc. which has been executed;

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, Section 3(r), a public hearing was held on November 23, 1999, pursuant to properly published notice in the *Enterprise*; and

NOW THEREFORE BE IT ORDAINED that such increase is hereby approved this \_\_\_ day of \_\_\_\_\_, 1999; that such funds shall be disbursed to the St. Mary's Home for the Elderly III, Inc. in accordance with its Subrecipient Agreement with the Board of County Commissioners.

Further, in the event any portion of this ordinance 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 ordinance shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the ordinance, or unless deletion of the invalid portion would produce a result inconsistent with the purpose and intent of the Board of County Commissioners in enacting this ordinance.

Those voting Aye: Commissioners Randall Anderson, Guazzo, Matingly, Raley  
Those voting Nay: \_\_\_\_\_  
Those absent: \_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS  
FOR ST. MARY'S COUNTY, MARYLAND

EFFECTIVE DATE: 12/7/99

Julie B. Randall  
JULIE B. RANDALL, President

Joseph F. Anderson  
JOSEPH F. ANDERSON, Commissioner

Shelby P. Guazzo  
SHELBY P. GUAZZO, Commissioner

Thomas A. Matingly, Sr.  
THOMAS A. MATTINGLY, SR., Commissioner

Daniel H. Raley  
DANIEL H. RALEY, Commissioner

ATTEST:

MICHAEL L. SMEDLEY  
MICHAEL L. SMEDLEY  
County Administrator

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Alfred A. Lacer  
ALFRED A. LACER  
County Attorney

RECORDING FEE 0.00  
TOTAL 0.00  
Res#3403 Rec#4000000  
EWA NB BK#1659  
Dec 22, 1999 12:54 PM



**PURPOSE**

FOR THE PURPOSE of amending Article VII, Sections 70.1 through 70.7 of the Zoning Ordinance in order to establish that the procedures of Sections 70.1 through 70.7 of the ordinance apply only to petitions or applications to amend the County zoning map to reclassify all or part of a specific tract of land and do not apply to other legislative actions by the Board of County Commissioners for St. Mary's County, Maryland including, without limitation, the imposition of the proposed limited and temporary moratorium, or to the comprehensive rezoning process.

**ORDINANCE**

RECORDING FEE	0.00
TOTAL	0.00

**WHEREAS**, Article VII, Sections 70.1 through 70.7 of the St. Mary's County Zoning Ordinance sets forth certain procedures relating to the amendment of the ordinance;

**WHEREAS**, the language of Sections 70.1 through 70.7 of the Zoning Ordinance indicates that the purpose of the sections was to set forth procedures that govern a petition and application for an amendment to the County zoning map that would reclassify all or part of a specific tract of land;

REC-15783 Rec-1999999  
 EPA MAR 01 2000

**WHEREAS**, the Board of County Commissioners for St. Mary's County, Maryland have instructed the Planning Director and the staff of the Department of Planning and Zoning to study and recommend revisions to the Zoning Ordinance that may apply to nonresidential development in and around Callaway Village for the purpose of protecting the health, safety and welfare of an area defined as being within one mile of the intersection of Junction Point Road (MD Route 5) and Piney Point Road (Md. Route 249) (hereafter the "Callaway Village Study Area");

MAR 01 2000 09:33

**WHEREAS**, the Board of County Commissioners for St. Mary's County, Maryland, has been considering whether to impose a limited and temporary moratorium on the issuance of building and zoning permits and site plans in connection with the development of nonresidential projects in Callaway Village Study Area while the study of revisions to the Zoning Ordinance relating to the development of this area is being conducted by the Planning Director;

**WHEREAS**, a proposed ordinance has been introduced before the Board of County Commissioners for St. Mary's County, Maryland that would impose this limited and temporary moratorium;

**WHEREAS**, it could be suggested that the procedures set forth in Sections 70.1 through 70.7 of the St. Mary's County Zoning Ordinance should be followed in amending the Zoning Ordinance to impose this moratorium;

**WHEREAS**, the Board of County Commissioners for St. Mary's County, Maryland, has determined that it is advisable to amend Sections 70.1 of the St. Mary's County Zoning Ordinance to establish that the procedures of Sections 70.1 through 70.7 of the ordinance apply only to petitions or applications to amend the County zoning map to reclassify all or part of a specific tract of land and do not apply to other legislative actions by the Board of County Commissioners for St. Mary's County, Maryland including, without limitation, the imposition of the proposed limited and temporary moratorium, or to the comprehensive rezoning process;

**WHEREAS**, the County Commissioners held a public hearing on the proposed amendments on January 4, 2000, after due notice and publication on December 17, 1999 and December 24, 1999 in The Enterprise;

**NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners for St. Mary's County, Maryland, that:

**SECTION 1.** The St. Mary's County Zoning Ordinance heretofore adopted and currently in effect, shall be and the same is hereby amended as follows -



A. Section 70.1.1 of Article VII of the St. Mary's County Zoning Ordinance is repealed in its entirety and reenacted to read as heretofore set forth:

The owner(s) or contract purchasers of a property or the Planning Director may apply to amend the St. Mary's County zoning map to reclassify all or part of a specific tract of land and must comply with the procedures of the Ordinance, including those of Sections 70.1 through 70.7. Sections 70.1 through 70.7 shall apply only to applications to amend the County zoning map to reclassify all or part of a tract of land and shall not apply to other legislative acts of the Board of County Commissioners for St. Mary's County, Maryland or to the comprehensive rezoning process.

B. This Ordinance is to be given both retroactive and prospective effect and is to apply to all prior actions and proceedings of the Board of County Commissioners for St. Mary's County, Maryland, the Planning Commission or Planning Director, including, without limitation, the Board of County Commissioners enactment of an Ordinance to impose a limited and temporary moratorium on nonresidential projects in the Callaway Village Study Area.

SECTION 2. BE IT FURTHER ORDAINED, that should any section, subsection, paragraph, clause, or phrase of this Ordinance be declared invalid for any reason whatsoever, such decision shall not effect the remaining portions of this Ordinance which shall remain in full force and effect.

SECTION 3. BE IT FURTHER ORDAINED that in the event any portion of this Ordinance 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 Ordinance shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the Ordinance, or unless deletion of the invalid portion would produce a result inconsistent with the purpose and intent of the Board of County Commissioners in enacting this Ordinance.

SECTION 4. This Ordinance shall become effective as of the date of adoption.

Those voting aye: Randall, Anderson, Guazzo

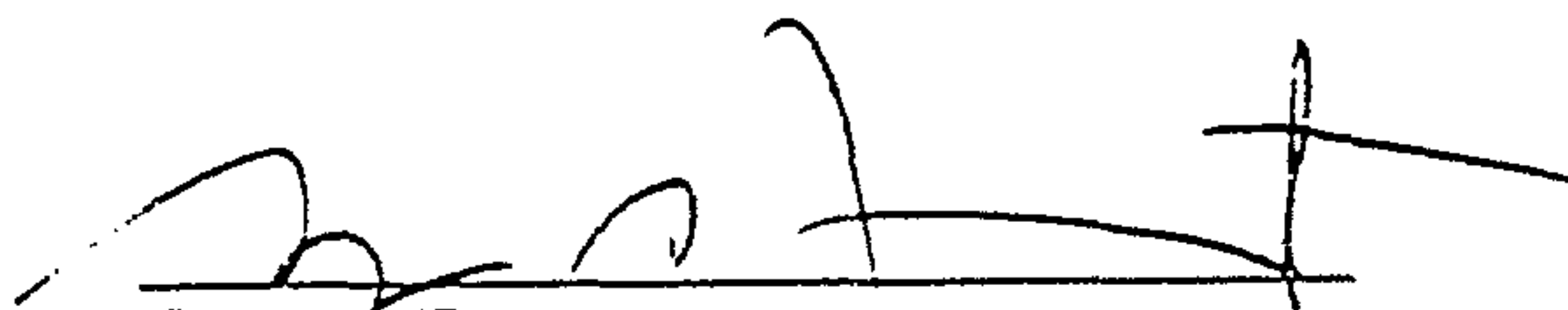
Those voting nay: MATTINGLY, Raley

Those abstaining or absent: \_\_\_\_\_

Approval Date: 02/01/00

Effective Date: 02/01/00

ATTEST:



George Forrest,  
Deputy County Administrator

APPROVED AS TO FORM AND  
SUFFICIENCY:

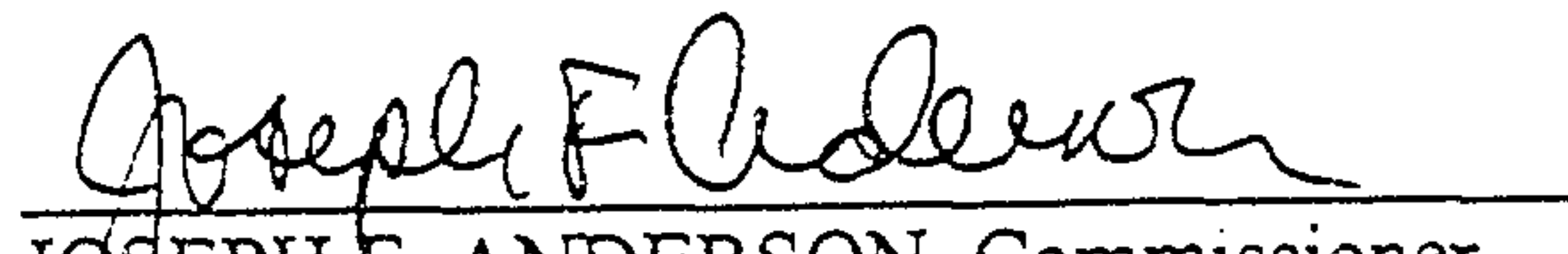


Alfred A. Lacer, County Attorney

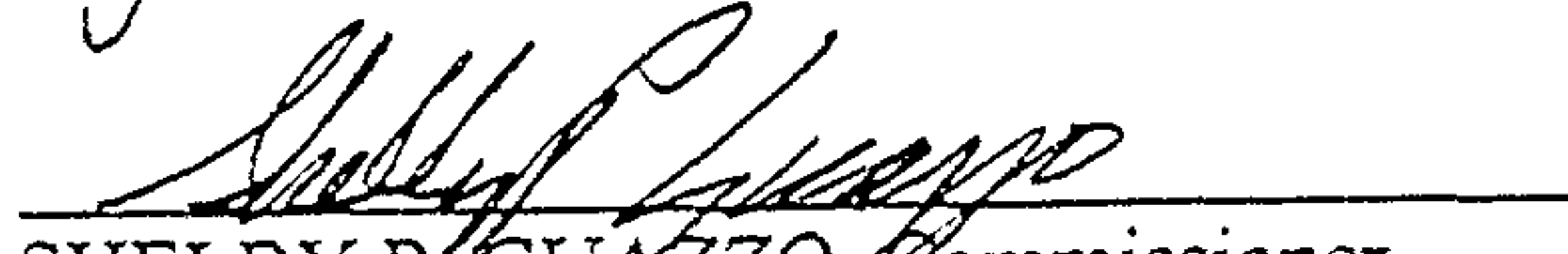
BOARD OF COUNTY COMMISSIONERS  
FOR ST. MARY'S COUNTY, MARYLAND



JULIE B. RANDALL, President



JOSEPH F. ANDERSON, Commissioner



SHELBY P. GUAZZO, Commissioner



THOMAS A. MATTINGLY, Commissioner



DANIEL H. RALEY, Commissioner



NO: 2000-4

BOOK 0015 PAGE 0049

SUBJ: FY 2000 Supplemental Appropriation  
Office on Aging

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2000 General Fund Operating Budget to increase the appropriation for the Office on Aging for St. Mary's County, and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$3,931.00 are available in State grant funds from the Maryland Department of Aging, under the Senior Health Insurance Program (SHIP) to the St. Mary's County Office on Aging for the purpose of disseminating information to the seniors about the insurance program, as well as staffing for the program.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, January 18, 2000 pursuant to Notice published on or about January 5, 2000 and January 12, 2000 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on January 18, 2000 to present and explain the requirements to increase the Fiscal Year 2000 Budget in the amount of \$3,931.00 (Three Thousand Nine Hundred Thirty-One Dollars), and such increase is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 2000, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: Randall, Anderson, Guazzo, Mattingly, Raley  
Those voting Nay: \_\_\_\_\_  
Those Absent: \_\_\_\_\_

Date of Adoption: 2/1/00

Effective Date: 2/1/00

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly  
Thomas A. Mattingly, Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

George G. Forrest  
George G. Forrest  
Deputy County Administrator

L. Jeannett Cudmore  
L. Jeannett Cudmore  
Acting Director of Finance

RECORDING FEE 0.00  
TOTAL 0.00  
Rec#3403 Rec#4299933  
EPA PL 81K#155  
Mar 02, 2000 11:34 am

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Alfred A. Lacer  
Alfred A. Lacer  
County Attorney



NO: 2000-05

SUBJ: FY 2000 Supplemental Appropriation  
Department of Public Works

BOOK 0010 PAGE 0030

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2000 Capital Fund Budget to increase the appropriation for the Department of Public Works for St. Mary's County, and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$200,000.00 are available in State grant funds from the Maryland Department of Transportation, through the State Highway Administration to the Department of Public Works of St. Mary's County for the purpose of providing typical project planning (study) by the County for FDR Boulevard.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, January 18, 2000 pursuant to Notice published on or about January 5, 2000 and January 12, 2000 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, January 18, 2000 to present and explain the requirements to increase the Fiscal Year 2000 Budget in the amount of \$200,000.00 (Two Hundred Thousand Dollars), and such increase is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 2000, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: Randall, Anderson, Guzzo, Mattingly, Raley  
Those voting Nay: \_\_\_\_\_  
Those Absent: \_\_\_\_\_

Date of Adoption: 2/1/00

Effective Date: 2/1/00

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guzzo  
Shelby P. Guzzo, Commissioner

Thomas A. Mattingly  
Thomas A. Mattingly, Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

George E. Forrest  
George E. Forrest  
Deputy County Administrator

L. Jeannett Cudmore  
L. Jeannett Cudmore  
Acting Director of Finance

RECORDING FEE 3.00  
TOTAL 8.00  
Res#6483 Rept#2000000  
EWA FL 31K+155  
Mar 22, 2000 11:35 am

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Alfred A. Lacer  
Alfred A. Lacer  
County Attorney



ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2000 General Fund Operating Budget to increase the appropriation for the Office of Community Services for St. Mary's County, and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$24,000.00 are available in State grant funds from the Governor's Office of Crime Control and Prevention, under the HotSpot Grant, Community Mobilization Program, to the Office of Community Services of St. Mary's County for the purpose of providing funds to support Citizens on Patrol activities and a community organizer to increase the capacity of the numerous community groups within the expanded HotSpot Community.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, January 18, 2000 pursuant to Notice published on or about January 5, 2000 and January 12, 2000 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, January 18, 2000 to present and explain the requirements to increase the Fiscal Year 2000 Budget in the amount of \$24,000.00 (Twenty-Four Thousand Dollars), and such increase is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 2000 by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: RANDALL, ANDERSON, GUAZZO, MATTINGLY, RALEY  
Those voting Nay: \_\_\_\_\_  
Those Absent: \_\_\_\_\_

Date of Adoption: 2/1/00  
Effective Date: 2/1/00

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

George G. Forrest  
George G. Forrest  
Deputy County Administrator

L. Jeannett Cudmore  
L. Jeannett Cudmore  
Acting Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Alfred A. Lacer  
Alfred A. Lacer  
County Attorney

RECORDING FEE 0.00  
TOTAL 0.00  
Res#483 Rept#999999  
EMA PL BIK#155  
Mar 02, 2000 11:36 am



ORDINANCE

WHEREAS, the Board of County Commissioners believe it is in the best interest of the County to amend the Fiscal Year 2000 General Fund Operating Budget to increase the appropriation for the Office of Community Services for St. Mary's County, and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$29,634.00 are available in State grant funds from the Governor's Office of Crime Control and Prevention, under the HotSpot Grant, Youth Prevention Program, to the Office of Community Services of St. Mary's County for the purpose of providing funds to support the expansion of the after school program at the Teen Learning Center and the creation of the Pirates Club. The Pirates Club will serve HotSpot youth in grades 6-8 at Esperanza Middle School. Activities will include academic assistance, conflict resolution skills development, pregnancy prevention, enrichment clubs, and recreation.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, January 18, 2000 pursuant to Notice published on or about January 5, 2000 and January 12, 2000 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, January 18, 2000 to present and explain the requirements to increase the Fiscal Year 2000 Budget in the amount of \$29,634.00 (Twenty-Nine Thousand Six Hundred Thirty-Four Dollars), and such increase is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 2000 by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: RANDALL, ANDERSON, GUAZZO, MATTINGLY, RALEY  
Those voting Nay: \_\_\_\_\_  
Those Absent: \_\_\_\_\_

Date of Adoption: 2/1/00  
Effective Date: 2/1/00

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

George G. Forrest  
George G. Forrest  
Deputy County Administrator

L. Jeannett Cudmore  
L. Jeannett Cudmore  
Acting Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Alfred A. Lacer  
Alfred A. Lacer  
County Attorney

RECORDING FEE 0.00  
TOTAL 0.00  
Rec#3803 Rcrt#333333  
EWA PL BIK#155  
Mar 02, 2000 11:37 am



SUBJECT: FY 2000 Supplemental Appropriation  
Office of Community Services

ORDINANCE

WHEREAS, the Board of County Commissioners believe it is in the best interest of the County to amend the Fiscal Year 2000 General Fund Operating Budget to increase the appropriation for the Office of Community Services for St. Mary's County, and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$13,000.00 are available in State grant funds from the Governor's Office of Crime Control and Prevention, HotSpot Grant, HotSpot Coordination Program, to the Office of Community Services of St. Mary's County for the purpose of providing funds to support the funding of a part-time coordinator to facilitate the collaboration of agencies, individuals, and organizations to implement the HotSpot strategy.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, January 18, 2000 pursuant to Notice published on or about January 5, 2000 and January 12, 2000 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, January 18, 2000 to present and explain the requirements to increase the Fiscal Year 2000 Budget in the amount of \$13,000.00 (Thirteen Thousand Dollars), and such increase is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 2000 by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: Randall, Anderson, Guazzo, Mattingly, Raley  
Those voting Nay: \_\_\_\_\_  
Those Absent: \_\_\_\_\_

Date of Adoption: 2/1/00  
Effective Date: 2/1/00

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

George G. Forrest  
George G. Forrest  
Deputy County Administrator

L. Jeannett Cudmore  
L. Jeannett Cudmore  
Acting Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Alfred A. Lacer  
Alfred A. Lacer  
County Attorney

RECORDING FEE 0.00  
TOTAL 0.00  
Rest#5803 Rcp#4999999  
EWA PL BIK#155  
Mar 02, 2000 11:37



NO.: 2000-09

BOOK 0015 PAGE 0054

SUBJECT: FY 2000 Supplemental Appropriation  
Office of the Sheriff

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2000 General Fund Operating Budget to increase the appropriation for the Office of the Sheriff for St. Mary's County, and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$4,000.00 are available in State grant funds from the Governor's Office of Crime Control and Prevention, under the HotSpot Grant, Community Policing Program, to the Office of the Sheriff of St. Mary's County for the purpose of providing funds for overtime support for two community police officers assigned to the HotSpot Community and support for the community policing substation in the expanded area.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, January 18, 2000 pursuant to Notice published on or about January 5, 2000 and January 12, 2000 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, January 18, 2000 to present and explain the requirements to increase the Fiscal Year 2000 Budget in the amount of \$4,000.00 (Four Thousand Dollars), and such increase is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 2000 by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: Randall, Anderson, Guazzo, Mattingly, Raley  
Those voting Nay: \_\_\_\_\_  
Those Absent: \_\_\_\_\_

Date of Adoption: 2/1/00  
Effective Date: 2/1/00

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

George G. Forrest  
George G. Forrest  
Deputy County Administrator

L. Jeannett Cudmore  
L. Jeannett Cudmore  
Acting Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Alfred A. Lacer  
Alfred A. Lacer  
County Attorney

RECORDING FEE 8.00  
TOTAL 8.00  
Res#3003 Rpt#999999  
EWA PL B1K#155  
Mar 02, 2000 11:38 am



RESOLUTION

WHEREAS, Article 25, Section 14A, Paragraph (a), subparagraph (1) of the Annotated Code of Maryland empowers the County Commissioners to prescribe and enforce Rules and Regulations concerning the operation and manner of use of the disposal areas or facilities; and

WHEREAS, The Board of County Commissioners adopted rules and Regulations governing the use of the County Solid Waste Acceptance Facilities by Resolution No. 71-4, effective March 1, 1971, amended via Resolution No. 91-20, effective August 1, 1991, amended via Resolution No. 96-24, effective August 12, 1996, and amended via Resolution No. 98-13, effective March 9, 1999; and

WHEREAS, the Solid Waste Ordinance was adopted by the Board of St. Mary's County Commissioners on November 29, 1988 and which Ordinance in §3, authorizes the County Commissioners to establish, by Resolution, a schedule of fees as they deem necessary in connection with the use and operation of the Solid Waste Acceptance Facilities; and

WHEREAS, the Solid Waste Ordinance in §2 and 8, authorizes the Department of Public Works to adopt additional rules governing acceptable refuse and to set the hours of operation of the Solid Waste Acceptance Facilities; and

WHEREAS, on November 23, 1999, commercial vendors were notified, in writing, of the potential termination of commercial rubble fill disposal activities; and

WHEREAS, the remaining disposal capacity in the rubble cell will be reserved for the citizens of St. Mary's County, Christmas in April, Adopt-a-Road, Adopt-a-Highway, and other community clean-up/benefiting programs, emergency disaster and maintenance assistance and disposal from Capital Improvement projects; and

WHEREAS, the St. Andrews facility will continue to accept "clean" spoil dirt, sand, gravel, topsoil, brush, limbs, tires, scrap metal and appliances from commercial haulers; and

WHEREAS, it is the intent of the Board of County Commissioners that all other terms and conditions in the Rules and Regulations and the Fee Schedule remain in effect except as expressly noted herein.

