



The Jewel of the Chesapeake Bay
North Beach, Maryland

8916 Chesapeake Avenue | Post Office Box 99
North Beach, MD 20714

410.257.9618 | 301.855.6681
www.northbeachmd.org

**SPECIAL TOWN COUNCIL MEETING
NORTH BEACH TOWN HALL
JUNE 7, 2012
AGENDA**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. APPROVE AGENDA**
- IV. APPROVAL OF MINUTES**
 - 1) Minutes from the May 10, 2012 Town Council Meeting
 - 2) Minutes from the May 10, 2012 Executive Session
- V. SCHEDULED APPOINTMENTS**
- VI. PUBLIC SAFETY REPORT**
 - A. Sheriff's Department
- VII. TREASURER'S REPORT**
- VIII. REPORTS**
 - A. Public Works Supervisor
 - B. Code Enforcement Officer
 - C. Town Engineer
 - D. Waterfront Supervisor

Mark R. Frazer, Mayor

Council Members: Mike Benton Gregory Dotson Gregory McNeill Randy Hummel Gwen Schiada Kenneth Wilcox



The Jewel of the Chesapeake Bay
North Beach, Maryland

8916 Chesapeake Avenue | Post Office Box 99
North Beach, MD 20714

410.257.9618 | 301.855.6681
www.northbeachmd.org

IX. BOARDS AND COMMISSIONS

X. BUSINESS ITEMS

- A. Update on the Performance Arts Center
- B. Hotel/Proposal Discussion – Gregg Dotson
- C. Contract for Town of North Beach Public Ground Maintenance

XI. ORDINANCES AND RESOLUTIONS

- 1) Ordinance No: 12-04: An Ordinance to amend Chapter 26 of the Code of The Town of North Beach to prohibit Dangerous Animals – **Voting**
- 2) Ordinance 12-06: An Ordinance to adopt the FY 13 Town of North Beach Budget – **Voting**
- 3) Ordinance 12-07: An Ordinance to amend Chapter 69 of the Code of The Town of North Beach to amend the Rental Housing process –**Introduction**
- 4) Ordinance 12-02: A Zoning Ordinance to repeal most of the onsite parking requirements for commercial establishments within The Town of North Beach - **Introduction**
- 5) Ordinance 12-08: FY12 Budget Adjustments – **Introduction**
- 6) Resolution 12-02: 2008 Bond Allonge - **Voting**

XII. MAYOR AND COUNCIL REPORTS

XIII. PUBLIC COMMENT

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT

Mark R. Frazer, Mayor

Council Members: Mike Benton Gregory Dotson Gregory McNeill Randy Hummel Gwen Schiada Kenneth Wilcox



The Jewel of the Chesapeake Bay
North Beach, Maryland

8916 Chesapeake Avenue | Post Office Box 99
North Beach, MD 20714

410.257.9618 | 301.855.6681
www.northbeachmd.org

Upcoming Meetings and Events

All Meeting held at the Town Hall

- 1) Saturday, June 9, 2012 – at dusk...Movie on the Beach – “CARS”
- 2) Friday, June 15, 2012 – Campfire on the Beach – 7:00 p.m.
- 3) Saturday, June 16, 2012 – Eat, Drink, Go Local – noon to 6 pm
- 4) Monday, June 18, 2012 – Historic Preservation Meeting – 7:00 p.m. – Town Hall
- 5) Monday, June 18, 2012 – Public Safety Meeting – 7:00 p.m. – Town Hall
- 6) Saturday, June 23, 2012 – Concert on the Pavilion – 6:30 p.m. – US Navy Band – Commodores
- 7) Thursday, June 28, 2012 – Planning Commission Meeting – 7:00 p.m. – Town Hall

Mark R. Frazer, Mayor

Council Members: Mike Benton Gregory Dotson Gregory McNeill Randy Hummel Gwen Schiada Kenneth Wilcox



The Jewel of the Chesapeake Bay
North Beach, Maryland

8916 Chesapeake Avenue | Post Office Box 99
North Beach, MD 20714

410.257.9618 | 301.855.6681
www.northbeachmd.org

Minutes from the May 10, 2012 Town Council Meeting

Joint Public Hearing between the North Beach Town Council and the Planning Commission on Ordinance 12-02: A Zoning Ordinance to repeal most of the onsite parking requirements for commercial establishments within the Town of North Beach

Public Hearing was opened at 7:10 p.m. There was no public comment on the Zoning Ordinance change. Public Hearing closed.

X___ Mayor Frazer	X___ Joanne Hunt	X___ Paul Goins
X___ Mr. Benton	X___ Stacy Wilkerson	X___ John Shay
X___ Mr. Dotson	X___ Donnie Bowen	X___ Dawn Richardson
X___ Mr. McNeill	X___ John Hofmann	X___ Sgt. Bowen
X___ Mr. Hummel	X___ Richard Ball	X___ Marsha Stiner
X___ Ms. Schiada	X___ Mr. Wilcox	

APPROVAL OF AGENDA AND MINUTES

- a) MOTION made by Ken Wilcox to approve the agenda as presented. Seconded by Greg McNeil. All in favor. Motion carries.
- b) MOTION made by Gwen Schiada to approve the Town Council Minutes from the April 12, 2012 Meeting. Seconded by Ken Wilcox. All in favor. Motion carries.
- c) MOTION made by Gwen Schiada to approve the minutes from the May 3, 2012 Work Session. Seconded by Greg McNeil. All in favor. Motion carries.
- d) MOTION made by Ken Wilcox to approve the Executive Session minutes from the May 3, 2012. Seconded by Greg McNeil. Motion carries.

NOTE: Under the Maryland Open Meetings Law the Mayor and Town Council voted to enter into Executive Session to discuss a real estate acquisition.

SCHEDULED APPOINTMENTS

- a) Ms. Grace Mary Brady from the Bayside History Museum was in attendance with a power point presentation on the history of the War of 1812 in Calvert County, Maryland.

Mark R. Frazer, Mayor

Council Members: Mike Benton Gregory Dotson Gregory McNeill Randy Hummel Gwen Schiada Kenneth Wilcox



The Jewel of the Chesapeake Bay
North Beach, Maryland

8916 Chesapeake Avenue | Post Office Box 99
North Beach, MD 20714

410.257.9618 | 301.855.6681
www.northbeachmd.org

PUBLIC SAFETY REPORT

- a) Calvert County Sheriffs Report for April 2012. In April the Sheriff's Department responded to 312 calls for service in North Beach. This is down from 339 calls in March 2012.

TREASURER'S REPORT

Treasurers Report: Reporting Period: 4/1//12 – 4/30/12: Beginning Balance \$134,033.85; Total Debits: \$504,817.66; Total Credits: \$586,739.94 Ending Balance: \$52,111.57. MOTION made by Gwen Schiada to accept the report. Seconded by Greg McNeil. Motion carries.

