KANSAS LOCAL GOVERNMENT: A REPORT TO THE GOVERNOR

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EXECUTIVE SUMMARY

In August, 1986 Kansas Governor John Carlin asked the Department of Public Administration and the Institute for Public Policy and Business Research of the University of Kansas to examine local government organization. Local governments provide the basic services that effect the daily lives of Kansans. In this period of limited state resources and increased demands for services, especially to encourage economic development, efficiency in service delivery is a central concern in government. This report examines how the structure of local government diminishes efficiency and explores several reforms that promise to increase efficiency.

- * Kansans are facing a period of severely limited public resources at a time when new governmental investments are needed to improve the economic future of the state. The efficiency of government services—providing the most service with fixed resources—is, therefore, central to the future of the state.
- * The major finding of this study is that the proliferation of governmental authorities in Kansas makes it impossible to examine the efficiency of services. Efficiency is not part of the design of local government service delivery.
- * Kansas has 4,073 governmental authorities; only four states have more. The large number of local government authorities indicates that Kansas government is highly decentralized. Decentralization increases local control but raises concerns about the consistency and efficiency of the delivery of government services.

- * There are two basic approaches to increasing efficiency in government. One is to develop standards and outcome measures for services. The other is to set up stringent administrative control over the delivery of services. A mixture of both is needed in Kansas local government.
- * The report reviews the different forms of local government authorities. In general, when a new service is needed a new governmental authority is created. These special districts are governed by elected officials with little functional accountability to larger jurisdictions, such as counties.
- * The review of governmental authorities indicates considerable overlapping of responsibilities between jurisdictions. Broader public interests, such as increasing economic development, can be hampered or diminished by special or narrow interests entrenched in local governments.
- * County taxes and allocations indicate wide variation in the costs of services across the state. The differences represent the higher costs of providing basic services in rural communities and small governing units.
- * The report examined four types of reforms attempted by Kansas local governments.
 - 1) Numerous local governments have reduced costs and increased accountability by fostering the production and provision of services through private organizations.
 - 2) Other local governments have turned to professional management to improve efficiency.
 - 3) When services or problems cross jurisdictions, various Kansas local governments have improved efficiency by consolidating administration and specific functions. The combined city/county law enforcement in Riley County is an excellent example. Formal consolidation is, however, difficult to achieve.
 - 4) As an alternative, many local authorities have established intergovernmental agreements to reduce overlap and increase cooperation without eliminating established authorities.

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INTRODUCTION

Kansas has 4,073 governmental authorities. Only four states—Illinois, Pennsylvania, Texas, and California—have more. The average number of governmental units per state is 1,647. Included in this number are authorities with broad reaching responsibilities, such as City Commissions, as well as those that serve specialized needs, such as airport authorities. Most of these units of government tax citizens and provide services that directly affect their lives.

The great proliferation of local governments in Kansas has advantages and disadvantages. The number of units suggests that much of Kansas government is highly decentralized. Citizens with irrigation problems, concern for public schools, or interest in industrial development turn to governments of neighbors rather than large state agencies. Local problems receive local attention. The large number of governmental units does, however, raise serious questions about the consistency and efficiency of the delivery of services.

The major finding of this study is not that local governments are poorly managed or that services are inefficiently

provided. This examination of the structure of local government makes a more basic point. The proliferation of governmental authorities in Kansas makes it impossible to meaningfully answer questions about the quality and efficiency of services delivered to Kansans. Responsive and effective local governments exist alongside narrow and wasteful ones. Efficiency is left to the knowledge, good will, and earnest efforts of individual local government officials. Efficiency is not part of the design of local government service delivery, and the potential for problems is, therefore, high.

There are two basic approaches to improving efficiency in delivering government services. One approach is to develop standards and outcome measures for services. Minimum competency tests for public schools are an example. While researchers have developed measures of recreational, transportation, crime control, fire protection, and other services, in practice these measures are rarely applied to local government services.

One advantage of encouraging efficiency by measuring results is that it fosters a variety of approaches to delivering services. Services could be delivered by private firms, special districts, or government bureaucracies as long as costs and outcomes are measured and compared. Unfortunately developing and applying outcome measures for the wide range of government services is technically difficult and costly.

The second approach is to set up stringent administrative

control over the delivery of services. The process assures accountability and facilitates the communication of information about standards and performance. The bureaucratic approach increases the likelihood of consistency of meeting standards of effectiveness by augmenting supervision. Unfortunately, establishing this kind of professional management for local government services can change the character of local government. Professionals rather than citizens manage services. In addition, establishing administrative control over services adds overhead costs that may, in the end, reduce efficiency.