NOW, THEREFORE, BE IT ORDAINED, that the Board of County Commissioners hereby prohibits the disposal of rubble/construction and demolition debris material beginning January 18, 2000 at the St. Andrews Landfill by commercial/industrial haulers.

Those Voting Yea: RANDALL, ANDERSON, GUAZZO, MATTINGLY, RALEY  
Those Voting Nay: \_\_\_\_\_  
Those Abstaining: \_\_\_\_\_

ADOPTION DATE: 1/18/00

EFFECTIVE DATE: 1/18/00

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

[Signature]  
County Administrator

APPROVED AS TO LEGAL FORM & SUFFICIENCY:

[Signature]  
Alfred A. Tracer  
County Attorney

RECORDING FEE 0.00  
TOTAL 0.00  
Res#5423 Rort#333333  
EHA PL BIK#155  
Mar 02, 2000 11:38



SUBJ: Rosebank Village  
Road Improvement Taxing District:  
Fixing and Levy of Benefit  
Assessment Charge

**ORDINANCE**

FOR THE PURPOSE of levying an amount against the properties within the Rosebank Village Road Improvement Taxing District an annual benefit assessment charge to repay the Board of County Commissioners the cost of improving and upgrading the former private roads, which annual benefit assessment charge shall be for a term not to exceed twenty (20) years.

**RECITALS**

**WHEREAS**, the Board of County Commissioners of St. Mary's County, Maryland are empowered, by virtue of the Code of Public Local Laws of Maryland, Article 19 (St. Mary's County), Sections 109-2, C and D, codified as Code of St. Mary's County, § 109-2(C and D), to create special taxing districts to finance the cost of constructing, upgrading and improving private roads, upon petition of a majority of the property owners whose property benefits from said improvements;

RECORDING FEE 0.00  
TOTAL 0.00

**WHEREAS**, the Board of County Commissioners of St. Mary's County, Maryland, pursuant to implied authority granted by Code of Public Local Laws of Maryland, Article 19 (St. Mary's County), Sections 109-2, C and D, codified as Code of St. Mary's County, § 109-2(C and D), may act to establish the Rosebank Village Road Improvement Taxing District;

RES 13123 REC 4999999

**WHEREAS**, the Board of County Commissioners via Ordinance No. 95-30 did, on June 6, 1995, establish the Rosebank Village Road Improvement Taxing District pursuant to citizen petition and the authority granted by the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Sections 109-2 (D) (1) and (2);

EMA FL 81K#155  
Mar 02, 2000 11:42 am

**WHEREAS**, the district is located in the Third (3rd) Election District of St. Mary's County, Maryland, with portions of the district depicted on Tax Map 40 which are recorded among the Land Records of St. Mary's County, Maryland. The following street, as shown on the aforementioned tax map, of Rosebank Village subdivision, has been improved by the Board of County Commissioners to current standards:

Rosebank Court from Rosebank Road (County Route 30166) to the end, a distance of approximately 2,184 linear feet.

**WHEREAS**, the boundaries of the special district are depicted on the tax map attached hereto and incorporated herein as Exhibit "A";

**WHEREAS**, construction of the improvements and upgrading of the street within the Rosebank Village Road Improvement Taxing District was completed on October 1, 1996;

**WHEREAS**, the Board of County Commissioners has previously ordained use of an assessment method whereby each "property", as defined herein, is assessed a uniform assessment for purposes of debt service on the capital construction cost;

**WHEREAS**, the Board of County Commissioners for St. Mary's County, Maryland, acting as District Council, has previously ordained that all properties within the boundaries of the Rosebank Village Road Improvement Taxing District, as collectively shown on Exhibit "A" have specially and equally benefited from the construction of upgrading and improving the road;

**WHEREAS**, it is the intent of the Board of County Commissioners, acting as District Council, to enter assessments against all benefited properties, which includes a portion of the subdivision shown collectively on the tax map attached hereto as Exhibit "A", and all tax accounts listed herein, excluding only that property which may be otherwise exempt from real



property taxes, as may be permitted by law;

WHEREAS, in accordance with Article 25, § 3(r) of the Annotated Code of Maryland, a public hearing was held as to the Rosebank Village Road Improvement Taxing District to fix and levy a special tax upon real property benefitted by the improved and upgraded roadbed of Rosebank Court was held on January 4, 2000 pursuant to Notice published in *The Enterprise*, a newspaper of general circulation in St. Mary's County, on December 22, 1999 and December 29, 1999; and

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, wishes to enact this Ordinance to fix and levy a special tax in accordance with the provisions and conditions herein set forth.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND, that the Rosebank Village Road Improvement Taxing District as to the fixing and levying of a special tax is hereby adopted as hereinafter set forth below:

**ROSEBANK VILLAGE ROAD IMPROVEMENT TAXING DISTRICT ORDINANCE**

**SECTION 1. Definitions.** For the purpose of this Ordinance only, the following terms and definitions shall apply to this Ordinance and to the Rosebank Village Road Improvement Taxing District:

A. "Property" means any tract, parcel, lot, or other quantity of land, including any and all improvements, if any, that have been erected or constructed upon such land, as depicted on the subdivision plats referenced hereinabove.

B. "Property owner" means any and all persons or entities of record holding the primary ownership interest in an individual tract, parcel, lot or other quantity of land located within the boundaries of the proposed taxing district on the date of execution of this ordinance, including without limitation fee simple ownership interests and conditional or limited ownership interests (such as interests subject to reversionary clauses, defeasible interests and fee-tails), but excluding those persons and entities holding a junior, subservient or equitable interest (such as mortgagees, deed of trust beneficiaries and trustees, installment contract purchasers where the contract is not recorded, mechanic lien claimants, and holders of judgment liens).

C. "Property owners" refers collectively to each and every property owner within the proposed district.

D. "Majority" means the "property owners" of at least fifty percent (50%) plus 1 of any and all "property" located within the district boundaries for purposes of evaluating the written petitions for the creation and establishment of this road special taxing district.

**SECTION 2. District Boundaries.** The properties affected by this Ordinance are all lots located on Rosebank Court within the Rosebank Village subdivision as itemized in the list attached as Exhibit "A" which lists 9 lots as configured on the tax map referenced above, and which properties are shown, collectively within the bold lines on the copy attached as Exhibit "A", located in the Third (3rd) Election District.

**SECTION 3. Capital Improvement and Debt Service Costs.** The costs of said



improvements and reconstruction have been borne by the Board of County Commissioners and the property owners in accordance with the following:

A. The property owners shall be responsible for the construction costs for improving roads to a condition acceptable for inclusion within the County Highway Maintenance System, which costs totaled \$34,638.07.

B. The property owners shall be responsible for all design costs for work performed by consultant engineers retained by the Board of County Commissioners for this project, with the exception of cost incurred for inspection of construction work which costs totaled \$0.00.

C. The inspection costs associated with the construction were borne solely by the County.

D. The property owners shall be responsible for all interest costs associated with the financing of the work.

E. The cost of said construction and improvements attributable to those properties hereinafter named shall be paid over a 20-year period by an annual benefit assessment levied against said properties as hereinafter set forth above.

F. The total costs for which the property owners shall be responsible is \$34,638.07 plus an interest charge of \$27,038.93 (annual interest rate of 6.2596%), which sum equals \$61,677.00 which is known as the "total benefit assessment".

G. The Board of County Commissioners for St. Mary's County, Maryland acting as District Council hereby levies the following special taxes as a uniform benefit assessment of \$342.65 upon each "property" within the boundaries of the Rosebank Village Road Improvement Taxing District, as shown on the map attached as Exhibit "A".

**SECTION 4. Annual Benefit Assessment.** The annual benefit assessment shall be computed as follows:

A. The "total benefit assessment" shall represent total costs of reconstruction and improvements, as described above, to be borne by the property owners and is the total of the aforementioned items.

B. The "total benefit assessment" shall be divided by 20 to determine the "annual benefit assessment" to be levied against all of the property owners for 20 years.

C. The "annual benefit assessment" shall be divided by 9, the number of properties in existence in the taxing district as shown on the map of the district boundaries.

D. The "annual benefit assessment" per each of the 9 lots as shown on Exhibit "A" and listed herein be \$342.65 for tax year 1997-1998 and for each year thereafter until the entire district debt is paid in full, or such other amount as may be subsequently certified by the



Board of County Commissioners, as provided for herein.

E. The Board of County Commissioners of St. Mary's County, Maryland, may alter and certify periodically, as the Board in its discretion may determine, the amount of each assessment to the Treasurer of St. Mary's County, Maryland, which if done, shall be so certified on or before May 1 of any year.

**SECTION 5. Duties of County Treasurer.** The Treasurer of St. Mary's County, Maryland, shall place said annual benefit assessment on the State and County real estate tax bills for said lots for twenty (20) succeeding fiscal years and that said annual benefit assessments shall be subject to such discount allowances and interest penalties and charges as may be provided by law.

Tax Map #	Parcel #	Lot #	Tax Account #
40	Parcel 201	Lot 1	03-043991
40	Parcel 202	Lot 2	03-044041
		Lot 3	03-044076
		Lot 4	03-044033
		Lot 5	03-044084
		Lot 6	03-044092
		Lot 7	03-044106
		Lot 8	03-044068
40	Parcel 15	-----	03-033430

**SECTION 6. First Lien.** This special tax levy shall constitute a first lien on the properties against which they are assessed, until paid in full, subject only to State and County taxes.

**SECTION 7. Prepayment Prohibited.** The special tax levied by this Ordinance shall not be prepaid;

**SECTION 8. Alteration of Assessment by Action of Taxpayer Prohibited.** The re-subdivision, vacation of subdivision plats, or vacation or rearrangement of lot lines, subsequent to the recording dates of the subdivision plats mentioned hereinabove, which result in the creation of fewer benefited properties and fewer properties subject to the special tax, shall not be recognized for purposes of calculation of the annual benefit assessments necessary to pay the principal, interest, and all other lawful expenses of this special district; in such case, assessments shall be calculated as if the subsequent resubdivision, vacation of plat, or lot line vacation or adjustment had not occurred.

**SECTION 9. Alteration of Assessment by Action of Taxpayer Permitted.** The re-subdivision of lot lines, subsequent to the recording dates of the subdivision plats mentioned hereinabove, which result in the creation of a greater number of lots, shall be recognized for assessment purposes, and the Treasurer shall enter assessments so that the assessment of the parent lot shall be equally divided between the resulting lots.

**SECTION 10. Payment Before Transfer.** No deed or conveyance of real estate subject to said lien shall be transferred by the Supervisor of the Maryland Department of Assessments and Taxation for St. Mary's County until proof of payment of all benefit assessments then due has been exhibited.

**SECTION 11. SEVERABILITY:** IT IS FURTHER ORDAINED that in the event any portion of this Ordinance 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 Ordinance shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the Ordinance, or unless



deletion of the invalid portion would produce a result inconsistent with the purpose and intent of the Board of County Commissioners in enacting this Ordinance.

**SECTION 12. EFFECTIVE DATE:** This Ordinance shall become effective as of the date of adoption.

Those voting aye: Randall, Anderson, Guazzo, Mattingly, Raley

Those voting nay: \_\_\_\_\_

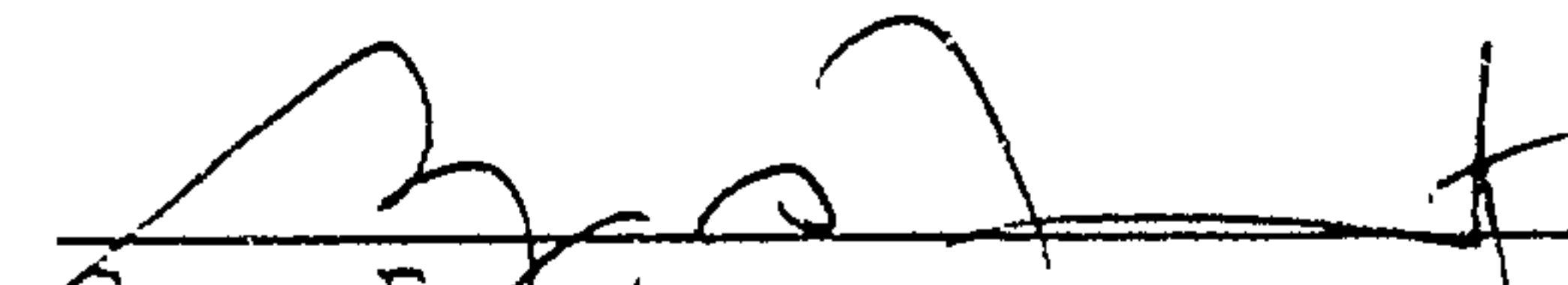
Those abstaining or absent: \_\_\_\_\_

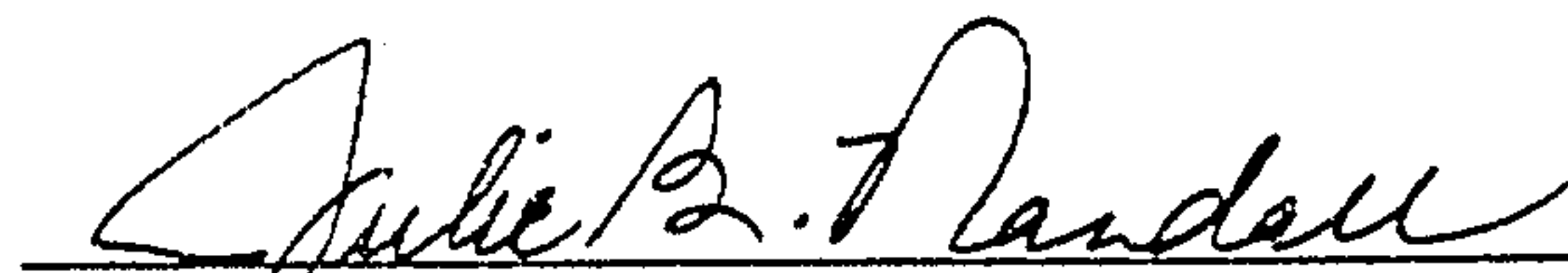
Approval Date: 1/28/00

Effective Date: 1/28/00

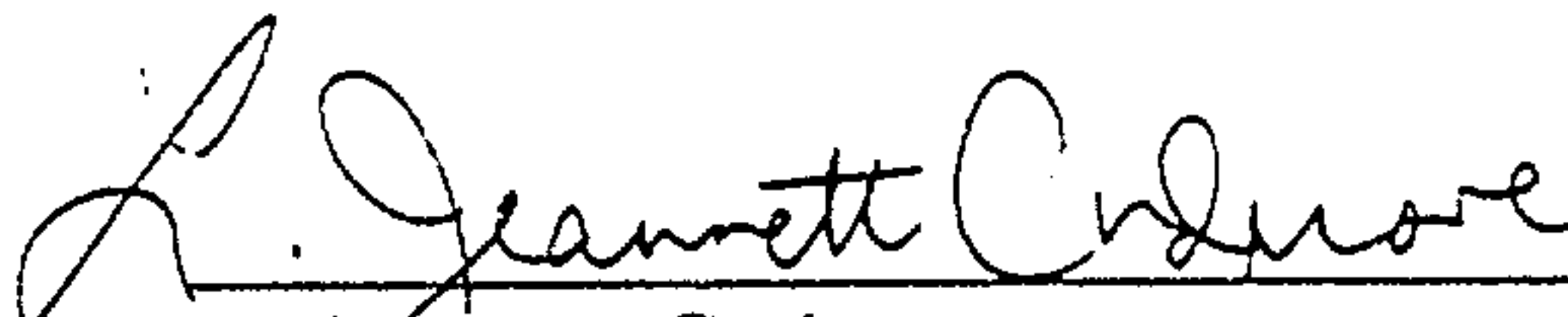
BOARD OF COUNTY COMMISSIONERS  
FOR ST. MARY'S COUNTY, MARYLAND

ATTEST:

  
George Forrest,  
Deputy County Administrator

  
JULIE B. RANDALL, President


APPROVED:

  
L. Jeannett Cudmore  
Acting Finance Director


  
JOSEPH F. ANDERSON, Commissioner

  
SHELBY P. GUAZZO, Commissioner

  
THOMAS A. MATTINGLY, SR., Commissioner

  
DANIEL H. RALEY, Commissioner

APPROVED AS TO FORM AND  
SUFFICIENCY:

  
ALFRED A. LACER  
County Attorney







SUBJ: Mallard Creek Court  
Road Improvement Taxing District:  
Fixing and Levy of Benefit  
Assessment Charge

**ORDINANCE**

FOR THE PURPOSE of levying an amount against the properties within the Mallard Creek Court Road Improvement Taxing District an annual benefit assessment charge to repay the Board of County Commissioners the cost of improving and upgrading the former private roads, which annual benefit assessment charge shall be for a term not to exceed twenty (20) years.

**RECITALS**

RECORDING FEE 9.00  
TOTAL 9.00

**WHEREAS**, the Board of County Commissioners of St. Mary's County, Maryland are empowered, by virtue of the Code of Public Local Laws of Maryland, Article 19 (St. Mary's County), Sections 109-2, C and D, codified as Code of St. Mary's County, § 109-2(C and D), to create special taxing districts to finance the cost of constructing, upgrading and improving private roads, upon petition of a majority of the property owners whose property benefits from said improvements;

Res 96-25 Rec 4-23-96

**WHEREAS**, the Board of County Commissioners of St. Mary's County, Maryland, pursuant to implied authority granted by Code of Public Local Laws of Maryland, Article 19 (St. Mary's County), Sections 109-2, C and D, codified as Code of St. Mary's County, § 109-2(C and D), may act to establish the Mallard Creek Court Road Improvement Taxing District;

EWA PL 81k#155

**WHEREAS**, the Board of County Commissioners via Resolution No. 96-25 did, on September 17, 1996, establish the Mallard Creek Court Road Taxing District pursuant to citizen petition and the authority granted by the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Sections 109-2 (D) (1) and (2);

Mar 02, 2000 11:43 AM

**WHEREAS**, the district is located in the Second Election District of St. Mary's County, Maryland, with portions of the district depicted on Tax Map 61 which are recorded among the Land Records of St. Mary's County, Maryland, within which district the following street, as shown on the aforementioned tax map, of Mallard Creek subdivision, have been improved by the Board of County Commissioners to current standards:

Mallard Creek Court from Drayden Road (County Route 30899) to the end of the cul-de-sac; approximately 1,260 linear feet.

**WHEREAS**, the boundaries of the special district are depicted on the tax map attached hereto and incorporated herein as Exhibit "A";

**WHEREAS**, construction of the improvements and upgrading of the street within the Mallard Creek Court Road Improvement Taxing District was completed on June 5, 1997;

**WHEREAS**, the Board of County Commissioners has previously ordained use of an assessment method whereby each "property", as defined herein, is assessed a uniform assessment for purposes of debt service on the capital construction cost;

**WHEREAS**, the Board of County Commissioners for St. Mary's County, Maryland, acting as District Council, has previously ordained that all properties within the boundaries of the Mallard Creek Court Road Improvement Taxing District, as collectively shown on Exhibit "A" have specially and equally benefited from the construction of upgrading and improving the roads;

**WHEREAS**, it is the intent of the Board of County Commissioners, acting as District Council, to enter assessments against all benefited properties, which includes all portions of the subdivision shown collectively on the tax map attached hereto as Exhibit "A", and all tax accounts listed herein, excluding only that property which may be otherwise exempt from real



property taxes, as may be permitted by law;

WHEREAS, in accordance with Article 25, § 3(r) of the Annotated Code of Maryland, a public hearing was held as to the Mallard Creek Court Road Improvement Taxing District to fix and levy a special tax upon real property benefitted by the improved and upgraded roadbeds within the district of Mallard Creek Court was held on January 4, 2000 pursuant to Notice published in *The Enterprise*, a newspaper of general circulation in St. Mary's County, on December 22, 1999 and December 29, 1999; and

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, wishes to enact this Ordinance to fix and levy a special tax in accordance with the provisions and conditions herein set forth.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND, that the Mallard Creek Court Road Improvement Taxing District as to the fixing and levying of a special tax is hereby adopted as hereinafter set forth below:

**MALLARD CREEK COURT ROAD IMPROVEMENT TAXING DISTRICT**  
**ORDINANCE**

§ 1. **Definitions.** For the purpose of this Ordinance only, the following terms and definitions shall apply to this Ordinance and to the Mallard Creek Court Road Improvement Taxing District:

A. "Property" means any tract, parcel, lot, or other quantity of land, including any and all improvements, if any, that have been erected or constructed upon such land, as depicted on the subdivision plats referenced hereinabove.

