**BOARD OF DIRECTORS**

**MARYLAND ENVIRONMENTAL SERVICE**

**RESOLUTION**

**(96-02-1R)**

**A RESOLUTION** authorizing

The formal ratification by the Maryland Environmental Service (the "Service") of the procurement of various pieces of machinery and equipment; assignment of that machinery and equipment to a Project Reserve Fund (Internal Service Fund); borrowing of moneys to finance the purchase of these assets; and declaring the intent of the Service to reimburse expenditures with respect to the acquisition of equipment for the Baltimore Regional Yard Debris Composting Facility from debt issued by the Service.

**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 3-130, inclusive, of the Natural Resources Article of the Annotated Code of Maryland (the "Act") 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.

The Service also intends to expend money to acquire machinery and equipment for the Baltimore Regional Yard Debris Composting Facility prior to the issuance of debt by the Service. The Service intends to reimburse such expenditures from the proceeds of debt issued by the Service, which debt may be in the form of a Master Lease-Purchase Agreement.

**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 (the "Assets") shall be, and hereby are, confirmed, authorized and directed pursuant to the provisions of the Act.

2. Certain procurements have been initiated by the Service due to funding availability and project schedules.

3. With regard to the attached list entitled "Capital Equipment Expenditures" and totaling Eight Hundred Thousand, Four Hundred Fourteen Dollars ($800,414.00), the Board approves the following: **(a)** the purchase of the Assets; **(b)** assignment of each of the Assets to the Project Reserve Fund (Internal Service Fund) for lease or rental to MES projects, including, without limitation, to the Baltimore Regional Yard Debris Composting Facility; **(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, including, without limitation, financing in the form of

a Master Equipment Lease-Purchase Agreement.

4. 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 may make any substitutions of Assets to any client-specific project it deems necessary.

5. The Service intends to expend money on the acquisition of additional equipment for the Baltimore Regional Yard Debris Composting Project prior to the issuance of bonds, notes or other debt obligations, including, without limitation, the proceeds from a Master Equipment Lease-Purchase Agreement, in an amount not to exceed Two Hundred Dollars ($200,000.00).

6. This Resolution shall take effect immediately.

**ADOPTED, this 29th day of February, 1996.**

**SEAL**

**MARYLAND ENVIRONMENTAL SERVICE**

**BY:** _____
**JAMES W. PECK, DIRECTOR**

**BY:** _____
**ANNETTE ANSELMI, TREASURER**

**BY:** _____
**CAROLYN D. DAVIS, SECRETARY**

**CAPITAL EQUIPMENT EXPENDITURES**
**(96-02-1R)**

| No. | Description | Model | | Cost |
|---|---|---|---|---|
| 1 | Scarab Windrow Turner | 18HYD360 | | $238,300 |
| 1 | Debagging Equipment | Re-Tech | | 253,135 |
| 1 | Loader | JCB Load-All | | 65,479 |
| 1 | Semi Truck | Mack 1987 | | 11,500 |
| 1 | Bulldozer | Cat D-4 | | 36,000 |
| 1-2 | Loader | TBD | (est.) | 185,000 |
| 7 | Roll-off containers | | | 11,000 |
| | | | | **$800,414** |