

The Ohio Commission on Local Government Reform and Collaboration
County Commissioners' Association Building
Columbus, Ohio

May 21, 2010
Minutes

In Attendance:

Anita Lopez: Co-Chair	Martin Jenkins	Tom Weidman
Daniel Troy: Co-Chair	Chester Jourdan	Larry Wolpert
Michael Cochran	Rob Roland	
Dan Foley	Charleta Tavares	

Approval of the April 30, 2010 Minutes:

Co-Chair Anita Lopez requested a motion to approve the April 30 minutes. It was moved by Mr. Troy and seconded by Ms. Tavares. The motion passed unanimously.

Glenn Institute Update:

Dr. Jennifer Evans-Cowley explained that the John Glenn School had prepared a model template for the final Commission report, as well as potential titles for the Commission's review. The John Glenn School will submit invoices for university research that was commissioned, undertaken, and submitted in 2009.

Budget and Finance Report:

Mr. Troy said that Mr. Downing was not present for today's meeting, but had recommended authorizing payment of the invoice for \$31,285.87 to the John Glenn School. \$30,000 of the total was payment for university reports previously commissioned in 2009. Mr. Downing had also suggested to the co-chairs that some aspects of the John Glenn School's work be discussed relating to future billing cycles. Mr. Troy moved to authorize payment of the invoice. It was seconded by Mr. Roland. The motion was passed unanimously.

Mr. Weidman inquired as to the sum of remaining Commission funds. Ms. Lopez said the Commission still has \$46,583.53 remaining.

Subcommittee Reports:

Ms. Lopez asked if there were any additional subcommittee reports. There were no further updates from any of the subcommittees.

Selection of Recommendations for the Final Report

Ms. Lopez introduced Maggie Lewis, Associate Director of the Ohio Commission on Dispute Resolution, who volunteered to lead the Commission as it discussed recommendations to be included in the final report.

The Commission began their discussion with a total of 44 recommendations, 14 of which were on a "Top 4" list. This "Top 4" list included all recommendations that one or more Commission members included in their personal top 4 recommendations that they prioritized most out of all 44 recommendations originally submitted.

Commissioners decided that all “Top 4” 14 recommendations be included in the report. Regarding the remaining 30 recommendations, the Commissioners chose to vote on each these recommendations individually for inclusion in the final report. Any of these 30 recommendations that received more than 8 votes were to be included alongside the first 14 recommendations.

A second tier of recommendations were also to be included in the final report. This second tier of recommendations is to include any of the 30 recommendations that received fewer than eight votes but more than three.

Mr. Foley noted that several of the recommendations were similar enough that they could be combined. Mr. Troy agreed, but said that wordsmithing can be finished at a future date.

Mr. Roland suggested that the final report not have an unmanageable number of recommendations. Rather, the report may benefit from fewer, more succinct recommendations that would be less likely to go unaddressed by the General Assembly.

Selection of John Glenn School of Public Affairs to Write Report:

The Commission had a discussion on who should write the final report to state leaders. Ms. Lopez suggested the John Glenn School write the report, given that the School had been working with the Commission since the first public hearings were held. Mr. Cochran noted that in addition to the John Glenn School, a Commission member (Lynda Murray) and Commission staff member (Heidi Fought) were also capable of writing the report.

Mr. Troy made a third suggestion; the co-chairs would wordsmith the recommendations by communicating with Commission members and send the rough draft to be published by whatever entity was chosen to assemble the final product.

Mr. Jourdan said the John Glenn School could work with Ms. Murray and Ms. Fought to write the draft and the report together.

Mr. Foley suggested the John Glenn School could write the report, communicating with the co-chairs by conference call to ensure the Commission’s recommendations are accurately drafted.

