

ABCD Fact Sheet 1

LOOKING FOR AN INVISIBLE GOVERNMENT

What are ABCD's?

ABCD's refer to Authorities, Boards, Commissions and Special Districts of Cuyahoga County government. The Commissioners' Guide notes that "through these organizations and the leadership of their members, the Commissioners provide a multitude of services and programs covering a wide range of social, economic and environmental issues."

What will the ABCD study do?

The ABCD study will explore in what sense it's the Commissioners who provide these services and programs, how the ABCDs fit into the organizational chart of county government, how members are appointed, how they are paid, to whom they report, whether they keep open records, etc.

How many ABCDs are there?

There are currently 45 boards for which the county Commissioners furnish at least one member. You can view the list at the Commissioners' Homepage, <cuyahogacounty.us/bocc/boards>. There are even two new ones: the Convention Facilities Authority and the Arts and Culture District, not yet listed. .

Who else appoints members to the ABCD's?

Other appointing authorities might be city mayors, judges, civic groups or neighboring counties. Some board members serve by virtue of the offices or positions they hold.

How or why are these boards formed?

All ABCD's have their basis in enabling state statues of the Ohio Revised Code, and a few are required by federal law. Many are also authorized by resolutions of the County Commissioners. Some boards make policy while others are advisory. Most boards appear to function autonomously once they are constituted.

Are all ABCD's under the jurisdiction of the County Commissioners?

No, some boards have no connection whatever to the County Commissioners -- to name a few: CMHA, County Board of Elections, Veterans Service Commission, County Board of Health, County Budget Commission, and Cleveland Metroparks. But even the 45 noted above function outside of Commissioner purview.

How are they funded and how do they function?

Some boards propose tax levies, charge fees, issue bonds, apply for private or government grants, receive federal or state funds, or appear as line items on the County's General Fund budget. Some boards cross county lines into neighboring counties. Most have paid staff, while others operate on a shoestring with volunteers. Some meet often and are highly visible while others have a low profile, scarcely meet and have several vacant seats.

Then how are these boards held accountable and to whom do they report?

That's a matter the committee is currently investigating. After all, here is a branch of county government that no one studies in high school government class, that appears on no official organization diagrams, that no one elects, and that very few citizens ever watch. Yet, ABCD's determine much area governance, such as Port Authority funding, Metrohealth administration, Tri-C education and RTA transportation, to name just a few.

What's the next step in this study?

The LWV Cuyahoga Area's study committee members are conducting interviews, research and detective work this summer to discover the levels of Commissioner oversight, and to explore issues of transparency and accountability.

You can help!

As you are reading your morning paper, listening to the news, or chatting with savvy acquaintances, watch for mentions of various boards or their members and chairs. Make note of the information and send it to Lynda Mayer at lbmayer@earthlink.net. Every Leaguer in Cuyahoga County is impacted by the work of these boards, which makes all of us a part of the team actually WATCHING our "Invisible Government."

ABCD Fact Sheet 2

OVERSIGHT, WHERE ART THOU

Why do we venture into the maze of Authorities, Boards, Commissions and Districts (ABCD's)?

It is a logical extension of ongoing explorations of how county government works. Citizens who attended our County Government 101 presentations were invariably surprised at the ABCD's apparent lack of transparency and accountability. League Principles and many positions at all League levels authorize members to demand government transparency and accountability. This maze is exactly the kind of territory Leagues like to enter!

What have we found out (or not) in the County Administrator's offices?

They keep one notebook with a page on each ABCD, containing its mission statement, the number of board members, the appointing authorities or special qualifications for those trustees, the dates of their announced public meetings, and the Ohio (ORC) statutes and/or county Resolution numbers which authorized them. This information can now even be accessed via a link on the Commissioners' Homepage. One can also get a somewhat outdated list of names of each ABCD's directors. But that is the extent of integrated information at the Commissioners' and our fingertips. For that reason, the committee has undertaken to contact almost all the ABCD]s ourselves.

What kinds of information are we seeking?

We want to know, additionally: how the board members are compensated, how they write their bylaws, how they are funded (particularly their public funding), how they are staffed and budgeted, whether they must report to anyone, whether any authority exercises oversight, and what kind of auditing they undergo. We also want to test the accessibility of each board to citizen inquiry.

How do Commissioners communicate with an ABCD, if they get a citizen inquiry or complaint?

Boards are accessible to Commissioners through informal phone contacts with a go-to source within each agency. Somebody at the county building always knows somebody on a board to call. Citizens can get an address or phone number from the homepage links mentioned above.

