

The Historical Development of Ohio Counties



Then ⇨ ***Now***



Presented by

Larry Long

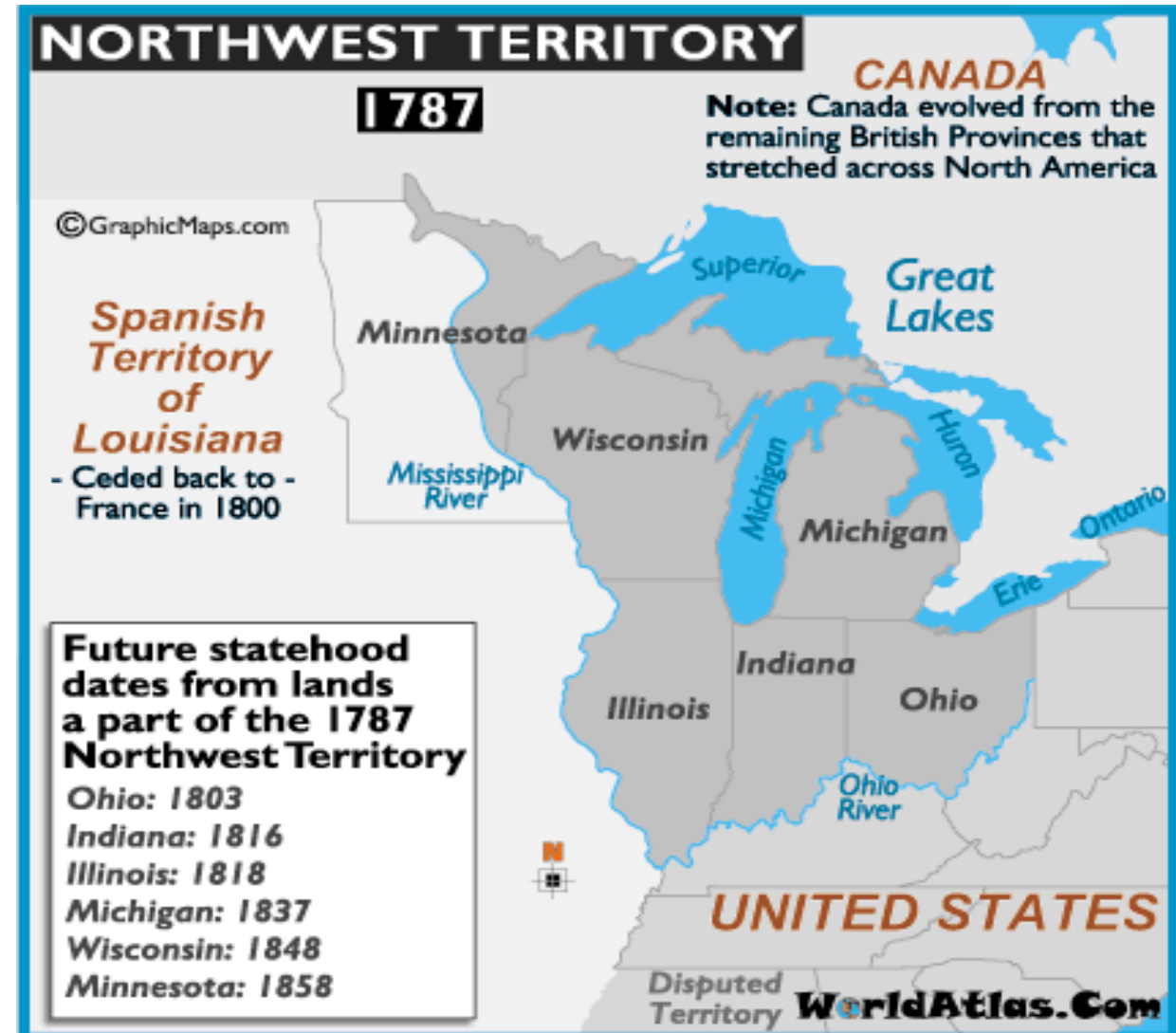
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CEO, The Ohio Projects Group LLC

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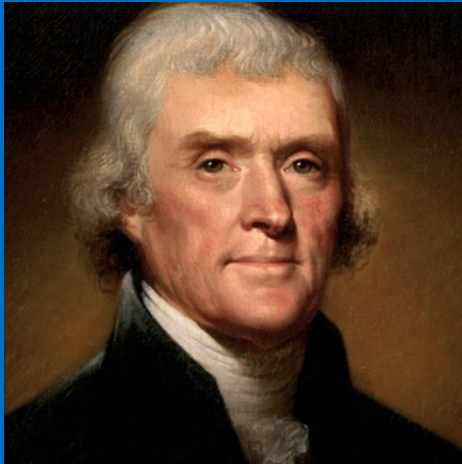


How it All Started?

