



LOCAL GOVERNMENT IN TEXAS: COUNTIES PART II

El Paso county was created in 1850, and honestly, it hasn't changed much since then. We're using 19th-century tools to deal with 21st-century problems.

County Commissioner Vincent Perez

County Government in Texas: Appointed County Officials



- auditor
 - appointed by the district judge(s) in counties with a population over 35,000
 - serves as check on financial operations of other county offices
- county health officer
- county agricultural agent
- home demonstration agent
- county surveyor



County Government in Texas: Local Employees, 2011



	number	Texas rank
employees	1,134,000	2
employees per 10,000 population	451	7
average earnings	\$42,489	35
per capita government expenditure	\$4,820	21
per capita government debt	\$7,868	3

County Government in Texas: County Employees

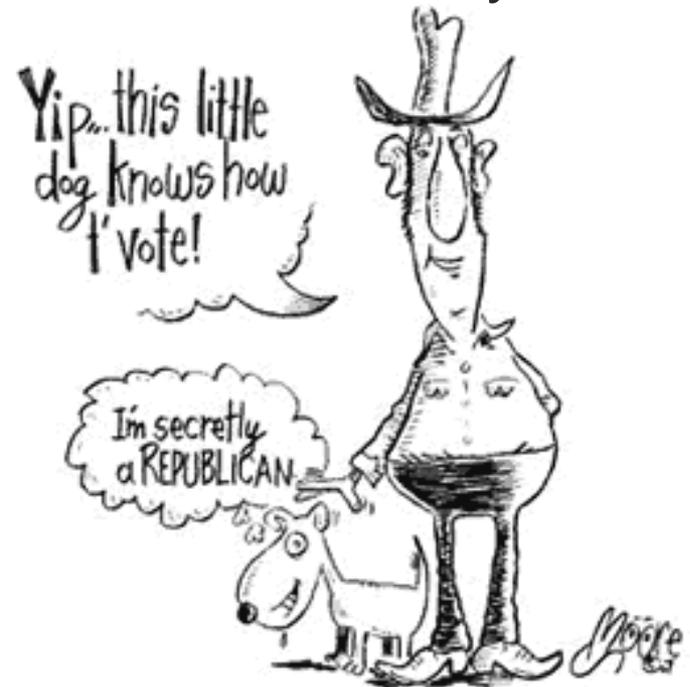


- The Texas Local Government Code allows counties with 200,000 or more people to create a **merit system or civil service system**: a system where people receive government jobs based on a set of qualifications and formal training, and where job promotion and pay increases are based on job performance.
- A civil service system for a county is administered by a **county civil service commission**, appointed by the commissioners court for terms of two years.
- The commission develops job definitions, qualifications, job classifications, promotion and tenure requirements, and disciplinary and grievance procedures.
- Few Texas counties use a civil service system.



Texas County Politics

- Participation is more personal and more issue-oriented than at higher levels.
- The nature of county politics depends on the county.
- In rural and small-town Texas, county government is high profile because counties are the primary units of local government.
- In urban areas, county government is big business, but low profile.



Moore Texas by Roger T. Moore Nov. 11, 1885: Fisher became the 1st town in Fisher County. However, Roby later won a vote to become the County seat. One of the "voters" was BILL PURP, a Roby residents dog!

