

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

**BILL NO. 2019-07 As Amended**

**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 April 16, 2019 at the County Administration Building, 200 Chesapeake Blvd., Elkton, and having been published according to the Charter on May 8, 2019 and May 15, 2019, a public hearing was held on May 21, 2019 and concluded on May 21, 2019.

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.

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**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. The Trustees hereunder shall consist of (1) the Director of Finance of the  
27 County, or his or her designee, (2) the Budget Manager, or his or her designee, (3) the Director of  
28 Human Resources, or his or her designee, (4) the Director of Emergency Services, or his or her  
29 designee, (5) the President of the Cecil County Firemen’s Association, or his or her designee, and

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30 (6) a current member of the Cecil County Council as appointed by the Council as a non-voting  
31 member.

32 Section 6. Neither the establishment of the Trust Fund nor the establishment or  
33 maintenance of a reserve to pay VLOSAP Benefits under the Program shall be construed as  
34 creating or evidencing an obligation on the County’s part to maintain or continue its practice of  
35 providing VLOSAP Benefits; rather, the County expressly reserves the right to alter, amend,  
36 modify, or terminate its practice of providing VLOSAP Benefits under the Program.

37 Section 7. As set forth in Section 7.02 of the Trust Agreement, the Trust Agreement may be  
38 amended by executive order of the County Executive, after such amendment is approved by 2/3  
39 vote of the Trustees and approved by Bill by the County Council.

40 Section 8. This Act, being necessary for the welfare of the inhabitants of Cecil County, shall  
41 be liberally construed to affect its purposes.

42 Section 9. The provisions of this Act are severable, and if any provision, sentence, clause,  
43 section or part hereof is held to be illegal, invalid or unconstitutional or inapplicable to any person  
44 or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect  
45 or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Act or their  
46 application to other persons or circumstances. It is hereby declared to be the legislative intent  
47 that this Act would have been passed if such illegal, invalid or unconstitutional provision, sentence,  
48 clause, section or part had not been included herein, and if the person or circumstances to which  
49 this Act or any part hereof are inapplicable had been specifically exempted therefrom.

50 **AND BE IT FURTHER ENACTED** that this Act shall take effect 60 calendar days from the date  
51 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.

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BY Council Manager