
Hamilton County Government Structure

For review by
Government Reform
Task Force

Planning + Development Staff
March 23, 2010

Sources:

*League of Women Voters Know Hamilton
County*

*League of Women Voters Citizen Guide to
Cuyahoga County Government*

Hamilton County 2010 Budget in Brief

*County Commissioners Association of Ohio
Handbook*

Hamilton County Characteristics

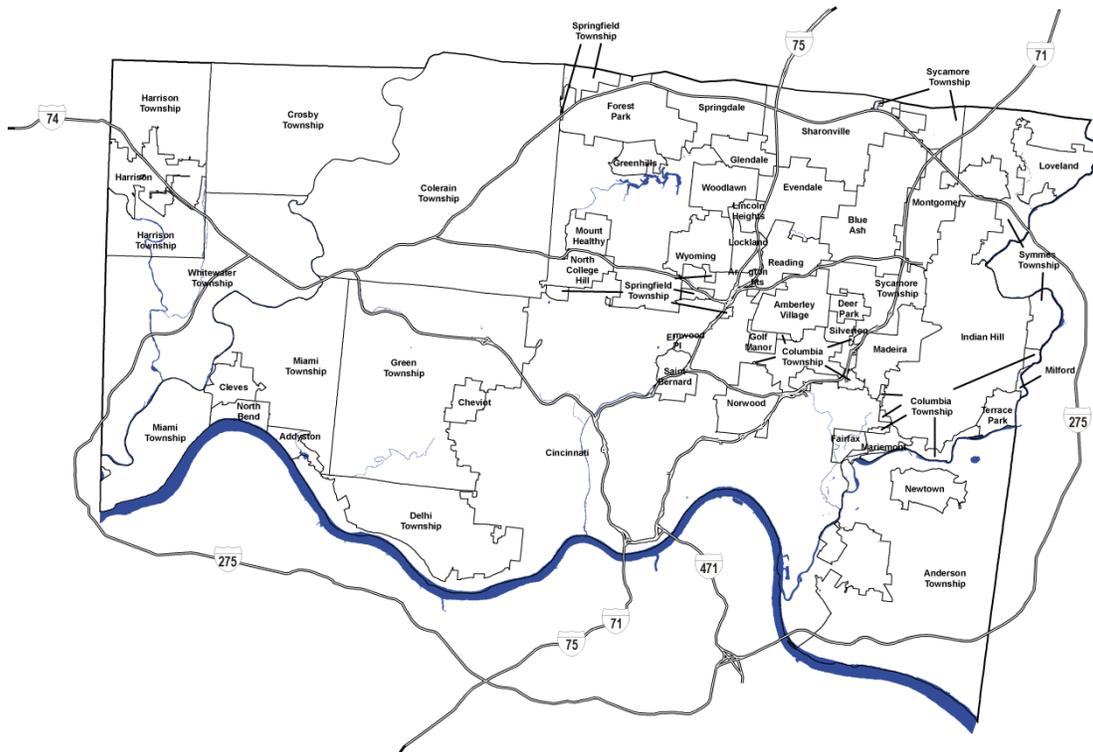
(excerpt from "Know Hamilton County")

Early settlers came down the Ohio River by flatboat to the area that is now Hamilton County. In 1788 they founded Losantiville, which was soon renamed Cincinnati. Named for Alexander Hamilton, Hamilton County was established in 1790; it was the second county carved out of the Northwest Territory and predated Ohio statehood by over 12 years. It had 2,000 inhabitants and its boundaries included roughly one-eighth of what is now Ohio.

Development of the new county took place mainly in Cincinnati, which soon became a booming river town, "The Queen City of the West," as Ohio River barges and steamboats brought settlers of varied national origins and industrial skills. Settlers soon fanned out from the crowded riverfront area to the surrounding valleys and hilltops, forming new towns of individual character, many of which later became part of Cincinnati.

In the 1830s, word of the area spread as far as Europe. Subjected to religious conflicts in their homeland, many Germans immigrated, followed in the 1840s by Irish immigrants fleeing the potato famine. After the Civil War and the development of the railroads, the city's growth rate slowed. Cincinnati's population peaked at 504,000 in 1950, and Hamilton County's population peaked at 924,000 in 1970. (US Census Bureau)

Hamilton County includes 49 separate jurisdictions: 12 townships, 19 cities, and 18 villages. The following table lists them with their 2008 estimated population. The City of Loveland, the City of Milford, and the City of Sharonville extend beyond Hamilton County's border. The population listed for these three cities is only the Hamilton County portion.