B. "Property owner" means any and all persons or entities of record holding the primary ownership interest in an individual tract, parcel, lot or other quantity of land located within the boundaries of the proposed taxing district on the date of execution of this ordinance, including without limitation fee simple ownership interests and conditional or limited ownership interests (such as interests subject to reversionary clauses, defeasible interests and fee-tails), but excluding those persons and entities holding a junior, subservient or equitable interest (such as mortgagees, deed of trust beneficiaries and trustees, installment contract purchasers where the contract is not recorded, mechanic lien claimants, and holders of judgment liens).

C. "Property owners" refers collectively to each and every property owner within the proposed district.

D. "Majority" means the "property owners" of at least fifty percent (50%) plus one of any and all "property" located within the district boundaries for purposes of evaluating the written petitions for the creation and establishment of this road special taxing district.

§ 2. **District Boundaries.** The properties affected by this Ordinance are all lots within the Mallard Creek subdivision as itemized in the list attached as Exhibit "A" which lists 8 lots as configured on the tax map referenced above, and which properties are shown, collectively within the bold lines on the copy attached as Exhibit "A", located in the Second Election District.

§ 3. **Capital Improvement and Debt Service Costs.** The costs of said



improvements and reconstruction have been borne by the Board of County Commissioners and the property owners in accordance with the following:

A. The property owners shall be responsible for the construction costs for improving roads to a condition acceptable for inclusion within the County Highway Maintenance System, which costs totaled \$24,870.43.

B. The property owners shall be responsible for all design costs for work performed by consultant engineers retained by the Board of County Commissioners for this project, with the exception of cost incurred for inspection of construction work which costs totaled \$310.83.

C. The inspection costs associated with the construction were borne solely by the County.

D. The property owners shall be responsible for all interest costs associated with the financing of the work.

E. The cost of said construction and improvements attributable to those properties hereinafter named shall be paid over a 20-year period by an annual benefit assessment levied against said properties as hereinafter set forth above.

F. The total costs for which the property owners shall be responsible is \$25,181.26 plus an interest charge of \$16,299.94 (annual interest rate of 5.31%), which sum equals \$41,481.20 which is known as the "total benefit assessment".

G. The Board of County Commissioners for St. Mary's County, Maryland acting as District Council hereby levies the following special taxes as a uniform benefit assessment of \$259.26 upon each "property" within the boundaries of the Mallard Creek Court Road Improvement Taxing District, as shown on the map attached as Exhibit "A".

**§ 4. Annual Benefit Assessment.** The annual benefit assessment shall be computed as follows:

A. The "total benefit assessment" shall represent total costs of reconstruction and improvements, as described above, to be borne by the property owners and is the total of the aforementioned items.

B. The "total benefit assessment" shall be divided by 20 to determine the "annual benefit assessment" to be levied against all of the property owners for 20 years.

C. The "annual benefit assessment" shall be divided by 8, the number of properties in existence in the taxing district as shown on the map of the district boundaries.

D. The "annual benefit assessment" per each of the 8 lots as shown on Exhibit "A" shall be \$259.26 for tax year 1999-2000 and for each year thereafter until the entire district debt is paid in full, or such other amount as may be subsequently certified by the Board of



County Commissioners, as provided for herein.

E. The Board of County Commissioners of St. Mary's County, Maryland, may alter and certify periodically, as the Board in its discretion may determine, the amount of each assessment to the Treasurer of St. Mary's County, Maryland, which if done, shall be so certified on or before May 1 of any year.

**§ 5. Duties of County Treasurer.** The Treasurer of St. Mary's County, Maryland, shall place said annual benefit assessment on the State and County real estate tax bills for said lots for twenty (20) succeeding fiscal years and that said annual benefit assessments shall be subject to such discount allowances and interest penalties and charges as may be provided by law.

Tax Map #	Parcel #	Lot #	Tax Account #
61	402	Lot 1	02-027968
		Lot 2	02-027976
		Lot 3	02-027984
		Lot 4	02-027992
		Lot 5	02-028018
		Lot 6	02-028026
		Lot 7	02-028034
		Lot 8	02-027925

**§ 6. First Lien.** This special tax levy shall constitute a first lien on the properties against which they are assessed, until paid in full, subject only to State and County taxes.

**§ 7. Prepayment Prohibited.** The special tax levied by this Ordinance shall not be prepaid;

**§ 8. Alteration of Assessment by Action of Taxpayer Prohibited.** The re-subdivision, vacation of subdivision plats, or vacation or rearrangement of lot lines, subsequent to the recording dates of the subdivision plats mentioned hereinabove, which result in the creation of fewer benefited properties and fewer properties subject to the special tax, shall not be recognized for purposes of calculation of the annual benefit assessments necessary to pay the principal, interest, and all other lawful expenses of this special district; in such case, assessments shall be calculated as if the subsequent resubdivision, vacation of plat, or lot line vacation or adjustment had not occurred.

**§ 9. Alteration of Assessment by Action of Taxpayer Permitted.** The re-subdivision of lot lines, subsequent to the recording dates of the subdivision plats mentioned hereinabove, which result in the creation of a greater number of lots, shall be recognized for assessment purposes, and the Treasurer shall enter assessments so that the assessment of the parent lot shall be equally divided between the resulting lots.

**§ 10. Payment Before Transfer.** No deed or conveyance of real estate subject to said lien shall be transferred by the Supervisor of the Maryland Department of Assessments and Taxation for St. Mary's County until proof of payment of all benefit assessments then due has been exhibited.

**§ 11. SEVERABILITY:** IT IS FURTHER ORDAINED that in the event any portion of this Ordinance 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 Ordinance shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the Ordinance, or unless deletion of the invalid portion would produce a result inconsistent with the purpose and intent of the



Board of County Commissioners in enacting this Ordinance.

§ 12. EFFECTIVE DATE: This Ordinance shall become effective as of the date of adoption.

Those voting aye: Randall, Anderson, Guazzo, Mattingly, Raley

Those voting nay: \_\_\_\_\_

Those abstaining or absent: \_\_\_\_\_

Approval Date: 1/28/00

Effective Date: 1/28/00

BOARD OF COUNTY COMMISSIONERS  
FOR ST. MARY'S COUNTY, MARYLAND

ATTEST:

[Signature]  
George Forrest,  
Deputy County Administrator

[Signature]  
JULIE B. RANDALL, President

APPROVED:

[Signature]  
L. Jeannett Cudmore  
Acting Finance Director

[Signature]  
JOSEPH F. ANDERSON, Commissioner

[Signature]  
SHELBY P. GUAZZO, Commissioner

[Signature]  
THOMAS A. MATTINGLY, SR. Commissioner

[Signature]  
DANIEL H. RALEY, Commissioner

APPROVED AS TO FORM AND  
SUFFICIENCY:

[Signature]  
ALFRED A. LACER  
County Attorney







SUBJ: Clover Dale Acres  
Road Improvement Taxing District:  
Fixing and Levy of Benefit  
Assessment Charge

**ORDINANCE**

FOR THE PURPOSE of levying an amount against the properties within the Clover Dale Acres Road Improvement Taxing District an annual benefit assessment charge to repay the Board of County Commissioners the cost of improving and upgrading the former private roads, which annual benefit assessment charge shall be for a term not to exceed twenty (20) years.

**RECITALS**

RECORDING FEE	9.00
TOTAL	9.00

**WHEREAS**, the Board of County Commissioners of St. Mary's County, Maryland are empowered, by virtue of the Code of Public Local Laws of Maryland, Article 19 (St. Mary's County), Sections 109-2, C and D, codified as Code of St. Mary's County, § 109-2(C and D), to create special taxing districts to finance the cost of constructing, upgrading and improving private roads, upon petition of a majority of the property owners whose property benefits from said improvements;

Rest#303 Rcpt#399999  
EHA PL 91k#155

**WHEREAS**, the Board of County Commissioners of St. Mary's County, Maryland, pursuant to authority granted by Code of Public Local Laws of Maryland, Article 19 (St. Mary's County), Sections 109-2, C and D, codified as Code of St. Mary's County, § 109-2(C and D), may act to establish the Clover Dale Acres Road Improvement Taxing District;

Mar 02, 2000 11:44 am

**WHEREAS**, the Board of County Commissioners via Ordinance No. 95-24 did, on May 11, 1995, establish the Clover Dale Acres Road Improvement Taxing District pursuant to citizen petition and the authority granted by the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Sections 109-2 (D) (1) and (2);

**WHEREAS**, the district is located in the Fourth (4th) Election District of St. Mary's County, Maryland, with portions of the district depicted on Tax Map 23 which are recorded among the Land Records of St. Mary's County, Maryland, in Liber 14, Folio 4, within the district the following street, as shown on the aforementioned tax map, of Clover Dale Acres subdivision, has been improved by the Board of County Commissioners to current standards:

Clover Dale Court - From the intersection of Horseshoe Road, formerly known as Hurry Road, (County Route 30089) to the cul-de-sac, a distance of approximately 725 feet.

**WHEREAS**, the boundaries of the special district are depicted on the tax map attached hereto and incorporated herein as Exhibit "A";

**WHEREAS**, construction of the improvements and upgrading of the street within the Clover Dale Acres Road Improvement Taxing District was completed on October 1, 1996;

**WHEREAS**, the Board of County Commissioners has previously ordained use of an assessment method whereby each "property", as defined herein, is assessed a uniform assessment for purposes of debt service on the capital construction cost;

**WHEREAS**, the Board of County Commissioners for St. Mary's County, Maryland, acting as District Council, has previously and does hereby ordain that all properties within the boundaries of the Clover Dale Acres Road Improvement Taxing District, as collectively shown on Exhibit "A" have specially and equally benefited from the construction of upgrading and improving the road;

**WHEREAS**, it is the intent of the Board of County Commissioners, acting as District Council, to enter assessments against all benefited properties, which includes a portion of



the subdivision shown collectively on the tax map attached hereto as Exhibit "A", and all tax accounts listed herein, excluding only that property which may be otherwise exempt from real property taxes, as may be permitted by law;

WHEREAS, in accordance with Article 25, § 3(r) of the Annotated Code of Maryland, a public hearing was held as to the Clover Dale Acres Road Improvement Taxing District to fix and levy a special tax upon real property benefitted by the improved and upgraded roadbed of Clover Dale Court was held on January 4, 2,000 pursuant to Notice published in *The Enterprise*, a newspaper of general circulation in St. Mary's County, on December 22, 1999 and December 29, 1999; and

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, wishes to enact this Ordinance to fix and levy a special tax in accordance with the provisions and conditions herein set forth.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND, that the Clover Dale Acres Road Improvement Taxing District as to the fixing and levying of a special tax is hereby adopted as hereinafter set forth below:

#### CLOVER DALE ACRES ROAD IMPROVEMENT TAXING DISTRICT ORDINANCE

§ 1. **Definitions.** For the purpose of this Ordinance only, the following terms and definitions shall apply to this Ordinance and to the Clover Dale Acres Road Improvement Taxing District:

A. "Property" means any tract, parcel, lot, or other quantity of land, including any and all improvements, if any, that have been erected or constructed upon such land, as depicted on the subdivision plats referenced hereinabove.

B. "Property owner" means any and all persons or entities of record holding the primary ownership interest in an individual tract, parcel, lot or other quantity of land located within the boundaries of the proposed taxing district on the date of execution of this ordinance, including without limitation fee simple ownership interests and conditional or limited ownership interests (such as interests subject to reversionary clauses, defeasible interests and fee-tails), but excluding those persons and entities holding a junior, subservient or equitable interest (such as mortgagees, deed of trust beneficiaries and trustees, installment contract purchasers where the contract is not recorded, mechanic lien claimants, and holders of judgment liens).

C. "Property owners" refers collectively to each and every property owner within the proposed district.

D. "Majority" means the "property owners" of at least fifty percent (50%) plus one of any and all "property" located within the district boundaries for purposes of evaluating the written petitions for the creation and establishment of this road special taxing district.

§ 2. **District Boundaries.** The properties affected by this Ordinance are all lots located on Clover Dale Court within the Clover Dale Acres subdivision as itemized in the list attached as Exhibit "A" which lists 8 lots as configured on the tax map referenced above, and which properties are shown, collectively within the bold lines on the copy attached as Exhibit "A", located in the Fourth (4th) Election District.



§ 3. **Capital Improvement and Debt Service Costs.** The costs of said improvements and reconstruction have been borne by the Board of County Commissioners and the property owners in accordance with the following:

A. The property owners shall be responsible for the construction costs for improving roads to a condition acceptable for inclusion within the County Highway Maintenance System, which costs totaled \$40,314.70.

B. The property owners shall be responsible for all design costs for work performed by consultant engineers retained by the Board of County Commissioners for this project, with the exception of cost incurred for inspection of construction work which costs totaled \$0.00.

C. The inspection costs associated with the construction were borne solely by the County.

D. The property owners shall be responsible for all interest costs associated with the financing of the work.

E. The cost of said construction and improvements attributable to those properties hereinafter named shall be paid over a 20-year period by an annual benefit assessment levied against said properties as hereinafter set forth above.

F. The total costs for which the property owners shall be responsible is \$40,314.70 plus an interest charge of \$31,470.30 (annual interest rate of 6.2596%), which sum equals \$71,785.00 which is known as the "total benefit assessment".

G. The Board of County Commissioners for St. Mary's County, Maryland acting as District Council hereby levies the following special taxes as a uniform benefit assessment of \$512.75 upon each "property" within the boundaries of the Clover Dale Acres Road Improvement Taxing District, as shown on the map attached as Exhibit "A".

§ 4. **Annual Benefit Assessment.** The annual benefit assessment shall be computed as follows:

A. The "total benefit assessment" shall represent total costs of reconstruction and improvements, as described above, to be borne by the property owners and is the total of the aforementioned items.

B. The "total benefit assessment" shall be divided by 20 to determine the "annual benefit assessment" to be levied against all of the property owners for 20 years.

C. The "annual benefit assessment" shall be divided by 7, the number of properties in existence in the taxing district as shown on the map of the district boundaries.

D. The "annual benefit assessment" per each of the 7 lots as shown on Exhibit "A" shall be \$512.75 for tax year 1997-1998 and for



each year thereafter until the entire district debt is paid in full, or such other amount as may be subsequently certified by the Board of County Commissioners, as provided for herein.

E. The Board of County Commissioners of St. Mary's County, Maryland, may alter and certify periodically, as the Board in its discretion may determine, the amount of each assessment to the Treasurer of St. Mary's County, Maryland, which if done, shall be so certified on or before May 1 of any year.

§ 5. **Duties of County Treasurer.** The Treasurer of St. Mary's County, Maryland, shall place said annual benefit assessment on the State and County real estate tax bills for said lots for twenty (20) succeeding fiscal years and that said annual benefit assessments shall be subject to such discount allowances and interest penalties and charges as may be provided by law.

Tax Map #	Parcel #	Lot #	Tax Account #
23	Parcel 170	Lot 2	04-026640
		Lot 3	04-026659
		Lot 4	04-026667
		Lot 5	04-026675
		Lot 6	04-026683
		Lot 7	04-026691
		Lot 8	04-026705

§ 6. **First Lien.** This special tax levy shall constitute a first lien on the properties against which they are assessed, until paid in full, subject only to State and County taxes.

§ 7. **Prepayment Prohibited.** The special tax levied by this Ordinance shall not be prepaid;

§ 8. **Alteration of Assessment by Action of Taxpayer Prohibited.** The re-subdivision, vacation of subdivision plats, or vacation or rearrangement of lot lines, subsequent to the recording dates of the subdivision plats mentioned hereinabove, which result in the creation of fewer benefited properties and fewer properties subject to the special tax, shall not be recognized for purposes of calculation of the annual benefit assessments necessary to pay the principal, interest, and all other lawful expenses of this special district; in such case, assessments shall be calculated as if the subsequent resubdivision, vacation of plat, or lot line vacation or adjustment had not occurred.

§ 9. **Alteration of Assessment by Action of Taxpayer Permitted.** The re-subdivision of lot lines, subsequent to the recording dates of the subdivision plats mentioned hereinabove, which result in the creation of a greater number of lots, shall be recognized for assessment purposes, and the Treasurer shall enter assessments so that the assessment of the parent lot shall be equally divided between the resulting lots.

§ 10. **Payment Before Transfer.** No deed or conveyance of real estate subject to said lien shall be transferred by the Supervisor of the Maryland Department of Assessments and Taxation for St. Mary's County until proof of payment of all benefit assessments then due has been exhibited.

§ 11. **SEVERABILITY:** IT IS FURTHER ORDAINED that in the event any portion of this Ordinance 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 Ordinance shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the Ordinance, or unless deletion of the invalid portion would produce a result inconsistent with the purpose and intent of the Board of County Commissioners in enacting this Ordinance.



§ 12. EFFECTIVE DATE: This Ordinance shall become effective as of the date of adoption.

Those voting aye: Randall, Anderson, Guazzo, Mattingly, Raley

Those voting nay: \_\_\_\_\_

Those abstaining or absent: \_\_\_\_\_

Approval Date: 1/28/00

Effective Date: 1/28/00

BOARD OF COUNTY COMMISSIONERS  
FOR ST. MARY'S COUNTY, MARYLAND

ATTEST:

[Signature]  
George Forrest,  
Deputy County Administrator

[Signature]  
JULIE B. RANDALL, President

APPROVED:

[Signature]  
L. Jeannett Cudmore  
Acting Finance Director

[Signature]  
JOSEPH F. ANDERSON, Commissioner

[Signature]  
SHELBY P. GUAZZO, Commissioner

[Signature]  
THOMAS A. MATTINGLY, SR., Commissioner

[Signature]  
DANIEL H. RALEY, Commissioner

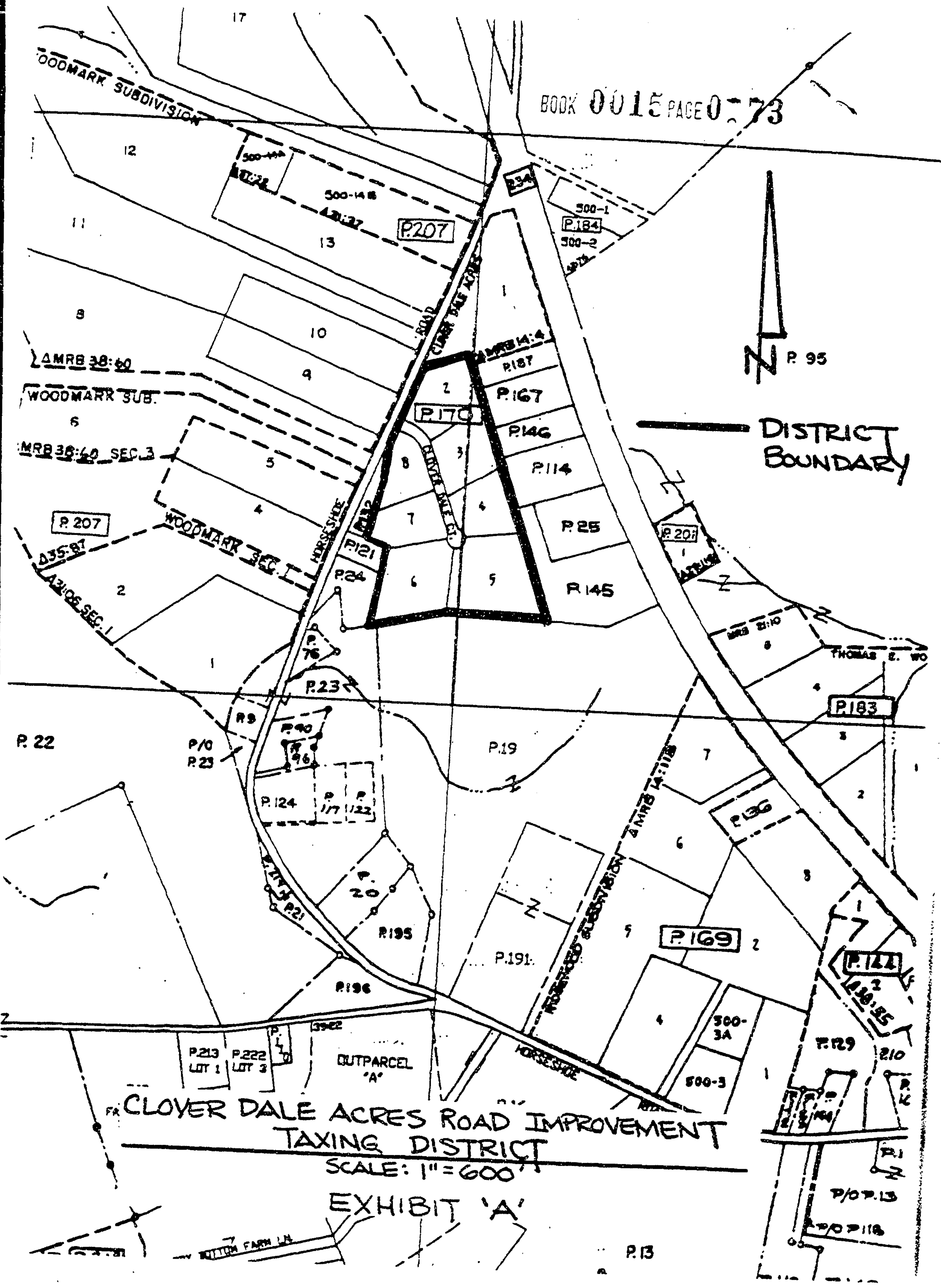
APPROVED AS TO FORM AND  
SUFFICIENCY:

[Signature]  
ALFRED A. LACER  
County Attorney



N P 95

DISTRICT BOUNDARY



CLOVER DALE ACRES ROAD IMPROVEMENT TAXING DISTRICT

SCALE: 1" = 600'

EXHIBIT 'A'



RESOLUTION

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY for the purpose of supplementing the Resolution of the County adopted on August 26, 1997 authorizing the issuance of general obligation bonds of the County by designating certain new projects as additional projects authorized to be financed with the proceeds from the sale of such bonds.

