BOARD OF DIRECTORS

MARYLAND ENVIRONMENTAL SERVICE

RESOLUTION

A RESOLUTION authorizing

The formal ratification of purchases by the Maryland Environmental Service (the "Service") of various pieces of machinery and equipment; assignment of that machinery and equipment to an internal service fund; and the borrowing of moneys to finance the purchase of these assets.

R E C I T A L S

The Service was created by, exists under, and exercises the powers contained in Sections 3-101 to 3-129, inclusive, of the Natural Resources Article of the Annotated Code of Maryland including (among others) the powers **(i)** to acquire, purchase, hold, lease as lessee, and use any franchise and any property, real, personal or mixed, tangible or intangible, or any interest therein necessary to carry out the purposes of the Service; **(ii)** to create and establish a project reserve fund; **(iii)** to borrow money and issue bonds or notes for the purpose of paying all or any part of the cost of any one or more projects or for any other purpose of the Service.

The Service considers the purchase of various pieces of machinery and equipment for the use and support of certain projects to be in furtherance of the purposes of the Act and the Service.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MARYLAND ENVIRONMENTAL SERVICE, THAT:

1. The purchase of various pieces of machinery and equipment shall be, and hereby are, confirmed, reaffirmed, authorized and directed pursuant to the provisions of the Act, and as approved by the Service's Board from August 1988 and by Resolution adopted December 21, 1989.

2. Certain adjustments have been made to the Equipment List since December and certain procurements have been initiated by the Service due to funding availability and project schedules as set forth in the attached Memorandum dated April 23, 1990.

3. With regard to the attached list entitled "Capital Equipment for Refinancing" the Service will borrow One Million One Hundred Fifty-six Thousand Nine Hundred Fifty-five Dollars and Ninety-eight Cents ($1,156,955.98), therefore the Board ratifies and confirms its intention **(a)** to purchase the items on the list; **(b)** to assign the assets to an internal service fund created for the purpose of holding the assets for lease or rental to MES projects; **(c)** to borrow moneys not to exceed One Million One Hundred Fifty-six Thousand Nine Hundred Fifty-five Dollars and Ninety-eight Cents ($1,156,955.98) for a term not to exceed five (5) years to finance the purchase of the assets; **(d)** to employ interfund borrowings as needed, but only on a temporary basis, to undertake the purchase transactions in a timely manner and **(e)** at the earliest appropriate time, to secure permanent financing for purchase of the assets and reimbursement of the temporary interfund borrowing.

4. With regard to the attached list entitled "Future Capital Equipment Expenditures" and totaling One Million One Hundred One Thousand Four Hundred Ninety-two Dollars and Forty-five Cents ($1,101.492.45), the Board approves the following: (a) the purchase of general and client-specific items; (b) assignment of each of the assets to the internal service fund for lease or rental to MES projects; (c) borrowing of moneys for a term not to exceed five (5) years to finance the purchase of the assets; (d) the use of interfund borrowing as needed, but only a temporary basis, to facilitate the purchase transaction; and (e) use of the proceeds of the permanent financing as appropriate to reimburse the interfund borrowing.

5. The purchases shall be, and hereby are adopted and authorized as set forth above, and the Director of the Service is hereby authorized to proceed as authorized and approved by this Resolution. The Service also reserves the right to make any substitutions of equipment to any client-specific project.

6. This Resolution shall take effect immediately.

ADOPTED, this 24th day of May 1990.

SEAL

MARYLAND ENVIRONMENTAL SERVICE

By: George G. Perdikakis
George G. Perdikakis, Director

By: Edward A. Griffith
Edward A. Griffith, Treasurer

By: R. Kenneth Barnes
Dr. R. Kenneth Barnes, Secretary