



# Montgomery County Government

## MONTGOMERY COOPERATIVE EXTENSION SERVICE

	<u>Page</u>
Executive Summary . . . . .	i
I. AUTHORITY, SCOPE, METHODOLOGY, AND ACKNOWLEDGMENT . . . . .	1
II. BACKGROUND AND LEGAL BASIS OF THE COOPERATIVE EXTENSION SERVICE . . . . .	2
III. DESCRIPTION OF THE MONTGOMERY COOPERATIVE EXTENSION SERVICE (MCES). . . . .	3
A. Overview . . . . .	3
B. MCES Memorandum of Understanding with Montgomery County . . . . .	3
C. MCES Organization and Personnel Complement . . . . .	4
D. MCES Funding . . . . .	4
E. MCES Programs . . . . .	6
F. Volunteers . . . . .	8
G. Montgomery County Extension Advisory Council . . . . .	8
IV. FINDINGS . . . . .	8
A. Overview . . . . .	8
B. Memorandum of Understanding Between the University of Maryland Cooperative Extension Service and the County . . . . .	8
C. Administrative Reassignment of MCES From DFR to DEP . . . . .	9
D. MCES Funding . . . . .	9
E. Memorandum of Understanding Between MCES and DEP . . . . .	10
F. County Merit Employees Working at MCES . . . . .	10
G. Insurance Coverage for MCES Volunteers . . . . .	10
V. A RELATED MATTER . . . . .	11
VI. RECOMMENDATIONS . . . . .	12
VII. AGENCY COMMENTS ON THE DRAFT REPORT . . . . .	13

### Tables:

Table 1 - Montgomery Cooperative Extension Service (MCES) FY94 Personnel Complement - All Categories . . . . .	.4a
Table 2 - Montgomery Cooperative Extension Service (MCES) Council Appropriations, Personnel Complement, and Expenditures . . . . .	4b
Table 3 - Cooperative Extension Service (CES) Grants/Appropriations Funding Distribution State-wide and Montgomery County FY93 and FY94 . . . . .	.5a
Table 4 - Montgomery Cooperative Extension Service (MCES) Additional Programs/Resources Funded by the County . . . . .	.5b

Exhibits

Exhibit A: Extract from Art. 25, §160, Annotated Code of Maryland,  
Farmers' Cooperative Demonstration Work

Exhibit B: Memorandum of Understanding or Agreement  
University of Maryland Cooperative Extension Service  
and Montgomery County Government

Exhibit C: Montgomery County Extension Service  
Representative List of Programs and Activities

## **EXECUTIVE SUMMARY**

For close to 80 years, the Montgomery Cooperative Extension Service has provided a variety of programs and services to the citizens of Montgomery County. Initially these programs were primarily oriented toward agricultural production and services to the agricultural community. By mid-century, the Montgomery Cooperative Extension Service (MCES) was branching out into areas that were not solely related to the agricultural community. Today, MCES programs and services reach into every aspect of the County's community life.

The Montgomery Cooperative Extension Service (MCES) is a part of the University of Maryland System. For many years the relationship between the University of Maryland Cooperative Extension Service and Montgomery County has been controlled through a Memorandum of Understanding. Funding for MCES comes from a combination of Federal grants, State grants, and an annual County Council appropriation. In addition, the University of Maryland funds administrative overhead and fringe benefits for faculty members and other State employees at MCES; and the County funds two service contracts and provides free office space to MCES.

Programs and services of MCES are provided by a staff of 15 full-time and 14 part-time positions, in five categories of employment: University of Maryland faculty, State classified employees, State and other contractual employees, and County merit employees. The MCES is able to provide a wide variety of programs and services with a rather small staff because of a large volunteer contingent. In recent years, the annual number of volunteers at MCES have averaged close to 3,000.

The major recommendations of the report are:

- The Memorandum of Understanding between the County and the University of Maryland addressing the activities and support of MCES should be reviewed and updated.
- Budget and funding documents relating to MCES should reflect all funding that MCES receives from the County.
- The status of persons who volunteer with MCES, especially whether they are provided worker's compensation and professional/general liability coverage, should be determined and clearly communicated to those volunteers.



## **MONTGOMERY COOPERATIVE EXTENSION SERVICE**

### **I. AUTHORITY, SCOPE, METHODOLOGY, AND ACKNOWLEDGMENT**

#### **A. Authority**

Council Resolution No. 12-1202, subject: FY94 Work Program of the Office of Legislative Oversight, adopted July 13, 1993.

#### **B. Scope**

Review the organization activities of the Cooperative Extension Service in Montgomery County, to include an examination of the funding sources for the programs conducted by the Montgomery Cooperative Extension Service (MCES).

#### **C. Methodology**

This project was conducted by the Office of Legislative Oversight (OLO) during January-March, 1994, using an evaluation design that included a variety of fact-finding and research methods:

- Review of current Maryland Annotated Code, internal Cooperative Extension Service policies and procedures, and University of Maryland policies relating to Cooperative Extension Service programs.
- Review of the current organization and operational programs of the University of Maryland and Montgomery Cooperative Extension Service; and the organization and operation of the Cooperative Extension Advisory Council.
- Interviews with current and past Cooperative Extension Service personnel; staff of County agencies associated with Montgomery Cooperative Extension Service programs, budgets, and contracts; and others who have an official relationship with the Cooperative Extension Service.

#### **D. Acknowledgment**

OLO wishes to acknowledge the full cooperation and courteous support from the Director and staff of the Montgomery Cooperative Extension Service (MCES) and the Acting Associate Director and staff of the University of Maryland Cooperative Extension Service.

## II. BACKGROUND AND LEGAL BASIS OF THE COOPERATIVE EXTENSION SERVICE

### A. Background

In 1914, the Congress enacted the Smith-Lever Act which created the Extension Services to disseminate practical knowledge accumulated in the files of the Agricultural Experiment Stations of the Land-Grant Colleges. (The Experiment Stations had been established by the Congress in 1887 with passage of the Hatch Act.) At that time, the economies of the State of Maryland and Montgomery County were closely tied to agriculture. Shortly thereafter, the Maryland General Assembly enacted legislation authorizing the boards of county commissioners to appropriate funds to support cooperative demonstration work, including home economics and boys' and girls' club work. The Montgomery County Board of Commissioners followed close upon the General Assembly's action and appropriated funds to augment State and Federal extension service grants.

