

NO.: 2001 - 35 A
SUBJECT: Amendment to St. Mary's
County Comprehensive
Solid Waste Management
and Recycling Plan
Ordinance No: 2001-15

LIBERO 021 PAGE 01

ORDINANCE

WHEREAS, by Board of County Commissioners for St. Mary's County, Maryland Ordinance No. 2001-15, adopted June 19, 2001 and recorded among the Land Records of St. Mary's County at Book Number 18, Page 94, the Comprehensive Solid Waste Management and Recycling Plan 2000 - 2001 ("the Plan") was approved and adopted, and direction given to the Director of the St. Mary's Department of Public Works and Transportation to submit the Plan to the Maryland Department of the Environment ("MDE") for approval pursuant to Section 9-503(c) of the Environment Article, Annotated Code of Maryland; and

WHEREAS, on October 3, 2001 and October 10, 2001, after receiving and reviewing the Plan approved by Ordinance 2001-15, MDE suggested that minor textual amendments be made; and

WHEREAS, the Solid Waste Advisory Committee ("SWAC") reviewed MDE's comments and recommended that the Plan be amended as shown on Exhibit A attached hereto. The SWAC recommendations were subsequently reviewed and tentatively approved by MDE; and

WHEREAS, by authority of the Board of County Commissioners for St. Mary's County, Maryland (the "Board"), notice of a public hearing to amend the Plan as established by Ordinance No. 2001-15 was published in the The Enterprise, a newspaper of general circulation in St. Mary's County, on November 14, 2001 and November 21, 2001, in accordance with Section 3(r) of article 25 of the Annotated Code of Maryland and Section 9-503(d) of the Environment Article of the Annotated Code of Maryland and a public hearing was held on December 4, 2001; and

WHEREAS, the Board has had sufficient time to study the Plan amendment, recommendations and input from the public, staff and SWAC; and

WHEREAS, upon due consideration of public and staff input, the Board determines that it is in the best interest of the public health, safety, and welfare of the citizens of St. Mary's County, Maryland, to amend the Plan.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners for St. Mary's County, Maryland, that the above recitals are incorporated herein as if restated; and

BE IT FURTHER ORDAINED, that the Plan, as adopted by Ordinance 2000-15, be and is hereby amended as expressly indicated in Exhibit A attached and incorporated herein; and

BE IT FURTHER ORDAINED, that all other terms, conditions and language of the Plan, as adopted by Ordinance 2000-15, are not altered or amended unless otherwise expressly indicated in Exhibit A; and

BE IT FURTHER ORDAINED, that the St. Mary's Department of Public Works and Transportation is directed to submit the Amended Plan to MDE as required by Section 9-503(c) of the Environment Article of the Annotated Code of Maryland.

RECORDING FEE 0.00
TOTAL 0.00
Res#SM02 Rcpt#999999
EWA LP 31k#350
Jan 10, 2002 10:22 am

BE IT FURTHER RESOLVED AND ORDAINED by the Board of County Commissioners for St. Mary's County, Maryland, that this ORDINANCE shall be effective at the date written below.

Those voting aye: ALL

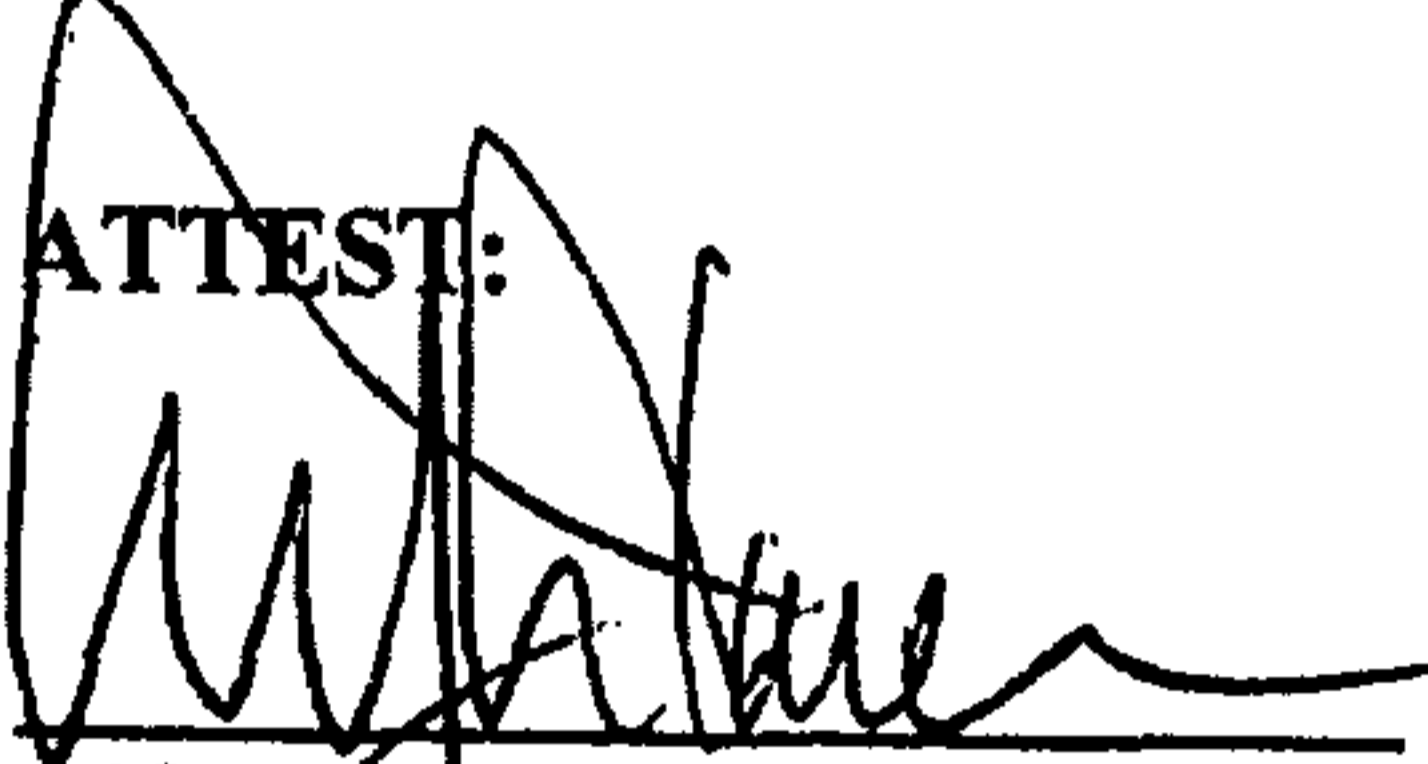
Those voting nay: _____

Those abstaining or absent: _____

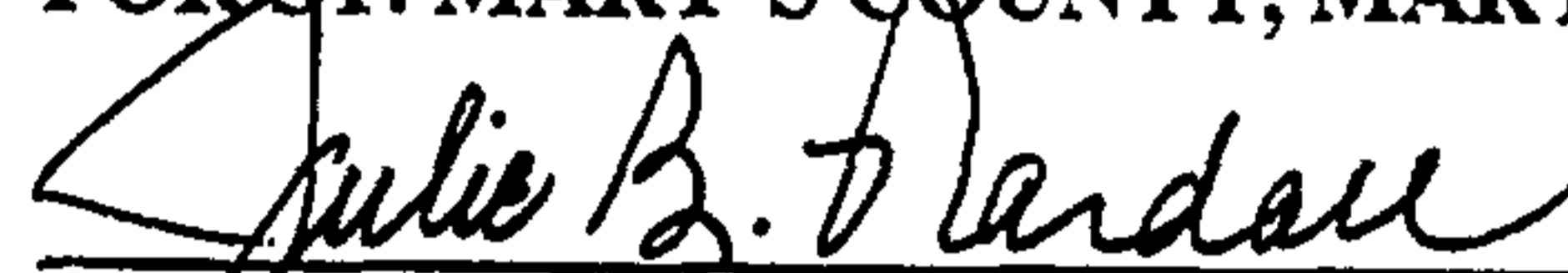
Date of Adoption: 12/18/01

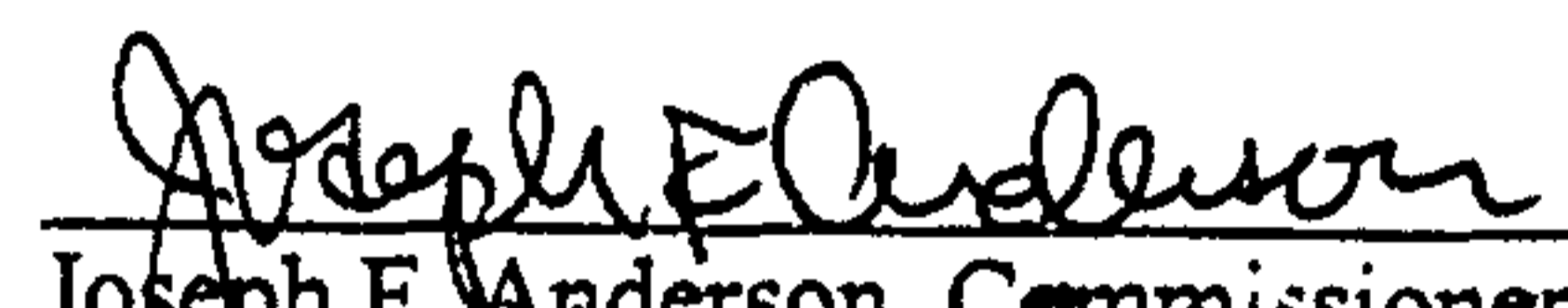
Effective Date: 12/18/01

LIBERO 021 PAGE 02

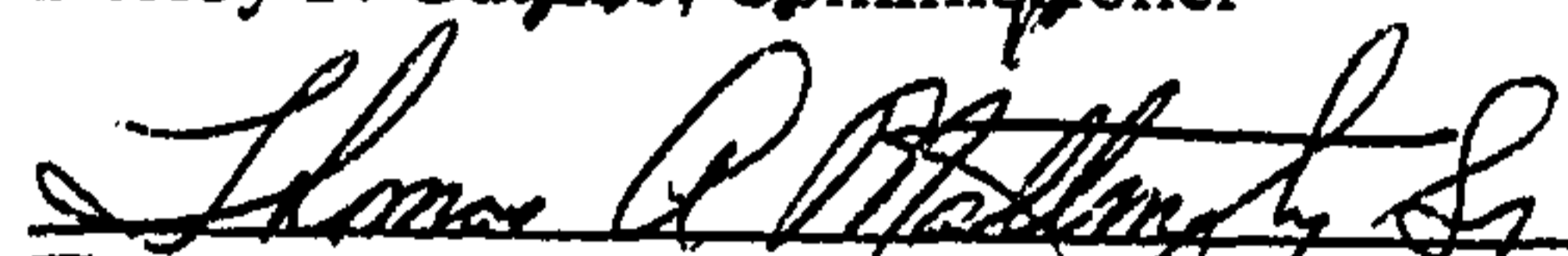
ATTEST:

Alfred A. Lacer
County Administrator

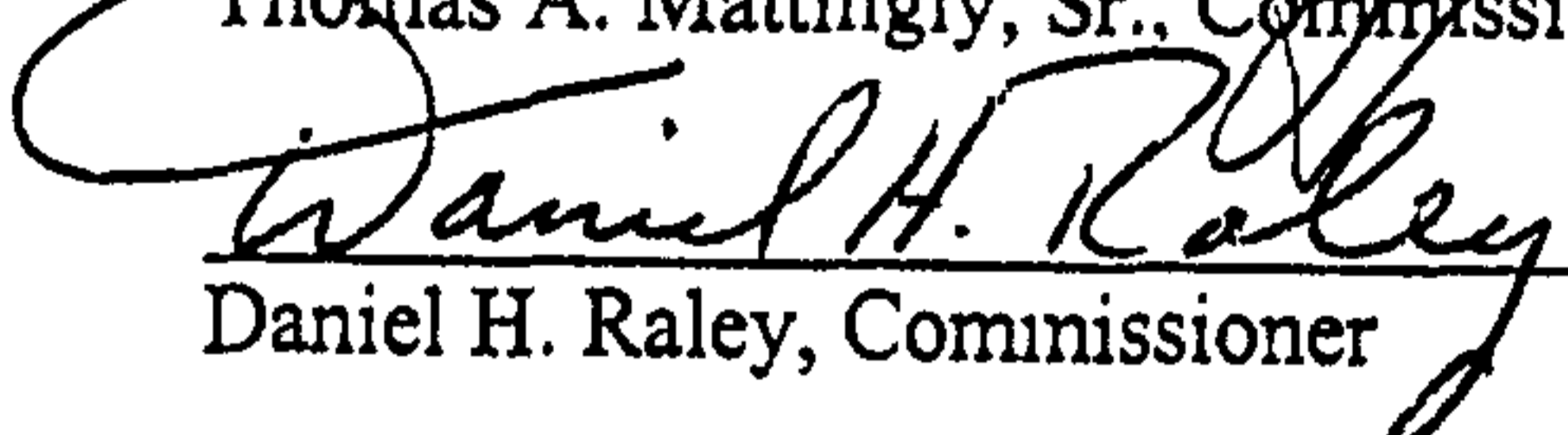
BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND


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:



John B. Norris, III
Deputy County Attorney

EXHIBIT A
SOLID WASTE MANAGEMENT AND RECYCLING PLAN
TEXT AMENDMENTS

FEBRU 0 2 1 PAGE 0 3

Page I-11 Section 2. "Preliminary Public Informational/Community Meeting"

Paragraph 1 line 1. Revise to read: "This section shall describe the requirements of the Preliminary Public Informational/ Community Meeting (the "PIC Meeting"). "

Page I-14 Section 4. "Public Hearing Held Before the Board of County Commissioners"

- a. *Correct typo: Capitalize the following word in line 2: "Hearing".*
- e. *Delete the term (the "Public Hearing") from the paragraph.*

Page I-30 Exhibit I-3. "Sample Public Notice"

Paragraph 2 line 2. Correct typo: "... (provide time and specify a.m. or p.m.)..."

Page III-15 Section 10. "Used Vehicle Tires"

Paragraph 2 line 4. Revise to add the current fee as follows: "The fee, effective February 1, 1992, is collected by retail tire dealers at the point of first sale and is currently \$0.40 per tire."

Page III-45 Section 1a. "Site Description"

Paragraph 3 line 6. Add to end of paragraph: "In February 2001, the Refuse Disposal Permit for the St. Andrew's Landfill was renewed by the Department of the Environment, thus allowing the County to construct a new cell (Area C) in the future."

Page III-71 Section 1. "Waste Export"

Paragraph 1 line 13. Add the following sentence to the end of the paragraph: "In January 2000, the Board of County Commissioners of Calvert County formally agreed to allow the acceptance of solid waste from St. Mary's County at the Appeal Transfer Station."

Page IV-6 Section 2a. "Disposal Capacity"

Paragraph 1 line 1. Replace first sentence; ~~"There is no long term agreement in place between St. Mary's County and Waste Management for transfer and disposal services."~~ with: "By letter dated January 4, 2000, the Board of County Commissioners of Calvert County notified St. Mary's County that the Board had agreed to allow the acceptance of St. Mary's County waste at the Appeal Transfer Station. To provide a back-up disposal capacity for St. Mary's County waste in the event of an interruption to the Appeal facility, in February 2001, the County executed a Memorandum of Understanding with Charles County. This agreement provides for interim disposal capacity in the Charles County landfill for St. Mary's County waste in the event that the Appeal Transfer Station in Calvert County becomes unavailable."

Paragraph 1 lines 2-11. Revise sentence to read: "Currently the use of private transfer and disposal capacity contributes to a public / private partnership and regional cooperation ~~with Calvert County~~; however, the transition from having its own landfill and receiving the substantial portion of waste generated to a situation of having substantially all MSW transported out of County not according to a specific plan speaks to the need for the County to identify what and how disposal capacity will be provided to the County and ~~what arrangements will be made with Calvert County during the ten year planning period. The County has recently undertaken pro active initiatives with Calvert County, Charles County, King George County and the Patuxent Naval Air Station to formalize contingency plans during the planning period. The County has also undertaken other pro-active initiatives with Calvert County,~~

Charles County, King George County and the Patuxent Naval Air Station to formalize additional waste management plans during the planning period.

LIBERO 021 PAGE 04

Page IV-8 Section 2c. "Lack of Curbside Waste and Recycling Collection"

Paragraph 2 line 7. Remove underlining from the word "and" as follows: "The County has experienced significant growth in the 1990s, a major portion of which occurred in new developments and suburban areas that will have greater cost-effectiveness for curbside collection of waste and recyclables."

Page IV-29 Section D.1. "St. Andrews Landfill"

Paragraph 2 lines 3-7. Revise to read: ~~"This area has not been constructed, and the permit expires on October 4, 2000. A formal request for an extension / renewal of the Refuse Disposal Permit for Area C of the St. Andrews Landfill has been submitted by the Department of Public Works. At present, the County is awaiting approval of its application by the Maryland Department of the Environment. Although this area has not been constructed, the Refuse Disposal Permit for the landfill was renewed by the Maryland Department of the Environment in February 2001, thus providing for a future expansion of the St. Andrews Facility."~~

Page IV-30 Section D.1. "St. Andrews Landfill"

Paragraph 1 lines 8-10. Revise last sentence to read: "Therefore, the County is currently served by adequate disposal capacity in out-of-County facilities; ~~however, it has not entered into a long-term contract for this~~ and has a long-term commitment from Calvert County for disposal capacity and service at the Appeal Facility."

Page IV-64 Section 5. "New Landfill / Expansion of St. Andrews Landfill"

Paragraph 1 lines 3-4. Revise sentence to read: "The County has designed and permitted Area C, ~~having received a permit from MDE in October 1995 and~~, in February 2001, received a permit renewal from the Maryland Department of the Environment."

Page V-11 Section E.2. "Short Term Recommended Actions"

Paragraph 2. Add an additional bullet to reflect current status: "In December 1999, the Board of County Commissioners of Calvert County, by letter, agreed to accept waste from St. Mary's County at the Appeal Transfer Station."

Page V-12 Section E.3. "Short Term Recommended Actions"

Paragraph 3 line 7. Add to end of paragraph: "In November 2000, St. Mary's County entered into a Memorandum of Understanding with NAS Patuxent River for joint recycling and marketing ventures of yard waste and recyclables."

Page V-12 Section E.4. "Short Term Recommended Actions"

Paragraph 4 lines 19-20. Revise sentence to read: "Concurrent with implementing a new user fee, the County should recast its solid waste management system as a "solid waste sinking or enterprise fund."

Page V-13 Section E.5. "Short Term Recommended Actions"

Paragraph 5 line 5. Add to end of paragraph: "In February 2001, St. Mary's County entered into a Memorandum of Understanding with Charles County to secure back-up disposal capacity at the Charles County landfill in the event of interruption to the Appeal Facility in Calvert County. St.

Mary's County has also identified available disposal capacity at the King George Landfill in Virginia."

LIBERO 021 PAGE 05

Page V-23 Section F. "Implementation Schedule"

Paragraph 1 line 2. Insert sentence: "With the completed items, as noted, out-of-County disposal of waste will continue while St. Mary's County explores other alternatives during the planning period."

Page V-24 Table V-1A. *Under the implementation schedule for System Administration, column 2, 4th cell from the top. Reflect status as: "Completed December 1999"*

Page V-25 Table V-1A. *Under the implementation schedule for System Administration, column 2, 1st cell from the top. Reflect status as: "Completed February 2001"*

NO: 2002.05

SUBJ: FY 2002 Supplemental
Appropriation
Office of Community Services

LIBERO 021 PAGE 06

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2002 Operating Budget to increase the appropriation for 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 \$40,000.00 are available in Federal funds for the purpose of implementation of services to families at risk for or having a history of substance abuse.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, December 18, 2001 pursuant to Notice published on or about December 7, 2001 and December 14, 2001 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, December 18, 2001 to present and explain the requirements to increase the Fiscal Year 2002 Operating Budget in the amount of \$40,000.00 (Forty Thousand Dollars), and such increase is hereby approved this 8th day of January 2002, by the Board of County Commissioners for St. Mary's County, Maryland.

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

Date of Adoption: 01/08/02

Effective Date: 01/08/02

BOARD OF COUNTY COMMISSIONERS
FOR 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:
Alfred A. Lacer
Alfred A. Lacer
County Administrator

Elaine M. Kramer
Elaine M. Kramer
Director of Finance

RECORDING FEE 0.00
TOTAL 0.00
Res#SMB2 Rcpt#999999
EMA CSS 91k#1337
Jan 17, 2002 03:18 pm

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Patrick Murphy
Patrick Murphy
County Attorney

**CERTIFICATION OF FUNDS AVAILABILITY
DIRECTOR OF FINANCE
SUPPLEMENTAL OR EMERGENCY APPROPRIATION**

Section 27-9 of the St. Mary's County Code states that the County Commissioners may make additional, supplementary or emergency appropriations during any fiscal year only if the Chief Financial Officer certifies in writing that funds are available for appropriation.

LIBERO 021 PAGE 07

DATE: January 8, 2002

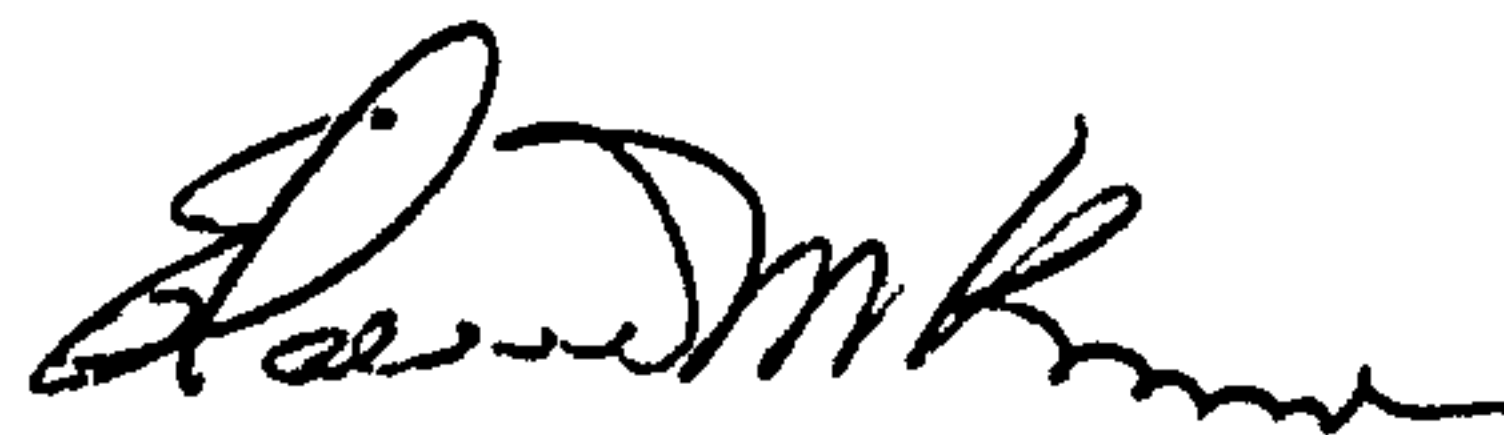
TO: Board of County Commissioners

ORDINANCE NUMBER: 2002-05

PURPOSE: Implementation of services to families at risk for or having a history of substance abuse.

FUNDS CERTIFICATION:

<u>Amount</u>	<u>Source</u>
\$40,000.00	Alcohol and Drug Abuse Administration



Elaine M. Kramer
Director of Finance

NO: 2002-03

SUBJ: FY 2002 Supplemental
Appropriation
Office of Community Services

LIBERO 0 2 1 PAGE 0 8

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2002 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 \$10,000.00 in Federal Highway Safety funds for the purpose of an Alcohol Enforcement Education Workshop in St. Mary's County.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, December 18, 2001 pursuant to Notice published on or about December 7, 2001 and December 14, 2001 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, December 18, 2001 to present and explain the requirements to increase the Fiscal Year 2002 Operating Budget in the amount of \$10,000.00 (Ten Thousand Dollars), and such increase is hereby approved this 8th day of January 2002, by the Board of County Commissioners for St. Mary's County, Maryland.

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

Date of Adoption: 01/08/02

Effective Date: 01/08/02

BOARD OF COUNTY COMMISSIONERS
FOR 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:
Alfred A. Lacer
Alfred A. Lacer
County Administrator

Elaine M. Kramer
Elaine M. Kramer
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Patrick Murphy
Patrick Murphy
County Attorney

RECORDING FEE 0.00
TOTAL 0.00
Res#02 Rct#555555
EMA C35 81K#1337
Jan 17, 2002 03:19 PM

**CERTIFICATION OF FUNDS AVAILABILITY
DIRECTOR OF FINANCE
SUPPLEMENTAL OR EMERGENCY APPROPRIATION**

Section 27-9 of the St. Mary's County Code states that the County Commissioners may make additional, supplementary or emergency appropriations during any fiscal year only if the Chief Financial Officer certifies in writing that funds are available for appropriation.

DATE: January 8, 2002
TO: Board of County Commissioners
ORDINANCE NUMBER: 2002-03
PURPOSE: Alcohol Enforcement Education Workshop in St. Mary's County.

LIBERO 021 PAGE 09

FUNDS CERTIFICATION:

<u>Amount</u>	<u>Source</u>
\$10,000.00	Md. Highway Safety Office



Elaine M. Kramer
Director of Finance

ORDINANCE

WHEREAS, a pension plan for the Sheriff, deputy sheriffs and correctional officers was adopted by the Board of County Commissioners effective July 1, 1986 (the "Plan"); and

WHEREAS, the Board of County Commissioners approved an amendment and restatement of the Plan effective October 1, 2000; and

WHEREAS, on behalf of the County, outside counsel submitted the Plan to the Internal Revenue Service for a determination letter that the Plan continues to qualify for favorable tax treatment under federal tax laws; and

WHEREAS, the Internal Revenue Service has requested that the Plan be amended as a prerequisite to issuing said determination letter.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland, that the first amendment to the St. Mary's County Sheriff's Office Retirement Plan (attached hereto as Exhibit 1) is hereby adopted.


AND IT IS FURTHER ORDAINED, that this Ordinance shall take effect January 8, 2002.

Those voting Aye:	<u>ALL</u>	RECORDING FEE	0.00
Those voting Nay:	_____	TOTAL	0.00
Those Absent:	_____	Res#SM02 Rcpt#999999	
		EMA 635 317#1337	
		Jan 17, 2002 03:19 PM	

ADOPTED: 01/08/02

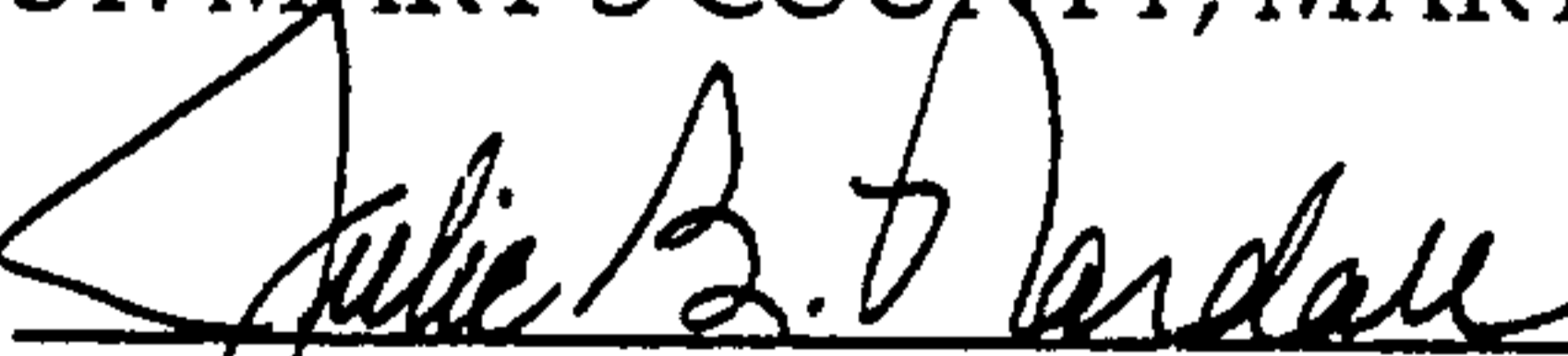
EFFECTIVE DATE: 01/08/02

ATTEST:

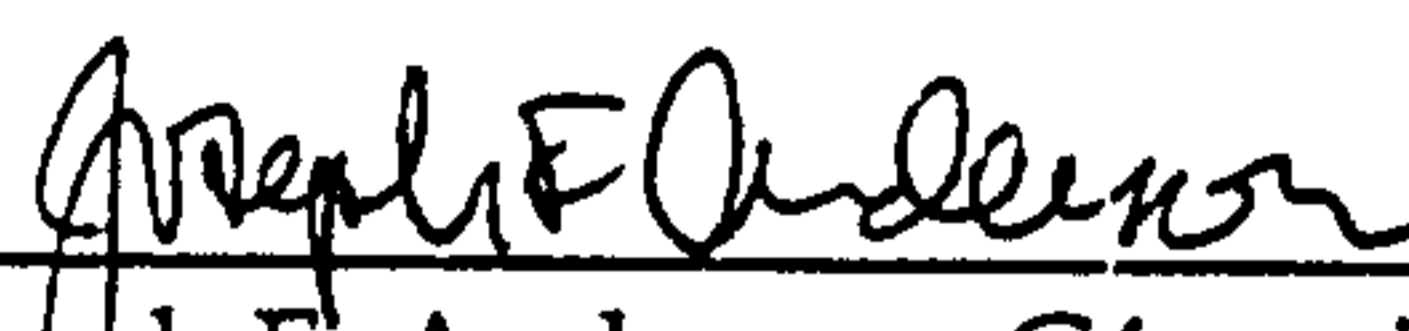


 Alfred A. Lacer, County Administrator

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




 Julie B. Randall, President



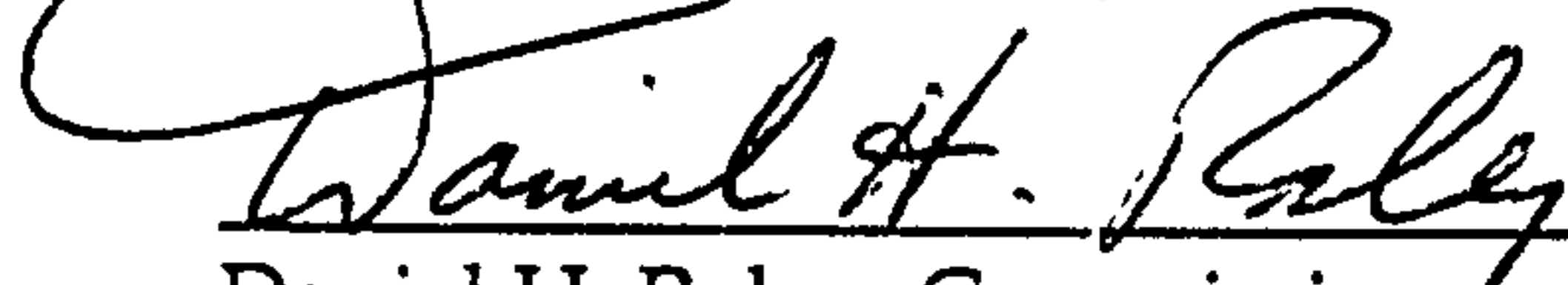
 Joseph F. Anderson, Commissioner



 Shelby P. Guazzo, Commissioner

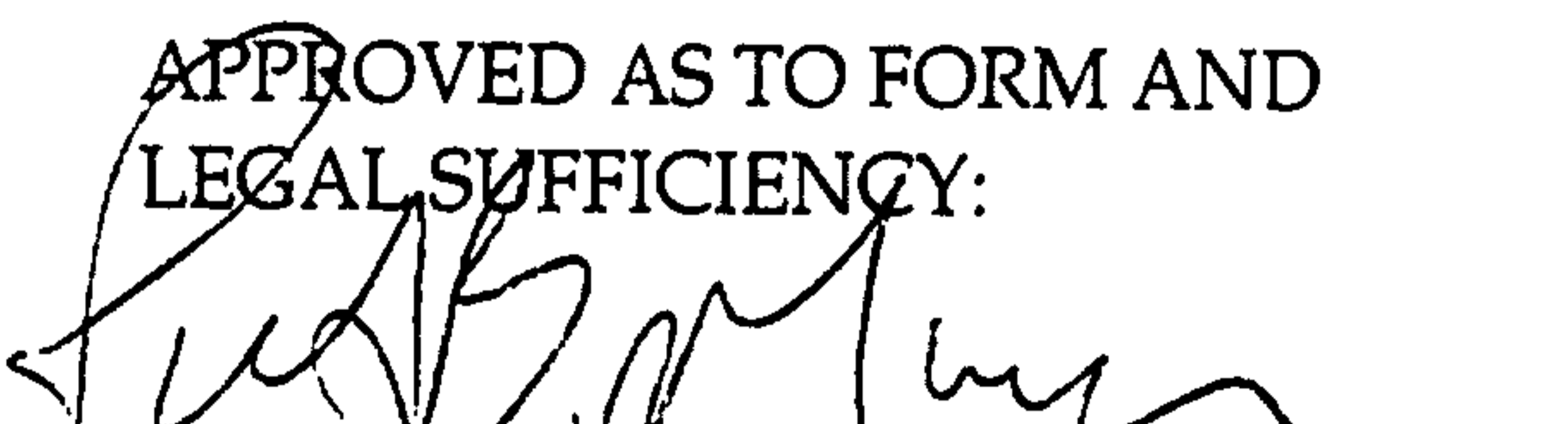


 Thomas A. Mattingly, Sr.,
 Commissioner



 Daniel H. Raley, Commissioner

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



 Patrick B. Murphy, County Attorney

FIRST AMENDMENT
TO THE ST. MARY'S COUNTY
SHERIFF'S OFFICE RETIREMENT PLAN

PLANNED 021 PAGE 011

Section 1.05(j) of the Plan is amended to read as follows effective July 1, 2001:


- (j) *Compensation.* "Compensation" means the Participant's base annual salary, determined without regard to:
- (1) Overtime, bonuses and other extra Remuneration;
 - (2) Amounts in excess of the applicable dollar limit under Section 401(a)(17) of the Internal Revenue Code and regulations promulgated thereunder, as adjusted by the Commissioner of the Internal Revenue Service for increases in the cost of living in accordance with Section 401(a)(17)(b) of the Internal Revenue Code;
 - (3) Contributions, credits or benefits under this Plan or under any other retirement, deferred compensation, fringe benefit or employee welfare benefit plan; or
 - (4) Direct reimbursement for expenses; provided, however, that Compensation shall include any amount that would have qualified as Compensation but for the fact that it constitutes salary reduction under any Plan described in Section 414(h)(2), 132(f), 457 or 125 of the Internal Revenue Code.

Section 4.06 is amended by the addition of the following subsection (f):

For Limitation Years beginning on and after January 1, 2001, for purposes of applying the limitations of this Section 4.06, compensation paid or made available during such Limitation Years shall include elective amounts that are not includible in the gross income of the employee by reason of Section 132(f)(4) of the Internal Revenue Code.

