

ENROLLED

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND
LEGISLATIVE SESSION, 2013
BILL 2013-03

Introduced: February 19, 2013

BY: The Council President at the request of the County Executive.

AN ACT to amend Chapter 29 of the Wicomico County Code, titled "Director of Finance," changing the title of the Chapter to "Finance" and adding Sections 29-18 through 29-21 to provide for appropriation of authorized grant revenues, conditional appropriation of unanticipated grant revenues, amendment of the budget for such conditional appropriations; certification of the availability of funds; and generally relating to Grants revenue.

PREAMBLE

The various County departments and agencies have exhibited creativity and innovation in identifying and addressing problems that cannot be resolved with existing resources, but might be suitable areas for seeking grant funds. The County is proactive in its pursuit of supplemental funding sources continuing to identify, apply for and receive grant funds from federal, state and other sources.

In order to ensure transparency and to simplify and codify the process, the County Executive proposes the establishment of Article II, "Grant Funds" in Article II of Chapter 29 as set forth below.

SECTION I: BE IT ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION, that Chapter 29, titled "Director of Finance" be and is hereby amended, to read as follows:

Chapter 29
~~Director of Finance~~

ARTICLE I
DIRECTOR OF FINANCE

ARTICLE II
GRANT FUNDS

29-18. DEFINITIONS.

FOR THE PURPOSES OF THIS ARTICLE, THE FOLLOWING WORDS OR TERMS SHALL HAVE THE MEANING:

- A. "AUTHORIZED GRANT" - A GRANT LISTED IN THE ANNUAL BUDGET AND APPROPRIATION BILL.
- B. "AUTHORIZED GRANT REVENUE" - GRANT REVENUE THAT IS ANTICIPATED FROM AN AUTHORIZED GRANT.
- C. "UNANTICIPATED GRANT REVENUE" - GRANT REVENUE THAT WAS NOT ANTICIPATED IN THE ANNUAL BUDGET AND APPROPRIATION BILL, AND INCLUDES REVENUE FROM

GRANTS NOT INCLUDED IN THE ANNUAL BUDGET AND APPROPRIATION BILL, AND REVENUE FROM GRANTS INCLUDED IN THE ANNUAL BUDGET AND APPROPRIATION BILL BUT IN EXCESS OF THE AMOUNTS ANTICIPATED FROM THOSE GRANTS.

D. "APPROPRIATION" – IN THIS ARTICLE SHALL MEAN THE AUTHORITY TO ACCEPT AND EXPEND GRANT REVENUE.

29-19. APPROPRIATION OF AUTHORIZED GRANT REVENUE

AUTHORIZED GRANT REVENUE IS DEEMED APPROPRIATED FOR THE PURPOSES SPECIFIED IN THE AUTHORIZED GRANT, SUBJECT TO THE FOLLOWING CONDITIONS: THERE IS A GRANT AWARD LETTER OR OTHER WRITING THAT, TO THE SATISFACTION OF THE DIRECTOR OF FINANCE, CONFIRMS THAT THE GRANT FUNDS ARE AVAILABLE FOR EXPENDITURE BY THE COUNTY; AND THERE ARE SUFFICIENT FUNDS AVAILABLE FOR PAYMENT OF ANY REQUIRED COUNTY MATCHING FUNDS.

29-20. APPROPRIATION OF UNANTICIPATED GRANT REVENUE.

A. REVENUE FROM A GRANT INCLUDED IN THE ANNUAL BUDGET AND APPROPRIATION BILL BUT IN EXCESS OF THE AMOUNT ANTICIPATED FOR THE GRANT AND ANY COUNTY MATCHING FUNDS, ARE DEEMED APPROPRIATED FOR THE PURPOSE SPECIFIED IN THE GRANT, SUBJECT TO THE FOLLOWING CONDITIONS:

- I. THERE IS A GRANT AWARD LETTER OR OTHER WRITING THAT, TO THE SATISFACTION OF THE DIRECTOR OF FINANCE, CONFIRMS THAT THE GRANT FUNDS ARE AVAILABLE FOR EXPENDITURE BY THE COUNTY; AND
- II. THERE ARE SUFFICIENT FUNDS AVAILABLE FOR PAYMENT OF ANY REQUIRED COUNTY MATCHING FUNDS.

B. REVENUE FROM A GRANT NOT INCLUDED IN THE ANNUAL BUDGET AND APPROPRIATION BILL, AND ANY COUNTY MATCHING FUNDS REQUIRED BY THE GRANT, ARE DEEMED APPROPRIATED FOR THE PURPOSE SPECIFIED IN THE GRANT, SUBJECT TO THE FOLLOWING CONDITIONS:

- I. THE APPLICATION FOR OR AWARD OF THE GRANT HAS BEEN APPROVED BY A RESOLUTION OF THE COUNTY COUNCIL THAT INCLUDES THE ESTIMATED AMOUNT OF THE GRANT AND ANY COUNTY MATCHING FUNDS, AND AN IDENTIFICATION OF THE COUNTY DEPARTMENT THAT WILL ADMINISTER THE EXPENDITURE OF THE GRANT AND ANY MATCHING FUNDS;
- II. THERE IS A GRANT AWARD LETTER OR OTHER WRITING THAT, TO THE SATISFACTION OF THE DIRECTOR OF FINANCE, CONFIRMS THAT THE GRANT FUNDS ARE AVAILABLE FOR EXPENDITURE BY THE COUNTY; AND
- III. THERE ARE SUFFICIENT FUNDS AVAILABLE FOR PAYMENT OF ANY REQUIRED COUNTY MATCHING FUNDS.

