



# TASK FORCE REPORTS

## GOVERNMENT ORGANIZATION AND STRUCTURE

*Charleston County is making a commendable, ongoing effort to reorganize and streamline its administrative structure and should continue to pursue elimination of unnecessary layers of supervision. However, its most challenging organizational issues with the greatest opportunities for increased savings, accountability, and improved service lie on a higher level.*

*During the transition to single member district elections, the County should take care to observe an appropriate separation between the legislative and executive functions. Internally, County Council must fully exercise its legislative role as the policy maker for all of County Government while equally respecting and strengthening the executive function and role of the County Administrator over the general county government, and other county elected officials over their respective departments. On an external level, the County must seek to redefine its role as a provider of local services to focus on those mandated by law or for which there is general agreement in the community that they should be provided at a county wide level, seeking other options for the provision of less than countywide services.*

*To realize this goal, the County, led by a countywide elected Chairman of County Council, should provide leadership to a joint effort on behalf of the community. Local municipalities and, ultimately, adjacent county governments, should all act as coequals with the County, working to eliminate duplication of efforts and taxation, and to more efficiently and effectively direct the tax dollars, resources, and efforts of local governments to meet the daunting challenges which lie ahead for the Metropolitan Area.*

## MISSION

The mission of the Task Force on Government Organization and Structure was to identify issues and possible solutions regarding the overall structure of and service provision by Charleston County Government to reduce costs, improve efficiency, eliminate overlap of service providers and double taxation, and improve accountability and quality of service to the citizens of Charleston County, including those residing within municipalities and in unincorporated areas. The Task Force's review included:

- the internal organization of the general county government under Charleston County Council;
- the relationship of the general county government to the offices of independently elected county officials;
- the relationship, cost, and overlap of service delivery and taxation of the county government with municipal governments.

## OVERVIEW

In 1948, the voters of Charleston County approved a referendum instituting the Council-Manager form of government for Charleston County. This was the first such local government in South Carolina. Prior to that time, local matters were handled almost exclusively by the county's State Senators and House Members, comprising the county's Legislative Delegation. At the time of the establishment of Charleston County Council in 1948, the demographics of the County were vastly different from those of today. According to the 1940 census, the population of Charleston County was 121,105, with over 71,000 of those, over 59 percent, living in the City of Charleston. At that time, the city comprised only the Charleston peninsula, which is today known as downtown Charleston. Thus the City of Charleston provided urban services to the densely populated urban area with the remaining citizens residing, for the most part, in rural areas of the County.

County government was severely restricted in its areas of operation, basically providing for roads, ferries, bridges, public buildings and the like. It was not authorized to provide general urban services. In the urban core of the City of Charleston, a much higher level of urban services was provided by City Government. In the surrounding areas, such as St. Pauls and St. Michaels Public Service District (PSD), St. Andrews PSD, and James Island PSD, a lower level of limited urban services was provided through specially constituted districts established pursuant to state statute. These special purpose districts provided both lower levels of service and service only in limited functional areas. Thus, the only areas of the County receiving full urban services were those within the boundaries of the City of Charleston and, to a lesser extent, the Town of Mt. Pleasant. There was no City of North Charleston, and the remaining smaller towns provided very limited municipal services.

In 2005, over two-thirds of the citizens of Charleston County live in one of the three major municipalities: Charleston, North Charleston, and Mount Pleasant. When the 12 remaining smaller municipalities are added to the list, municipal residents account for approximately three-quarters of Charleston County citizens. In addition, certain functions are handled by constitutionally or statutorily established elected officers, including the Auditor, Clerk of Court, Coroner, Probate Judge, Register of Mesne Conveyance, Sheriff, Solicitor, and Treasurer and appointed officers such as the Library Director, Magistrates, Master-in-Equity, Medical Examiner, Veterans Affairs Director, Voter Registration Director, Park and Recreation Commission.

