

Date: May 29, 2013

To: Members of the Franklin County Budget & Economic Advisory Panel

Cc: Don Brown, County Administrator
Ken Wilson, Deputy County Administrator
Bill Flaherty, Deputy County Administrator

From: Erik Janas, Deputy County Administrator

Subject: Additional information on county governance in Ohio and city-county consolidated forms of government

Members of the panel, in response to your request for information at the last panel meeting of May 17th, this memo summarizes the different forms of county government in Ohio and provides background information on city-county consolidated forms of government.

County Government in Ohio

County governments are creatures of the state. Article X, Section 1 of the Ohio Constitution provides authority to the Ohio General Assembly to create the general statutory form of county government. This form of government is currently in use by 86 of Ohio’s 88 counties.

Each county organized by general statutory law has eleven elected officeholders, including the three county commissioners. Statutory county governments do not possess home rule authority in Ohio – counties may act only when and as specifically authorized by state law. Comparatively, municipalities “have authority to exercise all powers of local self-government and to adopt and enforce within their limits such police, sanitary and other similar regulations, as are not in conflict with general laws.”

Counties organized under general statutory law have three county commissioners, which make up the general administrative body for county government. They are the county government’s taxing, budgeting, appropriating and purchasing authority. Formal and official actions must be taken by the board as a whole.

The Ohio Constitution also allows for alternative forms of county government, including the adoption of county charters. County charter governments can be adopted by a county charter commission or be submitted directly to the electors of a county. Two of Ohio’s 88 counties are

charter forms of government: Summit County, which enacted a charter form of government in 1979 by a vote of the electors; and Cuyahoga County in 2009 (taking effect in January 2011), again by a vote of the electors. The two charter governments are different – each elect a county executive, county council and county prosecutor; however, Summit County also separately elects a county engineer, clerk of courts, chief fiscal officer and sheriff. Under such charter forms of government, a county charter provides additional powers to counties similar to municipal corporations.

The Ohio Revised Code also provides for an alternate form of county government, adopted in 1961, in which a board of county commissioners can be enlarged, an executive can be appointed or elected and specific county departments created. Under the alternative form of county government, the board of commissioners is the policy-making body of the county and the executive performs administrative functions. Currently, no counties in Ohio govern under the alternate statutory form of government.

The following links provide additional information on the formation of county government in Ohio, as well as links to the Cuyahoga and Summit County charters.

County Commissioners Association of Ohio Handbook, basic structure of county government:

<http://www.ccao.org/userfiles/HDBKCHAP001-2002.pdf>

County Commissioners Association of Ohio Handbook, county structural options:

<http://www.ccao.org/userfiles/HDBKCHAP002-2010.pdf>

Cuyahoga County charter:

http://council.cuyahogacounty.us/pdf_council/en-US/Legislation/CHARTER-CC-Amendments-%20Aprvd-110612.pdf

Summit County charter/code:

<http://www.conwaygreene.com/Summit/lpext.dll?f=templates&fn=main-h.htm&2.0>

City-County Consolidated or “Metro” Government

A city-county consolidated, or metro, form of government is a formal joining of a city (or multiple cities) with a county to form one government. Such a form of government would then perform the functions of both city and county government for its constituents.

Of the more than 3,000 counties in the United States, only about 40 have consolidated with city governments. Some notable city-county consolidations, such as Boston/Suffolk County, San

Francisco/San Francisco County, Denver/Denver County and Philadelphia/Philadelphia County, have been around for more than a century. But, according to NACo, there have been only 14 successful consolidations since 1990, and historically there have been more unsuccessful attempts at consolidation than successful ones. Since 1960, there have been just four large (greater than 500,000 in population) city-county consolidations: Nashville/Davidson County; Jacksonville/Duval County; Indianapolis/Marion County; and, most recently in 2000, Louisville/Jefferson County.

The literature studying city-county consolidations suggests varying reasons communities have sought to do so, including:

- Improving service delivery;
- Centralizing authority;
- Requiring fewer elected officials, thus shrinking the ballot;
- Improving technical efficiency;
- Reducing fragmented governance
- Improving regional fiscal and social balance;
- Aligning economic development efforts;
- Improving the image of local government; and
- Raising the ranking of the population size of the city

According to one recent NACo report (linked below), "Rarely is saving money a stated goal of consolidation. While some money may be saved through improving efficiency, this is not the overall goal of creating a city-county consolidation. In general, the areas that sought consolidation were not in financial distress."

Often times, opponents of consolidation note the loss of choice and competition among local governments, the failure to achieve anticipated economies of scale and the perception of spreading the burden of central city policy issues to the suburbs as reasons to oppose consolidation.

Opportunities for consolidation very often depend on how local governments are designed by individual states and by the varied voter approval processes for consolidation. Some states, for example, have outlined a process for consolidation; others have not. Some states require single majority voter approval, while others require voter approval of both the county as a whole and the participating municipalities.

City-county consolidated governments can take different forms as well. Some are a simple consolidation of central city and county government; others include multiple jurisdictions.

Likewise, some include all functions of municipal government, while others combine some services and leave others to individual jurisdictions.

The research literature suggests that the jury is still out on whether city-county consolidations are a success. Efforts to consolidate can take many years and fail several times before succeeding (if at all). For example, the most recent large consolidation – that of Louisville and Jefferson County – was approved in 2000 after previous failed attempts in 1956, 1982 and 1983.

The County Commissioners Association of Ohio notes in Chapter 2 of its Handbook (linked above) that some interpret the following section of the Ohio Constitution as permitting consolidated government:

"Municipalities and townships shall have authority with the consent of the county, to transfer to the county any of their powers or to revoke the transfer of any such power, under regulations provided by general law, but the rights of initiative and referendum shall be secured to the people of such municipalities or townships in respect of every measure making or revoking such transfer, and to the people of such county in respect of every measure giving or withdrawing such consent."

However, to date there is no city-county consolidated form of government in Ohio.

The following links provide additional information on city-county consolidated governance, and just a sample of the literature on the subject:

National Association of Counties paper on city-county consolidation:

<http://www.naco.org/research/pubs/Documents/County%20Management%20and%20Structure/Research%20County%20Management%20and%20Structure/Reshaping%20County%20Government%20A%20Look%20at%20City-County%20Consolidation.pdf>

RAND report on government consolidation for Allegheny County/City of Pittsburgh

http://www.rand.org/content/dam/rand/pubs/technical_reports/2008/RAND_TR569.pdf

Allegheny Institute for Public Policy report on merging governments:

http://heartland.org/sites/all/modules/custom/heartland_migration/files/pdfs/18001.pdf

Florida State University paper on consolidation efforts:

http://localgov.fsu.edu/publication_files/Feiock&Park&Kang_Consolidation_K3.pdf