Working initially with farmers and farm groups, 4-H youth clubs, and farmer cooperatives, extension agents of the US Department of Agriculture (USDA) and the University of Maryland Extension Service provided assistance primarily in the form of teaching by means of demonstration. Improvements in all aspects of agriculture developed in state and USDA research stations were passed on to the agricultural community through site visits, demonstrations, and literature.

By mid-century, the Cooperative Extension Service of Montgomery County was branching out into areas that were not solely related to agricultural production. As an example, 4-H club programs began including recreation, camping, and other social activities. The Extension Service also worked directly with minorities as reflected in a line item in the County Council's FY52 appropriations resolution for \$7,345 for "Negro Extension Work".

As will be discussed in Chapter III of the report, the Montgomery Cooperative Extension Service (MCES) also devotes a considerable portion of its efforts to non-agricultural programs and services to County citizens. However, a common element of all these programs and services are that they are research-based and are designed to help individuals and families (and by extension, communities) make practical decisions that will improve their lives.

### B. Legal Basis

1. Article 25, Annotated Code of Maryland, Section 160, Authority to make appropriations; cooperation with Department of Agriculture of the United States (Exhibit A). First enacted by the General Assembly in 1914, this section of the Maryland Annotated Code authorizes the counties and the City of Baltimore to enter into cooperative agreements and appropriate funds to support the work that is or may be conducted by the United States Department of Agriculture (USDA) and the University of Maryland Extension Service. Under this section of the Code, any action and the degree of that action by a county relative to Cooperative Extension is discretionary. (Note: As of this writing, the Cooperative Extension Service is active in all 23 Maryland counties and the City of Baltimore.)

2. Chapter 2, Division 11B, Montgomery County Code, Section 2-58B, Functions. Under this section of the Code, the Department of Family Resources (DFR) is responsible for coordinating the activities of the University of Maryland extension services. Prior to January 1, 1994, the Montgomery Cooperative Extension Service (MCES) was a part of DFR. However, on that date, MCES was administratively transferred by action of the County Executive to the Department of Environmental Protection (DEP). Funding for MCES for the remainder of FY94 was retained in DFR.

### **III. DESCRIPTION OF THE MONTGOMERY COOPERATIVE EXTENSION SERVICE (MCES)**

#### **A. Overview**

As stated in an annual report of the Cooperative Extension Service of the University of Maryland System, the mission of the Montgomery Cooperative Extension Service (MCES) is to help individuals, families, and communities improve their lives by using scientific research-generated knowledge focused on need-related issues. To accomplish this mission, MCES is designed as a partnership of the US Department of Agriculture (USDA), the land-grant University of Maryland, and Montgomery County to deliver unbiased, educational programs to diverse County citizen groups.

Historically, the relationship between the University of Maryland Cooperative Extension Service and Montgomery County has been controlled through a Memorandum of Understanding (MOU). The most recent MOU was signed by the Director of the University of Maryland Cooperative Extension Service and the County's Chief Administrative Officer in February 1982.

The staffing of MCES is a combination of University of Maryland faculty, State classified and contractual employees, other contract employees, and County merit employees. Twenty years ago, seven employees out of a complement of 31 full-time MCES employees were County merit personnel. In the mid-1980s, the County instituted a policy that substituted funds to contract for professional or administrative services for vacant County merit positions. By FY94, the complement of County merit positions has been reduced to three (2.8 workyears).

Funding for MCES' operations is provided from Federal and State grants, a Council appropriation, and service contracts with two County agencies. In addition, the County provides gratis to MCES office space, other support facilities, and utilities through an annual lease with the Maryland-National Capital Park and Planning Commission.

#### **B. MCES Memorandum of Understanding with Montgomery County**

The Memorandum of Understanding (MOU) between the University of Maryland Cooperative Extension Service (UMCES) and Montgomery County addresses under "items of agreement" four major areas: funding (the County appropriation, distribution, and reporting); ownership of property purchased with County funds; County personnel working at CES; and County-provided office space and facilities. Not included in the MOU are any references to the programs UMCES will provide the County for the appropriated funds. A copy of the current MOU, dated February 24, 1982 is at Exhibit B.

### C. MCES Organization and Personnel Complement

The Montgomery Cooperative Extension Service (MCES) is a part of the University of Maryland. As such, MCES employees are State employees. Employees occupying professional positions in MCES are members of the University of Maryland faculty. Personnel under contract to MCES are State contractual employees.

The FY94 personnel complement of MCES totals 29 position, 15 full-time and 14 part-time, in the following five categories of employment:

- University of Maryland Faculty. The salaries of the personnel in this category are paid with a combination of Federal, State and County funds.
- State Classified Employees. The salaries of personnel in this category are also paid with a combination of Federal, State and County funds.
- State Contractual Employees. County funds are used to pay the salaries for these contract employees.
- Other Contractual Employees. Funds appropriated to the Department of Environmental Protection (DEP) are used to pay employees' salaries under a memorandum of understanding between DEP and MCES.
- County Merit Employees. County funds all personnel costs (salaries and fringe) for these employees.

At Table 1 (page 4a) is a breakdown of the five personnel categories by position title and full- or part-time employment status. Note that State classified employees and University of Maryland faculty employees at MCES are not paid a County supplement to their State-determined salaries as are some State employees in the County Department of Social Services and the Montgomery County Soil Conservation District.

### D. MCES Funding

1. Overview. The Montgomery Cooperative Extension Service (MCES) is funded from a variety of sources. The primary source is a combination of Federal, State, and County grants/appropriations, with other funding derived from contracts, memoranda of understanding, and in-kind services.