This report on local government in Kansas has three major sections. The first section describes the forms and

responsibilities of the various types of governmental authorities in Kansas. In the second section, the issues and problems that result from the structure of local government are identified. The final section discusses the problems and advantages of the various options for the reform of local government.

LOCAL GOVERNMENT IN KANSAS

Counties

County government exists to provide public services and to protect the property rights and the general health and welfare of the people. In an effort to accomplish this county governments have a dual role: first, as an agent of the state, and second as a government entity itself. County governments are empowered to "transact all county business and perform such powers of local legislation and administration as they deem appropriate" (KSA 19-101a).

Powers as an agent of the State

As an agent of the state, the county governments have considerable responsibility for taxation. In addition, counties appraise real estate and personal property and collect and distribute taxes for the state. Counties register and license vehicles and sell hunting and fishing licenses. They are also responsible for ensuring that state election procedures are strictly followed.

Powers as a Government Entity

As a separate governing entity, counties provide seven major types of services:

Roads and Highways. The construction and maintenance of roads and highways is a major expense for counties. Some

Counties in the state of Kansas have what is known as the County Unit Road System which places the county in charge of all roads in the county except state and municipal roads. Where there are no county unit road systems township roads are under the jurisdiction of township officials.

Public Safety. Public safety is a traditional function of county government. It includes police protection, crime prevention, and the maintenance of a county jail. The county commission can also set up fire districts within the county in non-municipal areas. The county commission can be the governing body for the fire district or defer to a board of trustees.

Health and Social Services. Health and social services include nursing and the enforcement of sanitary regulations. Counties can own hospitals and may provide ambulance or emergency medical services. Counties also provide mental health and other special help programs. Some counties cooperate with the municipal districts in their area to provide city-county health departments.

Environment. Counties are required by law to formulate plans for the collection and disposal of solid waste. They also may establish benefit districts for constructing and maintaining sewers, and can incorporate special district governments.

<u>Parks</u> and <u>Recreation</u>. This includes state lakes, 4-H buildings, pools, zoos, golf courses, and parks depending upon the type of services that the commission would like to provide.

<u>Planning and Zoning</u>. This responsibility includes county planning commissions, and some counties provide zoning and subdivision regulations.

Other. Counties can provide other services including airports, libraries, civil defense, animal control, museums, historical sites and cemeteries.

Cities and Municipal Corporations

Cities are created primarily for the purpose of providing local services and government to the residents within the prescribed geographic area. They are bound to provide services based only on common law principles. The Kansas Statutes

Annotated do not specifically spell out the services that a city must provide, but the statutes provide guidance for setting up municipal services.

There are six major types of services that cities typically provide:

Police. Police protection ranges from a few marshalls in smaller cities to full fledged police forces in larger municipalities.

Municipal Courts. Cities may set up municipal courts to enforce traffic violations and municipal ordinances.

Fire. Cities may set up their own fire services, but in smaller cities they frequently ask to be a part of the fire districts set up by the County.

Planning, Zoning, Building Regulations, Licensing. This can include planning commissions; comprehensive municipal plans; subdivision regulations and zoning districts; building, electric, plumbing and fire codes; and business regulation and licensing.

Streets, Public Works, Public Utilities. Municipalities are responsible for maintenance of their own streets and can construct sidewalks. The city may be divided into sewer districts to provide sewer services to the residents. Cities of the first and second class may establish street lighting districts. Cities may provide or contract for refuse collection. Cities may also provide water, electricity, and gas.

Parks, Recreation and Airports. Cities can provide parks, pools, zoos, airports, cemeteries, museums, public libraries and civic centers. Cities also may issue industrial development bonds to encourage economic development.

Townships

Townships are quasi-corporations and held to be local subdivisions of the state for the purpose of governmental administration. At one time townships provided certain important functions as agents of the state, but now much of their power has been revoked by the state and placed in the hands of counties or municipalities. The powers which townships continue to exercise include licensing of entertainment facilities and road maintenance. In a few counties township zoning boards may be established. Townships also play a role in the administration of

special district/limited purpose governments.

Special Districts; Limited Purpose Local Governments

Special districts or limited purpose local governments are

designed to supplement existing local governments. Special

districts are a major source of government proliferation in

Kansas. They have taxing and spending powers. Even though

special districts are responsible to cities, counties, or the

state, they retain a great deal of autonomy. This discussion

will describe each type of special district; the various

governmental forms special districts take; and their different

sources of revenue, responsibilities for spending, and powers.