Charleston County Council's establishment marked the State of South Carolina's first attempt at government by an elected council at the county level. In succeeding years, similar elected bodies were established in other counties in the state, and after passage of the Home Rule Act in 1974, all county governing bodies in the state evolved into one of four forms of government: Council, Council-Supervisor, Council-Administrator, and Council-Manager. Pursuant to the Home Rule Act, Charleston County adopted the Council-Administrator form of government wherein the Administrator is appointed by Council to manage the functions of county government.

The majority of citizens in Charleston County today expect to receive urban services of a much higher level than in years past. The question is, from whom, and how will their services be paid for. Although Charleston County's situation is not entirely unlike that of other urban counties in the state, it is unique in the percentage of its population which resides within municipal boundaries, and in having three of the five largest municipalities in the state: the second (Charleston), third (North Charleston) and fifth (Mt. Pleasant). In the remaining unincorporated areas, there are still vestiges of the special purpose districts. In the urban area, they have for the most part been overtaken through annexation by the three major cities, with perhaps the notable exception of James Island PSD which, although badly fractured, still contains a sizeable portion of its original population within the PSD boundaries. In the outlying areas of the County there remain special purpose districts for fire protection which are active and functional.

Charleston County now exercises budgetary approval authority over all special purpose districts in the County, although appointments are still made in various ways, including by the Legislative Delegation and, in the case of North Charleston PSD and sewer district, by the City of North Charleston. Thus, there are multiple layers of government with multiple overlapping and sometimes crossing functions. Additionally, although Charleston County Council has budgetary authority for all County government departments and all County elected officials, it does not have direct supervisory authority over a number of those officials. Likewise, it is sometimes unclear to what extent County policies must be followed by these elected officials, even though their budgets and funding are subject to appropriation and approval by County Council. Also, there are a number of state-mandated agencies which function at the county level and for which County Council is required to provide funding. Again, in these cases, County Council has budgetary authority but no direct control.

Over the years there has been substantial discussion aimed at simplifying the government structure in Charleston County. One of the most notable efforts was in the 1970's, when a proposed consolidated government charter was put to a public vote and defeated. That proposal would have consolidated all existing government entities in the county (cities, special purpose districts, and county government) into a single purpose local government agency exercising both urban municipal powers providing urban services, and authority to provide county level services and functions. While the approach had the advantage of allowing elimination of duplication of services and multiple overlapping levels of government, it was rejected by the public, apparently out of concern for the size of government, and loss of local control. It is helpful to keep that historical perspective in mind when considering issues of government structure and organization in Charleston County today, as the same public concerns would exist in relation to any proposal which affected multiple levels or entities of government.

An interesting and informative discussion entitled *County Government in the Palmetto State*, written as part of the South Carolina Governance Project, can be found in Appendix 5.

The Task Force on County Government Organization and Structure identified two general areas for review, each of which had slightly different issues and required a slightly different approach. The first area is that of internal organization of the County government and its relationship to the County elected officials and their functions and administration. In addition to reviewing the results of the employees and general public opinion surveys conducted by the MAP Commission, the Task Force met with the County's independent elected officials (Auditor, Clerk of Court,

Coroner, Probate Judge, Register of Mesne Conveyance, Sheriff, Solicitor, and Treasurer). The focus of that meeting was to hear any issues and concerns they had, either with the structure of County government itself, or their interrelationship and working relationship with administration or County Council. The Task Force also met on numerous occasions with the County Administrator and Executive Staff to discuss the organization and structural issues. Due to the number of departments within County government itself, it was not deemed feasible to meet with each department. A representative sampling was chosen. The Task Force met with the heads of those departments to discuss issues within the department and their observations regarding internal organization of the county government as a whole. The Task Force extensively reviewed organizational structure through organization charts looking both at the current structure and how that structure had been modified in recent years to address changes in demands for services of County government. The Task Force reviewed with the County Administrator proposed changes in structure and ongoing efforts to streamline County government.