Hamilton County Jurisdictions

2008 US Census Population Estimates

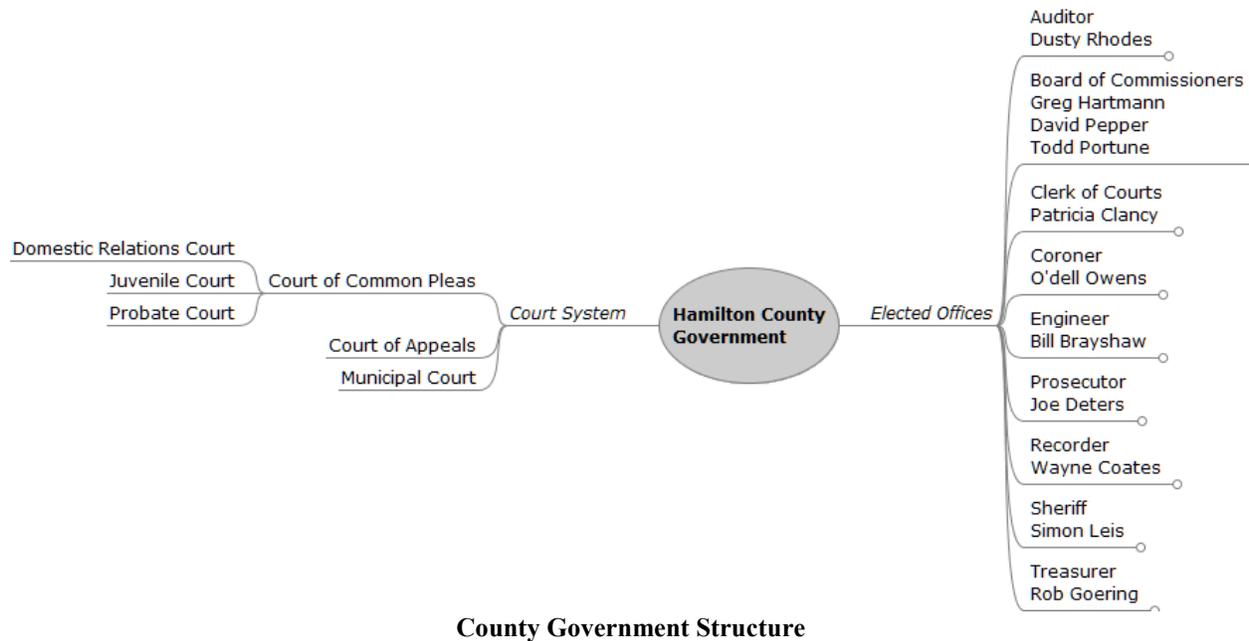
Addyston village	993	Mariemont village	3,183
Amberley village	3,558	Miami township	7,883
Anderson township	45,386	Milford city (pt.)	39
Arlington Heights village	836	Montgomery city	10,458
Blue Ash city	12,783	Mount Healthy city	6,070
Cheviot city	8,385	Newtown village	3,889
Cincinnati city	333,336	North Bend village	638
Cleves village	2,688	North College Hill city	9,549
Colerain township	62,536	Norwood city	20,341
Columbia township	3,091	Reading city	10,523
Crosby township	2,038	Sharonville city (pt.)	11,128
Deer Park city	5,751	Silverton city	5,155
Delhi township	31,278	Springdale city	10,384
Elmwood Place village	2,481	Springfield township	39,887
Evendale village	2,955	St. Bernard city	4,626
Fairfax village	1,855	Sycamore township	20,450
Forest Park city	18,514	Symmes township	15,837
Glendale village	2,214	Terrace Park village	2,220
Golf Manor village	3,765	Indian Hill city	6,030
Green township	61,371	Whitewater township	3,989
Greenhills village	3,837	Woodlawn village	2,645
Harrison city	9,387	Wyoming city	8,355
Harrison township	3,792		
Lincoln Heights village	3,911		
Lockland village	3,473		
Loveland city (pt.)	9,443		
Madeira city	8,558	Hamilton County	851,494

County Government Structure

Ohio Counties are subdivisions of the state government and do not have three separate branches (executive, legislative, judicial). The Ohio General Assembly serves as Hamilton County's legislative branch, the Hamilton County court system is the judicial branch, and a three-member Board of County Commissioners and eight other elected county officials serve as an administrative/executive branch. These elected offices (sometimes referred to as "row offices") are the Auditor, Clerk of Courts, Coroner, Engineer, Prosecuting Attorney, Recorder, Sheriff and Treasurer.