RECORDING FEE 8.00  
TOTAL 8.00  
Rest 3483 Rpt 4222222  
EWA MAR BIK 4254  
Mar 03, 2000 12:48 PM

RECITALS

On August 26, 1997, the County Commissioners of St. Mary's County (the "County") adopted its Resolution (the "Authorizing Resolution") authorizing the issuance and sale of \$26,555,000 County Commissioners of St. Mary's County Public Facilities Bonds of 1997 dated September 1, 1997 (the "Bonds"), a portion of the proceeds of which were to be used to finance the construction, improvement or development of certain capital projects described in such Authorizing Resolution (the "Original Projects").

Section 1 of the Authorizing Resolution provides that the proceeds of the Bonds shall be applied to the payment of the cost of the projects described in Resolution No. 97-33, unless the County by resolution authorizes the application of the proceeds of the Bonds to other capital projects of the County, and any unexpended proceeds of the Bonds shall otherwise be applied as provided in Resolution No. 97-33.

The County has determined that a portion of the proceeds of the sale of the Bonds originally designated to be used to finance the costs of the Original Projects is no longer required for such purpose.

The County has determined that it is in its best interest to use \$14,000.00 of the proceeds of the Bonds to finance all or a portion of the costs of certain projects listed on Schedule A attached hereto.

The County has further determined that the projects being financed by the proceeds of the Bonds and listed on Schedule A attached hereto have been authorized by Chapter 360 of the Laws of Maryland of 1992, as amended, Chapter 52 of the Laws of Maryland of 1993, as amended, Chapter 439 of the Laws of Maryland of 1996, as amended, Section 46-2 of the St. Mary's County Code, as amended, and Sections 2C and 24 of Article 31 of the Annotated Code of Maryland, as amended, and have been approved by St. Mary's County Board of County Commissioners Approved Budget.

**BE IT RESOLVED BY COUNTY COMMISSIONERS OF ST. MARY'S COUNTY:**

Section 1: The authorizing resolution adopted by the County Commissioners of St. Mary's County on August 26, 1997 (the "Authorizing Resolution") authorizing the issuance and sale of \$26,555,000 aggregate principal amount of County Commissioners of St. Mary's County Public Facilities Bonds of 1997, dated September 1, 1997 (the "Bonds") is hereby supplemented for the sole purpose of designating the projects described in Section 2 below as additional projects the costs of which are authorized to be financed with the proceeds of the sale of the Bonds.

Section 2: The County hereby finds and determines that a portion of the proceeds from the sale of the Bonds designated to finance the construction, improvement or development of certain capital projects approved by the Authorizing Resolution is no longer required for such purpose. The County hereby designates \$14,000.00 from the proceeds of



RESOLUTION NO.: 2000-02

SUBJ: Public Facilities Bonds of 1997  
St. Andrews Maintenance Facility

BOOK 0015 PAGE 0075

Page 2 of 3

the sale of the Bonds to be used to finance the construction, improvement or development of the projects in the County set forth in Schedule A attached to and made a part of this Resolution. The designation of such additional projects authorized to be financed from the proceeds of the sale of the Bonds shall in no way limit the County from designating such further additional projects as permitted under the Authorizing Resolution and shall in no way modify, amend or rescind any other provisions of the Authorizing Resolution.

Section 3: This Supplement Resolution shall become effective immediately upon its passage.

Date of Adoption: 02/01/00

Effective Date: 02/01/00

BOARD OF COUNTY COMMISSIONERS OF  
ST. MARY'S COUNTY, MARYLAND

Julie B. Randall

Julie B Randall, President

Joseph F. Anderson

Joseph F. Anderson, Commissioner

Shelby P. Guazzo

Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley

Daniel H. Raley, Commissioner

ATTEST:

George G. Forrest

George G. Forrest  
Deputy County Administrator

E. Jeannett Cudmore

E. Jeannett Cudmore  
Acting Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Alfred A. Lacer

Alfred A. Lacer  
County Attorney



BOOK 0015 PAGE 0076

SUBJ: Public Facilities Bonds of 1997  
St. Andrews Maintenance Facility

Page 3 of 3

Description of Additional Projects Authorized to be Financed with  
the Proceeds of the County Commissioners of St. Mary's County  
Public Facilities Bonds of 1997.

St. Andrews Maintenance Facility \$14,000.00



BOOK 0015 PAGE 0077

Subject: Denial of request for amendment to the  
St. Mary's Solid Waste Management Plan**PURPOSE**RECORDING FEE 8.00  
TOTAL 8.00

FOR THE PURPOSE of denying application made by Waste Management of Southern Maryland, Inc. to amend the St. Mary's County Comprehensive Solid Waste Management Plan in order to site a solid waste management facility at the proposed development known as Mill Run Plaza located in Charlotte Hall, Maryland approximately three-quarters of a mile North of the intersection of Maryland State Routes 5 and 6 and in the proximity of Lettie Dent Elementary School and the Fifth District Park.

Res:SMCO Rpt:4999999  
EWA MAB 8114254  
Mar 03, 2000 12:49 PM**RESOLUTION**

**WHEREAS**, under applicable statutes and regulations including the provisions of the St. Mary's County, Maryland Comprehensive Solid Waste Management Plan (the "Solid Waste Management Plan") and the Environment Article, Title 9, Subtitle 5 of the Annotated Code of Maryland and Title 26, Subtitle 03, Chapter 03 Development of County Comprehensive Solid Waste Management Plans, of the Code of Maryland Regulations (COMAR), the Board of County Commissioners for St. Mary's County (the "Board of County Commissioners") may amend the Solid Waste Management Plan after public hearing, certification by the Department of Planning and Zoning that the proposed amendment is consistent with the Comprehensive Plan, certification by the Department of Public Works that the proposed amendment is consistent with the Solid Waste Management Plan, and upon consideration by the Board of County Commissioners that the proposed amendment is necessary;

**WHEREAS**, the Board of County Commissioners recognizes and acknowledges the authority of the State of Maryland, as enumerated in Maryland Annotated Code, Environment Article 9, in planning and permitting of solid waste facilities. Therefore, the Board of County Commissioners acts in accordance with the local authority it retains regarding the proposed siting and amendment to the Solid Waste Management Plan as accepted and approved by the Maryland Department of the Environment;

**WHEREAS**, application was received from Waste Management of Southern Maryland, Inc. ("Waste Management" or "Applicant") for an amendment to the Solid Waste Management Plan;

**WHEREAS**, pursuant to the Solid Waste Management Plan, within thirty days of receipt of the completed application, a public informational meeting was held regarding the proposed application. Notice of the public informational meeting was advertised in a newspaper of general circulation for two consecutive weeks prior to the date of the meeting. The public informational meeting was held on April 22, 1999 at a location not farther than 10 miles radius from the proposed site of the solid waste facility. Adjacent landowners were notified by the Applicant of the meeting in writing by certified mail;

**WHEREAS**, comments and recommendations regarding the adequacy of the Applicant's presentation at the public informational hearing and response to citizens' comments and questions regarding the proposed application were addressed by the Solid Waste Advisory Committee ("SWAC") and were forwarded to the Department of Planning and Zoning for consideration and distribution during the Technical Evaluation Committee process;



**WHEREAS**, all comments from appropriate governmental agencies were obtained prior to the scheduling of the public hearing for amending the Solid Waste Management Plan;

**WHEREAS**, the Applicant provided a written request to the Board of County Commissioners proposing general language for an amendment to the Solid Waste Management Plan;

**WHEREAS**, the County Commissioners submitted the proposed amendment to applicable agencies that have jurisdiction in the county for review and comment within a thirty day period for consistency with planning programs for the area of the proposed site of the solid waste facility;

**WHEREAS**, the Planning Commission at its August 23, 1999 and September 13, 1999 meetings reviewed the proposed amendment and on September 13, 1999 made a recommendations to the Board of County Commissioners;

**WHEREAS**, counsel for the Applicant consented in writing to an extension of time for review by the Planning Commission;

**WHEREAS**, SWAC also reviewed the proposed amendment and made a recommendation for disapproval to the Board of County Commissioners based on the goals and objectives of the Solid Waste Management Plan;

**WHEREAS**, on November 9, 1999 the Board of County Commissioners held a public hearing on the proposed amendment to the Solid Waste Management Plan at which time public testimony, questions, and comments were taken and a public record compiled, which was left open for ten days following the date of the conclusion of the public hearing.

Notice of the time and place of the public hearing along with a summary of the proposed amendment was published in a newspaper of general circulation for two consecutive weeks, with the first publication appearing at least 14 days before the hearing, and certified mailings were made to adjoining property owners. Proof of certified mailings along with a list of adjoining property owners were presented at the public hearing. Additionally, the Maryland Department of the Environment received prior, advance notice of the public hearing;

**WHEREAS**, the Director of the Department of Planning and Zoning certified on or about September 7, 1999 that the proposed plan amendment was not consistent with the County Comprehensive Plan and reiterated that determination as part of the public record by communication dated November 19, 1999;

**WHEREAS**, the Director of the Department of Public Works certified on November 19, 1999 that the proposed plan amendment was not consistent with the Solid Waste Management Plan;

**WHEREAS**, on November 9, 1999 and February 1, 2000 the Board of County Commissioners considered the proposed amendment upon examination of the: public record, which included but was not limited to input from staff, boards and agencies, the Applicant and members of the public, as well as after the Board of County Commissioners examined of the Solid Waste Management Plan and Comprehensive Plan;

**WHEREAS**, after serious deliberation and study, the Board of County Commissioners has concluded that it is in the best interest of the citizens of St. Mary's County that the Solid Waste Management Plan not be amended as proposed by Waste Management of Southern Maryland, Inc. and that the amendment to the Solid Waste Management Plan is not considered necessary, is not consistent with the County Comprehensive Plan, is not consistent with the Solid Waste Management Plan, need was not demonstrated by Applicant and the proposed amendment is contrary to the health, safety, and welfare of the citizens of St. Mary's County;



NOW THEREFORE BE IT RESOLVED AND ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland, upon consideration and review of the application, public record, staff, board and agency review and comment that:

1. The application for amendment of the St. Mary's County Comprehensive Solid Waste Management Plan as proposed by Waste Management of Southern Maryland, Inc., for siting of a solid waste facility in Charlotte Hall, Maryland at the proposed Mill Run Plaza development, located approximately three-quarters of a mile from the intersections of Maryland State Routes 5 and 6 and in the proximity of Lettie Dent Elementary School and the Fifth District Park is denied.

2. That upon review and consideration of the public record, the Solid Waste Management Plan, the Comprehensive Plan, input from staff and various agencies and boards of county government, including but not limited to the Department of Planning and Zoning, Department of Public Works, and the Solid Waste Advisory Committee it is determined that:

a) The proposed amendment to the Solid Waste Management Plan is not consistent with the County Comprehensive Plan. The Board of County Commissioners notes that the County Comprehensive Plan describes the use of the proposed property to be in a "growth opportunity area/employment center". Currently the proposed site is zoned Residential Town Center ("RTC"). Use of the proposed site as a waste disposal facility is not permitted in the RTC zone. Significantly, the County Comprehensive Plan and Zoning Ordinance provides for sites, other than the site proposed, in the County for solid waste facility use.

b) The proposed amendment to the Solid Waste Management Plan is not consistent with the Solid Waste Management Plan.

3. That the Applicant failed to establish that the proposed siting of the solid waste facility is outside the Exclusion Zone identified in the Solid Waste Management Plan. Applicant failed to provide sufficient evidence adequately addressing the criteria establishing the Exclusion Zone which include topography, soils, geology, location, aquifers and water quality, wetlands, surface water sources, flood plains, and water sheds, land uses and planning as outlined in the Solid Waste Management Plan.

4. The Board of County Commissioners considers that the proposed amendment is unnecessary and that the Applicant did not demonstrate a need for the proposed amendment to the Solid Waste Management Plan to include the siting of the proposed solid waste facility in the Charlotte Hall area.

BE IT FURTHER ORDAINED AND RESOLVED, that the above mentioned reasons for the denial are sufficient in and of themselves and independently to result in the denial of Waste Management of Southern Maryland, Inc.'s application to amend the Solid Waste Management Plan. And it is upon each of these reasons independently and collectively that the proposed amendment is denied.

Those voting Aye: Randall, Anderson, Guazzo, Montgomery, Provelly  
Those voting Nay: \_\_\_\_\_ *NOT PRESENT but signed later*

Those Absent: \_\_\_\_\_

ADOPTED: 2/20/00

EFFECTIVE: 2/29/00



ATTEST:

Alfred A. Lacer  
Alfred A. Lacer, County Administrator

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

APPROVED AS TO LEGAL FORM  
AND SUFFICIENCY:

Patrick B. Murphy  
Patrick B. Murphy, Acting County  
Attorney

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner



SUBJ: ISSUANCE AND SALE OF BONDS  
ST. MARY'S COUNTY  
METROPOLITAN COMMISSION

RECORDING FEE 0.00  
TOTAL 0.00  
Rest#023 Ropt#999999  
EWA NB BIK#1159

RESOLUTION

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY regarding a Resolution heretofore passed by St. Mary's County Metropolitan Commission authorizing the issuance and sale of bonds in an amount not exceeding Eight Hundred Forty Thousand Dollars (\$840,000) of the St. Mary's County Metropolitan Commission Water Quality Bonds, Series 1999, said bonds to be issued on the full faith and credit of The Board of County Commissioners of St. Mary's County; covenanting to impose ad valorem taxes in rate and amount sufficient to pay the interest when due and the principal at maturity of said bonds if such principal and interest is not paid from other moneys legally available for such purposes, all as more particularly provided in the aforesaid Resolution passed by St. Mary's County Metropolitan Commission; and pledging the full faith and credit and unlimited taxing power of County Commissioners of St. Mary's County, as the security for the payment of said bonds.

Mar 16, 2000 11:10 am

RECITALS

St. Mary's County Metropolitan Commission (the "Commission"), has heretofore passed a resolution (the "Resolution") authorizing the issuance and sale of bonds in an amount not exceeding \$840,000 designated St. Mary's County Metropolitan Commission Water Quality Bonds, Series 1999 (the "Bonds"), for the public purpose of financing a portion of the cost of acquiring, constructing and equipping an office building to house water and sewer operations and administration as described in Exhibit B to the forms of Loan Agreements attached thereto as Exhibit A (collectively, the "Project"), including the development of property, the acquisition and installation of equipment and furnishings and any related architectural, financial, legal, planning and engineering expenses permitted under the Clean Water Act, said Resolution having been duly adopted on November 18, 1999.

Sections 113-1 to 113-28, inclusive, of the Code of Public Local Laws of St. Mary's County (1978 Edition, as amended, being Article 19 of the Code of Public Local Laws of Maryland), as enacted by Chapter 369 of the Laws of Maryland of 1978, as amended (the "Act"), authorizes the issuance of bonds for the purposes set forth in the Act. The Act provides that such bonds shall be issued upon the full faith and credit of the County Commissioners of St. Mary's County, and further provides the form of guarantee to be executed on such bonds by County Commissioners of St. Mary's County.

This Board deems it appropriate to provide formally for the authority of the Commission to issue and sell the Bonds in the aforesaid maximum amount of \$840,000 all as authorized by the Act.



NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, that:

Section 1: accepts in the findings and judgment of St. Mary's County Metropolitan Commission as set forth by the terms of its Resolution duly adopted on November 18, 1999 (the "Resolution"), and entitled:

A RESOLUTION of the St. Mary's County Metropolitan Commission (the "Borrower") approving the form and authorizing the execution, issuance, sale and delivery of general obligation installment bonds of the Borrower in a principal amount not exceeding Eight Hundred Forty Thousand Dollars (\$840,000) pursuant to the authority of the Maryland Water Quality Financing Administration Act (codified as Sections 9-1601 to 9-1622, inclusive, of the Environment Article of the Annotated Code of Maryland, as amended) and Sections 113-1 to 113-28, inclusive, of the Code of Public Local Laws of St. Mary's County, being Article 19 of the Code of Public Local Laws of Maryland, and enacted by Chapter 369 of the Laws of Maryland of 1978, the bonds to be designated "Water Quality Bonds, Series 1999", the net proceeds of the sale thereof to be used and applied for the public purpose of financing the cost of development of an office building to house water and sewer operations and administration as more particularly described herein, including the development of property, the acquisition and installation of equipment and furnishings and any related architectural, financial, legal, planning and engineering expenses; prescribing the form and tenor of the bonds and the terms and conditions for the issuance and sale thereof at private sale to the Maryland Water Quality Financing Administration; authorizing the execution and delivery of loan agreements between the Borrower and the Maryland Water Quality Financing Administration; providing for the prompt payment of the maturing principal of and interest on the bonds; covenanting to levy and collect all taxes necessary to provide for the payment of the principal of and interest on such bonds; and generally relating to the issuance, sale and delivery of such bonds.

This Board accordingly approves the issuance and sale of the Bonds in an amount not to exceed \$840,000 by St. Mary's County Metropolitan Commission upon the terms and conditions set forth in its Resolution, all of said terms and conditions being hereby adopted and approved by this Board.

Section 2: The full faith and credit and unlimited taxing power of County Commissioners of St. Mary's County are hereby unconditionally and irrevocably pledged to the levy and collection of ad valorem taxes upon all of the assessable property within the corporate limits of St. Mary's County, Maryland, in rate and amount sufficient to pay, together with any other funds then lawfully available and set aside for such purposes, as and when such taxes may become necessary, the interest when due and the principal at maturity on the Bonds authorized to be issued by the Resolution of the Commission. In the event that the ad valorem taxes prescribed by Section 113-7 of the Code of Public Laws of St. Mary's County (1978 Edition, as amended, being Article 19 of the Code of Public Local Laws of Maryland), together with other revenues available for such purposes, are insufficient to pay the interest when due and the principal at maturity on the Bonds, the County Commissioners of St. Mary's County hereby covenant and agree with each of the holders, from time to time, of the Bonds, in each and every fiscal year in which the Bonds are outstanding, to levy and collect ad valorem taxes upon all of the assessable



property within the corporate limits of St. Mary's County, Maryland, in rate and amount sufficient to provide for the payment of such principal at maturity and such interest accrued to the date of payment, when due.

Section 3: The form of endorsement that evidences the guarantee as to payment of principal and interest on the Bonds by County Commissioners of St. Mary's County shall be as follows:

(Form of Endorsement)

COUNTY COMMISSIONERS OF ST. MARY'S COUNTY

Board of County Commissioners of St. Mary's County, Maryland, a body politic and corporate and political subdivision organized and existing under the Constitution and laws of the State of Maryland, hereby endorses, ratifies, confirms and adopts the within bonds and the respective obligations extended thereby. The payment of interest when due and the principal at maturity is guaranteed by the Board of County Commissioners of St. Mary's County, Maryland. The full faith and credit and unlimited taxing power of the Board of County Commissioners of St. Mary's County, Maryland, are hereby unconditionally and irrevocably pledged to such payment. This endorsement is made pursuant to the authority of and in compliance with Sections 113-1 through 113-28, inclusive, of the Code of Public Local Laws of St. Mary's County (1978 Edition, as amended, being Article 19 of the Code of Public Local Laws of Maryland), as enacted by Chapter 369 of the Laws of Maryland of 1978.

IN WITNESS WHEREOF, the Board of County Commissioners of St. Mary's County, Maryland, has caused these presents to be executed in its name by the manual signature of the President of the Board of County Commissioners of St. Mary's County and it has caused its corporate seal to be imprinted hereon and attested by the facsimile signature of the County Administrator of St. Mary's County, all as of the 14<sup>th</sup> day of March, 2000.

BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND

By: Julie B. Randall  
Julie B. Randall, President

ATTEST:

George G. Forrest  
Deputy County Administrator

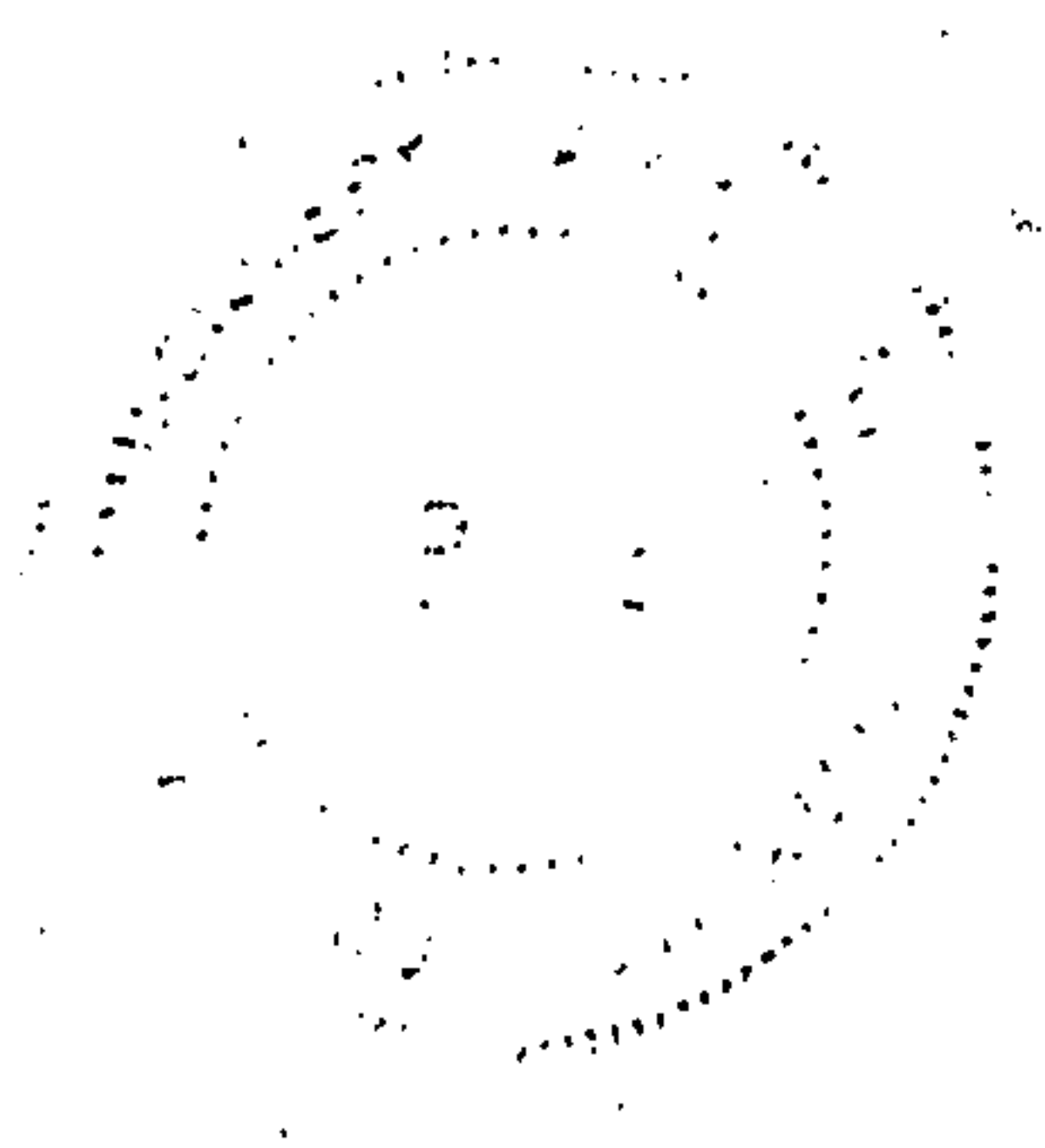
Such endorsement shall be signed and executed on each of the Bonds by the manual or facsimile signature of the President of the Board of County Commissioners of St. Mary's County; the corporate seal of the County Commissioners of St. Mary's County shall be affixed thereto and attested by the manual or facsimile signature of the County Administrator of St. Mary's County.

Section 4. This Resolution shall take effect on the date of its adoption.



Date of Adoption: March 14, 2000

[SEAL]



Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

George G. Forrest  
Deputy County Administrator

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Alfred A. Lacer  
Alfred A. Lacer, County Attorney



BOOK 0015 PAGE 0085

RESOLUTION NO.: 2000-11

SUBJ: Public Facilities Bonds of 1999  
Building Maintenance and Repairs

Page 1 of 3

RECORDING FEE 8.00  
TOTAL 8.00  
Res#13483 Rpt#999999

RESOLUTION

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY for the purpose of supplementing the Resolution of the County adopted on October 5, 1999 authorizing the issuance of general obligation bonds of the County by designating certain new projects as additional projects authorized to be financed with the proceeds from the sale of such bonds.

SWA NB BK#1159  
Mar 16, 2000 11:12 am

RECITALS

On October 5, 1999, the County Commissioners of St. Mary's County (the "County") adopted its Resolution (the "Authorizing Resolution") authorizing the issuance and sale of \$29,575,000 County Commissioners of St. Mary's County Public Facilities Bonds of 1999 dated October 15, 1999 (the "Bonds"), a portion of the proceeds of which were to be used to finance the construction, improvement or development of certain capital projects described in such Authorizing Resolution (the "Original Projects").

Section 1 of the Authorizing Resolution provides that the proceeds of the Bonds shall be applied to the payment of the cost of the projects described in Resolution No. 99-20, unless the County by resolution authorizes the application of the proceeds of the Bonds to other capital projects of the County, and any unexpended proceeds of the Bonds shall otherwise be applied as provided in Resolution No. 99-20.

The County has determined that a portion of the proceeds of the sale of the Bonds originally designated to be used to finance the costs of the Original Projects is no longer required for such purpose.

The County has determined that it is in its best interest to use \$135,000.00 of the proceeds of the Bonds to finance all or a portion of the costs of certain projects listed on Schedule A attached hereto.

The County has further determined that the projects being financed by the proceeds of the Bonds and listed on Schedule A attached hereto have been authorized by Chapter 439 of the Laws of Maryland of 1996, Chapter 460 of the Laws of Maryland of 1997, Chapter 77 of the Laws of Maryland of 1997, and Chapter 86 of the Laws of Maryland of 1999, and have been approved by St. Mary's County Board of County Commissioners Approved Budget.

**BE IT RESOLVED BY COUNTY COMMISSIONERS OF ST. MARY'S COUNTY:**

Section 1: The authorizing resolution adopted by the County Commissioners of St. Mary's County on October 5, 1999 (the "Authorizing Resolution") authorizing the issuance and sale of \$29,575,000 aggregate principal amount of County Commissioners of St. Mary's County Public Facilities Bonds of 1999, dated October 15, 1999 (the "Bonds") is hereby supplemented for the sole purpose of designating the projects described in Section 2 below as additional projects the costs of which are authorized to be financed with the proceeds of the sale of the Bonds.

Section 2: The County hereby finds and determines that a portion of the proceeds from the sale of the Bonds designated to finance the construction, improvement or development of certain capital projects approved by the Authorizing Resolution is no longer required for such purpose. The County hereby designates \$135,000.00 from the proceeds of the sale of the



RESOLUTION NO.: 2000-11

SUBJ: **Public Facilities Bonds of 1999  
Building Maintenance and Repairs**

BOOK 001E PAGE 0086

Page 2 of 3

Bonds to be used to finance the construction, improvement or development of the projects in the County set forth in Schedule A attached to and made a part of this Resolution. The designation of such additional projects authorized to be financed from the proceeds of the sale of the Bonds shall in no way limit the County from designating such further additional projects as permitted under the Authorizing Resolution and shall in no way modify, amend or rescind any other provisions of the Authorizing Resolution.

Section 3: This Supplement Resolution shall become effective immediately upon its passage.

Date of Adoption: March 7, 2000

Effective Date: March 7, 2000

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Absent  
Julie B Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

Alfred A. Lacer  
Alfred A. Lacer  
County Administrator

L. Jeannett Cudmore  
L. Jeannett Cudmore  
Acting Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Patrick B. Murphy  
Patrick B. Murphy  
Acting County Attorney



BOOK 0015 PAGE 0787

SUBJ: Public Facilities Bonds of 1999  
Building Maintenance and Repairs

Page 3 of 3

Description of Additional Projects Authorized to be Financed with  
the Proceeds of the County Commissioners of St. Mary's County  
Public Facilities Bonds of 1999.

Building Maintenance and Repairs	\$135,000.00
(To address established requirements for space to support Adult Day Care -- renovate Old Hollywood Elementary School)	



RESOLUTION

WHEREAS, during 1998-1999, the Maryland Historical Trust provided a non-capital grant to the St. Mary's County Board of County Commissioners, who provided a local match, for the purpose of preparing a Historic Preservation Plan; and

WHEREAS, during 1998-1999, the St. Mary's Board of County Commissioners contracted with Kirk E. Ranzetta, architectural historian, to write the plan with the assistance of the Department of Planning and Zoning, Historic Preservation Commission, and Maryland Historical Trust; and

WHEREAS, information and opinions stated at focus groups and community meetings held between May and June of 1999 at the Department of Planning and Zoning, Charlotte Hall Public Library, Historic St. Mary's City, and at the Governmental Center in Leonardtown were integrated into the plan; and

WHEREAS, on September 30, 1999, the Historic Preservation Commission, voted unanimously to recommend adoption of "Painting a Self Portrait: A Historic Preservation Plan for St. Mary's County" to the St. Mary's County Planning Commission and Board of County Commissioners; and

WHEREAS, this plan is to supplement and amend the St. Mary's County Comprehensive Plan Sections 2.3.1 and 2.3.3; and

WHEREAS, subsequent to this vote and in compliance with Section 3.07 of Article 66B of the Maryland Annotated Code, on October 14, 1999 a sixty day notice period began during which time comments were solicited from neighboring jurisdictions, pertinent government agencies, and interested individuals; and

WHEREAS, upon the conclusion of said notice period, the St. Mary's County Planning Commission held a public hearing on December 13, 1999 in the public meeting room of the Carter State Office Building; and

WHEREAS, notice for this meeting was posted in the Enterprise newspaper on November 24, 1999 and December 1, 1999; and

WHEREAS, at the December 13, 1999 hearing and after consideration of public comment, the Planning Commission voted unanimously to endorse the Historic Preservation Plan; and

WHEREAS, on February 22, 2000 the St. Mary's County Board of County Commissioners held a public hearing and after hearing public comment established a 10 day public comment period; and

WHEREAS, notice for this meeting was posted in the Enterprise newspaper on February 4, 2000 and February 9, 2000.

NOW, THEREFORE BE IT RESOLVED, that upon hearing public comments and after due consideration the St. Mary's Board of County Commissioners hereby adopt "Painting a Self Portrait: A Historic Preservation Plan for St. Mary's County."

DATE OF ADOPTION: March 7, 2000

EFFECTIVE DATE: March 7, 2000

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

ABSENT

Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guanzo  
Shelby P. Guanzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

Attest:  
Alfred A. Lacer  
Alfred A. Lacer, County Administrator

Approved as to Legal Form and Sufficiency:  
Patrick B. Murphy  
Patrick B. Murphy  
Acting County Attorney

RECORDING FEE 0.00  
TOTAL 0.00  
Res#S403 Ref#4999999  
EPA NO BIR#1153  
Mar 16, 2000 11:14 am



RECORDING FEE 8.00  
TOTAL 8.00  
Rest#2403 Rcpt#3393999  
EWA NB BIK#1159

ORDINANCE

AN ORDINANCE FOR PURPOSES OF AMENDING THE ST. MARY'S COUNTY ZONING ORDINANCE BY DECLARING FIRE AND RESCUE SQUADS AS A CONDITIONAL USE WITHIN THE RNC ZONE.

Mar 16, 2000 11:15 am

Recitals

WHEREAS, the Board of County Commissioners desires to amend the Zoning Ordinance to allow "Fire and Rescue Squads" as a conditional use (CU5) in the Residential Neighborhood Conservation (RNC) zone; and

WHEREAS, Article 66B, Section 3.05(d) of the Annotated Code of Maryland authorizes the Planning Commission to recommend appropriate regulations in a zoning ordinance; and

WHEREAS, Section 10.8.4 of the St. Mary's County Zoning Ordinance authorizes the Planning Commission to declare a use a conditional use upon finding after a public hearing that:

- (1) The conditional use reflects the nature of the uses permitted in the affected zoning district; and
- (2) That there is no appreciable difference in the quality, character, or degree of the conditional use as compared with such other conditional uses; and

WHEREAS, after due notice, the Planning Commission and the Board of County Commissioners conducted a joint public hearing on February 14, 2000, and all persons desiring to be heard were heard, documentary evidence received, and the proceeding electronically recorded; and

WHEREAS, after consideration of the testimony and evidence presented, the Planning Commission, by a vote of 6-1, recommended to the Board of County Commissioners that Table 2.6 of the Zoning Ordinance, "Services," be amended to list "Fire and Rescue Squads" as a conditional use ("CU5") in the Residential Neighborhood Conservation (RNC) Zone. This action is necessary to accommodate the increasing need for emergency services facilities within the county while protecting established neighborhoods from potential adverse impacts of these uses; and

WHEREAS, pursuant to Section 10.8.4(a) of the Zoning Ordinance, the Board of County Commissioner on March 7, 2000 adopted a motion directing the amendment of the Zoning Ordinance as proposed.

SECTION 1. NOW THEREFORE, BE IT ORDAINED, that the Zoning Ordinance shall be amended to list "Fire and Rescue Squads" within Table 2.6 (Services) of the St. Mary's County Zoning Ordinance as a Conditional Use "(CU5) in the RNC Zone; as shown in Attachment A, hereto.

SECTION 2. SEVERABILITY: In the event any portion of this ordinance 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 ordinance shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear



BOOK 0015 PAGE 0090

Ordinance No. Z 00-02  
SUBJECT: Zoning Ordinance Amendment  
Fire and Rescue Squads  
Page 2 of 2

purpose of the ordinance, or unless deletion of the invalid portion would produce a result inconsistent with the purpose and intent of the Board of County Commissioners in enacting this ordinance.

SECTION 3. AND BE IT FURTHER ENACTED that this Ordinance shall take effect 3-7-00.

DATE OF ADOPTION: March 7, 2000

EFFECTIVE DATE: March 7, 2000

BOARD OF COUNTY COMMISSIONERS  
ST. MARY'S COUNTY, MARYLAND

ABSENT

Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr. Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

Alfred A. Lacer  
Alfred A. Lacer, County Administrator

Ordinance Approved as to Legal Form and Sufficiency:

Patrick B. Murphy  
Patrick B. Murphy  
Acting County Attorney



VI. SERVICES<sup>4</sup>

	A	RPD	RNC <sup>3</sup>	RVC	RTC	RL	RH	CL	CVC	C	CM	I
Auto and Mobile Home, Manufactured Home and Camper Repair/Service	-	-	-	-	-	-	-	-	P5	P5	-	P5
Banks and Financial Institutions	-	-	-	-	-	-	-	-	P5	P5	-	-
Boat Repair	-	-	-	-	-	-	-	-	-	-	P5	P5
Cemetaries	CU5	CU5	-	CU5	CU5	CU5	-	-	-	-	-	-
Child Care Centers (Day Care Centers) Serving Nine (9) or More Children	P	P5	-	P5	P5	P5	-	P5	P5	P5	-	-
Churches, Temples, Synagogues and Other Similar Institutions	P5	P5	-	P5	P5	P5	-	P5	P5	P5	-	-
Equipment and Appliance Repair	-	-	-	-	-	-	-	P5	P5	P5	-	-
Fire and Rescue Squads	CU5	CU5	CU5	CU5	CU5	CU5	-	P5	P5	P5	-	-
Funeral Home	-	-	-	-	-	-	-	-	P5	P5	-	-
Government Uses and Buildings	CU5	CU5	CU5	CU5	CU5	CU5	-	CU5	CU5	CU5	CU5	CU5
Hospitals, Sanitariums, Nursing Homes or Similar Institutions for Human Care, Not Including Correctional Institutions	-	CU5	-	CU5	CU5	CU5	-	-	-	-	-	-
Hotel/Motel	-	-	-	-	-	-	-	-	-	P5	P5 <sup>1</sup>	-
Intermediate Care Facility	-	-	-	-	-	-	-	-	-	P5	-	-
Medical and Dental Offices, Provided There Are No Overnight Facilities for Patients	-	CU5	-	-	-	-	-	-	-	-	-	-
Offices, Business and Professional, Such as Those Associated with the Financial Insurance, Real Estate, Medical, Dental and Legal Professions	-	-	-	CU5	CU5	CU5	-	P5	P5	P5	-	-
Office Buildings	-	-	-	-	-	-	-	P5	P5	P5	-	P5
Paint or Body Shop	-	-	-	-	-	-	-	-	-	P5	-	P5
Personal Services Such As: Laundering, Dry Cleaning, and Dying Services, Photographic Services, Beauty/Barber Services, Apparel Repair, Alteration and Cleaning Pickup Services, Shoe Repair Services	-	-	-	-	-	-	-	P5	P5	P5	-	-
Private Educational and Training Facilities	-	CU5	-	CU5	CU5	CU5	-	-	-	-	-	P5 <sup>2</sup>
Public or Private Schools	-	CU5	-	P5	P5	P5	-	-	-	-	-	-
Service Establishments, When Related to a Wholesale Business/Warehouse	-	-	-	-	-	-	-	-	CU5	P5	-	P5

<sup>1</sup> Only as part of marina, as defined

<sup>2</sup> Includes montessori schools and learning centers with day care facilities

<sup>3</sup> Conversion of a residential structure to a nonresidential use, or the construction of a new structure for a nonresidential purpose may be permitted by the Board of Zoning Appeals upon finding that 1) similar nonresidential uses are present in the affected neighborhood and 2) the proposed nonresidential activity will not adversely impact nor alter the character of the neighborhood.

<sup>4</sup> Any nonconforming use legally established prior to the effective date of this ORDINANCE shall not be deemed a nonconforming use, but, without further action, shall be considered a conforming conditional use. The expansion of intensification of any such use shall be subject to approval by the Board of Appeals following a public hearing and subject to the standards under 66.03.11.b.

P	=	Permitted Use
P5	=	Permitted, Subject to Meeting Article 5 Standards
CU5	=	Conditional Use Requiring Board of Appeals Approval
-	=	Not Permitted <sup>3</sup>



COUNTY COMMISSIONERS OF ST. MARY'S COUNTY  
RESOLUTION NO. R-99-20

A RESOLUTION AUTHORIZING AND EMPOWERING COUNTY COMMISSIONERS OF ST. MARY'S COUNTY TO ISSUE AND SELL AT PUBLIC SALE, UPON ITS FULL FAITH AND CREDIT, ITS GENERAL OBLIGATION SERIAL MATURITY BONDS IN AN AMOUNT OF \$29,575,000 TO BE KNOWN AS "COUNTY COMMISSIONERS OF ST. MARY'S COUNTY CONSOLIDATED PUBLIC IMPROVEMENT BONDS OF 1999," PURSUANT TO THE PROVISIONS OF CHAPTER 439 OF THE LAWS OF MARYLAND OF 1996, AS AMENDED, CHAPTER 460 OF THE LAWS OF MARYLAND OF 1997, AS AMENDED, CHAPTER 77 OF THE LAWS OF MARYLAND OF 1998, AS AMENDED, CHAPTER 86 OF THE LAWS OF MARYLAND OF 1999, AS AMENDED, SECTION 46-2 OF THE ST. MARY'S COUNTY CODE, AS AMENDED, AND SECTION 2C OF ARTICLE 31 OF THE ANNOTATED CODE OF MARYLAND, AS AMENDED, FOR THE PUBLIC PURPOSES OF FINANCING OR REFINANCING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN PUBLIC FACILITIES IN ST. MARY'S COUNTY; PRESCRIBING THE TERMS AND CONDITIONS OF SAID BONDS AND UPON WHICH SAID BONDS SHALL BE ISSUED AND SOLD AND OTHER INCIDENTAL DETAILS WITH RESPECT THERETO; PROVIDING THAT, IN THE EVENT THAT FUNDS AVAILABLE TO THE COUNTY ARE INSUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY SHALL LEVY AND COLLECT AD VALOREM TAXES UPON ALL THE LEGALLY ASSESSABLE PROPERTY WITHIN ST. MARY'S COUNTY SUFFICIENT TO PROVIDE FOR SUCH PAYMENTS WHEN DUE; AUTHORIZING THE PREPARATION AND DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE ISSUANCE AND SALE OF SAID BONDS; AND GENERALLY PROVIDING FOR THE ISSUANCE OF SAID BONDS.