The second area identified for review involves the overall questions of the appropriate functions for county government and the most effective way of delivering those functions and services. This area of review necessarily includes some consideration of the relative functions of the county, the special purpose districts and the municipalities, and overlapping of services and taxation for the same or similar services at municipal and county levels. The Task Force reviewed the functions of county government, as well as those functions and services provided by municipalities, and met with representatives of area municipalities. It was deemed most effective to invite representatives from the three largest municipalities, North Charleston, Mount Pleasant and the City of Charleston, as well as a representative from the Isle of Palms to represent smaller municipalities. In considering questions of inter-governmental relations, it is worth noting that the members of the Task Force had previously served as Mayor of Kiawah Island, a member of the House of Representatives, Special District Commissioner, and City Attorney. Thus, there was experience at all levels of state and local government within the Task Force and those with whom its members met.

## **RECOMMENDATIONS**

**Recommendation 1:** The executive function of Charleston County should be strengthened in two respects:

- The Chairman of County Council should be elected county-wide to be the spokesperson and point of contact for County Council with local municipalities and the County Administrator, and should be paid commensurate with the added duties and authority.
- Council should take care as it moves forward to observe an appropriate separation between legislative and executive functions, giving the County Administrator freedom to act independently to promote good management practices (the executive function), subject to general policies adopted by County Council (the legislative function).

**Background:** In Charleston County the executive function consists of an elected position, the Chairman of County Council, who acts as the County’s spokesperson in dealings with other county-wide elected officials and with other governments, and the appointed Administrator, the executive manager of county government on a day to day basis. A strong executive function in both aspects is essential to effective management of the County’s business and addressing the challenges that lie ahead.

Effective with the 2004 general election, all members are to be elected from single-member districts. With this shift to single-member districts, there is likely to be a more significant turnover in membership on County Council than has occurred in the past. Experience of other communities, as well as common sense, indicate that there is also likely to be a creeping parochialism and a trend towards micro management. The change to single member districts will tend to encourage Council to redirect its focus from legislative to executive matters, with the risk of furthering the welfare of individual districts at the expense of the County’s residents as a whole.

A County Council Chairman elected county-wide would have a greater political and public mandate, aiding his or her ability to deal on equal footing with other county-wide elected officials. That same mandate would boost the Chairman’s ability to act in a leadership role, bringing together the elected officials from other local jurisdictions to address inefficiencies and waste in the provision of local government services.

To research this recommendation, the Task Force, along with other Commission members, conducted a conference call with the Chairman of the Spartanburg County Council, and with the County Administrator and the staff attorney from Lexington County. Spartanburg has single-member districts, and elects a chairman at-large; Lexington has single-member districts with the chair of Council elected by his peers for a one-year term. (See text box below.)

<b>SOUTH CAROLINA COUNTIES WITH SINGLE-MEMBER DISTRICTS AND COUNCIL CHAIRMAN ELECTED AT-LARGE</b>			
<b>County</b>	<b>Type of Gov.</b>	<b>Size of Council</b>	<b>Term</b>
Aiken	Council/Administrator	9 members	4 years
Horry	Council/Administrator	11 members	4 years
Kershaw	Council/Administrator	7 members	4 years
Saluda	Council	5 members	4 years
Spartanburg	Council/Administrator	7 members	4 years

Source: 2004 Directory of County Officials, SC Association of Counties

The Spartanburg Chairman felt it helpful to be elected at-large to gain equal footing with county-wide elected officials and city mayors. The Chairman serves as the County’s spokesman. He commonly acts as a clearing house for citizens’ concerns and complaints, often referring them to the Council member whose district is directly affected. His four-year term also provides more continuity than Council electing its own Chairman each year. He further stressed he felt it important that a larger stipend go along with the added responsibility.

Having a Chairman elected at-large would not necessarily mean less minority participation on Council. It could, in fact, result in increased minority representation if, for example, Charleston County Council were expanded to ten single-member districts, four of which satisfied the accepted definition of a minority district, with the eleventh seat, the Chairman's position, being elected by all County voters at-large. The details of the restructuring should be addressed by County Council. However, it is felt the total number of Council members should be an odd number.