2. Grants/Appropriations. In addition to Federal and State monies, MCES receives an annual appropriation from the County. That appropriation is used to pay the salaries and fringe for County merit positions (currently three), direct costs for materials and services (e.g. office supplies, telephone service, travel), and salaries of University of Maryland faculty and MCES contract employees. Table 2 (page 4b) reflects the County appropriation for the most recent six fiscal years.



Table 1

**Montgomery Cooperative Extension Service (MCES)**  
**FY94 Personnel Complement - All Categories**

**Category I: University of Maryland Faculty (Federal, State and County funds used for salaries)**

County Extension Director	1 full-time position
Extension Agent, 4-H	1 full-time position
Extension Agent, 4-H	1 part-time position
Extension Agent, Agriculture	1 full-time position
Extension Agent, Home Economics	2 full-time positions
Extension Agent, Commercial Horticulture	1 part-time position
Faculty Assistant	1 part-time position

**Category II: State Classified Employees (Federal, State and County funds used for salaries)**

Nutrition Management Consultant	1 part-time position
Nutrition Aides	3 full-time positions
Program Assistant	1 full-time position
Secretary	1 full-time position
Secretary	2 part-time positions

**Category III: State Contractual Employees (County funds used for salaries)**

Program Assistant	1 full-time position
Program Assistant	1 part-time position
Office Clerk	2 part-time positions
Secretary	2 part time positions
Project Coordinator (SrHICAP Program)	1 part-time position

**Category IV: Other Contractual Employees (Department of Environmental Protection Funds)**

Program Manager	1 full-time position
Program Assistant	1 full-time position
Secretary	1 part-time position

**Category V: County Merit Employees (County funds used for salaries and fringe)**

Program Assistant I	1 full-time position
Office Services Manager	1 full-time position
Principal Administrative Aide	1 part-time position

**Recapitulation:**

Category	Positions		
	Full-time	Part-time	Total
I	5	3	8
II	5	3	8
III	1	6	7
IV	2	1	3
V	<u>2</u>	<u>1</u>	<u>3</u>
<b>Total:</b>	<b>15</b>	<b>14</b>	<b>29</b>

**Source:** Montgomery Cooperative Extension Service Report.

Table 2

**Montgomery Cooperative Extension Service (MCES)**  
**Council Appropriations, Personnel Complement, and Expenditures**

**FY89 - FY94**

FY	Council Appropriation <sup>a)</sup>	Personnel Complement		Actual Expenditures
		Positions	Workyears	
1989	\$525,320	4	3.5	\$533,000
1990	457,410	4	3.5	442,270
1991	486,790	4	3.5	443,030
1992	461,900	4	3.5	456,200
1993	377,040	2	1.8	360,860
1994 <sup>b)</sup>	305,100	3 <sup>c)</sup>	2.8 <sup>c)</sup>	173,391*
				*(as of 3/31/94)

**Notes:**

- a) The appropriation is applied to MCES salaries and operating expenses, and to salaries and fringe for County merit employees.
- b) In January 1994 (FY94), MCES was transferred from the Department of Family Resources (DFR) to the Department of Environmental Protection (DEP). However, funds and positions currently included in DFR for MCES will not be transferred to DEP until the FY95 budget.
- c) The DFR FY94 Personnel Complement reflects two positions and 1.8 workyears. However, early in FY94 an additional merit position and workyear transferred out in FY93 was transferred back to MCES.

**Sources:** Council Appropriation Resolutions, FAM 405-12 reports, and Personnel Complements.

Each of the three agencies (Federal, State, and County) is generally credited with contributing one third of the total funding of MCES in the form of either a grant or an appropriation. However, a review of the actual grants/appropriations indicates a different distribution. Table 3 (page 5a) reflects the FY93 and FY94 budgeted contribution State-wide to the cooperative extension service elements in the 23 counties and the City of Baltimore, and the budgeted contribution to the Montgomery County Cooperative Extension Service from each of those three agencies. An analysis of Table 3 shows the following:

- Both State-wide and for Montgomery County, the largest grants/appropriations contribution to cooperative extension service programs is from the State of Maryland. The least contribution is from the Federal government.
- Although the FY94 Federal CES contribution increased 9.6 percent State-wide and 13.3 percent for Montgomery County over FY93, the total contribution from the three agencies decreased by 4.6 percent and 8.0 percent, respectively.
- The total FY94 grants/appropriation to the Montgomery County CES decreased by \$76,040 (8.0%) from FY93; with the County appropriation reflecting the largest decline: \$72,060 (19.1%).
- In FY93, the Montgomery County CES received \$946,940 or 8.8 percent of the State-wide CES total of \$10,736,820. In FY94, the total grants/appropriations to Montgomery County CES was reduced to \$870,900 or 8.5 percent of the State-wide CES total of \$10,243,590.

3. Other Funding Sources. In addition to the County's annual appropriation to MCES, the County provides additional funding and resources to MCES for programs that benefit Montgomery County citizens. Currently, MCES has three additional funded programs/resources: a contract with the Department of Family Resources for a senior health care counseling program; a memorandum of understanding with the Department of Environmental Protection for a recycling/composting education program; and gratis office space and utilities. At Table 4 (page 5b) are the three programs/resources with the additional funds or in-kind services costs. In FY93 the actual total of these other sources was \$175,391, and in FY94, the budgeted total is \$240,191.