Types of Special Districts

Irrigation Districts. Irrigation districts may acquire rights-of-way and sites for irrigation works, easements, water rights, and property. These districts may construct, maintain and operate dams, reservoirs, slurries, ditches, and canals for irrigation and may extend main ditches into adjoining counties and through as many counties as necessary to obtain an adequate water supply.

<u>Conservation Districts</u>. The primary purpose of conservation districts is to develop comprehensive soil conservation plans for landowners.

Groundwater Management Districts. The primary purpose of groundwater management districts is to manage and conserve

groundwater resources within the district.

<u>Watershed Districts</u>. The primary purpose of watershed districts is to alleviate erosion, control floods, and reduce stream sedimentation through the construction of works of improvement, primarily dams.

<u>Drainage Districts</u>. The primary purpose of drainage districts is to provide flood protection and proper drainage for areas susceptible to these problems.

Community Junior College Districts. Community and Junior Colleges provide comprehensive and diversified programs of study which include not only academic or general education, but also vocation and adult education programs for the people of their service area.

<u>Library Districts</u>. Library districts are designed to establish and provide library services to the areas included within the entity's boundaries.

Hospital Districts. The primary purpose of hospital districts is to construct, purchase, or otherwise provide for the operation of a hospital facility for a district. They are also authorized to operate nursing homes and medical clinics. Dental clinics and medical emergency services may also be established.

Industrial Districts. Industrial districts are designed to encourage the growth of industry in a county by giving certain industrial areas powers to govern themselves as well as to afford industries within the district certain tax breaks. They

construct or provide storm and sanitary sewers and sewage disposal systems, steam lines, streets and street lighting, waterworks, water wells, water lines, fire stations and fire fighting apparatus, incinerating plants, dumps for industrial waste, administrative offices, first aid facilities, and hospitals.

Community Building Districts. Community building districts are designed to manage, operate, and maintain a community building.

Airport Authorities. Airport authorities are designed to acquire and manage air bases and other property declared surplus by the United States, the state, or any political subdivision.

Cemetery Districts. The primary purpose of cemetery districts is to provide for the care and maintenance of cemeteries. They maintain, operate and regulate cemeteries within the district (including abandoned cemeteries); buy, sell or convey lots and buy additional lands for cemetery purposes; regain title of lots sold to persons who have abandoned those lots under certain circumstances; and, in selected counties, maintain and improve roads leading to the cemetery.

Improvement Districts. The primary purpose of improvement districts is to provide limited urban or municipal services such as sewers, water service, and roads.

<u>Fire Districts</u>. The primary purpose of fire districts is to protect life and property from uncontrolled fires.

Sewer Districts. Sewer districts are created to dispose of sewage. Sewer districts establish and construct a sewer system, including sewage disposal plants and pumping stations, and connect the sewer system with any creek, river, ravine, or other place within ten miles of the district.

<u>Lighting Districts</u>. Lighting districts provide lighting in platted but unincorporated areas.

Rural Water Districts. A rural water-supply district may construct, install, maintain, and operate dams, wells, and other works as necessary. They construct, maintain, and operate ponds, reservoirs, pipelines, wells, storage, and usage of water. In addition to these water and sewage districts, there are two water districts in Geary County, the Unified Wastewater District in Johnson County, the Big Bend Water District in Reno County, and two sewer and water districts in Riley County.

Recreation Commission. Recreation commissions are responsible for conducting recreation programs in a locality and managing recreation property.

Governmental Forms of Special Districts

The Governing Body section provides an overview of the administrative structure of the special districts. While many variations exist among the districts, in general elected boards oversee the operation of the districts and select their officers from among themselves. Remuneration is minimal in all cases.

The narrative below provides individual descriptions for the column headings.

 $\underline{\text{Number}}$ in $\underline{\text{Kansas}}$: the number of districts operating in the state.

Elected Board: districts whose board members are elected by members of the district are denoted by an X.

Appointed Board: districts whose board members are appointed by the state or county are denoted by an X.

Remuneration: districts whose board members receive some form of compensation for their service are noted in this column. A blank space indicates that no mention of remuneration was found in the sources.

Board Size: the number of district board members is recorded here. Some districts have different size boards.

 $\underline{\text{Length}}$ of $\underline{\text{Term}}$: the length of a board member's term of office.

Staggered Term: districts whose board members serve in staggered terms are denoted by a YES. A blank space means no mention of staggering was found, and simultaneous terms are assumed.