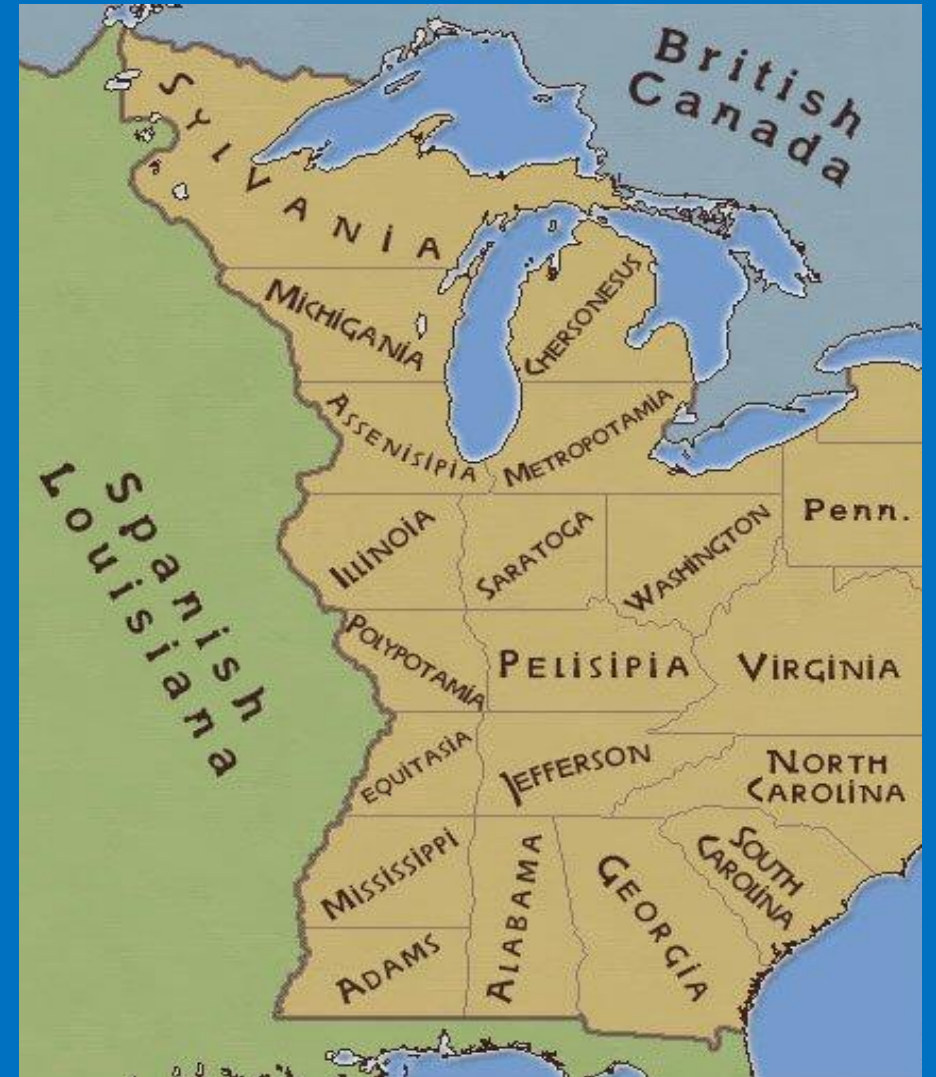


But, it might have been different

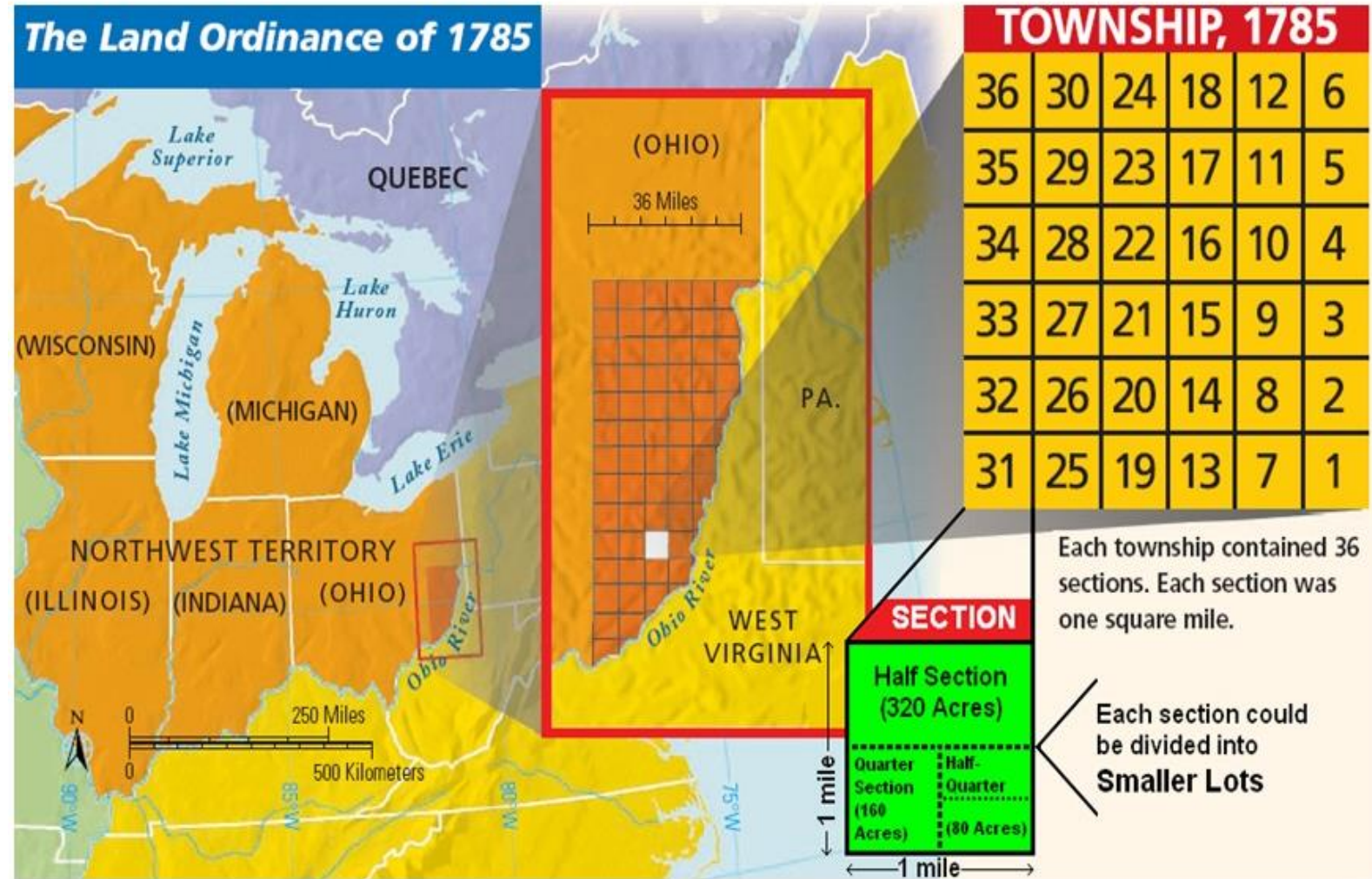
. . . If Thomas Jefferson got his way



Jefferson's 1784 Proposal for 10 States—turned into 5 states



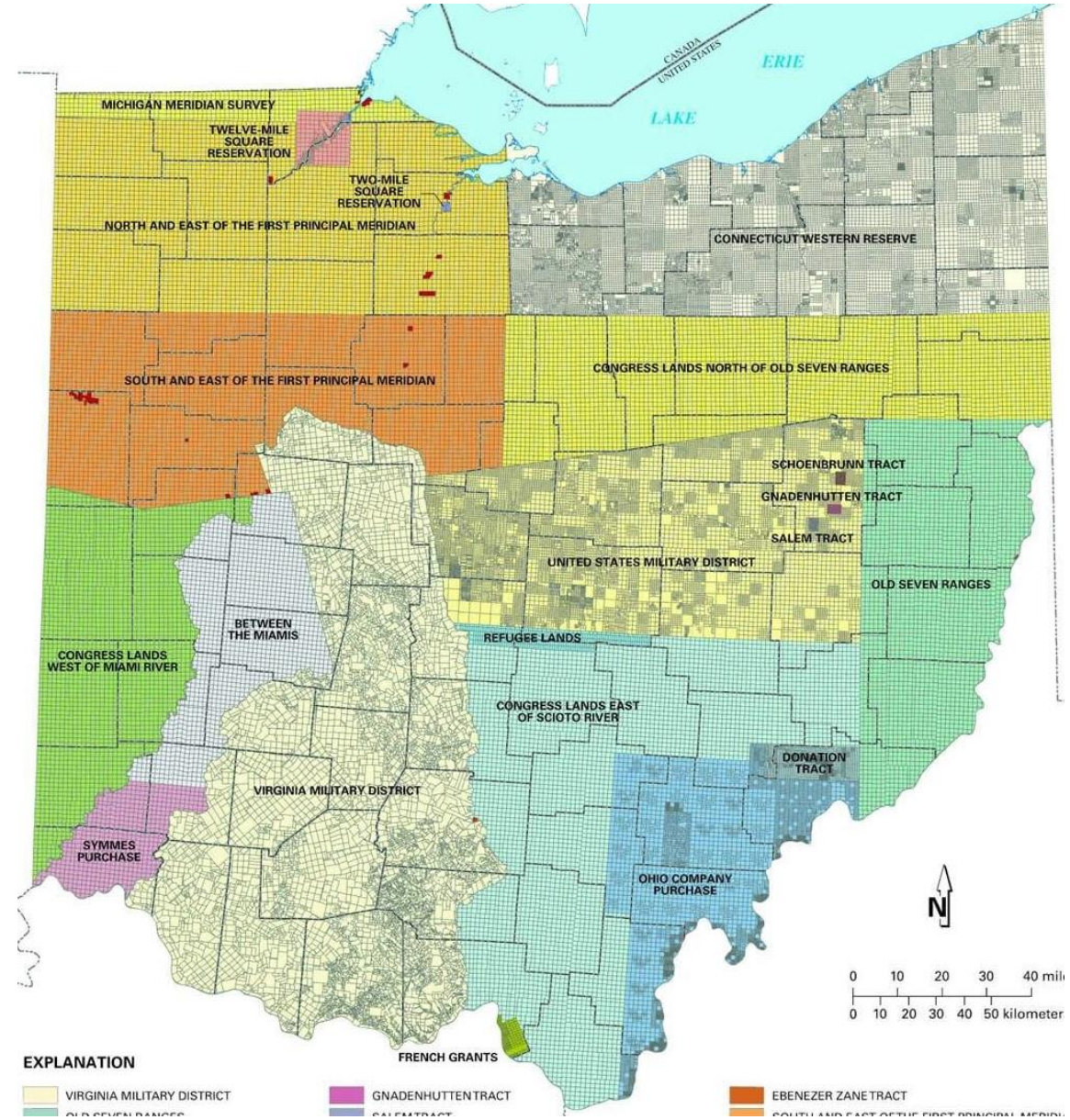
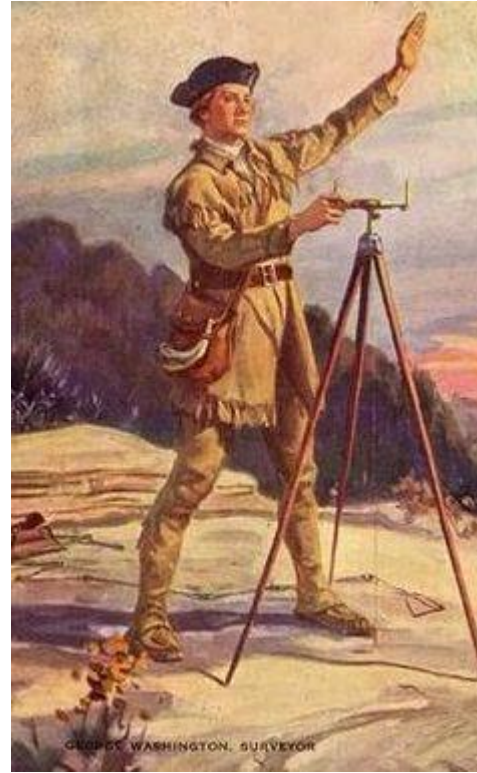
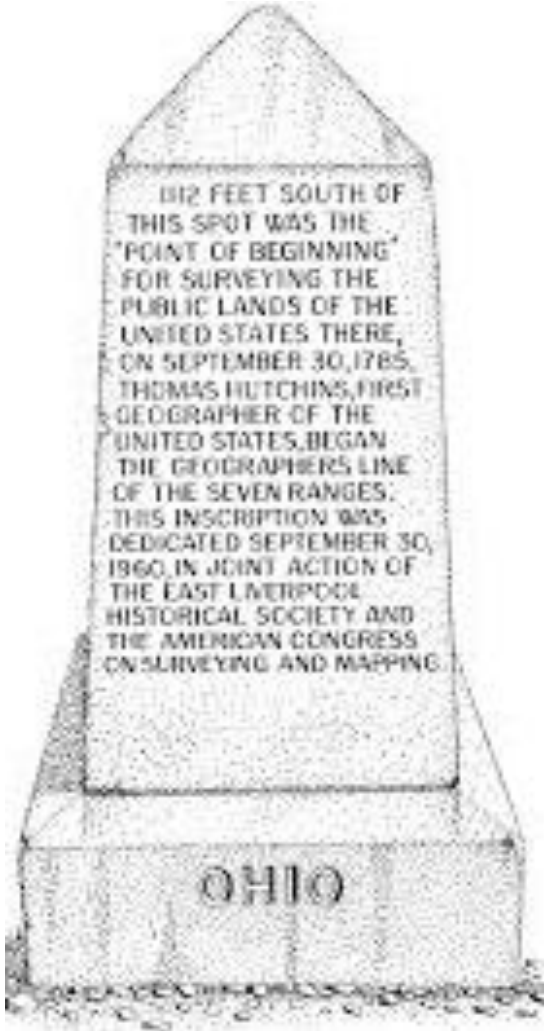
The Land Ordinance of 1785 made it all happen