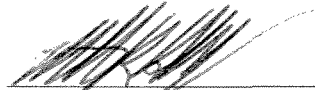
29-21. AMENDMENT OF BUDGET.

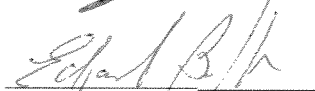
UPON SATISFACTION OF THE CONDITIONS IMPOSED ON AN APPROPRIATION BY THIS ARTICLE, THE DIRECTOR OF FINANCE, WITHOUT THE NECESSITY OF FURTHER ACTION BY THE COUNTY COUNCIL, SHALL REFLECT THE RECEIPT AND EXPENDITURE OF GRANT FUNDS AS RECEIVED ~~AMEND THE BUDGET AS RECORDED~~ IN THE COUNTY FINANCIAL SYSTEM TO SHOW THE APPROPRIATION TO THE DEPARTMENT THAT WILL ADMINISTER THE EXPENDITURE OF THE GRANT AND ANY MATCHING FUNDS, PROVIDED THAT THE DIRECTOR OF FINANCE SHALL SEND A REPORT TO THE COUNTY EXECUTIVE AND THE COUNCIL ADMINISTRATOR THAT, FOR EACH GRANT, DESCRIBES THE GRANT; THE AMOUNT OF THE APPROPRIATION, THE DEPARTMENT RESPONSIBLE FOR ADMINISTRATION OF THE GRANT AND, IF APPLICABLE, THE RESOLUTION THAT APPROVED THE APPLICATION FOR THE GRANT. THE REPORT SHALL BE SUBMITTED BY THE END OF EACH FISCAL YEAR AND INCLUDED IN THE NOTES TO THE FINANCIAL STATEMENTS OF THE ANNUAL AUDIT.

SECTION II. BE IT FURTHER ENACTED THAT this Bill shall be known as Bill No. 2013-03 of Wicomico County, Maryland and shall take effect sixty (60) days after its final passage, unless a proper Petition for Referendum thereof shall be filed prior to said date; in which event, the Bill shall not take effect until the expiration of thirty (30) days following the approval of this Bill by a majority of the qualified voters of the County voting in any such referendum.

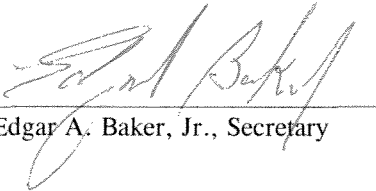
19th Certified correct as passed and adopted by the County Council of Wicomico County, Maryland this day of March, 2013.

WICOMICO COUNTY, MARYLAND

BY: _____
Matt Holloway, President

BY: _____
Edgar A. Baker, Jr., Secretary

I HEREBY CERTIFY that copies of the above Bill are available to the public, the press and other news media at the time of its introduction.

_____
Edgar A. Baker, Jr., Secretary

Explanation:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

~~Strike out indicates material deleted from law.~~

~~CAPITAL STRIKE OUT~~ indicates matter stricken from Bill by Amendment.

Underlining indicates Amendments to Bill.

COUNTY COUNCIL
OF
WICOMICO COUNTY, MARYLAND

BILL NO. 2013-03

INTRODUCED BY: Council at request of Executive

Legislative Day No. 03

Date: February 19, 2013

Introduced, read first time, ordered posted and public hearing scheduled on: March 19, 2013

Time: 10:30 a.m.

AN ACT to amend Chapter 29 of the Wicomico County Code, titled "Director of Finance," changing the title of the Chapter to "Finance" and adding Sections 29-18 through 29-21 to provide for appropriation of authorized grant revenues, conditional appropriation of unanticipated grant revenues, amendment of the budget for such conditional appropriations; certification of the availability of funds; and generally relating to Grants revenue.

PUBLIC HEARING: Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on March 19th and concluded on March 19th.

Matthew E. Creamer
Council Administrator

CERTIFICATION

The undersigned hereby certifies that this Bill was Approved and Adopted by the County Council of Wicomico County, Maryland, on the 19th day of March, 2013.

Matthew E. Creamer
Council Administrator

Presented to the County Executive for approval this 20th day of March, 2013 at 7:20 a.m./p.m. (5 days §411)

Matthew E. Creamer
Council Administrator

BY THE EXECUTIVE:

Richard P. Papp
County Executive

APPROVED

VETOED

Date: Mar 21, 2013
(21 days §411)

Date: _____

EFFECTIVE DATE:

This Bill having been approved by the County Executive and returned to the Council, becomes law on March 21, 2013 and effective on: May 20th - 2013 (60 days §311)

ENROLLMENT:

Legislative Bill No. 2013-03 is herewith submitted to the County Council of Wicomico County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

Matthew E. Creamer
Council Administrator
Date: 3-21-13

ENROLLED

Matthew E. Creamer
Council President
Date: 3-25-13