1376736

EXHIBIT 1


Patrick Murphy
County Attorney

FIRST AMENDMENT
TO THE ST. MARY'S COUNTY
SHERIFF'S OFFICE RETIREMENT PLAN

Section 1.05(j) of the Plan is amended to read as follows effective July 1, 2001:

- (j) *Compensation.* "Compensation" means the Participant's base annual salary, determined without regard to:
- (1) Overtime, bonuses and other extra Remuneration;
 - (2) Amounts in excess of the applicable dollar limit under Section 401(a)(17) of the Internal Revenue Code and regulations promulgated thereunder, as adjusted by the Commissioner of the Internal Revenue Service for increases in the cost of living in accordance with Section 401(a)(17)(b) of the Internal Revenue Code;
 - (3) Contributions, credits or benefits under this Plan or under any other retirement, deferred compensation, fringe benefit or employee welfare benefit plan; or
 - (4) Direct reimbursement for expenses; provided, however, that Compensation shall include any amount that would have qualified as Compensation but for the fact that it constitutes salary reduction under any Plan described in Section 414(h)(2), 132(f), 457 or 125 of the Internal Revenue Code.

Section 4.06 is amended by the addition of the following subsection (f):

For Limitation Years beginning on and after January 1, 2001, for purposes of applying the limitations of this Section 4.06, compensation paid or made available during such Limitation Years shall include elective amounts that are not includible in the gross income of the employee by reason of Section 132(f)(4) of the Internal Revenue Code.

NO: 2002-02

SUBJ: FY 2002 Supplemental
Appropriation
Office of Community Services

LIBERO 021 PAGE 12

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2002 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 \$37,200.00 in Federal Highway Safety funds for the purpose of traffic safety education for summer camps.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, December 18, 2001 pursuant to Notice published on or about December 7, 2001 and December 14, 2001 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, December 18, 2001 to present and explain the requirements to increase the Fiscal Year 2002 Operating Budget in the amount of \$37,200.00 (Thirty Seven Thousand Two Hundred Dollars), and such increase is hereby approved this 8th day of January 2002, by the Board of County Commissioners for St. Mary's County, Maryland.

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

Date of Adoption: 01/08/02

Effective Date: 01/08/02

BOARD OF COUNTY COMMISSIONERS
FOR 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, St. Commissioner

Daniel H. Raley
Daniel H. Raley, Commissioner

ATTEST:
Alfred A. Lacer
Alfred A. Lacer
County Administrator

Elaine M. Kramer
Elaine M. Kramer
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Patrick Murphy
Patrick Murphy
County Attorney

RECORDING FEE 0.00
TOTAL 0.00
Res#02 Rcp#99999
EHA USS BIK#1337
Jan 17, 2002 03:20 PM

**CERTIFICATION OF FUNDS AVAILABILITY
DIRECTOR OF FINANCE
SUPPLEMENTAL OR EMERGENCY APPROPRIATION**


Section 27-9 of the St. Mary's County Code states that the County Commissioners may make additional, supplementary or emergency appropriations during any fiscal year only if the Chief Financial Officer certifies in writing that funds are available for appropriation.

DATE: January 8, 2002
TO: Board of County Commissioners
ORDINANCE NUMBER: 2002-02
PURPOSE: Traffic safety education for summer camps.

LIBERO 021 PAGE 13

FUNDS CERTIFICATION:

<u>Amount</u>	<u>Source</u>
\$37,200.00	Md. Highway Safety Office


Elaine M. Kramer
Director of Finance

NO: 2002-04

SUBJ: FY 2002 Supplemental
Appropriation
Office of Community Services

LIBERO 021 PAGE 14

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2002 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 \$30,000.00 are available in Federal Highway Safety funds for the purpose of addressing impaired driving.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, December 18, 2001 pursuant to Notice published on or about December 7, 2001 and December 14, 2001 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, December 18, 2001 to present and explain the requirements to increase the Fiscal Year 2002 Operating Budget in the amount of \$30,000.00 (Thirty Thousand Dollars), and such increase is hereby approved this 8th day of January 2002 by the Board of County Commissioners for St. Mary's County, Maryland.

Those voting Aye: Bondall Guazzo, Anderson, Mattingly
Those voting Nay: Raley
Those Absent: _____

Date of Adoption: 01/08/02

Effective Date: 01/08/02

BOARD OF COUNTY COMMISSIONERS
FOR 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:

Alfred A. Lacer
Alfred A. Lacer
County Administrator

Elaine M. Kramer
Elaine M. Kramer
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Patrick Murphy
Patrick Murphy
County Attorney

RECORDING FEE 0.00
TOTAL 0.00
Res#02 Rpt#999999
EPA CSB Bk#1337
Jan 17, 2002 03:20 PM

**CERTIFICATION OF FUNDS AVAILABILITY
DIRECTOR OF FINANCE
SUPPLEMENTAL OR EMERGENCY APPROPRIATION**

Section 27-9 of the St. Mary's County Code states that the County Commissioners may make additional, supplementary or emergency appropriations during any fiscal year only if the Chief Financial Officer certifies in writing that funds are available for appropriation.

DATE: January 8, 2002
TO: Board of County Commissioners
ORDINANCE NUMBER: 2002-04
PURPOSE: Addressing impaired driving.

FUNDS CERTIFICATION:

<u>Amount</u>	<u>Source</u>
\$30,000.00	Maryland County Highway Safety Office


Elaine M. Kramer
Director of Finance

LIBERO 021 PAGE 15

SUBJECT: Renaming the St. Mary's County
Watershed Committee to the
St. Mary's County Watershed Commission

LIBERO 021 PAGED 16

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

FOR THE PURPOSE OF renaming the St. Mary's County Watershed
Committee, created by Resolution 01-52, to the St. Mary's County
Watershed Commission.

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, (the
"Commissioners"), created the "St. Mary's County Watershed Committee" by Resolution 01-52, adopted and
effective October 30, 2001; and

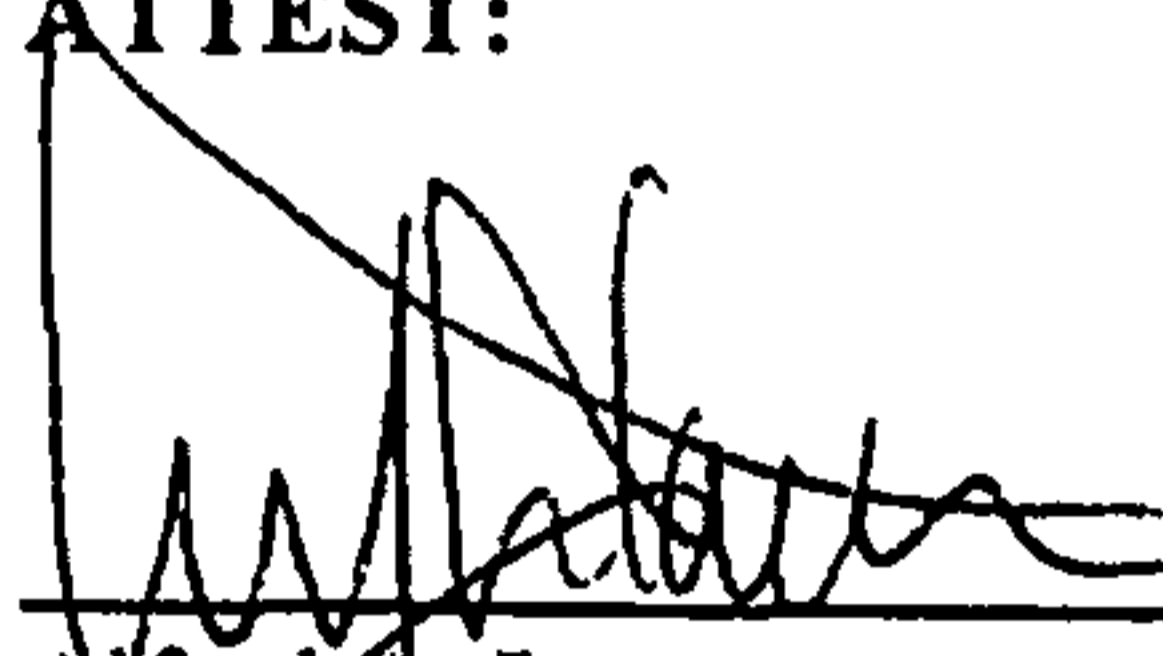
WHEREAS, the Commissioners may create such a commission pursuant to Section 152-1, *et seq.* of
Article 19 (St. Mary's County), of the Public Local Laws of Maryland; and

WHEREAS, the Commissioners have devised that the more appropriate name for the "St. Mary's
County Watershed Committee" would be the "St. Mary's County Watershed Commission."

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND**, that the committee known as the "St.
Mary's County Watershed Committee," created by Resolution 01-52, shall be renamed the "St. Mary's
County Watershed Commission."

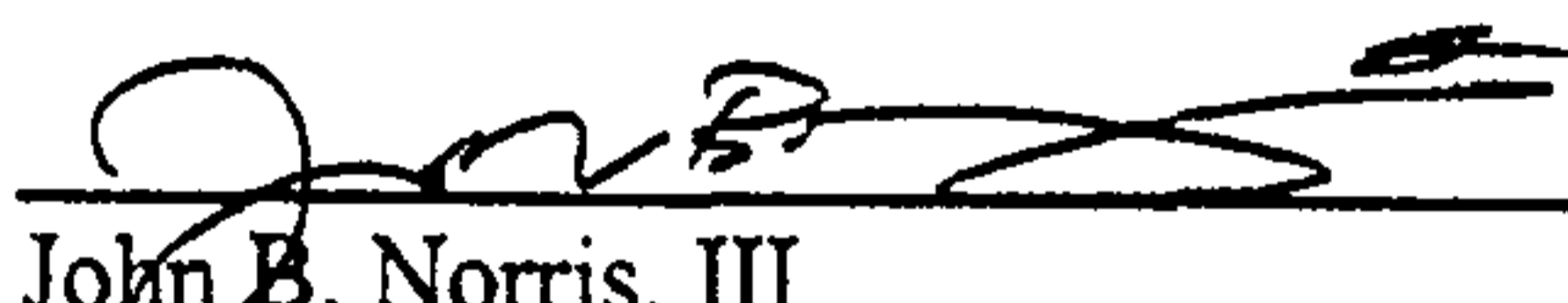
**BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR ST.
MARY'S COUNTY, MARYLAND**, that all references in Resolution 01-52 to the "St. Mary's County
Watershed Committee" shall forever refer to the "St. Mary's County Watershed Commission" and all duties,
obligations and benefits to inure to the benefit of the "St. Mary's County Watershed Committee" by virtue of
Resolution 01-52 shall, instead, inure to the benefit of the "St. Mary's County Watershed Commission."

ATTEST:



Alfred A. Lacer
County Administrator

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

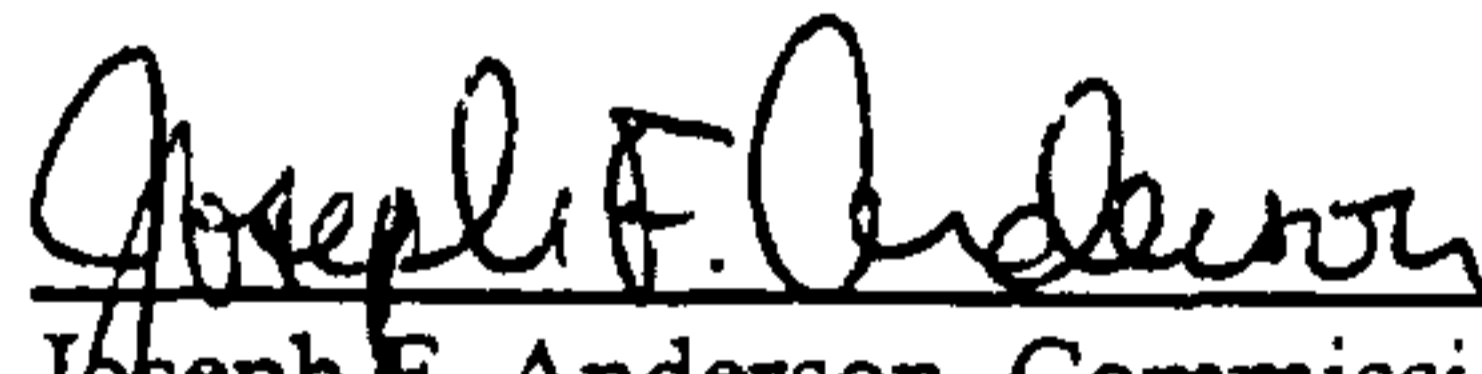


John B. Norris, III
Acting County Attorney

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

ABSENT

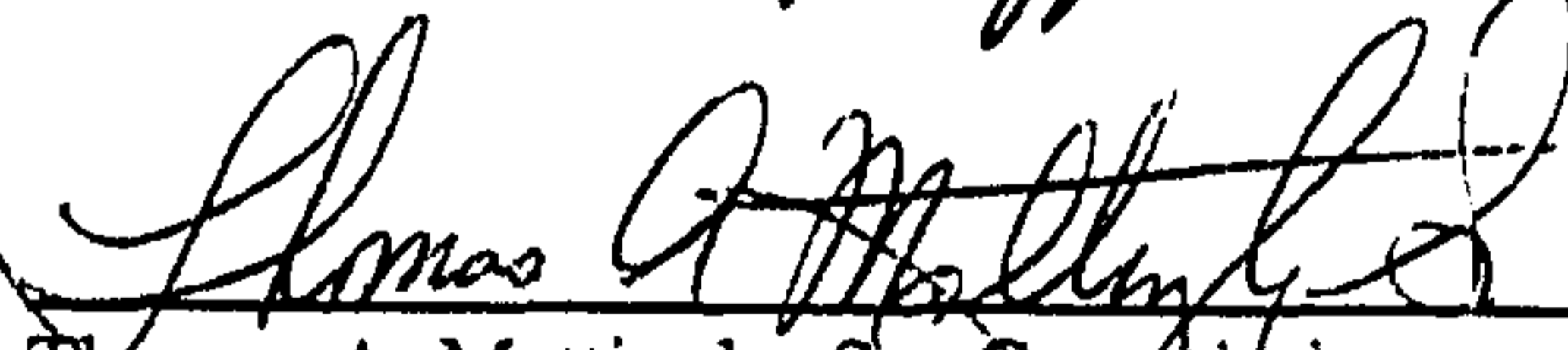
Julie B. Randall, President



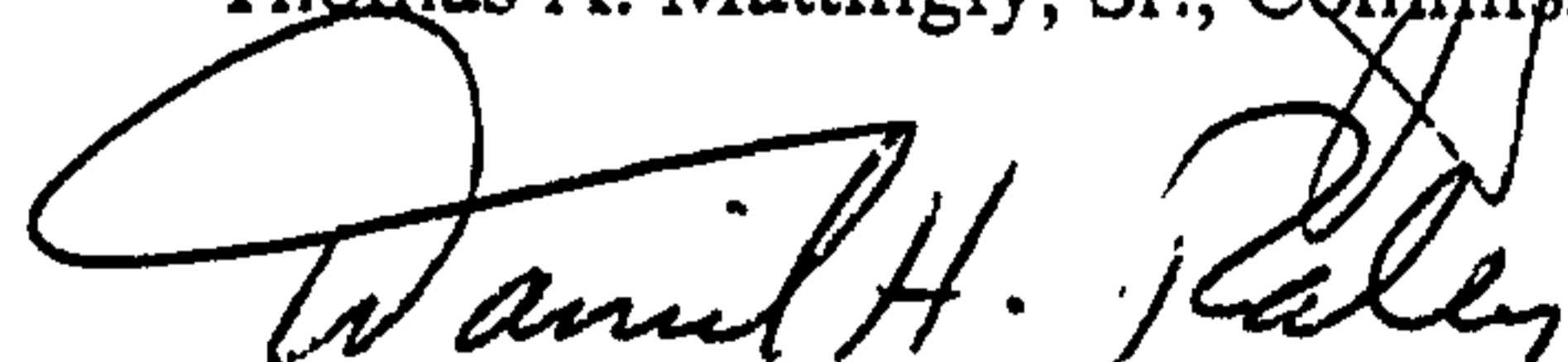
Joseph F. Anderson, Commissioner



Shelby P. Guazzo, Commissioner



Thomas A. Mattingly, Sr., Commissioner



Daniel H. Raley, Commissioner

NO.: 01-2002-02
SUBJECT: Adoption of Dandellion Drive, Corriander Court, and Sage Place
Lavender Estates Subdivision, Section 2

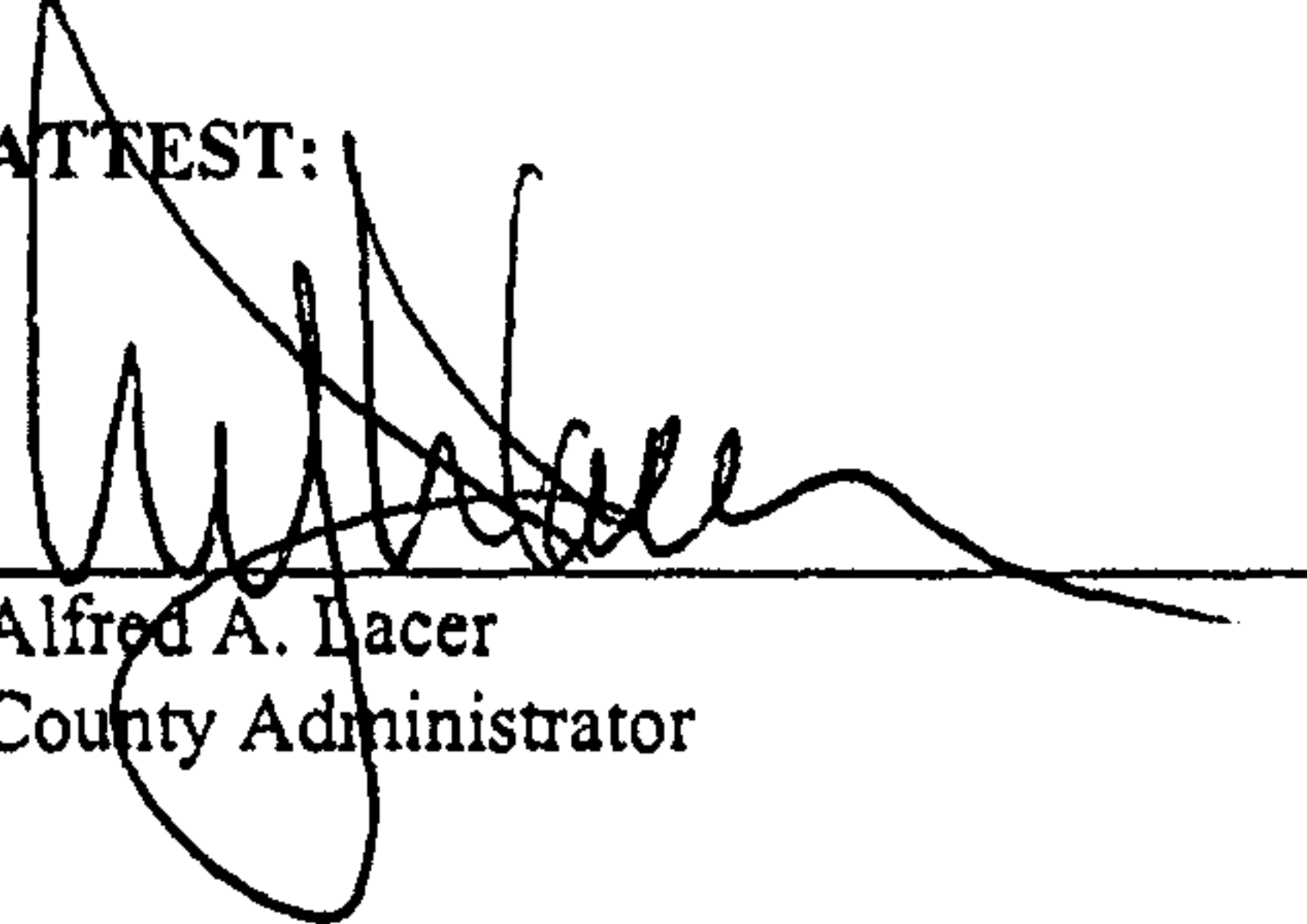
RESOLUTION

WHEREAS, pursuant to Sections 109-1 and 109-2 of Article 19 of the Code of Public Local Laws of Maryland, the County Commissioners for St. Mary's County, Maryland, is authorized to accept new subdivision streets in accordance with the applicable provisions of the County Subdivision Regulations; and


WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised the Board of County Commissioners for St. Mary's County, Maryland, that all work has been satisfactorily completed in accordance with the County Subdivision Regulations, Public Works Agreement dated January 5, 2001, and Record Plat recorded at EWA 51, Page 90, for Dandellion Drive, County Route 31332, Corriander Court, County Route 31333, and Sage Place, County Route 31334.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, finding that Dandellion Drive, County Route 31332, Corriander Court, County Route 31333, and Sage Place, County Route 31334, located in Section 2 of the Lavender Estates Subdivision, Fifth (5th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 51, Page 90) meets the applicable requirements of the St. Mary's County Subdivision Ordinance (1978), as amended, and hereby accepts Dandellion Drive, County Route 31332, Corriander Court, County Route 31333, and Sage Place, County Route 31334, into the County's Highway Maintenance System.

Those voting aye: Raley, Anderson, Guazzo, Mattingly
Those voting nay: _____
Those abstaining or absent: Randall
Date of Adoption: 01/15/02
Effective Date: 01/15/02

ATTEST:

Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR
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

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

John B. Norris, III
Deputy County Attorney

RECORDING FEE 0.00
TOTAL 0.00
Res#502 Rpt#999999
EWA TLC B1#1376
Jan 18, 2002 12:53 PM

NO.: 2002-03
SUBJECT: Dandellion Drive, Corriander Court and Sage Place
Stop Signs
Lavender Estates Subdivision, Section 2

RESOLUTION

LIBERO 021 PAGE 18
WHEREAS, pursuant to Section 1 of Article 25 of the Maryland Annotated Code, Section 109-1 of Article 19 of the Code of Public Local Laws of Maryland, and Section 25-102 of the Transportation Article of the Maryland Annotated Code, the Board of County Commissioners for St. Mary's County, Maryland, is authorized and empowered to regulate traffic by means of a traffic control device, and to designate any intersection as a stop intersection, or yield intersection.


WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the intersections of Dandellion Drive, County Route 31332, and Maryland Route 6 (Morganza-Turner Road); Corriander Court, County Route 31333, and Dandellion Drive; and Sage Place, County Route 31334, and Dandellion Drive, located in Section 2 of the Lavender Estates Subdivision, Fifth (5th) Election District, St. Mary's County, Maryland, as per Record Plat recorded at EWA 51, Page 90, as a threat to public safety and a hazardous condition due to the absence of traffic control devices at these intersections; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the Board of County Commissioners for St. Mary's County, Maryland, exercise its authority to regulate traffic at these intersections by means of traffic control devices, specifically, stop signs on Dandellion Drive, County Route 31332, at the intersection with Maryland Route 6 (Morganza-Turner Road); Corriander Court, County Route 31333, at the intersection with Dandellion Drive; and Sage Place, County Route 31334, at the intersection with Dandellion Drive.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland, finds that, upon the advice of the Director of the Department of Public Works and Transportation, a hazardous condition currently exists at the intersections of Dandellion Drive, County Route 31332, at the intersection with Maryland Route 6 (Morganza-Turner Road); Corriander Court, County Route 31333, at the intersection with Dandellion Drive; Sage Place, County Route 31334, at the intersection with Dandellion Drive; and that in the interest of public safety and to eliminate a hazardous condition, Dandellion Drive, County Route 31332, Corriander Court, County Route 31333, and Sage Place, County Route 31334, further identified as being located in Section 2 of the Lavender Estates Subdivision, Fifth (5th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 51, Page 90) shall be designated as Stop Streets, which is a reasonable exercise of this Board's police powers; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, directs and instructs the Director of the Department of Public Works and Transportation to erect traffic control devices, specifically stop signs, on Dandellion Drive, County Route 31332, at the intersection with Maryland Route 6 (Morganza-Turner Road); Corriander Court, County Route 31333, at the intersection with Dandellion Drive; and Sage Place, County Route 31334, at the intersection with Dandellion Drive.

Those voting aye: Raley, Anderson, Guazzo, Mattingly
Those voting nay: _____
Those abstaining or absent: Randall
Date of Adoption: 01/15/02
Effective Date: 01/15/02

ATTEST:

Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR 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

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

John B. Norris, III 12/12/01
John B. Norris, III
Deputy County Attorney

RECORDING FEE 0.00
TOTAL 0.00
Res#502 Rct#999999
EWA (LC 81K#1376
Jan 18, 2002 12:54 PM

NO.: 01 2002-04
SUBJECT: Dandellion Drive, Corriander Court, and Sage Place
Speed Limit
Lavender Estates Subdivision, Section 2

LIBERO 021 PAGE 19

RESOLUTION

WHEREAS, pursuant to the authority granted under Section 10-I of Article 25 of the Maryland Annotated Code and Section 25-102 (a) (10) and Section 21-803 of the Maryland Annotated Code, Transportation Article, the County Commissioners for St. Mary's County, Maryland, may alter the speed upon a public road within the County; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that the maximum speed limit set forth in Subtitle 21 of the Transportation Article of the Maryland Annotated Code for Dandellion Drive, County Route 31332, Corriander Court, County Route 31333, and Sage Place, County Route 31334, located in Section 2 of the Lavender Estates Subdivision, Fifth (5th) Election District, St. Mary's County, Maryland, as per Record Plat recorded at EWA 51, Page 90, is greater than reasonable or safe under existing conditions of road design, motor vehicle traffic and pedestrian safety; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that 25 miles per hour is a reasonable and safe maximum speed for Dandellion Drive, County Route 31332, Corriander Court, County Route 31333, and Sage Place, County Route 31334.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland finds the maximum speed limit set forth for roads of the type of Dandellion Drive, Corriander Place and Sage Place is greater than reasonable or safe, and that Dandellion Drive, County Route 31332, Corriander Court, County Route 31333, and Sage Place, County Route 31334, located in Section 2 of the Lavender Estates Subdivision, Fifth (5th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 51, Page 90) be posted at 25 miles per hour as per the recommendation of the St. Mary's County Department of Public Works and Transportation.

BE IT FURTHER RESOLVED, that the Director of the Department of Public Works and Transportation is directed to install the signage necessary to implement this Resolution in accordance with Section 21-801.1(f) and 21-803 (c) of the Maryland Annotated Code, Transportation Article.

Those voting aye: Raley, Anderson, Guazzo, Mattingly

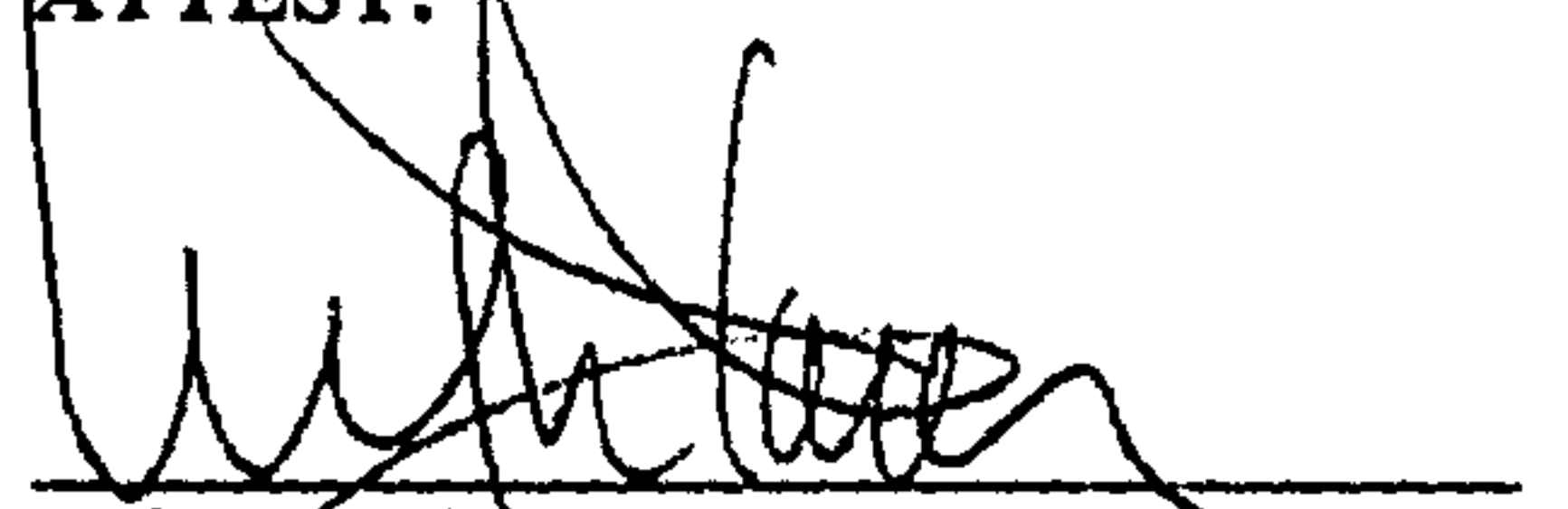
Those voting nay: _____

Those abstaining or absent: Randall

Date of Adoption: 01/15/02

Effective Date: 01/15/02

ATTEST:



Alfred A. Lacer
County Administrator

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

ABSENT
Julie B. Randall, President



Joseph F. Anderson, Commissioner


Shelby B. Guazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:


John B. Norris, III
Deputy County Attorney

RECORDING FEE 0.00
TOTAL 0.00
Res#SM02 Rcpt#999999
EWA TLC 81k#1376
Jan 18, 2002 12:54 PM

FOR THE PURPOSE OF amending the By-Laws of the Solid Waste Advisory Committee to permit flexibility in establishing its regular meeting date, but to still require regular meetings to be held monthly and notice of such meetings to be published in accordance with Article 24, Section 4-204 of the Annotated Code of Maryland.

LIDTR0021 PAGE020

WHEREAS, Maryland State laws and regulations require all jurisdictions to submit a ten year Solid Waste Management Plan as set forth in the Environmental Article (Title 9, Subtitle 5, of the Annotated Code of Maryland, and Title 26, Subtitle 03, Chapter 03, of the Code of Maryland Regulations; and

WHEREAS, the Board of County Commissioners established a citizens' Solid Waste Advisory Committee to review the solid waste management issues in the County and to provide public participation in the Solid Waste Plan planning process; and

WHEREAS, on December 14, 1993, the Board of County Commissioners adopted Resolution No. 93-48, which officially established a nine (9) member Solid Waste Advisory Committee; and

WHEREAS, on July 9, 1996, the Board of County Commissioners adopted Resolution No. 96-20, which officially reduced the number of members of the Solid Waste Advisory Committee to seven (7); and

WHEREAS, the Solid Waste Advisory Committee By-Laws may be amended pursuant to Article VIII of the By-Laws at any regular meeting of the Committee by a two-thirds vote of the total membership provided the amendment was submitted, in writing, at the previous regular meeting; and

WHEREAS, at the November 14, 2001 regular meeting of the Solid Waste Advisory Committee, a written proposal was presented to revise Article V, Section 1, from: "The regular meetings of the Committee shall be held on the third Thursday of each month"; to: "The regular meetings of the Committee shall be held once a month and notice of such meetings shall be provided in accordance with Article 24, Section 4-204 of the Annotated Code of Maryland"; and

WHEREAS, by a vote of at least two-thirds of the total membership of the Solid Waste Advisory Committee accepts such amendments approved for recommendation to the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners approves the recommendation to amend Article V, Section 1, of the Solid Waste Advisory Committee By-Laws establishing monthly meetings in accordance with Article 24, Section 4-204(a) of the Annotated Code of Maryland.

WHEREAS, it is the intent of the Board of County Commissioners that all other provisions of Resolution No. 93-48 remain as adopted.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland hereby amends the By-Laws of the Solid Waste Advisory Committee as set forth in Resolution No. 93-48, and as amended previously by Resolution No. 96-20, to revise Article V, Section 1, from: "The regular meetings of the Committee shall be held on the third Thursday of each month"; to: "The regular meetings of the Committee shall be held once a month and notice of such meetings shall be provided in accordance with Article 24, Section 4-204 of the Annotated Code of Maryland".

BE IT FURTHER RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland that all other provisions of Resolution No. 93-48 constituting the By-Laws of the Solid Waste Advisory Committee, as amended by Resolution No. 96-20, shall remain in full force and effect.


BE IT FURTHER RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland that the foregoing recitals are incorporated herein by reference.

BE IT FURTHER RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland that this RESOLUTION shall be effective upon the date written below.

Those voting aye: Raley, Anderson, Guazzo, Mattingly
Those voting nay: _____
Those abstaining or absent: RENONE

DATE OF ADOPTION: 01/15/02
EFFECTIVE DATE: 01/15/02


ATTEST:


Alfred A. Lacer
County Administrator

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

ABSENT
Julie B. Randall, President
Joseph R. Anderson
Joseph R. 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

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:


John B. Norris, III
Deputy County Attorney

RECORDING FEE 0.00
TOTAL 0.00
Res#SM02 Rpt#999999
EWA TFC 81k#1376
Jan 18, 2002 12:55 PM

**ST. MARY'S COUNTY SOLID WASTE ADVISORY COMMITTEE
BY-LAWS
Original Resolution No. 93-48
December 1994**

Amended by Resolution No. 96-20
Amended by Resolution No. _____, Effective

LIBER 0021 PAGE 21

**ARTICLE I
*Name***

The name of this Committee shall be the Solid Waste Advisory Committee.

**ARTICLE II
*Purpose***

The Purpose of this Committee shall be to review solid waste management issues in St. Mary's County and to participate in planning for solid waste management by:

- Reviewing legislative requirements, demographic and geographic data, and the existing solid waste management system;
- Reviewing and recommending amendments to the County's Solid Waste Ordinance;
- Analyzing alternative methods of providing service;
- Reviewing the ten-year Plan and developing suggestions;
- Participating in the recycling planning process;
- Assisting in the public education process for implementation of recycling in St. Mary's County;
- Presenting periodic reports to the Board of County Commissioners; and
- Performing other activities as needed.

**ARTICLE III
*Members***

- SECTION 1. The membership of this Committee shall be seven (7) members.
- SECTION 2. The terms of the Members shall be four (4) years.
- SECTION 3. Each Member of the Committee shall serve for no more than two (2) consecutive four-year terms. These four-year terms shall be on a staggered basis.
- SECTION 4. Reimbursement/compensation policies shall be determined.
- SECTION 5. Any unexcused absences in excess of three (3) meetings shall be deemed cause for replacement of a Member.

**ARTICLE IV
*Officers***

- SECTION 1. The Officers of this Committee shall be Chairperson and Vice-Chairperson. These officers shall perform the duties prescribed in Article VI of these By-Laws.
- SECTION 2. The Chairperson and Vice-Chairperson shall be elected by majority vote annually at the January meeting and shall serve for one (1) year, or until their successors have been elected.
- SECTION 3. The position of Secretary shall be filled by County Government staff.

**ARTICLE V
*Meetings***

- SECTION 1. The Regular Meetings of the Committee shall be held each month and in accordance with Article 24, Section 4-204(a) of the Annotated Code of Maryland.
- SECTION 2. The Regular Meeting in January shall be known as the annual meeting and shall be used for election of officers, receiving reports and preparing the annual report to the Board of County Commissioners.

ARTICLE V
Meetings (Cont'd.)