Officer Election: the term "Board Appointed" means that board members elect their own officers. If the space is left blank, usually the highest individual vote-getters from the general board election receive the officer positions. Table 2 describes the legal origins and the manner of

dissolution of the special districts. Usually, state enabling legislation provides the basis for establishment of the districts, subject to a petition effort by those persons affected by the creation of a district. In most cases, the power to dissolve a district is related to the power to create a district; a petition procedure and enabling legislation are involved.

Table 1. Covernmental Forms of Special Districts

TYPE OF SPECIAL DISTRICT	Number in Kansas	Elected Board	Appointed Board	Remuner- ation	Board Size	Length of Term	Staggered	Officer Election
Irrigation	7	×		YES	е	1 YEAR		¥.
Soil Conservation	105	×			N	3 YEARS	YES	BOARD
Ground Water Management	1	×		EXPENSES	3 TO 15	3 YEARS	YES	BOARD
Watershed	83	×			3 TO 33	3 YEARS	YES	BOARD
Drainage	78	×			Э	3 YEARS	YES/NO	BOARD
Community Junior Colleges	19	×			9	4 YEARS	YES	
Library	32		×		5, 7, 10, SCHOOL	4 YEARS	YES	BOARD
Hospital	29	×	×	EXPENSES	5,7,9	2, 3 OR 4 YEARS	YES	BOARD
Industrial	2	×		YES \$1/YEAR	5,7	2 YEARS		BOARD
Community Building	2	×			7			BOARD
Airport Authority	Э		×	EXPENSES	ī,	3 YEARS	YES	
Cemetery	747	×	×		'n	4 YEARS	YES	
Improvement	22	×		YES	3	2 YEARS		BOARD
Fire	350		×		3 70 9	PLEASURE OF BOARD		
Sever	63	CO. COMIN.						
Lighting	6	COUNTY						
Rural Water	2	×		YES	UP TO 9	1 YEAR		BOARD
Recreation Commission	154		BY CITY OR SCHOOL BOARD		5			BOARD

State: the district was created through state statute and/or other direct state action.

<u>County</u>: the district was created by the county government, with enabling legislation from the state and appropriate petition procedures.

 $\underline{\text{City}}$: the district was created by the city government, through enabling legislation from the state and appropriate petition procedures.

<u>Township</u>: the district was created by the township, through enabling legislation from the state and appropriate petition procedures.

An X denotes which governmental unit has the power to dissolve a particular special district. Most dissolution efforts must originate from a petition of persons living within a district.

An X under the "Petition for Dissolution" section indicates which category of individuals is required for petition signature - tax payers, land holders, or registered voters.

Taxing and Spending Powers of Special Districts

The Fiscal Powers section and Table 3 describe the financial authority of the special districts. Most districts have the power to levy taxes or establish user fees or charges.

Taxing: authority to levy taxes.

Bonding: authority to issue bonds.

Assessment: authority to levy assessments.

Debt/Loans: authority to borrow money, apart from issuing bonds.

 $\frac{\text{Federal}}{\text{receive}}$ $\frac{\text{Aid}}{\text{federal}}$ the district receives or is eligible to

<u>State</u> <u>Aid</u>: the district receives or is eligible to receive state aid.

County Aid: the district receives or is eligible to receive county aid.

Table 2. Creation/Dissolution Authorization

Recreation Commission OR SCHOOL DISTRICT	Xural Marrer			Seven	Fire	Improvement	Cemetery X X	Airport Authority X X	Community Building X			Library X X X OR U.S.D.	ty Junior Colleges X	Drainage X X		ter Management	Soil Conservation X X	Irrigation X X	TYPE OF SPECIAL DISTRICT State County City Township State	SOURCE
OR SCHOOL							*	×		×		×							City	SOURCE
												OR U.S.D.							Township	
					×										×		×		State	
	×		:	*		×		*											County	DISSOLUTION
					ar ct-1	ANNEXABLE		×											City	
						×							SCHOOL						Tax- Payers	PETI
	×	×	:	<						×				×	×		×	×	Uwners Owners	PETITION FOR DISSOLUTION
					×		*		*		×	×				*			Registered Voters	SSOLUTIO

Gifts: the district is allowed to accept gifts.

Charges/User fees: authority to establish fees for the
district's services.

Other Powers of Special Districts

Table 4 lists the types of authority each district possesses. The scope of district powers varies widely among the districts; the ability to enter litigation and engage in contracts are the most widespread powers.

