

**A RESOLUTION FOR THE PURPOSE OF REPEALING AND READOPTING A SOLID WASTE TIPPING FEE AND ADOPTING A BUDGET ADJUSTMENT**

**WHEREAS**, Maryland Annotated Code, Local Government Article, § 13-402 authorizes the Board of County Commissioners of Calvert County, Maryland to provide for the disposal of refuse, garbage, rubbish, and other solid waste by acquiring and operating refuse disposal facilities;

**WHEREAS**, by said authority the Board of County Commissioners of Calvert County, Maryland may fix and collect reasonable service charges or fees from any user of Calvert County disposal areas and facilities;

**WHEREAS**, Article V of the Solid Waste Ordinance of Calvert County, codified as Chapter 119 of the Calvert County Code of Ordinances provides for the disposal of refuse in a sanitary landfill to be operated in compliance with State law; and

**WHEREAS**, the Board of County Commissioners of Calvert County, Maryland, does operate a sanitary landfill within Calvert County which meets all local, State and Federal requirements for solid waste disposal;

**WHEREAS**, the Board of County Commissioners of Calvert County, Maryland, has previously adopted a user tipping fee structure for residential and commercial customers of the landfill;

**WHEREAS**, the Board of County Commissioners of Calvert County, Maryland, has found that an extension of the transportation and disposal agreement with Garnet of Maryland, Inc. for the collection and hauling of solid waste from the Appeal Transfer Station is in the best interest of the health, safety and welfare of the residents of Calvert County;

**WHEREAS**, that contract extension calls for a transportation surcharge in the amount of \$3.25 per ton to the contractor, Garnet of Maryland, Inc. for the collection and hauling of solid waste from the Appeal Transfer Station, which surcharge must be borne by the users of the Appeal Transfer Station;

**WHEREAS**, a public hearing regarding a proposed increase in tipping fees and related Budget Adjustment was duly advertised in two County newspapers for two consecutive weeks before the public hearing as required by Section 5-103(c) of the Public Local Laws of Calvert County, and held on June 14, 2022 at which time the Board of County Commissioners received public comment; and

**WHEREAS**, upon due consideration of the comments of the public and staff and in furtherance, the Board of County Commissioners finds that it is in the best interest of the citizens of Calvert County, Maryland to adopt an increase in solid waste tipping fees and related Budget Adjustment as set forth in Exhibit "A," attached hereto and made a part hereof.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Calvert County, Maryland, hereby repeals prior solid waste tipping fees and adopts the following user tipping fees at the Calvert County sanitary landfill be assessed, levied, and collected at the following rates:

1. Effective July 1, 2022, the tipping fee rate for residential customers shall be set at \$81.17 per ton; and
2. Effective July 1, 2022, the tipping fee rate for commercial customers, and residents of a County other than Calvert, shall be set at \$89.82 per ton;

**BE IT FURTHER RESOLVED** that the Board of County Commissioners of Calvert County, Maryland hereby approves and enacts the appropriations and expenditures set forth in Budget Adjustment as reflected in Exhibit A, incorporated herein by reference and made a part hereof to effect:

1. An increase of \$329,722 to the FY23 SWD Commissioners Revenue Budget
2. An increase of \$100,101 to the FY23 SWD Commissioners Expenditure Budget for the Compactor Service Agreement
3. An increase of \$436,943 to the FY23 SWD Commissioners Expenditure Budget for the Commercial Service Agreement, and
4. A transfer of \$207,322 from SWD's Fund Balance Account;

**BE IT FURTHER RESOLVED** by the Board of County Commissioners that, in the event any portion of this Resolution is found to be unconstitutional, illegal, null or void, it is the intent of the Board of County Commissioners to sever only the invalid portion of the provision, and that the remainder of the Resolution shall be enforceable and valid;

**BE IT FURTHER RESOLVED** by the Board of County Commissioners of Calvert County, Maryland that the foregoing recitals are adopted as if fully rewritten herein; and

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

**DONE**, this 28<sup>th</sup> day of June, 2022, by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: \_\_\_\_\_ 5  
 Nay: \_\_\_\_\_ 0  
 Absent/Abstain: \_\_\_\_\_ 0

**ATTEST:**

**BOARD OF COUNTY COMMISSIONERS  
OF CALVERT COUNTY, MARYLAND**

Ruthie Buckler  
 Ruthie Buckler, Acting Clerk

Earl F. Hance  
 Earl F. Hance, President

Steven R. Weems  
 Steven R. Weems, Vice-President

Christopher J. Gadway  
 Christopher J. Gadway

Approved for form and legal  
sufficiency:

John B. Norris, III  
 John B. Norris, III, County Attorney

Mike Hart  
 Mike Hart

Received for Record... June 28... 2022  
 at... 3:00 o'clock... 0... M. Same day  
 recorded in Liber KPS No. 68  
 Folio 381 - 383 COUNTY COMMISSIONERS  
 ORDINANCES AND RESOLUTION.

Kelly D. McConkey  
 Kelly D. McConkey

Kathy P. Smith



COMMISSIONERS OF CALVERT COUNTY, MARYLAND

BUDGET ADJUSTMENT NO. 001

FY23

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

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

Fiscal Year Ending June 30, 2023

DATE 5/23/2022

| Org Code | Account Code | Project Code | Control Account | Dept Name  | Account Name              | Increase      | Decrease |
|----------|--------------|--------------|-----------------|--|---------------------------|---------------|----------|
| 000316   | 03155        |              |                 | SOLID WASTE SERVICES   | LANDFILL TIPPING FEE      | \$ 329,722.00 |          |
| 000316   | 07005        |              |                 | SOLID WASTE SERVICES   | USE OF PR YRS FUND BAL    | \$ 207,322.00 |          |
| 243      | 27600        |              |                 | SOLID WASTE FUND   | COMPACTOR SERVICE AGREEMT | \$ 100,101.00 |          |
| 243      | 27605        |              |                 | SOLID WASTE FUND   | COMMERCIAL SERVICE AGREEM | \$ 436,943.00 |          |
|          |              |              |                 |  |                           |               |          |
|          |              |              |                 |  |                           |               |          |
|          |              |              |                 |  |                           |               |          |
|          |              |              |                 |  |                           |               |          |
|          |              |              |                 | Explanation: Increase budget due to WM/Garnet Contract Extension |                           |               |          |
|          |              |              |                 |  |                           |               |          |
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|          |              |              |                 |  |                           |               |          |
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