Dr. Evans-Cowley agreed that Mr. Foley’s suggestion was possible, but expressed concern that the John Glenn School may produce a draft that is not completely consistent with the original meaning of the recommendations as the Commission members originally intended. Therefore, Dr. Evans-Cowley said the Glenn School would be willing to create draft of the report granted they work closely with the co-chairs and/or other Commission members. She also stressed the benefit of making sure that recommendations produced by the Commission were as clear as possible, to ensure a faithful draft of each Commissioner’s recommendations. After discussion, Commission members agreed that the John Glenn School may draft the report while working closely with the co-chairs.

Ms. Economus said if any Commission members have final thoughts they want included in the report, he or she should communicate with the co-chairs to ensure it is included in the report being prepared.

Mr. Weidman asked what the cost of preparing the report will be. Dr. Evans-Cowley responded that it depends on how extensively the Glenn School is involved in the final report's preparation. If the Glenn School is only involved in laying out/formatting the report, the cost will be relatively low. If the Commission requests writing out each recommendation and background information, the cost will be significantly greater. She recommended the Commission give the John Glenn School a budget boundary. The Glenn School will work within the specified budget during the next three weeks to produce the report.

Mr. Troy asked if the report template produced by the Glenn School was pro bono. Dr. Evans-Cowley replied it would be free of charge unless the Commission utilizes it. She explained the Glenn School wanted to be proactive given the time constraints.

Mr. Foley moved that the Ohio State University John Glenn School of Public Affairs be authorized to author the report under the guidance of the co-chairs. Ms. Tavares seconded the motion. The motion passed unanimously.

The co-chairs would work with Mr. Downing, the finance chair, to produce a budget within which the John Glenn School can work.

Decision on Inclusion of Minority Report:

Mr. Troy raised the issue of including a minority report. He said "minority report" may be the wrong term since the term implies there are Commissioners who object to a recommendation(s) in the report produced by the majority. Instead, there may be a subsection that explains that several Commission members are concerned with various issues such as prevailing wage laws, but there was not a majority consensus for a full-blown recommendation. Yet, this smaller group of Commission members felt it deserved some mention of future attention and research by decision makers.

Mr. Roland asked if inclusion of a minority report would add or subtract from the report's impact. Mr. Weidman said it was important to include several topics that were important to a number of Commission members, even if it was not a majority.

Mr. Cochran suggested the sub-recommendations be placed in an appendix. Mr. Roland added that there should be a minimum number of Commissioners who support a recommendation before it is included in the appendix.

Requirements for Inclusion in the Final Report:

Mr. Cochran suggested that there be two benchmarks for inclusion in the report, one for the consensus recommendations and a lower benchmark for recommendations that will be included in the appendix. The 14 recommendations that were included in the "Top 4" list would all be included as the "primary" consensus recommendations.

These 14 recommendations were all approved for inclusion in the final report to state leaders. The actual order and wording of the recommendations is expected to be revised. The 14 recommendations are:

RECOMMENDATIONS THAT WILL ENCOURAGE AND INCENTIVIZE LOCAL GOVERNMENTS TO COLLABORATE:

1A	Establish a system of incentives to encourage local governments to collaborate on the delivery of services.
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RECOMMENDATIONS FOR LOCAL AND STATE TAX STRUCTURE CHANGE WHICH WOULD ENCOURAGE COLLABORATION OR IMPROVE SERVICE EFFECTIVENESS:

1B	Alter state law to enable tax revenue sharing between local governments to equitably share in economic development revenue within a defined region.
2B	Encourage the General Assembly to revise the current joint economic development district (JEDD) and zone (JEDZ) law to make it easier for political subdivisions to understand and utilize.
3B	Amend the Ohio Revised Code to limit the use of local tax abatements by companies located in Ohio communities that seek to relocate unless the proven company would move out of state.