REPORTS

Staff Reports: Public Works Department, Code Enforcement, Waterfront Supervisor and Town Engineer are attached to this report.

BOARDS AND COMMISSION: Re-appointment of Bill Heiner, James Bradshaw and Teresa Whitten to the North Beach Board of Appeals. Motion made by Randy Hummel to approve the re-appointment. Seconded by Greg McNeil. All in favor. Re-appointment confirmed.

BUSINESS ITEMS:

- a) Trash Collection: MOTION made by Gwen Schiada to approve the Trash Collection Contract with the change to the collection of bulk trash to once a month on a Wednesday and the residents have to call Town Hall to schedule. Seconded by Randy Hummel. All in favor. Motion carries.
- b) Rental Housing: John Shay will take a look at the entire ordinance again and incorporate the administrative warrant wording. This Ordinance will be introduced at the June meeting.
- c) MOU for the Bayside Boys and Girls Club: Motion made by Randy Hummel to authorize the Mayor to sign the MOU when completed. Seconded by Greg Dotson. All in favor. Motion carries.

ORDINANCES AND RESOLUTIONS

- 1) Ordinance No: 12-05: An Ordinance to adopt the Comcast Franchise Agreement with the Town of North Beach – Motion made by Randy Hummel to adopt Ordinance No. 12-05. Seconded by Greg McNeil. Motion carries.

Mark R. Frazer, Mayor

Council Members: Mike Benton Gregory Dotson Gregory McNeill Randy Hummel Gwen Schiada Kenneth Wilcox



The Jewel of the Chesapeake Bay
North Beach, Maryland

8916 Chesapeake Avenue | Post Office Box 99
North Beach, MD 20714

410.257.9618 | 301.855.6681
www.northbeachmd.org

- 2) Ordinance No: 12-06: An Ordinance to adopt the FY 13 Town of North Beach Budget. Ordinance introduced.
- 3) Ordinance No: 12-07: An Ordinance to amend Chapter 69 of the Town of North Beach Code regarding the Rental Housing process. – This Ordinance was not introduced due to some changes needed. This ordinance will be introduced at the June 2012 meeting.

Meeting closed at 8:45 p.m. on a motion made by Greg Mcneil to enter into Executive Session to discuss a real estate matter. Seconded by Mike Benton. All in favor.

Mark R. Frazer, Mayor

Stacy L. Wilkerson, Town Clerk

Mark R. Frazer, Mayor

Council Members: Mike Benton Gregory Dotson Gregory McNeill Randy Hummel Gwen Schiada Kenneth Wilcox

Memo



CALVERT COUNTY SHERIFF'S OFFICE TWIN BEACHES PATROL

Date: June 02, 2012

To: Stacy Wilkerson

From: First Sergeant Craig Bowen

Re: Sheriff's Office Report-North Beach

In May, the Sheriff's Office handled 298 calls for service in North Beach. This is down from 312 calls in April.

Call Breakdown for May:

212 calls were self initiated (patrol checks, follow-up investigations, etc)

86 calls were received by other means (citizens, alarm companies, etc)

Of the 298 calls, we handled:

- 0 Assaults
- 0 Robbery
- 5 CDS Violations
- 5 Thefts (1 closed and 4 under investigation)
 - 2 *theft from vehicle*
 - *Theft of gas (drive off)*
 - *Theft of a flag*
 - *shoplifting*
- 2 Burglary (both closed)
- 1 Destruction of Property (under investigation)
- 2 DWI

****See Page 2 for Breakdown of Dispatched/Self Initiated Calls****

Breakdown of Dispatched/Self Initiated Calls

911 hang up - 1	Domestic - 10	Special Assignment - 1
Accidents - 6	DWI - 2	Summons Service - 4
Alarms - 4	Escort - 1	Suspicious Person - 2
Animal Complaint - 1	Fight - 2	Suspicious Vehicle - 6
Assist other Department - 4	Fireworks complaint - 1	Tampering with Motor Vehicle - 1
Attempt to Locate - 5	Follow up - 20	Theft - 5
Burglary - 2	Fraud - 1	Traffic Complaint - 6
CDS Violation - 6	Loitering - 1	Traffic Control - 1
Check Welfare - 3	Loud Party/Music - 4	Traffic Assignment - 5
Conservator - 1	Parking Complaint - 1	Trespassing - 3
Destruction of Property - 1	Patrol Check - 174	Warrant Service - 1
Death Investigation - 1	Police Information - 2	Assist motorist - 1
Disorderly - 7	Protective order - 1	

****Note – The reportable incident totals on page 1 may differ from the dispatched totals on page 2. The breakdown on page 2 represents all calls dispatched/self initiated by the sheriff's office. The totals listed on page 1 may be less due to factors the deputy learns upon arrival to the scene****

TOWN OF NORTH BEACH
TREASURER'S REPORT

Reporting Period 05/01/12- 05/31/12

PNC Bank:

Beginning Balance 05/01/12	\$52,111.57	
Total Debits (+)	\$ 402,362.42	
Total Credits (-)	\$318,659.25	
Ending Balance 05/31/12	\$135,814.74	Last Year: \$200,632.58
Investments (MLGIP/General Fund)	\$ 1,001,873.79	Last Year: \$1,008,637.42
(MLGIP/Sewer Capital)	\$ 383,672.10	Last Year: \$383,288.31
(MLGIP/Water Capital)	<u>\$ 137,318.32</u>	<u>Last Year: \$137,180.97</u>
Total Cash	\$ 1,658,678.95	Last Year: \$1,729,739.28

CASH RECEIPTS OVER \$7,500.00

\$175,000.00- Transfer to MLGIP

\$ 70,000.00- Transfer Credit Card Processing Acct to General Fund Operating

\$11,250.02- Calvert County Tax Payment (April 2012)

\$42,530.44- Local Income Tax & Other (April 2012)

CASH DISBURSEMENTS OVER \$7,500.00

\$ 25,910.66- Payroll W/E 5/12/12

\$ 24,941.79- Payroll W/E 5/26/12

\$ 44,786.80- Playground Specialist

\$ 17,205.00- Southern Maryland Recycling

\$ 31,535.60- Town Chesapeake Avenue (Jan – Feb)

\$ 22,640.00- Southern Maryland Paving

\$ 30,770.00- Town of Chesapeake Beach (March – April)

\$ 8,180.50- John Hofmann, P.C. (Feb 2012)

\$ 10,727.10- Holiday Inn (MML 2012)

To: Mayor Frazer and Town Council Members

From: Don Bowen DPW

Date 6-7-2012

Subject: Monthly Report

The following is a list of items DPW has been working on in addition to routine task for this report period.