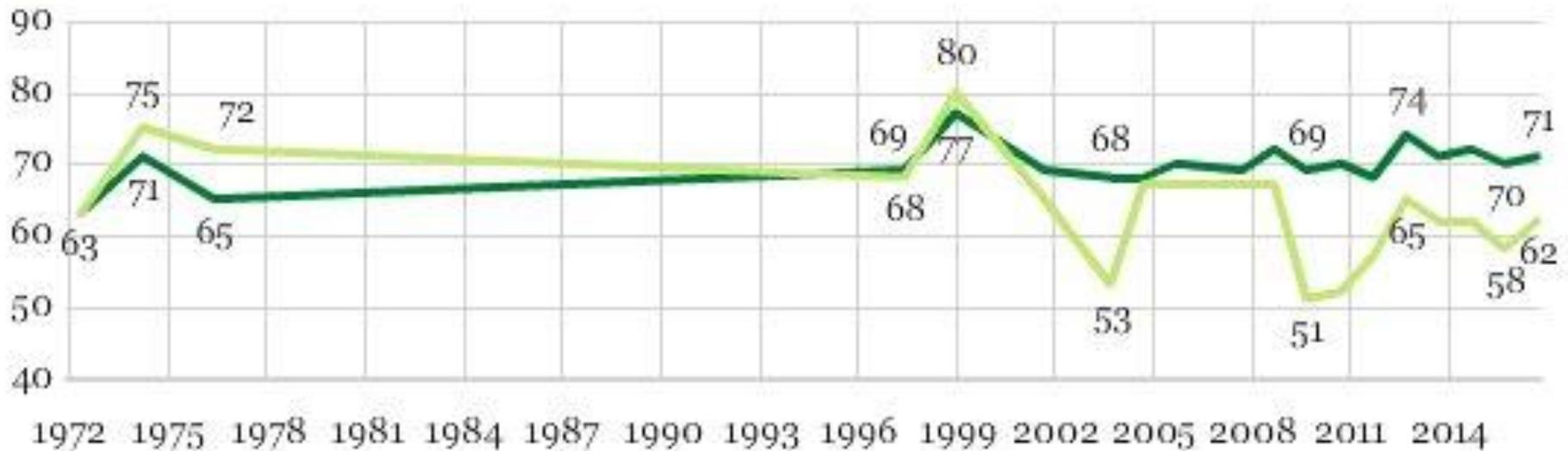


Public Confidence in Local Government

How much trust and confidence do you have in ...

% Great deal/Fair amount of trust

- The local governments in the area where you live when it comes to handling local problems?
- The government of the state where you live when it comes to handling state problems?



Texas County Politics



- County government in urban areas is **important, especially to selected segments of the population**, such as individuals without health care and residents of unincorporated areas who rely on the county for various services.
- County politics in urban Texas involves **conflict** between downtown and the suburbs, with undercurrents of race and ethnicity, class and party politics.
- County politics is characterized by partisanship, precincts and a long ballot.





Texas County Politics

- **Partisan elections** for county officials place an emphasis on party politics which increases the likelihood that the average voter will understand what a candidate's approximate political position is.
- To a great extent, discussions of state parties and elections also describe county politics.



Texas County Finances



- Revenue and expenditure patterns among counties vary considerably depending on the size of the county, its degree of urbanization, its poverty rate and other factors.
- The county judge is required to prepare a budget each year, which commissioners then approve or disapprove.





Texas County Revenues

- **property taxes:** main source of revenue for county government ... based on a tax rate set by the commissioners court subject to the maximum tax rates determined by the state legislature
 - may impose higher property taxes that would generate up to 8% more revenue than the previous year without citizens' ability to initiate a roll back on the higher rate
- **fees from motor vehicle licenses**
 - Motor vehicle registration fees are pass-through fees ... they go back to the state.



Property Tax Rates of the Five Largest Counties in Texas



County	Tax rate per \$100 valuation
Bexar (San Antonio)	\$0.318471
Dallas	\$0.203900
El Paso	\$0.410817
Harris (Houston)	\$0.399860
Tarrant (Fort Worth)	\$0.272500
Travis (Austin)	\$0.487200

Texas County Revenues



#254
STRONG

BEWARE SIMPLE SOLUTIONS
TO COMPLEX PROBLEMS



A RESTRICTIVE REVENUE CAP

will squeeze county budgets and make it harder for counties to meet the rising costs of state mandates.

