



**ANNE ARUNDEL COUNTY  
OFFICE OF THE COUNTY AUDITOR**

**To:** Councilmembers, Anne Arundel County Council  
**From:** Michelle Bohlayer, County Auditor  
**Date:** February 16, 2023  
**Subject:** Auditor's Review of Legislation for the February 21, 2023 Council Meeting

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**Bill 2-23:  
Private Disposition of  
Surplus Real Property –  
Approval of Terms and  
Conditions – Overlea  
Drive in Severna Park (As  
Amended)**

**Summary of Legislation**

This bill approves the terms and conditions under which the County may transfer its interest in real property determined to be surplus, consisting of approximately 0.058 acres, and located on the North Side of Overlea Drive in Severna Park, Maryland to Chessie Homes, LLC.

We commented on this bill in our letter dated February 1, 2023. At the February 6, 2023 Council meeting, this bill was amended to make certain edits to the Agreement of Sale (i.e., added the settlement must occur not later than 45 days after the satisfaction of contingencies, kept terminology consistent throughout the agreement, and corrected the name of the Chief Administrative Officer in the signature block) and replaced Exhibit 1 with Exhibit 1-A to reflect the edits. We have no further comments on this bill.

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**Bill 3-23:  
Zoning – Small Business  
Districts – Religious  
Facilities**

**Summary of Legislation**

This bill allows religious facilities as a permitted use in Small Business Districts.

**Review of Fiscal Impact**

The Office of Planning and Zoning (OPZ) does not anticipate a change in workload due to this bill and does not anticipate needing additional resources to meet the requirements of this bill. As noted in the Office of Law's Legislative Summary, there is a current County capital improvement project that will be impacted by this legislation because the project plan includes an exchange of County-owned property for the current church property. This zoning change would allow the construction of a new church upon the County-owned property after the finalization of the exchange. This change would also allow any other churches to locate in Small Business Districts. This bill has no direct fiscal impact.

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**Bill 4-23:  
Current Expense Budget –  
Board of Education –  
Supplementary  
Appropriation and  
Transfer of Funds**

**Summary of Legislation**

This bill transfers appropriations of funds between major categories and makes supplementary appropriations from unanticipated revenues in the Local Education Fund. This bill reflects the budgetary changes adopted by the Board of Education (BOE) at their meeting on January 4, 2023.

**Review of Fiscal Impact**

This bill recognizes a total of \$18,032,343 in additional federal and state restricted funds received by the BOE with federal and state grant revenue totaling \$16,960,752 and \$1,071,591, respectively. This bill also recognizes a total of \$1,000,000 in additional local unrestricted funds from investment income.

This BOE approved fiscal year 2023 Second Quarter Operating Budget Supplemental and Fund Transfer includes one transfer from Pupil Transportation for \$1,466,658 due to savings in salaries and contracted services to align budgets with estimated expenditures and increases for vans to transport homeless students. It also includes the following increases:

- \$399,135 for Administration for rewriting the strategic plan; grant administration charges; and fingerprinting for tutors, mid-day monitors, and temporary staff.
- \$1,074,075 for Mid-Level Administration for additional clerical support to administer the five-year Science, Technology, Engineering, and Math Department of Defense Education Activity (STEM DoDEA) grant, temporary stipends for Coronavirus Elementary and Secondary School Emergency Relief (ESSER) grant management support and for the Virtual Academy, salaries for the Resident Teacher Certification Program Manager in Maryland Leads (MD Leads) program, consultant services for a review of school curriculum, school support meetings and virtual school supplies, and professional development and mileage to visit schools.
- \$270,426 for Instructional Salaries and Wages for tutoring services for McKinney Vento students, stipends for summer school teachers, teacher stipends for tutors to provide learning loss/recovery services for students, reduction to Summer Intensive and SSI/SSDI Outreach, Access, and Recovery programs not fully implemented as planned which was offset by increases to summer programs and summer technology staff stipends, summer stipends for school counselors and school psychologists, teacher specialist to assist teaching assistants (TAs) in passing the Teacher Certification Test, savings to align Special Olympics grant appropriation with anticipated expenditures, salaries for teachers and TAs and stipends for summer programs, and savings to align STEM DoDEA grant budget with estimated expenditures.

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**Bill 4-23 (continued)**

- \$2,637,636 for Textbook & Classroom Supplies for additional supplies to enhance calm down and sensory spaces in school buildings; supplies for summer school not previously appropriated; learning management and other instructional software; savings in supplies to align ESSER grant budgets with estimated expenditures; books and supplies to support degree seeking participants in MD Leads program; adjust Special Olympics grant appropriation to align with anticipated expenditures; materials of instruction for pre-K classrooms; additional grant from Maryland State Department of Education from unused state funds to support early literacy; create classroom libraries; purchase summer books, teacher resources, materials for small group intervention and summer learning programs; and additional instructional supplies for community schools.
- \$4,577,925 for Other Instructional Costs for enhanced learning field trips, behavioral health interventions, an online learning platform, learning management system support, community partnerships to provide summer learning opportunities for students, expanded school-based mental health services and tutoring services for students through partnership agreements, and savings in ESSER grant supported professional development to reflect anticipated expenditures.
- \$1,121,697 for Special Education for Virtual Academy special education teacher salaries, savings in contracted services for Virtual Academy special education, increase in contracted services due to staffing vacancies, contracted services for Infants and Toddlers for behavior therapist and technician, tutoring supplies, and savings in mileage to align budget with estimated expenditures.
- \$715,400 for Pupil Services for stipends for pupil personnel workers for homeless student outreach; professional development; contract for two housing specialists to assist families to secure stable housing; software and supplies to support student services; funding for rental assistance, utility assistance, and hotel stays for homeless families; and additional bilingual support for community schools.
- \$755,200 for Health Services for summer school nurses, additional nursing services in community schools, payments for private mental health therapy appointments for uninsured students, license for telemedicine for school nurses, and health-related supplies.
- \$1,292,660 for Operation of Plant for upgrades to school-based security equipment, air filters, sanitizing wipes, hand sanitizer, and technology equipment offset by savings to align budget with estimated expenditures.
- \$5,185,100 for Maintenance of Plant for Preventative Maintenance Technicians for HVAC units and for an emergency contract to rent a chiller for Meade Middle School until the new chiller is delivered and installed.