4. Summary. The total FY93 actual and FY94 funding and in-kind services for the Montgomery Cooperative Extension Service are as follows:

FY93:	Actual Expenditures:	\$360,860
	Contract/MOU/In-kind:	<u>175,391</u>
	Total:	\$536,251
FY94:	County Appropriation:	\$305,100
	Contract/MOU/In-kind:	<u>240,191</u>
	Total:	\$545,291

Table 3

**Cooperative Extension Service (CES)**  
**Grants/Appropriations Funding Distribution**  
**State-wide and Montgomery County**  
**FY93 and FY94**

	Salaries, Fringe, and Operating <sup>a)</sup>			
	Federal \$ (%)	State \$ (%)	County \$ (%)	Total \$ (%)
<u>FY93</u>				
State-wide CES	\$ 1,803,780 (16.8)	\$ 5,422,100 (50.5)	\$ 3,510,940 (32.7)	\$10,736,820 (100)
Montgomery County CES	\$ 179,920 (19.0)	\$ 390,140 (41.2)	\$ 376,880 (39.8)	\$ 946,940 (100)*
		* County share is 8.8% of state-wide total.		
<u>FY94</u>				
State-wide CES	\$ 1,977,010 (19.3)	\$ 4,783,760 (46.7)	\$ 3,482,820 (34.0)	\$10,243,590 (100)
Montgomery County CES	\$ 203,790 (23.4)	\$ 362,290 (41.6)	\$ 304,820 (35.0)	\$ 870,900 (100)*
		* County's share is 8.5% of state-wide total.		
<u>Change</u>				
FY93-FY94 \$ (%)				
State-wide CES	\$ 173,230 (+9.6)	\$ (638,340)(-11.8)	\$ (28,120)(-0.8)	\$ (493,230)(-4.6%)
Montgomery County CES	\$ 23,870 (+13.3)	\$ (27,850)(-7.1)	\$ (72,060)(-19.1)	\$ (76,040)(-8.0)

Note:

- a) Federal, State and County funds are used for salaries and operating expenses. Except for fringe for three Montgomery County merit positions, State funds all fringe benefits. In addition, the State also contributes an additional 25% of the total in administrative overhead services. All dollar amounts and percentages have been rounded.

Source: Agriculture Financial Office of the University of Maryland.

Table 4

**Montgomery Cooperative Extension Service (MCES)**  
**Additional Programs/Resources Funded by the County**

<u>Program/Resource</u>	<u>County Agency</u>	<i>State money</i> FY93 (Actual)	FY94 (Budget)
Senior Health Insurance Counseling and Advocacy Program (SrHICAP)	Department of Family Resources (DFR) contract with MCES	\$25,249 <sup>a)</sup>	\$25,249
Master Recycler/Composter Program	Department of Environmental Protection Memorandum of Understanding (MOU) with MCES	<i>DEP now does</i> \$73,450	\$138,250 <sup>b)</sup>
Office space, other facilities, and utilities	Department Facilities & Services (DFS) through a lease with M-NCPPP	\$76,692	\$76,692
Total:		\$175,391	\$240,191

**Note:**

- a) This represents a 15-month budget (July 1, 1992 - September 30, 1993) to bring it in line with the Federal budget cycle (Oct-Sept).
- b) The MOU specifies only \$100,125 in FY94. However, DEP reported that an additional \$38,125 will be expended in FY94, for a total of \$138,250.

**Sources:** FAM 405-12 reports, department contracts, and MOUs.

845/2

## E. MCES Programs

As stated earlier, the Memorandum of Understanding between the University of Maryland Cooperative Extension Service (UMCES) and Montgomery County does not address the specific programs UMCES will provide with the funds annually appropriated by the County Council. Over the years, MCES programs have evolved from those dedicated almost exclusively to agricultural development or closely associated with the agricultural community to a broad range of programs dealing with critical issues that impact on the daily lives of a broad range of County citizens.

Although the scope of this OLO examination does not include an evaluation of the myriad Montgomery Cooperative Extension Service (MCES) programs, an overview of the current major program categories is presented.

In addition to a management and administration program element in MCES, there are six major program areas: Agriculture, Commercial Agricultural, 4-H and other youth activities, Home Economics, Master Recycler/Composter, and Master Gardener. Each of these six categories are discussed below; and at EXHIBIT C is a list of some of the activities within these six programs.

- Agriculture Program. This category includes the entire range of agricultural activities, (agronomy, crop production, pest management, animal science, etc.), with the target groups including agricultural producers, school children, farm families, weekend gardeners, and others.
- Commercial Agriculture Program. Previously called Urban Agriculture, activities under this major program category focus on providing support and new technological information to the commercial horticulture industry. Within this industry group are those who produce fruits, vegetables, and ornamental crops; garden centers and nurseries; landscape and turf management companies; roadside markets; and pesticide applicators.

One of the activities in both the Commercial Agricultural and Agriculture categories is the Integrated Pest Management (IPM) program. The objective of IPM is to keep pest populations at acceptable levels through controlled use of commercial pesticides and the increased use of beneficial insects and naturally occurring micro-organisms to control harmful pests.

- 4-H and Other Youth Programs. Dating from the very beginning of the extension service, the 4-H program is probably the most well known of the extension service activities. Exhibit C lists many of the current educational programs and activities within the 4-H category that are designed to help youth acquire practical skills and knowledge, and to develop positive attitudes toward themselves, others, and their communities.

Other youth programs include direct training and sharing of training materials and techniques with personnel and agencies that deal directly with youth groups. As one example, MCES' "Kids Taking Charge" teaches approximately 1,000 youth each year on ways to be safe when in self-care.

- Home Economics Program. Projects under this popular program focus on helping individuals and families adapt to problems in today's changing society. Included are programs on nutrition, diet and health, consumer education, housing and home furnishings, and individual and family financial stability and security.

Also included within the Home Economics category is the Senior Health Insurance Counseling and Advocacy Program (SrHICAP). Funded by a Federal grant through a contract with the Department of Family Resources, this MCES program recruits and trains volunteer counselors to assist the elderly in matters relating to Medicare, other health insurance, and long-term care. Examples of services provided by MCES are: recruit and train volunteers to help seniors understand health insurance policies and billing procedures and to complete health claim forms; conduct outreach classes at senior centers; and provide publicity and public education concerning health insurance issues. The cost of the contract for the SrHICAP program in both FY93 and FY94 was \$25,249.

- Master Recycler/Composter Program. Under a contract with the Department of Environmental Protection (DEP) that is funded from the Solid Waste-Disposal Fund, the MCES recruits and trains volunteers to provide information to County citizens about recycling and composting. The program is designed to encourage and maintain a high rate of participation in the recycling/composting programs (which includes yard and grass cycling, waste reduction, household hazardous waste, etc.).

