


BUILDING EFFECTIVE INTERGOVERNMENTAL RELATIONS

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Federalism

- The United States has a federal system of government
- A federal system is composed of a national government and subnational units of government
- In the US this encompasses a national government with its nexus in Washington, DC and 50 states
- In its formal sense federalism views local governments as appendages of state governments

Basic Elements of Intergovernmental Relations

- “Encompasses all permutations and combinations of relations among the units of government in our system.” (including private and non-profit sectors)
- The human element is paramount
- Relations between officials, elected as well as appointed, are not characterized by one-time, formal agreements; are continuous, day to day
- All public officials are potential or actual IGR actors

Wright, Understanding Intergovernmental Relations

Intergovernmental Actors

- counties
- municipalities
- states
- national government
- special purpose districts
- school districts
- local government associations
- councils of governments **plus**
- private and non-profit sector officials

Why Worry About Intergovernmental Relations

- ✓ The sheer number of governmental units and players
- ✓ Our citizens increasingly expect us to cooperate
- ✓ Dollars and cents; meeting the needs (or expectations) of our citizens is increasingly costly
- ✓ We are expected to be more efficient
- ✓ Many of the problems we face do not respect jurisdictional boundaries
- ✓ State and federal mandates
- ✓ Fiscal stress

Types of Intergovernmental Relations

- Horizontal - between units at the same level
- Vertical - between units at different levels
- Both types can be complex, but vertical tends to more complex and diverse
- Models: Picket Fence or Marble Cake

The Critical Issue: The Distribution of Authority

- The power local government has is granted by the state
- The amount of freedom and power granted to local government varies from state to state
- Distribution of power is constantly in flux
- Mixed picture for local governments in SC
 - structure - personnel administration
 - functions - fiscal authority
- Fiscal federalism - the “golden rule”

Federal Mandates

- Federal Unfunded Mandates Reform Act of 1995
 - Doesn't prohibit mandates
 - Requires Congressional Budget Office to analyze legislation and rules for potential cost to states and localities
 - Appears to be having some positive impact by slowing the number of mandates
 - **But** mandates continue to grow
 - Billions of dollars annually in unfunded mandates for the States and localities
 - Limits the ability of states and localities to use these funds on needs of states and local governments

State Mandates to Local Governments

- 3 types of mandates
 - Active – require local action
 - Restrictive – prohibit certain local actions
 - Traditional – do not exist in law but in practice
- Fiscal Impact Statement Law, 1983 required author of bills affecting local government to attach cost estimates (this proved inadequate)
- Local Government Fiscal Impact Statement Team (FIST) created in 1991 to solicit local government input on the cost of proposed legislation

State Mandates to Local Governments (cont)

- Unfunded Mandates Act of 1993
 - Requires 2/3s vote of members voting in each house
 - General Assembly has to determine that the law fulfills a state interest
 - In general, provides that General Assembly must fund most mandates to local governments
 - Contains 9 different exceptions or cases
 - Provisions do not apply to mandates passed prior to enactment of the Act
- Unfunded Mandates Act was amended in 1997 to include budget provisos

Intergovernmental Powers/Authority

- South Carolina counties have the authority to enter into joint service agreements with the State, with each other and other political subdivisions
- This may take the form of:
 - a contract with another jurisdiction to provide or receive a particular service
 - service “swapping”
 - functional consolidation
- Multi-county industrial or business parks
- Political consolidation (Sections 4-8-10 through 4-8-150)
- Joint Agency Act (SPDs that provide natural gas)

Relationships With Other Governments?

Very
Good Good Fair Poor

- Counties
- Municipalities
- State agencies
- Federal gov't.
- SPDs
- Legislative delegation

Relations Better or Worse?

Worse

Same

Better

- Counties
- Municipalities
- State agencies
- Federal gov't.
- School districts
- SPDs
- Legislative delegation

Primary Barriers to Effective IGR

- ✓ Turf protection
- ✓ Fear of loss of control
- ✓ Lack of trust
- ✓ History
- ✓ Personality conflicts/egos
- ✓ Lack of communications
- ✓ Politics and can't look beyond present term of office
- ✓ Differing ideas and philosophies
- ✓ Mandates from federal and state government
- ✓ Competition for economic development
- ✓ Lack of shared vision and common goals
- ✓ Money

Agreements or Contracts: Service Areas

(Pierce Surveys of Counties)

Library system

Detention

Fire services

EMS

Drainage

Landfill

911

Joint planning commission

Vehicle maintenance

Parking garages

Water and sewer

Business license collection

Animal shelter

Roads

Central dispatch

Law enforcement

Recreation

Election administration

Agreements or Contracts: Service Areas

(continued)

Vehicle maintenance and fueling
Election administration
Building code enforcement
Impact fee administration
HAZMAT program
Economic development
Recycling
Industrial parks
Tax Collection & Administration
Office space for state agencies
Human resource administration

What Makes for Effective IGR

- ✓ Good communications
- ✓ Common vision and goals
- ✓ Willingness to work together
- ✓ Good personal relations
- ✓ Good leadership
- ✓ Trust
- ✓ Common sense
- ✓ Hard work over an extended period of time
- ✓ Level heads

Examples of Public/Private and Public/Non-profit Partnerships?

A decorative graphic on the left side of the slide consists of a light green vertical bar and a dark blue horizontal bar with rounded ends, both overlapping the white content area.

Strategies for Enhancing Interlocal Cooperation

- ✓ Multi-jurisdictional/multi-sector forums
- ✓ Community-wide, broad-based retreats
- ✓ Multi-jurisdictional retreats
- ✓ Broad-based, community-wide strategic planning efforts
- ✓ Regular manager/administrator meetings
- ✓ Using the COGs as a forum or catalyst
- ✓ Regular multi-jurisdictional meetings of elected officials
- ✓ Interlocal agreements (formal and informal)

Strategies for Enhancing Interlocal Cooperation

- ✓ Agreements with state and federal government
- ✓ Partnerships and agreements with non-profit and private sectors
- ✓ Functional consolidation
- ✓ Political consolidation
- ✓ Merger of municipal governments
- ✓ “Tax equity” agreements
- ✓ Multi-county industrial or business parks and other multi-county/jurisdictional efforts

Advice or Lessons Learned

- ✓ Actively look for ways to work with other entities to better serve your citizens/customers
- ✓ Look for duplicative efforts. If one government is strong in one service area or expertise, consider letting them be the primary provider
- ✓ Think about how our citizens can best be served and at the least possible cost.
- ✓ If you do consolidate a service consider the impact on employees
- ✓ Educate your citizens on how the intergovernmental efforts will benefit them
- ✓ Remember, IGR is all about interpersonal relations