The Commission also agrees the Chairman's salary should be substantially more than that of other Council members in recognition of the greater time commitment required by this position.

As a complement to the strengthening of the Chairman's role through at-large election, the County Administrator's position should be strengthened and more independent from Council, while acting under the direction of and reporting to the Chairman of County Council. This position should have primary responsibility and authority for County efficiency and performance. It should be responsible for coordination of all County Departments, including direct authority over those under his hiring and supervision, and enforcement of general countywide organizational and management policies applicable both to those under his direct authority and to those serving under elected and appointed officials whose budgets are subject to approval of Charleston County Council.

**Recommendation 2:** Organizational changes should be made to consolidate the supervisory function into as few personnel as possible.

- Supervisory and management personnel should have the primary assignment of measuring and improving employee performance.
- They should be better trained and directed to improving subordinates' performance and efficiency.
- A goal of doubling the span of control should be established by reducing the number of employees performing the supervisory function.

**Background:** There is a pattern in the organizational structure of the County government of mixing management and service delivery functions within a single position. This results in a lack of clarity and dilution of the primary function of management and supervisors. The roles of managing personnel and directly performing service functions are being shared by most supervisors in County government. This has come about by the slow addition of functions over the years without sufficient organizational structure changes to consolidate the management function into as few personnel as possible. This has resulted in a relatively short span of control wherein the average manager supervises only 5.4 employees as a part-time function. In addition, the supervisory function is so diluted over numerous personnel that it is difficult to adequately train and improve the efficiency of the management function.

**Recommendation 3:** Charleston County government should focus on provision of countywide and state or federal mandated functions, actively seeking opportunities to divide tasks between the County and municipal governments through coordinated planning efforts with other local jurisdictions to eliminate overlap, duplication, and inefficiencies between governments and reduce the tendency towards urban sprawl in the Metropolitan Area.

**Background:** There is a great deal of overlap of functions and services between the County and municipal governments, resulting in inefficiencies and less than optimal service delivery. The County is best suited to perform general, countywide functions (often determined at the state or federal level) for services which overlap other local governmental boundaries, and already does so in many cases such as the tax and courts systems. (See appendix 6 for a list of County services.) Similarly, in pursuit of the appropriate division of functions, the County should seek opportunities to enhance existing service offerings or become a service provider for administrative services, related to both its own operations and to those of local municipal governments, where economy of scale as well as ease of use and efficiency to members of the public and business community dealing with multiple local government agencies, are an issue. Such possibilities include:

- business license
- joint procurement and purchasing
- fire inspections
- specialized police services such as joint police training facilities, SWAT, aerial and water based patrols
- police and fire (public safety) coordination of policies, including homeland security
- countywide parks and recreation (County PRC)
- mass transit

Just as the County is best suited to provide for services in certain areas noted above, other direct delivery services are most commonly and traditionally provided by municipal governments. The County should provide for the necessary level of urban services in unincorporated areas, particularly those in the urbanized portion of the County, through the existing municipal governments, thereby reducing the number of service providers and eliminating duplication, overlap, and double taxation issues. Services which might be considered include:

- basic police patrol
- fire
- building codes
- code enforcement

## **An Example of County/Municipal Division of Tasks**

### **Basic police patrol and day-to-day service might go as follows:**

- Service would be provided by the municipal governments within the urban growth boundary.
- In the northern and southern more rural ends of the County, service would be provided either by municipal governments or by the Sheriff's department, but would be funded by a special tax district.
- General countywide services in the Sheriff's budget, such as operation of the jail, courthouse security, some level of back-up law enforcement support to the municipalities, as well as any jointly operated facilities, such as training facilities, would remain funded by a countywide levy or fund source.
- Countywide tax levies would be reduced to reflect the lesser level of countywide patrol services by the Sheriff's department, now being funded by those receiving the services.
- In the case of the Cities of Charleston and North Charleston, some adjustment or contribution by contract should be made by those cities for use of any joint training facilities to account for the portion of those cities which lie within Dorchester and Berkeley Counties.