- GENERAL ADMINISTRATION
- FINANCIAL ADMINISTRATION
- JUDICIAL
- PUBLIC SAFETY
- ROADS & BRIDGE
- HEALTH & WELFARE
- LEGAL
- PUBLIC FACILITIES
- DEBT SERVICE
- MISCELLANEOUS



WILLIAMSON COUNTY



DE WITT COUNTY

Squeezing county budgets in the name of property tax reform won't solve the problem. **But it could threaten critical county services.**



POTTER COUNTY



WEBB COUNTY

ONE SIZE DOES NOT FIT ALL

Unfunded state mandates and other uncontrollable cost drivers can run up county budgets faster than property values rise in many of Texas' 254 counties.

WHAT DISCRETIONARY SERVICES CAN COUNTIES CUT?

- Sheriff's Patrols
- New Roads
- Mental Health Services
- Libraries & Parks
- Family & Elder Services
- Tax Abatements
- Economic Development
- Nuisance Abatement



(800) 456-5974
county.org





Texas County Revenues

- **miscellaneous user fees and fines** such as fees on the sale of liquor
 - Some fees are left to the counties such as jury fees, breath-testing fees, etc. Many exist in the area of criminal justice.
 - Counties have increased their reliance on fee revenues.
- service charges
- traffic fines
- Counties may borrow money through **bonds** to pay for capital improvements (new jail, new court house, etc).



Texas County Revenues



- intergovernmental transfers
 - chiefly welfare money that is passed down from the national government to the Texas Department of Human Service to the counties
 - various state programs such as state maintenance of farm-to-market roads and state highways
 - [Federal Funds to Texas by County, 2010](#)
- selected counties have been authorized to collect a sales tax





Federal Earmarks for Texas, 2004

Top Ten and Bottom Ten Earmarks for Texas from the Federal Omnibus Appropriations Act, Fiscal Year 2004

Rank	City/County	Description	Amount
1	Houston	FBI Building	\$58,080,000
2	Eagle Pass	Border Station construction	\$31,980,000
3	Dallas	North Central Light Rail Extension	\$31,161,283
4	Houston	Houston Area Air Traffic System	\$25,000,000
5	Del Rio	Border Station construction	\$23,966,000
6	Houston	Project GRAD-USA, Inc.--Program focusing on school reform	\$20,000,000
7	McAllen	Border Station construction	\$17,938,000
8	West Texas	Efficient Irrigation	\$10,350,000
9	San Antonio	Courthouse Construction	\$8,000,000
10	Houston	Houston Advanced Metro Transit Plan--New starts	\$8,000,000

274	Harris	Harris County--Economic development study of Unincorporated Revitalization Program in Precinct 2	\$100,000
275	Williamson	Williamson County--Community center construction	\$100,000
276	Abilene	CityLink Public Transportation Services--Job Access and Reverse Commute grant	\$100,000
277	Texas	Wool research	\$90,000
278	San Antonio	San Antonio Food Bank--land acquisition and facility build out	\$75,000
279	Texas	Dairy and meat goat research	\$57,000
280	Dallas	Today Foundation--Expansion of Imagination Station literacy program	\$50,000
281	Houston	Houston Independent School District--River Oaks elementary school	\$50,000
282	Houston	Houston Community College System--Accelerated nursing proficiency center	\$50,000
283	Austin	Capitol Area Boy Scouts--Juvenile justice program discretionary grant	\$25,000

Texas received almost \$469 million in earmarked funds in the 2004 federal appropriations process spread across 283 separate earmarks. These range from large multi-million dollar projects to small projects with price tags of just several tens of thousands of dollars. Every project is important to those in the project area. The biggest projects serve broader interests. In Texas these involve border security, transportation, and areas with a high public profile. Smaller projects are targeted to serve narrower constituencies.