- SECTION 3. Special Meetings may be mailed by the Chairperson as needed. At least three (3) days notice shall be given.
- SECTION 4. Four (4) members of the Committee shall constitute a quorum.
- SECTION 5. All Meetings shall be in accordance with the St. Mary's County Open Meetings Act.
- SECTION 6. All Meetings shall be conducted in accordance with the current edition of Robert's Rules of Order.

ARTICLE VI
Duties of Officers

DUTIES OF CHAIRPERSON:

- Chairs and conducts all meetings of the Committee.
- Appoints and monitors sub-committees assigned to address specific areas of concerns.
- Signs minutes of meetings after approval by Committee.
- Performs such other duties as may be designated by the Committee.

DUTIES OF THE VICE CHAIRPERSON:

- Acts in the absence of the Chairperson.

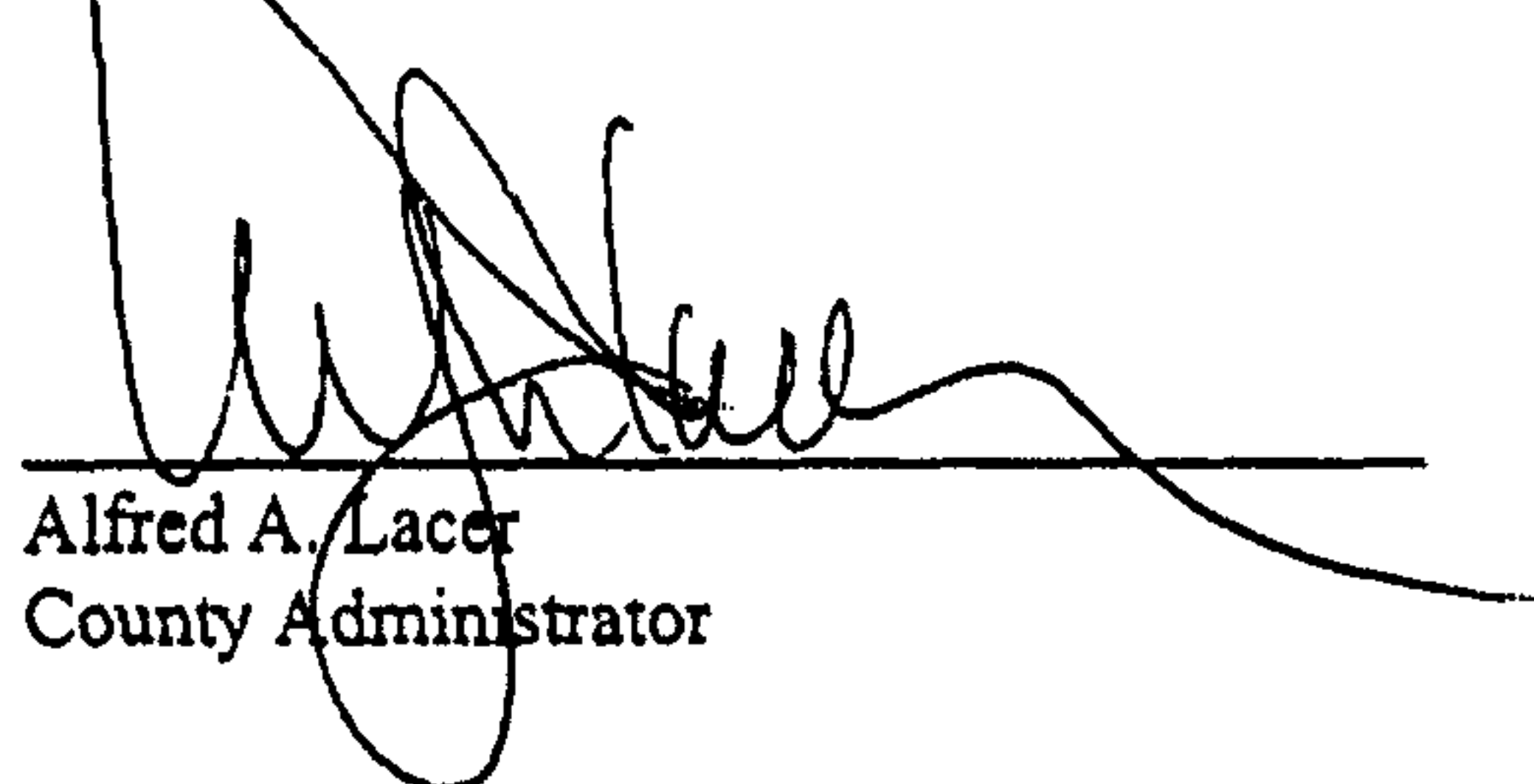
ARTICLE VII
Sub-Committees

- SECTION 1. A Sub-Committee shall be appointed to identify alternative ways to encourage and promote the reduction of flow of solid waste materials and to promote the recycling of such materials. This Sub-Committee shall report to the Committee at regular intervals.
- SECTION 2. Other Sub-Committees shall be appointed as deemed appropriate and necessary by the Committee.

ARTICLE VIII
Amendments


Subject to the approval by the Board of County Commissioners, these By-Laws may be amended at any regular meeting of the Committee by a two-thirds vote of the total membership, provided the Amendment was submitted, in writing, at the previous regular meeting.

ATTEST:




Alfred A. Lacer
County Administrator

APPROVED BY THE SOLID WASTE ADVISORY COMMITTEE AT THEIR MEETING ON THE 14 DAY OF November, 2001.

BY: 

Chairperson, Solid Waste Advisory Committee

APPROVED AS TO LEGAL FORM & SUFFICIENCY:



Patrick B. Murphy
County Attorney

COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY
RESOLUTION NO. R-2002-06

LIBER 0021 PAGE 23
A RESOLUTION AUTHORIZING AND EMPOWERING COUNTY COMMISSIONERS FOR 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 NOT TO EXCEED \$22,500,000 TO BE KNOWN AS "COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY CONSOLIDATED PUBLIC IMPROVEMENT REFUNDING BONDS OF 2002," PURSUANT TO THE PROVISIONS OF SECTION 24 OF ARTICLE 31 OF THE ANNOTATED CODE OF MARYLAND, AS AMENDED, FOR THE PUBLIC PURPOSES OF CURRENTLY REFUNDING ALL OUTSTANDING MATURITIES OF THE COUNTY'S PUBLIC FACILITIES BONDS OF 1988 AND ADVANCE REFUNDING THE CALLABLE MATURITIES ONLY OF THE COUNTY'S CONSOLIDATED PUBLIC IMPROVEMENT BONDS OF 1999; 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 FOR 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.

RECITALS

Section 24 of Article 31 of the Annotated Code of Maryland (1997 Replacement Volume, as amended) (the "Act") authorizes and empowers the County to issue and sell bonds upon its full faith and credit to provide funds for the purpose of refunding any of its bonds then outstanding, including the payment of any redemption premium and any interest accrued or to accrue to the date of redemption of the refunded bonds.

The County has previously issued its Public Facilities Bonds of 1988 (the "Currently Refunded Bonds"), which are presently outstanding in the aggregate principal amount of \$415,000. The Currently Refunded Bonds are listed on Exhibit A attached hereto. The Currently Refunded Bonds are subject to redemption at the option of the County, in whole at any time, at a redemption price equal to 100.5% of the principal amount thereof if redeemed on or after May 1, 2002 and on or prior to April 30, 2003, plus accrued interest thereon to the date of redemption.

The County has previously issued its Consolidated Public Improvement Bonds of 1999 (the "Advance Refunded Bonds"), the callable maturities of which are presently

RECORDING FEE 0.00
TOTAL 0.00
Res#SN02 Rec#999999
EWA ILC 81k#1376
Jan 18, 2002 12:55 pm

outstanding in the aggregate principal amount of \$18,425,000. The Advance Refunded Bonds are listed on Exhibit A attached hereto. The Advance Refunded Bonds are subject to redemption at the option of the County, in whole at any time beginning October 1, 2009, at a redemption price equal to 101% of the principal amount thereof if redeemed on or after October 1, 2009 and on or prior to September 30, 2010, plus accrued interest thereon to the date of redemption.

The Currently Refunded Bonds and the Advance Refunded Bonds are sometimes referred to collectively herein as the "Refunded Bonds."

Pursuant to the authority granted by the Refunding Act, the County has determined to issue and sell its Consolidated Public Improvement Refunding Bonds in an aggregate principal amount not to exceed \$22,500,000 to currently refund the Currently Refunded Bonds and advance refund the Advance Refunded Bonds.

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

Section 1. Pursuant to the authority of the Act, the County shall borrow on its full faith and credit a sum not to exceed \$22,500,000 in order to provide funds to currently refund the Currently Refunded Bonds and advance refund the Advance Refunded Bonds and certain costs of issuance related thereto and shall evidence such borrowing by the issuance of its bonds in an aggregate principal amount not to exceed \$22,500,000.

Section 2. Pursuant to the authority granted by the Act, the Bonds authorized to be issued by Section 1 of this Resolution shall be issued, sold, and delivered as a single issue of bonds in an aggregate principal amount not to exceed \$22,500,000 to be known as "County Commissioners for St. Mary's County Consolidated Public Improvement Refunding Bonds of 2002" (the "Bonds").

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 January 15, 2002, 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 January 15, 2002 payable on April 1, 2002 (2½ 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 maximum amounts (subject to adjustment as provided in the Notice of Sale hereinafter adopted) as follows:

<u>Year</u>	<u>Amounts</u>	<u>Year</u>	<u>Amounts</u>
2002	\$ 460,000	2011	\$1,715,000

2003	315,000	2012	1,790,000
2004	320,000	2013	1,880,000
2005	320,000	2014	1,965,000
2006	180,000	2015	2,065,000
2007	190,000	2016	2,155,000
2008	195,000	2017	2,255,000
2009	205,000	2018	2,365,000
2010	1,645,000	2019	2,480,000

Notwithstanding any other provision of this Resolution, it is hereby acknowledged that the purpose for issuing the Bonds is to generate debt service savings to the County, and that such savings are dependent upon bond market conditions that fluctuate from day to day. Therefore, the County Administrator is hereby authorized to make such adjustments in the maturity dates of the Bonds and the principal amounts of each maturity of the Bonds as he shall deem necessary to achieve maximum debt service savings to the County; provided, that (1) such changes shall only be made to the extent necessary to achieve such maximum savings, and (2) the aggregate principal amount of the Bonds shall not exceed \$22,500,000.

Each bond shall bear interest from January 15, 2002 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 National Association, 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 National Association, 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.

LIBERO 021 PAGE 28

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, 2013 will be redeemable prior to their stated maturities, on or after October 1, 2012, 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 for 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.

LIBERO 021 PAGE 29
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. _____

LIBERO 021 PAGE 30

UNITED STATES OF AMERICA
STATE OF MARYLAND
COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY
CONSOLIDATED PUBLIC IMPROVEMENT REFUNDING BOND OF 2002

<u>Annual Interest Rate</u>	<u>Maturity Date</u>	<u>Bond Date</u>	<u>CUSIP Number</u>
	October 1, 20__	January 15, 2002	

Registered Owner: CEDE & CO.

Principal Amount: _____ Dollars

County Commissioners for 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 January 15, 2002 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, 2002 (2½ 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-2002-__ of the Board of County Commissioners for St. Mary's County, adopted on January 15, 2002 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 for 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 \$22,500,000, all dated January 15, 2002 and all known as "County Commissioners for St. Mary's County Consolidated Public Improvement Refunding Bonds of 2002" (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</u> <u>October 1</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate</u>	<u>Maturing</u> <u>October 1</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate</u>
2002	\$ 70,000		2011	\$1,635,000	
2003	250,000		2012	1,710,000	
2004	255,000		2013	1,795,000	
2005	260,000		2014	1,875,000	
2006	115,000		2015	1,970,000	
2007	120,000		2016	2,055,000	
2008	125,000		2017	2,155,000	
2009	130,000		2018	2,255,000	
2010	1,570,000		2019	2,365,000	

The Bonds which mature on or after October 1, 2013 are subject to redemption prior to their respective maturities, at the option of the County, on or after October 1, 2012, 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:

LIBERO 021 PAGE 32

<u>Period During Which Redeemed</u> <u>(both dates inclusive)</u>	<u>Redemption</u> <u>Price</u>
October 1, 2012 to September 30, 2013	101.0%
October 1, 2013 to September 30, 2014	100.5%
October 1, 2014 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.

LIBERO 021 PAGE 33

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 509 of the Laws of Maryland of 2001, 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 for St. Mary's County and attested by its County Administrator, and has also caused its corporate seal to be printed hereon.

ATTEST:

LIBERO 021 PAGE 035

COUNTY COMMISSIONERS FOR ST.
MARY'S COUNTY

By: _____
County Administrator
St. Mary's County

By: _____
President, Board of County
Commissioners for St. Mary's County

CERTIFICATE OF AUTHENTICATION

Date of Authentication:

This bond is one of the registered bonds of County Commissioners for St. Mary's County designated County Commissioners for St. Mary's County Consolidated Public Improvement Refunding Bonds of 2002.

ALLFIRST TRUST COMPANY
NATIONAL ASSOCIATION,
Baltimore, Maryland,
Bond Registrar

By: _____
Authorized Signature

BONDS IN BOOK-ENTRY FORM ONLY

PAYMENT GRID LIBERO 021 PAGE 3b

<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 B 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 B 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 January 29, 2002. 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 she 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 January 29, 2002 and to reschedule said sale without publishing a new Notice of Sale or Advertisement if (i) the County's financial advisor has advised her that market conditions are such that it is in the best interest of the County to do so, and (ii) she 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 February 1, 2002, 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 B, 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 she 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. After providing for such expenses, the balance of the proceeds from the sale of the Bonds shall be applied to the current refunding of the Currently Refunded Bonds and the advance refunding of the Advance Refunded Bonds.

The County shall enter into an Escrow Deposit Agreement (the "Escrow Deposit Agreement") with Allfirst Trust Company National Association, or such other bank or trust company as the County Administrator may select. The Director of Finance shall cause the proceeds of the Bonds (after making such provision for the deposit of accrued

interest on the Bonds and the payment of the costs of issuing the Bonds as she shall deem appropriate) to be deposited under the Escrow Deposit Agreement and applied to the current refunding of the Currently Refunded Bonds and the advance refunding of the Advance Refunded Bonds. The County Administrator is hereby authorized and directed to execute and deliver the Escrow Deposit Agreement and any related contracts, certificates and documents, all upon such terms as he shall deem to be in the best interests of the County, consistent with the terms of this Resolution.

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 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 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.

LIBERO 021 PAGE 40

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.

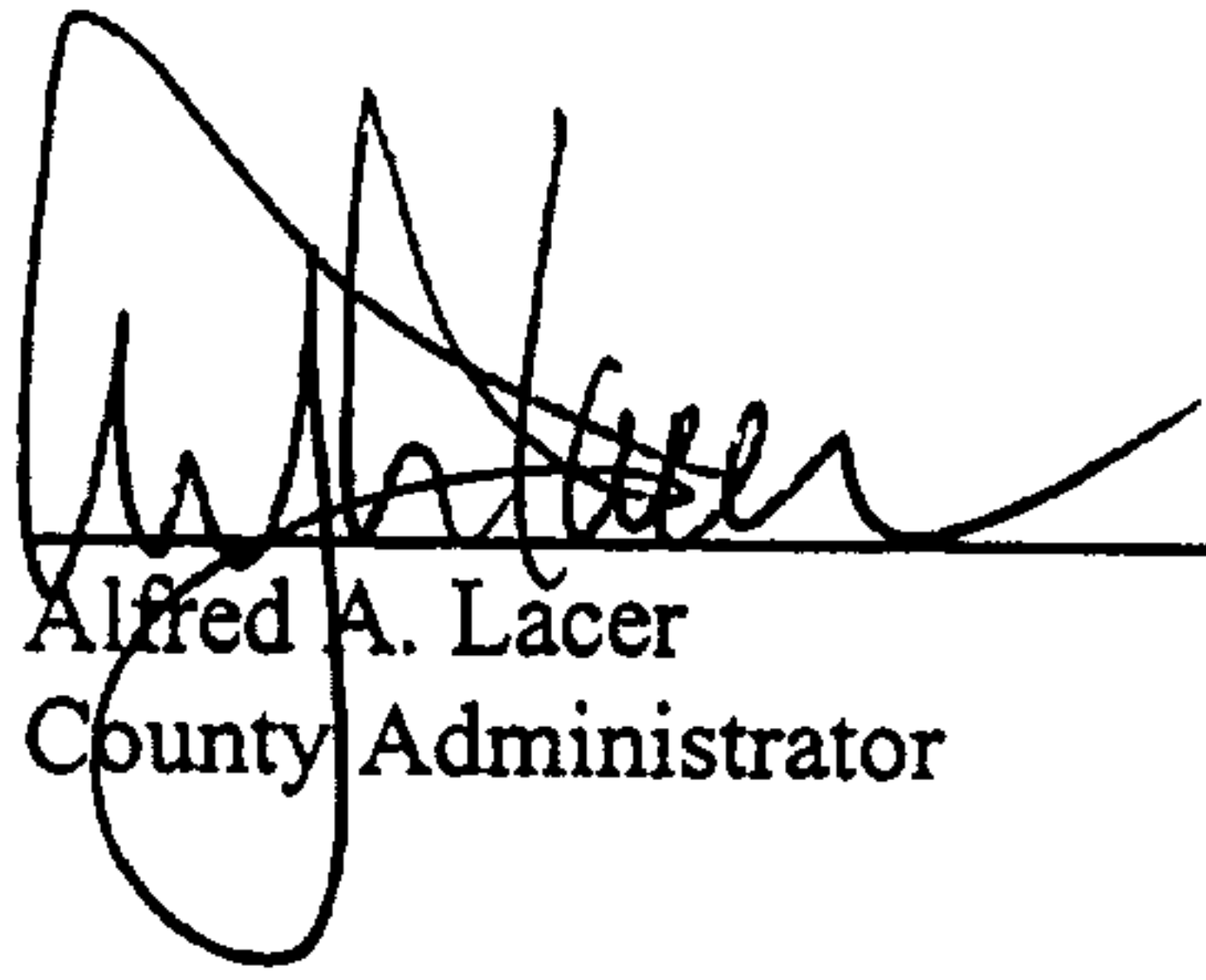
[SIGNATURES APPEAR ON NEXT PAGE]

Adopted this 15th day of January, 2002.

LIBERO 021 PAGE 43


(SEAL)
ATTEST:

COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY

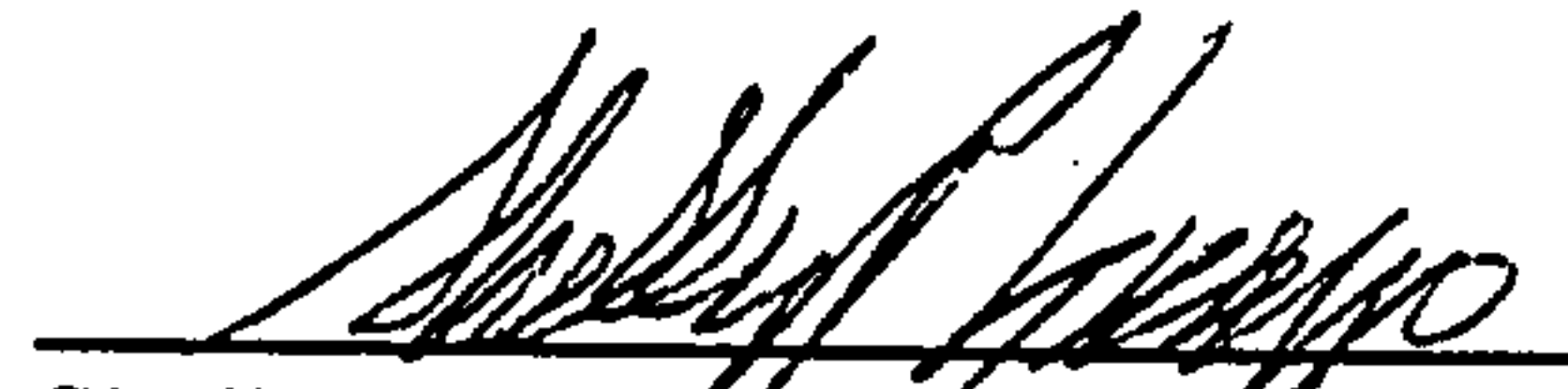


Alfred A. Lacer
County Administrator

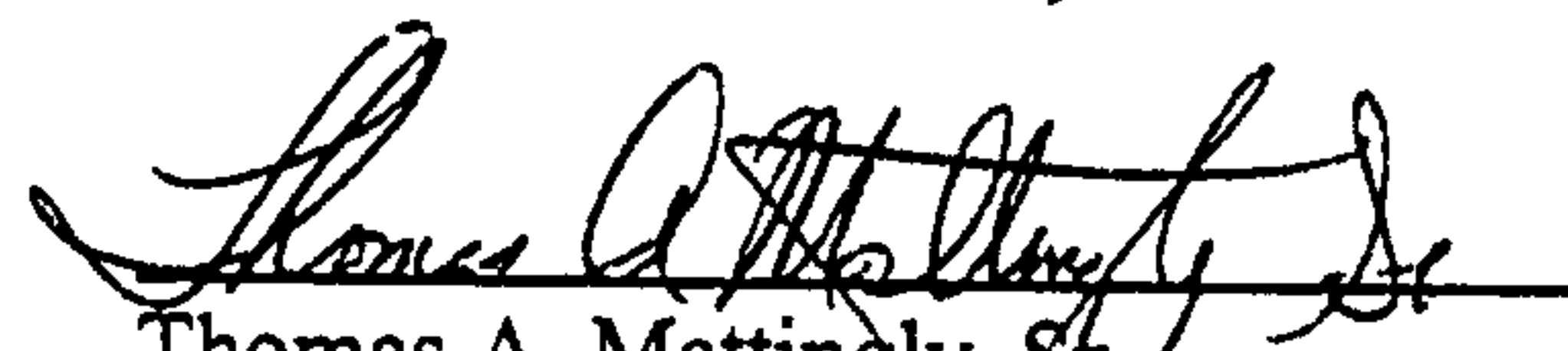
By: ABSENT
Julie B. Randall, President



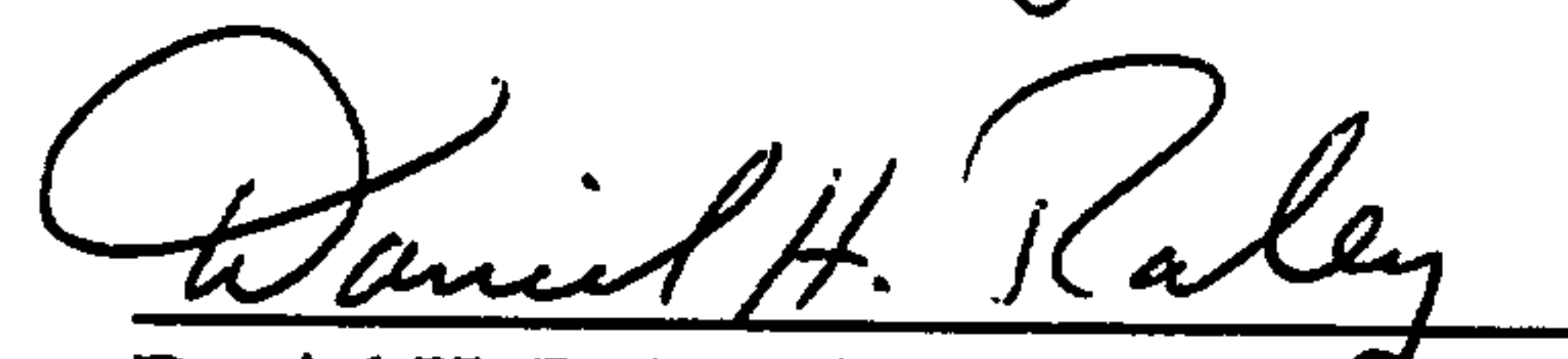
Joseph F. Anderson, Commissioner



Shelby P. Guazzo, Commissioner

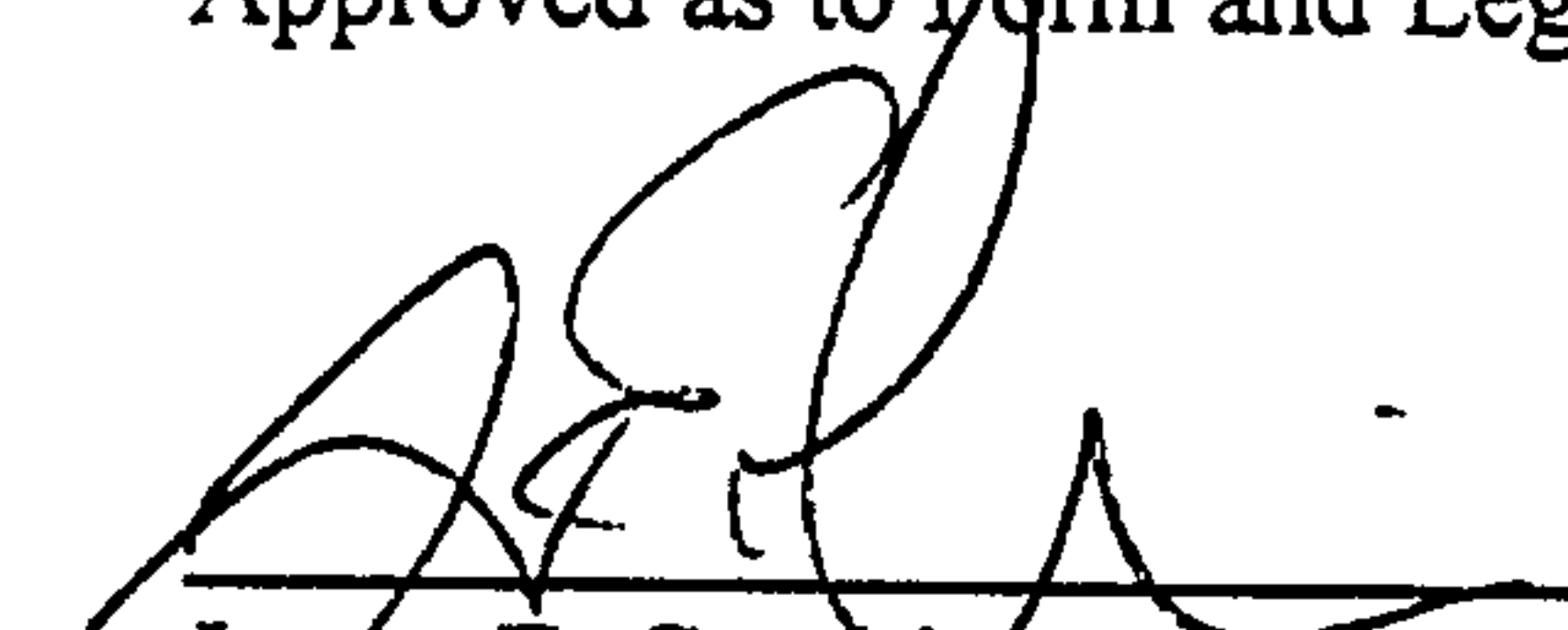


Thomas A. Mattingly, Sr.
Commissioner



Daniel H. Raley, Commissioner

Approved as to Form and Legal Sufficiency:



James E. Cumbie
Bond Counsel

EXHIBIT A

Currently Refunded Bonds LIBERO 021 PAGE 44

Public Facilities Bonds of 1988

<u>Date of Maturity</u> <u>November 1</u>	<u>CUSIP No.</u>	<u>Principal Amount</u>	<u>Rate of Interest</u>	<u>Principal Amount Payable Stated as Percentage of Principal(*)</u>
2002	792554HE0	\$130,000	7.00%	100.50
2003	792554HF7	140,000	7.00	100.50
2004	792554HG5	145,000	7.04	100.50

* Bonds redeemable on May 1, 2002 at principal amount thereof, plus a premium of .5% of such principal amount and accrued interest.

Advance Refunded Bonds

Consolidated Public Improvement Bonds of 1999

<u>Date of Maturity</u> <u>November 1</u>	<u>CUSIP No.</u>	<u>Principal Amount</u>	<u>Rate of Interest</u>	<u>Principal Amount Payable Stated as Percentage of Principal(*)</u>
2010	792554QR1	\$1,435,000	5.25%	101
2011	792554QS9	1,510,000	5.25	101
2012	792554QT7	1,590,000	5.25	101
2013	792554QU4	1,680,000	5.50	101
2014	792554QV2	1,700,000	5.50	101
2015	792554QW0	1,875,000	6.00	101
2016	792554QX8	1,980,000	6.00	101
2017	792554QY6	2,095,000	6.00	101
2018	792554QZ3	2,215,000	6.00	101
2019	792554RA7	2,345,000	6.00	101

* Bonds redeemable on October 1, 2009 at principal amount thereof, plus a premium of 1% of such principal amount and accrued interest.

EXHIBIT B

Form of Notice of Sale

LIBERO 021 PAGE 45

NOTICE OF SALE

ST. MARY'S COUNTY, MARYLAND

**COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY
\$20,710,000* CONSOLIDATED PUBLIC IMPROVEMENT REFUNDING BONDS
OF 2002
\$20,000,000 GENERAL OBLIGATION HOSPITAL BONDS OF 2002**

Electronic bids and sealed, written proposals will be received at the office of the Director of Finance of St. Mary's County, Maryland located at 23115 Leonard Hall Drive, Leonardtown, Maryland 20650, until 11:00 a.m., prevailing Eastern time, on January 29, 2002, for County Commissioners for St. Mary's County Consolidated Public Improvement Refunding Bonds of 2002 (the "Refunding Bonds") and the General Obligation Hospital Bonds of 2002 (the "Hospital Bonds") (the Refunding Bonds and the Hospital Bonds are sometimes referred to collectively as the "Bonds").

The County reserves the right to postpone, from time to time, the date established for the receipt of bids. Any such postponement will be announced by TM3 News Service ("TM3") by notice given not later than 1:00 PM, prevailing Eastern time, on the last business day prior to any announced date for receipt of bids. If any date fixed for the receipt of bids and the sale of the Bonds is postponed, any Alternative Sale Date will be announced via TM3 at least 48 hours prior to such Alternative Sale Date. In addition, the County reserves the right, on the date established for the receipt of bids, to reject all bids and establish a subsequent Alternative Sale Date. If all bids are rejected and an Alternative Sale Date for receipt of bids established, notice of the Alternative Sale Date will be announced via TM3 not less than 48 hours prior to such Alternative Sale Date. On any such Alternative Sale Date, any bidder may submit a sealed or electronic bid for the purchase of the Bonds in conformity in all respects with the provisions of this Notice of Sale except for the date of sale and except for the changes announced via TM3 at the time the sale date and time are announced.

Details of 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 January 15, 2002, and shall bear interest payable semiannually on the first days of April and October commencing April 1, 2002 (2½ months), until maturity.

The Refunding 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>
2002	\$ 70,000	2010	\$1,635,000
2003	250,000	2012	1,710,000
2004	255,000	2013	1,795,000
2005	260,000	2014	1,875,000
2006	115,000	2015	1,970,000
2007	120,000	2016	2,055,000
2008	125,000	2017	2,155,000
2009	130,000	2018	2,255,000
2010	1,570,000	2019	2,365,000

* Preliminary, subject to adjustment as provided herein.

The Hospital 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>
2005	\$ 765,000	2014	\$1,090,000
2006	790,000	2015	1,145,000
2007	815,000	2016	1,200,000
2008	845,000	2017	1,255,000
2009	880,000	2018	1,320,000
2010	920,000	2019	1,385,000
2011	955,000	2020	1,455,000
2012	1,000,000	2021	1,530,000
2013	1,045,000	2022	1,605,000

* Preliminary, subject to adjustment as provided herein.

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 Refunding Bonds will be issued pursuant to Section 24 of Article 31 of the Annotated Code of Maryland, as amended, to currently refund all outstanding maturities of the County's Public Facilities Bonds of 1988 and advance refund the callable maturities only of the County's Consolidated Public Improvement Bonds of 1999. The Hospital Bonds will be issued pursuant to Chapter 509 of the Laws of Maryland of 2001

for the purpose of making a loan to finance certain improvements to St. Mary's Hospital, in St. Mary's County, Maryland.

LIBERO.021 PAGE 47

The Bonds will constitute an irrevocable pledge of the full faith and credit and unlimited taxing power of County Commissioners for St. Mary's County, Maryland.

Optional Redemption

The Bonds which mature on or after October 1, 2013 are subject to redemption prior to their respective maturities, at the option of the County, on or after October 1, 2012, 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, 2012 to September 30, 2012.....	101.0%
October 1, 2013 to September 30, 2013.....	100.5
October 1, 2014 or thereafter	100.0

Adjustments of Principal Amounts

The aggregate principal amount and the principal amount of each maturity of the Bonds are subject to adjustment by the County, both before and after the receipt of bids for their purchase. Changes to be made prior to the sale will be through TM3 not later than 9:30 a.m. prevailing Eastern time on the date of sale (or as soon thereafter as is reasonably practical) and will be used to compare bids and select a winning bidder. Changes to be made after the sale and the maturity amounts for the Bonds will be communicated to the successful bidder by 3:00 p.m. prevailing Eastern time on the date of the sale, will be made only as necessary to effect the refundings, and will not reduce or increase the aggregate principal amount of the Bonds by more than \$2,000,000 from the amount bid upon, nor reduce or increase the principal amount of any maturity of the Bonds by more than the greater of \$100,000 and ten percent (10%) from the amount bid upon. In addition, the final maturity schedule for the Bonds will be communicated to the successful bidder by 5:00 p.m. prevailing Eastern time on the date of the sale. The dollar amount bid for principal and any amount bid for premium by the successful bidder will be adjusted proportionately to reflect any reduction or increase in the aggregate principal amount of the Bonds, but the coupon rates specified by the successful bidder for all maturities will not change. The successful bidder may not withdraw its bid as a result of any changes made within these limits.

Submission of Bids

The Director of Finance will not accept and will reject any bid for less than all of the Bonds. The right is reserved to reject any and all bids and to waive irregularities in

any bid.

Electronic Bids

LIBERO 021 PAGE 48

Electronic bids will be received via *PARITY*, in the manner described below, until 11:00 a.m., local Baltimore, Maryland time, on January 29, 2002.

Bids may be submitted electronically via *PARITY* pursuant to this Notice until 11:00 a.m., local Baltimore, Maryland time, but no bid will be received after the time for receiving bids specified above. To the extent any instructions or directions set forth in *PARITY* conflict with this Notice, the terms of this Notice shall control. For further information about *PARITY*, potential bidders may contact *PARITY* at Dalcomp (800) 730-9393 or (212) 806-8304.

Disclaimer

Each prospective electronic bidder shall be solely responsible to submit its bid via *PARITY* as described above. Each prospective electronic bidder shall be solely responsible to make necessary arrangements to access *PARITY* for the purpose of submitting its bid in a timely manner and in compliance with the requirements of the Notice of Sale. Neither the County nor *PARITY* shall have any duty or obligation to provide or assure access to *PARITY* to any prospective bidder, and neither the County nor *PARITY* shall be responsible for proper operation of, or have any liability for any delays or interruptions of, or any damages caused by *PARITY*. The County is using *PARITY* as a communication mechanism, and not as the County's agent, to conduct the electronic bidding for the Bonds. The County is not bound by any advice and determination of *PARITY* to the effect that any particular bid complies with the terms of this Notice of Sale and in particular the "Bid Parameters" hereinafter set forth. All costs and expenses incurred by prospective bidders in connection with their submission of bids via *PARITY* are the sole responsibility of the bidders; and the County is not responsible, directly or indirectly, for any of such costs or expenses. If a prospective bidder encounters any difficulty in submitting, modifying, or withdrawing a bid for the Bonds, he should telephone *PARITY* at Dalcomp (800) 730-9393 or (212) 806-8304 and notify the County's Financial Advisor, Davenport & Company LLC by facsimile at (410) 296-8517.