Ohio does not grant home rule powers to counties. As a subdivision of the state government, Hamilton County operates under "Dillon's Rule" restrictions and cannot carry out any function of local government unless specifically authorized by the General Assembly. Municipal (city and village) government is designed with more direct authority and accountability through state law.

In 1963, the Board of County Commissioners created the office of County Administrator as authorized by the Ohio Revised Code (ORC). The duties of the Administrator include assisting in the administration, enforcement and execution of Board policies, and preparation of the county budget.



Elected Official Responsibilities

Board of County Commissioners

The three-member elected Board of County Commissioners is responsible for several functions:

- approves the annual county budget;
- establishes department budgets;
- determines tax levies and bond issues to be placed on ballot;
- appoints members of various boards and commissions;
- approves municipal annexations and incorporations;
- manages real and personal property owned by Hamilton County;
- employs the county administrator and department directors;
- implements state regulations pertaining to physical needs of the county (sewers, zoning, etc.);
- may enter into agreements with municipalities, special districts and other counties for various projects or programs

Auditor

Serves as chief fiscal officer for the county; conducts regular real property appraisals; issues warrants to county treasurer for county expenses.

Clerk of Courts

Enters all orders, decrees and judgments; collects and distributes court costs; keeps records of court dockets and journals; issues and transfers automobile title certificates.

Coroner

Determines the cause of any death not clearly due to natural causes; conducts autopsies, issues death certificates, supervises county morgue and laboratory. Must be a state licensed physician for at least two years.

Engineer

Responsible for the county road and bridge system and is engineer for unincorporated townships. Must be a registered professional engineer and surveyor.

Prosecuting Attorney

Prosecutes all complaints, suits and controversies in both Common Pleas and Municipal courts in which the state is a party; serves as legal advisor to all county officials and boards; is the County's chief legal officer; must be an Ohio licensed attorney; may continue a private practice while in office.

Recorder

Records deeds, mortgages, plats, powers of attorney, proceedings of annexation and municipal incorporation and liens.

Sheriff

Administers county detention and correctional facilities; provides full police protection to those townships which do not have their own police departments. Chief law enforcement officer.

Treasurer

Collects county, local government and certain state taxes; invests county funds; disburses funds from treasury on warrant from the county auditor.

Authorities, Boards, and Special Districts

The Board of Commissioners appoints members to these groups to represent Hamilton County. This is a selection of the many agencies that have a role in delivering services to residents.

Cincinnati Metropolitan Housing Authority
Hamilton County Soil and Water Conservation District
Hamilton County Storm Water District
Metropolitan Sewer District
Miami Conservancy District
Hamilton County Park District
Port of Greater Cincinnati Development Authority
Public Library of Cincinnati and Hamilton County
Southwest Ohio Regional Transit Authority
Cincinnati Area Geographic Information System
Cincinnati Zoo and Botanical Gardens
Mental Health and Recovery Services
Development Disabilities Services
Veterans Service Commission