 $\underline{\operatorname{Eminent}}$ $\underline{\operatorname{Domain}}\colon$ the authority to acquire by purchase, condemnation, or other means private property for district purposes.

<u>Legislative or Rule Making:</u> the authority to adopt rules and regulations for the governance of the district.

Enter <u>litigation</u>: the authority to sue and be sued.

Contractual: the authority to enter into contracts on behalf of the district.

<u>Construction</u>: the authority to construct the necessary facilities for operation of the district.

 $\underline{\text{Hold land}}\colon$ the authority to own and hold land for district purposes.

able 3. Fiscal Powers of Special Districts

TYPE OF SPECIAL DISTRICT	Texing	Bonding	Assessment	Debt/ Loans	Federal	State A1d	County	6111	Umer Feem
Irrigation	×	×	×	×					×
Soil Conservation						×	×	×	×
Ground Water Management		×	×			×			×
Watershed	×	×	×		×	×			×
Drainage	×	×	×		×				
Community Junior Collegem	×	×				×		×	×
Library	×	×			×	×		×	
Hospital	×	×			×			×	×
Industrial	×	×							×
Community Building	×								
Airport Authority	×	×		×	×	×			
Cemetery	×							×	×
Improvement	×	×	×						×
Fire	×	×							
Sever	×	×	×						×
Lighting	×								
Rural Water	×	×	×	×		×			
Recreation Commission	BY CITY OR	2			×				×

able 4. Other Powers of Special Districts

_						
TYPE OF SPECIAL DISTRICT	Eminent Domain	Legialative Rule Making	Enter Litigation	Contract- ual	Construction	Hold
Irrigation	×				×	×
Soil Conservation		×	×	×		×
Ground Water Management	×		X	×	×	×
Watershed	×			×		×
Drainage	×	×			×	×
Community Junior Colleges	*	×	×	×		×
Library			×	×	×	×
Hospital	COUNTY	×			×	×
Industrial	1		×	×		×
Community Building		×				
Airport Authority	×	×	×	×		×
Cemetery					×	×
Improvement	×		×	×	×	×
Fire	×			×		×
S	×	×	×	×	×	
Lighting						
Rural Water	×		×	×	×	×
Recreation Commission	And the second s			×		

PROBLEMS IN GOVERNING LOCAL GOVERNMENT

The proliferation of governmental entities in Kansas creates a potential for problems in delivering services. In this section, two potential problems are discussed: the overlapping of responsibilities and the wide variation in cost and allocations for services. It is important to stress that this research can only identify the potential for problems and does not document the actual presence of problems. Such a finding would require an in-depth examination of specific local governments. Even where the potential for problems is high, many local governments have developed creative solutions to avoid the pitfalls of highly decentralized government.

Overlapping Responsibilities

Overlapping responsibilities present problems for all levels of government. Services and obligations are rarely confined to governmental boundaries, whether they are nations, states, or cities. Nevertheless with smaller governmental jurisdictions, the problem of overlap worsens.

In Kansas, as the preceding evidence indicates, overlap is present in a wide array of services but greatest in building and maintaining roads and highways and in police work. State, county, and city governments have shared responsibility for both areas. Although each local jurisdiction has responsibility for

roads and public safety within its own area, provision of effective transportation and criminal justice services depends on cooperation of different levels of government. When traffic congestion in cities requires a county by-pass or drunk drivers leave city limits, effective service depends on intergovernmental relations.

When collaboration between governmental jurisdictions is strained, services are diminished. This problem is exacerbated where the interests of each locality conflict. For example, building a by-pass may serve city residents at the cost of routing traffic through county farms. Highly decentralized local governments become special interests that make collaboration difficult. Larger governmental entities must respond to a wider range of interests and are thus more often forced to balance conflicting yet legitimate concerns. Broader public interests, such as increasing economic development, can be hampered or diminished by special interests entrenched in local governments.

The Variation in Costs and Allocation for Services

Two major and related potential problems created by the proliferation of local government jurisdictions are the unequal distribution of the costs and services of government. Small local jurisdictions may be efficient given their resources and scale of operation yet still may place a greater tax burden on residents to pay for services.