Texas County Expenditures

- **indigent health care**: A typical county spends the largest share of its budget on health and welfare programs, but expenditures for health care depends on whether the county maintains its own public hospital or pays another county for hospital services.
- **operation of county jail**: Costs for jails have risen considerably as a result of state mandates.
 - [Texas County Demands Fed Payback for Jailing Illegal Aliens](#)
- road and bridge construction and maintenance
- law enforcement
- operation of county and district courts



Bexar county jail



Issues in Texas County Government

- County government has both staunch defenders and harsh critics.
- Proponents believe that counties are the unit of local government that is **closest and most responsive to the people**.
- Critics charge that county government is a **relic** of the 19th century, inefficient and often corrupt.



Issues in Texas County Government: The Long Ballot



- ...an election system that provides for the election of nearly every public official of any significance
- Critics charge that the long ballot makes it difficult for county voters to intelligently choose qualified officeholders, at least in urban areas.
- There are concerns for democracy, or at least that it does not work well, if voters are unaware of public officials.
- Critics would like to reform the system to make county officials more accountable, at least in urban areas, perhaps by consolidating positions or providing for the appointment of officials by a single county executive.

Issues in Texas County Government: Apportionment



- County precincts had long been mal-apportioned, both to try to insure the reelection of incumbent commissioners and to divide county road mileage equally among precincts.
- The Supreme Court ruled in 1968 (*Avery v. Midland County*) that counties are subject to the one person-one vote rule, requiring that electoral districts must be of roughly equal population size.

• County apportionment has resurfaced as an issue in recent years in disputes over adequate opportunities for ethnic minorities to contend for county offices.



Presidio County

Issues in Texas County Government: Lack of Ordinance Power



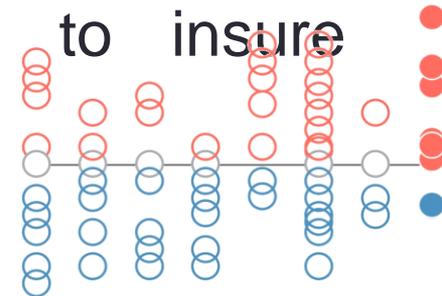
- The lack of general ordinance power means that counties cannot pass laws pertaining to the county.
 - *Elgin Bank v. Travis County* (1999)
- More specifically, counties do not have the ability to **zone land** to ensure appropriate usage in a given area, such as polluted water supplies when land developers start to work.
- Counties do have authority to protect the health and welfare of its citizens and thus may regulate landfills or mandate inoculations.



Issues in Texas County Government: Management Practices



- County governments are the last bastions of the **spoils system**: hiring and firing employees for political reasons.
- A spoils system may result in **pluralism**: a work force that reflects the cultural diversity in society.
- A spoils system can also lead to the appointment of **unqualified people**, a **high turnover rate** and **elitism**: a group of people who represent a narrow spectrum of society.
- A civil service or merit system and an adequate pay scale for county officials would improve governmental performance, promote fairness and help to insure accountability to the public.



Issues in Texas County Government: Conflict of Interest



- ...a situation in which the personal interests of a public official may clash with that of the official's responsibilities
- Critics believe that county operations make conflict of interest inevitable with respect to awarding government contracts.
- Because state law prohibits competitive bidding, individual commissioners decide which firms receive the contracts for work in their precincts.

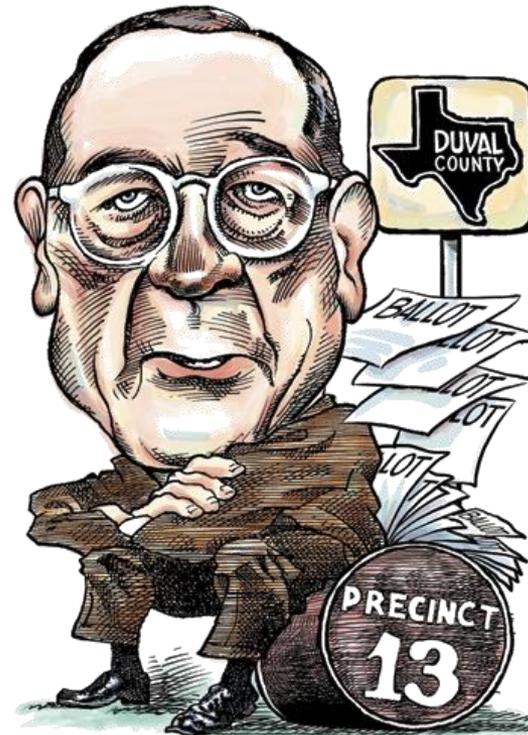


- Of concern is the absence of centralized purchasing in most counties since each department contracts for goods and services on its own, often without the benefit of competitive bids.

