

**COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND**

**2018 Legislative Session**

**Legislative Day No. 27**

**RESOLUTION NO. 138-2018**

Introduced by: The President of the Council at the request of the County Executive

A RESOLUTION AUTHORIZING A LOAN FROM THE GENERAL FUND-FUND BALANCE TO THE WICOMICO NURSING HOME IN THE AMOUNT OF \$489,320.00, AND APPROVING A PROMISSORY NOTE BETWEEN WICOMICO COUNTY, MARYLAND AND THE WICOMICO NURSING HOME.

WHEREAS, Wicomico County has reviewed the operating expenses and the actual and projected cash available to pay operating expenses at the Wicomico Nursing Home through June 30, 2019; and

WHEREAS, Wicomico County has determined that the Wicomico Nursing Home will require a loan in the amount of \$489,320.00 in order to meet the projected operating expenses through June 30, 2019; and

WHEREAS, the Wicomico Nursing Home intends to adjust its operations in order to repay the loan in the future to the General Fund-Fund Balance as provided in the Promissory Note attached as Exhibit "A," and

WHEREAS, the Deputy Director of Finance has certified the appropriation to be transferred is not encumbered and funds are available for transfer.

NOW, THEREFORE, BE IT RESOLVED, by the County Council of Wicomico County, Maryland, as follows:

1. The following loan of funds is authorized and approved:

FROM:	General Fund-Fund Balance	\$489,320.00
TO:	Wicomico Nursing Home Account No. 01C05-103093	\$489,320.00

2. The County Executive is authorized to execute the Promissory Note, in substantially the same form as Exhibit "A," and all related loan documents, to advance Wicomico Nursing Home operating expenses through June 30, 2019.

**EXHIBIT "A"**

**PROMISSORY NOTE**

\$489,320.00

December \_\_, 2018

WHEREAS, Wicomico Nursing Home has requested a loan from Wicomico County to fund operating expenses through June 30, 2019, in the amount of Four Hundred Eighty-Nine Thousand Three Hundred Twenty Dollars (\$489,320.00); and

WHEREAS, Wicomico County has determined that a loan to the Wicomico Nursing Home in the amount of Four Hundred Eighty-Nine Thousand Three Hundred Twenty Dollars (\$489,320.00) is appropriate under the circumstances to pay a portion of operating costs through June 30, 2019.

NOW, THEREFORE, FOR VALUE RECEIVED, the undersigned, Wicomico Nursing Home, "Borrower," promises to pay Wicomico County, Maryland, "Lender," the principal sum of Four Hundred Eighty-Nine Thousand Three Hundred Twenty Dollars (\$489,320.00), with no interest on the unpaid principal balance from the date of this Note, until paid.

The entire amount of the principal sum shall become immediately payable upon DEMAND by the Lender.

All interest and principal payments shall be paid in lawful money of the United States of America at the Wicomico County Department of Finance, P. O. Box 4036, Salisbury, Maryland 21803, or at such other place as the Lender may designate in writing to the Borrower.

Borrower may prepay the principal amount outstanding in whole or in part at any time without penalty. Any partial prepayment shall be applied against the principal amount outstanding.

This Note shall be governed by and construed under the laws of the State of Maryland.

IN WITNESS WHEREOF, the Maker has caused this Note to be executed in its name, under its seal, and on its behalf the day and year first above written.

ATTEST:  
  
\_\_\_\_\_

WICOMICO NURSING HOME  
By \_\_\_\_\_ (SEAL)  
Heather Samis, Director

ATTEST:  
  
\_\_\_\_\_

WICOMICO COUNTY, MARYLAND  
By \_\_\_\_\_ (SEAL)  
Bob Culver, Executive

STATE OF MARYLAND  
COUNTY OF WICOMICO

TO WIT:

I HEREBY CERTIFY that on this \_\_\_ day of \_\_\_\_\_, 2018, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Heather Samis, who acknowledged herself to be the Director of the WICOMICO NURSING HOME, and that she, as such being authorized to do so, executed the foregoing Promissory Note for the purposes therein contained by signing, in my presence, by herself as Director.

AS WITNESS my hand and Notarial Seal.

\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: \_\_\_\_\_

STATE OF MARYLAND  
COUNTY OF WICOMICO

TO WIT:

I HEREBY CERTIFY that on this \_\_\_ day of \_\_\_\_\_, 2018, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Bob Culver, who acknowledged himself to be the County Executive of WICOMICO COUNTY, MARYLAND, and that he, as such being authorized to do so, executed the foregoing Promissory Note for the purposes therein contained by signing, in my presence, by himself as County Executive.

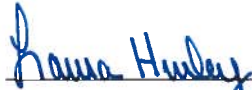
AS WITNESS my hand and Notarial Seal.

\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: \_\_\_\_\_

DONE at Salisbury, Maryland this 4th day of December, 2018.

ATTEST:

COUNTY COUNCIL OF WICOMICO  
COUNTY, MARYLAND

  
\_\_\_\_\_  
Laura Hurley, Council Administrator

  
\_\_\_\_\_  
John T. Cannon, Council President (SEAL)

**CERTIFICATION**

THIS RESOLUTION was Adopted , Adopted with Amendments \_\_\_\_\_, Failed \_\_\_\_\_,  
Withdrawn \_\_\_\_\_ by the County Council on December 4, 2018.

Certified by   
\_\_\_\_\_  
Laura Hurley, Council Administrator