- 1) Working with John Hoffman on identifying remaining storm drain issues in town and recommended solutions for problems. Coming up with estimates for these projects in order to include in upcoming budget.
- 2) Working with John Hoffman on estimates and locations for future sidewalks throughout town.
- 3) Continuing to work on landscaping throughout town. Redid intersection at 5th and Chesapeake to make one of the main entrances to town more presentable. Trimming trees and removing dead trees located in town right of way.
- 4) Reconstructed sign at north end of town on Bay Ave (261) at the county line and added a message board to the sign.
- 5) Started painting crosswalks in town 50 % complete at this time. Continuing to paint and expect to complete this month.
- 6) Continuing to paint seawall on Atlantic Ave. Expected to complete this month.
- 7) Replaced 40 feet of storm drain pipe on Greenwood Ave. and regarded area.
- 8) The area experienced coast flood warnings and high tides on 6-5-12 and 6-6-12 which caused flooding in the 9th and Annapolis area from 7:30 am to 12 noon. (roads closed).

Any questions please contact me,
Thanks Don Bowen

Code Enforcement Report

June 7 2012

To: Mayor Frazer, Town Council Members

Sent 15 civil citations to citizens under violation of Section 304.2 of the IPMC regarding fence issues. Since the citations were sent three more have been addressed; one citizen has an extension until June 22nd. An additional 8 citizens were sent first fence letters, missed by me during original walk around. Of the original 150 violations written 139 have been satisfied.

Mailed 15 grass letters; if any of the 15 is in violation a second time we will make arrangements to cut the grass. Continue to monitor grass issues.

Handled several citizen complaints regarding exterior maintenance issues.

Made arrangements to remove overhanging branches hitting the tops of School buses. One on 8th and one on 6th. Also addressed overhanging branches on Greenwood.

Continue to assist Mr. Hoffman with minor zoning permits.

Respectfully Submitted, Paul Goins

Code Enforcement officer

MEMORANDUM

TO: Mayor & Town Council
FROM: John A. Hofmann, P.E. Town Engineer & Zoning Administrator
RE: Monthly Report
DATE: June, 2012

The following is the status of activities that are being worked on:

Timber Breakwater

The project is being advertised for bids so the contract can be awarded in early summer for a fall construction start after the beach season ends. The State permit has been approved and issued.

Corps of Engineers Wetland Revitalization

The latest version of the Corps evaluation and list of alternative projects was received on June 6th I will be providing an outline list of projects and their estimated costs from the 455 page report for Council review.

DPW shop building

I am working on the final acceptance of the site improvements by the County inspection staff and a layout the additional bench area for the point near the wetlands.

Watershed Implementation Plan (WIP)

I am continuing to work with the County and other agencies to develop the plan needed to meet the nutrient reduction goals set for the County by the State and EPA. A copy of the draft County Plan has been provided to Town Council members. I will discuss the highlights of the County plan at your meeting on June 7th.

Boat Slip Dredge

We are pursuing permits and working with DNR on funding.

9th Street Flood Mitigation Project

EA Engineering has provided a draft of their report. In it they recommend an earthen berm concept which is similar to the dike system in the Town's preliminary plans to provide protection from tidal surges. . They have discussed their report with the Environmental Committee who have asked for more information on the project including evaluation of permitting issues, impacts on private properties and more baseline information on the impacts on groundwater caused by rainfall and tidal surges, before recommending a final type of structure to be included in the project.

New Fishing Platform for Town Pier.

The application for State and Federal permits has been submitted We are developing detailed structural engineering drawings for the project.

Wetland Trail

Design and permit applications are being prepared for Phase 1 which includes a connection from the Overlook pier to the parcel at the north end of Frederick Ave.

**NORTH BEACH WELCOME CENTER
WATERFRONT REPORT
JUNE 7, 2012**

<u>REVENUE</u>	4/28/11 to 6/3/2011	50,042.00	
	4/28/12 to 6/3/ <u>2012</u>	60,664.00	+ 10,622.00 over last year

Memorial Day Weekend Comparison - Revenue

2011	27,398.00	
<u>2012</u>	34,146.00	+ 6,748.00 over last year

Memorial Day Weekend Comparison – Guest Counts

<u>Visitors</u>		<u>Residents</u>		<u>Total</u>	
<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>
3197	3408	473	937	3670	4345

Military Passes Free / Contribution to Stars and Stripes Weekend
509 Free Passes – estimated value of \$3,000.00

Increase in

<u>Family Passes</u>	4/28/11 to 6/3/2011	sold 20
	4/28/12 to 6/3/ <u>2012</u>	sold 37

<u>Guest Counts</u>	<u>Visitors</u>		<u>Residents</u>		<u>Total</u>	
	<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>	<u>2011</u>	<u>2012</u>
	5980	6104	1841	2740	7821	8844

Paddle and Pedal Rentals – To Date – Comparison

	<u>2011</u>	<u>2012</u>
Kayak	13	
Double Kayak		3
Standup Paddleboard	4	
Bike	2	4

Richard Ball
 Waterfront Manager
 Welcome Center: 410.286.3799
 Home: 410.286.3988
 Cell: 410.474.4516
rball@northbeachmd.org
humphrey72357@comcast.net

BID NUMBER - PURCH 2012-02
GROUND CARE SERVICES/FLOWER BED MAINTENANCE TOWN WIDE

Bidder #	Name	Lawn Maintenance LUMP Sum	Flower Bed Maintenance LUMP Sum	Total Bid
1	Earth Tech LLC	\$10,350.00	No Bid	\$10,350.00
2	Kelly's Tree & Lawn Service, Inc.	\$24,675.00	\$26,000.00	\$50,675.00

Bids Due April 18, 2012

Note: Bids are good for 120 Days.
Contract Period June 1 to October 31, 2012
Renewal March 1 to October 31, 2013

TOWN OF NORTH BEACH
8916 Chesapeake Avenue
North Beach, Maryland

Sponsored by Councilmember Wilcox

April 12, 2012

ORDINANCE NO: 12-04

AN ORDINANCE TO AMEND CHAPTER 26 OF THE CODE OF THE TOWN OF NORTH BEACH TO PROHIBIT DANGEROUS ANIMALS

WHEREAS, the Mayor and Town Council have determined that prohibiting from the Town any animal that, without provocation, wounds, bites, injures or kills a human being, another animal or livestock, or is being trained or has been trained to attack is to protect the health, safety and welfare of the citizens of the Town, and;

WHEREAS, in 2000 the Mayor and the Town Council passed ordinances to amend the Town Code that prohibited the keeping of “pit bulls” in the Town because it was determined that “pit bull” breeds, including the Staffordshire Bull Terrier, the American Staffordshire Bull Terrier, the American Pit Bull Terrier, and any genetic combination thereof, were inherently dangerous animals, and;