Issues in Texas County Government: Conflict of Interest



- Decentralized purchasing by county governments is inefficient and creates the possibility of corruption.
- As a result, the contracting process is highly controversial.
- [The Dukes of Duval County](#)



Issues in Texas County Government: Decentralization and Accountability



- Critics believed that decentralization of county government makes it difficult for county officials to fulfill the responsibilities of their offices and impossible for voters to accurately evaluate their performance.
- In many instances, the commissioners have no direct control over the elected department heads who administer county programs.
- Too, unless a county has a unit system, individual commissioners are responsible for roads and bridges in their own precincts creating inefficiency and waste.

Issues in Texas County Government: Structural Inflexibility and the 21st Century



- Of concern is whether county government is able to respond to contemporary policy problems, especially in urban areas.
- Lack of ordinance-making powers makes it difficult for county government to address contemporary problems.



- If counties could make ordinances, they could better address issues of urban development in unincorporated areas, such as land use, flood control, environmental protection and neighborhood integrity.



The Evaluation of Texas Counties

- Texas counties are less bureaucratic than other governments and the evaluation of county organization and politics is mixed.
- County officials may be highly responsive to public demands because they must face competitive elections.
- Although the commissioners court lacks authority to give explicit orders to subordinate officials, it can influence the behavior of other elected officials by controlling the budget.
- Partisanship and the restrictive structure can lead to governance problems. Commissioners often squabble over petty matters and citizens have difficulty deciding whom to hold accountable.





The Evaluation of Texas Counties

- Voter turnout is low for county elections and the media tend to ignore county government.
- Texas counties do not have the flexibility to adopt a structure, such as a county manager or appointed administrator, that is appropriate for the size and complexity of a particular jurisdiction.
- While it may be highly democratic and responsive to citizens, the willingness of county elected officials to attend to the needs of individuals and to deal with details can easily lead to corruption.
- Texas counties are 19th century organizations struggling to cope with 21st century society.



Prospects for Reform in Texas Counties



- Texas counties **need greater flexibility** to encourage more professional delivery of services.
- **Centralized purchasing** and use of the unit system of road and bridge construction and maintenance would allow counties to take advantage of economies of scale.
 - **unit system**: system that concentrates the day-to-day responsibilities for roads in the hands of a professional engineer rather than individual county commissioners
- **More cooperative delivery of services** is recommended but, except for El Paso county, Texas counties are probably not yet ready to explore the forms of city-county cooperation that exist in other parts of the country.



Prospects for Reform in Texas Counties



- **consolidation**: merging of county government with other local governments to form a single local government
- County officials have considerable political influence, but commissioners in less populous counties, who outnumber their counterparts in urban counties, are reluctant to push for change.
- **Reform is likely only with greater citizen interest and participation.**



County Government and Public Policy

- Counties operate within the constraints imposed by the federal and state governments and by the economic environment.
- County governments are limited governments and must conform to rules and regulations established by higher levels of government.
- County officials have room to make meaningful policy decisions within the boundaries established by outside forces. Thus, for county governments **policymaking is influenced to a large extent by external forces.**



County Government and Public Policy

- In many counties, **elite families** play an important role in decisions.
- **Ad hoc-issue specific organizations** are important in policymaking in almost all counties.
- [VG Young Institute Of County Government](#)
- [Texas County Websites](#)
- [County Progress](#)



Wharton's economy is dependent on the county government

The End