Specifically, MCES recruits, trains, and supports volunteers; operates a telephone recycling hotline; provides public outreach, staffs a speaker's bureau, and conducts tours of the Recycling Center; demonstrates recycling and composting techniques; and assists the DEP staff in accomplishing the County's waste reduction goals. The FY93 cost for these services was \$73,450; and the FY94 budget for an expanded level of services is \$138,250.

- Master Gardener Program. One of the most popular of the MCES activities, this program recruits, trains, and certifies volunteers to respond to the demand of home gardeners and landscape professionals on all aspects of horticulture. The Master Gardener program trains volunteers in the areas of cultivating fruits, vegetables, and other plants, plant diseases, pesticide and herbicide use, etc. Information is provided to the public through community clinics, the Master Gardener telephone hotline, and individual assistance in plant analysis and gardening techniques.

## **F. Volunteers**

The Montgomery Cooperative Extension Service is able to provide a large number and variety of programs with a relatively small staff because of its extensive use of volunteers. In testimony before the County Council on the FY94 operating budget, and in published documents, MCES placed the number of active volunteers at approximately 3,000.

## **G. Montgomery County Extension Advisory Council**

A Montgomery County Extension Advisory Council actively advises the MCES faculty on developing the overall MCES program, identifying problem areas MCES should address, and establishing program priorities. The Council is internal to the MCES in that new members are nominated by the MCES faculty members, appointed by the MCES Director, and confirmed by the Extension Advisory Council. The minimum size of the Council is nine members, drawn from all segments of the County's population, each of whom serve a two-year term without compensation.

## **IV. FINDINGS**

### **A. Overview**

The Montgomery Cooperative Extension Service (MCES) is a part of the University of Maryland System. As such, it is a State of Maryland entity, operating within Montgomery County under a Memorandum of Understanding between the University of Maryland and the County. This chapter of the report presents OLO's findings concerning the following:

- Memorandum of Understanding between the University of Maryland Cooperative Extension Service and the County;
- Administrative reassignment of MCES from the Department of Family Resources (DFR) to the Department of Environmental Protection (DEP);
- MCES funding;
- Memorandum of Understanding between MCES and DEP for the Master Recycler/Composter program;
- County merit employees at MCES; and
- Insurance Coverage for MCES Volunteers.

### **B. Memorandum of Understanding Between the University of Maryland Cooperative Extension Service and the County**

The current Memorandum of Understanding (MOU) between the University of Maryland Cooperative Extension Service (UMCES) and the County, executed in February 1982, has a number of shortcomings. First, it does not list a scope of services to be provided by UMCES with the monies provided by the Federal



and State grants and the County's appropriation. Second, the current MOU does not include procedures whereby the County and MCES can negotiate changes in the type and/or level of services when there are increases or decreases in the amount of the County's appropriation or the Federal or State grants. Finally, the current MOU does not specify a cycle for the MCES to bill the County. The present practice is for the Maryland Agricultural Financial Office to bill the County twice yearly, at the end of the first quarter and at the end of the third quarter of the fiscal year.

In the opinion of OLO, the MOU between MCES and the County relating to the Montgomery Cooperative Extension Service (MCES) should be reviewed and updated. As a minimum, the three areas identified above should be addressed: a detailed description of the scope of services to be provided by MCES; procedures to be followed when changes in the amount of the Federal or State grants or the County's appropriation affects the type and/or level of services provided by MCES; and the cycle of billing the County by the University of Maryland Agricultural Financial Office.

#### **C. Administrative Reassignment of MCES from DFR to DEP**

The administrative transfer of MCES from the Department of Family Resources (DFR) to the Department of Environmental Protection (DEP) was approved by the County Executive, effective January 1, 1994. To minimize confusion, FY94 County appropriated funds to support MCES programs have remained in the DFR budget and will be administered by that department until the end of the fiscal year. The recently published FY95 Executive Recommended Operating Budget reflects MCES placement in DEP and its funding in the DEP operating budget.

In OLO's opinion, the myriad programs and activities of MCES overlap into the areas of several County departments, thus, its placement in DEP appears to be a workable arrangement. However, if this arrangement is to be a permanent one, Section 2-58B of the Montgomery County Code must be amended.

#### **D. MCES Funding**

County funding and budget documents relating to MCES reflect only the Council-approved annual appropriation. However, the County's appropriation is not a complete record of all County funds that are annually provided to MCES. For example, in FY93, besides the Council's FY93 appropriation of \$377,040 (of which \$360,860 was actually expended), MCES also received an additional \$181,584 in the form of a Senior Health Insurance Counseling and Advocacy Program contract with DFR (\$25,249), a MOU with DEP for the Master Recycler/Composter program (\$73,450), and free office space, other facilities, and utilities from the Department of Facilities and Services (\$76,692).

To conform with the Office of Management and Budget's "program budgets" policy of identifying all resources required to support programs, OLO suggests that future funding and budget documents reflect all County funds that support MCES programs.

#### **E. Memorandum of Understanding Between MCES and DEP**

For the past three years, the MCES and DEP's Division of Solid Waste have entered into a memorandum of understanding (MOU) whereby DEP receives MCES services in the areas of recycling and composting in exchange for an agreed upon annual payment. The specific MCES services under the MOU relate to DEP's Master Recycler/Composter Program. As discussed earlier in the report, under the MOU, MCES must recruit and train volunteers to: operate a telephone recycling hotline; serve as speakers and staff booths at fairs, etc.; conduct research; demonstrate recycling and composting techniques; and provide public outreach and education.

In OLO's opinion, the MOU is not an appropriate instrument for this agreement between MCES and DEP. Instead, the agreement should be in the form of a contract that is processed in accordance with the County's contract law and procurement regulations, and be subject to review by the County Attorney for form and legality.