WHEREAS, the Mayor and the Town Council have determined that the major factors that cause the dangerousness of animals is not a specific breed of the animal but instead the disposition of specific animals and how the owner of the animal raises the animal, and;

WHEREAS, the Mayor and the Town Council have determined that confirming the exact breed of dog by genetic testing is prohibitively expensive and highly unreliable but determining the dangerousness of an animal by its actions are cost-effective and highly accurate, and;

NOW, THEREFORE, be it resolved by the Mayor and the Town Council of the Town of North Beach, Maryland that Section 26-3 of the Code of the Town of North Beach will be amended as follows:

Dogs running at large and dogs on the sand beach; Dangerous Animals

- A. No person shall own or harbor within the Town of North Beach any dog unless such dog is licensed as provided by the ordinances and regulations of Calvert County. All ordinances and regulations of Calvert County concerning dogs shall apply within the corporate limits of the Town of North Beach. In addition, this includes the provisions of the Calvert County Code which call for all dogs to be on a leash when in the company of their owner outside the confines of the owner's property. In addition, it is expressly prohibited for any dog to be on the town beach, whether said dog be at large or on a leash. It is the intention of the Council that dogs are prohibited on the sand beach under all circumstances.
- B. Dangerous Animals. Based on numerous instances in the Town of North Beach and Calvert County, the Mayor and Council have determined that dangerous animals are of particular nuisance and danger to the health, safety and welfare of the public. Therefore, except as otherwise permitted by this article, the ownership of a dangerous animal is hereby prohibited within the Town of North Beach. In addition, it is prohibited for dangerous animal to be on any town right-of-way, including streets, the boardwalk and/or the beach, at any time, whether with its owner or not. It is the intention of this article that dangerous animals not have any contact with the public within the Town of North Beach.
- C. Dangerous animals presently owned within town limits. Any resident of the Town of North Beach who owns a dangerous animal at the time of the passing of this article may continue to own that animal within the Town of North Beach under the conditions stated in the Code of Calvert County, Chapter 7, Part 9, Article I, section 7-9-103.
- D. Any person not owning a dangerous animal pursuant to this article seen with a dangerous animal within the Town of North Beach will be asked to remove said animal from the town

immediately. If the animal is not removed, it shall be subject to confiscation by the town and will be turned over to the Calvert County Animal Control Officer where it can be claimed by the owner within the rules and regulations of county law. In addition, the owner shall be subject to the provisions of § 26-8 of this chapter which states that violations will be deemed to be a municipal infraction.

E. Any town resident owning a dangerous animal pursuant to the provisions of this article found to be in violation of this article shall be guilty of a municipal infraction as stated in § 26-8 of this article. In addition, any town resident who owns a dangerous animal pursuant to this article who receives a second municipal infraction for a violation of this article will be subject to having the animal confiscated by the town and turned over to the Calvert County Animal Control Officer for disposal pursuant to county law. All code enforcement officials of the Town of North Beach, including Deputy Sheriffs and Waterfront Attendants, will have the authority to issue citations under this section.

F. Appeals.

(1) For the purposes of this article only, there is hereby created the Town of North Beach Animal Control Committee. This Committee will be separate and apart from any other committee within the town, but will consist of the members of the Town of North Beach Board of Appeals. It is the intention of this article that any person appointed to the North Beach Board of Appeals under the authority and rules contained in Article 8 of the Town of North Beach Zoning Ordinance shall automatically be members of the Town of North Beach Animal Control Committee for as long as they are members of the Town of North Beach Board of Appeals. The members will sit as the Town of North Beach Animal Control Committee only when dealing with appeals filed pursuant to this article. When holding a hearing on any appeal, the Board may not take any action unless there are at least three members present, and no action will be valid unless at least three of the sitting members of

the Committee vote in the affirmative.

- (2) Within 10 days of a dangerous animal being confiscated under the provisions of this article, the owner may file an appeal with the Town of North Beach Animal Control Committee. The North Beach Animal Control Committee will review the actions of the town official in each appeal filed and decide if the sanctions mandated in this article are being properly applied. In this regard, the Town of North Beach Animal Control Committee may either uphold the decision of the town official to confiscate the dangerous animal or reverse that decision. During the pendency of an appeal, the dangerous animal will be held under the control of the Calvert County Animal Control Officer, but will not be disposed of until the appeal is final. If the North Beach Control Committee votes to reverse the decision of the town officials, then the animal will be returned to the owner. All decisions of the Animal Control Committee in this regard are final. The North Beach Animal Control Committee will issue decisions only after a public and open hearing and after public and open deliberations.

G. Definition of Dangerous Animal.

- (1) For purposes of this article, “dangerous animal” means:
- i. any animal that without provocation, wounds, bites, injures or kills a human being, another animal or livestock, or is being trained or has been trained to attack or
 - ii. any animal designated by another jurisdiction, County, or State as dangerous.
- (2) Exceptions
- i. Animals shall not be declared a “dangerous animal” if the threat, injury, or damage was sustained by a person who, at the time:
 - (a) Was committing a willful trespass or other tort upon the premises occupied by the owner, keeper or custodian of the animal;
 - (b) Was teasing, tormenting, abusing, or assaulting the animal;

(c) Has been observed or reported to have teased, tormented, abused, or assaulted the animal; or

(d) Was committing or attempting to commit a crime.

ii. Animals shall not be declared dangerous if the animal was protecting or defending its young, another animal, or responding to pain or injury.

iii. Animals owned by a governmental or law enforcement unit are exempt from being declared dangerous.

AND, BE IT FURTHER ORDAINED that this Ordinance shall become effective on the 27th day of June, 2012 after having been read at two successive Town Council meetings Pursuant to 19-311 of the Town Charter.

By order of the Mayor and Council

Mark R. Frazer, Mayor

Stacy Wilkerson, Town Clerk
Town of North Beach

TOWN OF NORTH BEACH
8916 Chesapeake Avenue
North Beach, Maryland

Councilman McNeill proposes an amendment to the proposed ordinance 12-04 sponsored by Councilman Wilcox

(A) In Section (F), Paragraph (2), strike:

- a. in the first sentence "a dangerous," and "the owner may file an appeal with the Town of North Beach Animal Control Committee."; and
- b. In the second sentence all after the word "review," through the end of the sentence.