Electronic Bidding Procedures

Electronic bids must be submitted for the purchase of the Bonds (all or none) via *PARITY*. Bids will be communicated electronically to the County at 11:00 a.m., local Baltimore, Maryland time, on Tuesday, January 29, 2002. Prior to that time, a prospective bidder may (1) submit the proposed terms of its bid via *PARITY*, (2) modify the proposed terms of its bid, in which event the proposed terms as last modified will (unless the bid is withdrawn as described herein) constitute its bid for the Bonds, or (3) withdraw its proposed bid. Once the bids are communicated electronically via *PARITY* to the County, each bid will constitute an irrevocable offer to purchase the Bonds on the terms therein provided. For purposes of the electronic bidding process, the time as maintained

on *PARITY* shall constitute the official time.

Written Sealed Proposals

LIBERO 021 PAGE 49

Bids will also be accepted in written form on the form of Proposal for Bonds attached to this Notice. Written 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, 23511 Leonard Hall Drive, Leonardtown, Maryland 20650.

Good Faith Deposit

Each bid must 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 Five Hundred Thousand Dollars (\$500,000.00). 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 for 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.

Bid Parameters

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 100% of par or more than 102% of par plus accrued interest from January 15, 2002 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 2014 through

2022, 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 2013).

LIBERO 021 PAGE 50

Award

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 the 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.

Official Statement; Continuing Disclosure

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 January 18, 2002.

Delivery of the Bonds

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 SUCCESSFUL BIDDER SHALL MAKE A BONA FIDE PUBLIC OFFERING OF THE BONDS AT THE INITIAL REOFFERING PRICES.

Miscellaneous

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.

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.

The Preliminary Official Statement of St. Mary's County, Maryland, with respect to the 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 Davenport & Company

LLC, financial advisor to the County, at 8600 ~~W. JONES~~ ~~ROAD~~ Road, Suite 324, Towson, Maryland 21286 (410-296-9426). 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
FOR ST. MARY'S COUNTY**

PROPOSAL FOR BONDS

LIBERO 021 PAGE 53

January 29, 2002

Director of Finance
St. Mary's County, Maryland
23115 Leonard Hall Drive
Leonardtown, Maryland 20650

Dear Madam:

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 County Commissioners for St. Mary's County Consolidated Public Improvement Refunding Bonds of 2002 and General Obligation Hospital Bonds of 2002 described in such Notice of Sale, such bonds to be dated January 15, 2002, 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>
2002	_____
2003	_____
2004	_____
2005	_____
2006	_____
2007	_____
2008	_____
2009	_____
2010	_____
2011	_____
2012	_____
2013	_____
2014	_____
2015	_____
2016	_____
2017	_____
2018	_____
2019	_____
2020	_____
2021	_____
2022	_____

We will pay an amount equal to the par value of the Bonds \$
 plus a premium (not to exceed 2%) in the amount of +\$ _____
 making a total of LIBERO 0 2 1 PAGE 5 4 \$ _____

and also accrued interest from January 15, 2002 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 \$500,000 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 for St. Mary's County, in the amount of \$500,000, 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)

COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY
RESOLUTION NO. R-2002-07

A RESOLUTION AUTHORIZING AND LIBERO 021 PAGE 5 b
EMPOWERING COUNTY
COMMISSIONERS FOR 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 NOT TO EXCEED \$20,000,000 TO
BE KNOWN AS "COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY
GENERAL OBLIGATION HOSPITAL BONDS OF 2002," PURSUANT TO THE
PROVISIONS OF CHAPTER 509 OF THE LAWS OF MARYLAND OF 2001, AS
AMENDED, FOR THE PUBLIC PURPOSES OF FINANCING THE
CONSTRUCTION, IMPROVEMENT OR DEVELOPMENT OF ST. MARY'S
HOSPITAL 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 FOR 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.

RECITALS

Chapter 509 of the Laws of Maryland of 2001 (the "Act") authorizes and empowers the County to issue and sell bonds upon its full faith and credit to provide funds to finance the construction, improvement or development of St. Mary's Hospital in St. Mary's County by the issuance and sale of its general obligation bonds in an aggregate principal amount not to exceed \$20,000,000. The County has not previously issued bonds pursuant to the Act.

Pursuant to the authority granted by the Act, the County has determined to issue and sell its general obligation bonds in an aggregate principal not to exceed \$20,000,000.

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

Section 1. Pursuant to the authority of the Act, the County shall borrow on its full faith and credit a sum not to exceed \$20,000,000 in order to provide funds to finance the construction, improvement or development of St. Mary's Hospital in St. Mary's County as further described in Schedule I hereto and certain costs of issuance related thereto and

RECORDING FEE 0.00
TOTAL 0.00
Res#SM02 Rcpt#999999
EWA TLC BIK#1376
Jan 18, 2002 12:56 PM

shall evidence such borrowing by the issuance of its bonds in an aggregate principal amount not to exceed \$20,000,000.

LIBERO 021 PAGE 57

Section 2. Pursuant to the authority granted by the Act, the Bonds authorized to be issued by Section 1 of this Resolution shall be issued, sold, and delivered as a single issue of bonds in an aggregate principal amount not to exceed \$20,000,000 to be known as "County Commissioners for St. Mary's County General Obligation Hospital Bonds of 2002" (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 "2002 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 January 15, 2002, 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 January 15, 2002 payable on April 1, 2002 (2½ 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>
2005	\$ 765,000	2014	\$1,090,000
2006	790,000	2015	1,145,000
2007	815,000	2016	1,200,000
2008	845,000	2017	1,255,000
2009	880,000	2018	1,320,000
2010	920,000	2019	1,385,000
2011	955,000	2020	1,455,000
2012	1,000,000	2021	1,530,000
2013	1,045,000	2022	1,605,000

Notwithstanding any other provision of this Resolution, it is hereby acknowledged that the purpose for issuing the Bonds is to provide favorable debt service terms to the Hospital, and that such savings are dependent upon bond market conditions that fluctuate from day to day. Therefore, the County Administrator is hereby authorized to make such adjustments in the maturity dates of the Bonds and the principal amounts of each maturity of the Bonds as he shall deem necessary to achieve maximum debt service savings to the County; provided, that (1) such changes shall only be made to the extent necessary to achieve such favorable terms, and (2) the aggregate principal amount of the Bonds shall not exceed \$20,000,000.

Each bond shall bear interest from January 15, 2002 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 National Association, 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 National Association, 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.

LIBERO 021 PAGE 60

(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, 2013 will be redeemable prior to their stated maturities, on or after October 1, 2012, 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 for 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. _____

LIBERO 021 PAGE 62

UNITED STATES OF AMERICA
STATE OF MARYLAND
COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY
GENERAL OBLIGATION HOSPITAL BOND OF 2002

<u>Annual Interest Rate</u>	<u>Maturity Date</u>	<u>Bond Date</u>	<u>CUSIP Number</u>
	October 1, 20__	January 15, 2002	

Registered Owner: CEDE & CO.

Principal Amount:

Dollars

County Commissioners for 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 January 15, 2002 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, 2002 (2½ 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-2002-__ of the Board of County Commissioners for St. Mary's County, adopted on January 15, 2002 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 for 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 \$20,000,000, all dated January 15, 2002 and all known as "County Commissioners for St. Mary's County Consolidated Public Improvement Refunding Bonds of 2002" (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</u> <u>October 1</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate</u>	<u>Maturing</u> <u>October 1</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate</u>
2005	\$ 765,000		2014	\$1,090,000	
2006	790,000		2015	1,145,000	
2007	815,000		2016	1,200,000	
2008	845,000		2017	1,255,000	
2009	880,000		2018	1,320,000	
2010	920,000		2019	1,385,000	
2011	955,000		2020	1,455,000	
2012	1,000,000		2021	1,530,000	
2013	1,045,000		2022	1,605,000	

The Bonds which mature on or after October 1, 2013 are subject to redemption prior to their respective maturities, at the option of the County, on or after October 1, 2012, 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:

LIBERO 021 PAGE 64

<u>Period During Which Redeemed</u> <u>(both dates inclusive)</u>	<u>Redemption</u> <u>Price</u>
October 1, 2012 to September 30, 2013	101.0%
October 1, 2013 to September 30, 2014	100.5%
October 1, 2014 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.

LIBERO 021 PAGE 65

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 509 of the Laws of Maryland of 2001, 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 for St. Mary's County and attested by its County Administrator, and has also caused its corporate seal to be printed hereon.

ATTEST:

LIBERO 021 PAGE 67

COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY

By: _____
County Administrator
St. Mary's County

By: _____
President, Board of County
Commissioners for St. Mary's County

CERTIFICATE OF AUTHENTICATION

Date of Authentication:

This bond is one of the registered bonds of County Commissioners for St. Mary's County designated County Commissioners for St. Mary's County Consolidated Public Improvement Refunding Bonds of 2002.

ALLFIRST TRUST COMPANY
NATIONAL ASSOCIATION,
Baltimore, Maryland,
Bond Registrar

By: _____
Authorized Signature

BONDS IN BOOK-ENTRY FORM ONLY
 LIBERO 021 PAGE 68
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 January 29, 2002. 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 she 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 January 29, 2002 and to reschedule said sale without publishing a new Notice of Sale or Advertisement if (i) the County's financial advisor has advised her that market conditions are such that it is in the best interest of the County to do so, and (ii) she 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 February 1, 2002, 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 she 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. After providing for such expenses, the balance of the proceeds from the sale of the Bonds shall be loaned to St. Mary's Hospital, Incorporated (the "Hospital"), to be deposited in a separate account and to be applied by the Hospital to the 2002 Projects, as described in Section 2 for whose funding the Bonds are issued.

The Hospital shall enter into a Loan Agreement (the "Loan Agreement") with the County. The Loan Agreement shall provide that the Hospital shall pay the County sufficient moneys at such times as shall be necessary to pay the principal of and the

interest and redemption premium (if any) on the Bonds. The Hospital shall also execute and deliver a mortgage (the "Mortgage") for the benefit of the County, which mortgage shall secure the Hospital's payment obligations under the Loan Agreement. The County Administrator is hereby authorized and directed to execute and deliver the Loan Agreement and any related contracts, certificates and documents, and to accept delivery of the Mortgage, all upon such terms as he shall deem to be in the best interests of the County, consistent with the terms of this Resolution.

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 shall rely upon certifications of the Hospital as to all relevant matters within the Hospital's control.

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 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.

LIBERO 021 PAGE 72

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, from the Hospital pursuant to the Loan Agreement or the Mortgage, 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.

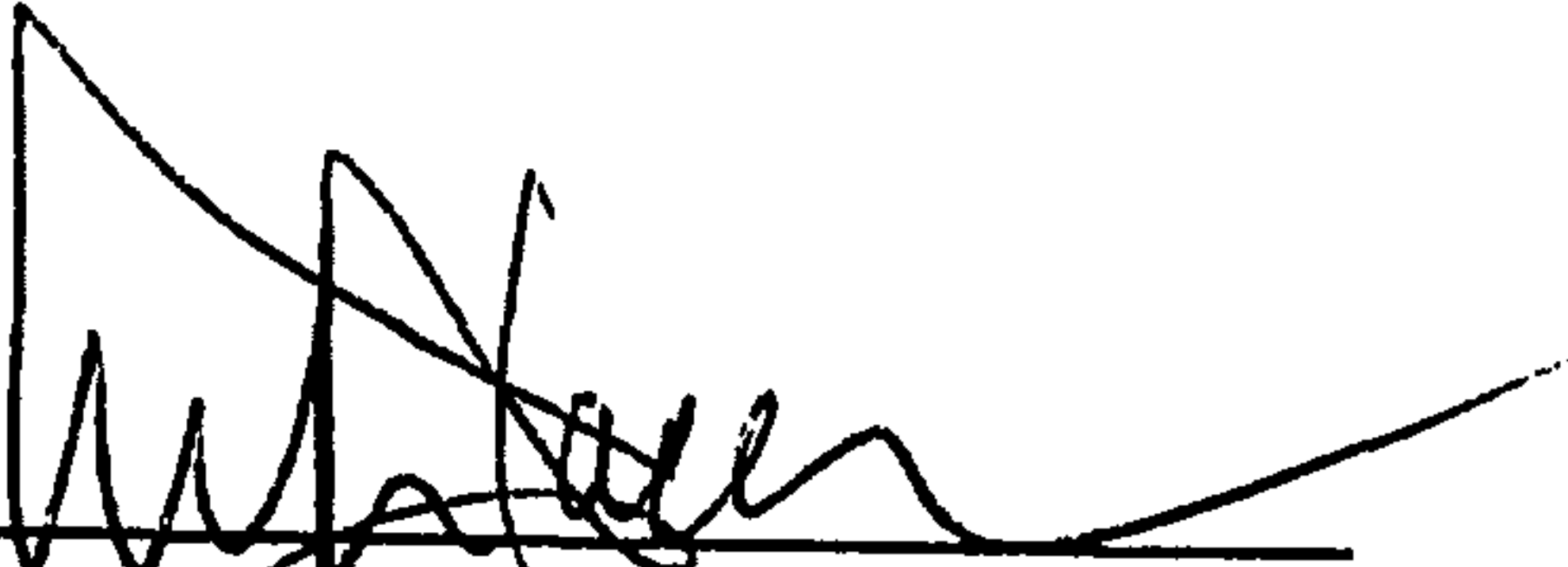
[SIGNATURES APPEAR ON NEXT PAGE]

Adopted this 15th day of January, 2002.

LIBERO 021 PAGE 75


(SEAL)
ATTEST:

COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY



Alfred A. Lacer
County Administrator

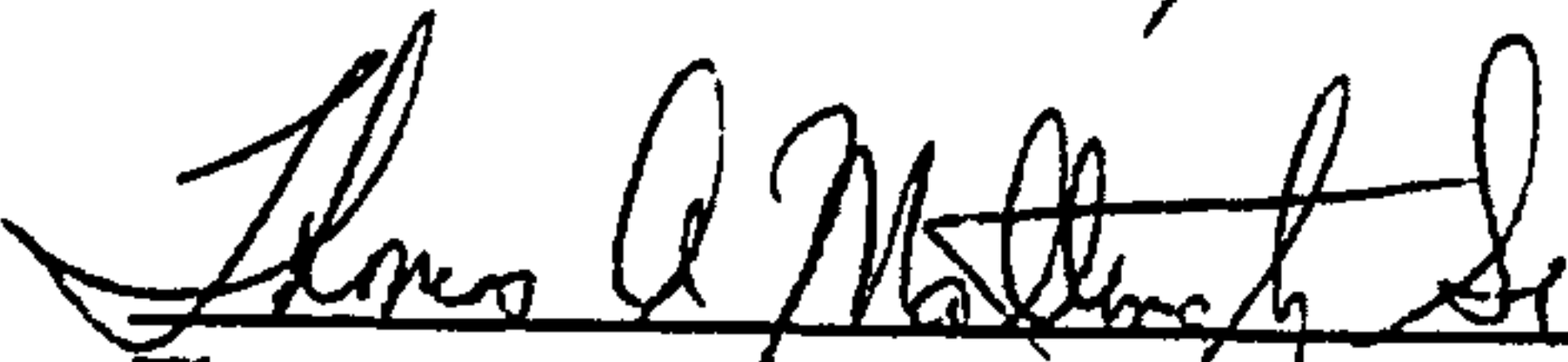
By: ABSENT
Julie B. Randall, President



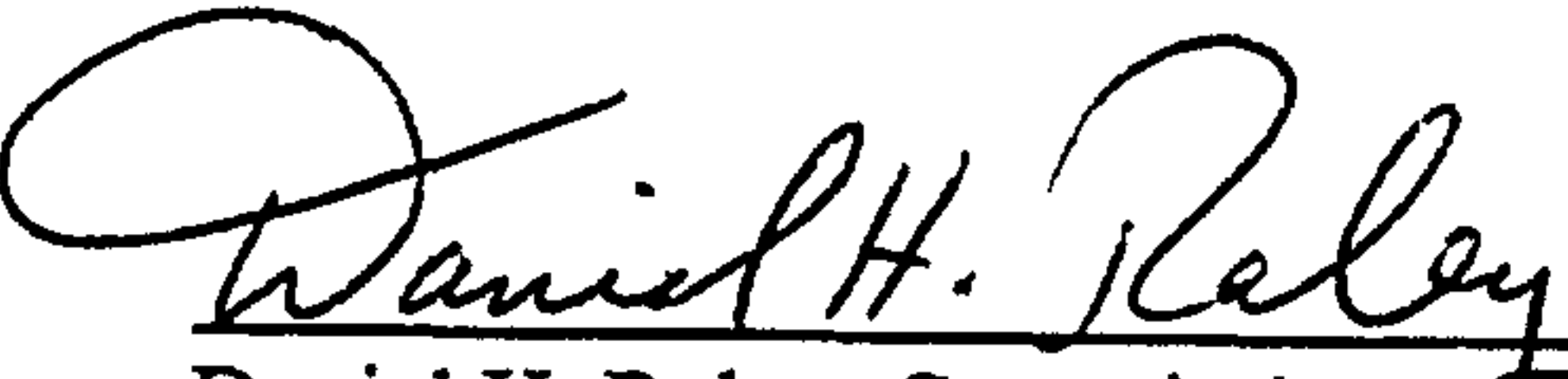
Joseph F. Anderson, Commissioner



Shelby P. Guazzo, Commissioner

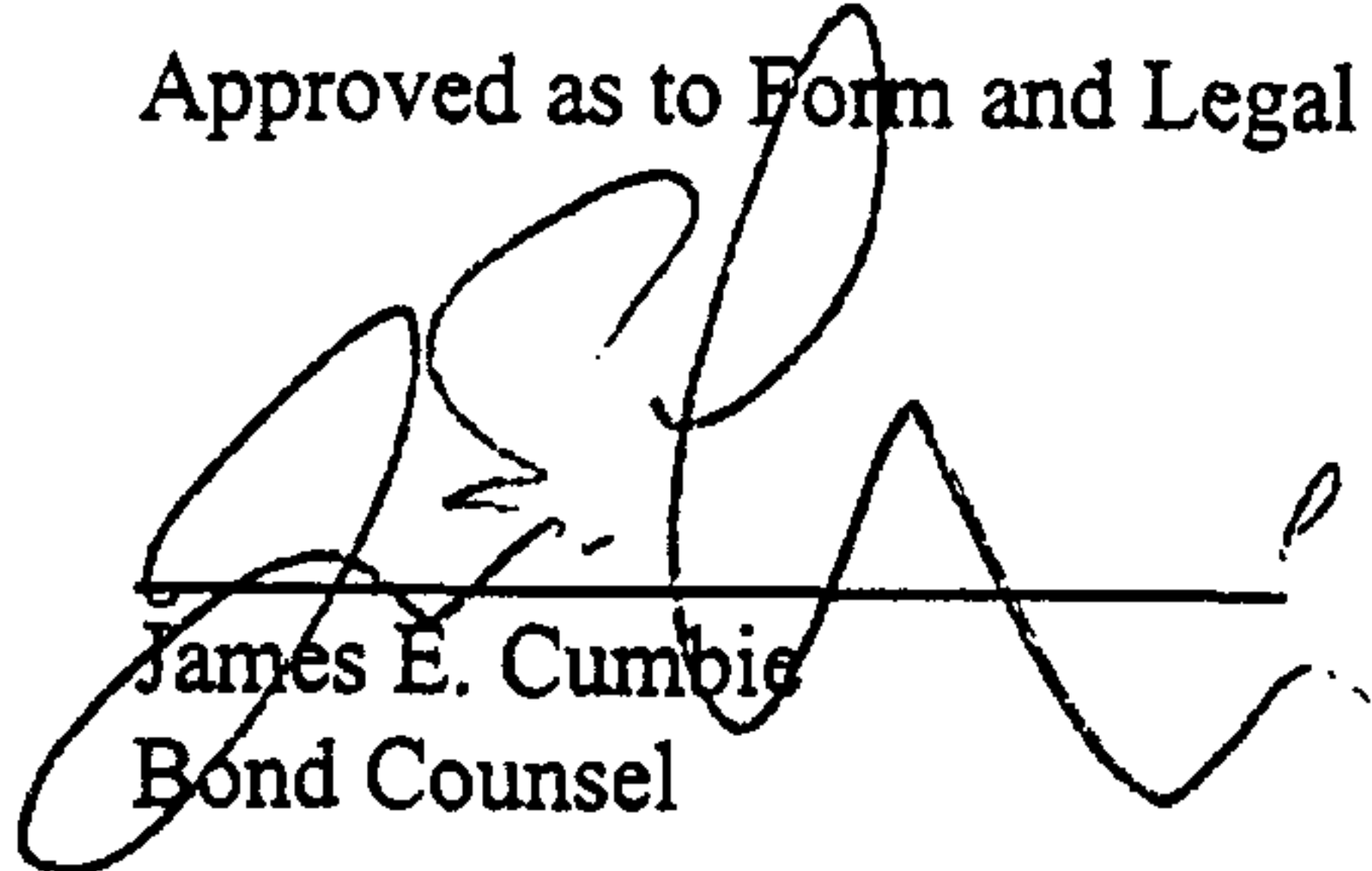


Thomas A. Mattingly, Sr.,
Commissioner



Daniel H. Raley, Commissioner

Approved as to Form and Legal Sufficiency:



James E. Cumbie
Bond Counsel

The improvements to the St. Mary's Hospital to be financed or refinanced will consist of approximately 67,000 square feet of new construction and the renovation of approximately 40,000 of square feet to include: (1) on the first floor, renovation and expansion of the emergency department, renovation of outpatient services spaces including a new emergency department lobby, renovation of diagnostic imaging and ambulatory surgery spaces, and the construction of new space for surgical areas and shell space for future growth, (2) on the second floor, renovation of existing space and the addition of new space for obstetrical services and renovations to medical/surgical and mental health units, (3) the addition of a third floor to include space for the relocation and expansion of the critical care unit and a medical/surgical unit and the addition of shell space for future growth, and (4) site and infrastructure improvements including additional parking, the redesigning of some driveways, the renovation of mechanical rooms, and the installation of an additional elevator. The Project may also include land or interests in land, buildings, landscaping, structures, machinery, equipment, furnishings or other real or personal property located on the same site as the Project.

EXHIBIT A

Form of Notice of Sale LIBERO 021 PAGE 77

NOTICE OF SALE

ST. MARY'S COUNTY, MARYLAND

**COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY
\$20,710,000* CONSOLIDATED PUBLIC IMPROVEMENT REFUNDING BONDS
OF 2002
\$20,000,000 GENERAL OBLIGATION HOSPITAL BONDS OF 2002**

Electronic bids and sealed, written proposals will be received at the office of the Director of Finance of St. Mary's County, Maryland located at 23115 Leonard Hall Drive, Leonardtown, Maryland 20650, until 11:00 a.m., prevailing Eastern time, on January 29, 2002, for County Commissioners for St. Mary's County Consolidated Public Improvement Refunding Bonds of 2002 (the "Refunding Bonds") and the General Obligation Hospital Bonds of 2002 (the "Hospital Bonds") (the Refunding Bonds and the Hospital Bonds are sometimes referred to collectively as the "Bonds").

The County reserves the right to postpone, from time to time, the date established for the receipt of bids. Any such postponement will be announced by TM3 News Service ("TM3") by notice given not later than 1:00 PM, prevailing Eastern time, on the last business day prior to any announced date for receipt of bids. If any date fixed for the receipt of bids and the sale of the Bonds is postponed, any Alternative Sale Date will be announced via TM3 at least 48 hours prior to such Alternative Sale Date. In addition, the County reserves the right, on the date established for the receipt of bids, to reject all bids and establish a subsequent Alternative Sale Date. If all bids are rejected and an Alternative Sale Date for receipt of bids established, notice of the Alternative Sale Date will be announced via TM3 not less than 48 hours prior to such Alternative Sale Date. On any such Alternative Sale Date, any bidder may submit a sealed or electronic bid for the purchase of the Bonds in conformity in all respects with the provisions of this Notice of Sale except for the date of sale and except for the changes announced via TM3 at the time the sale date and time are announced.

Details of 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 January 15, 2002, and shall bear interest payable semiannually on the first days of January and July commencing April 1, 2002 (2½ months), until maturity.

The Refunding 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>
2002	\$ 70,000	2011	\$1,635,000
2003	250,000	2012	1,710,000
2004	255,000	2013	1,795,000
2005	260,000	2014	1,875,000
2006	115,000	2015	1,970,000
2007	120,000	2016	2,055,000
2008	125,000	2017	2,155,000
2009	130,000	2018	2,255,000
2010	1,570,000	2019	2,365,000

* Preliminary, subject to adjustment as provided herein.

The Hospital 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>
2005	\$ 765,000	2014	\$1,090,000
2006	790,000	2015	1,145,000
2007	815,000	2016	1,200,000
2008	845,000	2017	1,255,000
2009	880,000	2018	1,320,000
2010	920,000	2019	1,385,000
2011	955,000	2020	1,455,000
2012	1,000,000	2021	1,530,000
2013	1,045,000	2022	1,605,000

* Preliminary, subject to adjustment as provided herein.

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 Refunding Bonds will be issued pursuant to Section 24 of Article 31 of the Annotated Code of Maryland, as amended, to currently refund all outstanding maturities of the County's Public Facilities Bonds of 1988 and advance refund the callable maturities only of the County's Consolidated Public Improvement Bonds of 1999. The Hospital Bonds will be issued pursuant to Chapter 509 of the Laws of Maryland of 2001

for the purpose of making a loan to finance certain improvements to St. Mary's Hospital, in St. Mary's County, Maryland.

LIBERO 021 PAGEO 79

The Bonds will constitute an irrevocable pledge of the full faith and credit and unlimited taxing power of County Commissioners for St. Mary's County, Maryland.

Optional Redemption

The Bonds which mature on or after October 1, 2013 are subject to redemption prior to their respective maturities, at the option of the County, on or after October 1, 2012, 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, 2012 to September 30, 2012.....	101.0%
October 1, 2013 to September 30, 2013.....	100.5
October 1, 2014 or thereafter	100.0

Adjustments of Principal Amounts

The aggregate principal amount and the principal amount of each maturity of the Bonds are subject to adjustment by the County, both before and after the receipt of bids for their purchase. Changes to be made prior to the sale will be through TM3 not later than 9:30 a.m. prevailing Eastern time on the date of sale (or as soon thereafter as is reasonably practical) and will be used to compare bids and select a winning bidder. Changes to be made after the sale and the maturity amounts for the Bonds will be communicated to the successful bidder by 3:00 p.m. prevailing Eastern time on the date of the sale, will be made only as necessary to effect the refundings, and will not reduce or increase the aggregate principal amount of the Bonds by more than \$2,000,000 from the amount bid upon, nor reduce or increase the principal amount of any maturity of the Bonds by more than the greater of \$100,000 and ten percent (10%) from the amount bid upon. In addition, the final maturity schedule for the Bonds will be communicated to the successful bidder by 5:00 p.m. prevailing Eastern time on the date of the sale. The dollar amount bid for principal and any amount bid for premium by the successful bidder will be adjusted proportionately to reflect any reduction or increase in the aggregate principal amount of the Bonds, but the coupon rates specified by the successful bidder for all maturities will not change. The successful bidder may not withdraw its bid as a result of any changes made within these limits.

Submission of Bids

The Director of Finance will not accept and will reject any bid for less than all of the Bonds. The right is reserved to reject any and all bids and to waive irregularities in

any bid.

Electronic Bids

LIBERO 021 PAGE 80

Electronic bids will be received via *PARITY*, in the manner described below, until 11:00 a.m., local Baltimore, Maryland time, on January 29, 2002.

Bids may be submitted electronically via *PARITY* pursuant to this Notice until 11:00 a.m., local Baltimore, Maryland time, but no bid will be received after the time for receiving bids specified above. To the extent any instructions or directions set forth in *PARITY* conflict with this Notice, the terms of this Notice shall control. For further information about *PARITY*, potential bidders may contact *PARITY* at Dalcomp (800) 730-9393 or (212) 806-8304.

Disclaimer

Each prospective electronic bidder shall be solely responsible to submit its bid via *PARITY* as described above. Each prospective electronic bidder shall be solely responsible to make necessary arrangements to access *PARITY* for the purpose of submitting its bid in a timely manner and in compliance with the requirements of the Notice of Sale. Neither the County nor *PARITY* shall have any duty or obligation to provide or assure access to *PARITY* to any prospective bidder, and neither the County nor *PARITY* shall be responsible for proper operation of, or have any liability for any delays or interruptions of, or any damages caused by *PARITY*. The County is using *PARITY* as a communication mechanism, and not as the County's agent, to conduct the electronic bidding for the Bonds. The County is not bound by any advice and determination of *PARITY* to the effect that any particular bid complies with the terms of this Notice of Sale and in particular the "Bid Parameters" hereinafter set forth. All costs and expenses incurred by prospective bidders in connection with their submission of bids via *PARITY* are the sole responsibility of the bidders; and the County is not responsible, directly or indirectly, for any of such costs or expenses. If a prospective bidder encounters any difficulty in submitting, modifying, or withdrawing a bid for the Bonds, he should telephone *PARITY* at Dalcomp (800) 730-9393 or (212) 806-8304 and notify the County's Financial Advisor, Davenport & Company LLC by facsimile at (410) 296-8517.

Electronic Bidding Procedures

Electronic bids must be submitted for the purchase of the Bonds (all or none) via *PARITY*. Bids will be communicated electronically to the County at 11:00 a.m., local Baltimore, Maryland time, on Tuesday, January 29, 2002. Prior to that time, a prospective bidder may (1) submit the proposed terms of its bid via *PARITY*, (2) modify the proposed terms of its bid, in which event the proposed terms as last modified will (unless the bid is withdrawn as described herein) constitute its bid for the Bonds, or (3) withdraw its proposed bid. Once the bids are communicated electronically via *PARITY* to the County, each bid will constitute an irrevocable offer to purchase the Bonds on the terms therein provided. For purposes of the electronic bidding process, the time as maintained

on *PARITY* shall constitute the official time.

Written Sealed Proposals

LIBERO 021 PAGE 81

Bids will also be accepted in written form on the form of Proposal for Bonds attached to this Notice. Written 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, 23511 Leonard Hall Drive, Leonardtown, Maryland 20650.

Good Faith Deposit

Each bid must 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 Five Hundred Thousand Dollars (\$500,000.00). 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 for 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.

Bid Parameters

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 100% of par or more than 102% of par plus accrued interest from January 15, 2002 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 2014 through

2022, 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 2013).

LIBERO 0 2 1 PAGE 8 2

Award

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 the 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.

Official Statement; Continuing Disclosure

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 January 18, 2002.

Delivery of the Bonds

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 SUCCESSFUL BIDDER SHALL MAKE A BONA FIDE PUBLIC OFFERING OF THE BONDS AT THE INITIAL REOFFERING PRICES.

Miscellaneous

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.

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.

The Preliminary Official Statement of St. Mary's County, Maryland, with respect to the 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 Davenport & Company

LLC, financial advisor to the County, at 8600 LaSalle Road, Suite 324, Towson, Maryland 21286 (410-296-9426). 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
FOR ST. MARY'S COUNTY**

PROPOSAL FOR BONDS

January 29, 2002

LIBERO 021 PAGE 85

Director of Finance
St. Mary's County, Maryland
23115 Leonard Hall Drive
Leonardtown, Maryland 20650

Dear Madam:

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 County Commissioners for St. Mary's County Consolidated Public Improvement Refunding Bonds of 2002 and General Obligation Hospital Bonds of 2002 described in such Notice of Sale, such bonds to be dated January 15, 2002, 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>
2002	_____
2003	_____
2004	_____
2005	_____
2006	_____
2007	_____
2008	_____
2009	_____
2010	_____
2011	_____
2012	_____
2013	_____
2014	_____
2015	_____
2016	_____
2017	_____
2018	_____
2019	_____
2020	_____
2021	_____
2022	_____

We will pay an amount equal to the par value of the Bonds \$
 plus a premium (not to exceed 2%) in the amount of +\$ _____
 making a total of LIBERO 0 2 1 PAGE 0 8 b \$ _____

and also accrued interest from January 15, 2002 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 \$500,000 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 for St. Mary's County, in the amount of \$500,000, 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: _____

RESOLUTION

LIBERO 021 PAGED 88

WHEREAS, pursuant to Section 25-102 of the Transportation Article of the Maryland Annotated Code, the Board of County Commissioners for St. Mary's County, Maryland, is authorized and empowered to regulate or prohibit stopping, standing, or parking of vehicles on highways within its jurisdiction.

