

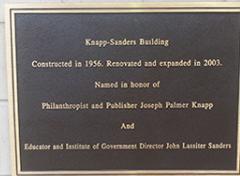
# County Government 101

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Winter 2018

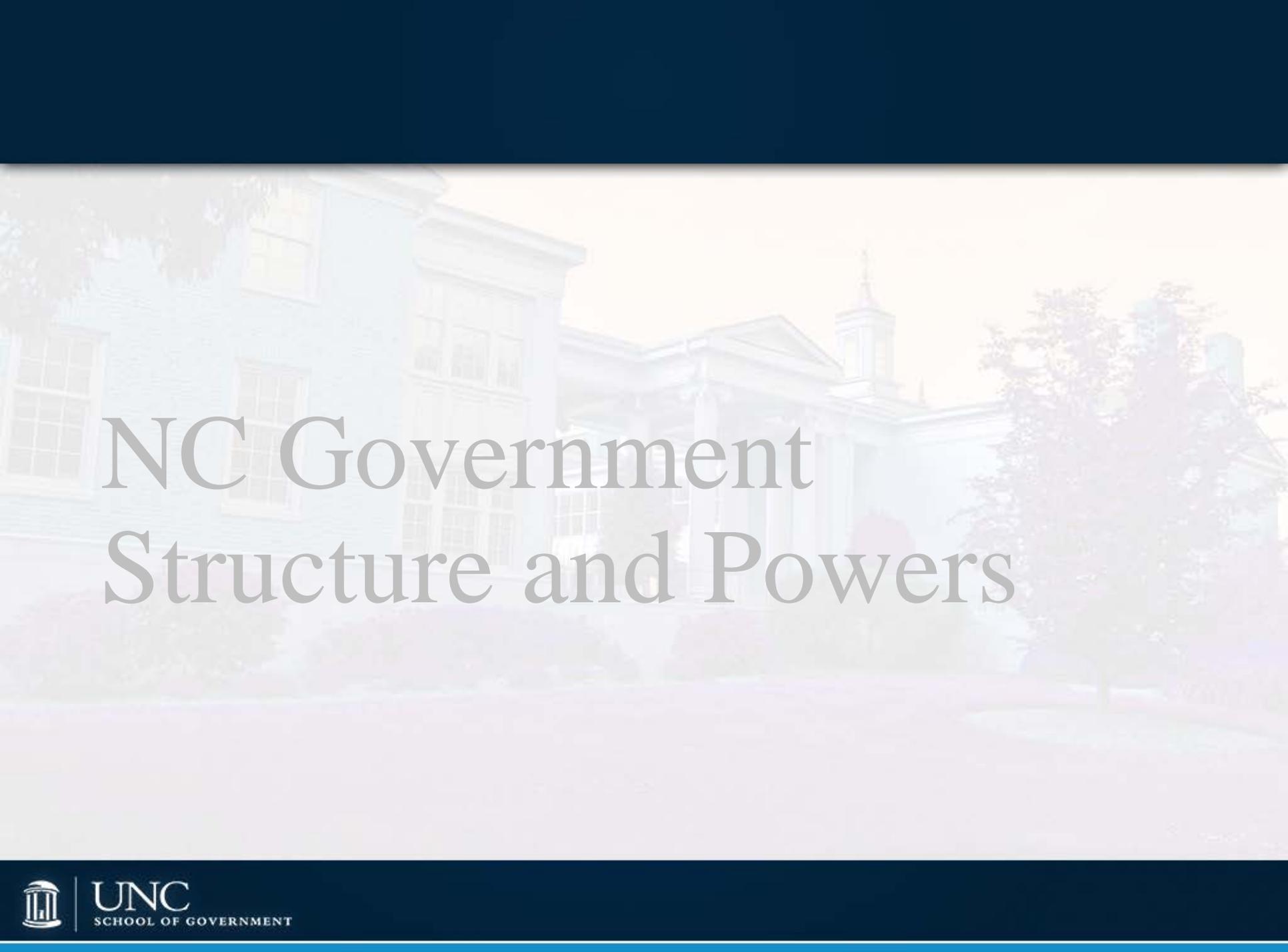


UNC  
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# Agenda

- **NC Local Government Structure and Powers**
- **Mandated and Authorized County Functions**
- **County Government Structure**
- **Shared Responsibility**