(B) In Section (F), Paragraph (2):

- a. In the first sentence, after the word "of" insert "an"; and
- b. In the second sentence after, the word "review," insert the following: "the officer's determination that the animal in question meets the standard of 'dangerous,' as defined by Section (G) if this ordinance"

FY 2013 Notes

1. Constant yield tax rate 0.6275 per 100 of assessed value.
2. Exempt Constant Yield.
3. Proposed tax rate 0.6275 per 100 of assessed value, the same as the constant yield.
4. Trash rate set on proposed Flat Rate \$306.36 per year
5. *Sewer Benefit \$221.20 per unit (No Increase).*
6. *Water Benefit \$110.10 per unit (No increase).*
7. *MDE Flush Tax increased from \$7.50 per quarter to \$15.00 per quarter.
New minimum 10,000 gal **\$148.20.***

Reserve Fund to be used in FY 2013

1. *Recycling Bins*
2. *Sidewalks*
3. *Public Works Equipment*
4. *\$60,000 match fishing platform and \$100,000 bond bill from State of MD.*
5. *Property acquisition.*

Changes made after Public Hearing May 3rd, 2012

1. Increased Beach Feed by \$10,000 to \$153,110.
2. Revenue item \$5,000 added for Polar Bear Sponsorships.
3. Combined Promotional Advertising and Promotions & PR (\$12,000 + 2,250 = \$14,250.)
4. Removed old items with zero balance.
5. Contributions reflect \$6,000 NBVFD, \$2,500 NBCF, \$1,500 Misc.
6. No changes to 9006 Dayton Avenue. There is potential for savings based on timely sale of the property.
7. Increased COLA to 2.9% from original 2.5% and incorporated into wages.
8. Minor reduction Public Areas reduced by \$700.00.
9. Increased Annual Maint Agreements to \$32,100 based on bids.
10. Increased Janitorial new Public Works Build and Overlook to \$11,850.
11. Water System Capital Increased for purchase of Water System Chlorine Animalize \$25,000.
12. Changed MD Flush Tax Rate and adjusted new minimum.
13. Used proposed flat trash rate to calculate annual charge (\$25.53 x 810 customers x 12 months = \$248,151.60).
14. Added Dumpsters/Refuse for town trash expense.
15. Added \$85,763 in storm water projects from reserve fund.
16. Added \$40,000 for property acquisition from reserve fund.

TOWN OF NORTH BEACH

May 10, 2012

ORDINANCE 12-06

OPERATING BUDGETS FOR THE GENERAL FUND,
SEWER AND WATER AND CAPITAL PROJECTS
FUND FY 2013

WHEREAS, State Law and the Charter for the Town of North Beach requires specific action to be taken each year related to submission, publication and public hearings on and adoption of an annual operating budget for the Town, and

WHEREAS, All the requirements relating to submission, publication and public hearings on the annual operating budget have been met, and

NOW, THEREFORE BE IT RESOLVED, that the attached Town of North Beach, Maryland Budget for Fiscal Year 2013 is hereby adopted as the annual operating budget for the General Fund, Sewer and Water Fund and Capital Projects for Fiscal Year 2013 for the Town of North Beach, Maryland.

READ AND ADOPTED THIS 7th DAY OF June.

EFFECTIVE DATE OF June 27, 2012.

Budget year starts: July 1, 2012

BY ORDER OF THE TOWN COUNCIL
TOWN OF NORTH BEACH, MARYLAND

Mark R. Frazer, Mayor

VOTE:

_____ Benton
_____ Dotson
_____ Hummel
_____ McNeil
_____ Schiada
_____ Wilcox

CERTIFICATION

I, HEREBY CERTIFY, that as the duly appointed Town Clerk, that the foregoing
ORDINANCE NO: 12-06 was adopted on the 7th day of June, 2012, with
Council Members present and voting with _____ Aye and _____ Nay votes.

Stacy L. Wilkerson, Town Clerk

TOWN OF NORTH BEACH
MAYOR AND TOWN COUNCIL

ORDINANCE NO: 12-07

AN ORDINANCE TO AMEND THE TOWN OF NORTH BEACH RENTAL HOUSING LICENSE ARTICLE TO ESTABLISH A NEW INSPECTION PROCESS AND TO ESTABLISH A PROCESS FOR THE CODE ENFORCEMENT OFFICER OF THE TOWN TO OBTAIN AN ADMINISTRATIVE SEARCH WARRANT IN CASES WHERE HE IS DENIED ACCESS FOR RENTAL INSPECTIONS.

WHEREAS, in Section 69-14 of the North Beach Town Code calls for rental housing licenses to be obtained on an annual basis and inspected annually or as the Code Enforcement Officer deems necessary; and

WHEREAS, the Town of North Beach Mayor and Town Council have determined that the rental housing stock within the Town has increased and improved steadily over the years, therefore the Mayor and Town Counsel feel that regular annual inspections are no longer necessary and are creating an over-burdensome workload for the Code Enforcement Officers; and

WHEREAS, Mayor and Town Council of the Town of North Beach have now determined that it would be in the best interest of the citizens of the Town of North Beach to establish a three (3) year rental housing inspection schedule; and

WHEREAS, Section 69-16 of the Rental Housing License Article calls for inspections of rental properties at the time of application, at the time of a renewal of a license or upon receiving a complaint that a unit has substandard livability conditions; and

WHEREAS, the above referenced section calls for a property owner to give access to the Town Code Enforcement Officer for such inspection upon reasonable notice. Presently there is not a section that lays out the proper procedure if a landlord refuses to provide access for an inspection; and

WHEREAS, the Mayor and Town Council of the Town of North Beach have determined that it is in the best interest of the health, safety and welfare of the Town of North Beach to carry out rental inspections and have a remedy if a landowner refuses access for inspections.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of North Beach the following:

Section 1. Section 69-14 of the North Beach Town Code is hereby amended as follows:

A. All rental housing units shall be required to obtain a license as issued by the Town of North Beach for the privilege of renting housing units within the corporate limits of the Town.

B. A rental housing license shall be on a three year renewal (obtained on an annual basis) and shall be inspected one time within each three (3) year cycle or as the Code Enforcement Officer deems necessary as a result of complaints received for substandard conditions.

C. Rental housing licenses shall be billed annually (on July 1st of each fiscal year).

Section 2. Section 69-16 of the North Beach Town Code is hereby amended as follows:

A. Upon applications for said license and prior to the issuance and/or renewal and/or upon registered complaint received by the Town of substandard livability conditions, there shall be an inspection conducted by an authorized agent of the Town of said rental housing units for compliance with the Building Code Administrator (BOCA) National Property Maintenance Code, as amended from time to time.

B. The owner(s) of title or a legally designated agent (designation must be in writing) of said rental units shall, upon application for license or for license renewal and scheduling of inspection with North Beach Code Enforcement Officer, accompany the North Beach Code Enforcement Officer into the premises for the purpose of conducting the required and/or mandated inspections. Inspection for a rental housing license shall be scheduled once every three (3) years or as required by the North Beach Code Enforcement Officer as a result of a complaint for substandard conditions. Scheduling for inspections is made by the North Beach Town Hall personnel.