#### **F. County Merit Employees Working at MCES**

Beginning in the mid-1980s, the County instituted a policy of not replacing County merit positions in MCES as they became vacant through attrition. Instead, the County began providing funds to permit MCES to contract for professional or administrative services that had been previously performed by the County merit employee. During the ensuing years, the number of County merit employees at MCES has been reduced to three, one professional and two administrative level positions, for a total of 2.8 workyears.

In OLO's opinion, the policy of eliminating County merit employees from MCES is an appropriate one and should be continued until there are no County merit positions remaining in MCES.

#### **G. Insurance Coverage for MCES Volunteers**

The Montgomery Cooperative Extension Service (MCES) is able to provide a wide variety of programs and services with a minimum of staff because of its reliance on a large number of volunteers. Several MCES programs are specifically directed at recruiting, screening, training, and supervising volunteers who provide programs and services to County citizens (e.g., Master Recycler/Composter and Master Gardener). In recent years, the annual number of volunteers at MCES have averaged close to 3,000.

In the course of its evaluation, OLO became aware that there is some confusion concerning worker's compensation coverage for persons who volunteer at MCES. County policy grants worker's compensation coverage to County volunteers; whereas, State policy does not provide worker's compensation to persons who volunteer to State agencies, such as the University of Maryland.

The confusion arises from whether a volunteer at MCES is volunteering to the County or to the University of Maryland. The Insurance Section of the County's Division of Risk Management considers MCES to be a contractor to the County, and as such, its volunteers are not covered under the County's

self-insurance program. In contrast, MCES has historically looked upon itself as a Montgomery County office, receiving annual appropriations from the Council for services provided to the County.

Under the County's policy, a volunteer is a person who, upon mutual agreement with the County government, and under its control and direction, provides services to the County. As stated above, a volunteer who meets that definition is eligible for worker's compensation coverage. However, if one considers MCES to be a State agency, a volunteer to MCES would not be covered for worker's compensation. Complicating the situation are the several categories of employees at MCES. (See Table 1, page 4a) For example, does a MCES volunteer working under the "control and direction" of one of the three County merit employees who are at MCES qualify as a "County volunteer"?

OLO is aware that one volunteer who assisted in counseling on financial and senior health matters has ceased volunteering until the status of his worker's compensation coverage is clarified.

OLO suggests that the several offices/agencies involved in this matter, specifically, MCES, the Department of Finance's Division of Risk Management, the DFR's Volunteer and Community Service Center, the Office of the County Attorney, and the Office of Management and Budget coordinate a mutually acceptable policy on the status of MCES volunteers and the limits of insurance coverage. OLO has already suggested to staff of the Office of Management and Budget that a hold should be put on a draft Administrative Procedure on volunteerism currently being circulated until this matter is resolved.

## **V. A RELATED MATTER**

In the course of an OLO evaluation, matters that are not within the specific scope of the subject, but are related and sufficiently important to merit comment, are included in OLO's evaluation report. One such matter is presented below.

### **Integrated Pest Management Policy**

Since the mid-1980s, the County has been in the forefront in laws, policies, and programs to require the careful use of pesticides and the notification of their application. The County enacted legislation in April 1986, requiring that signs be posted during and after commercial pesticide application, and that customers be notified of the pesticides used. Shortly thereafter, the State enacted similar legislation.

In 1987, the Department of Environmental Protection (DEP) convened a work group of interested citizens and representatives of County agencies that either use or contract for pesticide application to review pest management issues. On the recommendation of this group, and after receiving comments from agency directors, the County Council, on February 13, 1990, adopted Resolution No. 11-1859, subject: An Integrated Pest Management Policy for Montgomery County Government.

The Council Resolution includes the following:

- Confirms that an Integrated Pest Management (IPM) program would be the pesticide policy for County employees and for contractors working in County buildings or on County-owned property.
- Acknowledges that the University of Maryland's staff (working through the Montgomery Cooperative Extension Service) would provide training in IPM for County employees.
- Directs DEP to administer the training programs and related IPM program administrative services through 1990. (This was accomplished by DEP through memoranda of understanding with MCE)
- Directs that after 1990, a committee of agency-selected representatives would administer the IPM program. *Joan Conserve*
- Finally, County agencies are directed to submit to an annual basis, records of pesticide use for both contractors. *letter.doc*

OLO's review of MCES indicates that the IPM activities are active in both the MCES agriculture and commercial agriculture programs. However, information from the former Chair of the post-1990 committee indicates that records of pesticide use by County agencies and their contractors were submitted for 1991, but have not been submitted in subsequent years. OLO suggests that if an annual record of pesticide use by County agencies still has merit, then procedures should be put into place to assure that the data is collected and submitted. If the record of pesticide use is no longer of value, Council Resolution No 11-1839 should be rescinded.

## VI. RECOMMENDATIONS

OLO recommends the following:

- A. The Memorandum of Understanding between the University of Maryland and the County relating to the Montgomery Cooperative Extension Service should be reviewed and updated.
- B. The administrative transfer of responsibility for coordinating the activities of the Montgomery Cooperative Extension Service from the Department of Family Resources to the Department of Environmental Protection should be confirmed by an amendment to Chapter 2 of the Montgomery County Code to reflect the transfer of responsibility between the two departments.
- C. Budget and funding documents relating to the Montgomery Cooperative Extension Service should reflect the total funding that the MCES receives from the County, and not just the annual County appropriation.

Marshall  
Rae  
Monte Soil  
Conservation  
590-2855

Master R.  
Doranne  
Bernhardt  
590-2818

Coop Ex.  
Ruth  
Procter  
590-2813

Esther  
Bowers  
writing  
contract

Finance  
to form group  
Teri  
Fleming  
X7248

- D. The current practice by the Department of Environmental Protection of using a memorandum of understanding to obtain the services of the Montgomery Cooperative Extension Service for the Master Recycler/Composter Program should be discontinued and replaced by a contract executed under the County's purchasing law and regulations.
- E. The status of persons who volunteer with the Montgomery Cooperative Extension Service, especially whether they are provided worker's compensation and professional/general liability coverage, should be determined and clearly communicated to those persons.
- F. The current policy of replacing vacant County merit positions at the Montgomery Cooperative Extension Service with professional service funds should be continued.

