

**COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND**

2010 Legislative Session, Legislative Day No. : May 25, 2010

Resolution No.: 171


Introduced by: Mr. Duncan

A RESOLUTION TO PLACE A QUESTION ON THE BALLOT AT THE 2010 GENERAL ELECTION TO AMEND SECTIONS 618 AND 620 OF THE COUNTY CHARTER, TO PROVIDE THAT (1) THE UNRESTRICTED BALANCES REMAINING TO THE CREDIT OF COMPLETED OR ABANDONED CAPITAL PROJECTS SHALL BE AVAILABLE FOR APPROPRIATION IN THE CURRENT OR A SUBSEQUENT EXPENSE OR CAPITAL BUDGET; AND, (2) THAT AMENDMENTS TO THE ADOPTED CAPITAL BUDGET MAY INCLUDE REDUCTION IN THE AMOUNT APPROPRIATED FOR A CAPITAL PROJECT, WITH OR WITHOUT ABANDONING THE PROJECT, AND THAT THE AMOUNT OF ANY UNRESTRICTED BALANCE SHALL BE ADDED TO FUNDS SET ASIDE FOR CONTINGENCIES IN THE COUNTY CURRENT EXPENSE BUDGET AND SHALL BE AVAILABLE FOR APPROPRIATION IN ACCORDANCE WITH CHARTER SECTION 616

By the Council: May 25, 2010

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, June 22, 2010 at 2:00 p.m. and Tuesday, July 13, 2010 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By order,


Susan W. Moran, Secretary

A RESOLUTION TO PLACE A QUESTION ON THE BALLOT AT THE 2010 GENERAL ELECTION TO AMEND SECTIONS 618 AND 620 OF THE COUNTY CHARTER, TO PROVIDE THAT (1) THE UNRESTRICTED BALANCES REMAINING TO THE CREDIT OF COMPLETED OR ABANDONED CAPITAL PROJECTS SHALL BE AVAILABLE FOR APPROPRIATION IN THE CURRENT OR A SUBSEQUENT EXPENSE OR CAPITAL BUDGET; AND, (2) THAT AMENDMENTS TO THE ADOPTED CAPITAL BUDGET MAY INCLUDE REDUCTION IN THE AMOUNT APPROPRIATED FOR A CAPITAL PROJECT, WITH OR WITHOUT ABANDONING THE PROJECT, AND THAT THE AMOUNT OF ANY UNRESTRICTED BALANCE SHALL BE ADDED TO FUNDS SET ASIDE FOR CONTINGENCIES IN THE COUNTY CURRENT EXPENSE BUDGET AND SHALL BE AVAILABLE FOR APPROPRIATION IN ACCORDANCE WITH CHARTER SECTION 616

WHEREAS, Section 805 of the Charter for Talbot County provides for voter approval of proposed amendments to the Charter; and,

WHEREAS, Art. XI-A Section 5, Maryland Constitution provides that amendments to the Charter may be proposed by a resolution of the County Council, now, therefore,

SECTION ONE: BE IT RESOLVED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, that the question to adopt the following Charter Amendment appear on the ballot at the next general election occurring after adoption of this Resolution in accordance with Section 805 of the Charter of Talbot County:

SECTION TWO: Sections 618 and 620 of the Talbot County Charter be amended as follows:

KEY	
Boldface	Heading or defined term.
<u>Underlining</u>	Added to existing draft.
Strikethrough	Deleted from existing draft.

* * *

Section 618 Lapsed Appropriations

Unless otherwise provided by law, all unexpended and unencumbered appropriations in the current expense budget remaining at the end of the fiscal year lapse into the County treasury. No appropriation for a capital project in the capital budget may lapse until the purpose for which the

appropriation was made is accomplished or abandoned; but any capital project stands abandoned if three fiscal years elapse without any expenditure from or encumbrance of the appropriation made therefor. The unrestricted balances remaining to the credit of the completed or abandoned capital projects shall be available for appropriation in the current or a subsequent expense or capital budgets.

* * *

Section 620 Restrictions on Capital Projects: Amendment to Capital Budget after Adoption of Budget

No obligations of the County may be authorized in any fiscal year for or on account of any capital project not included in the County budget as finally enacted for that year; but upon receipt of a recommendation in writing from the County Manager, the Council, after public hearing and with the affirmative vote of four-fifths of the full Council may amend the County budget in accordance with the recommendation without increasing the total amount of appropriation therefor. The recommendation may include reduction in the amount appropriated for a capital project, with or without abandoning the project. Unrestricted balances from such capital projects shall be added to the funds set aside for contingencies in the county current expense budget and shall be available for appropriation in accordance with Section 616.

SECTION THREE: In accordance with Section 805 of the Talbot County Charter, the question to adopt these proposed amendments to the Charter shall be submitted to the voters of the County at the next general election occurring after adoption of this Resolution. If, at the election the majority of votes cast on the question are in favor of the proposed amendments, the amendments stand enacted from and after the thirtieth calendar day following the election.

PUBLIC HEARING

Having been posted and Notice of time and place of hearing and Title of Resolution No. 171 having been published, public hearings were held on Tuesday, June 22, 1010 at 2:00 p.m. and on Tuesday, July 13, 2010 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

BY THE COUNCIL

ENACTED: July 27, 2010

By Order 
Susan W. Moran, Secretary

Harrison	-	Aye
Pack	-	Aye
Duncan	-	Aye
Foster	-	Nay
Bartlett	-	Aye