

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION 2019-08**

BILL NO. 2019-07

Title of Bill: Trust Fund – Volunteer Length of Service Award Program - VLOSAP

Synopsis: A Bill authorizing the establishment of the Cecil County, Maryland Volunteer Length of Service Award Program Trust Fund; approving the form of Trust Agreement relating thereto and the provisions therein regarding the administration of the Trust Fund; authorizing and empowering the trustees of the Trust Fund to invest and manage the assets of the Trust Fund; and generally providing certain matters with respect to the Trust Fund.

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

Introduced and order posted on: April 16, 2019

Public hearing scheduled on: May 21, 2019 at 7:00pm

Consideration scheduled on: June 4, 2019

By: _____
Council Manager

PUBLIC HEARING

Notice of time and place of public hearing and title of Bill having been posted by (date) at the County Administration Building, 200 Chesapeake Blvd., Elkton, and having been published according to the Charter on (date), a public hearing was held on (date) and concluded on (date).

By: _____
Council Manager

Explanation: CAPITAL LETTERS INDICATE LANGUAGE ADDED TO EXISTING DOCUMENT
~~Strike through~~ indicates language deleted from existing document
Underlining indicates language added to document by amendment.
~~Double Strike through~~ indicates language stricken from document by amendment.

Trust Fund – Volunteer Length of Service Award Program – VLOSAP

1 **WHEREAS**, Cecil County, Maryland provides length of service awards (“VLOSAP Benefits”) to
2 qualified members of Cecil County volunteer fire departments, ambulance corps and rescue
3 squads pursuant to the Cecil County Volunteer Length of Service Award Program Bylaws (as
4 amended, the “Program”);

5 **WHEREAS**, pursuant to Section 17-102 of the Local Government Article of the Annotated
6 Code of Maryland, the trustees in charge of a trust fund account of a political subdivision may
7 invest and reinvest monies under their custody or control as provided by the laws enacted by the
8 governing body of the political subdivision; and

9 **WHEREAS**, Cecil County, Maryland wishes to authorize the establishment of a trust fund
10 for the Program and to authorize the trustees of the trust fund to invest and manage the assets of
11 the trust fund as provided herein.

12 **NOW THEREFORE, BE IT HEREBY ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
13 **MARYLAND**, as follows:

14 Section 1. Cecil County, Maryland (the “County”) hereby authorizes the establishment of
15 the “Cecil County, Maryland Volunteer Length of Service Award Program Trust Fund” (the “Trust
16 Fund”), under the terms and conditions set forth in a trust agreement to be entered into by the
17 County and the trustees of the fund, substantially in the form of the Cecil County, Maryland
18 Volunteer Length of Service Award Program Trust Agreement attached hereto as Appendix 1 (the
19 “Trust Agreement”).

20 Section 2. The Trust Agreement and the provisions therein regarding the administration of
21 the Trust Fund are hereby approved.

22 Section 3. The purpose of the Trust Fund is to assist the County in financing benefits
23 provided by the County under the Program from time to time.

24 Section 4. The Trustees shall have full power and authority to invest and manage the
25 assets of the Trust Fund in accordance with the Trust Agreement.

26 Section 5. Neither the establishment of the Trust Fund nor the establishment or
27 maintenance of a reserve to pay VLOSAP Benefits under the Program shall be construed as
28 creating or evidencing an obligation on the County’s part to maintain or continue its practice of
29 providing VLOSAP Benefits; rather, the County expressly reserves the right to alter, amend,
30 modify, or terminate its practice of providing VLOSAP Benefits under the Program.

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31 Section 6. As set forth in Section 7.02 of the Trust Agreement, the Trust Agreement may be
32 amended by executive order of the County Executive, after such amendment has been approved
33 by the vote of 2/3 of the Trustees.

34 Section 7. This Act, being necessary for the welfare of the inhabitants of Cecil County, shall
35 be liberally construed to affect its purposes.

36 Section 8. The provisions of this Act are severable, and if any provision, sentence, clause,
37 section or part hereof is held to be illegal, invalid or unconstitutional or inapplicable to any person
38 or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect
39 or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Act or their
40 application to other persons or circumstances. It is hereby declared to be the legislative intent
41 that this Act would have been passed if such illegal, invalid or unconstitutional provision, sentence,
42 clause, section or part had not been included herein, and if the person or circumstances to which
43 this Act or any part hereof are inapplicable had been specifically exempted therefrom.

44 **AND BE IT FURTHER ENACTED** that this Act shall take effect 60 calendar days from the date
45 it becomes law.

CERTIFICATION

I, HEREBY CERTIFY that the above Bill was posted for the public on the public bulletin board with the date, time and location of the public hearing meeting, copies were made available for the public, a copy was distributed to the press, and copy was made available on the Cecil County website.

BY Council Manager