#### VII. AGENCY COMMENTS ON THE DRAFT REPORT

OLO circulated a draft of this report to the Chief Administrative Officer and the directors of the appropriate Executive branch departments and offices; to the University of Maryland Cooperative Extension Service; and the Director, Montgomery Cooperative Extension Service. Technical comments and corrections have been incorporated into this final report. Written comments are included in their entirety beginning on the next page.

New  
AP for  
Volunteerism  
1-15 Nov. 1st

DEP took  
contract away  
Ceased doing it  
July 1, 1995

Contract  
shifted to  
DOT  
have housed  
them &  
still have  
hot line  
wants it  
out

Reduces to  
part-time  
financial  
counseling  
position  
Cutting  
\$36,000  
from budget  
to meet  
97%  
budget  
imposed  
by OMB



Montgomery County Government

ROCKVILLE, MARYLAND 20850

MEMORANDUM

April 20, 1994

TO: Andrew Mansinne, Jr., Director, Office of Legislative Oversight

FROM: Gene Lynch, Chief Administrative Officer

SUBJECT: DRAFT OLO Report #94-3, Montgomery Cooperative Extension Services

Thank you for the opportunity to comment on the Draft OLO Report 94-3, Montgomery Cooperative Extension Services. This report provides a useful compilation of information on the organization and activities of the Cooperative Extension Service in Montgomery County, including an examination of the funding sources for Montgomery Cooperative Extension Service (MCES) programs. Comments from the Department of Environmental Protection and Office of Management & Budget are attached.

In response to your specific recommendations, I agree and will have the Director, Department of Environmental Protection work with the County Attorney to 1) revise the County Code to add the responsibility for coordinating the activities of the University of Maryland Extension Service to the Department of Environmental Protection's functions, 2) update the MCES Memorandum of Understanding with Montgomery County and 3) execute a contract with MCES to provide services in the area of recycling and composting. I will also have the Director, Department of Finance establish a working group to develop a County policy on worker's compensation insurance for volunteers.

Thank you again for providing us with the opportunity to review and comment on the draft report.

GL/rm

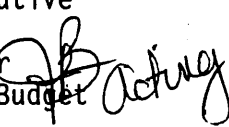
Attachments

cc: Edward U. Graham, Director, Department of Environmental Protection  
Charles L. Short, Director, Department of Family Resources  
Timothy Firestone, Director, Department of Finance  
Robert K. Kendal, Director, Office of Management and Budget  
William P. Garrett, Director, Office of Personnel  
Joyce R. Stern, Director, Office of the County Attorney

MEMORANDUM

April 15, 1994

TO: Deborah J. Snead, Sr. Staff Specialist  
Office of the County Executive

FROM: Robert K. Kendal, Director   
Office of Management and Budget

SUBJECT: DRAFT OLO Report No. 94-3, Montgomery Cooperative Extension Service

Thank you for the opportunity to respond to DRAFT OLO Report #94-3, Montgomery Cooperative Extension Service.

OMB staff have discussed the report with the Department of Environmental Protection as well as OLO. Basically, OMB is in agreement with the recommendations developed by Mr. Mansinne, and will comply with the specific recommendation concerning the display of funding information for the Cooperative Extension Service in the DEP budget narrative.

OMB will participate with DEP and other departments to develop a mutually acceptable policy on the status of MCES volunteers and the limits of worker's compensation insurance for the volunteers.

If you have any questions regarding this issue, please call Toko Ackerman (2824), or Joe Cifelli (2812).



# Montgomery County Government

1994 APR 15 AM 9:48

## MEMORANDUM

April 15, 1994

TO: Andrew Mansinne, Jr., Director  
Office of Legislative Oversight

FROM: *EUG* Edward U. Graham, Director  
Department of Environmental Protection

SUBJECT: OLO Report on the Montgomery Cooperative Extension Service

I appreciate the opportunity to comment on Draft OLO Report #94-3, Montgomery Cooperative Extension Service. These comments reflect input received from various members of the DEP staff, including those of the MCES.

The OLO report is timely and presents appropriate recommendations. We offer the following comments for your consideration.

1. Perhaps you could mention that a factor in recommending the move from DFR to DEP is our judgement that DEP's programs will require greater use of volunteers and the kind of outreach where MCES excels. We anticipate that volunteers will play a major role in our water resources program and that the water quality, air quality, and energy conservation programs will require major outreach efforts.
2. Regarding the recommendation to review and update the MOU between UMCES and the County, perhaps it would also be advisable to include a time limit (say five years) to prevent the MOU from becoming dated.
3. Regarding the insurance recommendation, given the extent of DEP's involvement with and dependance on volunteers, DEP should also be a part of the multi-agency group to develop a volunteer policy.
4. Staff at MCES noted a few technical and editorial corrections that are noted on the attached pages. \*

EUG:brc

\* The technical and editorial comments/corrections have been incorporated into the final report.

Attachment

cc: Art Balmer  
Jim Caldwell  
Anne Hoey  
Robert Hubbard  
Ruth Proctor  
Stan Wong



EXTRACT

**Art. 25, § 160      ANNOTATED CODE OF MARYLAND**

**FARMERS' COOPERATIVE DEMONSTRATION WORK**

**§ 160. Authority to make appropriations; cooperation with  
Department of Agriculture of the United States.**

The board of county commissioners of the respective counties of this State may, and they are hereby authorized and empowered in their discretion to appropriate and use, under such rules as they may prescribe, any sum or sums of money, as in their discretion, may appear to be necessary and proper for the support of farmers' cooperative demonstration work, including home demonstration work and boys' and girls' club work, in each of their respective counties, along the same line as such work is or may be conducted by the United States Department of Agriculture or the University of Maryland Extension Service, and may conduct such work jointly in the respective counties with the agents and representatives of the United States Department of Agriculture and the University of Maryland Extension Service, upon such terms and conditions as may be agreed upon between the agent of the Department of Agriculture of the United States and the agent of the University of Maryland Extension Service and the board of county commissioners.