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the need to control stopping, standing or parking of vehicles along a portion of Tudor Hall Road, County Route 30671, due to the existing conditions of road design, motor vehicle traffic and pedestrian safety; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the Board of County Commissioners for St. Mary's County, Maryland, exercise its authority to regulate the stopping, standing, or parking of vehicles on Tudor Hall Road, County Route 30671; specifically, No Parking Any Time on Tudor Hall Road from its intersection with Washington Street, for a distance along Tudor Hall Road of 40 feet to the south; and Corrections Parking Only on Tudor Hall Road beginning 40 feet south of Washington Street, and ending 190 feet south of Washington Street.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland, finds that, upon the advice of the Director of the Department of Public Works and Transportation, a hazardous condition currently exists on Tudor Hall Road, County Route 30671, further identified as being located in the Third (3rd) Election District, St. Mary's County, Maryland, shall be designated as "No Parking Any Time" on Tudor Hall Road from its intersection with Washington Street, for a distance along Tudor Hall Road of 40 feet to the south; and "Corrections Parking Only" on Tudor Hall Road, County Route 30671, beginning 40 feet south of Washington Street, and ending 190 feet south of Washington Street, which is a reasonable exercise of this Board's police powers; and

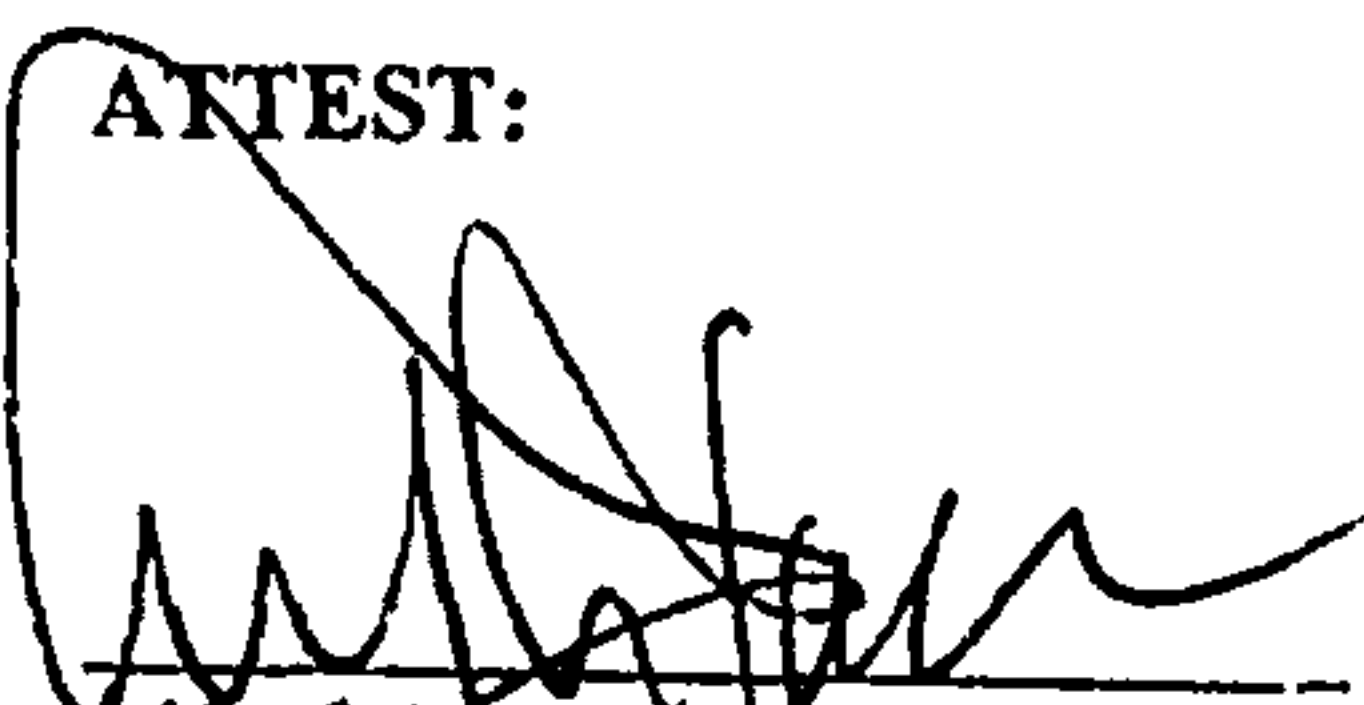
BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, directs and instructs the Director of the Department of Public Works and Transportation to erect the necessary traffic control devices, specifically, No Parking Any Time on Tudor Hall Road from its intersection with Washington Street, for a distance of 40 feet to the south; and Corrections Parking Only on Tudor Hall Road beginning 40 feet south of Washington Street, and ending 190 feet south of Washington Street, as necessary to identify the referenced portion of Tudor Hall Road as No Parking Any Time and Corrections Parking Only zones.




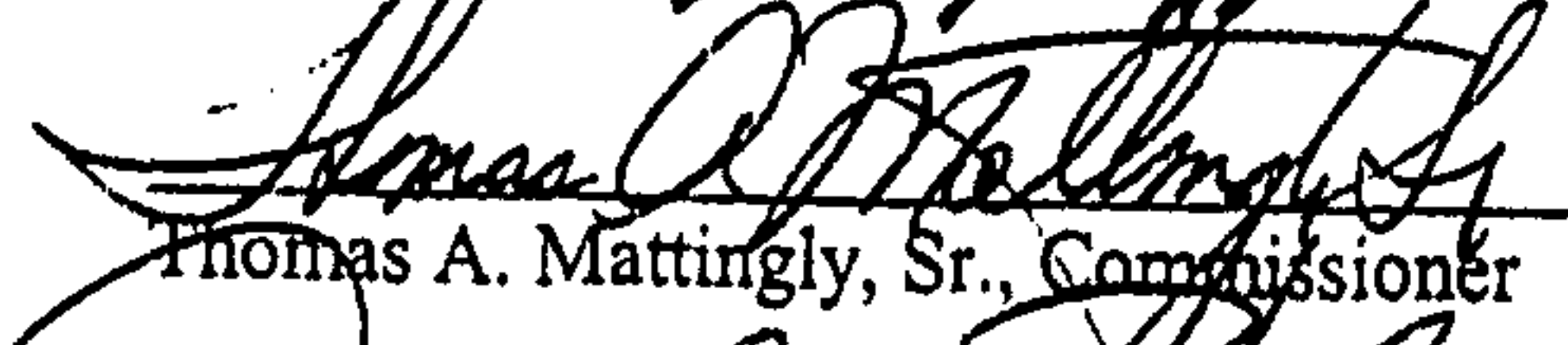
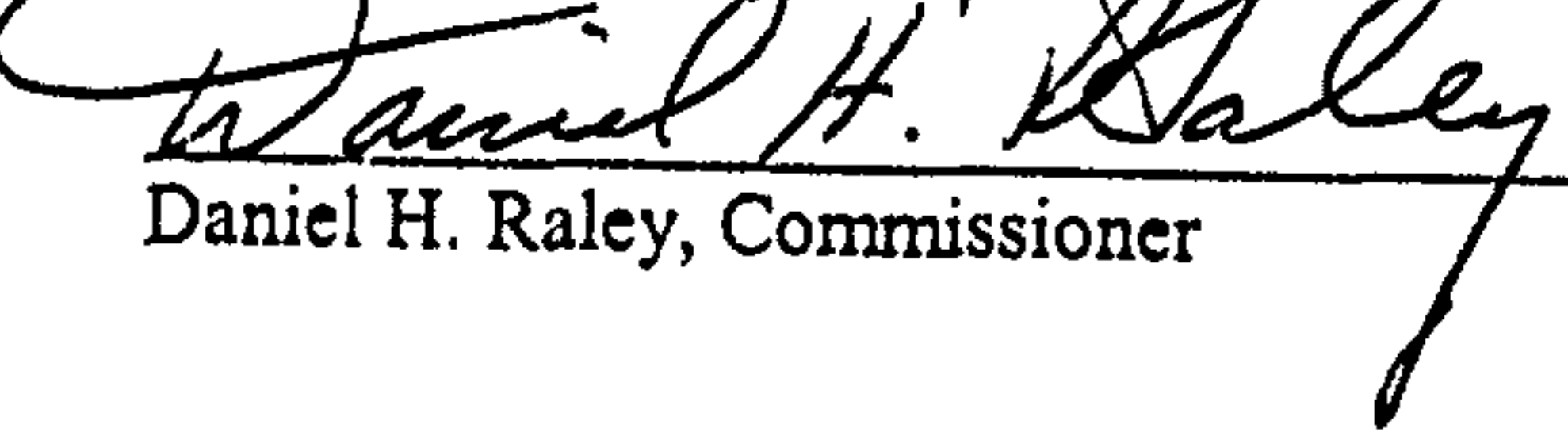
BE IT FURTHER RESOLVED, that Resolution #01-44, dated October 23, 2001, is hereby repealed and, thereby, superceded by this Resolution.

BE IT FURTHER RESOLVED, that the foregoing recitals are hereby incorporated by reference.


Those voting aye: ALL
Those voting nay: _____
Those abstaining or absent: _____
Date of Adoption: 01/29/02
Effective Date: 01/29/02

RECORDING FEE 0.00
TOTAL 0.00
Res#SM02 Rpt#999999
EMA CDS 01K#204
Feb 04, 2002 12:57 PM

ATTEST:

Alfred A. Lacer
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 LEGAL FORM
AND SUFFICIENCY:


John B. Norris, III
Acting County Attorney

LIBERO 021 PAGE 89

SUBJECT: Declaration of Intent of the County to Bond Finance the Triton Metals, Inc. Project

RESOLUTION OF THE COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND

A RESOLUTION DECLARING THE INTENT OF THE COUNTY TO BOND FINANCE A CERTAIN PROJECT (Triton Metals, Inc. Project)

RECITALS

County Commissioners for St. Mary's County, Maryland, a body politic and corporate and a political subdivision of the State of Maryland (the "County") intends to issue bonds or other debt obligations to finance all or a portion of the costs of a certain project described on Exhibit A attached hereto (the "Project"); and

U.S. Treasury Income Tax Regulation Section 1.150-2 requires that, in order to assure the eligibility of expenditures made with respect to the Project for reimbursement with the proceeds of tax-exempt obligations, the County generally must adopt an official intent in compliance with such regulation within 60 days after payment of the expenditure; and

The County desires to declare its official intent to reimburse the costs of the Project with the proceeds of the County's bonds or other debt obligations in order to comply with the requirements of U.S. Treasury Income Tax Regulation Section 1.150-2 and thereby to assure the eligibility of expenditures made with respect to the Project for reimbursement from the proceeds of tax-exempt obligations of the County.

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

Section 1. Exhibit A provides the name and a description of the Project for which the County intends to provide financing for all or a portion of the costs by the issuance of its bonds or other debt obligations.

Section 2. The County reasonably expects that (i) it will issue bonds or other debt obligations to finance all or a portion of the costs of the Project, (ii) capital expenditures may be paid or incurred for the Project prior to the issuance of such bonds or other debt obligations, and (iii) such expenditures will be reimbursed from the proceeds of such bonds or other debt obligations.

Section 3. The maximum principal amount of bonds or other debt obligations that the County expects to issue for the Project is stated in Exhibit A.

Section 4. Neither the bonds, nor the interest thereon, shall ever constitute an indebtedness or a charge against the general credit or taxing powers of the County within the meaning of any constitutional or charter provision or statutory limitation and neither shall ever constitute or give rise to any pecuniary liability of the County. The bonds and the interest thereon shall be limited obligations of the County, payable by the County solely from the revenues derived from loan repayments (both principal and interest) made to the County by the Project owner/user on account of the loan or from any other moneys made available to the County for such purposes.

Section 5. This Resolution shall take effect from the date of its adoption.

RECORDED IN 9:00
T.M.H. 9:00
RESTORED COPY 9:00
SERIALS 9:00
FEB 04 2002 01:00 PM

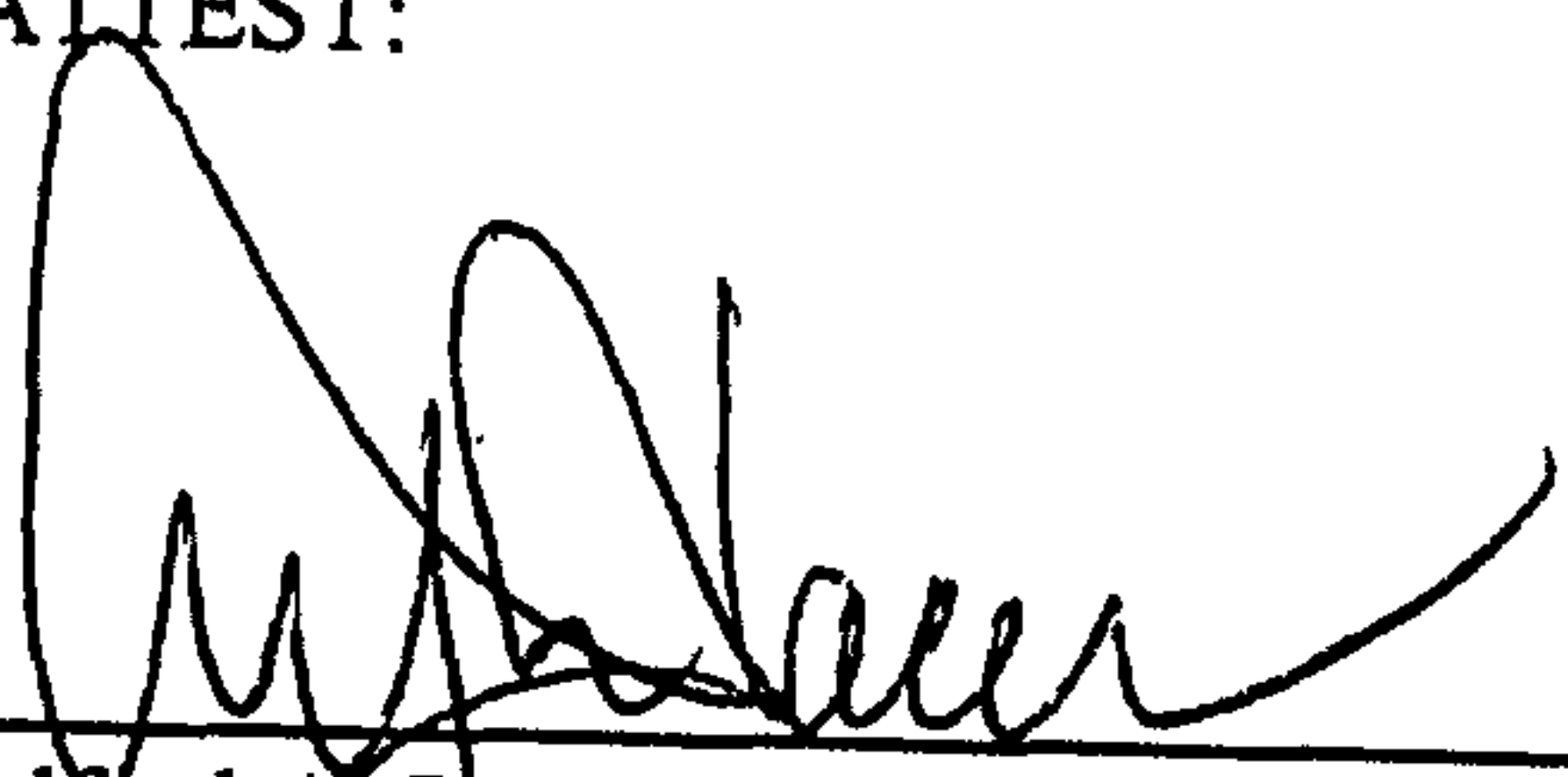
FILED
FEB 07 2002 12:03 PM

LIBERO 021 PAGE 90

SUBJECT: Declaration of Intent of
the County to Bond Finance the
Triton Metals, Inc. Project

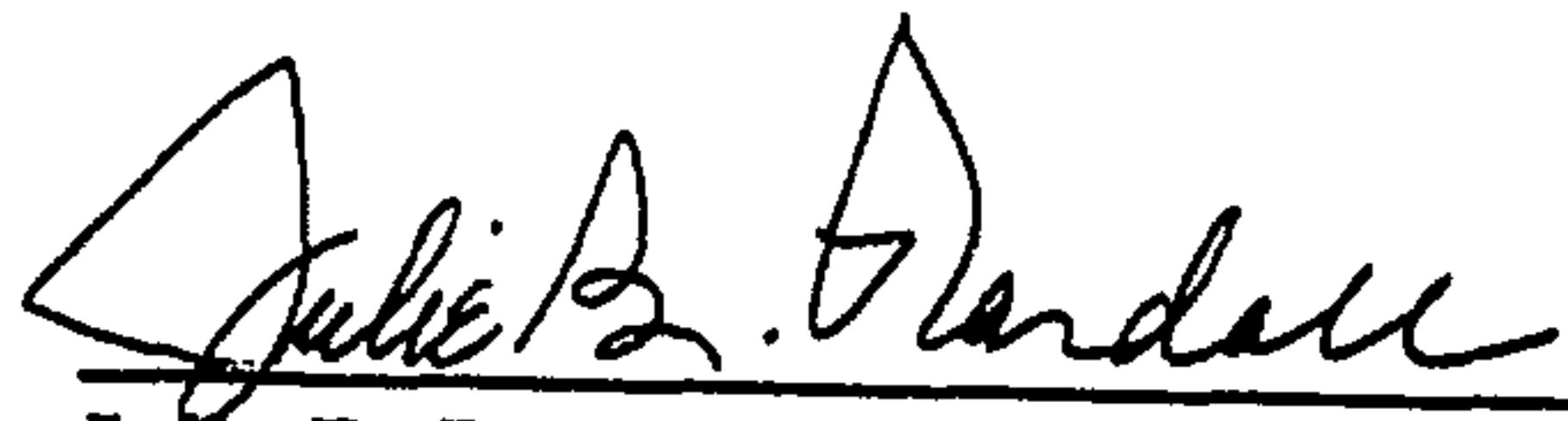
Adopted this 29th day of January, 2002.

(SEAL)
ATTEST:

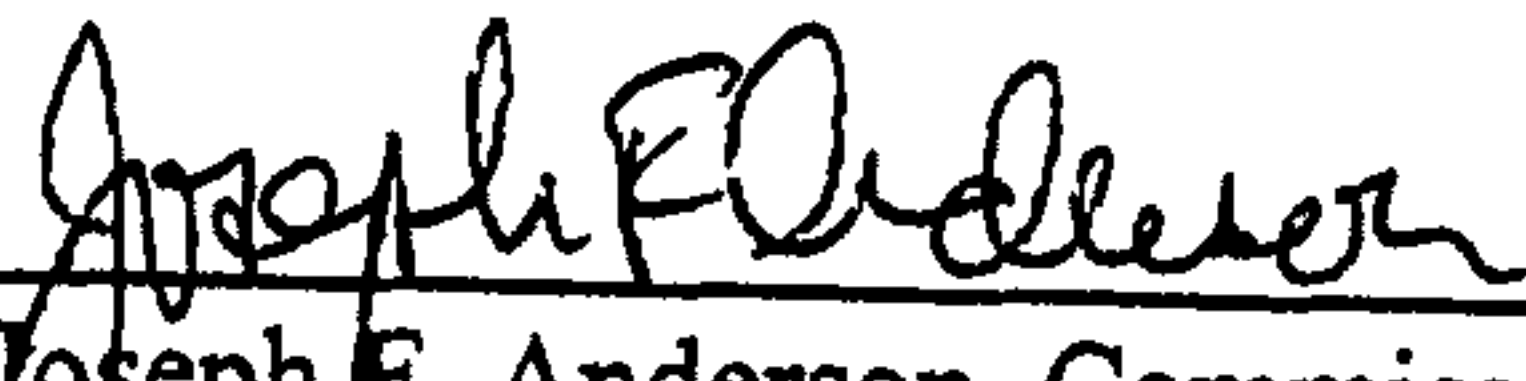


Alfred A. Lacer
County Administrator

COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY

By: 

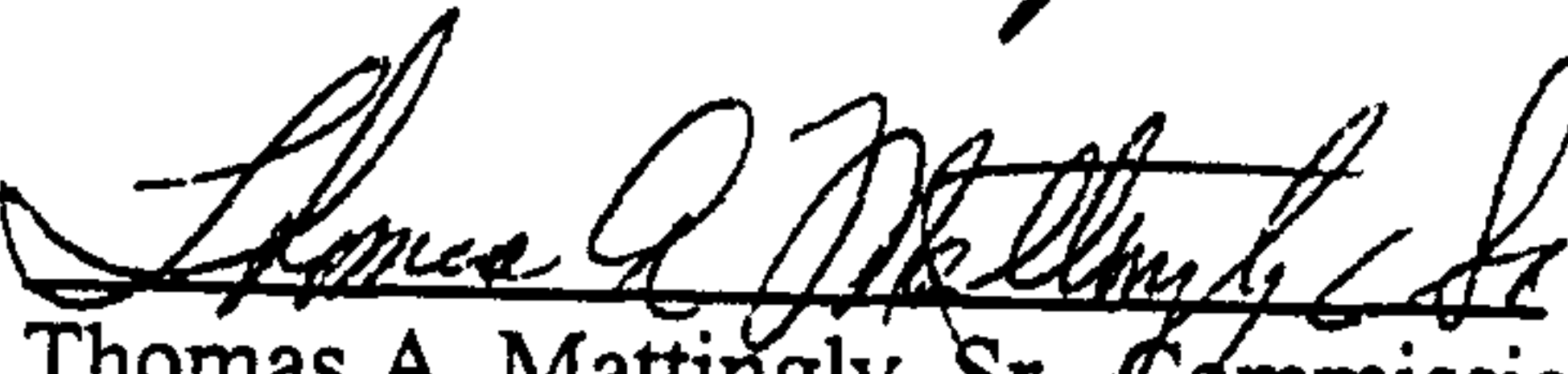
Julie B. Randall, President



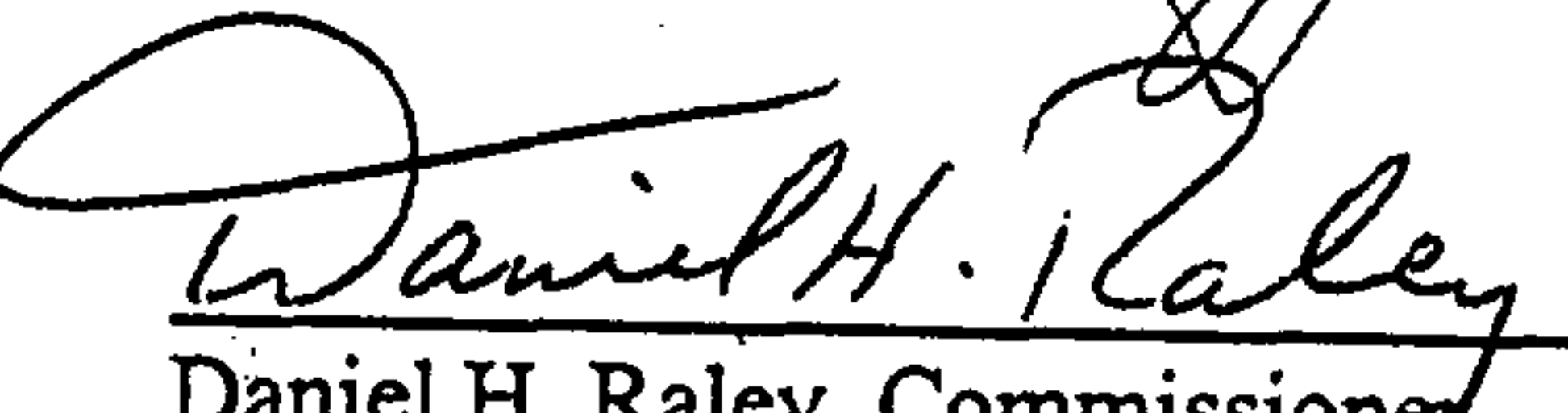
Joseph F. Anderson, Commissioner



Shelby P. Guazzo, Commissioner

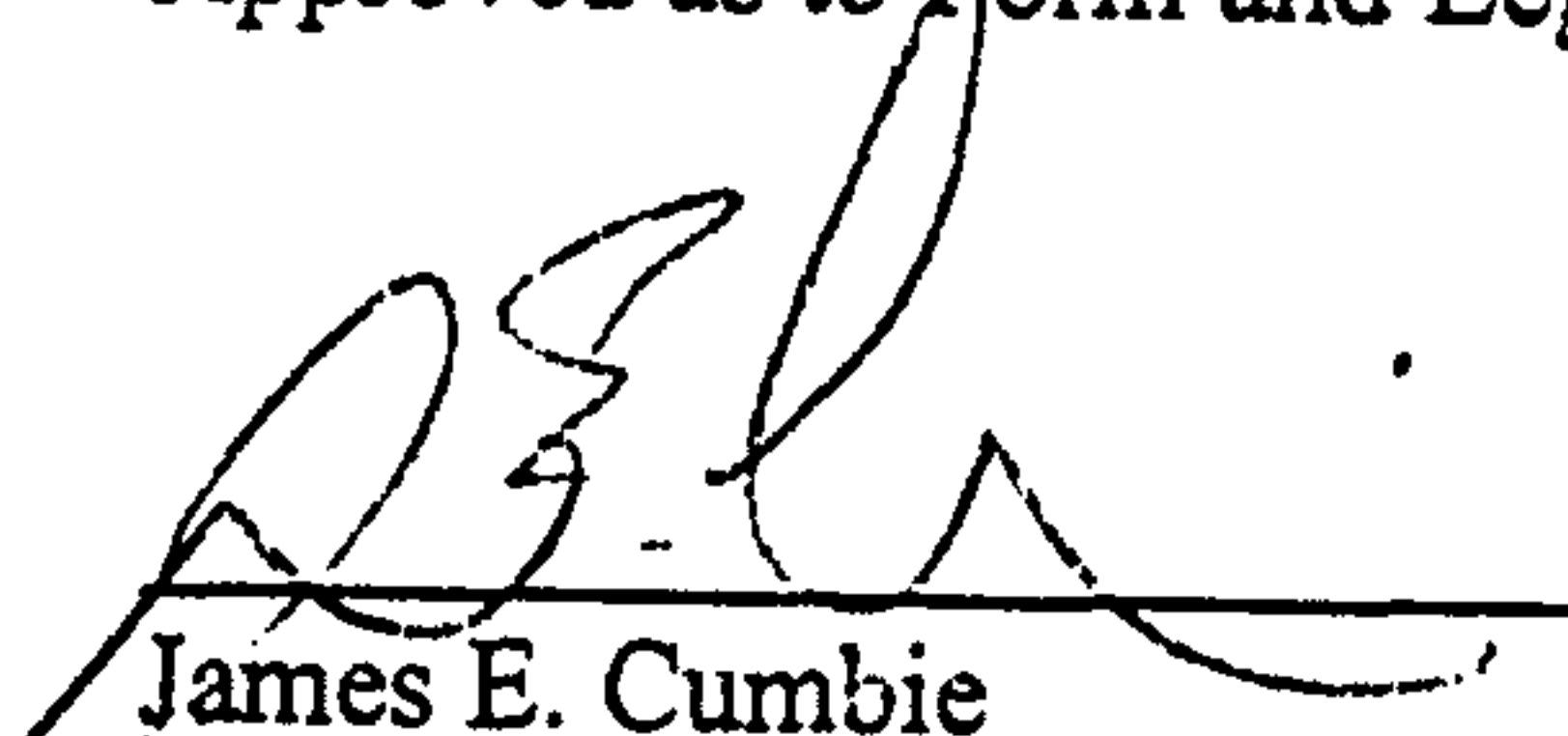


Thomas A. Mattingly, Sr., Commissioner



Daniel H. Raley, Commissioner

Approved as to Form and Legal Sufficiency:



James E. Cumbie
Bond Counsel

SUBJECT: Declaration of Intent of
the County to Bond Finance the
Triton Metals, Inc. Project

LIBERO 021 PAGE 91

EXHIBIT A
to
**A RESOLUTION DECLARING THE INTENT OF THE COUNTY TO
BOND FINANCE A CERTAIN PROJECT
(the "Project")**

Project Owner/User: Triton Metals, Inc.

Project Description: The Project will consist of (1) the acquisition of a total of approximately 13.922 acres of land known as Lots numbered 24 and 25 as shown of that certain Subdivision Record Plat entitled "Section One, St. Mary's Industrial Park" (Plat Book 12, Folio 72), and an additional parcel of 9.816 acres, more or less, Lexington Park, Sixth Election District, St. Mary's County, Maryland, improved by an approximately 51,400 square foot industrial building, (b) the completion of renovations to the interior of such building, and (c) the acquisition of furnishing, fixtures and equipment for such facilities and landscaping, roads or other rights of access, utilities and other site preparation facilities as may be necessary or suitable for the foregoing, (2) capitalized interest on the bonds during renovation, and (3) costs of issuing the Bonds.

Principal Amount of Anticipated Debt: \$3,600,000

LIBERO 021 PAGE 92

SUBJECT: AMENDMENT OF RESOLUTION 91-11 REGARDING THE COMMISSION FOR THE DISABLED

RESOLUTION

WHEREAS, by Resolution 91-11 of the Board of County Commissioners for St. Mary's County, Maryland, created the Commission for the Disabled; and

WHEREAS, there remains a need for the valuable services provided by the Commission for the Disabled, which include coordinating the services currently provided, identifying gaps in service and expanding opportunities to increase the acceptance, dignity and participation of individuals living with some form of disability; and

WHEREAS, there is a current need to update the membership of the Commission for the Disabled; and

WHEREAS, the membership of the current Commission for the Disabled have asked that a more appropriate name for the Commission be designated.

NOW, THEREFORE, the Board of County Commissioners for St. Mary's County, Maryland, hereby resolves that:

- (1) The Commission for the Disabled established under Resolution 91-11 is hereby renamed as the "Commission on People with Disabilities" all references contained in Resolution 91-11 to the Commission for the Disabled shall, henceforth, apply to, inure to the benefit of and obligate, as the case may be, the "Commission on People with Disabilities"; and
- (2) The Commission on People with Disabilities shall consist of at least fifteen (15) members, each of whom shall be appointed by the Board of County Commissioners; four (4) of whom will have a disability or are the primary caregivers for someone with a disability. The remaining members of the Commission shall include one representative from each of the following organizations: St. Mary's County Americans with Disabilities Act Coordinator, St. Mary's County Department of Social Services, St. Mary's County Department of Rehabilitation Services, Pathways Psychological Support Center, the Greenwell Foundation, St. Mary's County Center for Life Enrichment, Developmental Disabilities Administration, The ARC of Southern Maryland, St. Mary's County Department of Recreation and Parks, St. Mary's County Transportation Service, and St. Mary's County Center for L.I.F.E.; or the successors of these agencies.

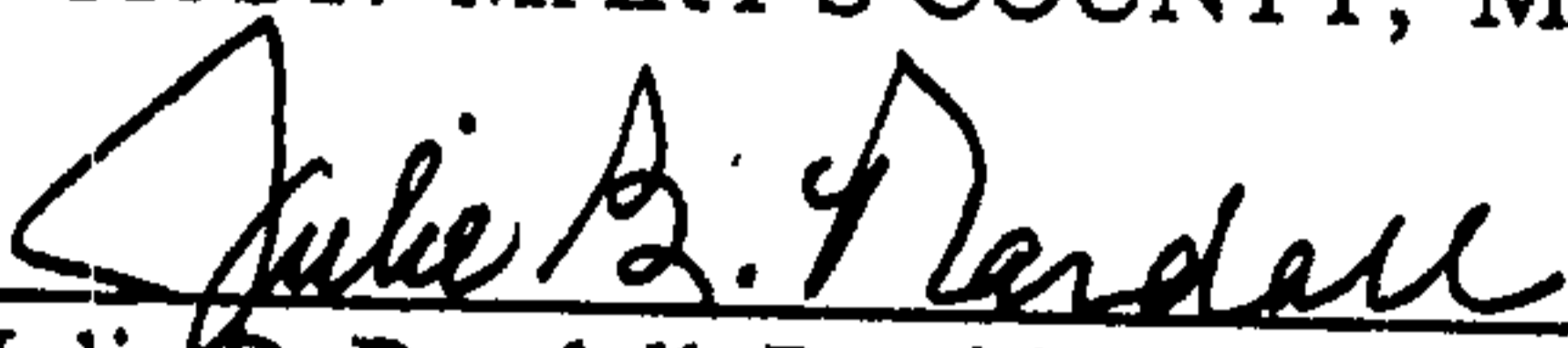
BE IT FURTHER RESOLVED that all other provisions of Resolution 91-11, shall remain in full force and effect.