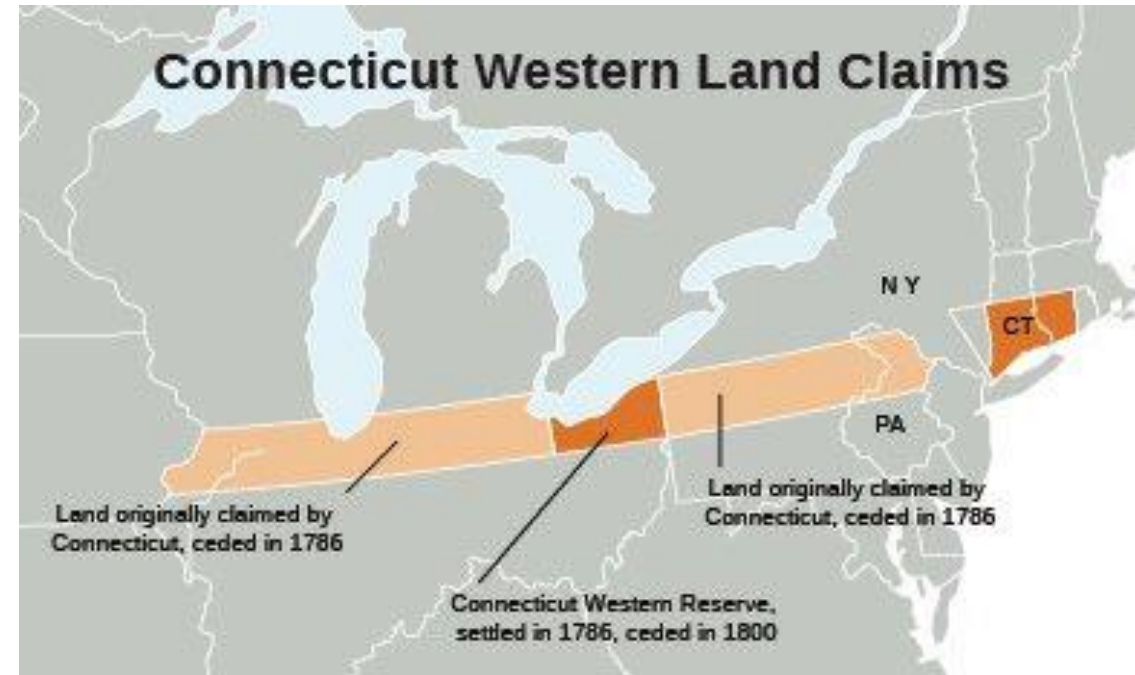
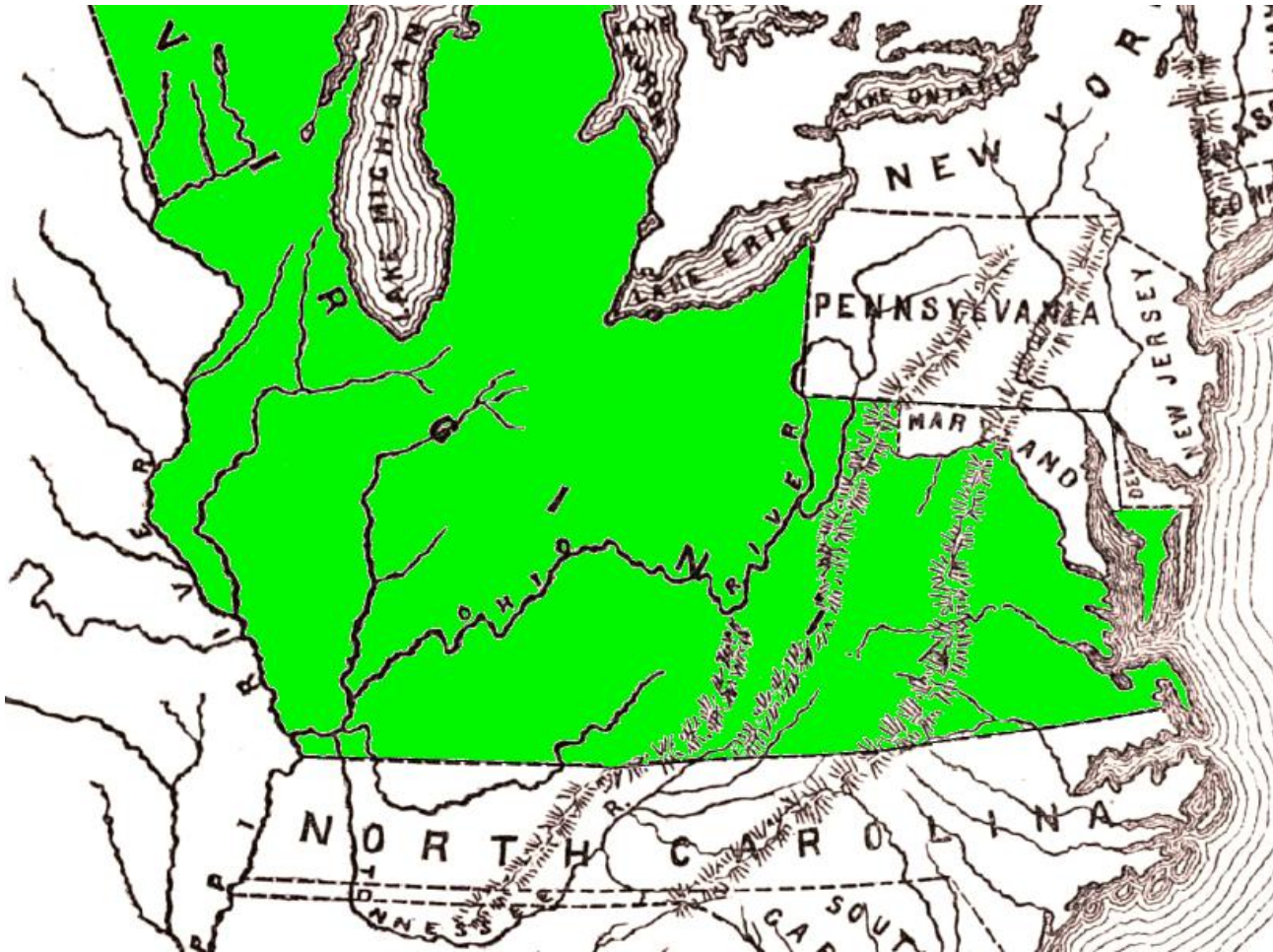
. . . . and it all began in Ohio



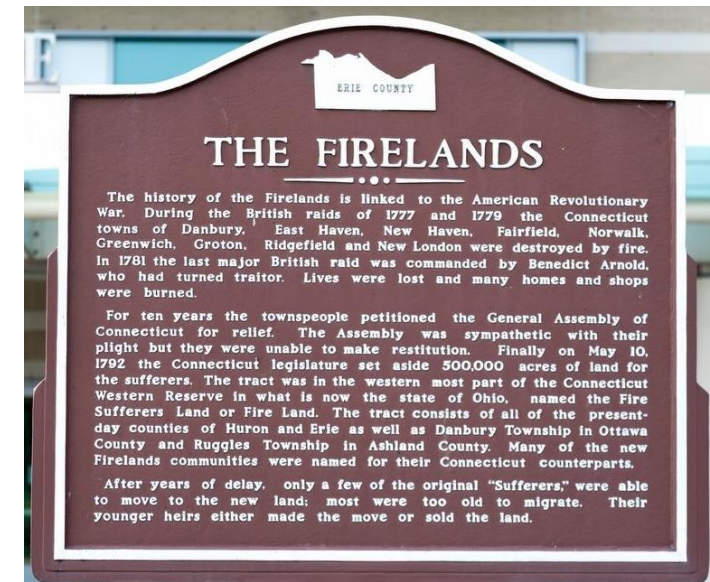
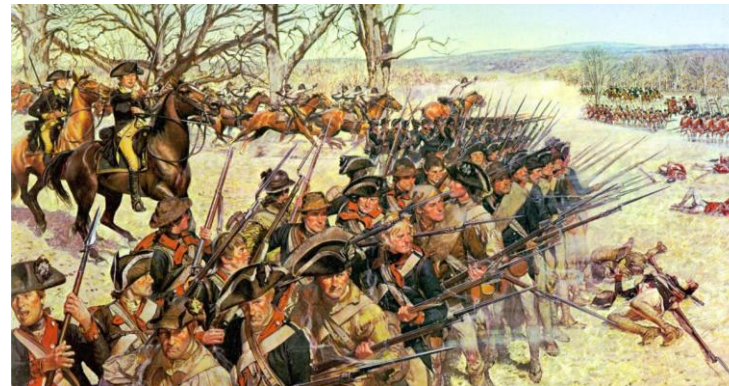
And Ohio Became the Land Survey Testing Grounds



. . . But we need to go back further . . .
Much of Ohio was claimed by two other states—Virginia &
Connecticut



Cessation of Colonial Charter Claims to U. S. with some “Reservations” in Ohio



Counties & County Government Predates Statehood

1790



1797



Counties & County Government Predates Statehood

1799



1801



Formation of Counties in Ohio

Northwest Territorial Governor Arthur St. Clair established counties prior to Statehood

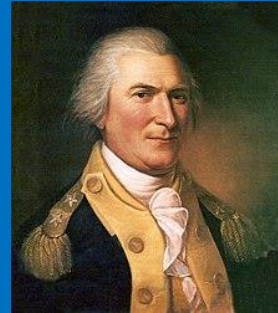
<http://www.mapofus.org/ohio/>

Before Statehood

1803 With Statehood

Washington
Hamilton
Jefferson
Adams
Ross
Belmont
Clermont
Fairfield
Trumbull

Butler
Greene
Columbiana
Franklin
Montgomery
Scioto
Gallia
Warren



St. Clair vetoed efforts by Territorial Legislature to establish new counties



After Statehood Establishment & Boundary Changes by Act of Ohio General Assembly

Medina County Example of Boundary Changes

18 Feb 1812

MEDINA created from Non-County Area attached to PORTAGE; MEDINA not fully organized, attached to PORTAGE for administrative and judicial purposes. (*Ohio Laws 1811, 10th GA, ch. 46/p. 122; Chase, 3:ch. 391/pp. 2115-2116*)

14 Jan 1818

MEDINA fully organized, detached from PORTAGE. (*Ohio Laws 1817, 16th GA, ch. 30/p. 69; Chase, 3:ch. 417/pp. 2128-2129*)

26 Dec 1822

MEDINA lost to creation of LORAIN; LORAIN not fully organized, part attached to MEDINA for administrative and judicial purposes. (*Ohio Laws 1822, 21st GA, loc., ch. 5/p. 5; Chase, 3:ch. 436/pp. 2135-2136*)

After Statehood Establishment & Boundary Changes by Act of Ohio General Assembly

Medina County Example of Boundary Changes

01 Apr 1824

LORAIN fully organized, detached from MEDINA. (*Ohio Laws 1823, 22d GA, loc., ch. 12/p. 12; Chase, 3:ch. 439/pp. 2136-2137*)

29 Jan 1827

MEDINA lost to LORAIN and PORTAGE. (*Ohio Laws 1826, 25th GA, gen., p. 111; Chase, 3:ch. 458/p. 2143*)

03 Mar 1840

MEDINA gained from LORAIN, lost to creation of SUMMIT; SUMMIT not fully organized, part attached to MEDINA for administrative and judicial purposes. (*Ohio Laws 1839, 38th GA, loc., p. 88*)