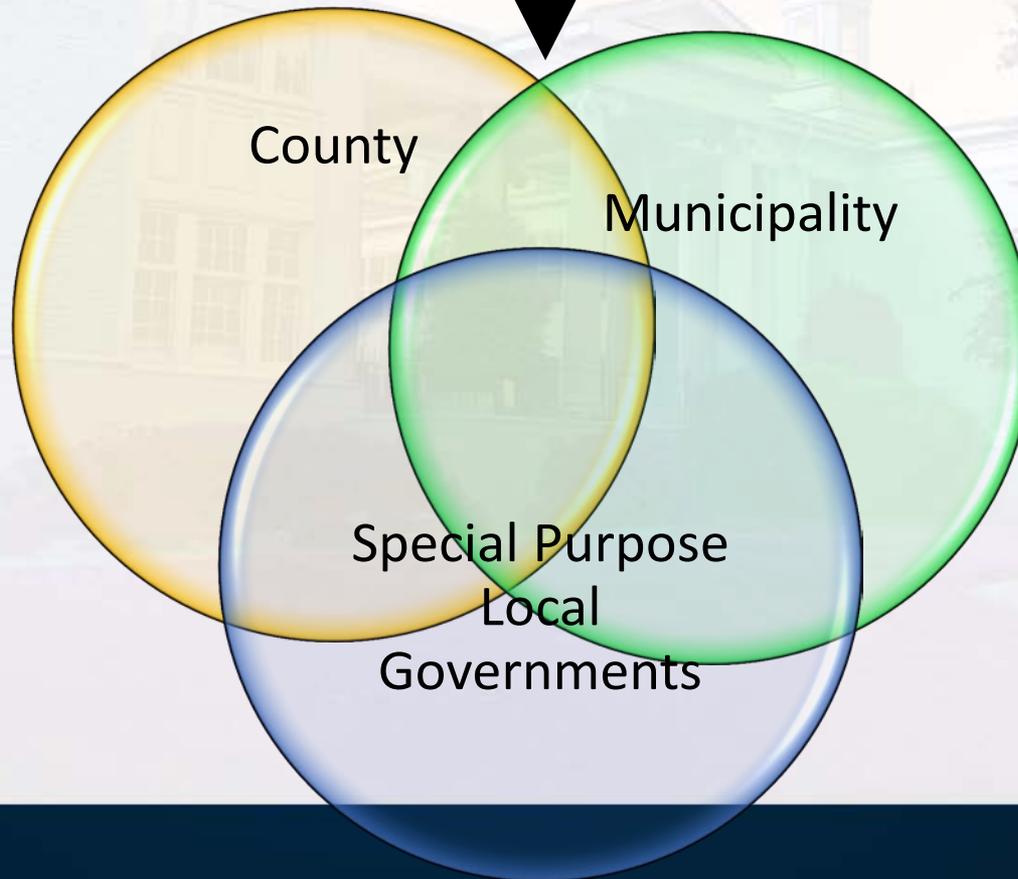




# NC Government Structure and Powers

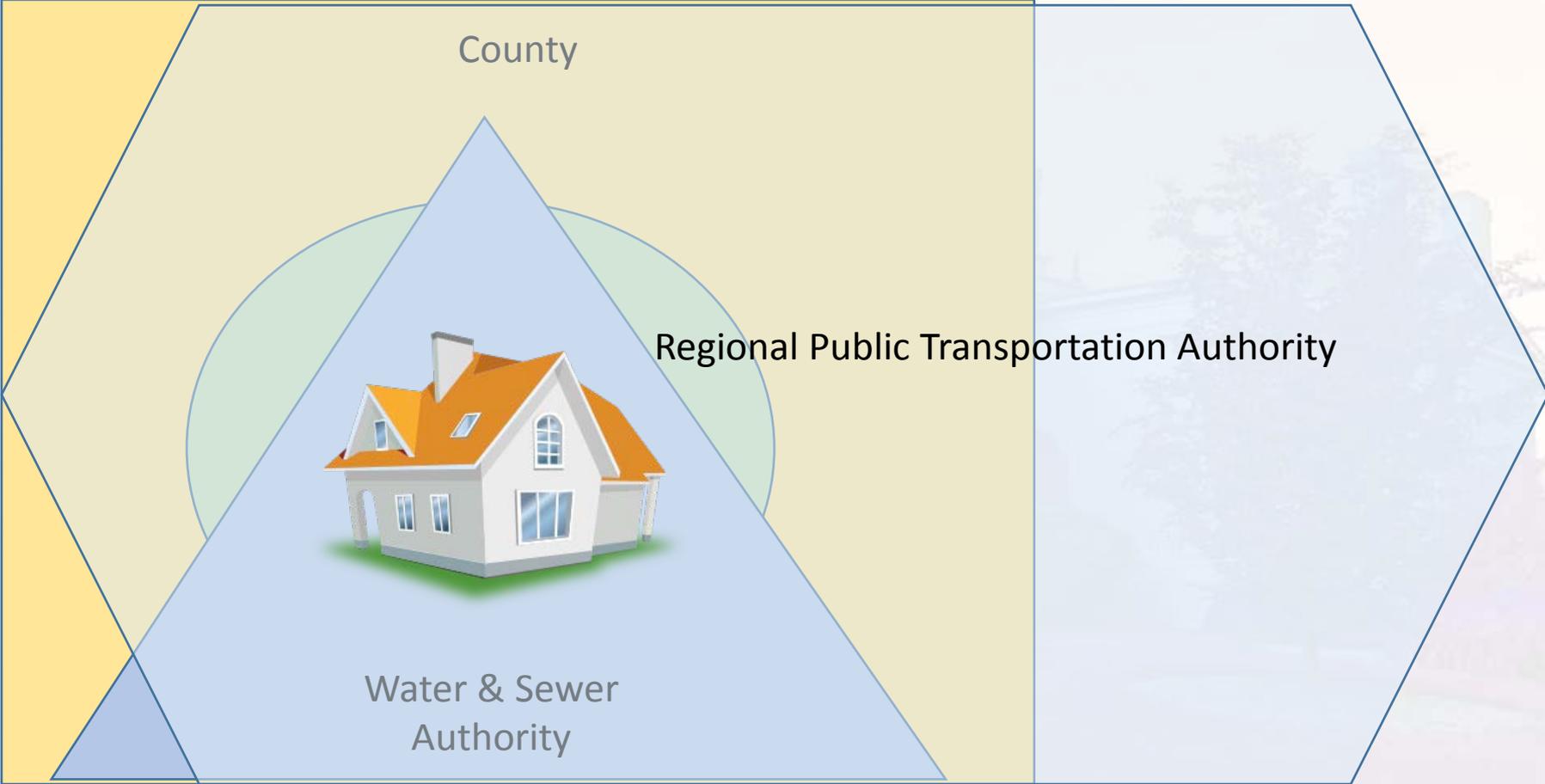


# General Assembly



<p style="text-align: center;"><b>Counties</b></p>	<p style="text-align: center;"><b>Municipalities (Cities, Towns, Villages)</b></p>	<p style="text-align: center;"><b>Special Purpose Local Governments (Public Authorities)</b></p>
<ul style="list-style-type: none"> <li>• Primarily mandated functions ("arm of the state")</li> <li>• Broad discretionary authority (urban-type services)</li> </ul>	<ul style="list-style-type: none"> <li>• Only 1 mandated function</li> <li>• Broad discretionary authority (urban-type services)</li> </ul>	<ul style="list-style-type: none"> <li>• Single / limited function</li> <li>• Often regional boundaries</li> </ul>