Table 5.
Tax Rate and Selected Services in Dollars per Resident

County:	General Operation	Roads & Bridges	Health	Total Rate	
ALLEN ANDERSON ATCHISON BARBER BARTON BOURBON BROWN BUTLER CHASE CHAUTAUQU	\$11.63 \$13.63 \$2.35 \$11.35	\$59.65 \$26.85 \$13.27 \$30.34 \$34.77 \$58.58 \$29.50	\$1.82	\$164.21 \$68.78 \$26.94 \$83.13 \$89.13 \$120.92 \$130.31 \$286.80	
CHEROKEE CHEYENNE CLARK CLAY CLOUD COFFEY COMANCHE COWLEY CRAWFORD	\$0.70 \$32.43 \$0.00 \$54.58 \$0.00	\$70.59 \$15.60 \$68.02 \$88.43 \$520.56	\$1.03 \$2.32 \$4.61 \$5.83 \$5.51	\$250.35 \$29.23 \$181.63 \$176.77 \$981.29 \$493.80	
DECATUR DICKINSON DONIPHAN DOUGLAS EDWARDS ELK ELLIS ELLWORTH FINNEY	\$11.89 \$16.04 \$9.78 \$28.52	\$42.13 \$14.06 \$69.28 \$85.55 \$82.02 \$45.18	\$0.00 \$3.56 \$0.00 \$5.70	\$104.01 \$190.83 \$268.81 \$146.16 \$174.97	
FORD FRANKLIN GEARY GOVE GRAHAM GRANT GRAY GREELEY GREENWOOD	\$10.78 \$8.40 \$0.00 \$31.29	\$178.81 \$186.48	\$0.49 \$0.73 \$0.00 \$5.82 \$6.13	\$108.27 \$66.71 \$298.25 \$554.15 \$513.13	

Table 5. Continued
Tax Rate and Selected Services in Dollars per Resident

			======	=====:	=======================================
County:	General Operation	Roads & Bridges	Health	Total	Rate
HAMILTON HARPER HARVEY HASKELL HODGEMAN JACKSON JEFFERSON JEWELL JOHNSON	\$111.39 \$19.81 \$12.77 \$52.04 \$69.04 \$21.77 \$2.80 \$20.90 \$0.80	\$90.25 \$16.97 \$243.01 \$188.23 \$37.61 \$31.38	\$6.98 \$8.32 \$1.40 \$0.00 \$1.56 \$1.40 \$2.69 \$3.53	\$224 \$77 \$424 \$581 \$170 \$116	.48 .91 .17 .55 .25 .11
KEARNY KINGMAN KIOWA LABETTE LANE LEAVENWORT LINCOLN LINN LOGAN	\$130.64 \$0.00 \$0.00 \$4.31 \$26.25 \$5.59 \$34.77 \$51.67 \$23.86	\$252.37 \$48.48 \$96.14 \$25.92 \$183.97 \$12.27 \$107.78 \$178.25 \$36.15	\$7.86 \$7.07 \$2.68 \$10.23 \$2.05 \$8.22	\$213. \$314. \$84. \$506. \$70. \$335.	53 27 81 74 51 13 22
LYON MARION MARSHALL MCPHERSON MEADE MIAMI MITCHELL MONTGOMERY MORRIS	\$15.76 \$14.10 \$11.51 \$1.50 \$21.43 \$5.84 \$14.70 \$8.94 \$12.40	\$37.03 \$73.22 \$27.80 \$4.01 \$133.94 \$37.24 \$53.72 \$28.49 \$85.58	\$2.44 \$2.58 \$2.26 \$0.29 \$9.57 \$0.33 \$1.94 \$1.99 \$2.82	\$122. \$137. \$289. \$89. \$179.	41 47 67 30 04 17
MORTON NEMAHA NEOSHO NESS NORTON OSAGE OSBORNE OTTAWA PAWNEE	\$84.49 \$9.03 \$8.16 \$19.80 \$4.80 \$12.36 \$0.00 \$42.14 \$11.13	\$148.12 \$30.35 \$29.33 \$165.55 \$0.00 \$17.75 \$43.02 \$105.57 \$32.74	\$13.21 \$0.00 \$1.61 \$6.43 \$2.12 \$1.67 \$1.34 \$6.38 \$3.99	\$915. \$122. \$95. \$362. \$197. \$87. \$147. \$293. \$119.	96 32 30 07 82 02