Is this informal or spotty accessibility ever a problem?

If Commissioners suspect an irregularity, they have sometimes hired the OH Auditor's office to do a performance audit. And, by way of their appointive powers, they can always seek to change a board's composition. However, they have no say about hiring and paying board employees, and the Budget Director has difficulty obtaining budgets or salary lists, even with an official request.

Do Commissioners exercise any other types of oversight to keep abreast of the many ABCD's?

Rarely. CEO pay and expense overages have been aired at Commissioners' meetings on several recent occasions. Current issues at the Board of Election show they can also appoint a fact-finding committee or "project manager" to look into malfunctions, even if they have no appointive authority. But otherwise, they do not routinely interfere with ABCD business, and the agencies consider themselves autonomous. At one time Commissioners appointed a deputy Administrator to keep atop ABCD's, but no longer. The current Deputy has many other responsibilities.

What kinds of integration have been tried, might be tried, or are even permitted by the ORC?

Further interviews with Commissioners and their special attorney from the Prosecutor's office will focus on that very question. Stay tuned for the next exciting installment.

ABCD Fact Sheet 3

F's (FACTS) + O's (OPINIONS) = CONSENSUS FODDER

County Government Committee members have collectively interviewed one County Commissioner, five members Prosecutor's Civil Division, the Director of Management & Budget, and the Deputy County Administrator for ABCD appointments (Authorities, Boards, Commissions and Districts). We have also individually interviewed contacts at about 25 ABCDs in the county. Here are some key F's and expert O's to help inFORM our upcoming Consensus decisions:

F -- IMPORTANCE: ABCD's spend far heftier combined dollar amounts, including their own tax revenues, than does the county alone through its General Fund budget.

F -- FUNCTIONS: If the ORC (Ohio Revised Code) does not authorize a specific kind of ABCD. then statutory counties (87 of 88 Ohio counties) may not establish one. The only way around this limitation is setting up an Advisory Board within ORC parameters. These lack authority, however.

F -- AUTONOMY: ABCD's are independent, quasi-governmental bodies. Commissioner influence over them and their spending is limited to the power to appoint or occasionally to appropriate/withhold discretionary county funding. Directors do NOT serve at the pleasure of their appointers, and state laws, not Commissioners, spell out protocols of their operation.

F -- OVERSIGHT: Commissioners have few tools to oversee the operations of ABCDs, because ORC does not confer any. Current county-sponsored election monitors at the Board of Elections are there only because of an unwritten agreement with the BoE. Otherwise, Commissioners can focus only a public spotlight or a bully pulpit on board activity. They have no authority to monitor funds from the independent revenue sources (levies, fees, US & OH funds) many ABCD's have.

O -- APPOINTMENTS: There are ample candidates for the paid ABCD board positions (salaries set by ORC) but a dearth of volunteers for the uncompensated positions. Not enough citizens appear to be interested. No one alleged links to politics, patronage or campaign contributions.

F -- SUNSHINE: All ABCD's must be authorized by ORC statute and so are subject to state open meetings and records laws. Others (501 c3 or 6 bodies which resemble ABCD's) are not. Our interviewers were frequently invited to attend sessions and view documents.

O -- ACCESSIBILITY: Most ABCD's we interviewed were receptive and glad someone was interested in their operation. A few interviewers did, however, report obstacles. Descriptions and contact information, though not always up to date, is easy to obtain for those citizens who can use the County Homepage's new weblink to "Boards and Commissions".

O -- ALTERNATIVES: One alternative to proliferating ABCD's might be conversion of some boards into integrated administrative departments. In general, Commissioners have more leeway in structuring their administrative departments than they do over ABCD's. But here are the obstacles: (a) NO, if state funds are involved; (b) NO, unless ORC specifically enables; (c) NO if judicial appointments are involved, and (d) NO, if other governments or agencies share appointing power. That leaves very few boards which could be converted, even with a Charter.

O -- OVERHAUL? The General Assembly would need to change features of the ORC in order to cause changes our interviewees favored. But the lawyers believe the Legislature has little interest in county governance or ABCD's. A slightly more unitary County Charter government could be drawn up to convert a few boards or to mandate some oversight, they thought.

F -- MORE? Attend one of our four January chapter meetings to find out any tidbits overlooked here. We will also discuss consensus questions, before taking them home and make up our collective minds what might be done to improve the system.

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Information provided by LWV Cuyahoga Area