Whenever the Department of Agriculture of the United States, and the University of Maryland Extension Service shall enter into cooperative relations for conducting farmers' cooperative demonstration work, including home demonstration work and boys' and girls' club work, in the counties of Maryland, the county commissioners of the respective counties may cooperate with the United States Department of Agriculture and the University of Maryland Extension Service in providing funds and conducting such work in such manner as may be agreed upon by the agents of the cooperative institutions. (An. Code, 1951, § 148; 1939, § 166; 1924, § 165; 1914, ch. 427; 1922, ch. 135.)

**MEMORANDUM OF UNDERSTANDING OR AGREEMENT**  
**UNIVERSITY OF MARYLAND COOPERATIVE EXTENSION SERVICE**  
**AND MONTGOMERY COUNTY GOVERNMENT**

Exhibit B

This Memorandum of Understanding or Agreement between the University of Maryland Cooperative Extension Service (MCES) and Montgomery County covering Cooperative Extension work in the County in accordance with the annotated code of the State of Maryland Article 25, Section 160, will remain in effect until replaced or superceded in writing with six months notice to both parties.

**ITEMS OF AGREEMENT:**

1. The county will provide funds for Cooperative Extension personnel, travel, equipment and supplies as negotiated annually, with notification from the County to the Cooperative Extension Service of the funds so allocated as soon as appropriated by the Council.
2. Funds appropriated for supplies, office maintenance, equipment, program maintenance, and other funds for expenditure at the local level by the Montgomery County Cooperative Extension Service are considered direct county funds. The direct county funds will be retained by county government and expended in accordance with county financial and budgetary procedures. No direct funds, with perhaps the exception of a small working fund, will be forwarded to the County Extension Office or personnel for handling in accordance with county policies.
3. County procurement policy for supplies and equipment will be followed where direct funds appropriated by the county government are utilized. County government accounting and documentation procedures will be followed to ensure audit validity.
4. The MCES Business Office with the District Supervisor will annually review the procedures within the Cooperative Extension Service and County Government in utilizing and reporting of direct county funds. During this annual review a discussion will be held with the appropriate representative of county government to affirm propriety and procedures.
5. County funds, as shown on University of Maryland Cooperative Extension budget documents, appropriated for salaries and travel of county Extension faculty and staff listed as University of Maryland Cooperative Extension employees will be forwarded to the University for deposit with the State Treasury and expended according to University (State) policy.
6. Equipment purchase with direct county funds will be property of the county. The county office will retain use of the equipment and update equipment inventory - reporting, etc. in accordance with Montgomery County government equipment policies and procedures.
7. Personnel employed by Montgomery County for the Cooperative Extension Service will be considered county positions subject to rules and regulations of the county except for personnel and program supervision. These positions will be reflected in budget documents negotiated between the Cooperative Extension Service and county government.

8. The county will provide adequate and appropriate offices and other physical facilities acceptable to the Cooperative Extension Service and maintain services needed to ensure proper quarters for MCES County Extension personnel. Any change in physical facilities would involve negotiations prior to implementation.

C. Olvin

Director

Cooperative Extension Service

University of Maryland

D. W. S. [Signature]

2/24/82 (Date)

WITNESSED AS TO FORM AND LEGALITY.

BY COUNTY ATTORNEY

[Signature]  
DATE 1/21/82

Montgomery Cooperative Extension Service

Representative List of Programs and Activities

- Free or low cost classes, publications, educational programs/activities and consultation.
- The educational resource support provided to over 83 county organizations and agencies.
- Support for youth and adults in conducting community service project.
- Expanded Food and Nutrition Education Program for low income families, 500 per year.
- Expanded Food and Nutrition Education Program for low income youth, 2600 youth reached each year.
- The 4-H Program...
  - Adventure in Science Program
  - Learn and Earn program in Rockville, Germantown, Gaithersburg
  - 4-H Cares, Carroll Ave, Rosemary Hills, Crossways
  - Kids Taking Charge (latch-key children): 20 school sites plus 40 trained volunteers to support delivery of programs
  - "Handicap Is Only a Word" - workshop for handicap youth and their families.
  - 45 community 4-H clubs, 860 members.
  - Programs in Communication skills, life skills, self-esteem and drug prevention.
  - RAP program on child abuse prevention
  - Something Wild, parent/child program on environment
  - Low-cost, week-long resident camp, Food, Fun, Fitness day camp, teen weekends
  - Consumer Education and Decision Making programs for youth
  - Professional and volunteer support for Montgomery County Fair - over 450 4-H member project exhibits
  - Awards, scholarships, and other recognition available to youth each year
  - Electric and Energy Programs
  - Agricultural Science Programs
  - Home Economics Consumer Hot line
- Volunteer support, training, recognition, subject matter
- Free Financial Counseling for families, utilizing 80 volunteers
- Money Management for youth and adults
- Mortgage Assistance Program to prevent foreclosure
- Senior Health Insurance Counseling and Advocacy Program with DEA
- Support to 900 Homemakers members in 37 organized clubs.
- Volunteers in Tax Assistance for young families
- Senior Tax Assistance with Division of Elder Affairs and AARP
- Agricultural support for farmers, nurseries, greenhouses, turf, and ornamentals
- Environmental and safety training for pesticide users
- Master Gardener program, including the hot line, serving 8,000 homeowners.
- Nutrient management program to improve water quality
- Integrated Pest Management, reduces amount of pesticides applied
- Agricultural Marketing - pick your own; grain, hay and livestock marketing
- Environmental sensitivity programs for school children
- Parenting the First Year
- Parenting Classes for low income, homeless women and children.
- Parent Education using Active Parenting course, up county center
- Living on a Reduced Income series, 17 county sites (including Co. Personnel Office)
- Retirement Planning
- Culture Diversity education programs
- Master Recycling Education and Hot Line
- Programs for Homeless, budget assistance, money management, parenting, nutrition education.