Table 5. Continued
Tax Rate and Selected Services in Dollars per Resident

County:	General Operation		Health	Total Rate	
PHILLIPS POTTAWATON PRATT RAWLINS RENO REPUBLIC RICE RILEY ROOKS	\$18.67 \$0.00 \$3.75 \$16.27 \$8.23 \$0.00	\$114.25	\$1.88 \$2.22 \$0.00 \$1.35	\$233.25 \$70.51 \$308.87 \$83.17 \$258.25 \$211.98 \$35.11	
RUSH RUSSELL SALINE SCOTT SEDGWICK SEWARD SHAWNEE SHERIDAN SHERMAN	\$0.00 \$0.00 \$14.86 \$11.96 \$54.12	\$69.55 \$19.79 \$7.30 \$10.15 \$61.95 \$9.76 \$157.40	\$3.94 \$2.63 \$0.41 \$0.00 \$0.00 \$4.49 \$2.71	\$68.16 \$20.73 \$70.47 \$104.51 \$88.26	
SMITH STAFFORD STANTON STEVENS SUMNER THOMAS TREGO WABAUNSEE WALLACE	\$8.75 \$10.12 \$39.54 \$10.90	\$276.80 \$39.13 \$39.48 \$89.52 \$51.30	\$0.00 \$0.00 \$0.00 \$1.91 \$2.31 \$2.16 \$1.97	\$203.90 \$58.66 \$714.07 \$143.57 \$137.07 \$280.85 \$130.41	
WASHINGTON WICHITA WILSON WOODSON WYANDOTTE	\$19.64 \$14.94		\$1.88	\$338.52 \$152.80	
mean stddev	\$18.30 \$22.33	\$77.41 \$74.43	\$3.17 \$3.48		

To examine this issue, the average dollar amount of tax money raised and spent per resident was examined across Kansas counties. There is wide variation within counties in the amounts individuals pay in property taxes, so the per resident averages are useful only for cross-county comparisons. These figures were generated based on the 1985 tax rate, assessed tangible valuation, and population. Table 5 displays the comparisons for general operating expenses, roads and bridges, health, and total tax rate per county.

The tax and expenditure rates in Table 5 obscure important differences between counties. For example, some counties include public safety in general operating expenses, others do not. Many larger counties create special districts which levy additional taxes that do not appear in these figures. More importantly, Kansas counties vary widely from low density, rural counties with valuable farm land to populated urban counties. Providing police services, for example, is simply more expensive on a per resident basis in rural than urban areas.

Despite these caveats, Table 5 documents the wide variation in county tax rates and expenditures for the selected services. For example, nearly \$495 is collected per resident in Comanche County, whereas \$57 is collected per resident in Johnson County. Even more comparable counties such as Douglas and Saline impose markedly different tax burdens, \$104 and \$68 per resident,

respectively.

Cherokee County, a rural county with low assessed tangible valuation, has the lowest per resident tax level of \$0.76. Its neighbor to the north, Crawford County, has slightly less than double the population but over 140 times the assessed tangible valuation. Residents in Crawford County pay, on average, \$84 a year in county taxes. Other rural counties with low population but high assessed valuation pay relatively high per resident taxes. In Coffey County the per resident is \$981; in Kearny \$810. Kearny's neighbors have much lower rates: Wichita, \$389; Finney, \$219; Grant, \$513; and Hamilton, \$589.

Table 5 documents the extremely wide variation across the state in tax rates and amount allocated for the selected services. This pattern is evident even ignoring the differences in population and assessed valuation. The county tax rate ranges from a low of 12.838 per \$1000 of assessed valuation in Seward County to a high of 62.1 per \$1000 of assessed valuation in Jackson County. Important differences between counties may partially account for the wide variation in tax rates.

Nevertheless the extent of the variation indicates a potential problem in the state.

One likely explanation for this is the relative cost of providing government services in rural communities. Figures 1, 2, 3, and 4 compare the per resident amounts taxed for health care, roads, general operations, and the overall rate to the

county populations in thousands.

The general pattern is similar in all four figures. As the size of the county increases the cost per resident of providing county services decreases. In addition, all four figures show a dramatic decline in tax rates per resident as the county populations grows from 4,000 to 6,000. The overall tax rate (see Figure 4) then levels off until the population reaches 11,000. The rate then declines steadily as the population increases. (The decline is more gradual than the slope of the line indicates because of the compressed nature of the population scale in the figures.) Expenditures for services and general operation tend to increase slightly in counties between 6,000 and 15,000 residents and then decline again as the population increases.

These patterns are likely the result of two factors: the higher costs of providing services in rural communities and the lack of economies of scale in small governing units. The first factor places limits on the ability of local governments to provide uniform services to all Kansans, while the second indicates the need to examine county governments more closely for areas of potential collaboration and consolidation to achieve greater efficiency.