C. If upon presentation of proper credentials and if after giving reasonable notice of the scheduling of an inspection, the Code Enforcement Officer or his or her agent is denied entrance to a rental property, said officer will give to the denier official notice of a subsequent inspection not longer than ten (10) days hence and at a designated hour. If within ten (10) days upon a second request to inspect the same premises the Code Enforcement Officer or his or her agent is again denied entrance, said Code Enforcement Officer shall petition the appropriate legal body and shall seek to acquire a warrant permitting legal entrance into said premises.

AND, BE IT FURTHER ORDAINED that this Ordinance shall become effective on the ____ day of _____, 2012 after having been read at two successive Town Council meetings Pursuant to 19-311 of the Town Charter.

By order of the Mayor and Council

Mark R. Frazer, Mayor

ATTEST:

Stacy Wilkerson, Town Clerk
Town of North Beach

TOWN OF NORTH BEACH
MAYOR AND TOWN COUNCIL

ORDINANCE NO. 12-02

A ZONING ORDINANCE TO REPEAL MOST OF THE ONSITE PARKING REQUIREMENTS FOR COMMERCIAL ESTABLISHMENTS WITHIN THE TOWN OF NORTH BEACH, MARYLAND.

WHEREAS, Section 5-300 of the Town of North Beach Zoning Ordinance contains the requirements for parking and loading within the Town of North Beach; and

WHEREAS, in Section 5-302 of the Parking and Loading Requirements, there is a table which lays out parking requirements. It is titled "Schedule of minimum off street parking requirements by land use". This table lays out the number of spaces required in residential areas, institutional, recreation and educational areas, commercial areas and unclassified areas; and

WHEREAS, the Town has studied the issue of off street parking requirements with commercial uses and has determined that the present system can and has been, a hindrance to the reasonable commercial development of the Town ; and

WHEREAS, the Town has reviewed material and heard a report from a parking expert that talks about the advantages of eliminating most commercial off street parking requirements

WHEREAS, the Mayor and the Town Council of the Town of North Beach based on the above, have now determined that it is the best interest of the health, safety and welfare of the Town of North Beach to eliminate most off street commercial parking requirements within the Town of North Beach.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of North Beach the following:

1. The existing table 2 in Section 5-302 of the North Beach Zoning Ordinance is hereby repealed in its entirety.
2. There will be a new table 2 contained in Section 5-302 of the Zoning Ordinance. That table is marked as Exhibit 1 and is attached to and hereby made a part of this Ordinance.
3. Pursuant to Section 7-301(b) of the Town of North Beach Zoning Ordinance which concerns the initiation of a Zoning amendment by the introduction by the Town Council of an Ordinance to amend, this Ordinance upon introduction shall be issued to the Planning Commission and the Zoning Administrator of the Town of North Beach.
4. Pursuant to Section 7-303 of the Town of North Beach Zoning Ordinance a joint public hearing with the Mayor and Town Council and the Planning Commission will be scheduled to consider this Ordinance.

5. Pursuant to Section 7-304, the Planning Commission shall report to the Town Council its recommendations with respect to this Ordinance and the Planning Commission will comply with all sections of 7-304.

6. Upon receiving the required report from the Planning Commission, the Town of North Beach Town Council shall make the findings of fact as required by Section 7-305 of the Town of North Beach Zoning Ordinance and pursuant to Section 7-306 of the Zoning Ordinance this Ordinance shall become effective on the date of Town Council approval provided it at least ten (10) days after a public hearing on this Ordinance.

Effective this _____ day of _____, 2012.

By order of the Mayor and Council

Mark R. Frazer, Mayor

ATTEST:

Stacy Wilkerson, Town Clerk
Town of North Beach

Table 2 Schedule of Minimum Off-Street Parking Requirements by Land Use

Land Use	Parking Space Requirement
Residential Uses	
Single Family Detached	2/dwelling unit
Single Family Attached, Duplex	2/dwelling unit
Townhouse	2/dwelling unit
Accessory Apartment	See Section 3-300 A
Multi-family	See Section 5-207
Senior Housing	1/dwelling unit
Boarding House, Lodging House	*
Dwelling Unit in Combination with Commercial Use	*
Group Home	*
Institutional, Recreational and Educational Uses	
Churches and Other Buildings for Religious Assembly	1/4 seats in main assembly hall
Convalescent, Nursing Home	1/3 beds + 1/staff
Cultural Uses: Library, Museum, Community Center	1/ 300 s.f. GFA + 1/staff
Clubs, Fraternal, and Service Organizations	1/4 seats in main assembly hall
Day Care Center, Nursery School	3/classroom
Funeral Homes	1/4 seats in main assembly hall
Home Day Care	1/staff
Professional Schools, Trade and Vocational Schools	1/5 students
Public or government building or structure; Post Office	*
Commercial Uses Under 5,000 SF GFA	No Requirement
Commercial Uses over 5,000 SF	
Lodging	1/unit
Conference Center	*
Unclassified Uses	
Utility Building / Facility	*
Accessory Building or Use	*
Garage Sales, Yard Sales, Estate Sales	N/A
Home Occupation	*
Outside Storage in Connection with Commercial Uses	*
Temporary Structure Incidental to Construction	*
* To be determined by the Planning Commission at site plan review.	
GFA means Gross Floor Area. Staff means a full time non-residential employee or the equivalent thereof.	

Exhibit 1

Revised 5/8/12

TOWN OF NORTH BEACH

ORDINANCE 12-08

June 7, 2012

THE PURPOSE OF THIS ORDINANCE IS TO AMEND THE BUDGET FOR FISCAL
YEAR 2012 TO ALLOW FOR ADJUSTMENTS TO SEVERAL LINE ITEMS
IN THE FY 2012 BUDGET TO THE
GENERAL, SEWER AND WATER ACCOUNTS.

WHEREAS, State Law and the Charter for the Town of North Beach requires an ordinance be drafted and submitted to the Mayor and Town Council for adjustments to budget line items, for budget amendment purposes;

WHEREAS, As a result of budget review for the FY12 budget year there are several line items where the amount allocated either needs to be increased or decreased.

NOW, THEREFORE BE IT ORDAINED, that the Town of North Beach will make adjustments to the FY 2012 budget as outlines in the back up detail attached and made a part of this ordinance as Exhibit "1".

AND BE IT FURTHER ORDAINED that this Ordinance shall become effective on the ____ day of July, 2012, after being read at two successive Town Council meetings as required by Section 19-311 of the Charter.

EFFECTIVE DATE OF _____.

By order of The Town Council
Town of North Beach, Maryland

Mark R. Frazer, Mayor

Page 2

Ordinance No: 12-08

FY 2012 BUDGET ADJUSTMENT GENERAL, SEWER AND WATER FUNDS

Date: June 7, 2012

VOTE:

 Benton
 Dotson
 Hummel
 McNeil
 Schiada
 Wilcox

CERTIFICATION

I, HEREBY CERTIFY, that as the duly
Appointed Town Clerk, that the foregoing

ORDINANCE NO: 12-08

Was adopted on the _____ day of July 2012, with
Council Members present and voting
with _____ Aye and 0 Nay votes.