RECORDING FEE 8.00  
TOTAL 8.00  
Res#0923 Ref#999999  
CHA NB 81K41159  
Mar 16, 2000 11:16 am

RECITALS

Chapter 439 of the Laws of Maryland of 1996, Chapter 460 of the Laws of Maryland of 1997, Chapter 77 of the Laws of Maryland of 1997 and Chapter 86 of the Laws of Maryland of 1999 (collectively, the "Acts") authorize and empower the County to issue and sell bonds upon its full faith and credit to provide funds to finance the cost of certain public facilities in St. Mary's County and to finance such construction by the issuance and sale of its general obligation bonds in an aggregate principal amount not to exceed \$65,000,000. The County has previously issued bonds in the aggregate amount of \$2,280,000 pursuant to Chapter 439 of the Laws of Maryland of 1996. Authorization for bonds in an aggregate amount not to exceed \$62,720,000 remains under the Acts.



Pursuant to the authority granted by the Acts, the County has determined to issue and sell its general obligation bonds in an aggregate principal of \$28,575,000 to finance or refinance certain public facilities in St. Mary's County.

Section 46-2 of the St. Mary's County Code, as amended ("Section 46-2"), authorizes and empowers the County to issue and sell bonds upon its full faith and credit to provide funds to finance loans to volunteer fire, ambulance and rescue departments to acquire fire fighting, rescue and emergency medical equipment and land in an aggregate principal amount not to exceed \$2,000,000. The County has previously issued \$500,000 aggregate principal amount of bonds pursuant to Section 46-2.

Pursuant to the authority granted by Section 46-2, the County has determined to issue and sell its general obligation bonds in an aggregate principal amount of \$1,000,000 to finance the acquisition of fire fighting, rescue and emergency medical equipment and land for use by volunteer fire, ambulance and rescue departments in St. Mary's County.

The Bonds, as authorized to be issued and sold by this Resolution, are a combined, single series of bonds for certain public facilities, and for fire, rescue and emergency medical services in St. Mary's County.

NOW, THEREFORE, BE IT RESOLVED BY COUNTY COMMISSIONERS OF ST. MARY'S COUNTY:

Section 1. Pursuant to the authority of the Acts, the County shall borrow on its full faith and credit a sum of \$28,575,000 in order to provide funds to finance or refinance the cost of certain public facilities in St. Mary's County as further described in Schedule I hereto and certain costs of issuance related thereto and shall evidence such borrowing by the issuance of its bonds in an aggregate principal amount of \$28,575,000. Pursuant to the authority of Section 46-2, the County shall borrow on its full faith and credit a sum of \$1,000,000 to finance the acquisition of fire fighting, rescue and emergency medical equipment and land for use by volunteer fire, ambulance and rescue departments in St. Mary's County.

Section 2. Pursuant to the authority granted by the applicable Acts and Section 2C of Article 31 of the Annotated Code of Maryland (1997 Replacement Volume, as amended), the Bonds authorized to be issued by Section 1 of this Resolution shall be consolidated for sale, and issued, sold, and delivered as a single issue of bonds in an aggregate principal amount not to exceed \$29,575,000 to be known as "County Commissioners of St. Mary's County Consolidated Public Improvement Bonds of 1999" (the "Bonds"). Subject to the payment of costs of issuance and original issue discount, if any, the projects on account of which the Bonds are issued (collectively, the "1999 Projects") and the approximate amount of Bond proceeds allocated each Project shall be as identified on Schedule I hereto.



Section 3. Subject to adjustment if the sale date of the Bonds is rescheduled as permitted by Section 12 hereof, the Bonds shall be dated October 15, 1999, shall be issued in the denomination of \$5,000 each or any integral multiple thereof, and shall be numbered consecutively beginning with the number one upward. The Bonds shall bear interest from October 15, 1999 payable on April 1, 2000 (5½ months) and on each April 1 and October 1 thereafter (each an "Interest Payment Date") until maturity or earlier redemption. The Bonds shall mature (subject to prior redemption) on October 1 of the years and in the amounts as follows:

<u>Year</u>	<u>Amounts</u>	<u>Year</u>	<u>Amounts</u>
2000	\$ 875,000	2010	\$1,435,000
2001	945,000	2011	1,510,000
2002	980,000	2012	1,590,000
2003	1,025,000	2013	1,680,000
2004	1,070,000	2014	1,770,000
2005	1,120,000	2015	1,875,000
2006	1,175,000	2016	1,980,000
2007	1,235,000	2017	2,095,000
2008	1,295,000	2018	2,215,000
2009	1,360,000	2019	2,345,000

Each bond shall bear interest from October 15, 1999 if no interest payment has been paid or from the most recent Interest Payment Date to which interest has been paid or duly provided for; provided, however, that each Bond authenticated after the Record Date (as hereinafter defined) for any Interest Payment Date, but prior to such Interest Payment Date shall bear interest from such Interest Payment Date. Interest on the Bonds shall be paid at the rate or rates named by the successful bidder for the Bonds in accordance with the terms of the Notice of Sale hereinafter adopted.

The County hereby appoints Allfirst Trust Company, a national banking association with an office for the transaction of trust business in Baltimore, Maryland, as paying agent and bond registrar for the Bonds (the "Paying Agent").

The principal of and interest on the Bonds shall be payable in such money of the United States of America as is lawful at the time of payment.

So long as the Bonds are maintained in book-entry form, payments of principal of, and premium, if any, on the Bonds shall be made as described in Section 4. At any other time, the principal of, and premium, if any on each Bond shall be paid upon presentment and surrender of such Bond on the date such principal is payable or if such date is not a Business Day (as hereinafter defined) then on the next succeeding Business Day at the principal corporate trust office of the Paying Agent.



Interest on each Bond shall be payable to the person in whose name such Bond is registered on the registration books for the Bonds (the "Registered Owner") as of the close of business on the 15th calendar day of the month immediately preceding each Interest Payment Date (the "Record Date"). So long as the Bonds are maintained in book-entry form, payment of interest on the Bonds shall be made as described in Section 5. At any other time, payment of the interest on each Bond shall be made by check mailed on the date such interest is payable or if such date is not a Business Day, then the next succeeding Business Day to the address of such Registered Owner as it appears on said registration books (the "Bond Register").

"Business Day" means a day other than a Saturday, Sunday or day on which the Paying Agent is authorized or obligated by law or required by executive order to remain closed.

The interest on any Bond which is payable, but is not punctually paid or duly provided for, on the appropriate Interest Payment Date shall forthwith cease to be payable to the Registered Owner thereof by virtue of having been such Registered Owner on the relevant Record Date; and such interest shall be paid by the Paying Agent to the persons in whose names the Bond (or its predecessor Bond) is registered at the close of business on a date to be fixed by the Bond Registrar for the payment of such interest, notice thereof being given by first class mail (postage prepaid) to said person not less than 30 days prior to such record date, at the address of such person appearing on the Bond Register, or may be paid at any time in any other lawful manner not inconsistent with the requirements of any securities exchange on which the Bonds may be listed and upon such notice as may be required by such exchange.

Section 4. The Bonds shall be issued as fully registered bonds registered on the Bond Register kept for that purpose by Allfirst Trust Company, Baltimore, Maryland, hereby designated as Bond registrar (the "Bond Registrar"), and shall be registered and transferred in accordance with the terms and conditions set forth in the Bonds, the form of which is hereinafter adopted.

Section 5. The provisions of this Section shall apply to the Bonds so long as all of the Bonds shall be maintained in Book-Entry Form with a Depository, any other provisions of this Resolution to the contrary notwithstanding.

A system for registration of the Bonds in Book-Entry Form with a Depository, which shall initially be The Depository Trust Company, New York, New York ("DTC"), shall be in effect on the date of the issuance and sale of the Bonds.

(a) one fully registered bond for the aggregate principal amount of each maturity and interest rate with each series, will be registered in the name of Cede & Co., as nominee for DTC and immobilized in the custody of DTC.



(b) Transfer of ownership interest in the Bonds will be accomplished by book entries made by DTC and, in turn, by the participants (the "DTC Participants") who act on behalf of the ultimate purchasers of the Bonds (the "Beneficial Owners"). The Beneficial Owners will not receive certificates representing their ownership in the Bonds, except as hereafter provided.

(c) The principal or redemption price of and interest on the Bonds shall be payable to the Depository, or registered assigns, as the registered owner of the Bonds, in next day funds on each date on which the principal or redemption price of or interest on the Bonds is due as set forth in this Resolution and in the Bonds. Such payments shall be made to the offices of the Depository specified by the Depository to the Paying Agent in writing. Without notice to or the consent of the holders of the Bonds, the County, the Paying Agent and the Depository may agree in writing to make payments of principal and interest in a manner different from that set out herein. Neither the County nor the Paying Agent shall have any obligation with respect to the transfer or crediting of the appropriate principal and interest payments to the direct or indirect participants of the Depository (the "Participants") or the Beneficial Owners or their nominees.

(d) The County may replace any Depository as the Depository for the Bonds with another Depository or discontinue the maintenance of the Bonds with any Depository if (i) the County, in its sole discretion, determines that any (A) such Depository is incapable of discharging its duties with respect to the Bonds, or (B) the interests of the Beneficial Owners might be adversely affected by the continuation of the Book-Entry System with such Depository as the Depository for the Bonds, or (ii) such Depository determines not to continue to act as a securities depository for the Bonds or is no longer permitted to act as such Depository. Notice of any determination pursuant to clause (i) shall be given to such Depository at least 30 days prior to any such determination (or such fewer number of days as shall be acceptable to such Depository). Neither the County nor the Paying Agent will have any obligation to make any investigation to determine the occurrence of any events that would permit the County to make any determination described in this paragraph.

(e) If, following a determination or event specified in paragraph (d) above, the County discontinues the maintenance of the Bonds in Book-Entry Form, the County will issue replacement bonds (the "Replacement Bonds") directly to the Participants as shown on the records of the Depository or, to the extent requested by any Participant, to the Beneficial Owners as further described in this Section. The Bond Registrar shall make provisions to notify Participants and the Beneficial Owners by mailing an appropriate notice to the Depository, or by other means deemed appropriate by the Bond Registrar in its discretion, that the County will issue Replacement Bonds directly to the Participants shown on the records of the Depository or, to the extent requested by any Participant, to Beneficial Owners shown on the records of such Participant, as of a date set forth in such notice, which shall be a date at least 10 days after receipt of such notice by the Depository (or such fewer number of days as shall be acceptable to the Depository).



In the event that Replacement Bonds are to be issued to Participants or to Beneficial Owners, the Paying Agent shall promptly have prepared Replacement Bonds registered in the names of such Participants as shown on the records of the Depository or, if requested by such Participants, in the names of the Beneficial Owners, as shown on the records of such Participants as of the date set forth in the notice delivered in accordance with the immediately preceding paragraph. Replacement Bonds issued to Participants or to beneficial owners shall be in the authorized denomination, be payable as to principal and interest on the same dates as the Bonds by check or draft mailed to each registered owner at the address of such owner as it appears on the Bond Register and be in fully registered form.

Replacement Bonds issued to a Depository shall have the same terms, form and content as the Bonds initially registered in the name of the Depository to be replaced or its nominee except for the name of the record owner.

(f) The Depository and its Participants and the Beneficial Owners, by their acceptance of the Bonds, agree that neither the County nor the Paying Agent shall have any liability for the failure of such Depository to perform its obligations to the Participants and the Beneficial Owners, nor shall the County or the Paying Agent be liable for the failure of any Participant or other nominee of the Beneficial Owners to perform any obligation to the Beneficial Owner.

For purposes of this Section 5, the following words have the following meanings:

“Book-Entry Form” or “Book-Entry System” means a form or system, as applicable, under which (i) the ownership of beneficial interests in the Bonds may be transferred only through a book-entry and (ii) physical bond certificates in fully registered form are registered only in the name of a Depository or its nominee as holder, with the physical bond certificates “immobilized” in the custody of the Depository.

“Depository” means any securities depository that is a “clearing corporation” within the meaning of the New York Uniform Commercial code and a “clearing agency” registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934, operating and maintaining, with its participants or otherwise, a Book-Entry System to record ownership of beneficial interests in municipal bonds, and to effect transfers of municipal bonds, in Book-Entry Form, and includes and means initially The Depository Trust Company, New York, New York.

Section 6. The Bonds maturing on or after October 1, 2010 will be redeemable prior to their stated maturities, on or after October 1, 2009, upon the terms and conditions set forth in the Bonds, the form of which is hereinafter adopted.

Section 7. The Bonds, when issued, shall be executed in the name of the County by the manual or facsimile signature of the President of the Board of County Commissioners of St. Mary’s County (the “Board”) and a facsimile of the seal of the



County shall be imprinted thereon, and the Bonds shall be attested by the manual or facsimile signature of the County Administrator and authenticated by the manual signature of the Bond Registrar.

In the event any official of the County, whose signature shall appear on any Bond described in this Resolution, or on other documents pertaining thereto, shall cease to be such official prior to the delivery of said Bond, or document, or in the event that any official shall take office subsequent to the sale of the Bonds, his/her signature shall nevertheless be valid, sufficient and binding for the purposes herein intended.

Section 8. The Bonds shall be in substantially the following form, which form together with all of the terms, covenants and conditions therein contained, is hereby adopted by the County as and for the form of obligation to be incurred by it, and said terms, covenants and conditions are hereby made binding upon the County, including the promise to pay therein contained, in accordance with said form:

[FORM OF BOND]

No. \_\_\_\_\_ \$ \_\_\_\_\_

UNITED STATES OF AMERICA  
 STATE OF MARYLAND  
 COUNTY COMMISSIONERS OF ST. MARY'S COUNTY  
 CONSOLIDATED PUBLIC IMPROVEMENT BOND OF 1999

<u>Annual Interest Rate</u>	<u>Maturity Date</u>	<u>Bond Date</u>	<u>CUSIP Number</u>
	October 1, 20__	October 15, 1999	

Registered Owner: CEDE & CO.

Principal Amount: \_\_\_\_\_ Dollars

County Commissioners of St. Mary's County, a body politic and corporate organized and existing under the Constitution and laws of the State of Maryland (the "County"), hereby acknowledges itself indebted for value received and, upon surrender hereof, promises to pay to the Registered Owner shown above, unless this bond shall have been called for prior redemption and payment of the redemption price made or provided for, the Principal Amount shown above, and to pay interest on the outstanding principal amount hereof from the later of October 15, 1999 and the most recent Interest Payment Date (as hereinafter defined) to which interest has been paid or provided for; provided, however, if this bond is authenticated after a Record Date (as hereinafter



defined) for any Interest Payment Date and before such Interest Payment Date, it shall bear interest from such Interest Payment Date.

Interest on this bond shall be paid at the Annual Interest Rate shown above, payable April 1, 2000 (5½ months) and semiannually thereafter on April 1 and October 1 in each year (the "Interest Payment Dates") until payment of such Principal Amount shall be discharged as provided in the Resolution (as hereinafter defined). Such interest shall be paid to the person in whose name this bond is registered on the registration books maintained by the Bond Registrar at the close of business on the 15th calendar day of the month next preceding each Interest Payment Date (the "Record Date").

Notwithstanding the preceding sentence, interest on this bond which is payable, but is not punctually paid or duly provided for, on any Interest Payment Date shall forthwith cease to be payable to the Registered Owner by virtue of having been such Registered Owner on the relevant Record Date and such interest shall be paid by the Paying Agent to the person in whose name this bond (or its predecessor bond) is registered at the close of business on a date fixed by the Bond Registrar for the payment of such interest, notice thereof being given by first class mail, postage prepaid, to said person not less than 30 days prior to such Record Date, at the address of such person appearing on the Bond Register, or may be paid at any time in any other lawful manner not inconsistent with the requirements of any securities exchange on which this bond may be listed and upon such notice as may be required by such exchange.

Principal of, premium, if any, and interest on this bond are payable in such money of the United States of America as is lawful at the time of payment.

It is hereby certified and recited that each and every act, condition and thing required to exist, to be done, to have happened and to be performed precedent to and in the issuance of this bond, does exist, has been done, has happened and has been performed in full and strict compliance with the Constitution and laws of the State of Maryland and Resolution No. R-99-20 of the Board of County Commissioners of St. Mary's County, adopted on October 5, 1999 authorizing the issuance of the issue of bonds, of which this bond is one (the "Resolution") and that said issue of bonds, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and laws of said State. This bond is an obligation of the County, payable as provided in the Resolution, and the full faith and credit and unlimited taxing power of County Commissioners of St. Mary's County are hereby irrevocably pledged to the payment of the principal of this bond and of the interest to accrue hereon at the dates and in the manner mentioned herein.

This bond is one of an issue of bonds limited in aggregate principal amount to \$29,575,000, all dated October 15, 1999 and all known as "County Commissioners of St. Mary's County Consolidated Public Improvement Bonds of 1999" (the "Bonds"). The Bonds are issued as registered bonds, without coupons, in the denominations of \$5,000 or any integral multiple thereof. The Bonds are numbered consecutively from No. 1 upward



and mature on October 1 in the years and in the amounts and bear interest at the annual rates, all as set forth below:

<u>Maturing October 1</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Maturing October 1</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2000	\$ 875,000		2010	\$1,435,000	
2001	945,000		2011	1,510,000	
2002	980,000		2012	1,590,000	
2003	1,025,000		2013	1,680,000	
2004	1,070,000		2014	1,770,000	
2005	1,120,000		2015	1,875,000	
2006	1,175,000		2016	1,980,000	
2007	1,235,000		2017	2,095,000	
2008	1,295,000		2018	2,215,000	
2009	1,360,000		2019	2,345,000	

The Bonds which mature on or after October 1, 2010 are subject to redemption prior to their respective maturities, at the option of the County, on or after October 1, 2009, either as a whole at any time or in part on any Interest Payment Date, in such order as shall be determined by the County, at the following redemption prices, expressed as a percentage of the principal amount of the Bonds to be redeemed, plus accrued interest thereon to the date fixed for redemption:

<u>Period During Which Redeemed (both dates inclusive)</u>	<u>Redemption Price</u>
October 1, 2009 to September 30, 2010	101.0%
October 1, 2010 to September 30, 2011	100.5%
October 1, 2011 or thereafter	100.0%

If less than all of the Bonds of any one maturity shall be called for redemption, then the particular Bonds of such maturity to be redeemed shall be selected by lot or other random means in such manner as the Paying Agent in its sole discretion, shall determine. Each \$5,000 principal amount of any Bond shall be considered a separate Bond for the purposes of selection of Bonds for redemption by lot or other random means.

If the County elects to redeem all or a portion of the Bonds outstanding, it shall give notice of such redemption by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption to each registered owner of a Bond to be redeemed at the address of such registered owner appearing on the Bond Register; provided, however, that the failure to mail the redemption notice or any defect in the notice so mailed shall not affect the validity of the redemption proceedings. The County may, but shall not be obligated to, also publish such notice of redemption at least once not less than 30 days prior to the date fixed for redemption in a financial journal or daily newspaper of general



circulation published in the Borough of Manhattan, New York, New York. The redemption notice shall state (i) whether the Bonds are to be redeemed in whole or in part and, if in part, the maturities and numbers of the Bonds to be redeemed, (ii) the date fixed for redemption and the redemption price, (iii) in the case of a partial redemption of any Bond, the portion of the principal amount which is to be redeemed, (iv) that the Bonds redeemed shall be presented for redemption and payment on or after the date fixed for redemption at the principal corporate trust office of the Paying Agent, and (v) that interest shall cease to accrue on the Bonds called for redemption on the date fixed for redemption.

From and after the date fixed for redemption, if notice has been duly and properly given and if monies sufficient for the payment of the redemption price of the Bonds called for redemption plus accrued interest due thereon to the date fixed for redemption are held by the Paying Agent on such date, the Bonds so called for redemption shall become due and payable at the redemption price provided for redemption of such Bonds on such date, interest on the Bonds shall cease to accrue and the registered owners of such Bonds so called for redemption shall have no rights in respect thereof except to receive payment for the redemption price thereof plus accrued interest thereon to the date fixed for redemption from such monies held by the Paying Agent. Upon presentation and surrender of a Bond called for redemption in compliance with the redemption notice, the Paying Agent shall pay the appropriate redemption price of such Bond plus accrued interest thereon to the date fixed for redemption. If Bonds so called for redemption are not paid upon presentation and surrender as described above, such Bonds shall continue to bear interest at the rates stated therein until paid.

In case part but not all of a Bond shall be selected for redemption, then, upon the surrender thereof, there shall be issued without charge to the registered owner thereof Bonds in any of the authorized denominations as specified by the registered owner. The aggregate principal amount of Bonds so issued shall be equal to the unredeemed balance of the principal amount of the Bond surrendered, and the Bonds issued shall bear the same interest rate and shall mature on the same date as the Bond surrendered.

BOND IN BOOK-ENTRY FORM ONLY -

Provisions Applicable to Book-Entry Bonds. So long as all of the Bonds shall be maintained in book-entry form with a Depository (as defined in the Resolution) in accordance with Section 5 of the Resolution, in the event that part, but not all, of this bond shall be called for redemption, the holder of this bond may elect not to surrender this bond in exchange for a new Bond and in such event shall make a notation indicating the principal amount of such redemption and the date thereof on the Payment Grid attached hereto. For all purposes, the principal amount of this bond outstanding at any time shall be equal to the lesser of (A) the Principal Sum shown on the face hereof and (B) such Principal Sum reduced by the principal amount of any partial redemption of this bond following which the holder of this bond has elected not to surrender this bond. The failure of the holder hereof to note the principal amount of any partial redemption on the Payment Grid attached hereto, or any inaccuracy therein, shall not affect the payment



) obligation of the County hereunder. THEREFORE, IT CANNOT BE DETERMINED FROM THE FACE OF THIS BOND WHETHER A PART OF THE PRINCIPAL OF THIS BOND HAS BEEN PAID.