Final Establishment of Counties & Boundary Changes



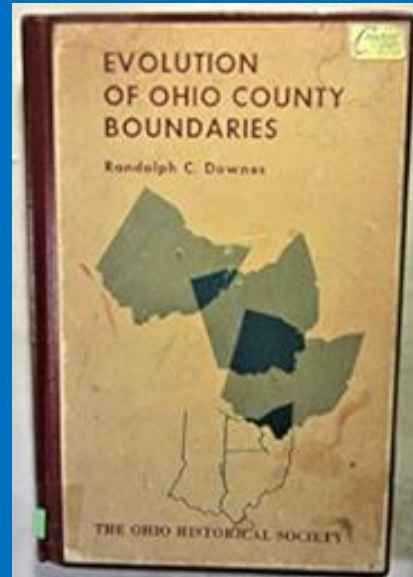
Last 5 Counties Established 1848-1851

Auglaize 1848

Morrow 1848

Vinton 1850

Fulton 1850



Noble • April 1, 1851

Boundary Changes Since Noble County

6 Boundary Changes Impacting 10 Counties 1851-1888

Auglaize

Brown

Clermont

Highland

Logan

Monroe

Morgan

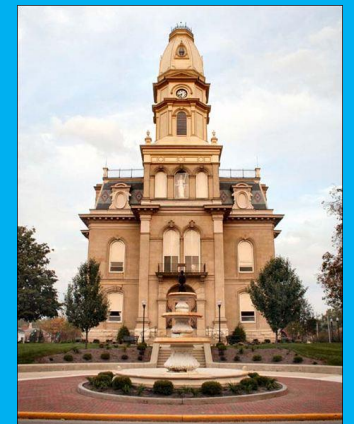
Shelby

Warren

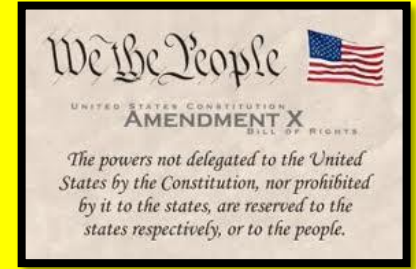
Washington

Last Change March 15, 1888

Auglaize → Logan



The Constitutional Basis for Local Government in the United States



- No real U. S. Constitutional Basis for Local Governments
- This is an area left to state control through:
 - ✓ State Constitutions
 - ✓ State Statutes
 - ✓ State Administrative Rules
 - ✓ Court Rulings

Article VI—Supremacy Clause

This Constitution, and the Laws of the United States shall be the supreme Law of the Land . . . and the Judges in every State shall be bound thereby, anything in the Constitution or Laws of any State to the Contrary notwithstanding.

Tenth Amendment

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Oath of Office Derived from U. S. Constitution

Only One Provision That Directly Requires Action by Local Governments

Article VI

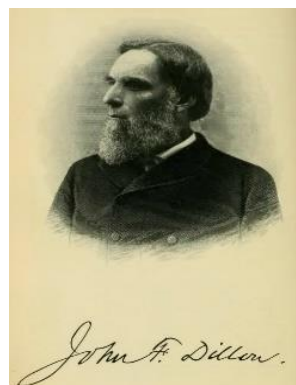
. . . . The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by an Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

Dillon's Rule

Judge John Forest Dillon

Municipal corporations owe their origin to, and derive their powers and rights wholly from, the legislature. It breathes into them the breath of life, without which they cannot exist. As it creates, so may it destroy. If it may destroy, it may abridge and control. . . [Local governments] are, so to phrase it, the mere tenants at will of the legislature.

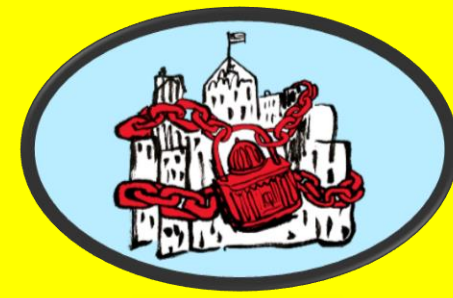
Hunter v. City of Pittsburgh. U. S Supreme Court, 1907



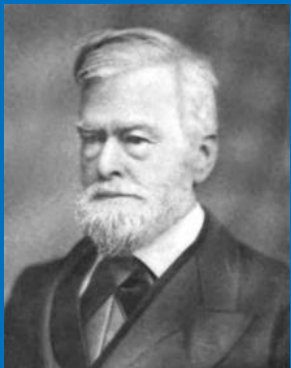
It is a general and undisputed proposition of law that a municipal corporation possesses, and can exercise, the **following powers**, and no other: First, those granted in **express words**; second, those **necessarily or fairly implied in, or incident to**, the powers expressly granted; third, those **essential to the declared objects and purposes of the corporation** not simply convenient, but **indispensable**. Any fair, reasonable doubt concerning the existence of power is resolved by the courts against the corporation, and the power is denied.

City of Clinton v. Cedar Rapids and Missouri River Rail Road Company. Iowa Supreme Court, 1868

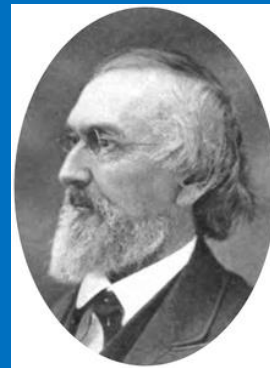
Early Declaration of Dillon's Rule by Ohio Supreme Court in 1857



Counties are local subdivisions of a state, created by the sovereign power of the state, of its own will, without the particular solicitation, consent, or concurrent action of the people who inhabit them... **With scarcely an exception, all powers and functions of the county organization have a direct and exclusive reference to the general policy of the state, and are, in fact, but a branch of the general administration of that policy.**



**Chief Justice
Thomas Welles Bartley**



**Associate Justice
Jacob Brinkerhoff**



Hamilton County v Mighels, 7 OS 109, 1857)

Ohio Counties: Dillon Rule Governments



The county is “. . . a **mere instrumentality** . . . a **creature in the hands of its creator**, subject to be moulded and fashioned as the . . . the State may require.”

(Cincinnati W. & Z. R. Co. v Clinton County (1 OS 77, 1852).

County government is viewed as "a constituent **part of the plan of permanent organization of the state government**"

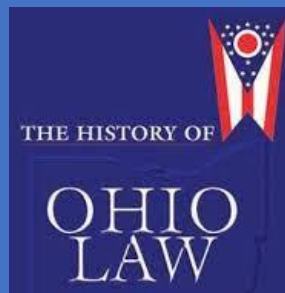
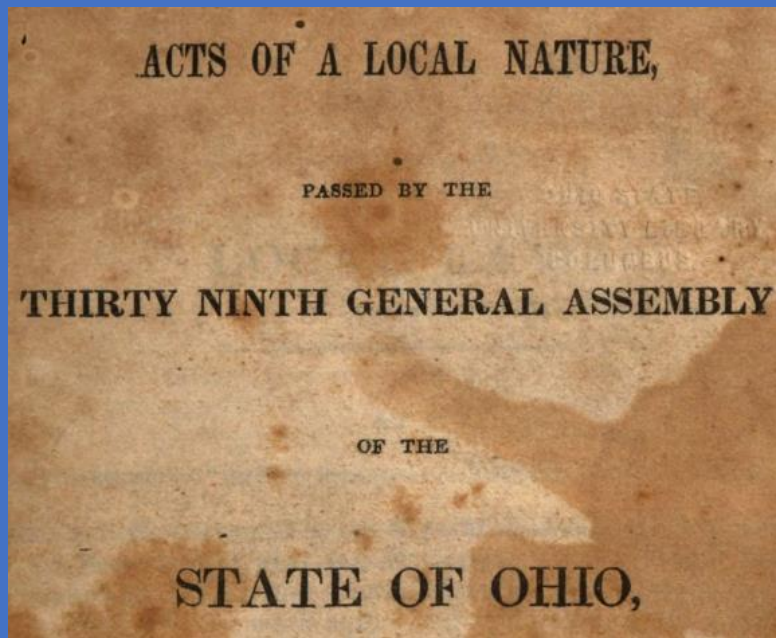
(State ex rel Godfrey v O'Brien, 95 OS 166, 1917).



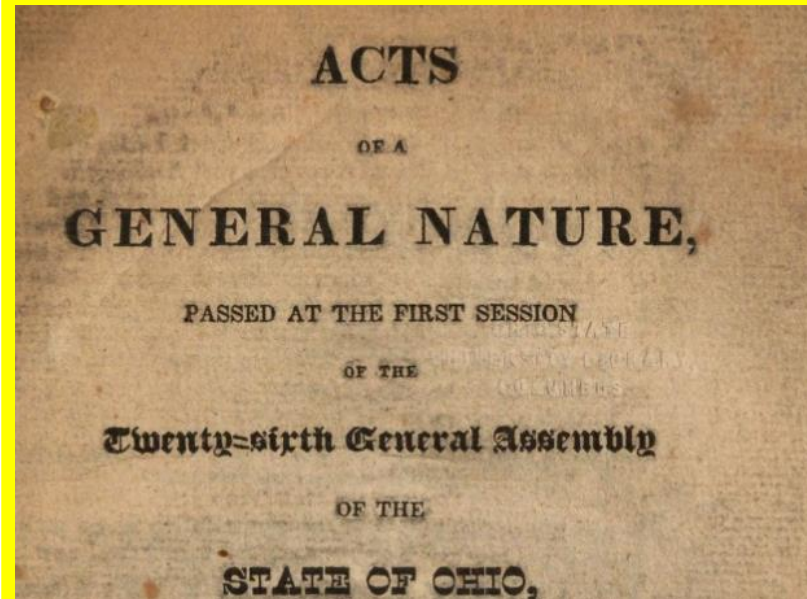
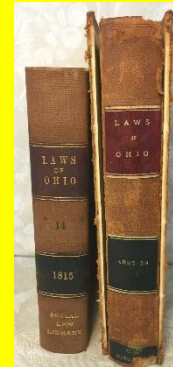
MOTHER MAY I?