Stacy Wilkerson, Town Clerk

From: Lindsey A. Rader [lrader@fblaw.com]
Sent: Wednesday, June 06, 2012 7:32 PM
To: Joanne Hunt; Stacy Wilkerson; John F. Shay Jr. (jshay@bsm-legal.com)
Cc: 'jmason@investdavenport.com'; 'pweisshaar@investdavenport.com'
Subject: Bullet Points Summary of Resolution Modifying 2008 Water System Refunding Bond
Importance: High

**BULLET POINTS SUMMARY OF RESOLUTION
MODIFYING 2008 NORTH BEACH WATER SYSTEM REFUNDING BOND**

Instead of issuing a bond in 2012 to refund the Town's Water System Refunding Bond of 2008 (the "Bond") issued to SunTrust Bank (the "Bank"), the Bank has offered to allow the Town to modify the existing Bond in order to reduce the interest rate and make the prepayment terms more favorable to the Town (currently, first available prepayment date is 10/04/2018 with a 2% premium descending to no premium in 2020). The modifications will be accomplished by a Resolution to be considered on 06/07/12 that amends and supplements Resolution No. 08-05 pursuant to which the Bond was issued. In order to accomplish the modifications, the Bank is charging the Town a fee of \$28,461.00, which is equal to 2% of the current outstanding principal amount of the Bond. Because the Town is not issuing a new bond to pay-off/refund the existing Bond, the Town will have to pay such fee, and the fees/expenses of Davenport & Company LLC (financial advisor) and Funk & Bolton, P.A. (bond counsel) from funds on hand rather than from bond proceeds.

- Recitals – Trace authority and purpose for which the Bond was issued, acknowledge that Davenport suggested market conditions were ripe for a refunding, Davenport contacted the Bank regarding its proposed terms for a refunding, and the Bank issued a proposal and indicated the Town could pursue a modification of the Bond rather than a full refunding. Bond counsel advised that the Bank's proposed lowering of the interest rate, in and of itself, will constitute a reissuance for purposes of the federal tax code and a deemed current refunding, even though the Town will not be issuing new debt to pay-off the existing debt.
- Section 1 – Recitals incorporated by reference and deemed a substantive part of the Resolution; terms defined in the Recitals will have the same meanings when used in Resolution Sections.
- Section 2(a) – Provides that upon delivery of the Allonge referred to in Resolution Section 4, new subsection (c1) is added to Section 4 of Resolution No. 08-05 in order to (i) provide for the lowering of the current interest rate from 4.59% to 2.50%, (ii) add the Bank's new required "yield maintenance" language, which means that if the federal corporate tax rate of the registered owner of the Bond is reduced, the interest rate payable by the Town will be increased accordingly to give the same after-tax yield, subject to a cap on such increase not exceeding a per annum rate of 2.88%, (iii) change the date of exercise of the Reset Option currently existing in Resolution No. 08-05 from 09/15/2028 to 09/15/2027 and modify the terms of the Reset Option somewhat and (iv) add the right of the registered owner of the Bond to "put" the Bond back to the Town as of 09/15/2027 upon at least 90 days notice. If the Bank or then-registered owner of the Bond exercises the Put Option, the Town will have to arrange for a transfer of the Bond to some other investor that then pays off the current registered owner or come out of pocket to pay the Bank the then-remaining principal amount of the Bond plus accrued interest on 09/15/2027. (Note: if the Town comes out of pocket it could use funds on hand or borrow funds to pay off the registered owner, but there is no guarantee that conditions will be favorable for a borrowing at that time.) If registered owner does not exercise either option, Bond continues bearing interest at 2.50%, subject to yield maintenance provisions.

- Section 2(b) – Allows the Mayor, with the advice of the Town Treasurer and bond counsel, if so required or permitted by the Bank, to tweak the language set forth in subsection (a) as to certain provisions. Any such tweaks will be evidenced by the Mayor’s execution and delivery of the Allonge.
- Section 3(a) – Provides that upon delivery of the Allonge referred to in Resolution Section 4, new subsection (b1) is added to Section 5 of Resolution No. 08-05 in order to make the Bond subject to prepayment at the option of the Town in whole or in part at any time at par plus accrued interest, without premium or penalty. This provides much more prepayment flexibility to the Town.
- Section 3(b) - Allows the Mayor, with the advice of the Town Treasurer and bond counsel, if so required or permitted by the Bank, to tweak the language set forth in subsection (a) as to when such prepayment rights become effective. Any such tweaks will be evidenced by the Mayor’s execution and delivery of the Allonge.
- Section 4 – Approves the substantially final form of Allonge attached as Exhibit A to the Resolution and authorizes the Mayor to finalize (including to make changes contemplated by the Resolution) and execute the same. This Section also provides that instead of the Allonge, a replacement bond incorporating the modifications may be exchanged for the existing Bond and, in such case, references in the Resolution to the Allonge are deemed to refer to such replacement bond and references in the Resolution to the Bank accepting the Allonge will be evidenced by the Bank’s delivery of a receipt for the replacement bond.
- Section 5 – Except as otherwise provided by the Resolution, all other terms of the Bond will remain in full force and effect.
- Section 6 – Mayor and/or Town Treasurer are authorized to approve, execute and deliver such additional or supplemental tax documents as bond counsel may require and to make any appropriate tax designations, elections, determinations or filings.
- Section 7 – The Town designates the Bond, as modified, as a “qualified tax-exempt obligation” for purposes of federal tax code Section 265(b)(3) (this means the Bond as modified is “bank-qualified”, just as the Bond as originally issued was “bank-qualified”). In so doing, the Council indicates its reasonable expectation for the Town and the Town’s on-behalf-of issuers and subordinate entities not to issue more than \$10 million of tax-exempt obligations (including qualified 501(c)(3) bonds) in calendar year 2012.
- Section 8 – Town Clerk authorized to attest to seal on all documentation contemplated by the Resolution.
- Section 9 – Council ratifies and confirms covenants and agreements set forth in Resolution No. 08-05, including the pledge of the Town’s full faith and credit and unlimited taxing power to payment of the Bond and the Town’s agreement to comply with federal tax code provisions re: tax-exempt status of the Bond.
- Section 10 – Appropriate officials/employees authorized to take all action necessary not otherwise provided for in connection with transactions contemplated by the Resolution.
- Section 11 – Town to pay Bank’s closing fee of \$26,481.000 or such lesser amount as Bank may require.
- Section 12 – Provisions of the Resolution to be broadly construed.
- Section 13 – Provisions of the Resolution deemed to amend and supplement Resolution No. 08-05.
- Section 14 – Town agrees to consult with bond counsel if Reset Option exercised in order to determine if that triggers a reissuance, and Mayor/Town Treasurer authorized to take certain actions upon such event in order to preserve tax-exempt status of the Bond.
- Section 15 – Council ratifies and approves engagement of Davenport and Funk & Bolton and payment of compensation to such advisors.
- Section 16 - Resolution becomes effective immediately upon adoption, provided that, modifications to and reissuance of the Bond will not take effect until Allonge executed, delivered and accepted and, if that never happens, the Resolution will be regarded as of no force and effect.