The Bonds are issued pursuant to the authority of Chapter 439 of the Laws of Maryland of 1996, as amended, Chapter 460 of the Laws of Maryland of 1997, as amended, Chapter 77 of the Laws of Maryland of 1998, as amended, Chapter 86 of the Laws of Maryland of 1999, as amended, Section 46-2 of the St. Mary's County Code, as amended, Section 2C of Article 31 of the Annotated Code of Maryland, as amended, and in accordance with the Resolution.

) The Bonds will be transferable only upon the Bond Register by the Bond Registrar. Any Bond presented for transfer, exchange, registration, redemption or payment (if so required by the Bond Registrar) shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in form and with guaranty of signature satisfactory to the Bond Registrar, duly executed by the registered owner thereof or by his duly authorized attorney. Upon any transfer or exchange, the County shall execute and the Bond Registrar shall authenticate and deliver in the name of the registered owner or the transferee or transferees, as the case may be, a new registered Bond or Bonds of any of the authorized denominations in an aggregate principal amount equal to the principal amount of the Bond exchanged or transferred and maturing on the same date and bearing interest at the same rate. In each case, the County and the Bond Registrar may require payment by the registered owner requesting the exchange or transfer of any tax, fee or other governmental charge, shipping charges and insurance that may be required to be paid with respect thereto, but otherwise no charge shall be made to the registered owner for the exchange or transfer.

The Bond Registrar shall not be required to transfer or exchange any Bond after the mailing of notice calling such Bond or portion thereof for redemption; provided, however, that this limitation shall not apply to any portion of a Bond which is not being called for redemption.

This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Resolution until the Certificate of Authentication endorsed hereon shall have been signed by an authorized signatory of the Bond Registrar.

) IN WITNESS WHEREOF, the County has caused this bond to be executed in its name by the President of the Board of County Commissioners of St. Mary's County and attested by its County Administrator, and has also caused its corporate seal to be printed hereon.



ATTEST:

COUNTY COMMISSIONERS OF ST.  
MARY'S COUNTY

By: \_\_\_\_\_  
County Administrator  
St. Mary's County

By: \_\_\_\_\_  
President, Board of County  
Commissioners of St. Mary's County

CERTIFICATE OF AUTHENTICATION

Date of Authentication:

This bond is one of the registered bonds of County Commissioners of St. Mary's County designated County Commissioners of St. Mary's County Consolidated Public Improvement Bonds of 1999.

ALLFIRST TRUST COMPANY,  
Baltimore, Maryland,  
Bond Registrar

By: \_\_\_\_\_  
Authorized Signature



BONDS IN BOOK-ENTRY FORM ONLY

PAYMENT GRID

<u>Date of Payment</u>	<u>Principal Amount Paid</u>	<u>Principal Amount Outstanding</u>	<u>Holder Signature</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ (Tax Identification or Social Security No. \_\_\_\_\_) the within bond and all rights thereunder, and does hereby constitute and appoint \_\_\_\_\_ attorney to transfer the within bond on the books kept for the registration thereof. with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_  
 NOTICE: Signatures must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company

\_\_\_\_\_  
 (Signature of Registered Owner)  
 NOTICE: Signature must correspond with the name of the Registered Owner of the within bond as it appears on the face of the within bond in every particular, without alteration or enlargement or any change whatever



Section 9. The President of the Board be and is hereby authorized to make such changes in the form of bond set forth in Section 8 hereof as the President shall deem necessary to carry into effect the purposes of this Resolution or to comply with recommendations of Bond Counsel or, with the advice of the County's financial advisor, to be in the best interest of the County.

The execution of the Bonds by such officer shall be conclusive evidence of the approval by the County of all changes in the form of the Bonds and of the due execution of the Bonds by the County.

Section 10. No Bond shall be valid or obligatory for the purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication of such Bond substantially in the form hereinabove provided shall have been duly executed by the Bond Registrar and such executed certificate of the Bond Registrar on such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Resolution. The Bond Registrar's certificate of authentication on any Bond shall be deemed to have been executed by it if signed by an authorized officer or signatory of the Bond Registrar. It shall not be necessary that the same officer or signatory of the Bond Registrar sign the certificate of authentication on all the Bonds issued hereunder.

Section 11. The Bonds hereby authorized shall be sold at public sale by bids on sealed proposals to the bidder or bidders therefor for cash whose bid results in the lowest true interest cost to the County in the manner and in accordance with the formula set forth in the Notice of Sale attached hereto as Exhibit A and made a part hereof. The Director of Finance shall be and is hereby authorized to make such changes in the form of Notice of Sale attached hereto as Exhibit A as the Director of Finance shall deem necessary to carry into effect the purposes of this Resolution or to comply with recommendations of Bond Counsel or, with the advice of the County's financial advisor, to be in the best interest of the County. Bids for the Bonds shall be received and opened by the Director of Finance on October 19, 1999. The award shall be confirmed by the Board on the same day. Notwithstanding any other provision hereof, the Director of Finance shall be and hereby is authorized to accept electronic bids for the Bonds, and to make such adjustments to the Notice of Sale as he shall deem necessary or advisable, upon the advice of Bond Counsel or the County's financial advisor, to accomplish electronic bidding procedures.

In view of the desirability of flexibility in the scheduling of the sale of the Bonds to take full advantage of market conditions to maximize debt service savings, the County determines that it is in the best interest of the County to authorize and empower the Director of Finance to cancel said sale at any time prior to or on October 19, 1999 and to reschedule said sale without publishing a new Notice of Sale or Advertisement if (i) the County's financial advisor has advised him that market conditions are such that it is in the best interest of the County to do so, and (ii) he concurs in such recommendation to cancel and/or reschedule the sale. The Director of Finance may cancel and reschedule any rescheduled sale in accordance with phrases (i) and (ii) of the preceding sentence. If the date of sale is rescheduled as provided above, the Director of Finance may also postpone



the expected date of delivery of the Bonds. If the sale is postponed to a date later than November 1, 1999, then the Director of Finance may also change the date of the Bonds (and hence the date from which interest shall accrue), the dates of the semiannual interest payments and annual principal payments, and the optional redemption dates.

The Notice of Sale and the form of Proposal for the Bonds authorized by this Resolution shall be substantially in the form attached hereto as Exhibit A, subject to adjustment by the Director of Finance as authorized hereby, and the terms, provisions and conditions set forth in said form of Notice of Sale and Proposal are hereby adopted and approved as the terms, provisions and conditions under which the Bonds shall be sold, issued and delivered at public sale. The Director of Finance is hereby authorized to cause to be prepared and distributed to prospective bidders printed copies of said Notice of Sale and Proposal, as well as the Preliminary Official Statement hereinafter authorized. The Director of Finance is hereby authorized and directed to handle all inquiries in connection with the sale authorized hereby and the Official Statement hereafter referred to. The Director of Finance is hereby authorized to publish such further notices respecting the sale of the Bonds as he shall deem necessary or advisable upon the advice of Bond Counsel or the County's financial advisor.

Section 12. The Board hereby authorizes the County Administrator to execute and deliver one or more Bond Orders on the date of receipt of bids for the Bonds. Such Bond Order(s) may include the following provisions (without limitation):

- a. Award of the Bonds to the bidder(s) offering to purchase the Bonds at the lowest true interest cost(s) to the County, as provided in the Notices of Sale respecting the Bonds;
- b. An approval of the Final Official Statement respecting the Bonds; and
- c. Such other matters as the County Administrator shall deem necessary and advisable.

The Bonds shall thereupon be suitably printed or engraved and delivered to the purchasers thereof in accordance with the conditions of delivery set forth in the Notice of Sale.

Section 13. All of the expenses relating to the issuance and sale of the Bonds, including the cost of printing the Bonds and advertising their sale and the legal fees of the County, may be paid from the gross proceeds received from the sale of the Bonds. Any premium received on the sale of the Bonds and accrued interest received thereon shall be applied to the first payment of the principal of the Bonds and the first interest payment on the Bonds, respectively. After providing for such expenses, and making such provision relating to premium and accrued interest thereon, the balance of the proceeds from the sale of the Bonds shall be deposited in a separate account, to be divided among each of the 1999 Projects, as described in Section 2 for whose funding the Bonds are issued. If



the proceeds from the sale of the Bonds shall exceed the amount required for the 1999 Projects described in Section 2, such proceeds may be applied for payment of the principal of the Bonds next coming due or upon adoption of a resolution by the County to the construction, improvement or development of other public facilities in the County.

Pending expenditure as contemplated hereby, the Director of Finance may invest all or part of such balance of the proceeds of sale of the Bonds in such manner as may be permitted by law; provided, however, that no such investment shall be made which would cause the Bonds to be "arbitrage bonds" within the meaning of the Code (as hereafter defined) and the treasury regulations with respect thereto as in effect on the date of issuance of the Bonds.

Section 14. The Director of Finance shall be responsible for the execution and delivery of a certificate of the County which complies with the requirements of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and the applicable regulations thereunder and counsel rendering an opinion on the validity of the Bonds on the date of the issuance of the Bonds ("Bond Counsel").

The County shall set forth in said certificate its reasonable expectations as to relevant facts, estimates and circumstances relating to the use of the proceeds of the Bonds, or of any moneys, securities or other obligations which may be deemed to be proceeds of the Bonds pursuant to said Section 148 or the said regulations (collectively, the "Bond Proceeds"). The County covenants with each of the holders of any of the Bonds that the facts, estimates and circumstances set forth in the said certificate will be based on the County's reasonable expectations on the date of issuance of the Bonds and will be, to the best of the knowledge of the person executing such certificate, true, correct and complete as of that date.

The County covenants with each of the holders of any of the Bonds that it will not use, or permit the use of any of, the Bond Proceeds or any other funds of the County, directly or indirectly, to acquire any securities or obligations, and will not take or permit to be taken or fail to take any other action or actions which would cause any of the Bonds to be an "arbitrage bond" within the meaning of said Section 148 and said regulations or that would otherwise cause the interest on the Bonds to be includable in gross income of the holder of the Bonds for federal income tax purposes.

The County further covenants that it will comply with said Section 148 and said regulations and such other requirements of the Code which are applicable to the Bonds on the date of issuance of the Bonds and which may subsequently lawfully be made applicable to the Bonds.

The County will hold and shall invest Bond Proceeds within its control (if such proceeds are invested) in accordance with the expectations of the County set forth in said certificate.



The County shall make timely payment of any rebate amount or payment in lieu thereof (or installment thereof) required to be paid to the United States of America in order to preserve the exclusion from gross income for purposes of federal income taxation of interest on the Bonds and shall include with any such payment such other documents, certificates or statements as shall be required to be included therewith under then applicable law and regulations.

The Director of Finance may execute a certificate or certificates supplementing or amending said certificate, and actions taken by the County subsequent to the execution of such certificate shall be in accordance with said certificate as amended or supplemented; provided, however, that the County shall execute any such certificate only upon receipt by it of an opinion of Bond Counsel addressed to the County to the effect that actions taken by the County in accordance with the amending or supplementing certificate will not adversely affect the exclusion from gross income for federal income taxation purposes of interest on the Bonds.

Section 15. The County hereby covenants with the owners from time to time of the Bonds that it shall not take or cause to be taken any action or fail to take any action, the taking of which or the omission of which, under the law existing on the date of issuance of the Bonds, or which may subsequently lawfully be made applicable to the Bonds, would cause the interest on the Bonds to become subject to federal income taxation.

Section 16. For the purposes of paying the interest on and principal of the Bonds when due, the County shall levy or cause to be levied, for each and every fiscal year during which the Bonds may be outstanding, upon all real and tangible personal property within its corporate limits subject to assessment for unlimited County taxation, *ad valorem* taxes in rate and amount sufficient to provide for the payment, when due, of the principal of and interest on the Bonds coming due in each such fiscal year; and, if the proceeds from the taxes so levied in any fiscal year are inadequate for such payment, additional taxes shall be levied in the succeeding fiscal year to make up such deficiency. The full faith and credit and unlimited taxing power of the County are hereby irrevocably pledged to the prompt payment of the principal of and interest on the Bonds hereby authorized as and when such principal and interest comes due and to the levy and collection of the taxes hereinabove prescribed as and when such taxes may become necessary in order to provide sufficient funds to meet the debt service requirements of said Bonds. The County hereby solemnly covenants with each of the Registered Owners of any of said Bonds to take all action as may be appropriate from time to time during the period that any of said Bonds remain outstanding and unpaid to provide the funds necessary to make said principal and interest payments. The County further covenants and agrees with each of the Registered owners of any of said Bonds to levy and collect the taxes hereinabove prescribed.

The County may apply to the payment of the principal of and interest on any of the Bonds any funds received by it and available for such purpose from the State of



Maryland, the United States of America, any agency or instrumentality thereof, or from any other source, and, to the extent any such funds are received or receivable in any fiscal year, taxes that might otherwise be required to be levied hereunder may be reduced or need not be levied.

The Bonds shall be deemed to be paid and no longer to be outstanding when payment of the principal of the Bonds plus interest thereon to the due dates thereof (whether such due date be by reason of maturity or upon redemption) either (i) shall have been made or caused to have been made in accordance with the terms thereof, or (ii) shall have been provided by irrevocably depositing in trust and irrevocably setting aside exclusively for such payment, moneys sufficient to make such payment, or direct non-callable obligations of the United States of America, maturing as to principal and interest in such amount and at such times as will assure the availability of sufficient moneys to make such payment, or a combination thereof, and all necessary and proper fees, compensation and expenses pertaining to the Bonds with respect to which such deposit is made shall have been paid or the payment thereof provided for.

Section 17. If any Bond shall become mutilated or be destroyed, lost or stolen, the County in its discretion may execute, and upon its request the Bond Registrar shall authenticate and deliver, a new Bond in exchange for the mutilated Bond or in lieu of and substitution for the Bond so destroyed, lost or stolen. In every case of exchange or substitution, the applicant shall furnish to the County and to the Bond Registrar such security or indemnity as may be required by them to save each of them harmless from all risks, however remote, and the applicant shall also furnish to the County and to the Bond Registrar evidence to their satisfaction of the mutilation, destruction, loss or theft of the applicant's Bond. Upon the issuance of any Bond upon such exchange or substitution, the County may require the payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses, including counsel fees, of the county or the Bond Registrar. If any Bond which has matured or is about to mature shall become mutilated or be destroyed, lost or stolen, instead of issuing a Bond in exchange or substitution therefor, the County may pay or authorize the payment of such Bond (without surrender thereof except in the case of a mutilated Bond) if the applicant for such payment shall furnish to the County and to the Bond Registrar such security or indemnity as they may require to save them harmless, and evidence to the satisfaction of the County and the Bond Registrar of the mutilation, destruction, loss or theft of such Bond.

Section 18. Each Bond paid at maturity or upon prior redemption shall be canceled or destroyed by the Paying Agent and a certificate of destruction describing the Bond so canceled or destroyed and evidencing such cancellation or destruction shall be furnished by the Paying Agent to the County.

Section 19. The County hereby approves the Preliminary Official Statement relating to the Bonds (the "Preliminary Official Statement") substantially in the form presented to the Board with this Resolution, as evidenced by a copy of such Preliminary



) Official Statement certified by the County Administrator and filed among the permanent records of the County. With the exception of such changes therein as may be required or deemed appropriate by the President of the Board or the Director of Finance, upon advice of Bond Counsel or the County's financial advisor, certain changes dictated by the terms of the Notice of Sale, and certain information to be supplied by the purchaser of the Bonds, the Preliminary official Statement is deemed final by the County for the purpose of Rule 15c2-12 of the Securities and Exchange Commission. The County authorizes the distribution of said Preliminary Official Statement in connection with its solicitation of bids for the sale of the Bonds. The County hereby approves the Official Statement in the form of the Preliminary Official Statement with such changes therein as may be required or deemed appropriate by the President of the Board or the Director of Finance, upon advice of Bond Counsel or the County's financial advisor. The execution of the Official Statement by the President of the Board shall be conclusive evidence of the approval of the County of any and all such changes or modifications in said Official Statement in connection with the issuance, sale and delivery of the Bonds.

) Section 20. The President of the Board and all other Commissioners, the County Administrator, the Director of Finance and such other officers, officials and employees of the County as the President shall designate, are authorized hereby to do any and all things, execute all instruments, documents and certificates, and otherwise take all action necessary, proper, or expedient in connection with the issuance, sale and delivery of the Bonds. The President of the Board and all other Commissioners, the County Administrator, the Director of Finance and all other officers, officials and employees of the County are authorized and directed hereby to do all acts and things required of them by the provisions hereof and of the Bonds for the full, punctual, and complete performance of all of the terms, covenants, provisions and agreements of this Resolution and the Bonds.

Section 21. This Resolution shall take effect from the date of its adoption.

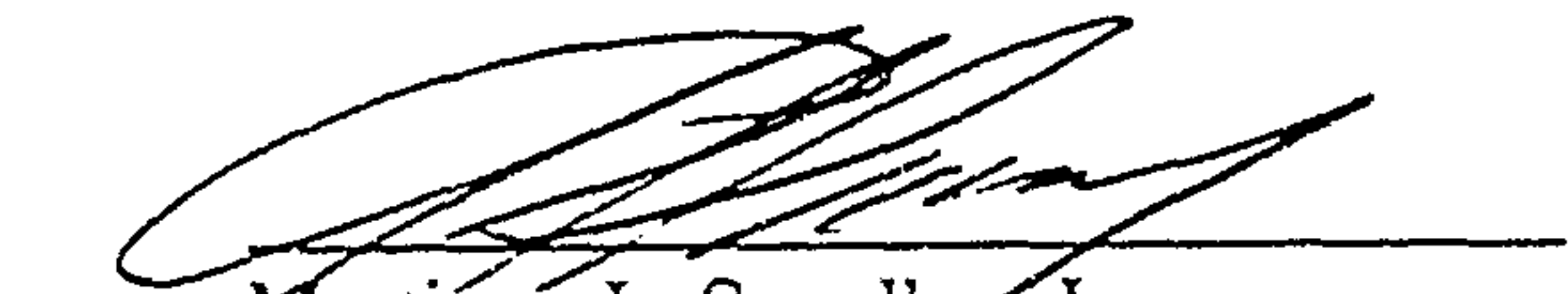
[SIGNATURES APPEAR ON NEXT PAGE]




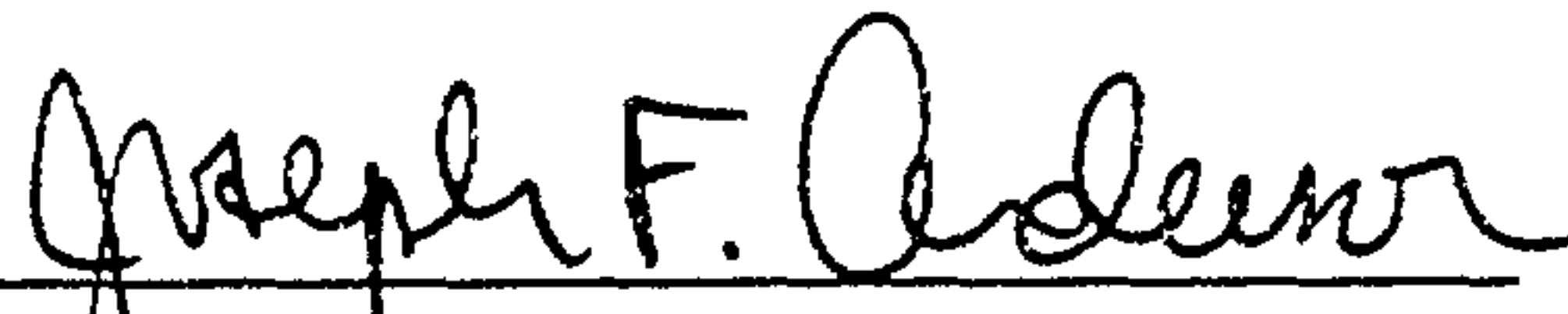
Adopted this 5th day of October, 1999.