Types of Legislative Enactments Under Dillion's Rule

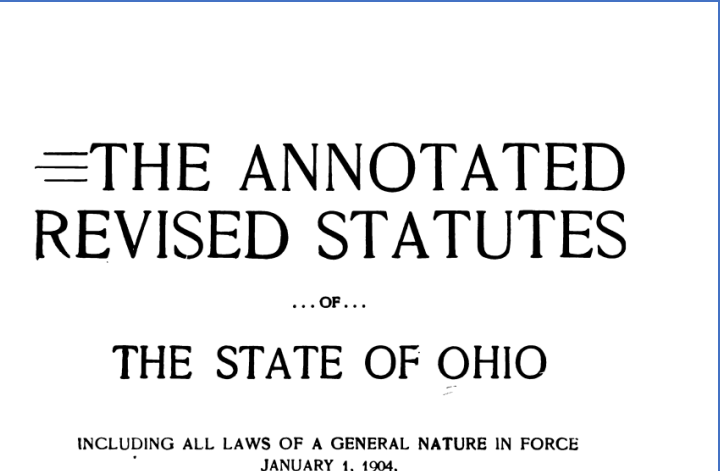
LOCAL LAWS



GENERAL ENABLING LAWS



DECREES & DIRECTIVES



Examples of Local Laws Enacted

County	Description
Fulton	Authority to accept bequests and donations to build monuments for those that were killed in the War of 1861 and to levy a tax for this purpose when authorized by a vote of the county.
Cuyahoga	To authorize the establishment of Garbage Crematories.
Franklin	Authority to build a bridge across the Scioto River and levy a tax for this purpose.
Montgomery	Authority to assist in building a bridge across the Great Miami River in Dayton and to build a workhouse in conjunction with the county jail.

County	Description
Seneca	Authority to transfer \$596.25 from Veterans Bounty Fund to the County Fund.
Darke	Authority to transfer \$15,000 from Bridge Fund to County Fund.
Champaign	Authority to a county jail.
Ross	Authority to levy a tax and borrow money to build a county infirmary.
Clinton	Authority to grant a right of way to the Southern Railway Company through county infirmary land

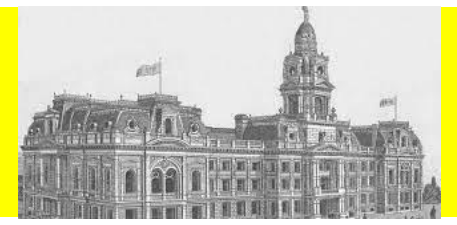
Examples of Local Laws Enacted

County	Description
Ottawa	Authority to levy a tax to improve navigation on Portage River.
Washington	Authority to provide lighting on certain bridges.
Muskingum	Authority to purchase the Putnam Toll Bridge over the Muskingum River.
Marion	Authority to Purchase land for a fairgrounds for the Agricultural Society.
Butler	Authority to issue bonds to complete the Middletown Bridge.

County	Description
Fairfield	Authority to establish a Dog Tax.
Franklin	Authority to issue bonds for the repair of Scioto River Levee.
Hamilton	Authority to purchase additional land for the Longview Asylum.
Fairfield	Authority to purchase land for a Children's Home.
Henry	Authority to issue bonds for county road improvements.



An "Old Time" County Commissioners Meeting



Agenda of Regular Quarterly Meeting

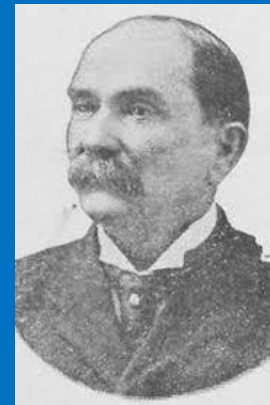
Board of County Commissioners

County Auditor's Office 8AM

- *Call to Order*
- *Roll Call*
- *Seating of New Commissioner to Fill Unexpired Term*
- *Payment of Bills*
- *Purchase of Land*



- *Appointments and Announcements*
- *Reports/Requests from Elected Officials*
 - Auditor
 - Common Pleas Judge
 - Probate Judge
 - Sheriff
- *Public Comments/Requests*



Other Changes Through Time



It's time
to make
a change



- Terms of Office Have Changed—1, 2, 3, & 4 Year Terms
- Three Year Terms—one Commissioner Elected Each Year
- Races were NOT head-to head races
- Elections have been in April, October & November
- November Elections Start 1885
- Organizational Meeting 3rd Monday of September

Terms of Office in Late 1800's

Office	Length of Term
Probate Judge	5 Years
County Commissioners	3 Years
Clerk of Courts	
Recorder	
Surveyor	
Infirmity Directors	
Sheriff	2 Years
Auditor	
Treasurer	
Prosecutor	
Coroner	



The Way the Courts Used to Be





Butler County Courthouse Fire 1912

Type of Court or Function	Characteristics
Probate Judge	One in Each County
Common Pleas Judges	9 Districts with 1 to Judges per District
Circuit Court Judges	5-8 Districts
Township Justices of the Peace	Elected Annually
Township Constables	Elected Annually
Superior Courts	In Some Large Cities— Similar Powers to Common Pleas Courts
Police Courts/City Village Minor Courts	In Some Cities & Villages— Similar to Mayors Courts Today

County Commissioner Salaries in the 1800's

YEAR	BASIS OF COMPENSATION	AMOUNT OF COMPENSATION
<p>1884</p> 	<p>Per Diem and Fixed Salary</p>	<p>\$3.00 per day for official duties in counties under 100,000 population; \$4.00 per day for officials in counties over 100,000 population up to 250,000; \$2,500 fixed salary in counties over 250,000</p>
<p>1893</p>	 <p>Per Diem and Fixed Salary</p>	<p>\$3.00 per day and 5 cents per mile for travel inside the county but not more than for one session of the board per month. Exceptions:</p> <ul style="list-style-type: none"> • Cuyahoga, Hamilton, Lucas & Montgomery: \$2,000 • Franklin: \$1,200 • Defiance: \$1,000 but commissioners must devote all their time to the office and could not receive any other compensation,

County Commissioner Salaries in the 1900's

YEAR	BASIS OF COMPENSATION	AMOUNT OF COMPENSATION														
1904	Property Tax Duplicate (Real and Personal)	\$750.00 in counties with up to \$5 Million duplicate plus \$3.00 for each \$100,000 of duplicate over \$5 Million. Also \$3.00 per day for ditch work but not more than \$300 per year for this and provided that total compensation could not exceed \$3,500 per year.														
1932	 <p>Property Tax Duplicate Variable Number of Classes</p>	<p>Compensation reduced during Great Depression for the period January 1, 1933-December 31, 1934 as follows:</p> <table border="1"> <thead> <tr> <th>Salary Amount</th> <th>% Reduction</th> </tr> </thead> <tbody> <tr> <td>Up to \$1,000</td> <td>5%</td> </tr> <tr> <td>1,001-2,000</td> <td>10%</td> </tr> <tr> <td>2,001-3,000</td> <td>12.5%</td> </tr> <tr> <td>3,001-4,000</td> <td>15%</td> </tr> <tr> <td>4,001-5,000</td> <td>17.5%</td> </tr> <tr> <td>5,001 or more</td> <td>20%</td> </tr> </tbody> </table> <p>In no event can compensation exceed \$5,200 Legislature also passed a resolution "requesting voluntary acceptance of salary reduction by officials constitutionally immune" from the statutory reductions</p> 	Salary Amount	% Reduction	Up to \$1,000	5%	1,001-2,000	10%	2,001-3,000	12.5%	3,001-4,000	15%	4,001-5,000	17.5%	5,001 or more	20%
Salary Amount	% Reduction															
Up to \$1,000	5%															
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2,001-3,000	12.5%															
3,001-4,000	15%															
4,001-5,000	17.5%															
5,001 or more	20%															

Compensation in Early 1950's



Population	Commissioner	Auditor & Treasurer	Recorder
	Dollar Amount for each full 1,000 Population of County		
First 15,000	86	143	122
Second 15,000	72	93	80
Third 15,000	57	69	60
Fourth 15,000	36	64	50
Fifth 15,000	21	50	25
Sixth 15,000	14	36	12
Greater than 90,000	7	7	7

A Pay Supplement for Commissioners?

Supplemental Compensation for Water and Sewer Improvements

Ohio General Code Section 6602-14

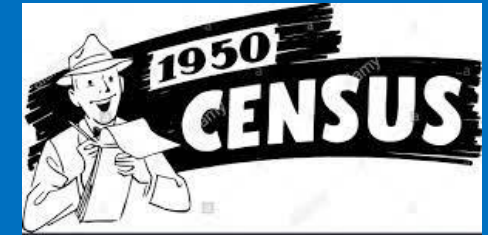
Today ORC Chapter 6119

THE
GENERAL CODE
OF OHIO

Revised Compact Edition

Cost of Improvement	% Compensation
First \$200,000	.33%
\$200,001 to \$400,000	.25%
\$400,001 to \$ 600,000	.17%
Over \$600,000	.10%

County Compensation Classes



How Many Classes Should There Be?

“Commissioners in Small Counties Work Harder Than Big Counties”

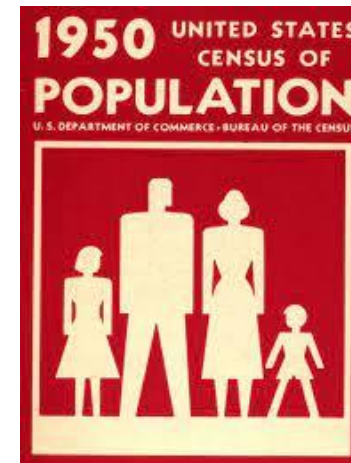
“Small Counties Don’t Have the Funds”

“Commissioners in Small Counties Don’t Have Staff Like in Big Counties”

“You Knew What the Salary Was When you Ran”

Recent Reduction in Number of Classes

Year	Number of Classes
Before 1959	?
1959	35
1977	14
2001	8
2015	6



Fees to be Deposited in County Treasury

Article IV, Section 6 of Ohio Constitution

Compensation of Judges

Judges “. . . shall receive no fees or perquisites”

ORC 325.02

County Elected Officials Generally

Salaries are “. . . in lieu of all fees, costs, penalties, percentages, allowances, and all other perquisites, of whatever kind, which any of such officials collects and receives . . .”

Purpose of These Provisions?

Where Else Would Fee Collected Go But to the County Treasury?