		<ul style="list-style-type: none"> <li>• School administrative units</li> <li>• Sanitary districts*</li> <li>• County water and sewer district*</li> <li>• Metropolitan water / sewer districts*</li> <li>• Mosquito control districts*</li> <li>• Special airport districts</li> <li>• Public transportation authorities</li> <li>• Housing authorities</li> <li>• Redevelopment commissioners</li> <li>• Water and sewer authorities</li> <li>• Soil and water conservation districts</li> <li>• Parking authorities</li> <li>• Tourism development authorities</li> <li>• Regional natural gas districts</li> <li>• Public health authorities</li> <li>• Councils of government</li> <li>• Regional planning commissions</li> <li>• Regional planning and economic development commissioners</li> <li>• Mental health, development disabilities and substance abuse authorities</li> <li>• District health boards</li> <li>• Regional libraries</li> <li>• ABC boards</li> </ul>





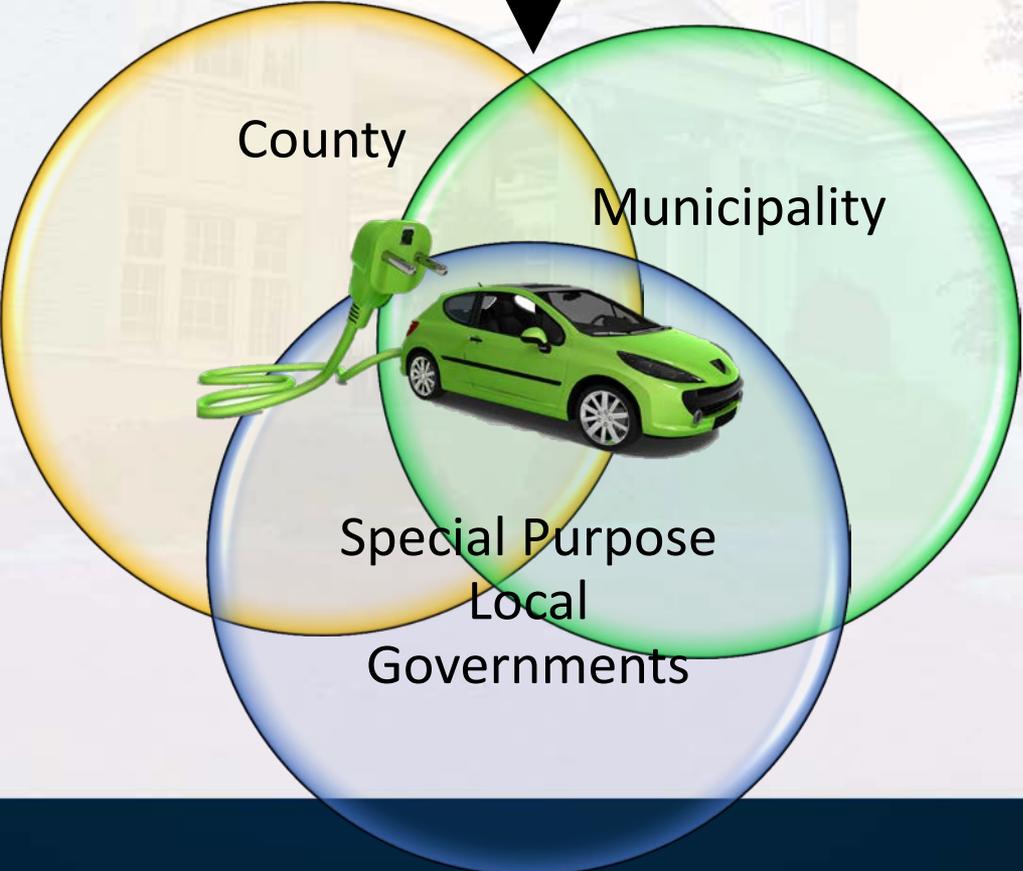
County

Regional Public Transportation Authority

Water & Sewer  
Authority



# General Assembly



# Which of the following actions can the General Assembly legally take?



Enact a law removing from office all of the current members of a board of county commissioners and replacing them with other specified individuals.