RECOMMENDATIONS THAT IDENTIFY CURRENT/ALTERNATIVE SERVICE DELIVERY MODELS:

1C	Encourage or require regions to adopt a regional economic development plans that leverage the region’s economic strengths.
2C	Require all geographic districts used by state departments, including MPOs, be aligned to allow for a “one-stop” for citizens and businesses.
3C	Encourage local governments within a county to have a “one-stop” location for economic development purposes which would include local government services such as zoning information, building codes, permit applications, etc.
4C	Provide a blanket, legislative “home rule” statute (not withstanding other provisions of the Code) that would allow collaboration and cooperation on the delivery of any services local governments agree to provide, including explicit liability protection for these services.
5C	Create a new statute for a process whereby a statutory county may make changes in its structure by a simple vote of the residents in the county.
6C	Require the Ohio Department of Development (or independent body) to establish a central clearinghouse of “best practices” relative to shared service agreements - or regional ESCs for schools.
7C	Create a new statute which would permit the legislative authorities of a municipal corporation and township that have 1) worked together on a proposal to merge the two governments using one of the two existing forms as the chosen government structure and 2) unanimously adopted an ordinance or resolution supporting the merger proposal, to place the merger question directly to the voters.
8C	Formalize the role of regional planning commissions.
9C	Permit counties to contract for county services beyond political boundaries. – ex. Coroner services.
10C	Provide maximum flexibility for mergers between counties and municipalities as approved by voters in those jurisdictions.

The Commission would vote on the remaining 30 recommendations to determine whether they would be included in the final report. After a discussion, the Commission decided that any of these 30 recommendations that had support from eight or more members (out of eleven present) would also be included with the 14 primary recommendations. Recommendations that had support from between three and eight members would be included in a sub-category, tentatively called an “appendix”. Mr. Cochran moved to approve that criteria; it was seconded by Mr. Jourdan. The motion was adopted by an 8-3 vote.

Mr. Troy suggested the Commission review the use of the term “appendix” to describe the secondary recommendations, indicating that there may be a better term. Prior to voting, he suggested that each recommendation’s author be allowed to explain their thoughts and intentions regarding the wording of the recommendation.

Voting on Recommendation’s Inclusion in the Final Report:

The voting result for the 30 recommendations’ inclusion in the final report is as follows below. It was noted that the language of the recommendations was still in the conceptual stage and would be further refined with input from the co-chairs and other Commission members.

Eight votes was the minimum threshold for the recommendation to be included as a primary “consensus” recommendation in addition to the 14 listed above. Recommendations receiving fewer than eight but more than three votes would be put in the appendix.

Proposed Recommendations in the Local Government Collaboration Incentives Category:

1A Pass a law requiring each county to create a Local Government Services and Collaboration Commission that would include a representative from each local government and each entity, including quasi-governmental agencies such as libraries, but excluding schools, which receive tax dollars. Commission would be required to establish a plan for sharing or collaborating on services and if plan is not adopted, state funds would be withheld.

➤ 5 Votes

2A Incentivize municipalities to use a single point collection for income taxes to make it easier for businesses.

➤ 9 Votes

3A Request General Assembly to create a fund for multi-jurisdictional entities that work together on regional economic development strategies, such as revenue sharing.

➤ 10 Votes

4A Create seed funding to support start-up and transition costs associated with collaborative efforts.

➤ 10 Votes

5A Amend Code to provide incentives to those that participate and penalties for those that choose not to in centralized administrative agencies tasked with handling purchasing, payroll and employee benefits.

➤ 2 Votes

6A Restrict current revenue streams, such as LGF grants, for political subdivisions that do not engage in collaborative efforts.

➤ 4 Votes

Proposed Recommendations in the Local and State Tax Structure Category:

1B Require single point collection for municipal income taxes.

➤ It was determined 1A could be removed due to overlap with another recommendation.

2B Encourage ODOT and ODOD to work together to support and incentivize pilot projects involving innovative systems of local revenue sharing to promote economic development - program would have a steering committee to ensure pilot program meets requirements.

➤ 9 Votes

3B Require ODOT and ODOD to create a pilot program for innovative local tax systems inclusive but not exclusive of revenue sharing - program would have steering committee to ensure pilot meets requirements.

➤ 0 Votes

4B Encourage state to establish a grant program to support municipalities known as “first ring suburbs” to redevelop land currently within their jurisdiction.

➤ 7 Votes

5B Reinstigate municipal income tax reciprocity by voluntary agreement, or if necessary, by legislative directive to address issue of communities fighting to grow tax base.

➤ 3 Votes

6B Alter tax law to limit financial gains/losses when businesses expand or consolidate operations in two neighboring political subdivisions. (Brookpark/Fairview Park/NASA issue)

➤ 4 Votes

Proposed Recommendations in the Alternative Service Delivery Model Category:

1C Provide uniform, consistent method for inspection of electric work throughout the state & make the process for procurement of plan approvals, inspection permits and inspections much faster.

➤ 8 Votes

2C Alter current state law to permit one or more townships or one or more townships and municipal corporations to join together to form a joint police district.

➤ 9 Votes

3C Require ODOT to take over road maintenance on all state routes located within a municipal corporation.

➤ 4 Votes

4C Develop informational and educational programs on collaboration for local officials and citizens.

➤ 8 Votes

5C The creation of regional public transportation districts that permit a tax over city/county lines.

➤ 7 Votes

6C Require a county or region to be the minimum geographic area covered for SWAT and HAZMAT teams and 911 dispatch service.

➤ 8 Votes

7C Align Soil & Water Conservation Districts on a watershed-by-watershed basis.

➤ 8 Votes

8C Encourage increased joint purchasing among jurisdictions, including local governments, schools, and libraries.

➤ 10 Votes

9C Alter state law to permit the use of design build for construction projects by all political subdivisions.

➤ 3 Votes

10C Repeal Ohio law that requires the election of certain county offices including auditor, recorder, clerk of court and other officers that perform professional or administrative services and instead have those positions filled by the Ohio Department of Administrative Services or at the local level by non-elected, qualified professionals as opposed to party or political affiliation.

➤ 1 Vote

11C Eliminate townships in counties with a population over 100,000 by requiring the township to merge with municipalities that surround township or by requiring township, if the population is 5,000 or more, to become a city.

➤ 0 Votes

12C Mandate county-wide purchasing and administrative services for school districts.

➤ 5 Votes

13C Consolidate regulatory construction service providers into a one-stop shop.

➤ 9 Votes

14C Eliminate overlapping public service entities - require smaller jurisdictions to contract with largest or best equipped (ex. road departments).

➤ 2 Votes

15C Require townships that have a population of 5,000 or more to provide the same services to residents that cities are required to provide.

➤ 1 Vote

16C Require consolidation of city/county health district into one district per county

➤ 8 Votes

17C Examine the number of library districts in Ohio - look into making more consolidated districts.

➤ 8 Votes

18C Enable municipal/mayors or other courts to merge into multi-jurisdictional courts.

➤ 7 Votes

Voting on recommendations for inclusion in the final report ended.

Old and New Business and Plans for Remaining Meetings:

Ms. Lewis asked if the Commission members wanted to review miscellaneous issues, or review them at a future meeting on June 4th. Among these miscellaneous issues are encouraging the General Assembly to create a permanent commission or position within the state dedicated to local governments, exploring ideas on local government unique to other states, as well as cost saving measures such as performance audits and competitive bidding. The Commission decided to review the miscellaneous issues at the coming meeting.

Mr. Roland asked if the Commission should consider extending the deadline for submission of the report. Mr. Cochran said if the Commission has submitted all material and recommendations by July 1, then it would be fine to wordsmith for another month.

Mr. Troy moved to request that the General Assembly extend the life of the Commission and its requirement to submit a report from “by July 1, 2010” to “by September 1, 2010”. The motion was seconded by Mr. Roland. The motion passed unanimously.

Dr. Evans-Cowley requested direction from the Commission on the Glenn School’s role in assembling the report. Ms. Lopez said the Mr. Downing, the fiscal representative, would communicate with her on the coming Monday.

Ms. Lopez moved to adjourn the meeting. It was seconded by Ms. Economus. The motion passed. The meeting of the Ohio Commission on Local Government Reform and Collaboration was adjourned at approximately 2:30 pm.