Prior to 1906 Officials were paid by:

Per Diem

Fees Collected

Fixed Salary + Fees




County Elected Officials Salaries 1903

Commissioners

Responsibility or Function	Amount	
For each day employed in official duties	Per diem	\$3.00/day
As a member of the annual county board of equalization & of the decennial county board of equalization		\$3.00/day
For services in matters relating to railroad drainage & county ditches		\$3.00/day
For traveling on official business within or without the county. (Mileage to and from sessions of the board is limited to one session per month)	\$.05/mile	
Reasonable and necessary personal expenses when traveling on official business within the county. (Personal expenses does not include transportation or livery hire)	Not more than \$200.00/year	


County Elected Officials Salaries 1903

Prosecutor

Responsibility or Function	Amount
<p>Prosecutors were compensated with both a fixed salary and also by fees. The annual salaries were as follows:</p> <ul style="list-style-type: none"> • Cuyahoga and Hamilton Counties • Franklin & Lucas Counties • Montgomery County • In counties with less than 20,000 population • In all other counties 	<p>\$3,500.00 \$2,000.00 \$1,500.00 \$400.00 \$2.00 for each 100 population</p>
<p>An additional amount for serving as the legal advisor to county officials.</p>	<p>As determined by the county commissioners</p>
<p>On fines, costs, & forfeitures collected</p>	<p>10% of the amount collected but not more than \$100.00 for any case</p>

County Elected Officials Salaries 1903

County Surveyor (Engineer)

Responsibility or Function		Amount
For indexing a plat		\$.10
For recording survey plat <ul style="list-style-type: none"> • Counties of 35,000 population or more • Counties of less than 35,000 population 		\$.10 \$.12
For reproducing destroyed plats		\$4.00/day
For proceedings to establish county roads		\$5.00/day
For proceedings to establish state roads		\$2.50/day
For bridge work		\$4.00/day
For preliminary surveys		\$5.00/day
For working on county ditches		\$4.00/day

County Elected Officials Salaries 1903


Recorder

Responsibility or Function	Amount
For transcribing records per 100 words	\$.06
For recording map or plat of not more than six lines <ul style="list-style-type: none"> • For each additional line 	\$.50 \$.02
For indexing real estate per tract or parcel	\$.05
For revising & renumbering plats of an unincorporated hamlets	\$2.00



County Elected Officials Salaries 1903

Auditor

Responsibility or Function	Amount
For indexing each claim or entry on the county commissioners journal	\$.10
The following amounts for collections on the “grand duplicate”: <ul style="list-style-type: none"> • First \$10,000 • Next \$10,000 • Next \$10,000 • Next \$10,000 • Next \$200,000 • All other collections 	 2.5% 1.5% 1.0% .7% .4% .2%
For collections of local school levies	1.0%
For each 100 words of the record of a free turnpike and improved road (three figures count as one word)	\$.08
For making & transmitting abstracts of “epileptics” and “epileptic insane”	\$.08
For collection of inheritance tax	4.0%

County Elected Officials Salaries 1903

Coroner



Responsibility or Function

Amount

For viewing a body

\$3.00

For drawing necessary writings per 100 words

\$.10

For traveling to view a body

\$.10/mile

Issue of Fees for Compensation gets Attention

1900

General Assembly Establishes

(3-16-1900 Vol. 94 O. L. 40)

Commission on Fees of County Officials

State Auditor, Secretary of State & Attorney General

Commission Report:

“The present arrangement of statutes . . . is such that no one can be certain that he has found all the statutes relating to fees of county officials.”

“ . . . different practices have grown up in the various counties.”

Recommends: State supervision of county officials accounts to “maintain uniformity, accuracy, & efficiency.”

Ohio Supreme Court Rules: Constitutionality

Governor George Nash

Ohio's 41st Governor

1900-1904

Informs General Assembly



August 25, 1902

Message to Extraordinary Session

“The Supreme Court . . . has declared certain acts regulating the compensation of county officers unconstitutional.”

“It makes little difference . . . To the people whether county officers are paid under the fee or salary system.”

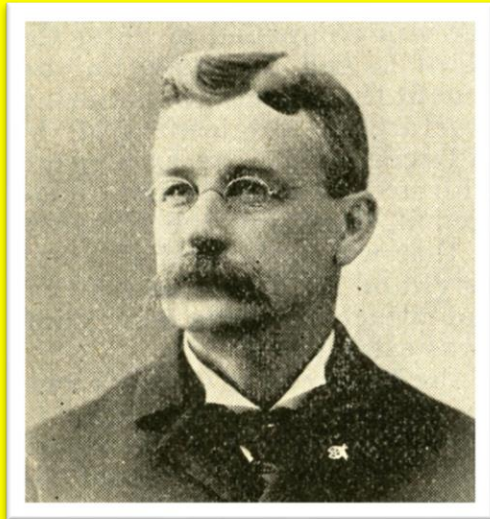
“This subject can be safely postponed until . . . The next General Assembly.”

State Auditor

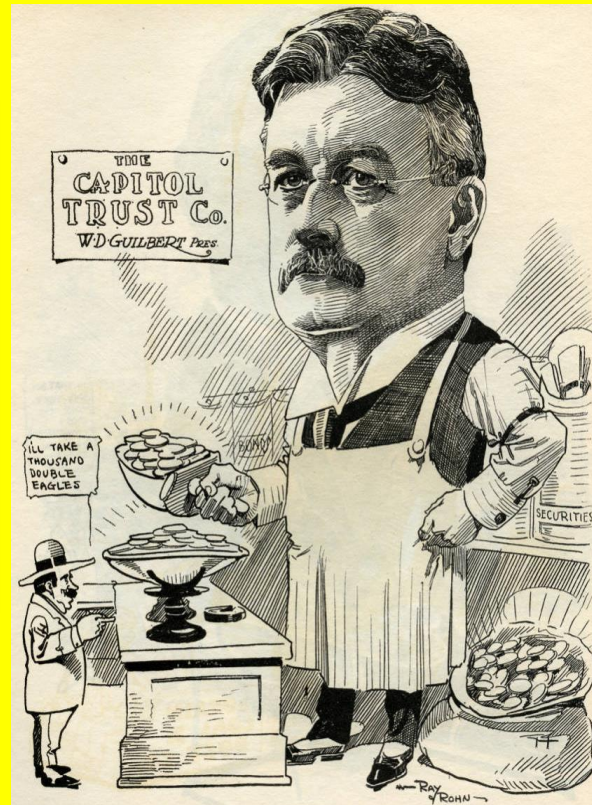
Bureau of Inspection and Supervision of Public Offices

Established by the 75th General Assembly (Vol. 95 O.L. 511; 5-12-1902)

Bureau established upon recommendation of the
Commission on Fees of County Officials



Walter D. Guilbert
State Auditor 1896-1909
President, Capital Trust Co., 1911



Published

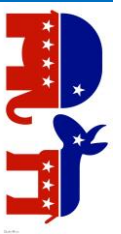
Construction and Application of Laws Governing the Fees and Compensation of County Officials, State of Ohio

September 1, 1902

This may have been one of the first guides for field auditors. Today this is known as a Compliance Supplement



Both Political Parties Jump In 1905



Republican Party Platform

8-25-1905

Democratic Party Platform

6-28-1905

COUNTY SALARIES

Laws governing the pay of county officials should be enacted that will provide limited and reasonable compensation commensurate with the services rendered.



FEES AND SALARIES

We condemn the present fee system and demand the enactment of a reasonable salary law.



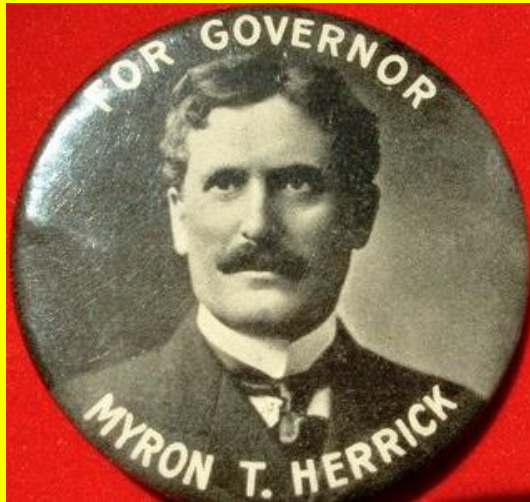
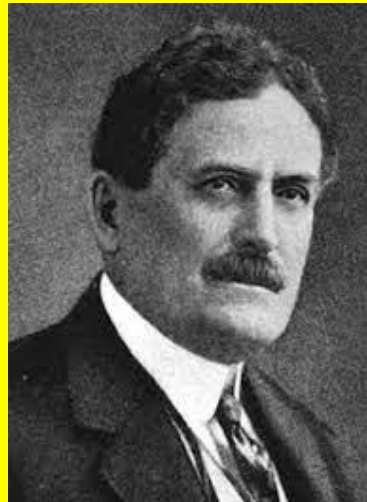
The Race for Ohio Governor

1905

Republican Incumbent Governor Myron Herrick

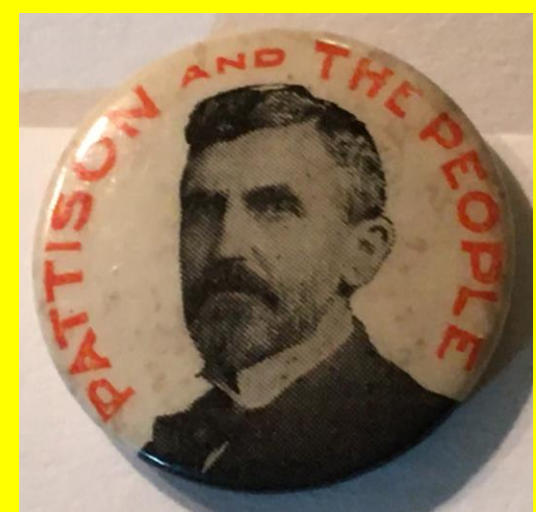
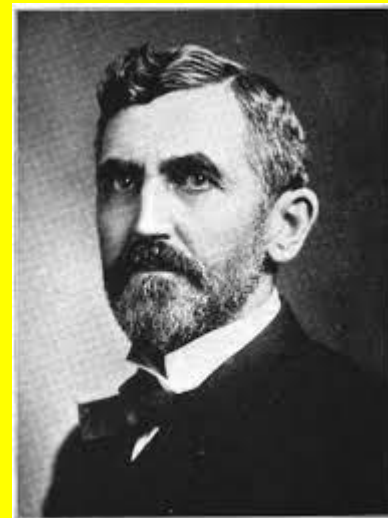
Ohio's 42nd Governor

Lorain County



Democratic Challenger John Pattison

Clermont County



Candidate Pattison on the Attack

Opening Campaign Speech, Newark 9-23-05

“The bosses in control of the Republican Party have failed to meet this demand (for fair salary legislation) because they desired to increase the income of their followers.”