Enact a law to un-incorporate an existing municipality.



Enact a law to eliminate the bidding requirements for a particular project to be undertaken by a particular county.



Enact a law creating an exception to the conflict of interest statutes applicable only in a specified county.



Enact a law to remove from counties their authority to engage in land use planning or zoning regulation.



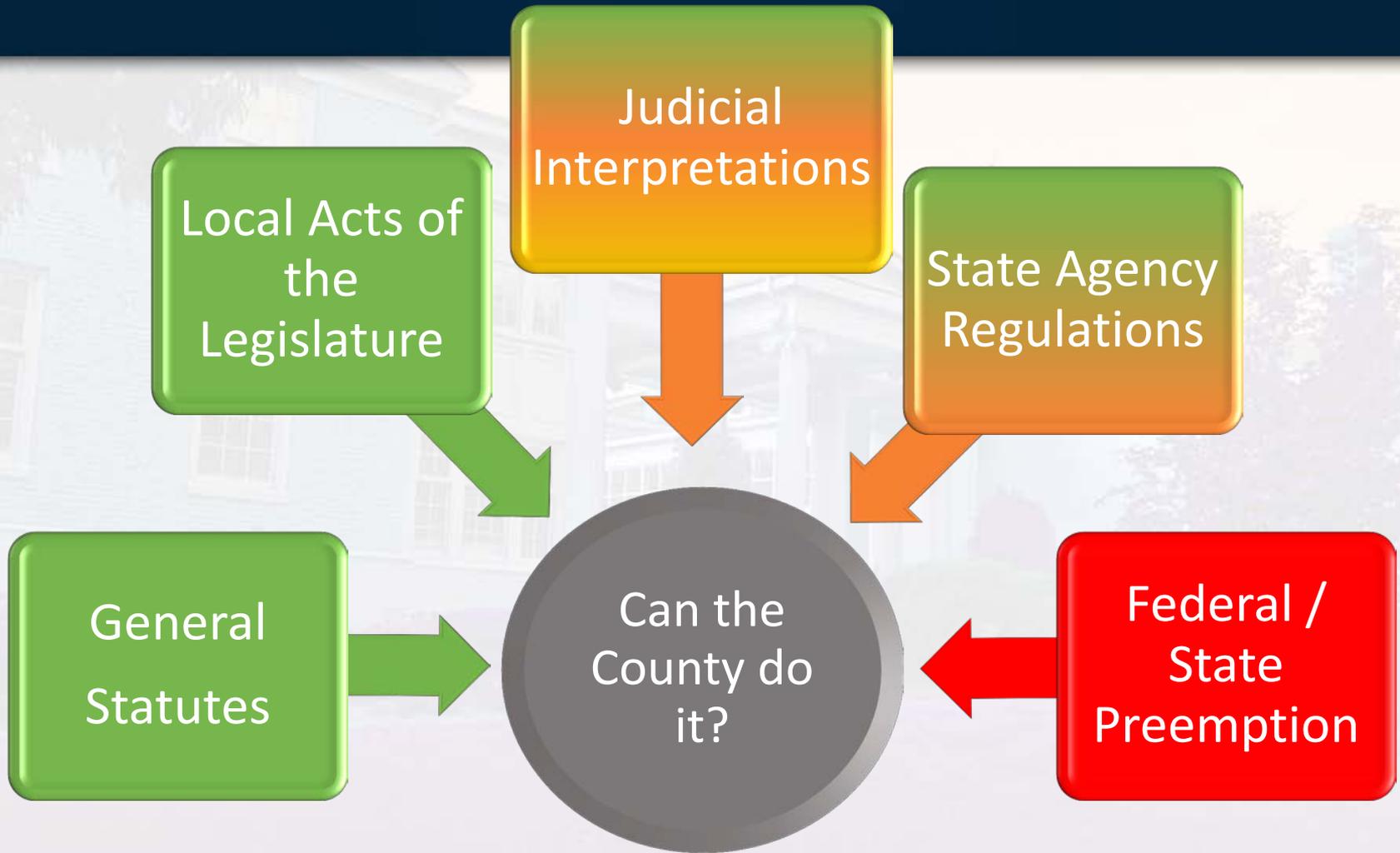
Withdraw the authority of a particular municipality to exercise regulatory authority in its extraterritorial jurisdiction (ETJ)