Hamilton County Budget Summary

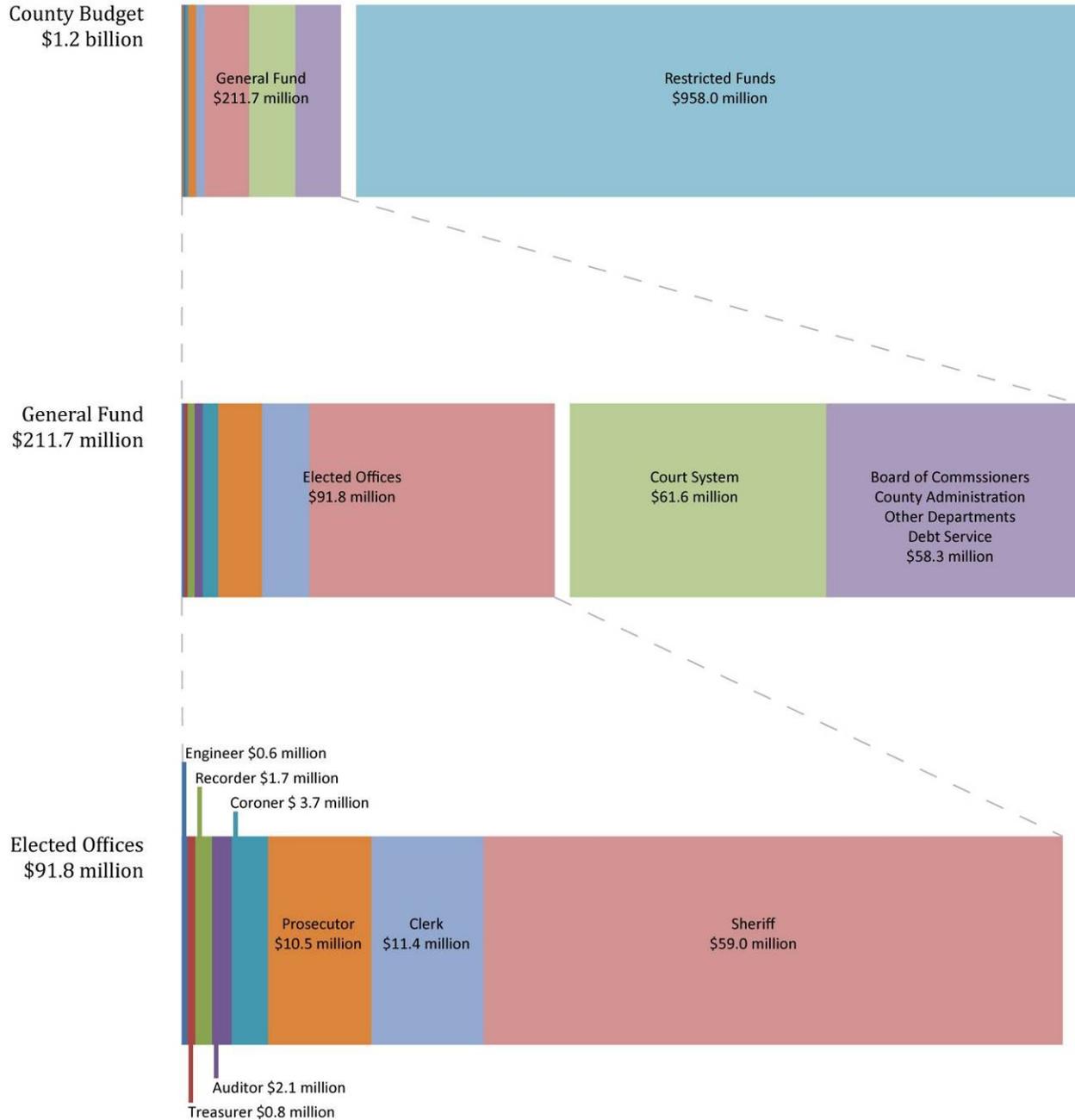
All of the services and facilities provided by Hamilton County to its residents are included in an annual budget of \$1.2 billion. The responsibility for allocating budget appropriations belongs to the Board of Commissioners. Much of the annual budget is accounted for in restricted funds (\$958 million in 2010) which have distinct funding streams to be used for specific purposes, such as Job and Family Services, the Metropolitan Sewer District, the Engineer's office for road and bridge maintenance, and various voted property tax levies for mental health, developmental disabilities, senior services and indigent care, among other programs. Other restricted funds include riverfront development financing, 9-1-1 emergency service and solid waste management.

The general fund budget (\$211.7 million in 2010) includes revenue from property and sales taxes, service fees and reimbursements (including real estate transactions), state revenue sharing, interest earnings, and court fines. The general fund accounts for all resources that are not required to be accounted for in another fund. It is the primary focus of the Board of Commissioners annual budget process, and allocating its appropriations requires regular communication with the county's eight other independently elected officials, independent offices (like the Board of Elections and Public Defender) and the county judiciary.

The following chart illustrates how Hamilton County's budget is distributed between restricted and general funds, and between judicial and administrative departments and offices. Some elected offices receive funding from sources independent of the general fund. For example, the Engineer operates using fuel tax revenue, license fees, and funds from the Ohio Department of Transportation. Others are almost entirely dependent on their annual share of the general fund.

2010 Hamilton County Budget Summary

Source: Hamilton County 2010 Budget in Brief



Changes in Ohio Law Regarding Counties

County government structure in Ohio was conceived during the 19th century for a population of small cities and villages days apart from one another by horse travel. In 1810, Hamilton County had about 15,200 residents—about the same size as present-day Symmes Township. The county’s population peaked in 1970 at 924,000, and today is approximately 851,000 people—more than fifty times the recorded population 200 years ago.

Population growth has been accompanied by society-shifting advances in transportation, communication, and technology, and economic transformation from an agrarian to an industrial and information-based economy. The responsibilities of county officials in 2010 are infinitely more complex compared with those of their predecessors from previous centuries. Yet they operate within the same government structure—augmented over the years with additional administrative powers and departments—established in the 1800s.