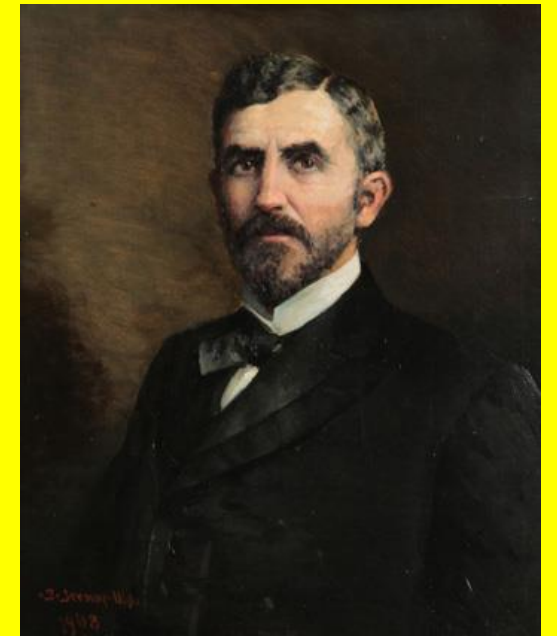
“The Gardner salary law passed by the Democratic Legislature 15 years ago was repealed by the Republican Legislature after it had been in operation only for a few months.”

Pattison wins election to become
Ohio's 43rd Governor in 1906

Pattison 473,264

Herrick 430,617

Minor Candidates 32,664 (Socialist, Prohibition & Socialist Labor Candidates)



But Herrick is not Done

Delivers message to the General Assembly
before his term ends on January 8, 1906

- Present fee system “ought to be abolished.”
- “Platforms of both political parties have declared for this reform.”
- “It is intolerable that any county officer should receive as much per annum as the President of the United States.”
- “It is unjust that many county officers should receive five to ten times what their services are fairly worth.”
- “All fees should be paid into the county treasury to support county government and officers should be paid a fixed salary.”

But Pattison get's the Last Word

Pattison Inaugural Address ♠ January 8, 1906

“Many county officers are receiving fees which are two, three and in some cases ten time more than the value of services”

“Under no circumstances should these offices be made places where large sums of money can be obtained and divided among politicians or be used improperly or dishonestly to secure and election.”

. . And Pattison Takes on County Associations

Pattison Inaugural Address ♠ January 8, 1906

“I trust that . . . associations will be disbanded, or if continued . . . that nothing shall be considered by them except what is . . . toward the reduction of expenses . . . and the lowering of taxes.”

“Members of such organizations should consider it unpatriotic and somewhat in poor taste to make any efforts on . . . behalf of county officers.”

“All organizations of county officers formed for the purpose of increasing their salaries should be prohibited by law.”

The 77th General Assembly Acts

The Fee System of Compensation Abolished

- Fixed salaries established for all elected officials & Fee System abolished
- H. B. 283—The Wilson Salary Bill
- Sponsored by Rep Benjamin Wilson, a Belmont Co. farmer

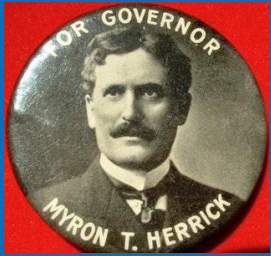
Passed: March 24, 1906

Filed with Secretary of State: April 6, 1906

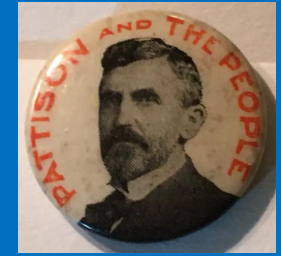
Effective: January 1, 1907

Section 18 of the Act provided:

“And said salaries shall be in lieu of all fees, costs, penalties, percentages, allowances and all other perquisites of whatever kind which any of the officials . . . may now collect and receive . . . in no case shall such annual salary . . . Exceed the sum of \$6,000.”



And What Happened to Governors Herrick & Pattison?



Governor Myron Herrick

Served as Ambassador to France
1912 – 1914 and 1921-1929



Runs for U. S. Senate in 1916;
defeated by Atlee Pomerene.

Hosts Charles Lindbergh
after transatlantic flight
in 1927



Governor John Pattison

The Governor did not get to sign the
Wilson Salary Bill he so passionately
supported. It became law without his
signature after 10 days.

He had returned to Milford in Clermont
County with Bright's Disease and died on
June 18, 1906.



County Government Today

The following slides were presented at the New Commissioners Training Session in February 2023 and are presented here for reference purposes



Courthouses of 2023 CCAO Officers

5 Types of Local Governments in Ohio

Counties

Statutory
Alternative Form
Charter

Townships

Statutory
Limited Home Rule

Municipalities

Cities
Villages

School Districts

Special Purpose Districts

SEVEN RANGES JOINT
FIRE DISTRICT
JEFFERSON COUNTY, OHIO



Number of Local Governments in Ohio

1942, 2012 and 2017

Type	2017	2012	1942
Counties	88	88	88
Townships	1,308	1,308	1,339
Municipalities	931	937	890
School Districts	666	668	1,655
Special Districts	904	841	42
TOTAL	3,897	3,842	4,021

County Government Structural Options

Three Possible Forms of County Government



Statutory Form—86 of 88 counties

Alternative Form—No counties

Charter Form—Two Counties—Summit & Cuyahoga

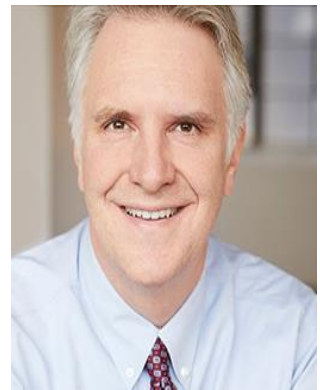
County Government Structure



Statutory Counties	Charter Counties
No Clear Executive Head	Executive Head Can be Either Elected or Appointed
Governing Board—3 Commissioners elected at Large	Governing Board Elected by large or by district or a combination
Departments	Departments
8 Other County Elected Officials	May Eliminate or Combine Offices of Other County Elected Officials
Boards & Commissions	Boards and Commissions
Courts	Courts



County of Summit - The High Point of Ohio
ILENE SHAPIRO
 COUNTY EXECUTIVE



Chris Ronayne
 Cuyahoga County Executive

County Government Elected Officials in Statutory Governments

3 County Commissioners



Auditor

Treasurer



Prosecutor



Clerk of Courts



Sheriff

Engineer



Coroner



Recorder's Office

Recorder





County Auditor Responsibilities

Elected in gubernatorial year • Term starts 2nd Monday of March



Chief Fiscal Officer

Bookkeeping & Accounting

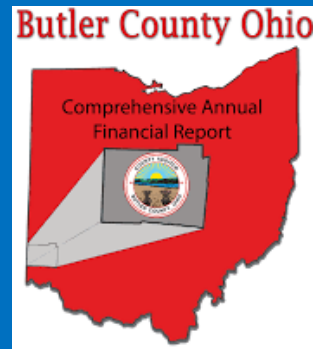
Issuance of Warrants

Payroll Officer

Financial Reporting

Certifies Funds Available to pay bills

Distribution of Revenue to All Local Jurisdictions in the County



Real Estate

Appraisal & Assessment
CAUV

Forest Law

Tax Credits/Reductions

Homestead Law

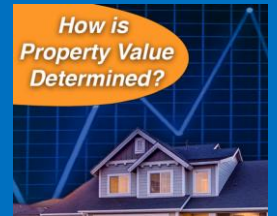
Special Assessments

Delinquent Bills Certification

Estimate of Tax Levy for Ballot

Certificate of Estimated Resources for Budgets

GO Bond Issue "10 Mill Certificate"



REA Special Fund



County Auditor Responsibilities

Elected in gubernatorial year • Term starts 2nd Monday of March



Licensing & Inspection

Weights & Measures

Dog Registration

Vendor's/Transient Vendors

Retail Cigarette Licenses

**2023 Dog
License
Sales**



Save Time - Purchase online
December 1 - January 31

INSPECTED & SEALED
RACHAEL S. GILROY
ALLEN COUNTY AUDITOR
SEALER OF WEIGHTS & MEASURES

Boards & Commissions/Other

County Budget Commission

Board of Revision

Data Processing Board

Records Commission

Microfilm Board

Tax Incentive Review Council

Supplemental Compensation from undivided estate tax fund or the county real estate assessment fund



County Prosecuting Attorney



Criminal Prosecution—"State's Attorney"

Adult Felonies

Juvenile Delinquent Acts

Some Misdemeanor Charges



Victim Assistance/Restitution

Civil Duties

Represent BCC/Other County Officials/Boards

Defends Suites Against County

Unpaid Tax Suites-Foreclosure/Forfeiture

Child Support Enforcement Agency (in a few counties)

Outside Counsel

Commissioners may hire without approval—not more than annual salary of Prosecutor

Joint Petition to Common Pleas Court

BCC & Prosecutor may jointly contract for services to "non-county board" services

Member of County Budget Commission and Records Commission

DETAC Fund, FOJ Fund



County Sheriff



Preserve the Public Peace

Investigate Crimes

Road Patrol—How Much/Contracts?

