BUILDING EFFECTIVE INTERGOVERNMENTAL RELATIONS

Jon B. Pierce, Ph.D
Fellow, Riley Center for Livable Communities, College of Charleston
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?

<table>
<thead>
<tr>
<th></th>
<th>Very Good</th>
<th>Good</th>
<th>Fair</th>
<th>Poor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Counties</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipalities</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State agencies</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal gov’t.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SPDs</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legislative delegation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Relations Better or Worse?

<table>
<thead>
<tr>
<th></th>
<th>Worse</th>
<th>Same</th>
<th>Better</th>
</tr>
</thead>
<tbody>
<tr>
<td>Counties</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipalities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State agencies</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal gov’t.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>School districts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SPDs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legislative delegation</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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
<table>
<thead>
<tr>
<th>Service Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Library system</td>
</tr>
<tr>
<td>Detention</td>
</tr>
<tr>
<td>Fire services</td>
</tr>
<tr>
<td>EMS</td>
</tr>
<tr>
<td>Drainage</td>
</tr>
<tr>
<td>Landfill</td>
</tr>
<tr>
<td>911</td>
</tr>
<tr>
<td>Joint planning commission</td>
</tr>
<tr>
<td>Vehicle maintenance</td>
</tr>
<tr>
<td>Parking garages</td>
</tr>
<tr>
<td>Water and sewer</td>
</tr>
<tr>
<td>Business license collection</td>
</tr>
<tr>
<td>Animal shelter</td>
</tr>
<tr>
<td>Roads</td>
</tr>
<tr>
<td>Central dispatch</td>
</tr>
<tr>
<td>Law enforcement</td>
</tr>
<tr>
<td>Recreation</td>
</tr>
<tr>
<td>Election administration</td>
</tr>
</tbody>
</table>
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?
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