Researchers assert that Ohio county government as currently structured is unable to effectively function in urban areas. The following excerpt from a report prepared by League of Women Voters for Cuyahoga County summarizes the key issues.

- **Invisibility:** Public understanding about county government is incomplete and thwarted by “off-stage” planning and decision-making.
- **Inefficiency:** The eight elected “row officers” hire and spend independently. The Board of Commissioners has little authority to set countywide standards and budget priorities.
- **Headless:** Cities or companies who have business with the county must meet with three separate but equal commissioners. Ohio “Sunshine Law” provisions prevent two or three commissioners from talking together except at an open public meeting.
- **Diffusion:** Authority is scattered, resulting in duplication and waste of public money. Commissioners manage and oversee their own departments but not those of the other independent officials. Each manages its own personnel, technology, and finances.
- **Imbalance:** There is no separation of powers between executive and legislative functions as is built into federal, state, and city governments.
- **Limited Oversight:** Numerous authorities, boards, commissions, and special districts may be partially-appointed but not overseen by Commissioners or their other appointers. Their combined budgets far exceed the county’s general fund.
- **Under-Representation:** All officials are elected at large, so the viewpoints of diverse areas and constituencies may not be fully understood or represented.
- **Inflexibility.** Without a charter, the county needs state legislation to authorize its every move.

(Citizen Guide to Cuyahoga County Government)

Options Available to Restructure County Government

The General Assembly recognized these issues in the 1930s and adopted the first of several laws which provide options for counties to create charter governments. Ohio was among the first states to enact a home rule option for counties. Charters grant home rule powers to counties similar to municipalities using a different structure of elected and appointed officials. *A charter county government leaves all local municipal and township governments intact and does not directly affect their operation.*

1933: “Home Rule Amendment” to Ohio Constitution (now Article X) adopted via initiative petition after a 16-year effort. The amendment provided that a charter must be approved by four voter majorities--in the county as a whole, in the largest city, outside the largest city, and by a majority in all the county’s municipalities and townships.

1952: The optional position of County Administrator was created by the Legislature and adopted by Cuyahoga County Commissioners. This official is appointed by the BOCC and can act only at its direction. Although the Administrator has an executive role, there remains no separation of powers between executive and legislative functions.

1957: An amendment to the Ohio Constitution by initiative petition eliminated the fourth-majority requirement for vote on a County Charter.

1961 & 1967: The Ohio General Assembly enacted a provision for an Alternative Form of county government by petition of 10% of voters in the previous gubernatorial election. This was later eased by lowering the petition requirement to 3% and permitting two or three County Commissioners to place it on the ballot.

1978: The Ohio Constitution was amended to permit an initiated county charter, which may be either “simple” or “strong.”

Charter government supporters have tried five times to enact one in Hamilton County. The first attempt in 1935 was part of a large-scale urban government reform movement taking place in urban counties across the state. In 1967 and 1971 the motivation was related to countywide water and sewer service problems. The last serious attempt in 1982 was pulled from the ballot because of weak support. In the 1990s, a single-issue charter proposal would have required Great American Ball Park to be built at the Broadway Commons site.

#1 INITIATIVE CHARTER

Charter government supporters may write a charter as authorized under Article X of Ohio constitution.

#2 CHARTER COMMISSION

County Commissioners pass resolution 95 days before a General Election asking voters whether a charter government should be formed.

#3 ALTERNATIVE FORM

County Commissioners draft alternative government plan as authorized by Chapter 302 of the Ohio Revised Code.

OR

OR

Charter government supporters file a petition signed by 8% of registered voters asking whether a charter government should be formed. This petition must be filed 95 days before General Election.

Alternative form government supporters draft alternative government plan as authorized by Chapter 302 of the Ohio Revised Code.

Charter government supporters then file a petition signed by 10% of registered voters asking voters to approve the charter. This petition must be filed 95 days before General Election.

If voters agree that a charter government should be formed, a 15-member committee is elected and has one year to write a charter as authorized under Article X of Ohio Constitution

The County Commissioners pass a resolution 60 days before a General Election asking voters whether an alternative form of government should be adopted

OR

Alternative form government supporters file a petition asking whether an alternative form of government should be adopted and signed by 3% of registered voters. This petition must be filed 60 days before General Election.

At the next General Election, the proposed charter is on the ballot for review by voters.

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At the next General Election, the alternative form government plan is on the ballot for review by voters.