Notes:

(1) Upon passage, only page 20 needs to be signed/dated/completed. Plus, first page needs to be completed with Res. No.

(2) Exhibit A should not be completed or signed when Resolution is adopted. It is only a form. F&B will prepare the actual form of Allonge for signature as part of the "closing activities".

Regards, Lindsey

Lindsey A. Rader
Funk & Bolton, P.A.
Twelfth Floor
36 S. Charles Street
Baltimore, Maryland 21201
410/659-7758
410/659-7773 (FAX)
LRADER@FBLAW.COM

Town of North Beach, Maryland

Refunding of Series 2008A Bond

June 7, 2012

Bonds to be Refunded				
<u>Series</u>	<u>Coupon</u>	<u>Par Amount Refunded</u>	<u>Call Provision ⁽¹⁾</u>	<u>Final Maturity (FY)</u>
Series 2008A Water System Refunding Bond	4.59% ⁽²⁾	\$1,324,033	Anytime @ 102%	2032
Total		\$1,324,033		

Refunding Results ⁽³⁾				
<u>Series</u>	<u>Coupon</u>	<u>Total Savings ⁽⁴⁾</u>	<u>Percent Net P.V. Savings</u>	<u>Final Maturity (FY)</u>
2012 Allonge to Series 2008A Bond	2.50%	\$229,500	16.13%	2032
Total		\$229,500	16.13%	

(1) The call provisions for Series 2008A has been modified by SunTrust so that the Bond is currently callable. The Series 2008A Bond is subject to a 2% redemption premium.

(2) The Series 2008A Bond is currently subject to a rate reset on September 16, 2028.

(3) Based on term sheet from SunTrust and assumes a closing on June 20, 2012.

(4) Total savings shown net of equity contributions for costs of issuance (\$37,200) and 2% redemption premium for Series 2008A Bond (\$26,481).

Debt Service Comparison			
<u>Fiscal Year</u>	<u>Prior Debt Service</u>	<u>Refunding Debt Service</u>	<u>Savings</u>
2012	(\$63,681)	\$0	(\$63,681)
2013	101,162	29,303	71,859
2014	101,162	42,851	58,312
2015	101,162	42,601	58,561
2016	101,162	42,351	58,812
2017	101,163	55,525	45,637
2018	101,162	101,162	0
2019	101,162	101,162	0
2020	101,162	101,162	0
2021	101,162	101,162	0
2022	101,163	101,163	0
2023	101,162	101,162	0
2024	101,163	101,163	0
2025	101,163	101,163	0
2026	101,163	101,163	0
2027	101,163	101,163	0
2028	101,163	101,163	0
2029	101,162	101,162	0
2030	101,162	101,162	0
2031	101,163	101,163	0
2032	101,163	101,163	0
Total	\$1,959,570	\$1,730,069	\$229,500

Town of North Beach, Maryland

Refunding of Series 2008A Bond

June 7, 2012

Disclaimer

Unless the enclosed material specifically addresses Davenport & Company LLC ("Davenport") provision of financial advisory services or investment advisory services, or Davenport has an agreement with the recipient to provide such services, the recipient should assume that Davenport is acting in the capacity of an underwriter or placement agent. The primary role of an underwriter is to purchase, or arrange for the placement of, securities in an arm's length commercial transaction between the issuer and the underwriter, and the underwriter has financial and other interests that differ from those of the issuer.

This material may have been prepared by or in conjunction with Davenport trading desks that may deal as principal in or own or act as market maker or liquidity provider for the securities/instruments mentioned herein. The trading desk may have accumulated a position in the subject securities/instruments based on the information contained herein. Trading desk materials are not independent of the proprietary interests of Davenport, which may conflict with your interests. Davenport may also perform or seek to perform financial advisory, underwriting or placement agent services for the issuers of the securities and instruments mentioned herein.

This material has been prepared for information purposes only and is not a solicitation of any offer to buy or sell any security/instrument or to participate in any trading strategy. Any such offer would be made only after a prospective participant had completed its own independent investigation of the securities, instruments or transactions and received all information it required to make its own investment decision, including, where applicable, a review of any offering circular or memorandum describing such security or instrument. That information would contain material information not contained herein and to which prospective participants are referred. This material is based on public information as of the specified date, and may be stale thereafter. We Any securities referred to in this material may not have been registered under the U.S. Securities Act of 1933, as amended, and, if not, may not be offered or sold absent an exemption therefrom. Recipients are required to comply with any legal or contractual restrictions on their purchase, holding, sale, exercise of rights or performance of obligations under any securities/instruments transaction.

The securities/instruments discussed in this material may not be suitable for all investors. This material has been prepared and issued by Davenport for distribution to market professionals and institutional investor clients only. Other recipients should seek independent financial advice prior to making any investment decision based on this material. This material does not provide individually tailored investment advice or offer tax, regulatory, accounting or legal advice. Prior to entering into any proposed transaction, recipients should determine, in consultation with their own investment, legal, tax, regulatory and accounting advisors, the economic risks and merits, as well as the legal, tax, regulatory and accounting characteristics and consequences, of the transaction. You should consider this material as only a single factor in making an investment decision.

The value of and income from investments may vary because of changes in interest rates, foreign exchange rates, default rates, prepayment rates, securities/instruments prices, market indexes, operational or financial conditions or companies or other factors. There may be time limitations on the exercise of options or other rights in securities/instruments transactions. Past performance is not necessarily a guide to future performance. Estimates of future performance are based on assumptions that may not be realized. Actual events may differ from those assumed and changes to any assumptions may have a material impact on any projections or estimates. Other events not taken into account may occur and may significantly affect the projections or estimates. Certain assumptions may have been made for modeling purposes only to simplify the presentation and/or calculation of any projections or estimates, and Davenport does not represent that any such assumptions will reflect actual future events. Accordingly, there can be no assurance that estimated returns or projections will be realized or that actual returns or performance results will not materially differ from those estimated herein. Some of the information contained in this document may be aggregated data of transactions in securities or other financial instruments executed by Davenport that has been compiled so as not to identify the underlying transactions of any particular customer.

This material may not be sold or redistributed without the prior written consent of Davenport.