



COUNTY OF LAKE

BOARD OF COUNTY COMMISSIONERS

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DANIEL P. TROY

Bullet Points/Recommendations from Commissioner Daniel Troy

Ask General Assembly to remove all arbitrary restrictions/conditions that currently exist in state law regarding the formation of service provision districts; whether cities, villages or townships, there should be no impediment to its formation, especially where the participating entities are governed by duly elected officials. For example, the ORC does not permit a township and a municipal corporation to form a joint police district. These types of head-scratching restrictions need to be revisited by the General Assembly. There should also be no limit to the size of these service provision districts, and even county lines should be blurred so as not to “fence in” their formation.

Overlapping public service entities should be eliminated. For example, if the county has a road department, the township has a road department, and cities and/or villages within the county have a road department, it would seem to make more sense to either consolidate them into one operation, or have the lesser components just enter into contractual agreements with the largest and/or best equipped entity to provide services to all.

Municipal income tax reciprocity, as existed at least in NE Ohio until 1972, should be reinstated by voluntary agreement, or, if necessary, by legislative fiat. It allows for sharing between the worker’s city of employment and city of residence. It would help address the issue of each community fighting their neighbors to grow their tax base to generate revenue for services, it would possibly return us to the time of more centralized industrial and retail districts instead of every individual community trying to develop their own, and somewhat address the argument of “taxation without representation”.

On that same topic, something needs to change to address issues like that presently occurring in Brookpark and Fairview Park in Cuyahoga County regarding the physical location of buildings within the NASA complex. A proposed renovation/restructuring of the NASA campus that relocates certain buildings from one side of the road to the other translates into a tax windfall for one community commensurate with a huge tax loss for the other. Some automatic tax-sharing process, or a mandated mediated approach should be in place to prevent such occurrences.

Townships are a direct descendant of the Northwest Ordinance. 6 by 6 mile squares were laid out for surveying or settlement purposes. They were initially given certain limited statutory powers to address some basic civilized services in relatively rural areas. Many areas served by this basic form of local government aren't very rural today, and, in many cases, are densely populated suburban or urban-appearing entities. The law says that they are unincorporated; this translates into an entitlement of numerous services from the county government, e.g. sheriff's department services, county prosecutor legal representation, county engineer services, etc. Realizing that there is a strong and passionate desire by many to never end township government in Ohio, I would suggest that there be some change in state law that would state that a township reaching a certain population (5000? 10,000?) and/or tax valuation would be required to provide these type of services on their own. They would have several options; incorporate, enter into joint district settings to provide those services, directly contract with other providers for those services (as many townships do with their county sheriff), or the annexation route. The situation of large and/or fiscally better off townships continuing as wards of the county isn't fair to the rest of the county's taxpayers, and, in many cases, denies citizens of the townships service they may need. Also, whatever impediments that exist in the ORC to allow townships to merge or consolidate service operations need to be removed.

Studies show that the percentage of money in our primary and secondary education system has decreased in terms of the classroom function, and the percentage spent on school district administration has gradually increased. Much of this may very well be the result of increased administrative mandates imposed by state and federal authorities. But since all seem to be playing under the same rules, a consolidation of some of these administrative departments among numerous school districts seems possible and would improve efficiency. Regional or countywide payroll/finance, transportation, curriculum, teacher training and even governance structure (a regional school board and/or superintendent) would be able to administer those functions, and very possibly shift some spending percentages back to the classroom.

There is no reason why there needs to be more than one health district per county in Ohio. Combined general health districts are much more efficient; it eliminates duplicative personnel, training and equipment needs within the same geographical area. These entities all have to play by the same rules. A county or regional approach will generate more efficient use of the resources. It's the same other entities that have to play by the same rules; all building inspection departments pretty much enforce the same codes; the General Assembly should steer Ohio toward county-wide or even larger regionalized operations.

Serious discussions need to take place regarding the number of library districts that currently exist in Ohio. No one questions the important contribution that readily accessible libraries make to Ohio's quality of civilization; but are there less resources going into service end of libraries because of a possible overabundance of governance structures.

Locally administered tax abatement programs are difficult to assess in terms of their effectiveness in improving our overall economy and their accountability of compliance with what was promised. The state should take a larger role in terms of utilizing these, if necessary, in retaining or creating jobs in Ohio. In my opinion, local tax abatements have been too often abused to poach jobs; they are more a catalyst for arbitrary geographic location of a business rather than the business itself. There are too many loopholes in current law that allow tax dollars to be foregone in this zero sum game. Presently, there are more tools in Ohio law to assist communities in non-collaboration with each other rather than to work together. Also, these abatement or incentive programs, whether state or local, need to be considered as mechanisms to be utilized in extraordinary circumstances to promote economic development. In too many cases, they are an expected entitlement program for too many companies that are actually adding jobs to meet market demand.

County government in Ohio is still operated under a structure authored by the General Assembly approximately 150 years ago, and that structure probably made sense for that time. The fact that there are 88 separate counties in Ohio is generally attributed to a belief at the time that no citizen should be more than one day's ride by horseback to and from the county seat. We had no motor vehicles, we had no phones, and we had no electronic communication and recordkeeping abilities. It is now 2010, and the factors that drove the current structure of county government have changed. Yet, we still have a one size fits all for 87, soon to be 86, branch offices of state government. I would suggest that the General Assembly amend Chapter 302 to expand the possible alternative forms of county government that can be placed before the voters. This is a section of law that allows for the avoidance of blowing everything up by enacting a charter; it currently allows voters to tweak the size upwardly of the Board of Commissioners, and allow for an appointed administrator. This chapter should be amended to allow alternatives to the overall 11 elected members of the executive branch structure of county government to be placed by the Board of Commissioners or initiative petition before the voters for approval or disapproval. This would allow for differing configurations in each particular county based on its optimal operation to address its state required responsibilities.

The General Assembly should also look at blurring county lines in terms of allowing some of these administrative functions to be performed on a multi-county basis. There is no fathomable reason why we require 88 county coroners in Ohio today, many of whom are ill equipped in today's advanced technological realities to perform their investigative functions. The General Assembly should seriously consider establishing 6 to 12 regional forensic examination facilities in Ohio to perform these functions.

MPO's are recognized by federal law to administer funding for transportation infrastructure and environmental issues on a regional basis. Ohio law is silent regarding them. Since they are truly regional bodies made up of duly elected officials, they should be recognized in Ohio law, and possibly empowered at some point to impact land use planning and infrastructure sprawl. They could also serve as a starting point and forum for discussions regarding regional tax revenue-sharing.

Resources to fuel our extensive system of local government in Ohio will become more finite every year. It is unlikely that we will be able to fund the present service model as we know it. The service model must change, and some tough decisions by the General assembly regarding statutory changes must take place. But, in many cases, the evidence presented to this Commission that it isn't so much the rules of the game, but the players in the game, that hinder progress toward greater efficiency through consolidation or collaboration. It is very possible that the Administration and General Assembly may have to disincentivize non-cooperation and non-collaboration through existing revenue streams, e.g. existing grant funds, local government funds, etc. to catalyze movement to insure sustainability. Some involvement by the state to assist local governments in performance audits would possibly help create blueprints for change to achieve that sustainability.