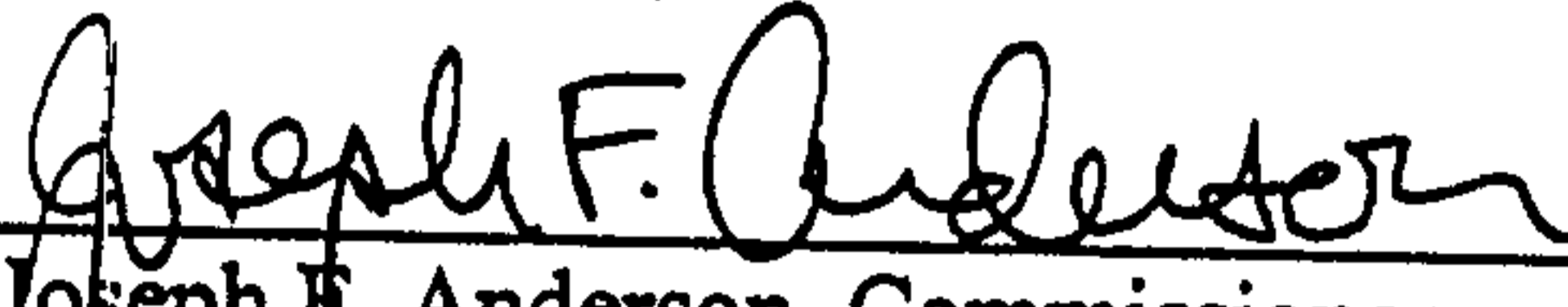
APPROVED this date: 1/29/02


EFFECTIVE this date: 1/29/02

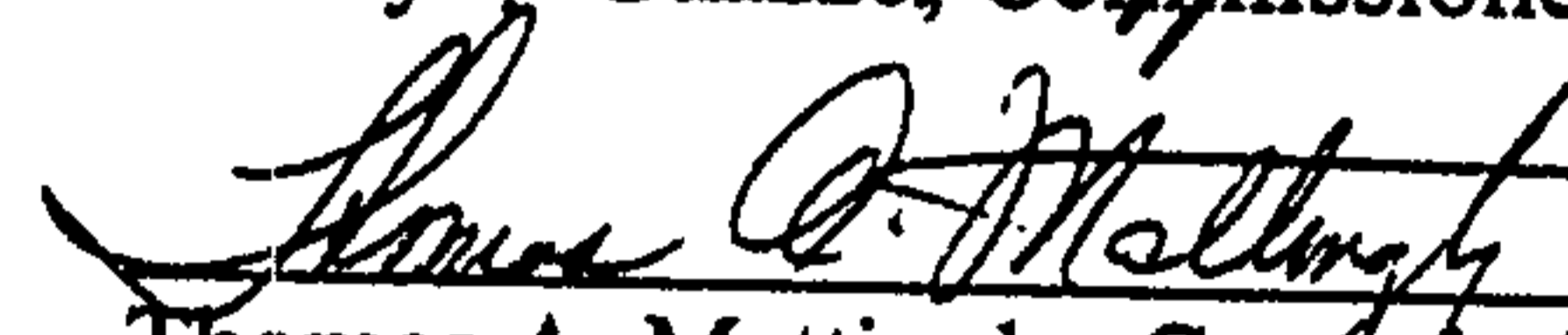
RECORDING FEE 0.00
 TOTAL 0.00
 RECEIVED REPT 1/29/02
 01:01 PM
 FEB 01 2002

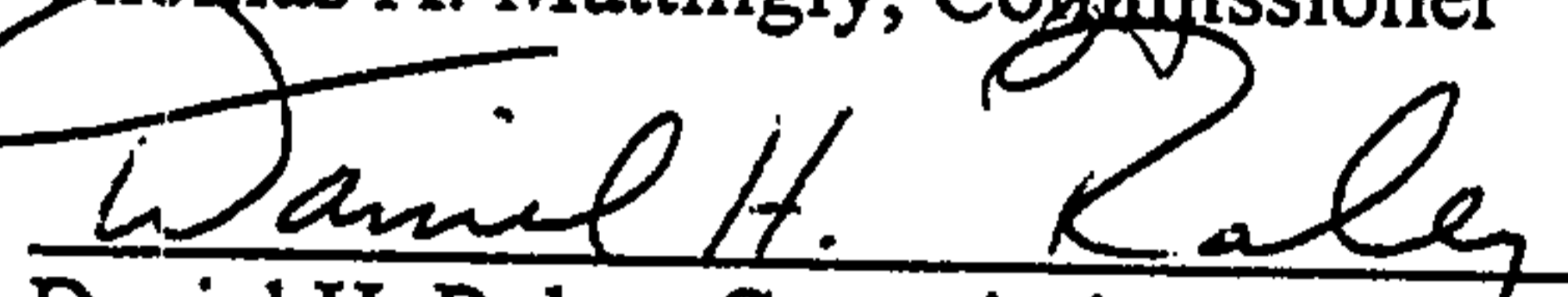
BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND


Julie B. Randall, President

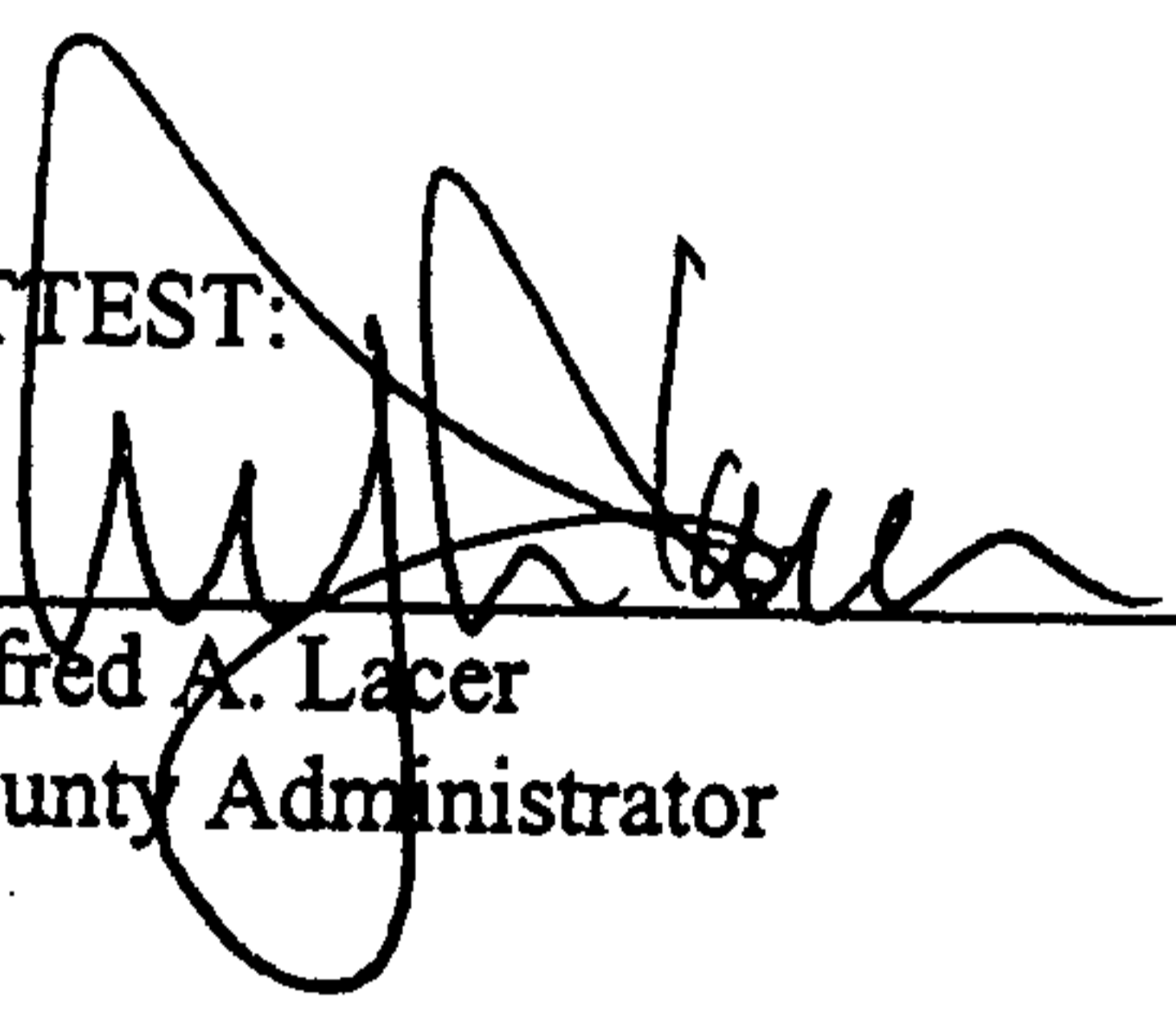

Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner



Thomas A. Mattingly, Commissioner


Daniel H. Raley, Commissioner

ATTEST:


Alfred A. Lacer
County Administrator

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


John B. Norris, III
Acting County Attorney

NO.: 02-06

LIBERO 021 PAGE 94

SUBJECT: FY 2002 Supplemental Appropriation
Office of Community Services

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2002 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 \$14,000.00 are available in Federal grant funds from Governor's Office of Crime Control and Prevention for Combating Underage Drinking, and

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, January 22, 2002 pursuant to Notice published on or about January 11, 2002 and January 18, 2002 in the Enterprise, a newspaper of general circulation in St. Mary's County.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, January 22, 2002 to present and explain the requirements to increase the Fiscal Year 2002 Budget in the amount of \$14,000.00 (Fourteen Thousand Dollars), and such increase is hereby approved this _____ day of February, 2002 by the Board of County Commissioners of St. Mary's County, Maryland.

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

Date of Adoption: 02/05/02
Effective Date: 02/05/02

BOARD OF COUNTY COMMISSIONERS
FOR 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:

Alfred A. Lacer
Alfred A. Lacer
County Administrator

Elaine M. Kramer
Elaine M. Kramer
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

John B. Norris
John B. Norris
Acting County Attorney

RECORDING FEE 0.00
TOTAL 0.00
Rest#502 Rcpt#999999
EWA KAE BIK#2285
Feb 22, 2002 09:18 am

**CERTIFICATION OF FUNDS AVAILABILITY
DIRECTOR OF FINANCE
SUPPLEMENTAL OR EMERGENCY APPROPRIATION**

Section 27-9 of the St. Mary's County Code states that the County Commissioners may make additional, supplementary or emergency appropriations during any fiscal year only if the Chief Financial Officer certifies in writing that funds are available for appropriation.

DATE: January 23, 2002
TO: Board of County Commissioners

**ORDINANCE
NUMBER:**

PURPOSE: Office of Community Services
for Combating Underage Drinking.

FUNDS CERTIFICATION:

<u>Amount</u>	<u>Source</u>
\$14,000.00	Per Notice of Grant Award from Governor's Office of Crime Control and Prevention dated 11/21/2001

LIBERO 021 PAGE 95



Elaine M. Kramer
Director of Finance

LIBERO 021 PAGE 96

NO.: 02 - 2002-11
SUBJECT: Adoption of FDR Boulevard and First Colony Boulevard

RESOLUTION

WHEREAS, pursuant to Sections 109-1 and 109-2 of Article 19 of the Code of Public Local Laws of Maryland, the County Commissioners for St. Mary's County, Maryland, is authorized to accept new subdivision streets in accordance with the applicable provisions of the County Subdivision Regulations; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised the Board of County Commissioners for St. Mary's County, Maryland, that all work has been satisfactorily completed in accordance with the County Subdivision Regulations, Public Works Agreement dated June 15, 1999, and Record Plat recorded at EWA 48, Page 28, for FDR Boulevard, County Route 31335, and First Colony Boulevard, County Route 31336.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, finding that FDR Boulevard, County Route 31335, from Station 0+22 to Station 19+90, and First Colony Boulevard, County Route 31336, Station 0+59 to Station 21+15, located in the First Colony Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 48, Page 28) meets the applicable requirements of the St. Mary's County Subdivision Ordinance (1978), as amended, and hereby accepts FDR Boulevard, County Route 31335, and First Colony Boulevard, County Route 31336, into the County's Highway Maintenance System.

Those voting aye: ALL

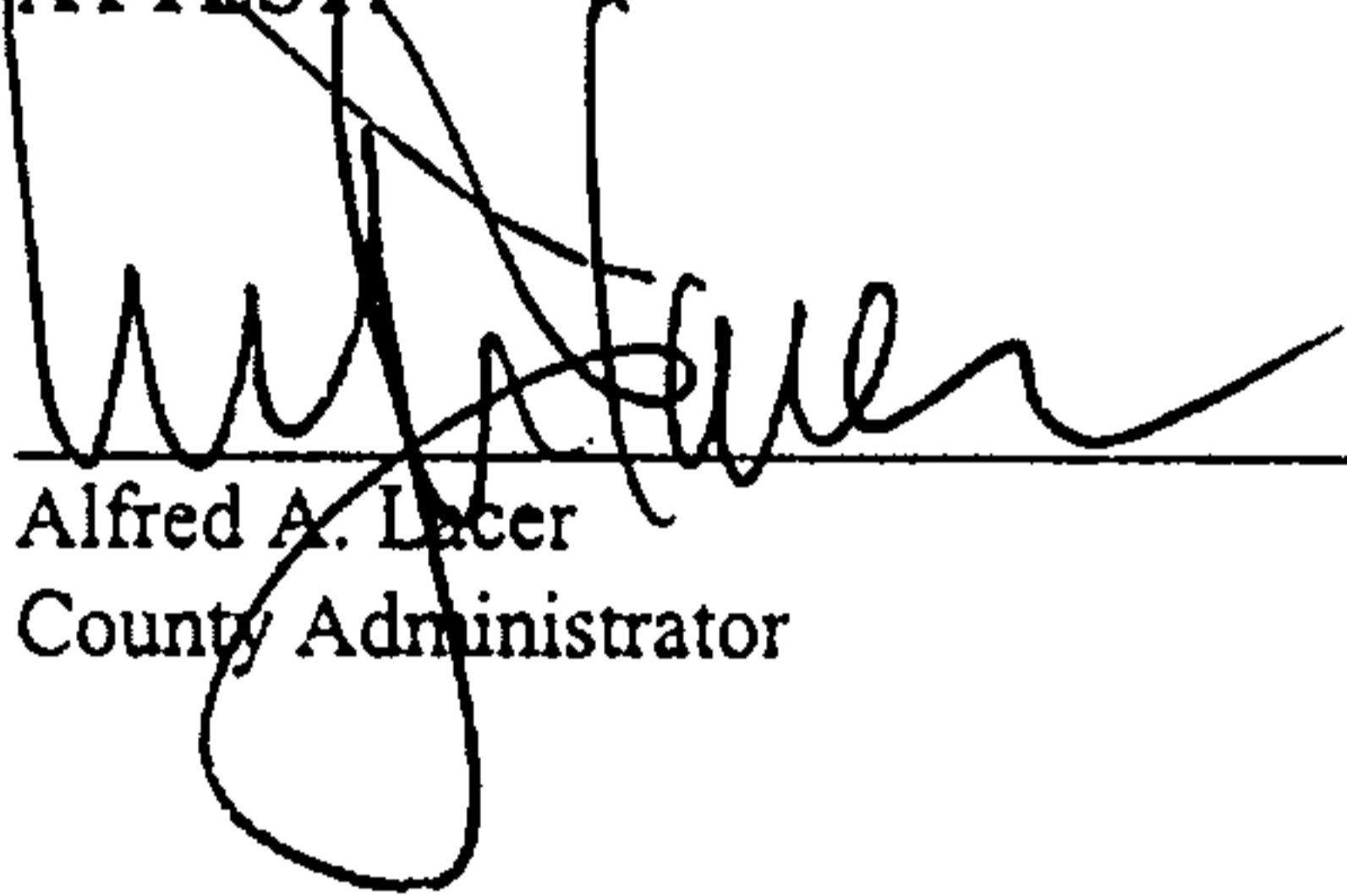
Those voting nay: _____

Those abstaining or absent: _____

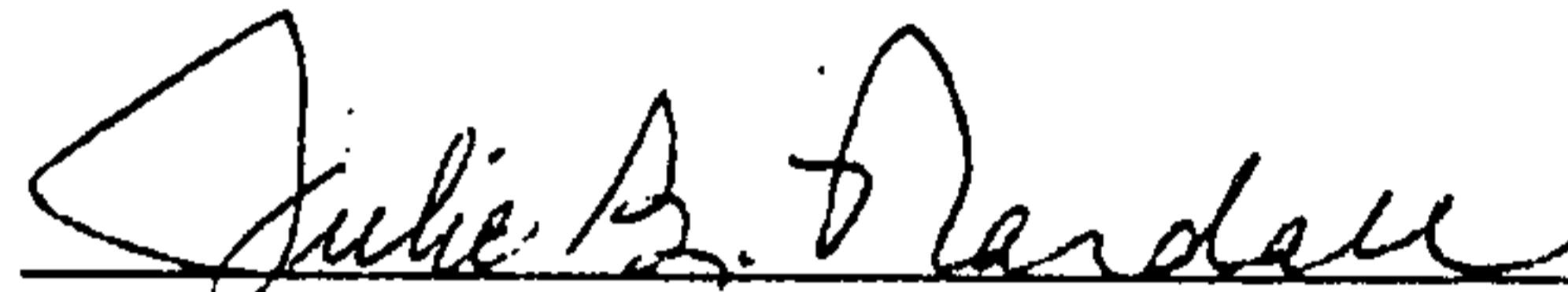
Date of Adoption: 02/19/02

Effective Date: 02/19/02

ATTEST:


Alfred A. Lacer
County Administrator

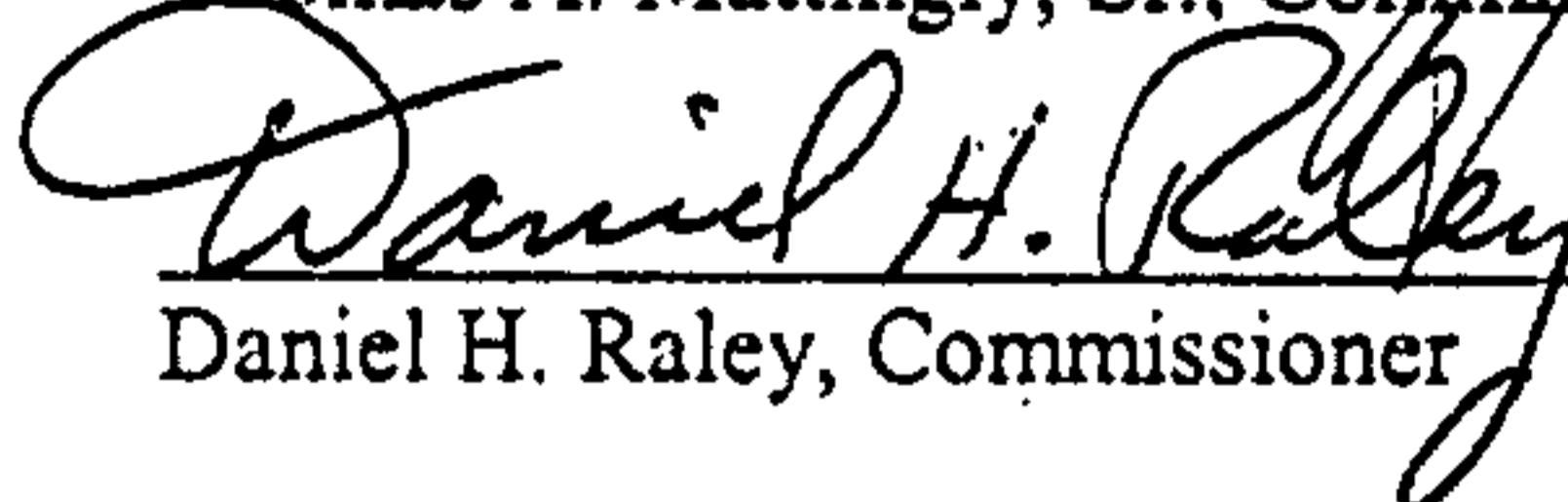
BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND


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:


John B. Norris, III
Deputy County Attorney

RECORDING FEE 0.00
TOTAL 0.00
Res#SN02 Rcpt#999999
EWA CSS 31335:2273
Feb 22, 2002 02:54 PM

NO.: 02-2002-12
SUBJECT: FDR Boulevard and First Colony Boulevard
Stop Signs
First Colony Subdivision

LIBERO 021 PAGE 097 RESOLUTION

WHEREAS, pursuant to Section 1 of Article 25 of the Maryland Annotated Code, Section 109-1 of Article 19 of the Code of Public Local Laws of Maryland, and Section 25-102 of the Transportation Article of the Maryland Annotated Code, the Board of County Commissioners for St. Mary's County, Maryland, is authorized and empowered to regulate traffic by means of a traffic control device, and to designate any intersection as a stop intersection, or yield intersection.

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the intersections of FDR Boulevard, County Route 31335, and Maryland Route 4 (St. Andrews Church Road); First Colony Boulevard, County Route 31336, and FDR Boulevard; and First Colony Boulevard, County Route 31336, and MD Route 235 (Three Notch Road) located in the First Colony Subdivision, Eight (8th) Election District, St. Mary's County, Maryland, as per Record Plat recorded at EWA 48, Page 28, as a threat to public safety and a hazardous condition due to the absence of traffic control devices at these intersections; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the Board of County Commissioners for St. Mary's County, Maryland, exercise its authority to regulate traffic at these intersections by means of traffic control devices, specifically, stop signs on FDR Boulevard, County Route 31335, at the intersection with Maryland Route 4 (St. Andrews Church Road); First Colony Boulevard, County Route 31336, at the intersection with FDR Boulevard; and First Colony Boulevard, County Route 31336, at the intersection with MD Route 235 (Three Notch Road).

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland, finds that, upon the advice of the Director of the Department of Public Works and Transportation, a hazardous condition currently exists at the intersections of FDR Boulevard, County Route 31335, at the intersection with Maryland Route 4 (St. Andrews Church Road); First Colony Boulevard, County Route 31336, at the intersection with FDR Boulevard; and First Colony Boulevard, County Route 31336, at the intersection with MD Route 235 (Three Notch Road); and that in the interest of public safety and to eliminate a hazardous condition, FDR Boulevard, County Route 31335, and First Colony Boulevard, County Route 31336, further identified as being located in the First Colony Subdivision, Eight (8th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 48, Page 28) shall be designated as Stop Streets, which is a reasonable exercise of this Board's police powers; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, directs and instructs the Director of the Department of Public Works and Transportation to erect traffic control devices, specifically stop signs, on FDR Boulevard, County Route 31335, at the intersection with Maryland Route 4 (St. Andrews Church Road); First Colony Boulevard, County Route 31336, at the intersection with FDR Boulevard; and First Colony Boulevard, County Route 31336, at the intersection with MD Route 235 (Three Notch Road).


Those voting aye: ALL
Those voting nay: _____
Those abstaining or absent: _____

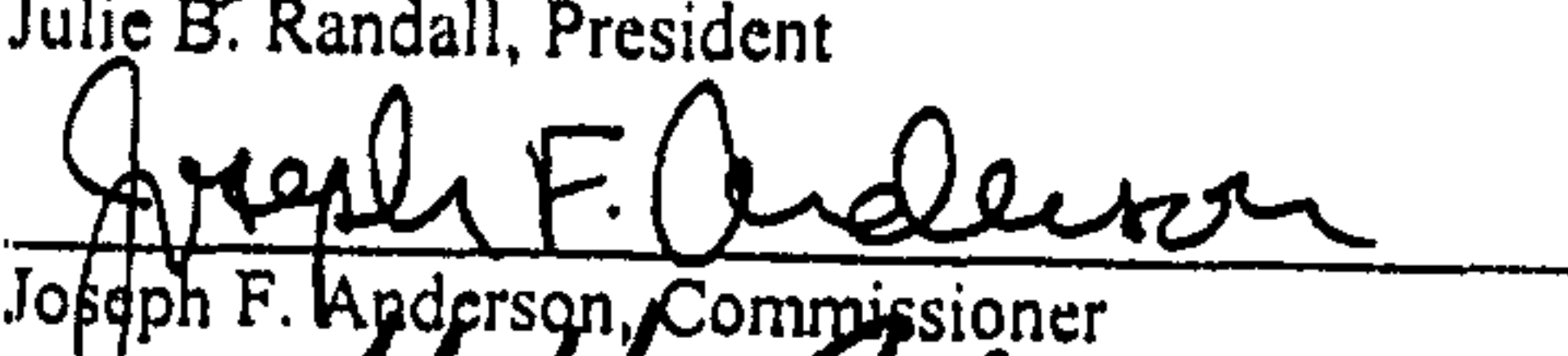
Date of Adoption: 02/19/02
Effective Date: 02/19/02

ATTEST:


Alfred A. Lacer
County Administrator

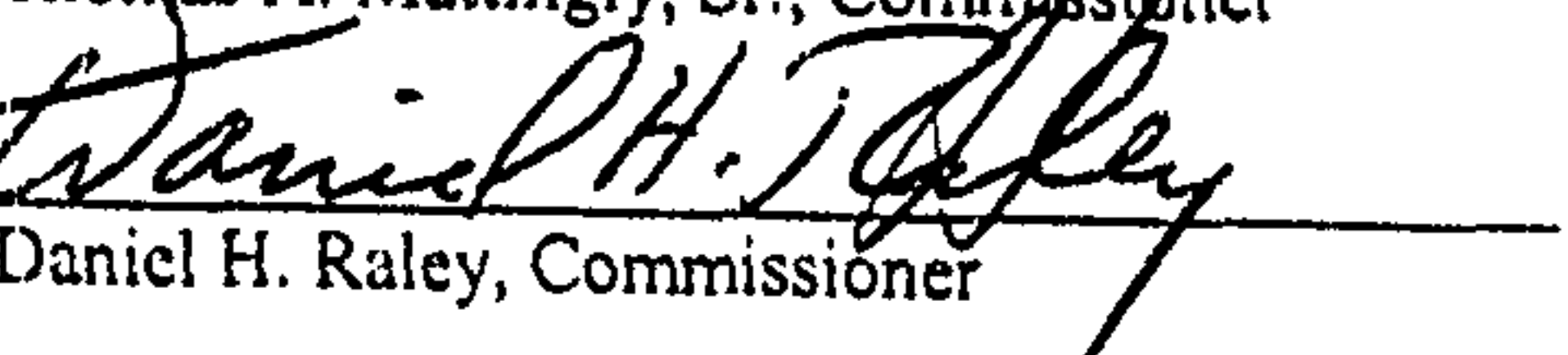
BOARD OF COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY, MARYLAND


Julie B. Randall, President


Joseph F. Anderson, Commissioner


Shelby P. Gaazze, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

RECORDING FEE 0.00
TOTAL 0.00
Res#SM02 Rcpt#999999
EWA CSS BIK#2275
Feb 22, 2002 03:04 PM

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


John B. Norris, III
Deputy County Attorney

SUBJECT: Boundary Line Agreement, Acceptance of lands from James Carroll Boyd, M.D. and Jennifer Hayden Boyd and the disposition of public land no longer needed for a public purpose to the Boyds

LIBERO 021 PAGE 98

Page 1 of 2

RESOLUTION

FOR THE PURPOSE OF resolving a disputed boundary at the Bushwood Wharf and establishing a Boundary Line by agreement.

RECORDING FEE 0.00
TOTAL 0.00
Rest#5482 Rcpt#999999
EWA NB 81k#2746
Feb 27, 2002 03:36 PM

WHEREAS, the Commissioners for St. Mary's County, Maryland operates a public landing, including a boat ramp, which provides public access to Bushwood Cove ("Bushwood Wharf"); and

WHEREAS, Bushwood Wharf is located at the end of a gravel drive near the western terminus of Md. Rte. 239 on property identified as Tax Map 38, Parcel 177; and

WHEREAS, as set forth below, James Carroll Boyd, M.D. and Jennifer Hayden Boyd (the "Boyd's") own property adjacent to County upon which the County operates Bushwood Wharf; and

WHEREAS, as set forth in part in Resolution of the Board of County Commissioners of St. Mary's County No. 86-28, dated December 9, 1986, the precise boundaries of the Bushwood Wharf property may not be clearly determined by surveys in relation to the property of the Boyds'; and

WHEREAS, in furtherance of the public health, safety and welfare, the County desires to renovate the existing Bushwood Wharf and surrounding area; and

WHEREAS, it is desirable and prudent for the County to resolve any boundary questions in the vicinity of the Bushwood Wharf prior to the renovation of the existing Bushwood Wharf and surrounding area; and

WHEREAS, in furtherance of creating an agreed mutual boundary and avoid the uncertainty of litigation, the Boyds have agreed to donate to the County their right title and interest to real property lying and being in the Seventh (7th) Election District of St. Mary's County, Maryland, containing 12,221 square feet of land, more or less, more particularly described in the Quitclaim Deed attached hereto as Exhibit A and made part hereof, and as more particularly shown as areas "A", "C" and "E", and to any and all associated riparian rights, except that the Boyds will retain their riparian rights of the Ocean Hall property associated with the southern bulkhead area in Area E, on a plat entitled "Boundary Line Adjustment Plat - Land of Board of County Commissioners of St. Mary's County and James Carroll Boyd, MD. and Jennifer Hayden Boyd," dated January 22, 2001, prepared by DH Steffens Co., (the "Boyd Property"); and

WHEREAS, in furtherance of creating an agreed mutual boundary and avoid the uncertainty of litigation, the County proposes to transfer to the Boyds all right title and interest the County may have in certain real property no longer needed by the County for a public purpose, lying and being in the Seventh (7th) Election District of St. Mary's County, Maryland, containing 1,912 square feet of land, more or less, more particularly described in the Quitclaim Deed attached hereto as Exhibit A and made part hereof, and as more particularly shown as areas "B" and "D" on a plat entitled "Boundary Line Adjustment Plat - Land of Board of County Commissioners of St. Mary's County and James Carroll Boyd, M.D. and Jennifer Hayden Boyd," dated January 22, 2001, prepared by DH Steffens Co., (the "County Property"); and

WHEREAS, pursuant to Article 24, Section 4-210 (e) and Article 25, Section 11A(a)(1)(i), 11(b)(3-1) and 136 of the Maryland Annotated Code, and Sections 109-2.A(2) and 109-2.B(3)(III) the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), the Board of County Commissioners for St. Mary's County, Maryland is authorized to acquire any property, or any interest therein, by purchase, gift, devise, bequest, condemnation or otherwise, for any public purpose, dispose of any property no longer needed

for a public purpose and open, alter and close any public road upon due notice and a public hearing; and

LIBERO 021 PAGEO 99

WHEREAS, pursuant to the foregoing authorities, notice of a Public Hearing was published in The Enterprise on January 23, 2002 and January 30, 2002, a paper of general circulation in St. Mary's County, and a public hearing was held in Room 14 of the Governmental Center on February 12, 2002 to obtain public comment and input on the acquisition of the Boyd Property from the Boyds and disposition of any right title and interest the County may have in the County Property no longer needed by the County for a public purpose to the Boyds; and

WHEREAS, in addition to the requisite notice, letters were sent, certified mail, return receipt requested, to contiguous property owners advising them of the February 12, 2002 public hearing proposing the acquisition and disposition of property; and

WHEREAS, those persons present at the public hearing who desired to be heard were heard and the meeting was electronically recorded; and

WHEREAS, upon due consideration of the public testimony and staff recommendations, the Board of County Commissioners for St. Mary's county has determined that it is in the best interests of the health, safety and welfare of the citizens of St. Mary's County to accept the transfer of the Boyd Property and convey any right title and interest of the County in the County Property to the Boyds to establish a boundary line by agreement between the contiguous properties.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland, that the Board of County Commissioners for St. Mary's County accepts the Quitclaim Deed transferring the above-described Boyd Property from the Boyds to the Board of County Commissioners for St. Mary's County described therein on terms and conditions as stated in the same.

BE IT FURTHER RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland, that the Commissioners for St. Mary's County, Maryland the above-described County Property is no longer needed for a public purpose and should be transferred by the Quitclaim Deed attached hereto as Exhibit A to the Boyds on terms and conditions as stated in the same.

Date of Adoption: 02/26/02

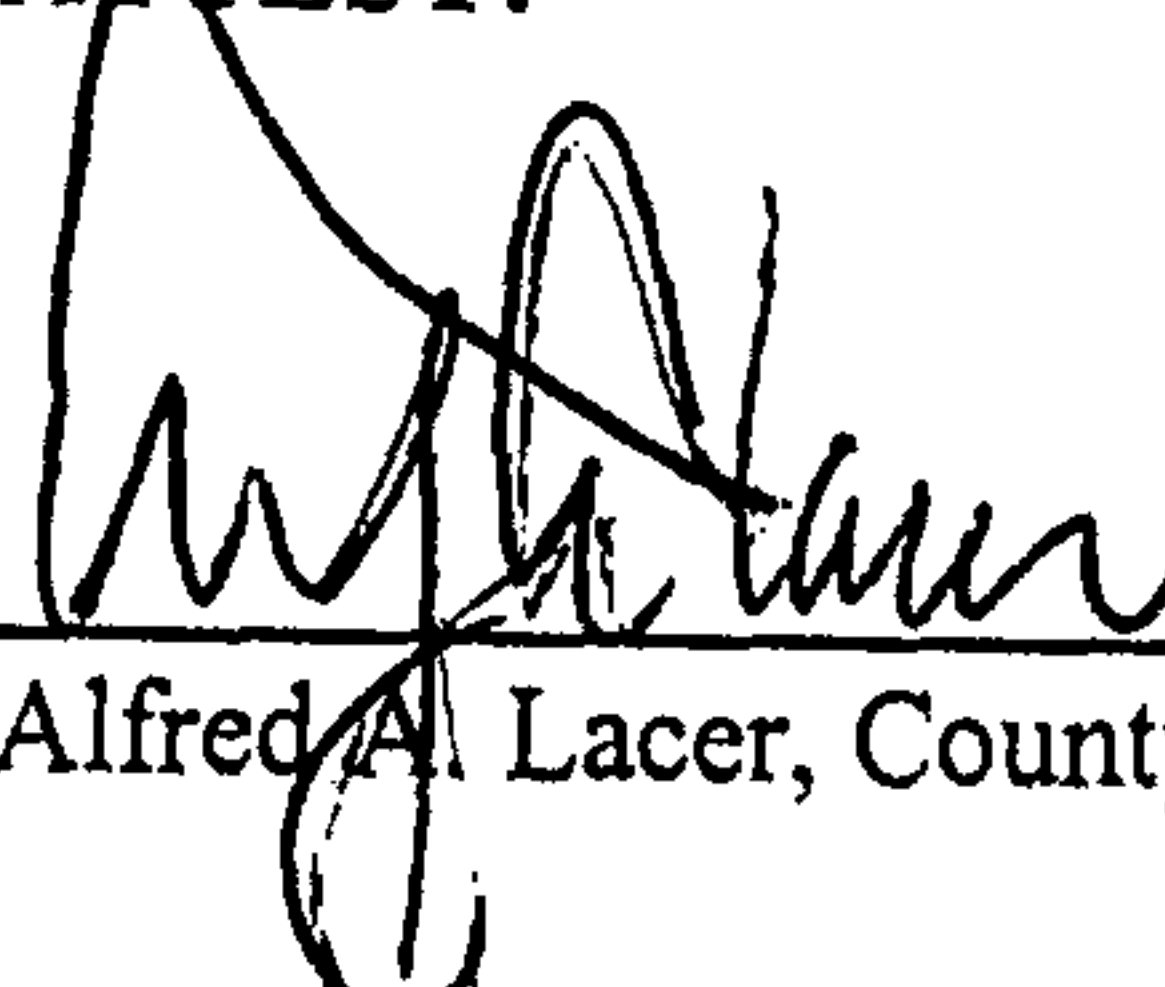
Ayes: ALL

Effective Date: 02/26/02

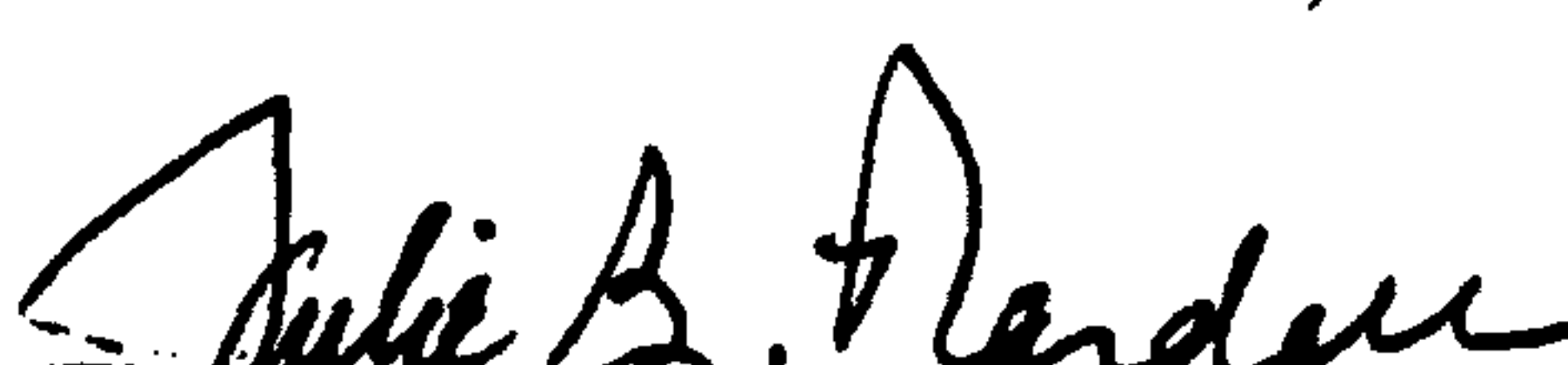
Nays: _____

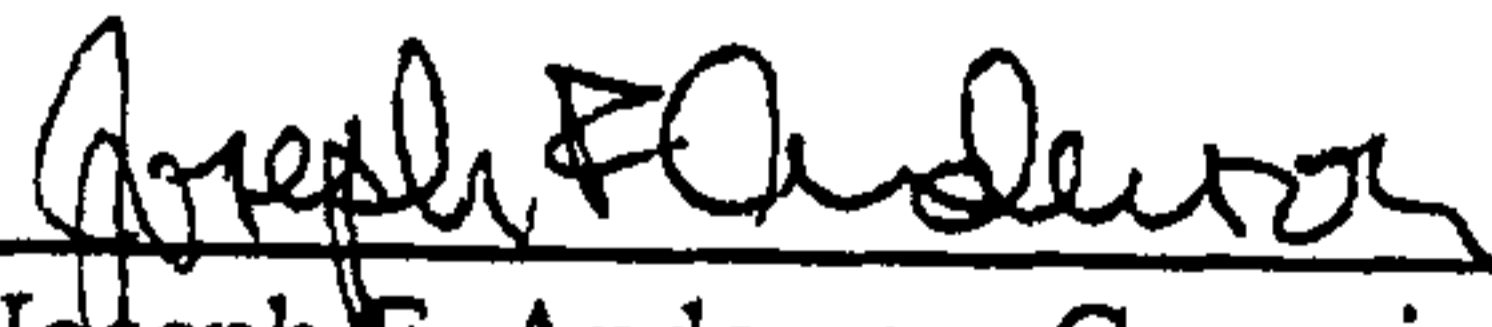
Abstain: _____

ATTEST:



Alfred A. Lacer, 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:**


John B. Norris, III,
Acting County Attorney

Account No.
Fee Simple Deed - CODE - City or County

QUITCLAIM DEED LIBERO 021 PAGE 100

THIS QUITCLAIM DEED is made this 21st day of February, 2002, by and between JAMES CARROLL BOYD, M.D. and JENNIFER HAYDEN BOYD, his wife, the Parties of the First Part, and THE BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND, the Party of the Second Part.

Witnesseth, that the Parties of the First Part own property adjacent to the Party of the Second Part upon which the Party of the Second Part operates a public landing facility and recreation area known as Bushwood Wharf.