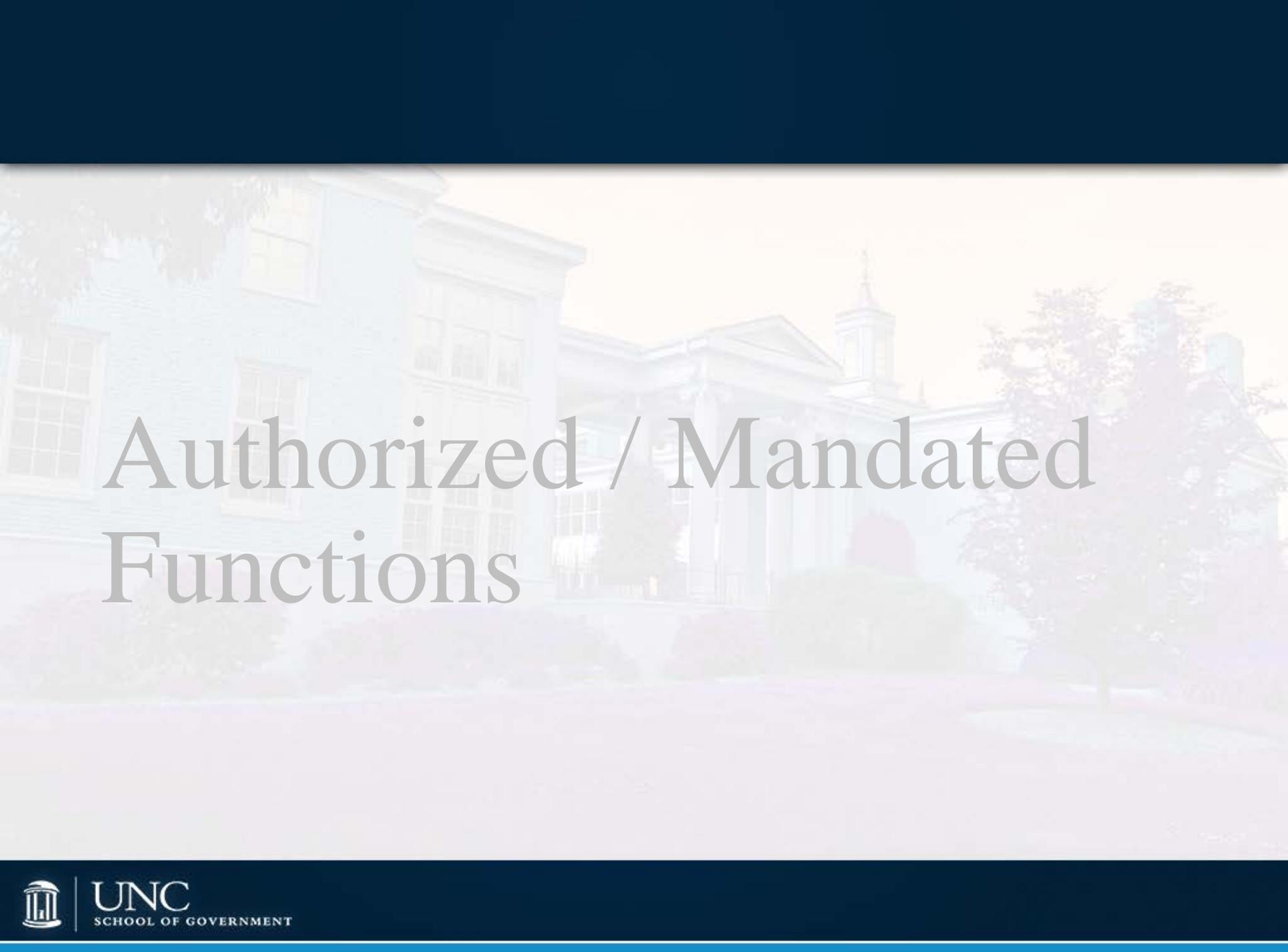
~~What statute says I can't do that?~~

**What statute says I can do that?**









# Authorized / Mandated Functions



Mandated  
County  
Functions

Elections Register of Deeds Sheriff Courts Public Health  
Social Services Mental Health Medical Examiner Community  
Colleges EMS Emergency Management Public Schools  
Property Assessment Building Code Enforcement  
Jails

Optional  
County  
Functions

Juvenile Detention Soil and Water Conservation  
Cooperative Extension County Home

Optional  
Municipal  
Functions

Libraries Solid Waste Public Transportation Hospitals EMS  
Airports Sewer Ambulance Fire/Rescue Water Parking  
Hospitals Regulatory Powers Parks and Recreation  
Stormwater Watershed Drainage Public Housing  
Community & Economic Development Land Regulation Parking  
Streets

Sidewalks Street Lighting Cable/Broadband Police Electric  
Natural Gas Police Cemeteries EMS  
Downtown Development/Redevelopment

Mandated  
Municipal  
Functions

Building Code Inspection

# NC vs. Other States

- State has primary responsibility for funding education and highways
- Counties have primary responsibility for human services at the local level
- Counties have authority to provide most urban-type services
- Counties and cities have extensive authority to regulate and direct urban development
- Counties and cities have broad authority to enter into interlocal agreements and form regional partnerships
- Heavy reliance on general-purpose local governments (counties and cities) to perform most local functions (e.g. schools do not have taxing authority)

## General Government

- Law enforcement
- Land use planning
- Local regulation
- Parks & recreation
- Fire
- Community & economic development
- Human services
- Elections
- Register of deeds
- Education
- Libraries
- Parking
- Public Housing