Operate County Jail

Executive Officer of Courts

Serve Process

Enforce Court Orders

Attend to Courts (CP & CA)

Transport Prisoners to Court



Law Enforcement Contracts with Other Political Subdivisions

Other Responsibilities

Sex Offender Registration

Conceal/Carry Permits

911/Public Safety Communications

In Charge of Court House under control & Direction of BCC

FOJ Fund, Drug Law Enforcement Fund, Law Enforcement Trust Fund, Policing Revolving Fund



County Engineer



Road & Bridge Responsibilities

County Roads & County & Township Bridges

Bridges in Municipalities on State Routes

Annual Bridge Inspections

Force Account Projects

Annual Meeting of County and Township Road Authorities

Advisor to Township Trustees for Road and Bridges—Limited Home Rule Township May Hire Their Own

County Tax Maps—General Fund

Petition Ditch Drainage Projects & Ditch Maintenance

Standards for Boundary Surveys

Standards for Real Property Conveyance Instruments with County Auditor

May be Appointed Sanitary Engineer by Commissioners and Receive Additional Compensation

Motor Vehicle License & Gas Tax Fund—Constitutionally Restricted



County Treasurer



County “Banker Functions

- Recommends Depositories to BCC
- Custodian of Funds
- Redeems Auditor’s Warrants
- Daily Balance Statement with Auditor
(movement of funds, payments, balances in accounts)

Land Bank Functions

- Original incorporator
of Non-Profit
- Statutory Board Member



Tax Related Duties

- Sends Tax Bills/Collects Payments
- Pursues Delinquent Taxes/Foreclosure
with Prosecutor
- Property Tax Prepayment Plans
- Delinquent Payment Plans

Investment of Funds

- Investment Authority
- Investment Policy
- County Investment Advisory Committee
- DETAC Fund (DTAC)**

Lucas County Auditor
Delinquent Land Tax Notices
This Notice Is Required By Law (Ohio Revised Code section 5721.03)

FILE COPY
CLERK OF COURTS

Clerk of the Court of Common Pleas



All Serve as Clerk of Court of Appeals

Some also Serve a Clerk of County of
Municipal Court

Court Records

Civil/Criminal

Family Matters

Divorce

Protective Orders

Parentage

Juvenile Cases—delinquent, abuse, neglect,
dependency, traffic



Distribution of Fines, Fee & Costs-
Complex

Auto Title Issuance

Some BMV Deputy Registrars

Passports



Certificate of Title Administration Fund



County Recorder



Recording & Indexing a Variety of Legal Documents involving over 1000 ORC Sections

Deeds
Mortgages
Land Contracts
Condo Documents
Plats
Zoning Resolutions & Amendments
Annexations



50% of Fees go to State Housing Trust Fund

Military Discharge Papers—DD214

Trusts
Powers of Attorney
Living Wills
Health Care Power of Attorney



Issue Veteran ID Cards

Member of Data Board, Microfilm Board & Records Commission

County Recorders Technology Fund

County Coroner



Investigates Cause, Manner & Mode of Death

Sudden/In Good Health

Not Under Doctor's Care

Violence/Suspicious Circumstances

Suicide

Incarcerated

Children under 2 years old

Developmentally Disabled Persons

Takes BAC in Auto Related Deaths



Autopsies/Contracts

Inquests

Trials Preparation with Law

Enforcement & Prosecutors

Serves "Acting Commissioner" if two Commissioners are Medically Disabled

Serves on Child Fatality Review Board

Coroner's Special Lab Fund

Summary of County Elected Officials' Special Revenue Funds

Auditor

Real Estate Assessment Fund (REA)

Clerk of Courts

Certificate of Title Administration Fund

Coroner

Special Lab Fund

Engineer

Motor Vehicle License & Gas Tax

Prosecutor

Furtherance of Justice (FOJ)

Delinquent Tax Assessment Collection Fund (DETAC)

Recorder

Recorder's Technology Fund

Sheriff

Furtherance of Justice (FOJ)

Law Enforcement Trust

Drug Law Enforcement

Treasurer

Delinquent Tax Assessment Collection Fund (DETAC)

County Elected Officials Compensation

6 Population Classes ⇔ No In Term Increases

Office	Special Compensation Issues
Auditor	<ul style="list-style-type: none">• Additional Compensation from Real Estate Assessment Fund (\$1,200 to \$3,000)
Clerk of Courts	<ul style="list-style-type: none">• Additional State Paid Compensation from Supreme Court• Additional Compensation if also Clerk of County and/or Municipal Court (25%)
Coroner	<ul style="list-style-type: none">• “Full Time” Option in counties over 175,000 (25% or 50%) under certain circumstances--Regional Forensic Pathology Centers; conduct greater than 75 autopsies, and, are Certified Forensic Pathologists. In some cases, with approval of Commissioners
Engineer	<ul style="list-style-type: none">• “Full Time” Option• Additional Compensation if serving as County Sanitary Engineers as agreed by Commissioners
Prosecutor	<ul style="list-style-type: none">• “Full Time” Option• Portion Reimbursed by State Attorney General in counties with population of 70,000 or less



Commissioners Staff—Your “A” Team

County Administrator

Director of Budget & Management

Clerk of the Board

Deputy Clerk

Administrative Assistants

Human Resource Coordinator

Loss Control Coordinator

Buildings and Grounds Superintendent



Dog Warden

Sanitary Engineer

County Home Administrator

Economic Development Director

Job & Family Services Director

Child Support Child Support

Homeland Security/Emergency
Management Director

9-1-1 Coordinator

Senior Citizen Director



The Third Branch—Courts & All Those Judges

An Independent Branch of Government

Common Pleas Courts

- General Division
- Probate
- Juvenile
- Domestic Relations

Municipal Courts/County Courts

- County Wide
- Full-Time
- Part-Time
- District Courts

Inherent Powers

Those powers which the court possesses independent of any specific constitutional provision or legislative grant, simply by virtue of being a court.

Inherent Powers—the Supreme Court Speaks

State, ex Rel. Johnston, v. Taulbee,

66 Ohio St. 2d 417

“The administration of justice by the judicial branch of the government **cannot be impeded** by the other branches of the government.”

“Courts . . . possess all powers necessary to secure and safeguard the free and untrammelled exercise of their judicial functions and **cannot be directed, controlled or impeded therein by other branches of the government.**”

State ex. rel. Arbaugh v. Richland Co. Bd of Commissioners

470 N.E.2d 880

“A **court may modify its budget at any time** presupposing such modification is otherwise reasonable and necessary. We **urge**, however, that every reasonable effort be made, in the interests of intergovernmental cooperation, to **adhere to the conventional legislatively promulgated budget process.**”

“[t]he public interest is served when courts cooperate with executive and legislative bodies in the complicated budgetary processes of government. However, such **voluntary cooperation should not be mistaken for a surrender or diminution of the plenary power to administer justice** which is inherent in every court whose jurisdiction derives from the Ohio Constitution.”

Inherent Powers—What Does it Mean?

The Court System is an **Independent Branch** of Government and **has Inherent Powers**. This means that the funding authority (County or City) must appropriate the funds they need and cannot substitute their judgment for that of the court. The funding authority must prove that the court's needs for money are **unreasonable and unnecessary** and that the court has **abused its discretion** if conflicts go to court. Funding authorities generally lose these conflicts.

Funding authorities that do not comply can be found in **contempt of court** and sent to **jail**.

Court Costs, Fines & Mandatory/Permissive Fees

Complex Distribution—State/County & Still More Special Revenue Funds

Mandatory Court Costs

Some to state, Some Retained Locally

Fines for Violations

Very Complex Distribution to state and locals depending on if charge is violation of state law or municipal ordinance

Local Permissive Filing Fees

Usually for Specified Purposes

Selected Special Funds in County Treasury

Court Computerization & Legal Research

Computerization of Clerk of Courts Office

Dispute Resolution

General Special Projects

Specific Special Projects

Boards & Commissions

How Established

Boards Established or Authorized by Law

Some Specify Statutory Members

Some Designate President of BCC

Some Designate Appointing Authority

Some Specify Appointing Authority in Documents Organizing “District”

The Big Ones

Children Services Board

Developmental Disabilities Board

**Alcohol, Drug & Mental Health
Boards**

Board of Elections

Veterans Service Commission

Boards & Commissions

Commissioners Serving On

&

Commissioners Appointing To

Automatic Data Processing Board

Board of Revision

Records Commission (Chair)

Microfilming Board

Board of Revision

Health Districts Advisory Council

County Planning Commission (All 3)

Executive Committee of Countywide EMA

**Variety of Corrections/Jail
Related/Other**

Public Defender

County Planning & Port Authority

County Planning, Zoning & Zoning & Building Appeals

County Transit

Joint EMS Service Board

Family Services Planning

Workforce Development

County Hospital Board of Trustees

Alcohol, Drug Addiction & Mental Health

Children Services Board

Development Disabilities

Transportation Improvement District

Arts & Culture District

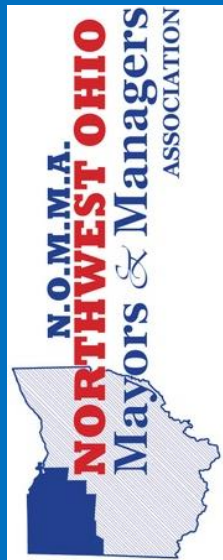
Convention Facilities

Free Public Library



Intergovernmental Partnerships

Other Local Government & Regional Agencies



- Cities
- Villages
- Townships
- Special Districts
- Schools Districts
- Regional Entities



Joint Ventures/Provision of Services?

Shared Services Opportunities

Meetings of County Township Trustee Associations in Your County

Meetings of Mayors & Managers Associations in Your County

. . . and Don't Forget Community Foundations & Other Non-Profits

Intergovernmental Partnerships

State of Ohio—Legislative & Executive



Viewing the “State” in it’s Different Roles

Enabler



Funder



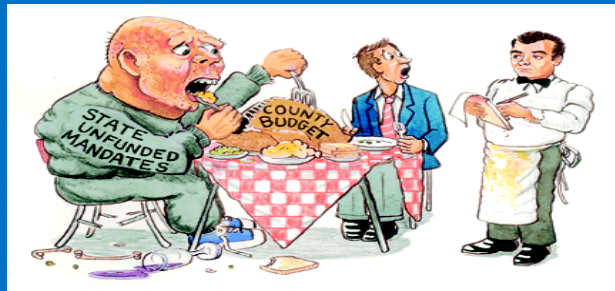
Prohibitor



Economic Developer



Mandator



Advisor