Witnesseth, that the precise location of the common boundary between the Parties of the First Part and Party of the Second Part may not be clearly determined by survey and the parties hereto have entered into a Memorandum of Agreement dated February 26, 2002, attached as Exhibit C hereto; and

Witnesseth, that the Parties of the First Part wish to convey their right title and interest to real property lying and being in the Seventh (7th) Election District of St. Mary's County, Maryland, containing 12,221 square feet of land, more or less, more particularly described in Exhibit A hereto and made part hereof, and as more particularly shown as areas "A", "C" and "E", and to any and all associated riparian rights, except that the Parties of the First Part will retain their riparian rights of the Ocean Hall property associated with the southern bulkhead area in Area E, on a plat entitled "Boundary Line Adjustment Plat - Land of Board of County Commissioners of St. Mary's County and James Carroll Boyd, MD. and Jennifer Hayden Boyd," dated January 22, 2001, prepared by DH Steffens Co., recorded among the Plat Records of St. Mary's County, Maryland at Liber ____, folio ____ and made part hereof, (the "Boyd Property"), to the Party of the Second Part to establish a common boundary by agreement.

Witnesseth, that in accordance with the Maryland Annotated Code, Article 25, Sections 3(r), 11A(b)(3-1) and 136, and the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Sections 109-2.A(2) and 109-2.B(3)(III), the Board of County Commissioners for St.



LIBERO 021 PAGE 01

Mary's County, Maryland conducted a public hearing on February 12, 2002 to obtain public comment and input on the disposition of any right title and interest the County may have in certain real property no longer needed by the County for a public purpose, lying and being in the Seventh (7th) Election District of St. Mary's County, Maryland, containing 1,912 square feet of land, more or less, more particularly described in Exhibit B hereto and made part hereof, and as more particularly shown as areas "B" and "D" on a plat entitled "Boundary Line Adjustment Plat - Land of Board of County Commissioners of St. Mary's County and James Carroll Boyd, M.D. and Jennifer Hayden Boyd," dated January 22, 2001, prepared by DH Steffens Co., recorded among the Plat Records of St. Mary's County, Maryland at Liber ____, folio ____ and made part hereof, (the "County Property"); and

Witnesseth, that the Party of the Second Part, pursuant to its authority and after public input and serious consideration of input from staff and the public, determined that it is in the County's best interest to quit claim any right title and interest in the County Property to the Parties of the First Part, to establish a common boundary by agreement and, therefore, adopted Resolution 02-____; and

Witnesseth, that the Parties of the First Part and Party of the Second Part have mutually agreed to establish the boundary line between their respective properties and execute this Quit Claim Deed to establish that common boundary.

NOW, THEREFORE, THIS DEED WITNESSETH: That in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties of the First Part does hereby grant, convey and QUIT CLAIM unto the Party of the Second Part, its successors and assigns, all right, title and interest of the Parties of the First Part, in and to the Boyd Property, as described herein and set forth above.

NOW, THEREFORE, THIS DEED FURTHER WITNESSETH: That in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Party of the Second Part does hereby grant, convey and QUIT CLAIM unto the Parties of The First Part, their successors and assigns, all right, title and interest of the Party of the Second Part, in and to all of the County Property, as described herein and set forth above.

LIBER 0021 PAGE 02

SUBJECT TO and excepting from the operation and effect of this deed any and all rights and reservations that may have been granted or received by former owners of the properties subject of this deed or their predecessors in title and/or covenants or restrictions which may have been established with respect to said land by such former owners or their predecessors in title.

SUBJECT TO covenants, restrictions, rights of ways, easements and other conditions contained in deeds and instruments forming the chain of title to the properties subject of this deed.

SUBJECT TO and excepting from the operation and effect of this deed any and all existing rights not held or used by any public utility or public utilities across or adjacent to the land herein conveyed.

TOGETHER with the buildings and improvements thereon, and the rights, roads, ways, waters, privileges and appurtenances thereunto belonging or in anywise appertaining thereto.

TO HAVE AND TO HOLD the land and premises, hereinbefore described and mentioned, to the extent of the grantor's(s') right, title and interest thereto, unto the grantee(s), its(their) successors and assigns, forever.

SUBJECT, HOWEVER, to each and every reservation, restriction, condition, covenant and control set forth in this instrument of writing.

IN TESTIMONY WHEREOF, Witness the hand and seal of the parties hereto:

ATTEST:

Joyce K. Malore

ATTEST:

Joyce K. Malore

James Carroll Boyd (SEAL)
JAMES CARROLL BOYD, M.D.

Jennifer Hayden Boyd (SEAL)
JENNIFER HAYDEN BOYD

ATTEST:

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

LIBERO 021 PAGE 03

ALFRED A. LACER
County Administrator

By: _____ (SEAL)
JULIE B. RANDALL, President

STATE OF MARYLAND, St. Mary's County, to wit:

I HEREBY CERTIFY that on this 12th day of February, 2002 before the undersigned, a Notary Public of the State and County aforesaid, personally appeared James Carroll Boyd, M.D. and Jennifer Hayden Boyd, and they acknowledged the foregoing Quitclaim Deed to be their voluntary act and deed.

WITNESS my hand and notarial seal.

Joyce R. Malone
NOTARY PUBLIC
My commission expires: 01/01/06

STATE OF MARYLAND, St. Mary's County, to wit:

I HEREBY CERTIFY that on this 26th day of February, 2002, before the undersigned, a Notary Public of the state and county aforesaid, personally appeared JULIE B. RANDALL, President of the Board of County Commissioners for St. Mary's County, Maryland, and she acknowledged the foregoing Quitclaim Deed to be the duly authorized act and deed of the Board of County Commissioners for St. Mary's County, Maryland.

WITNESS my hand and notarial seal.

Judith C. Spalding
NOTARY PUBLIC
My Commission Expires 03/01/03

ACCEPTANCE BY COUNTY

In compliance with the provisions of Article 25, §11A(a)(1)(i) of the Annotated Code of Maryland, this Quitclaim Deed is in the form approved by John B. Norris, III, Acting County Attorney for St. Mary's County, Maryland, and is accepted by Julie B. Randall, President of the Board of County Commissioners of St. Mary's County, Maryland, on behalf of said County, the said Julie B. Randall having been authorized to so act on behalf of said County by a motion or resolution duly adopted by the Board of County Commissioners of St. Mary's County, Maryland at the meeting held on February 26, 2002, which approval and acceptance is evidenced by the execution of this conveyance by Julie B. Randall, President of the Board of County Commissioners of St. Mary's County, Maryland, and the said John B. Norris, III, Acting County Attorney.

ATTEST:

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

ALFRED A. LACER
County Administrator


By: _____ (SEAL)
JULIE B. RANDALL, President

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

John B. Norris, III
Acting County Attorney

LIBERO 0 2 1 PAGE 1 0 4

This is to certify that the within instrument was prepared by the undersigned attorney, duly admitted to practice before Court of Appeals of Maryland, or by an employee of such attorney, or a party to this instrument.



John B. Norris, III
Acting County Attorney

Mail Recorded Deed to: Board of County Commissioners for St. Mary's County, Maryland
Attn: Phillip Rollins, Director
Department of Recreation & Parks
P.O. Box 653
23115 Leonard Hall Drive
Leonardtwn, MD 20650
(301) 475-4576

X:\VIR\New\Park\Deed.Hoyd.doc

Legal Descriptions for Quit Claim of Area "A", Area "C" and Area "E"**To: Board of County Commissioners of St. Mary's County, Maryland****From: James Carroll Boyd, M.D. and Jennifer Hayden Boyd****Area "A"**

Being a part of James Carroll Boyd, M.D. and Jennifer Hayden Boyd's land as conveyed by deeds MRB 040/221, MRB 241/156 and EWA 841/273 and being a part of the Board of County Commissioners of St. Mary's County's land as conveyed by deeds CBG 024/303 and MRB 513/061

BEGINNING for the same at an iron pipe found (IPF) marking the point of beginning (POB) of the 1st course in the legal description of the following deeds: MRB 040/221, MRB 241/156 and EWA 841/273 - Schedule A as conveyed unto James Carroll Boyd, M.D. and Jennifer Hayden Boyd, said IPF being fixed on the 4th course of deed 024/303 as conveyed to the Board of County Commissioners of St. Mary's County and furthermore said IPF being fixed on the southern right of way (R/W) of MD. Rte. 239 and said R/W being on a curve to the left; thence running with a common and coincidental line and with the aforementioned deeds and the line of agreement with R/W having a radius length of 596.99 feet, an arc length of 21.13 feet, a delta angle of 02 degrees 01 minutes 41 seconds, a tangent length of 10.57 feet and a chord bearing and distance respectively of South 63 degrees 04 minutes 52 seconds East - 21.13 feet to an iron rod set with a cap stamped "Prop Mark Corp. #49" (IRS) on said R/W line, said IRS marks a common and coincidental corner with Area "A", Area "B" and the line of agreement; thence leaving said R/W line and the said 1st course and the 4th course of the said aforementioned deeds and running generally with a fence and with the line of agreement which is a common and coincidental line with Area "A" and Area "B"

South 84 degrees 48 minutes 45 seconds West - 19.13 feet to an IRS marking a common and coincidental corner with Area "A", Area "B" and Area "D." and said IRS being fixed on the 1st course of the said aforementioned deed CBG 024/303; thence leaving Area "B" and said 1st course and continuing to run a common and coincidental line with the line of agreement and Area "A", Area "D" and generally with said fence

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Fax: (301) 862-2350

Internet: www.dhsteffens.com
Email: dhsteffensco@dhsteffens.com

South 75 degrees 08 minutes 31 seconds West – 6.51 feet to a point fixed on the 33rd course of the aforementioned deeds MRB 233/213 and MRB 241/154 and the 2nd course of deed MRB 513/061, said lines are common and coincidental each with the other and furthermore said point marks the common and coincidental corner with Area "A" being described, Area "C" and Area "D"; thence leaving Area "D" and said fence and running a common and coincidental line for a ways, but reversely with the said 33rd course of deeds MRB 233/213 and MRB 241/154, but running in the same direction for a ways with said 2nd course of deed MRB 513/061

North 81 degrees 38 minutes 00 seconds West – 15.96 feet to a point fixed on the 16th course of deeds MRB 040/221, MRB 241/156 and EWA 841/273 and furthermore said point marks the common and coincidental corner of said Area "A", Area "C" and Area "E"; thence leaving said Area "C" and Area "E" and the said 2nd course of said deed MRB 513/061 and running a common and coincidental line with the 16th course of said deeds to the end

North 64 degrees 29 minutes 11 seconds – 24.71 feet to the point of beginning and containing (251) square feet as surveyed by the D. H. Steffens Company and futhermore as shown on a plat titled "A Boundary Adjustment Plat – Land of Board of County Commissioners of St. Mary's County and James Carroll Boyd, M.D. and Jennifer Hayden Boyd" last revision date 10/31/01. This plat is to be recorded in the Land Records of St. Mary's County, Maryland

Area "C"

Being a part of James Carroll Boyd, M.D. and Jennifer Hayden Boyd's land as conveyed by deeds MRB 040/221, MRB 233/213, MRB 241/154, MRB 241/156 and EWA 841/273 and being a part of the Board of County Commissioners of St. Mary's County's land as conveyed by deed CBG 024/303.

BEGINNING for the same at a point marking the common and coincidental corner of Area "C", being described, Area "A" and Area "D" and said point being fixed in a fence and on the 33rd course of deeds MRB 233/213 and MRB 241/154 and the 2nd course of deed MRB 513/061, said lines are common and coincidental each with the other; thence leaving Area "A" and the 33rd course of said deed and 2nd course of said deed as aforementioned and running a common and coincidental line with the line of agreement, Area "A", Area "D" and generally with a fence line

South 75 degrees 08 minutes 31 seconds West – 33.84 feet to an iron rod set with a cap stamped "Prop Mark Corp. #49" (IRS); thence continuing to run a common and coincidental line with the line of agreement, Area "C", Area "D" and said fence

South 68 degrees 44 minutes 39 seconds West - 35.55 feet to a point fixed on said line of agreement and in said fence and said point being fixed on the 16th course of deeds MRB 040/221, MRB 241/156 and EBA 841/273- Schedule A and furthermore said point marks a common and coincidental corner with Area "E"; thence leaving Area "D" and the line of agreement and running a common and coincidental line with Area "C", Area "E" and with the aforementioned 16th course in said deeds

North 64 degrees 29 minutes 11 seconds East - 55.47 feet to a point fixed on the aforementioned 33rd course of deeds MRB 233/213 and MRB 241/154 and the 2nd course of deed MRB 513/061 and said point marking the common and coincidental corner of Area "C", Area "E" and Area "A"; thence running a common and coincidental line for a ways with the aforementioned 33rd course of said deed and running reversely with the 2nd course of said deed

South 81 degrees 38 minutes 00 seconds East - 15.96 feet to the point of beginning and containing (180) square feet as surveyed by the D. H. Steffens Company and futhermore is shown on a plat titled "A Boundary Adjustment Plat - Land of Board of County Commissioners of St. Mary's County and James Carroll Boyd, M.D. and Jennifer Hayden Boyd" last revision date 10/31/01. This plat is to be recorded in the Land Records of St. Mary's County, Maryland

Area "E"

Being a part of James Carroll Boyd, M.D.'s land as conveyed by deeds MRB 233/213 and MRB 241/154 and being a part of the Board of County Commissioners of St. Mary's County's land as conveyed by deeds CBG 024/303 and MRF 141/018

BEGINNING for the same at an iron rod set with a cap stamped "Prop Mark Corp. #49" (IRS), said IRS marks a common and coincidental corner at the beginning point of the 33rd course and distance of deeds MRB 233/213 and MRB 241/154 and the end point of the 2nd course and distance of deed MRB 513/061, said lines are common and coincidental each with the other and said point marks a corner of Area "E", being described; thence running a common and coincidental line with the said 33rd course for a ways and reversely with the 2nd course, according to their said respective deed, and with the boundary of Area "E", being described

South 81 degrees 38 minutes 00 seconds East - 71.75 feet to a point fixed on the 33rd and 2nd courses of the respective deeds, and said point being fixed on the 16th course of deeds MRB 040/221, MRB 241/156 and EBA 841/273- Schedule A and furthermore said point marks the common and coincidental corner of Area "E", Area "A" and Area "C"; thence leaving said 33rd and 2nd courses of the respective deeds and Area "A", and running a common and coincidental line reversely for a ways with the 16th course of said deed courses, and with the common and coincidental line of Area "E" and Area "C"

LIBERO 021 PAGE 03

South 64 degrees 29 minutes 11 seconds West – 55.47 feet to a point fixed on the line of agreement and a fence line and said point marks a common and coincidental corner with Area "D"; thence leaving Area "C" and the 16th course of said aforementioned deed and running a common and coincidental line with Area "E" and Area "D" and with the line of agreement for the next three (3) courses and distances and with said fence for one (1) course and distance

South 68 degrees 44 minutes 39 seconds West – 69.23 feet to an IRS at or near the end of said fence; thence continuing a common and coincidental line with said Area "E", Area "D" and the line of agreement the following two (2) courses and distances

South 65 degrees 05 minutes 43 seconds West – 88.74 feet to an IRS; thence continuing with the same

South 53 degrees 36 minutes 05 seconds West – 29.78 feet to a point fixed marking the last common and coincidental corner with Area "E" and Area "D" and said point fixed on the 1st course of deed CBG 024/303 and furthermore said point being near the beginning of a bulkhead; thence leaving Area "D" and said 1st course of deed CBG 024/303 and continuing to run a common and coincidental line for the line of agreement and generally with said bulkhead

South 25 degrees 48 minutes 08 seconds West – 19.53 feet to a point fixed near said bulkhead and said point furthermore marks a common and coincidental corner of Area "E" and the beginning point of the 28th course and distance of the aforementioned deeds MRB 233/213 and MRB 241/154; thence continuing to run generally with said bulkhead and with a common and coincidental line for the line of agreement and with said 28th, 29th, 30th, 31st, and 32nd courses and distances of the aforementioned deeds MRB 233/213 and MRB 241/154

South 79 degrees 23 minutes 38 seconds West – 38.59 feet to a point fixed near said bulkhead and at the beginning of said 29th course and distance as aforementioned; thence continuing generally with said bulkhead and with a common and coincidental line with the 29th course and distance for the line of agreement

North 69 degrees 52 minutes 05 seconds West – 23.50 feet to a point fixed near said bulkhead and at the beginning point of the aforementioned 30th course and distance of said deed; thence leaving said bulkhead, but continuing a common and coincidental line with the said 30th course and distance for the line of agreement as it crosses the existing County Wharf

North 00 degrees 02 minutes 38 seconds East – 16.04 feet to a point fixed at the beginning point of the aforementioned 31st course and distance of said deeds; thence continuing a common and coincidental line with the said 31st course and distance for the line of agreement

North 19 degrees 28 minutes 03 seconds West – 20.44 feet to a point fixed at the beginning point of the aforementioned 32nd course and distance of said deeds; thence continuing a common and coincidental line with said 32nd course and distance for the line of agreement

North 66 degrees 47 minutes 36 seconds East – 243.00 feet to the point of beginning, at 6.31 feet along this line crossing over the 4th course of deed MRF 141/018 and at 81.31 feet crossing over the 2nd course of said deed, and containing (11,790) square feet as surveyed by the D. H. Steffens Company and furthermore as shown on a plat titled "A Boundary Adjustment Plat – Land of Board of County Commissioners of St. Mary's County and James Carroll Boyd, M.D. and Jennifer Hayden Boyd" last revision date 10/31/01. This plat is to be recorded in the Land Records of St. Mary's County, Maryland



Herbert N. Redmond, Jr.
Herbert N. Redmond, Jr.
Reg. MD Land Surveyor No. 10,665

LIBERO 021 PAGE 1 09

Legal Descriptions for Quit Claim of Area "B" and Area "D"**To: Board of County Commissioners of St. Mary's County, Maryland****From: James Carroll Boyd, M.D. and Jennifer Hayden Boyd****Area "B"**

Being a part of the Board of County Commissioners of St. Mary's County's land as conveyed by deed MRB 513/061 and being a part of James Carroll Boyd, M.D. and Jennifer Hayden Boyd's land as conveyed by deeds MRB 040/221, MRB 241/156 and EWA 841/273

BEGINNING for the same at an iron rod set with a cap stamped "Prop Mark Corp. #49" (IRS) marking the common and coincidental corner of Area "B", being described, and Area "A", said IRS also marks a point on the line of agreement and furthermore said point is fixed on the southern right of way (R/W) of MD. Rte. 239 with a curve to the left; thence leaving Area "A" and running with a common and coincidental line and with the aforementioned R/W having a radius length of 596.99 feet, an arc length of 25.07 feet, a delta angle of 02 degrees 24 minutes 22 seconds, a tangent length of 12.54 feet and a chord bearing and distance respectively of South 65 degrees 17 minutes 54 seconds East - 25.07 feet to a point fixed on said R/W line and marking a common and coincidental corner with Area "B", said R/W line and fixed on the 2nd course of deed MRB 513/061; thence leaving said R/W/ line and running in the same direction for a ways with said 2nd course of deed MRB 513/061

North 81 degrees 38 minutes 00 seconds West - 46.83 feet to a common and coincidental point fixed on the 2nd course of the aforementioned deed MRB 513/061 and on the 1st course of deed CBG 024/303 and on the common and coincidental line with Area "D"; thence leaving the 2nd course of the aforementioned deed and running with a common and coincidental line with Area "B", Area "D" and running reversely for a ways with the 1st course of the aforementioned deed

North 66 degrees 47 minutes 36 seconds East - 4.90 feet to an IRS marking a common and coincidental corner of Area "B", Area "D" and Area "A", the line of agreement and said IRS is in a fence; thence leaving Area "D" and the 2nd course of the aforementioned deed and running a common and coincidental line with Area "B", Area "A", and said line of agreement and generally with said fence

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Fax: (301) 862-2350

Internet: www.dhsteffens.com
Email: dhsteffensco@dhsteffens.com

North 84 degrees 48 minutes 45 seconds East - 19.13 feet to the point of beginning and containing (177) square feet as surveyed by the D. H. Steffens Company and furthermore as shown on a plat titled "A Boundary Adjustment Plat Land of Board of County Commissioners of St. Mary's County and James Carroll Boyd, M.D. and Jennifer Hayden Boyd" last revision date 10/31/01. This plat is to be recorded in the Land Records of St. Mary's County, Maryland

Area "D"

Being a part of Board of County Commissioners of St. Mary's County's land as conveyed by deeds CBG 024/303 and MRB 513/061 and a part of James Carroll Boyd, M.D. and Jennifer Hayden Boyd's land as conveyed by deeds MRB 040/221, MRB 233/213, MRB 241/154, MRB 241/156 and EWA 841/273

BEGINNING for the same at an iron rod set with a cap stamped "Prop Mark Corp. #49" (IRS), said IRS marks a common and coincidental corner on the line of agreement and is set on the 1st course of deed CBG 024/303 and furthermore is set in a fence; thence leaving the said line of agreement and said fence and running a common and coincidental line of Area "D", being described, and with the said 1st course for a ways, at 4.90 feet along the course and distance crossing the 33rd course in deeds MRB 233/213 and MRB 241/154 and the 2nd course of deed MRB 513/061, said lines are common and coincidental each with the other, and at 189.55 feet crossing the 15th course of deeds MRB 040/221, MRB 241/156 and EWA 841/273

South 66 degrees 47 minutes 36 seconds West - 262.43 feet to a point fixed near a bulkhead, said point marks a common and coincidental point on the line of agreement and furthermore said point is common and coincidental with Area "E"; thence leaving the said bulkhead, and the 1st course of deed CBG 024/303, and running a common and coincidental line with the line of agreement, Area "D" and Area "E" the following three (3) courses and distances

North 53 degrees 36 minutes 05 seconds East - 29.78 feet to an IRS at a common and coincidental corner of said Area "D", Area "E" and the line of agreement; thence continuing with the same

North 65 degrees 05 minutes 43 seconds East - 88.74 feet to an IRS at a common and coincidental corner of said Area "D", Area "E", the line of agreement and at or near the beginning of the aforementioned fence; thence continuing with the same

North 68 degrees 44 minutes 39 seconds East - 69.23 feet to a point fixed at the common and coincidental corner of said Area "D", Area "E", Area "C", fence and said point being on the 16th course of deeds MRB 040/221, MRB 241/156 and EBA 84/273-Schedule A; thence leaving Area "E" and crossing the 16th course of said deeds and continuing to run a common and coincidental line with said Area "D", Area "C" and fence

North 68 degrees 44 minutes 39 seconds East - 33.55 feet to an IRS marking the common and coincidental corner of the line of agreement, Area "D" and Area "C" and set in said fence; thence continuing with the same

North 75 degrees 08 minutes 31 seconds East - 40.35 feet to the point of beginning, at 33.84 feet along this line crossing the aforementioned 33rd course and 2nd course of the respective deed, and containing (1,735) square feet as surveyed by the D. H. Steffens Company and furthermore as shown on a plat titled "A Boundary Adjustment Plat - Land of Board of County Commissioners of St. Mary's County and James Carroll Boyd, M.D. and Jennifer Hayden Boyd" last revision date 10/31/01. This plat is to be recorded in the Land Records of St. Mary's County, Maryland



Herbert N. Redmond, Jr.
Herbert N. Redmond, Jr.
Reg. MD Land Surveyor No. 10,665

LIBERO 0 2 1 PAGE 1 2

RESOLUTION

WHEREAS, the Twelfth (12th) Annual *Christmas in April* Program ("Program") will take place locally on April 27, 2002; and

WHEREAS, in St. Mary's County, over 18,800 volunteers have performed over \$2,000,000 in repairs on approximately 378 homes and 9 non-profit facilities occupied by elderly, handicapped and low-income citizens since 1991; and

WHEREAS, the Program proposes to repair twenty-nine (29) homes and perform one (1) community project; and

WHEREAS, it is estimated that 100 tons of waste materials will be generated by the Program; and

WHEREAS, the Board of County Commissioners of St. Mary's County wishes to support these efforts as being in the best interest of the health, safety and welfare of the County.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners for St. Mary's County that the landfill fees for trash and debris generated by the Project be waived, and that up to 100 tons of trash and debris generated by the Project be billed against St. Mary's County's account at the Appeal Transfer Station in Calvert County, Maryland.

Those voting aye: ALL

Those voting nay: _____

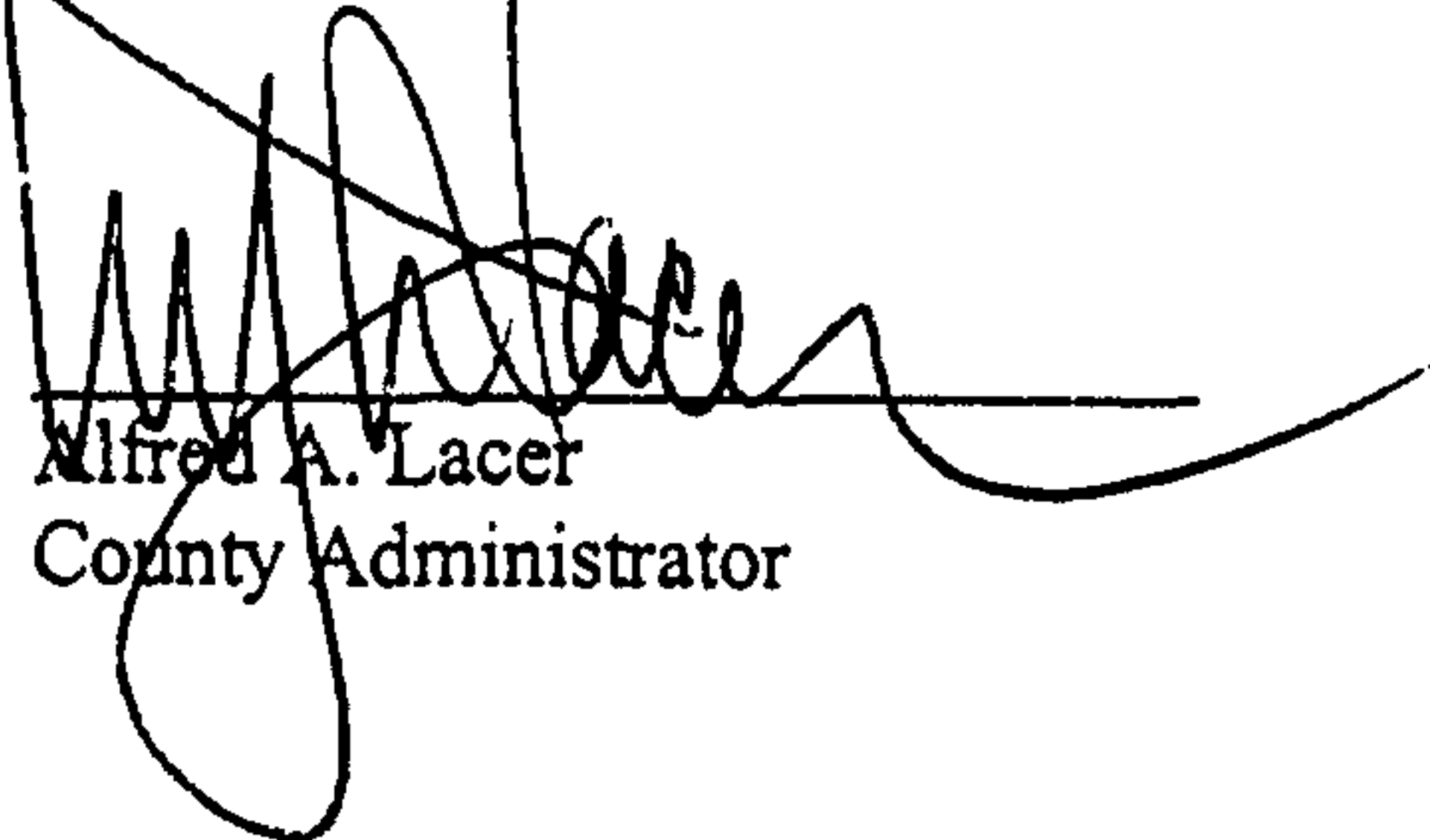
Those abstaining or absent: _____

Date of Adoption: 03/12/02

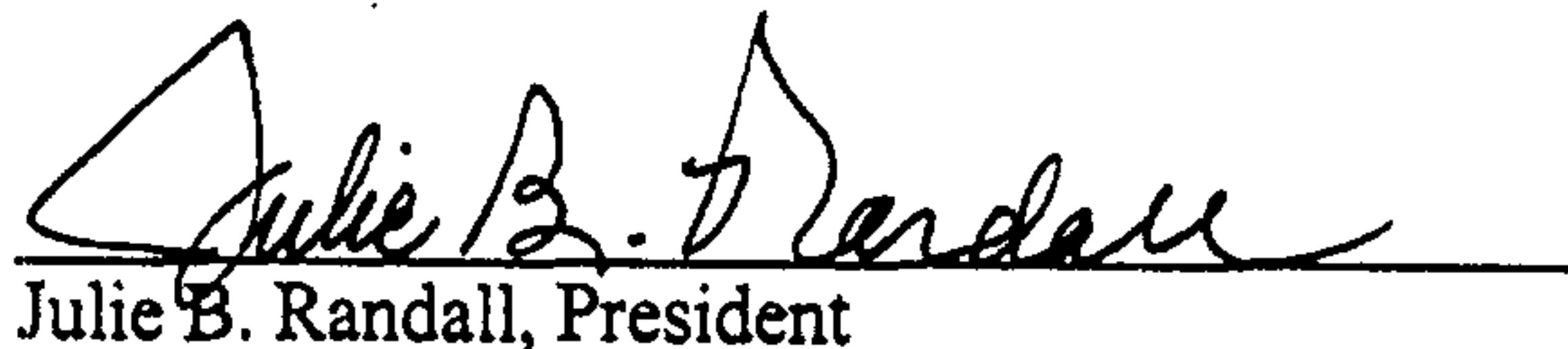
Effective Date: 03/12/02

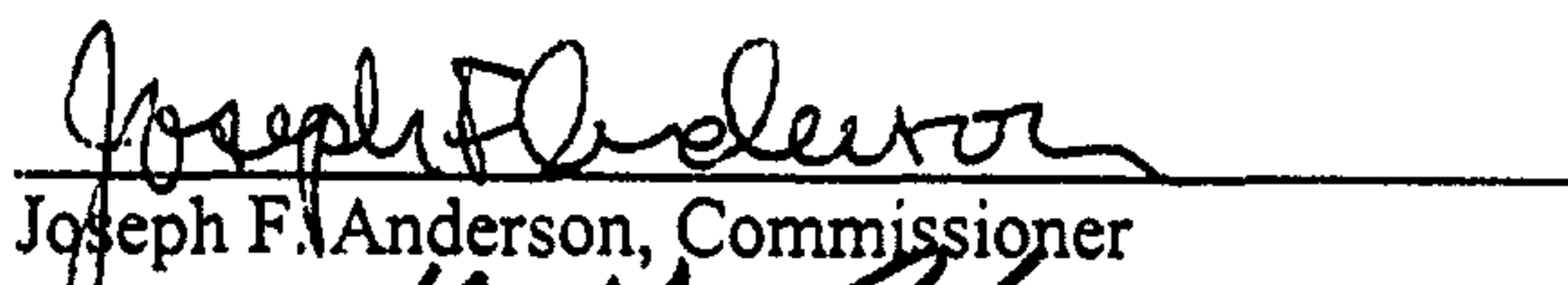
RECORDING FEE 0.00
TOTAL 0.00
Rest#002 Rcpt#999999
EWA LP 81k#1543
Mar 14, 2002 01:51 PM

ATTEST:


Alfred A. Lacer
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:

 2/26/02
John B. Norris, III
Acting County Attorney

NO.: 2002-7

LIBERO 021 PAGE 1 14

SUBJECT: FY 2002 Supplemental Appropriation
Office of the State's Attorney

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2002 General Fund Operating Budget to increase the appropriation for the Office of the State's Attorney 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 \$240,000.00 are available in Federal funds from the U.S. Department of Justice, and

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, February 26, 2002 pursuant to Notice published on or about February 15, 2002 and February 22, 2002 in the Enterprise, a newspaper of general circulation in St. Mary's County.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, February 26, 2002 to present and explain the requirements to increase the Fiscal Year 2002 Budget in the amount of \$240,000.00 (Two Hundred Forty Thousand Dollars), and such increase is hereby approved this 19 day of March, 2002 by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: all
Those voting Nay: _____
Those Absent: _____

Date of Adoption: 3/19/02
Effective Date: 3/19/02

BOARD OF COUNTY COMMISSIONERS
FOR 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
Alfred A. Lacer
County Administrator

Elaine M. Kramer
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

John B. Norris
John B. Norris
Acting County Attorney

RECORDING FEE 0.00
TOTAL 0.00
Rest#SM02 Rcpt#999999
EWA TLE 11K#2225
Mar 21, 2002 12:49 PM

**CERTIFICATION OF FUNDS AVAILABILITY
DIRECTOR OF FINANCE
SUPPLEMENTAL OR EMERGENCY APPROPRIATION**

Section 27-9 of the St. Mary's County Code states that the County Commissioners may make additional, supplementary or emergency appropriations during any fiscal year only if the Chief Financial Officer certifies in writing that funds are available for appropriation.

DATE: February 22, 2002

TO: Board of County Commissioners

**ORDINANCE
NUMBER:**

PURPOSE: Office of the state's attorney
For Community Gun Violence Prosecution Program

FUNDS CERTIFICATION:

<u>Amount</u>	<u>Source</u>
\$240,000.00	Per letter from U.S. Department of Justice dated 1/23/2002



Elaine M. Kramer
Director of Finance

LIBERO 021 PAGE 1 15

NO.: 2002-8

LIBERO 021 PAGE 116

SUBJECT: FY 2002 Supplemental Appropriation
Office of the State's Attorney

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2002 General Fund Operating Budget to increase the appropriation for the Office of the State's Attorney 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 \$30,000.00 are available in State funds from the Maryland cease fire council, and

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, February 26, 2002 pursuant to Notice published on or about February 15, 2002 and February 22, 2002 in the Enterprise, a newspaper of general circulation in St. Mary's County.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, February 26, 2002 to present and explain the requirements to increase the Fiscal Year 2002 Budget in the amount of \$30,000.00 (Thirty Thousand Dollars), and such increase is hereby approved this 19 day of March, 2002 by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: all
Those voting Nay: _____
Those Absent: _____

Date of Adoption: 3/19/02
Effective Date: 3/19/02

BOARD OF COUNTY COMMISSIONERS
FOR 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:
Alfred A. Lacer
Alfred A. Lacer
County Administrator

Elaine M. Kramer
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

John B. Norris
John B. Norris
Acting County Attorney

RECORDING FEE 0.00
TOTAL 0.00
Res#SM02 Rcft#999999
EWA TLC BIK#2225
Mar 21, 2002 12:49 PM

**CERTIFICATION OF FUNDS AVAILABILITY
DIRECTOR OF FINANCE
SUPPLEMENTAL OR EMERGENCY APPROPRIATION**

Section 27-9 of the St. Mary's County Code states that the County Commissioners may make additional, supplementary or emergency appropriations during any fiscal year only if the Chief Financial Officer certifies in writing that funds are available for appropriation.