Implementation of this recommendation is likely to be the most challenging of all the recommendations of this report and goes to the heart of its mission. Events in recent years, including the unprecedented acceleration of growth in the Metropolitan Area, have illuminated the need for joint action with other local governments in this area of concern. Key factors which need to be addressed include:

- smart growth, including establishing and enforcing appropriate urban growth boundaries;
- establishing appropriate service delivery areas and levels of service for provision of services in the unincorporated areas (both within and without the urban growth boundary);
- determining who would provide services in each of the established service delivery areas;
- aggressive lobbying at the state level for simplified mechanisms for incorporation of 'donut holes' into existing municipalities and dissolution of Public Service Districts when their function is no longer necessary and efficient, with the consent of County Council.

To make this possible, consensus among local jurisdictions would need to be reached regarding the affected areas. Various mechanisms for implementation could be used, including intergovernmental contracts and agreements, joint planning documents, or the County ceding authority over planning in portions of the area within the urban growth boundaries to the

appropriate municipalities. While the practical and political difficulties are great, the potential rewards and savings are even greater, to say nothing about the prospect of saving the quality of life for which our community has long been known.

**Recommendation 4:** Charleston County should eliminate the funding of less than countywide services through countywide funding sources, establishing special tax districts where necessary to replace existing taxing entities and eliminate double taxation, with a goal of having services paid for by those receiving them.

**Background:** The majority of the citizens of Charleston County are subject to double taxation, paying more than one government for services which are duplicated or, in some cases, only provided to them by one government. The vast majority of citizens of Charleston County now reside in the municipalities of the County. These citizens pay taxes for some services to both the County and their respective municipalities for duplicated services or for services only provided to unincorporated areas. This is inequitable and leads to increased costs and lack of accountability in government. In those cases where the demands of urban services in the unincorporated areas require provision of those services at the County level, the budgetary process should provide for funding the costs through appropriate tax or service fees levied on the areas receiving the services.

**Recommendation 5:** The County should establish a standing consistent policy on provision of, and charges for, services provided upon request by municipalities when those services are normally only provided in unincorporated areas from special tax district revenues.

**Background:** The County's policies towards the provision of services within municipal boundaries are inconsistent, leading to actual or perceived inequities and an ad hoc approach to requests for services. Services provided vary from municipality to municipality, with additional differences between large and small municipalities. Further, where fees have been established, they are not necessarily consistent. (See Appendix 7 for a discussion of County Services to Municipalities.) A standing policy should be set as to which services the County will provide and at what cost, including the basis for computation, as well as issues of sharing revenue through fees and fines generated from those provisions of services. This should apply to all municipalities within the County.

**Recommendation 6:** The County should seek to establish, with the municipalities and other county governments within the area, a proactive joint working group consisting of top level decision-makers with a focus on deciding who can best provide services to maximize efficiency and performance. The working group would both initiate and evaluate success of efforts to improve performance of services and eliminate duplication and double taxation in Charleston County and the Charleston Metropolitan Area.

**Background:** There is no existing mechanism for addressing issues of overlap of services and inefficiencies or inequities in service levels and levels of taxation between the County and its various municipalities. Addressing intergovernmental issues such as overlap of services, appropriate division of service functions, and elimination of double taxation, will require an ongoing effort on the part of all affected governments. The process will be effective only if it seeks to address the needs of all and is beneficial to all concerned, both in creating efficiencies and in reducing the overall cost of government and reducing levels of taxation. An ongoing working organization should be established, initially focused on Charleston County government and municipalities, but also open to all those in the Charleston Metropolitan Area, to actively and aggressively explore opportunities for cooperation, elimination of duplication, and elimination of double taxation issues. Its mission would include assessing and improving performance and provision of services in an ongoing effort to eliminate duplication and double taxation between city and county governments, including periodic reviews of existing services and opportunities for improved coordination. In doing so, it could serve as the coordinator of efforts of the affected governments in seeking support at the state level for the changes necessary to implement more efficient and effective local government.