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**Bill 4-23 (continued)**

- \$2,222,662 for Fixed Charges for fixed charges associated with salary and wage appropriations in all grants.
- \$197,085 for Community Services for salaries for Judy Center staff, contracted services for activities and events, and materials of instruction.
- \$50,000 for Capital Outlay for contracted services for an outdoor classroom.

The net impact of these supplementary appropriations is an increase of \$19,032,343.

The Acting Controller has certified that such funds totaling \$19,032,343 are available for appropriation.

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**Bill 5-23:  
Current Expense Budget –  
Supplementary  
Appropriations – Cattail  
Creek and Upper Magothy  
River Waterways  
Improvement District –  
Grants Special Revenue  
Fund****Summary of Legislation**

This bill provides supplementary appropriations of \$5,500 to the Cattail Creek and Upper Magothy River Waterways Improvement District (District) from unanticipated revenues and \$500,233 to the Grants Special Revenue Fund from unanticipated grant revenue.

**Review of Fiscal Impact**

The \$5,500 supplementary appropriation for unanticipated revenues provides for the District to repay an installment loan to the Maryland Department of Natural Resources from existing District funds. The loan repayment is an established purpose of the District. This revenue was not included in the fiscal year 2023 Approved Budget (FY23 Budget).

The \$500,233 in supplementary appropriations for unanticipated grant revenue provide for the following:

- \$15,000 from the Maryland Department of Health (MDH) – Prevention and Health Promotion Administration (PHPA) to the Anne Arundel County Department of Health (Health Department) for expanding program support to local providers to move towards an electronic format of the electronic Prenatal Risk Assessment (ePRA) forms and linkages to the Care Enhancement project, which helps integrate prenatal risk assessments into the prenatal care providers electronic health records and allows improvements to maternal and infant health outcomes. The award period is from July 1, 2022 through December 31, 2022. The expenditures for this grant were already made utilizing Core Funding Program, however, appropriations for the ePRA grant would allow the Core grant funds to be reimbursed and then used for other allowable expenditures. This grant was not included in the FY23 Budget and does not require a matching contribution.
  - \$80,000 from MDH – PHPA to the Health Department for the Project W – Linkages to Care and Support Funding to provide outreach for COVID-19 vaccination for pregnant and postpartum people, communications on COVID-19 vaccinations, and prenatal
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**Bill 5-23 (continued)**

care access to people without health insurance. The award period is from July 1, 2022 through June 30, 2023. This grant was not included in the FY23 Budget and does not require a matching contribution.

- \$145,833 from the MDH – Tobacco, Diabetes, and Chronic Disease Prevention and Management to the Health Department to expand and strengthen education for tobacco, diabetes, and chronic disease prevention and management, including tobacco control youth engagement and community-based partnership strategies and activities and reducing risk factors for type two diabetes. The award period is from July 1, 2022 through June 30, 2023. This grant was not included in the FY23 Budget and does not require a matching contribution.
- \$117,400 from the Governor’s Office of Crime Prevention, Youth, and Victim Services to the Health Department for a Gun Violence Intervention Team to expand education on violence intervention programs, suicide prevention training, and public awareness on gun safety. This award period is from July 1, 2022 through June 30, 2023. This grant was not included in the FY23 Budget. This grant requires \$67,000 in County matching funds, which the Health Department is using other grant funds to provide the required County match. The grant being used for the matching funds was included in the FY23 Budget under the CDC Crisis Cooperative Agreement grant revenues (GHL60123). This results in a total of \$184,400 in grant appropriation.
- \$75,000 from the Maryland Department of Human Services to Partnership for Children, Youth, and Families for a one-time American Rescue Plan supplement funding from the Emergency Food and Shelter Program Award allocation to provide funding for rent and food assistance. The award period is from November 1, 2021 to April 30, 2023. This grant was not included in the FY23 Budget and does not require any matching funds.

The Acting Controller certified that such funds totaling \$500,233 and \$5,500 are available for appropriation in the Grants Special Revenue Fund and District Fund, respectively.

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**Bill 6-23:  
Subdivision and  
Development – Zoning –  
Accessory Dwelling Units**

**Summary of Legislation**

This bill exempts accessory dwelling units from impact fees; amends the definitions of density and dwelling unit, accessory; repeals certain parking requirements for accessory dwelling units; amends the conditional use requirements for accessory dwelling units; and allows accessory dwelling units in use as of a certain date to be exempt from certain conditional use requirements.

**Review of Fiscal Impact**

OPZ and the Department of Inspections and Permits (I&P) do not anticipate a change in workload due to this bill and do not anticipate needing additional resources to meet the requirements of this bill. They are also not aware of any existing projects that would be impacted by this bill. While I&P does anticipate a small increase in the number of permits received, they do not expect this to have a fiscal impact. This bill has no direct fiscal impact.

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