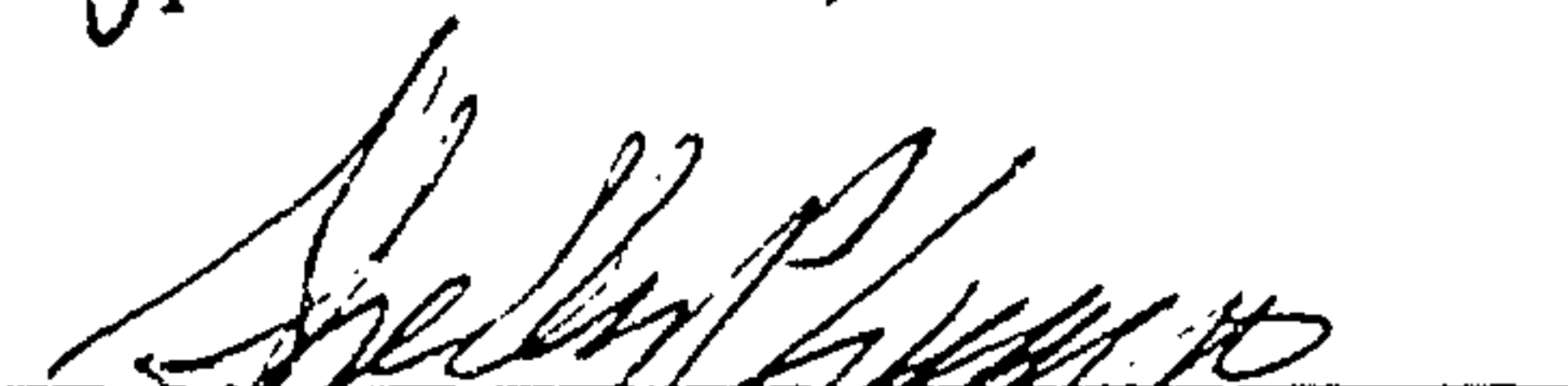
(SEAL)  
ATTEST:

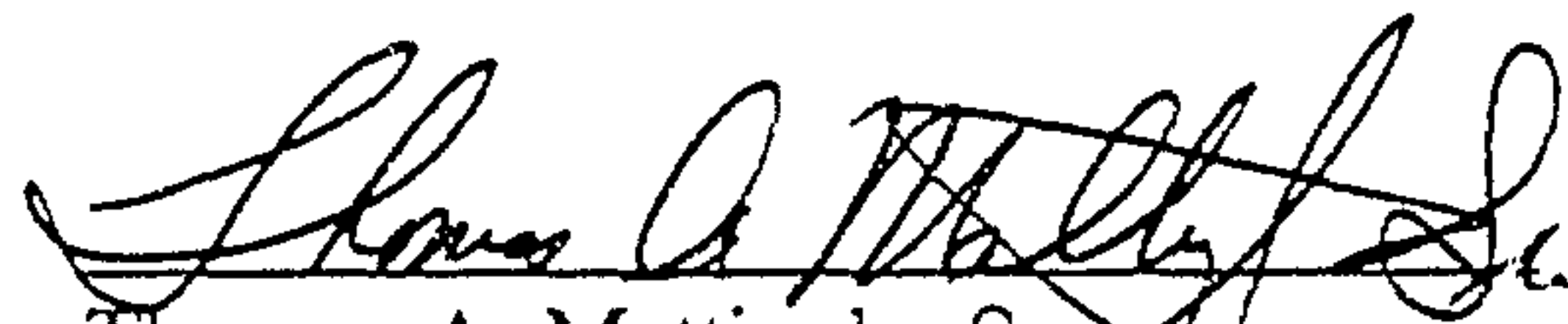
COUNTY COMMISSIONERS OF  
ST. MARY'S COUNTY

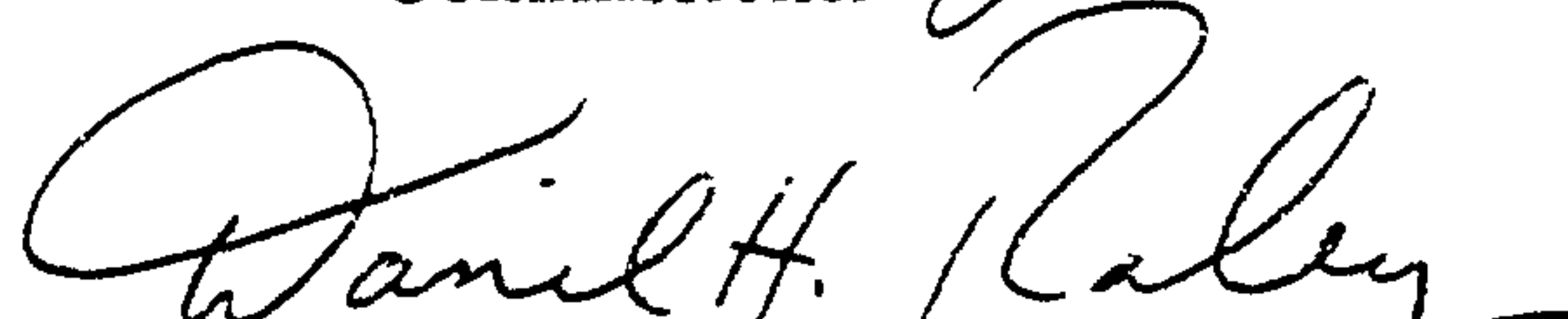
  
Mortimer L. Smedley, Jr.  
County Administrator

By:   
Julie B. Randall, President

  
Joseph F. Anderson, Commissioner

  
Shelby P. Guazzo, Commissioner

  
Thomas A. Mattingly, Sr.,  
Commissioner

  
Daniel H. Raley, Commissioner



SCHEDULE I

BOOK 3015 PAGE 0112

<u>Project</u>	<u>Amount</u>
<b>Public Facilities</b>	
Leonardtown Library/Archives	\$ 33,110
Airport Improvements	510,000
N. County Maintenance Annex	31,000
St. Andrews Maintenance Facility	1,077,303
Courthouse Addition/Renovation	6,584,236
Community College, Phase II	757,217
Lexington Park Library	400,000
Airport Commuter Service	368,763
Fire & Rescue Revolving Loan Fund	1,000,000
New County Office Building Renovation	42,600
<b>Marine Projects</b>	
Cherry Cove Tax District	5,200
Deep Creek Outfall	32,400
Dukehart's Creek	7,500
<b>Highways</b>	
Bridge/Culvert Replacement	271,000
Asphalt Overlay	1,100,000
Patuxent Park Subdivision	22,985
Old Horse Landing Road	20,000
Wicomico Shores PH II & III Tax District	153,214
Golf Course Drive Tax District	196,650
St. Mary's River Mitigation	27,337
Retrofit Sidewalk Program	100,000
All Faith Church Road	15,000
Tall Timbers Drainage Improvements	15,000
Sandy Bottom & Lawrence Hayden Road	58,000
FDR Boulevard Extended	879,000
Flat Iron Road Intersection Improvements	85,750
<b>Solid Waste</b>	
Solid Waste/Recycling	73,386
<b>Parks Acquisition and Development</b>	
Willows Road Park	491,900
Chancellor's Run Park Improvements	50,000
Dorsey Park Improvements	175,000



Public Landings Acquisition and Development	
Piney Point Boating Facility	\$ 340,000
Bushwood Wharf	50,000
Chaptico Wharf	110,000

Public Schools	
Leonardtwn High Addition	2,320,000
Esperanza Middle Addition	6,246,000
Banneker Elementary Addition	1,355,000
Great Mills High Athletic Field	490,000
Ridge Elementary Roof	105,000
White Marsh Elem. Media Expansion	177,877
Middle School Pod Modifications	1,343,123
Chopticon Senior Addition	916,000
Lexington Park Elementary Addition	256,000
Leonardtwn Park Elementary Pre-K	112,000
Leonardtwn High Relocatable Classrooms	127,000
Oakville Elem. Roof Systemic Renovation	277,000
Leonardtwn High Local Relocatables	711,449
Relocatable Classrooms FY 1999	55,000

TOTAL \$29,575,000



EXHIBIT A

Form of Notice of Sale

## NOTICE OF SALE

## ST. MARY'S COUNTY, MARYLAND

\$29,575,000 COUNTY COMMISSIONERS OF ST. MARY'S COUNTY  
CONSOLIDATED PUBLIC IMPROVEMENT BONDS OF 1999

SEALED BIDS will be received by the Director of Finance of St. Mary's County, Maryland, in the offices of Allfirst Trust Company, at 25 South Charles Street, 16th Floor Conference Room, Baltimore, Maryland, until 11:00 a. m., local Baltimore, Maryland time, on October 19, 1999, for County Commissioners of St. Mary's County Consolidated Public Improvement Bonds of 1999 (the "Bonds"). All Bonds shall be fully registered in form in the denomination of \$5,000 each or any integral multiple thereof, shall be dated October 15, 1999, and shall bear interest payable semiannually on the first days of April and October commencing April 1, 2000 (5½ months), until maturity.

The Bonds will mature annually, subject to prior redemption, on October 1 in the following years and in the following aggregate amounts:

<u>Year</u>	<u>Amounts</u>	<u>Year</u>	<u>Amounts</u>
2000	\$ 875,000	2010	\$1,435,000
2001	945,000	2011	1,510,000
2002	980,000	2012	1,590,000
2003	1,025,000	2013	1,680,000
2004	1,070,000	2014	1,770,000
2005	1,120,000	2015	1,875,000
2006	1,175,000	2016	1,980,000
2007	1,235,000	2017	2,095,000
2008	1,295,000	2018	2,215,000
2009	1,360,000	2019	2,345,000

One bond representing each maturity of the Bonds will be issued to and registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), as registered owner of the Bonds and each such bond shall be immobilized in the custody of DTC. DTC will act as securities depository for the Bonds. Individual purchases will be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof. Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased. The winning bidder, as a condition to delivery of the Bonds, will be required to deposit the bond certificates representing each maturity with DTC.



The Bonds will be issued pursuant to Chapter 439 of the Laws of Maryland of 1996, Chapter 460 of the Laws of Maryland of 1997, as amended, Chapter 77 of the Laws of Maryland of 1998, as amended, Chapter 86 of the Laws of Maryland of 1999, as amended, Section 46-2 of the St. Mary's County Code, as amended, and Section 2C of Article 31 of the Annotated Code of Maryland, as amended, for the purpose of financing certain public improvements.

Bids must be submitted on the prescribed form provided for that purpose by the Director of Finance and must be enclosed in a sealed envelope marked "Proposal for Bonds" and addressed to Director of Finance, c/o Allfirst Trust Company, 25 South Charles Street, Baltimore, Maryland, each bid to be accompanied by a good faith deposit in the form of a Financial Surety Bond or a certified or bank cashier's check, in the amount of Three Hundred Thousand Dollars (\$300,000.00). If a check is used, it must be in the form of a certified check upon, or a cashier's, treasurer's or official check of, a responsible banking institution payable to the order of "County Commissioners of St. Mary's County," and it must accompany each bid. If a Financial Surety Bond is used, it must be from an insurance company acceptable to the County and licensed to issue such a bond in the State of Maryland, and such Financial Surety Bond must be submitted to the County prior to the opening of the bids and must be in form and substance acceptable to the County. The Financial Surety Bond must identify the bidder whose good-faith deposit is guaranteed by such Financial Surety Bond. If the bonds are awarded to a bidder utilizing a Financial Surety Bond, then such successful bidder is required to submit its good-faith deposit to the County in the form of a wire transfer not later than 12:00 p.m. Baltimore time on the next business day following the award. If such deposit is not received by that time, the Financial Surety Bond may be drawn on by the County to satisfy the deposit requirement. If the bonds are awarded to a bidder utilizing a check, such check will be cashed. The good-faith deposit of the successful bidder will be collected and the proceeds thereof retained by the County to be applied in part payment for the bonds and no interest will be allowed or paid upon the amount thereof, but in the event the successful bidder shall fail to comply with the terms of its bid, the proceeds thereof will be retained as and for full liquidated damages. The checks of the unsuccessful bidders will be returned promptly.

THE SUCCESSFUL BIDDER SHALL MAKE A BONA FIDE PUBLIC OFFERING OF THE BONDS AT THE INITIAL REOFFERING PRICES AND SHALL PROVIDE THE RELATED CERTIFICATION DESCRIBED BELOW.

The Director of Finance will not accept and will reject any bid for less than all of the above described bonds. The right is reserved to reject any and all bids and to waive irregularities in any bid.

Each bidder shall submit one bid on the required form of Proposal for Bonds on an all-or-none basis for the bonds. Each proposal must specify the amount bid for the bonds, which shall be not less than \_\_\_% of par or more than \_\_\_% of par plus accrued



interest from October 15, 1999 to the date of delivery of the bonds. Each proposal must specify in multiples of one-eighth (1/8) or one-twentieth (1/20) of one percent (1%) the rate or rates of interest per annum which the bonds are to bear but shall not specify (a) more than one interest rate for any bonds having the same maturity, (b) a zero rate of interest, (c) any interest rate for any bonds which exceeds the interest rate stated in such proposal for any other bonds by more than 3%, or (d) for maturities from 2010 through 2019, an interest rate that is lower than the interest rate for the immediately preceding maturity (i.e., interest rates must ascend from a base year of 2009).

The award, if made, will be made as promptly as possible after the bids are opened to the bidder offering the lowest interest rate to the County. All proposals shall remain firm until the time of award. The lowest interest rate shall be determined in accordance with the true interest cost (TIC) method by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments from the payment dates to the date of the bonds and to the price bid, excluding interest accrued to the date of delivery. In the event two or more bidders offer to purchase said bonds at the same lowest interest rate to the County, then the bonds may be apportioned between such bidders; provided, that if apportionment is not acceptable to such bidders, the County shall have the right to award the bonds to one of such bidders. There will be no auction.

All bonds herein described will constitute an irrevocable pledge of the full faith and credit and unlimited taxing power of County Commissioners of St. Mary's County, Maryland.

The Bonds which mature on or after October 1, 2010 are subject to redemption prior to their respective maturities, at the option of the County, on or after October 1, 2009, either as a whole at any time or in part on any Interest Payment Date, in such order as shall be determined by the County, at the following redemption prices, expressed as a percentage of the principal amount of the Bonds to be redeemed, plus accrued interest thereon to the date fixed for redemption:

Period During Which Redeemed (both dates inclusive)	Redemption Price
October 1, 2009 to September 30, 2010	101.0%
October 1, 2010 to September 30, 2011	100.5%
October 1, 2011 or thereafter	100.0%

The issuance of the Bonds will be subject to legal approval by Venable, Baetjer and Howard, LLP, Baltimore, Maryland, and copies of their opinions will be delivered upon request, without charge, to the successful bidder for the Bonds. Such opinions shall be substantially in the forms included in Appendix B to the Preliminary Official Statement referred to below.



When delivered, the Bonds shall be duly executed and authenticated and registered in such names and in such denominations as the successful bidder shall have requested in writing not less than seven business days prior to the closing; and the remaining aggregate principal amount of the bonds for which no instructions have been received by such date will be issued as one bond in the denomination of such remaining aggregate principal amount or as bonds in such denominations as shall be mutually agreed upon by the successful bidder and the County and registered in the name of the successful bidder.

It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print any such number on any bond nor any error with respect thereto shall constitute cause for a failure or refusal by the successful bidder to accept delivery of and pay for the Bonds in accordance with the terms of this Notice of Sale.

Not later than seven (7) business days after the award of the Bonds to the successful bidder on the day of sale, the County will authorize an Official Statement, which is expected to be substantially in the form of the Preliminary Official Statement referred to below. If so requested by the successful bidder at or before the close of business on the date of the sale, the County will include in the Official Statement such pricing and other information with respect to the terms of the reoffering of the bonds by the successful bidder ("Reoffering Information"), if any, as may be specified and furnished in writing by the successful bidder. If no Reoffering Information is specified and furnished by the successful bidder, the Official Statement will include the interest rates on the Bonds resulting from the bid of the successful bidder and the other statements with respect to reoffering contained in the Preliminary Official Statement. The successful bidder shall be responsible to the County and its officials for the Reoffering Information, and for all decisions made by the successful bidder with respect to the use or omission of the Reoffering Information in any reoffering of the Bonds, including the presentation or exclusion of any Reoffering Information in any documents, including the Official Statement. The successful bidder will also be furnished, without cost, with up to 400 copies of the Official Statement (and any amendment or supplement thereto).

The County has made certain covenants for the benefit of the holders from time to time of the Bonds to provide certain continuing disclosure, in order to assist bidders for the bonds in complying with Rule 15c2-12(b)(5) of the Securities and Exchange Commission. Such covenants are described in the Preliminary Official Statement dated October \_\_, 1999.

The Bonds will be delivered as soon as practicable, upon due notice and at the expense of the successful bidder, through the facilities of DTC in New York, New York, upon payment of the amount of the successful bid, plus accrued interest to the date of delivery, less the deposit theretofore made. Such payment shall be made in Federal funds. The Bonds will be accompanied by the customary closing documents, including a no-litigation certificate, effective as of the date of delivery, stating that there is no litigation pending, affecting the validity of any of the bonds included in these issues. It



) shall be a condition to the obligation of the successful bidder to accept delivery of and pay for the Bonds that, simultaneously with or before delivery and payment for the Bonds, said bidder shall be furnished a certificate or certificates of appropriate County officials to the effect that, to the best of their knowledge and belief, the Official Statement (and any amendment or supplement thereto) (except for the Reoffering Information, as to which no view will be expressed) as if the date of sale and as of the date of delivery of the Bonds does not contain any untrue statement of a material fact and does not omit to state a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading and that between the date of sale and the date of delivery of the Bonds there has been no material adverse change in the financial position or revenues of the County, except as reflected or contemplated in the Official Statement (and any amendment or supplement thereto).

Simultaneously with or before delivery of the bonds, the successful bidder shall furnish to the county a certificate acceptable to bond counsel to the effect that (i) the successful bidder has made a bona fide public offering of the bonds at the initial reoffering prices and (ii) a substantial amount of the bonds was sold to the public (excluding bond houses, brokers and other intermediaries) at such initial reoffering prices.

) The Preliminary Official Statement of St. Mary's County, Maryland, with respect to such bonds, and the required form of Proposal For Bonds will be supplied to prospective bidders upon request made to the Director of Finance of St. Mary's County, Governmental Center, Leonardtown, Maryland 20650, or from H. C. Wainwright & Co., Inc., financial advisor to the County, at 400 East Pratt Street, Baltimore, Maryland 21202 (410-347-3900). Such Preliminary Official Statement is deemed final by the County as of its date for purposes of SEC Rule 15c2-12 but is subject to revision, amendment and completion in the Official Statement referred to above.

By order of  
COUNTY COMMISSIONERS OF ST.  
MARY'S COUNTY



PROPOSAL FOR BONDS

BOOK 0015 PAGE 0119

October 19, 1999

Director of Finance  
 St. Mary's County, Maryland  
 c/o Allfirst Trust Company  
 Corporate Trust Services, 16th Floor Conference Room  
 25 South Charles Street  
 Baltimore, Maryland 21202

Dear Sir:

Subject to the provisions and in accordance with the terms of the annexed Notice of Sale which is incorporated by reference herein and made a part of this Proposal for Bonds, we offer to purchase the obligations of County Commissioners of St. Mary's County described in such Notice of Sale, being \$29,575,000 aggregate principal amount of County Commissioners of St. Mary's County Consolidated Public Improvement Bonds of 1999, such bonds to be dated October 15, 1999, maturing on October 1 in the years and aggregate principal amounts, respectively, as set forth in such Notice of Sale, and to bear interest as follows:

<u>Year of Maturity</u>	<u>Interest Rate</u>	<u>Year of Maturity</u>	<u>Interest Rate</u>
2000	_____ %	2010	_____ %
2001	_____	2011	_____
2002	_____	2012	_____
2003	_____	2013	_____
2004	_____	2014	_____
2005	_____	2015	_____
2006	_____	2016	_____
2007	_____	2017	_____
2008	_____	2018	_____
2009	_____	2019	_____

We will pay an amount equal to the par value of the bonds	\$ _____
plus a premium (not to exceed __%) in the amount of	+\$ _____
less a discount (not to exceed __%) in the amount of	-\$ _____
making a total of	\$ _____

and also accrued interest from October 15, 1999 to the date of delivery of the bonds.



Please indicate (x) the appropriate choice regarding the good faith deposit:

\_\_\_\_\_ We have posted a surety bond in the amount of \$300,000 in accordance with the annexed Notice of Sale.

\_\_\_\_\_ We enclose herewith a certified check upon, or a cashier's, treasurer's or official check of, a responsible banking institution, payable to the order of County Commissioners of St. Mary's County, in the amount of \$300,000, which check is to be applied in accordance with the annexed Notice of Sale.

We understand that (a) we are to provide a certification regarding the public sale of the bonds as described in the notice of sale on or prior to the closing date and (b) if notified that we are the successful bidder, we will be required to advise the county of the initial reoffering prices (as described in the notice of sale) for each maturity of the bonds at the time of such notification. In this regard, you may contact and rely on the information provided by \_\_\_\_\_, whose telephone number is \_\_\_\_\_.]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ and Associates (See List Attached)

(Not a part of this proposal. The following information is requested to expedite and facilitate prompt determination of the best bid. The inclusion, omission, accuracy or inaccuracy of these figures will not affect the validity of the proposal. The total amount of interest payable on the bonds referred to above under this proposal is \$\_\_\_\_\_. The rate of interest determined in the manner set forth in the Notice of Sale is \_\_\_\_\_% per annum.)

The above good faith check has been returned and receipt thereof is fully acknowledged.

\_\_\_\_\_  
\_\_\_\_\_  
Bidder  
By: \_\_\_\_\_  
Title: \_\_\_\_\_