## Public Enterprises

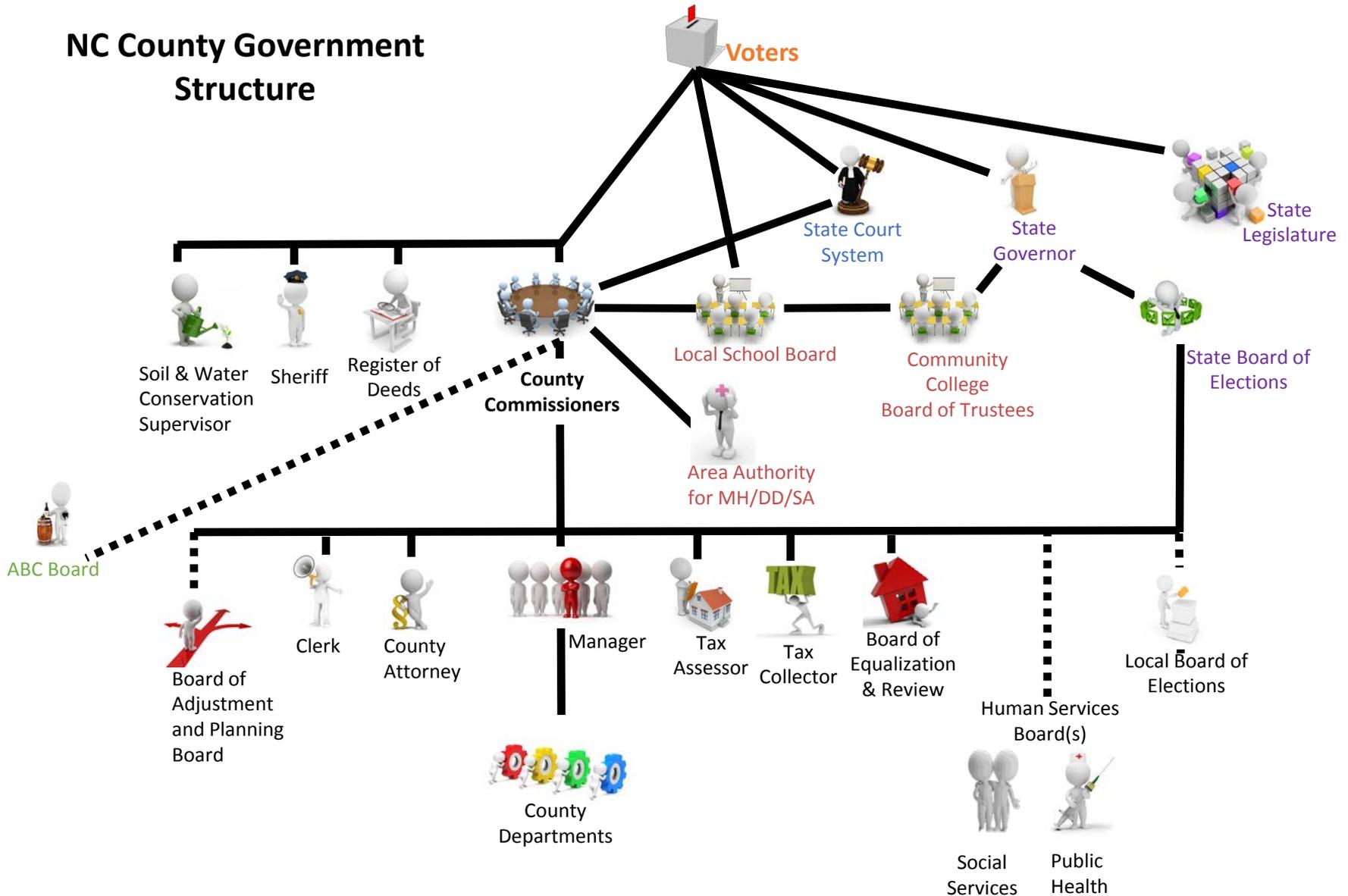
- Water
- Sewer
- Solid Waste
- Stormwater
- Public Transportation
- Airports



# County Government Structure



# NC County Government Structure





# Shared Responsibility



Major State-Mandated Functions	Policy-Setting Authority	Funding Authority / Responsibility	Control Over Personnel
Law Enforcement	State, Sheriff, County Board	County Board	Sheriff (but County Board sets number of personnel and compensation)
Register of Deeds	State, County Board	County Board	Register of Deeds (but County Board sets number of personnel and compensation)
Public Schools	State, Local Board of Education	State, County Board	Local Board of Education
Public Health	State, Local Public Health Board/County Board	State, County Board	Local Public Health Board/County Board
Mental Health	State, Regional Mental Health Board	State, County Board	Area Mental Health Authority Board
Social Services	State, Local Social Services Board/County Board	State, County Board	Local Social Services Board/County Board
Elections	State, Local Board of Elections	State, County Board	Local Board of Elections (but county board sets total salary amount)
Community Colleges	State, Community College Board	State, County Board	Community College Board



# Role of County Commissioners



- Fund mandated functions
- Regulate land use/conduct
- Set general fiscal policy for county
- Oversee administration and financial management
- Work with other elected/appointed officials and boards

# May the County Commissioners....

 set county election workers' salaries?

 make funding for a new high school conditioned on the location of the school?

 fire the sheriff for embezzling money from the county?

 decide against funding the Cardinal Innovations (mental health, development disabilities, substance abuse services) because it does not agree with the governing board's service provision decisions?

indirectly



require the register of deeds to submit to monthly financial audits?