DATE: February 22, 2002
TO: Board of County Commissioners

**ORDINANCE
NUMBER:**

PURPOSE: Office of the state's attorney
For reducing firearms related crimes

FUNDS CERTIFICATION:

<u>Amount</u>	<u>Source</u>
\$30,000.00	Per letter from Firearms Enforcement Division dated 7/23/2001



Elaine M. Kramer
Director of Finance

LIBERO 021 PAGE 117

NO.: 2002-9

LIBERO 021 PAGE 18

SUBJECT: FY 2002 Supplemental Appropriation
Department of Planning & Zoning

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2002 General Fund Operating Budget to increase the appropriation for the Department of Planning and Zoning 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 \$40,000.00 are available in Federal funds from the State of Maryland, Department of Natural Resources, and

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, February 26, 2002 pursuant to Notice published on or about February 15, 2002 and February 22, 2002 in the Enterprise, a newspaper of general circulation in St. Mary's County.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, February 26, 2002 to present and explain the requirements to increase the Fiscal Year 2002 Budget in the amount of \$40,000.00 (Forty Thousand Dollars), and such increase is hereby approved this 19 day of March, 2002 by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: all
Those voting Nay: _____
Those Absent: _____

Date of Adoption: 3/19/02
Effective Date: 3/19/02

BOARD OF COUNTY COMMISSIONERS
FOR 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:
Alfred A. Lacer
Alfred A. Lacer
County Administrator

Elaine M. Kramer
Elaine M. Kramer
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

John B. Norris
John B. Norris
Acting County Attorney

RECORDING FEE 0.00
TOTAL 0.00
Rest#5002 Rcpt#999999
EMA ILC 81K#2225
Mar 21, 2002 12:50 PM

**CERTIFICATION OF FUNDS AVAILABILITY
DIRECTOR OF FINANCE
SUPPLEMENTAL OR EMERGENCY APPROPRIATION**

Section 27-9 of the St. Mary's County Code states that the County Commissioners may make additional, supplementary or emergency appropriations during any fiscal year only if the Chief Financial Officer certifies in writing that funds are available for appropriation.

DATE: February 22, 2002

TO: Board of County Commissioners

**ORDINANCE
NUMBER:**

PURPOSE: Department of Planning and Zoning
For Watershed Restoration Action Strategy- Breton Bay Watershed

LIBERO 021 PAGE 19

FUNDS CERTIFICATION:

<u>Amount</u>	<u>Source</u>
\$40,000.00	Per grant agreement from Breton Bay Watershed dated 11/2002



Elaine M. Kramer
Director of Finance

LIBERO 021 PAGE 1 20

ORDINANCE

FOR THE PURPOSE OF AMENDING THE ST. MARY'S
COUNTY BUILDING CODE, ARTICLE II, SECTIONS
203-12 and 203-13, OF THE CODE OF PUBLIC LOCAL
LAWS OF MARYLAND, ARTICLE 19.

RECORDING FEE 0.00
TOTAL 0.00
Rec#SM02 Rec#999999
EMA NB 31K#3249
Mar 28, 2002 01:33 PM

RECITALS

WHEREAS, Article 25, Section 10D of the Annotated Code of Maryland allows the County Commissioners for St. Mary's County to adopt, amend and enforce a building code to provide for the construction, maintenance and repair of any and all buildings and structures located in or to be located in St. Mary's County; and

WHEREAS, Article 83B, Section 6-402 of the Annotated Code of Maryland allows local jurisdictions to adopt amendments to the Maryland Building Performance Standards; and

WHEREAS, on August 17, 1973, the County Commissioners for St. Mary's County adopted and enacted Resolution No. 73-25 as Article I, General Provisions, which was codified in the Code of Public Local Laws of Maryland, Article 19, Section 203-1, *et seq.*; and

WHEREAS, on June 14, 1994, the County Commissioners for St. Mary's County adopted and enacted Resolution 94-08, as Article II, Minimum Regulations, which was codified in the Code of Public Local Laws of Maryland, Article 19, Section 203-11; and

WHEREAS, the County Commissioners for St. Mary's County amended Article 19, Section 203, to adopt CABO One and Two Family Dwelling Code (1992) and BOCA National Building Code (1993), with modifications, as the St. Mary's County Building Code by Ordinance No. 95-42 on October 3, 1995, to adopt; and

WHEREAS, the St. Mary's County Building Code Appeals Board voted on October 3, 2001, to recommend to the Board of County Commissioners that the International Building Code 2000, ("IBC 2000"), (the new "Maryland Building Performance Standards," effective October 15, 2001), and the International Residential Code for One- and Two-Family Dwellings 2000, ("IRC 2000"), be adopted, effective February 1, 2002, with certain local modifications; and

WHEREAS, the Board of County Commissioners held a public hearing regarding the adoption of amendments to the St. Mary's County Building Code with local modifications recommended by the St. Mary's County Building Code Appeals Board, pursuant to Article 25, Section 3(r) of the Annotated Code of Maryland, pursuant to notice published in *The Enterprise*, a local newspaper of general circulation in St. Mary's County, Maryland, on January 16, 2002, and January 23, 2002; and

WHEREAS, the Board of County Commissioners has determined that the recommended amendments to the St. Mary's County Building Code and modifications to the IBC 2000 and the IRC 2000 would better serve and protect the citizens of St. Mary's County, as well as the contractors involved in such construction.

NOW THEREFORE, BE IT ORDAINED by the County Commissioners for St. Mary's County that, upon due consideration and deliberation, and upon the recommendation of the St. Mary's County Building Code Appeals Board, that Article 19, Section 203-11 of the Code of Public Local Laws of Maryland be repealed and reenacted to adopt IBC 2000 and IRC 2000 with local modifications and amendments:

§203-11. ADOPTION OF STANDARDS.

The County Commissioners for St. Mary's County, Maryland, after due consideration and deliberation, hereby ordain that Article II, Sections 203-11 of the Code of Public Local Laws of St. Mary's County, (the same being Article 19, Section 203-11 of the Code of Public Local Laws of Maryland), be repealed and reenacted to adopt the International Building Code 2000 and the International

Residential Code for One- and Two-Family Dwellings 2000, (as amended as set forth at Sections 203-12 and 203-13 of the Code of Public Local Laws of St. Mary's County), as the Building Code for St. Mary's County.

LIBERO 021 PAGE 21

BE IT FURTHER ORDAINED by the Board Of County Commissioners for St. Mary's County, Maryland, that, after due consideration and deliberation, that Article 19, Sections 203-12 and 203-13 of the Code of Public Local Laws of Maryland be repealed and reenacted to adopt local modifications and amendments to IBC 2000 and IRC 2000 as hereinafter set forth:

SECTION 1. The following modifications of IBC 2000 shall be set forth at Article 19, Sections 203-12 of the Code of Public Local Laws of Maryland:

The St. Mary's County Building Code shall consist in part of the International Building Code 2000, modified and amended as set forth below:

Chapter 1 Administration

101.1 Title. Insert " St. Mary's County."

101.4.1 Electrical. Delete "ICC Electrical Code" and insert in its place "St. Mary's County Electric Code."

101.4.2 Gas. Delete "International Fuel Gas Code" and insert in its place "St. Mary's County Plumbing and Gas Code."

101.4.3 Mechanical. Delete in its entirety.

101.4.4 Plumbing. Delete "International Plumbing Code" and insert in its place "St. Mary's County Plumbing and Gas Code." Delete last sentence in its entirety.

101.4.5 Property maintenance. Delete in its entirety.

101.4.6 Fire prevention. Delete "International Fire Code" and insert "State of Maryland Life Safety Code."

102.6 Existing structure. Delete "the International...Fire Code."

103.1 Creation of enforcement agency. Delete "building safety" and insert in its place "Permits and Inspections."

103.3 Deputies. Delete the last sentence.

105.2 Work exempt from permit.

Building:

1. Delete "120" and insert in its place "300". Delete "(11.15 m²)" and insert in its place "not located in the floodplain."

2. Delete "not...high."

4. Delete "which...liquids." And insert "retaining walls and other site structures, which serve landscape functions only."

Insert "14. Agricultural building. Any building used in Agriculture, defined as the use of land for the production and primary processing of food and fibers for sale, including cultivating, dairying, horticulture, pasturing, silviculture, viticulture, animal and poultry husbandry, and such incidental accessory facilities such as greenhouses and nurseries, provided that the operation of such accessory facilities shall clearly be secondary to normal agricultural activities. Agriculture includes, but is not limited to, the related activities of tillage, fertilization, pest control, harvesting, and marketing. It also includes, but is not limited to, the activities of feeding, housing, and maintaining animals, such as cattle, dairy cows, sheep, goats, hogs, horses, and poultry and handling their by-products."

Electrical:

Delete in its entirety and insert in its place "as set forth in the St. Mary's County Electrical Code."

Gas:

Delete in its entirety and insert in its place "As set forth in the St. Mary's County Plumbing and Gas Code."

Mechanical:

Delete in its entirety.

Plumbing:

LIBERO 021 PAGE 22

Delete in its entirety and insert in its place "As set forth in the St. Mary's County Plumbing and Gas Code."

105.2.2 Repairs. Delete "or mechanical."

105.3 Application for permit. Delete "building safety" and insert in its place "Permits and Inspections."

105.3.2 Time limitation of application. Delete "180 days" and insert in its place "12 months." Delete "or more extensions...each" and insert in its place "12 month extension."

105.5 Expiration. Delete "180 days" and insert in its place "12 months." Delete "180 days" and insert in its place "12 months." Delete "or more extensions... each" and insert in its place "12 month extension."

105.7 Placement of permit. Delete "or copy" and "kept" and insert in their place "placard" and "posted," respectively.

106.1.1.1 Fire protection system shop drawing. Delete in its entirety.

106.1.3 Exterior wall envelope. Delete second paragraph in its entirety.

106.2 Site Plans. After "site plan," insert "conforming to the currently adopted Zoning Ordinance." Delete the remainder of that paragraph.

107.3 Temporary Power. Delete "ICC Electric Code" and insert in its place "St. Mary's County Electric Code."

108.6 Refunds. Delete in its entirety and insert in its place "Request for refunds shall be in accordance with a refund policy approved by the Board of County Commissioners for St. Mary's County."

109.3.1 Footing or Foundation Inspection. Delete in its entirety and insert in its place "Footing Inspection. Footing Inspections are to be performed prior to placing concrete to verify depth, width, soil bearing capacity, reinforcement and location on lot for all structures and buildings. Exception: swimming pools."

109.3.2 Concrete slab or under floor inspection. Delete in its entirety and insert in its place "Slab Inspection. The slab inspection is to be performed prior to concrete placement on all slabs for 'habitable' spaces and all basements to verify base preparation, reinforcement, drainage systems and insulation."

109.3.4 Frame inspection. Delete in its entirety and insert in its place "Foundation Inspection. The foundation inspection is to be performed on all foundation walls prior to back-filling to verify drainage and waterproofing systems. A foundation inspection is also to be performed on all foundations in the regulated floodplain to verify compliance with NFIP and FEMA standards."

109.3.5 Lath or gypsum board inspection. Delete in its entirety and insert in its place "Framing Inspection. The framing inspection is to be performed after all plumbing, mechanical and electrical work has been 'roughed-in,' all interior framing, fire stopping, exterior doors and windows have been installed and structure is weather tight. Exception: decks and detached accessory structures without plumbing or electric on the condition that all framing will be visible at time of final inspection."

109.3.6 Fire-rated penetrations. Delete in its entirety.

109.3.7 Energy efficiency inspections. Delete in its entirety and insert in its place "Insulation Inspection. The insulation inspection is to be performed when all insulation, vapor barriers, chalking and weather striping are in place. Exception: structures, which are exempt from the requirements of Chapter 13."

109.3.10 Final inspection. After "completed." insert "Proper posting of E-911 address shall be required and verified at this time."

Chapter 2 Definitions

Agricultural Building. Delete and replace with "Any building used in Agriculture, defined as the use of land for the production and primary processing of food and fibers for sale, including cultivating, dairying, horticulture, pasturing, silviculture, viticulture, animal and poultry husbandry, and such incidental accessory facilities such as greenhouses and nurseries, provided that the operation of such accessory facilities shall clearly be secondary to normal agricultural activities. Agriculture includes, but is not limited to, the related activities of tillage, fertilization, pest control, harvesting, and marketing. It also includes, but is not limited to, the activities of feeding, housing, and maintaining animals, such as cattle, dairy cows, sheep, goats, hogs, horses, and poultry and handling their by-products."

Dormitory. Delete in its entirety and insert in its place "As defined in the Zoning Ordinance."

Duplex. A multiple-family structure unit having two attached dwelling units.

Lot. Delete in its entirety and insert in its place "As defined in the Zoning Ordinance."

Marquee. After "that" insert "may" and delete the "s" from "projects."

Townhouse. A single family dwelling unit constructed in a horizontal series of attached units with property lines separating the units.

Chapter 3 Building Planning

305.1 Educational Group E. Delete "six" and insert in its place "eight."

305.2 Day care. Delete "five" and "2 ½" and insert in their places "eight" and "two," respectively.

308.3.1 Child care facility. Delete "five" and "2 ½" and insert their places "eight" and "two," respectively.

308.5 Group I-4 day care facilities. Delete "five" and insert in its place "eight."

308.5.2 Child care facility. Delete "five" and "2 ½" and insert in their places "eight" and "two," respectively.

Chapter 11 Accessibility Delete Chapter 11 in its entirety and insert in its place "The Maryland Accessibility Code, as set forth at COMAR 05.02.02, shall control the design and construction of facilities for accessibility to physically challenged persons."

Chapter 13 Energy Efficiency

1301.1 Scope: After "efficiency." insert "Exception: Buildings, or portions thereof, which are neither heated nor cooled or which utilize an energy source other than natural gas, a petroleum product or electricity are exempt from this chapter."

Chapter 18 Soils and Foundations.

1805.2.1 Frost protection. Delete "400" and insert in its place "300". Delete "(37m²) or 10 feet (3048mm) in height". After "locality" insert "20 inches below grade to bottom of footing."

Chapter 27 Electrical Delete in its entirety and insert in its place "The St. Mary's County Electrical Code" shall govern the design and installation of all electrical components of a building.

Chapter 28 Mechanical Systems Delete Chapter 28 in its entirety.

Chapter 29 Plumbing Systems. Delete Chapter 29 in its entirety and insert in its place "The St. Mary's County Plumbing and Gas Code shall govern the design and installation of all plumbing components of a building."

Chapter 31 Special Construction.

3103.1 General. After "period of" insert "more than 14 days, but..." (Both Sentences)

3103.1.1 Permit Required. Delete "120" and insert "300."

3107 Signs. Delete in its entirety.

Chapter 34 Existing Structures. Delete in its entirety and insert "Maryland Building Rehabilitation Code, Article 83B, § 6-503, Annotated Code of Maryland."

Appendix A Employee Qualifications

Appendix A is adopted in its entirety.

Appendix B Board of Appeals

Appendix B is adopted in its entirety with the following change:

B101.2.2 Qualifications. Delete "one...each" and insert "from any."

SECTION 2. The following modifications of IRC 2000 shall be set forth at Article 19, Sections 203-13 of the Code of Public Local Laws of Maryland:

The St. Mary's County Building Code shall consist in part of the International Residential Code for One- and Two-Family Dwellings (2000), modified and amended as set forth below:

Chapter 1 Administration.

R101.1 Title. Delete "[NAME OF JURISDICTION]" and insert in its place "St. Mary's County."

R102.7 Existing structures. Delete "the International...Fire Code."

R103.1 Creation of enforcement agency. Delete "building...created" and insert in its place "Permits and Inspections is hereby designated as the enforcement agent of this code."

R105.2 Work exempt from permit.

Building:

1. Delete "200" and insert in its place "300". Delete "(15.58 m²)" and insert in its place "not located in the floodplain."
2. Delete "not...high."
3. Delete "that...surcharge." And insert in its place "and other site structures, which serve landscape functions only."

Insert "10. Agricultural building as described in section 202 Definitions."

Electrical:

Repairs and maintenance: Delete from "A permit...receptacles." In its entirety and insert "Repairs and maintenance shall be in conformance with the provisions of the St. Mary's County Electrical Code."

Gas: Delete "1. Portable ...unsafe." in its entirety and insert "Installation, repair and maintenance shall be in conformance with the provisions of the St. Mary's County Plumbing and Gas Code."

Mechanical:

Delete "1. Portable...or less." in its entirety.

Plumbing:

Delete "The stopping...fixtures." in its entirety and insert "Installation, repair and maintenance shall be in conformance with the provisions of the St. Mary's County Plumbing and Gas Code."

R105.2.2 Repairs. Delete "nor shall ordinary...wiring or mechanical."

R105.3 Application for permit. Delete "building safety" and insert in its place "Permits and Inspections."

R105.3.2 Time limitation of application. Delete "180 days" and insert in its place "12 months." Delete "or more extensions...each" and insert in its place "12 month extension."

R105.5 Expiration. Delete "180 days" and insert "12 months." Delete "180 days" and insert in its place "12 months." Delete "or more extensions ...each" and insert in its place "12 month extension."

R 105.7 Placement of permit. Delete "or copy" and "kept" and insert in their place "placard" and "posted", respectively.

R106.2 Site plan. After "site plan" insert "that conforms to the Zoning Ordinance. A floor plan shall be provided to show room locations and uses." Delete the remainder of this paragraph.

R106.3.1 Approval of construction documents. Delete the last two sentences of this paragraph.

R107.3 Temporary power. Delete "ICC Electric Code" and insert in its place "St. Mary's County Electric Code."

R108.5 Refunds. Delete in its entirety and insert in its place "Request for refunds shall be in accordance with the refund policy approved by the Board of County Commissioners."

R109.1.1 Foundation inspection. Delete in its entirety and insert "**Footing Inspection.** Footing inspections are to be performed prior to placing concrete to verify depth, width, soil bearing capacity, reinforcement and location on lot for all structures and buildings. Exception: swimming pools."

R109.1.3 Floodplain inspections. Delete in its entirety and inset "**Slab inspection:** Slab inspections are to be made in areas of habitable spaces after all forms been placed, to verify base preparation, reinforcement, drainage system and insulation before any concrete is placed."

R109.1.4 Frame and masonry inspection. Delete in its entirety and insert "**Framing inspection:** Framing inspections are to be made after all electrical, plumbing, and mechanical rough-in inspections have been approved, and all roof, wall, ceiling, and floor framing is complete with appropriate blocking, bracing, and fire stopping is in place and structure is weather-tight. Exception: Decks and detached accessory structures without electric or plumbing on the condition that all framing will be visible at time of final inspection."

R109.1.5 Other inspection. Delete in its entirety and insert "**Foundation inspection:** The foundation inspection is to be made after the foundation drainage system and waterproofing have been installed, and before any back fill is placed. Foundation inspections are to be performed on all foundations in the regulated flood plain to verify compliance with NFIP and FEMA standards."

R109.1.5.1 Fire-rated construction inspection. Delete in its entirety and insert "**Insulation inspection:** The insulation inspection is to be made after an approved framing inspection and all insulation, vapor barriers, caulking and weather-stripping are in place. Exception: Structures which are except from the requirements of Chapter 13."

R109.1.6 Final inspection. After "occupancy" insert "Proper posting of E-911 address shall be required and verified at this time."

R112.2.1 Determination of substantial improvement in areas prone to flooding. Delete in its entirety.

R112.2.2 Criteria for issuance of a variance for areas prone to flooding. Delete in its entirety.

Chapter 2 Definitions.

Duplex. A multiple-family structure unit having two attached dwelling units.

Lot. Delete in its entirety and insert in its place "As defined in the currently adopted Zoning Ordinance".

Townhouse. A single family dwelling unit constructed in a horizontal series of attached units with property lines separating the units.

Chapter 3 Building Planning

Table R 301.2 (1) Climatic and Geographic Design Criteria. Insert the following into the table where indicated: "20" for Roof Load, "90" for Wind, "C" for Seismic Design Category, "Severe" for Weathering, "20 inches" for Frost Depth, "Moderate to Heavy" for Termite, "Slight to Moderate" for Decay, "18 degrees F" for Winter Design Temp, "February 1987" for Flood Hazards.

R303.4 Stairway Illumination. Delete in its entirety and insert in its place "As set forth in the provisions of the St. Mary's County Electrical Code."

R303.4.1 Light Activation. Delete in its entirety and insert in its place "As set forth in the provisions of the St. Mary's County Electrical Code."

R306 Sanitation. Delete in its entirety and insert "As set forth in the provisions of the St. Mary's County Plumbing and Gas Code."

Table R 307.2 Minimum Fixture Clearances. Delete in its entirety and insert "As set forth in the provisions of the St. Mary's County Plumbing and Gas Code."

R314.2 Treads and Risers. Delete "7 3/4 inches and 10 inches" and insert in their place "8 1/4 inches and 9 inches," respectively.

R314.7 Illumination. Delete in its entirety and insert "As set forth in the provisions of the St. Mary's County Electrical Code."

R315.1 Handrails. Delete "two" and insert "four or more risers or 30 inches, which ever is greater."

R315.2 Handrail Grip Size. Delete "2 5/8 inches" and insert in its place "3 1/4 inches maximum for interior handrails only. Exterior handrails may have a maximum nominal dimension of 2x8 lumber."

R316.2 Guard Opening Limitations. Delete "4 inches" and insert in its place "6 inches."

Chapter 4 Foundations

R403.1 General. After "exterior walls" insert "bearing walls, columns, and piers."

R405.1 Concrete or Masonry Foundations. Delete all those provisions under the heading "Exception."

R405.2.3 Drainage System. Delete "In...soils" and insert in its place "When gravity drainage to daylight is unachievable". Delete "sewer" and insert in its place "storm drainage."

R406.2 Concrete and Masonry Foundation Waterproofing. Delete "In areas...exist," and insert in its place "All."

Chapter 5 Floors

R502.1 General. At the end of the first paragraph in this sub-section, insert "Exception: the grade mark or certification is not required for owner-occupied construction if the lumber is cut full-size and the construction otherwise complies with all other provisions of this code."

Chapter 6 Wall Construction

R602.1 Identification. At the end of the first paragraph in this sub-section, insert "Exception: the grade mark or certification is not required for owner-occupied construction if the lumber is cut full size and the construction otherwise complies with all other provisions of this code."

Chapter 8 Roof-Ceiling Construction

R802.1 Identification and Grade. At the end of the first paragraph in this sub-section, insert "Exception: the grade mark or certification is not required for owner-occupied construction if the lumber is cut full size and the construction otherwise complies with all other provisions of this code."

Chapter 12 through Chapter 24 Delete in their entirety.

Chapter 25 through Chapter 32 Delete in their entirety and insert in their place "The St. Mary's County Plumbing and Gas Code shall govern the design and installation of all plumbing components of a building."

Chapter 33 through Chapter 42 Delete in their entirety and insert in their place "The St. Mary's County Electrical Code shall govern the design and installation of all electrical components of a building."

Appendix "E" Manufactured Housing Used as Dwellings.

Adopt in its entirety with the following changes:

AE301 Permits. Delete in its entirety.

AE303 Application for Permit. Delete in its entirety.

AE303 Permits issuance. Delete in its entirety.

AE304 Fees. Delete in its entirety.

AE305 Inspections. Delete in its entirety.

AE306 Special Inspections. Delete in its entirety.

AE307 Utility Service. Delete in its entirety.

AE502.3 Footings and Foundations. Delete "12 inches" and insert in its place "20 inches."

AE602.1 General. Add new number 4, which shall state that "A minimum 16 inch x 16 inch pier comprised of dry stacked 8 inch x 16 inch masonry units placed side by side in alternating courses not to exceed a height of 36 inches above finished grade."

Appendix "G" Swimming Pools, Spas and Hot Tubs.

Adopt in its entirety with the following changes:

AG105.2 9.1 Delete in its entirety and insert in its place "The pool may be equipped with a power safety cover in compliance with ASTM F1346 in lieu of a barrier as described in items 1 through 8 above."

Section 105.3 Indoor Swimming Pools. Delete in its entirety.

BE IT FURTHER ORDAINED by the County Commissioners for St. Mary's County that, upon due consideration and deliberation, and upon the recommendation of the St. Mary's County Building Code Appeals Board, that Article 19, Section 203-14 of the Code of Public Local Laws of Maryland be repealed and reenacted as hereinafter set forth:

§203-14. SEVERABILITY.

In the event any portion of this Article is found to be unconstitutional, illegal, null or void, by a court of competent jurisdiction, it is the intent of the County Commissioners for St. Mary's County to sever only the invalid portion or provision, and that the remainder of the Article shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the Article, or unless the deletion of the invalid portions would produce a result inconsistent with the purpose and intent of the County Commissioners in enacting this Article.

BE IT FURTHER ORDAINED by the County Commissioners for St. Mary's County that, upon due consideration and deliberation, and upon the recommendation of the St. Mary's

County Building Code Appeals Board, that Article 19, Section 203-15 of the Code of Public Local Laws of Maryland remain in full force and effect without amendment.

LIBERO 021 PAGE 28

BE IT FURTHER ORDAINED by the County Commissioners for St. Mary's County that the St. Mary's County Director of Permits and Inspections shall forward a copy of the proposed local amendments to the Maryland Department of Housing and Community Development at least 15 days before the effective date of the amendment pursuant to Article 83B, Section 6-402(d)(4)(ii)(1).

BE IT FURTHER ORDAINED by the County Commissioners for St. Mary's County that the foregoing recitals are hereby incorporated as if fully set forth herein.

BE IT FURTHER ORDAINED by the County Commissioners for St. Mary's County that this Ordinance shall be effective the date set forth below.

Those voting Aye: all

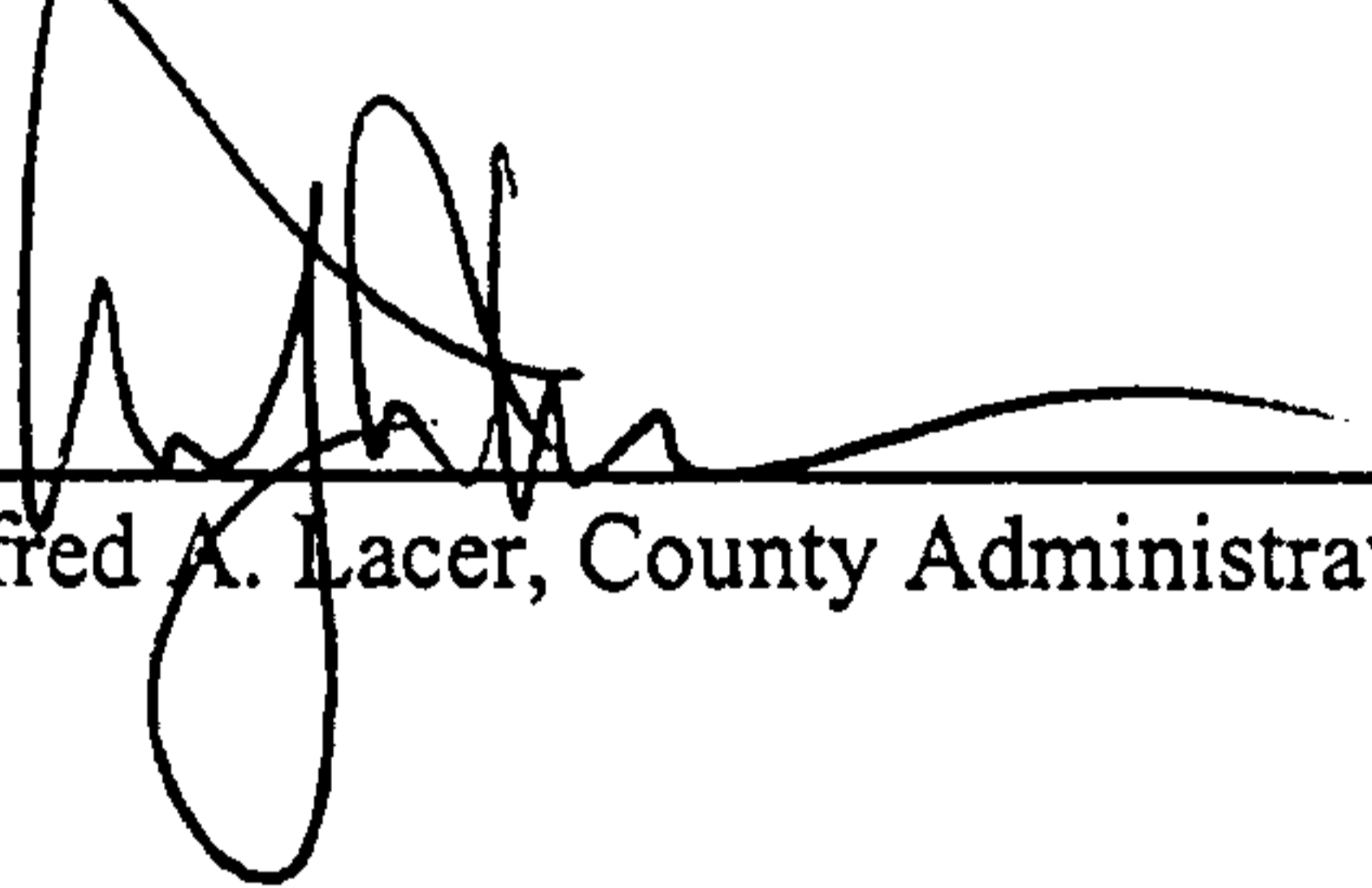
Those voting Nay: _____

Those Absent: _____


Adopted: MARCH 26, 2002

Effective: April 1, 2002

ATTEST:



Alfred A. Lacer, County Administrator

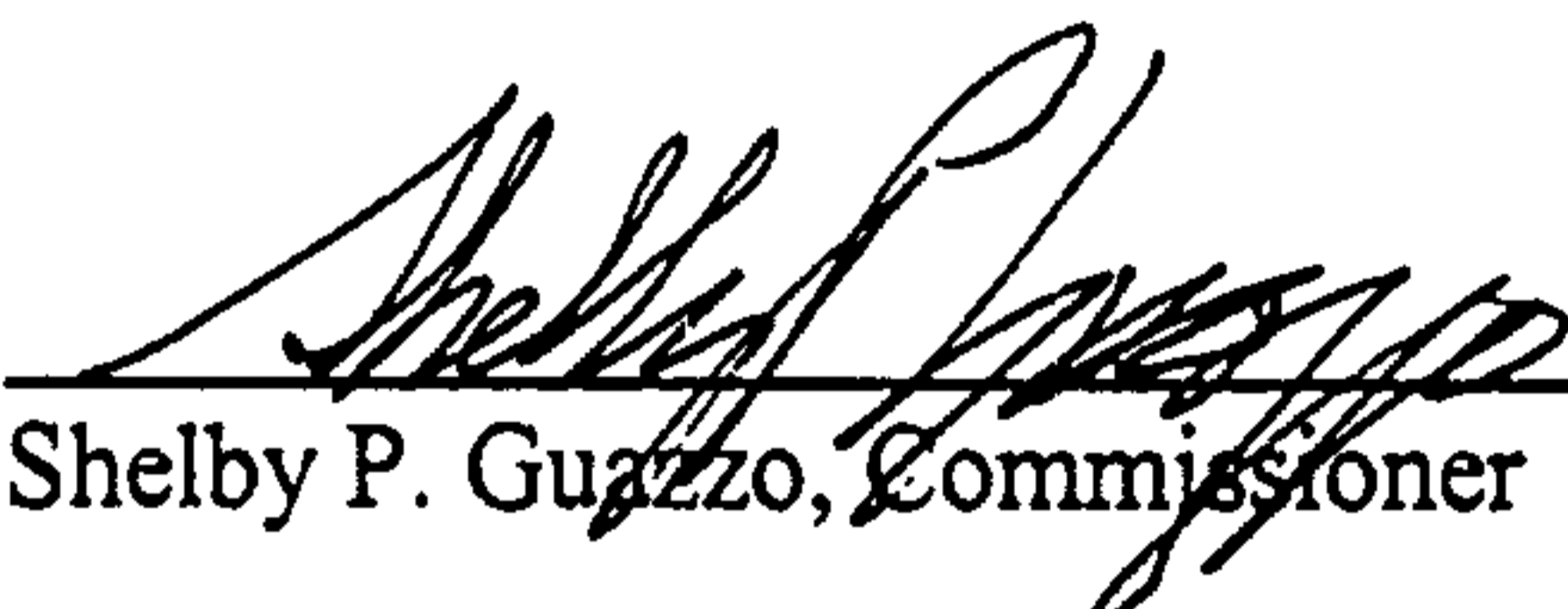
**BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND**



Julie B. Randall, President

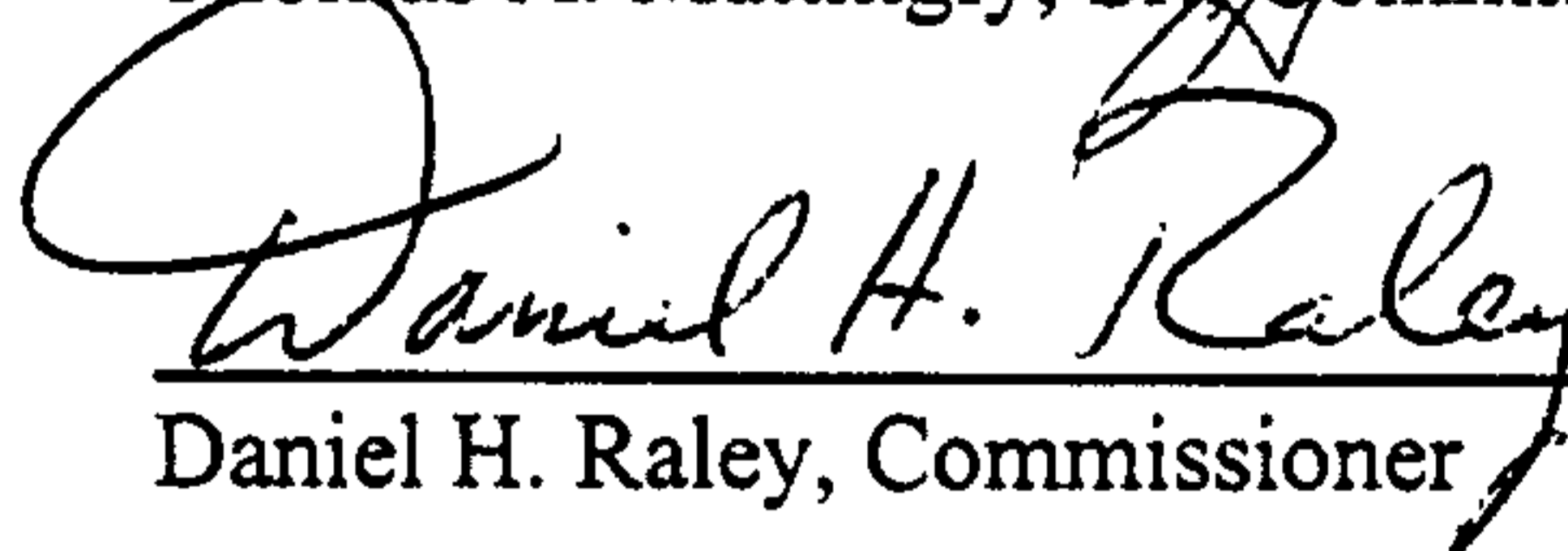

Joseph F. Anderson, Commissioner

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**


John B. Norris, III,
Acting County Attorney


Shelby P. Guazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner