

**Troy, Daniel**

**From:** Allen Lloyd [alloyd@morpc.org]  
**Sent:** Friday, April 16, 2010 3:22 PM  
**To:** alopez@co.lucas.oh.us; Troy, Daniel  
**Subject:** Ohio Commission on Local Government Reform and Collaboration Recommendations  
**Attachments:** Alt Srv Del Recomendations.doc; MORPC commission recommendations.doc

Chairs Lopez & Troy,

Attached please find the recommendations of the Alternative Service Delivery Method Sub-Committee and recommendations from MORPC for the Ohio Commission on Local Government Reform and Collaboration.

Thank you,  
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IT'S IN OUR HANDS

Get Counted on April 1, 2010  
"10 questions, 10 minutes, 10 years of representation"  
<http://www.morpc.org/census2010/>

4/28/2010

The Alternative Services Subcommittee of the Ohio Commission on Local Government Reform and Collaboration met on January 19, 2010.

Present at the meeting were: Lynda Murray, Daniel Troy, Jennifer Economus, Chester Jourdan, and Heidi Fought. Robert Roland participated via telephone.

The discussion centered on ways local governments could work together to be more efficient as well as items that are currently hindering these efforts. Below is an overview of the discussion with information added on various bills and state wide codes.

**Joint Police Districts** - Allow township and village or city to join together to form a joint police district

- ORC Section 505.481 - Joint Police District Language
- ORC Section 505.375 - Joint Fire and EMS district language to model

**Joint Courts** - Allow courts to merge to form a joint court

- HB 154 (127th General Assembly sponsored by Wolpert) - this bill will abolish mayor's courts in municipal corporations with less than 1600 population, change mayor's courts to community courts, allow urban townships to have their own courts and allow two or more municipal corporations or urban townships to form a joint community court.

**State Route Maintenance in Cities** - Require ODOT to take over road maintenance on all state routes located in incorporated territory.

- Current law requires cities to maintain all state routes within their jurisdiction.
- ODOT is currently studying the viability of taking over maintenance of these state routes. (HB 2 - 128th General Assembly; enacted 7/1/09)
- Ohio Compact for Cities, in a recently issued report to the General Assembly, recommended holding exploratory hearings regarding this issue.

**“Hold exploratory public hearings regarding state maintenance of all state routes.** Currently, Ohio’s cities are responsible for the upkeep of state routes that pass through their jurisdiction. This maintenance is a significant expense, which the state may be able to assume on the behalf of local governments, to offer some relief to local coffers. This would also be a means to ensure equality among jurisdictions throughout the state because this expense creates a competitive disadvantage in resource availability for cities when compared to townships, which are not required to maintain state routes. The Department of Transportation is currently studying the viability of this proposal, and the Compact calls upon the House to study this matter following the ODOT study’s impending completion.”

**Health Care** - Permit political subdivisions to participate in the state employee health insurance plan sponsored by the Department of Administrative Services

- HB 146 (128th General Assembly sponsored by Hagan) - this bill will permit counties to participate in the state plan
- SB 177 (123rd General Assembly sponsored by Spada) - this bill would permit counties, townships and municipal corporations to participate in the state plan

**Competitive Bidding** - Increase competitive bidding thresholds to \$50,000 as a consistent threshold (fire and fire/EMS districts is currently \$50,000)

- Township Sections: 511.01 (township hall); 515.01 (lighting districts); 515.07 (lighting districts); and 5549.21 (road equipment/services - not force account work)
- Municipal Sections - 715.18 (purchasing department); 723.52-.53 (street construction); 737.03 (public safety); 749.26, 749.28, 749.31 (board of hospital trustees); 753.15 (reformatory institutions); 755.29-.30 (board of park trustees); and 6115.20 (sanitary districts)

**Design Build** - Allow political subdivisions to use design build

- SB 236 (124th General Assembly sponsored by Coughlin) - this bill would permit public authorities to use design-build firms in the construction of public improvements
- HB 2 (128th General Assembly) had temporary law allowing ODOT to use design build until July 1, 2011
  - “Allows DOT to use a value-based selection process, combining technical qualifications and competitive bidding elements, including consideration for minority or disadvantaged businesses that may include joint ventures, when letting special projects that contain both design and construction elements into a single contract only until July 1, 2011, and requires the Director of DOT to issue a report on the use of the process to the chair and ranking minority members of the House and Senate committees that deal with transportation issues.”

**Prevailing Wage Thresholds** - Increase prevailing wage thresholds for local governments or eliminate requirement that local governments must comply

- HB ??? (12??? General Assembly; enacted ???) - eliminated prevailing wage for school facilities projects
- HB 243 (127th General Assembly sponsored by Brinkman) - bill would eliminate prevailing wage
- HB 222 (126th General Assembly sponsored by Hood) - bill would eliminate prevailing wage
- SB 114 (124th General Assembly sponsored by Wachtmann) - bill would make prevailing wage only apply to state contracts and state owned structures
- HB 20 (123rd General Assembly sponsored by Hood) - bill would eliminate prevailing wage

**Public Notice Requirements** - Allow local governments that have a website to publish one notice in the newspaper and all other required subsequent notices on their website

- Similar to language that is used for county, school and township competitive bidding statutes

*Example from ORC §505.10 (A)(1)*

*The board may also cause notice to be inserted in trade papers or other publications designated by it or to be distributed by electronic means, including posting the notice on the board's internet web site.*

*If the board posts the notice on its web site, it may eliminate the second notice otherwise required to be published in a newspaper published or of general circulation in the township, provided that*

the first notice published in such newspaper meets all of the following requirements:

(a) It is published at least two weeks before the sale of the property.

(b) It includes a statement that the notice is posted on the board's internet web site.

(c) It includes the internet address of the board's internet web site.

(d) It includes instructions describing how the notice may be accessed on the board's internet web site.

**Permit Public/Private Partnerships** - Permit local governments to enter into joint ventures with private companies

- Constitutional limitations in which a private enterprise can partner with a public entity

Article VIII, Section 6

No laws shall be passed authorizing any county, city, town or township, by vote of its citizens, or otherwise, to become a stockholder in any joint stock company, corporation, or association whatever; or to raise money for, or to loan its credit to, or in aid of, any such company, corporation, or association: provided, that nothing in this section shall prevent the insuring of public buildings or property in mutual insurance associations or companies. Laws may be passed providing for the regulation of all rates charged or to be charged by any insurance company, corporation or association organized under the laws of this state, or doing any insurance business in this state for profit.

*(Exception in Section 13 to preserve jobs and employment opportunities in relation to industry, commerce, distribution and research)*

- OAG 98-034 - Grants made by Ohio Department of Development

**Creation of Road Districts** - Model language after joint fire district statute

- ORC 505.371

**Blanket Provision Allowing for Joint Districts for Any Services** - Provide a catch all section that would permit two or more political subdivisions to join together to provide services

- Joint Districts for Fire, EMS, Police in current law
- ORC Section 715.02 allows for two or more governments to join together for the joint construction or management of public work, utility or improvement

**Economic Development One-Stop Shop** - One economic development office in each county that would be the clearinghouse for local building permit regulations, local zoning permits, etc... for the entire county

- Assist businesses looking to cite in the county
- Business would still have to follow all local laws but would only have to go to one place for the information needed rather than to all the different departments or township/city halls

**Liability Coverage of Joint Districts** - Make sure political subdivision sovereign immunity law sufficiently covers all political subdivisions that wish to partner with other political subdivisions for the delivery of services

**Elimination of Certain County Offices** - Allow the residents of a county to vote to eliminate certain elected positions and in turn allow county commissioners to contract for the services

- Example of this would be the County Coroner

Collective Bargaining -

County-wide SWAT, HAZMAT Team, and 9-1-1 services.