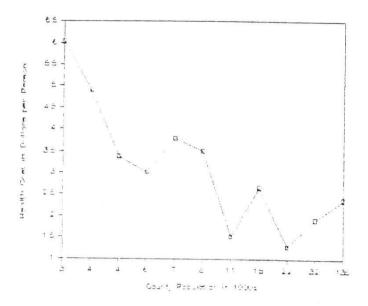


Figure 1. Health Expenditures per Resident by County Population

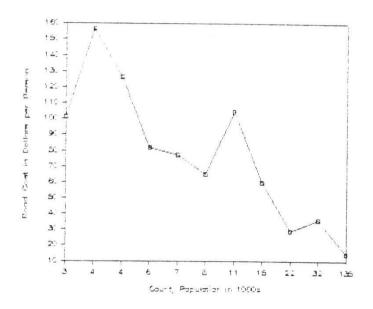


Figure 2. Road Expenditures per Resident by County Population

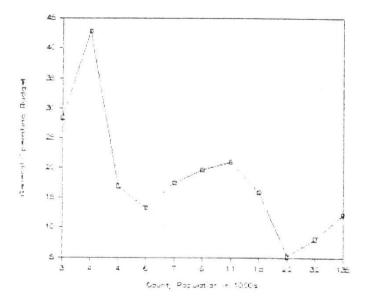


Figure 3. General Operating Budgets per Resident by County Population

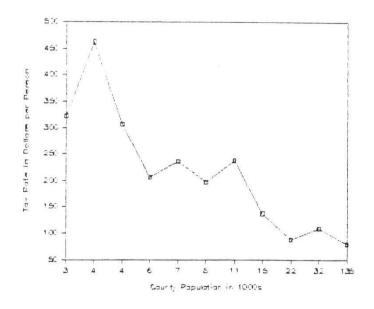


Figure 4. Tax Rate per Resident by County Population

OPTIONS FOR REFORM

No one is more aware of the patterns of proliferation and the problems in coordinating and funding local service than local government officials. It is important, therefore, to examine what local government officials are doing to mitigate these problems as the foundation for suggestions for reform.

Four types of locally generated reforms are discussed: privatization, professionalization, government consolidation, and cooperative agreements.

Privatization

In Kansas, privatization has paled in comparison with interlocal agreements to answer public demand for efficiency and
economy. Efficiency, economy, and equity are justifications for
privatization, yet each idea carries with it an ideal that is
reflective of how individuals view the role of government in
society. Privatization can prove more difficult to achieve than
other means of service improvement because it is often associated
with reductions in service.

Privatization in the United States has two meanings:

privatizing production or contracting out and completely

privatizing the provision of service. Contracting services to

private sector has traditionally been a role of government.

Privatizing the provision of public services is more

controversial. This form of privatization requires turning over areas of responsibility, such as prisons or schools, to business organizations. Privatizing provision is rare in Kansas.

Privatizing Production

Privatizing production is another term for contracting, in which governments turn more to private producers for services for which government remains responsible and for which government continues to finance. Governments turn to privatization of this sort for various reasons. They could see it as a way of economizing by reducing capital expenditures and debt. In addition, private firms can offer the expertise that government can find too expensive to provide themselves. Another motivation is efficiency. Contracts are a means of improving service for the individuals. Often privatizing production requires the government to set and measure performance. The presence of outcome measures rather than the fact that private companies complete the work may be the more important ingredient of efficiency.

Privatizing Provision

Privatizing provision occurs when government withdraws or reduces its role as buyer, regulator, standard setter, and decision maker. Some call this type of privatization load shedding. Privatizing provision is much more controversial than is privatizing production.

Therefore, in this country and in Kansas privatization therefore generally means contracting out. Very few services have actually been abandoned by government; but in many cases the role government plays has been reduced by the increase of private firms involved in the administration of public policies. Changes have been made, and these changes have reduced the control government has directly over individuals, groups of people, and policies in general.

Examples of Privatization

Trash Removal: Lenexa, Kansas

Individuals contract with private firms for the removal of trash from their place of residence. The City sets rate limits that the private services are bound to follow. All companies must be licensed by the City. By longstanding agreement, the City has never provided residential trash removal.

Snow Removal: Lenexa, Kansas

Private companies have an agreement with the City to operate on an on-call basis. If City traffic engineers decide that snow removal is too much to be done by the City-owned vehicles, then they call various private firms. Subcontracting provides more efficient snow removal during major storms for the citizens. Cost effective is increased because the City does not have to maintain a fleet of seldom used snow removal equipment to provide the better service. This same arrangement has been made for

large maintenance problems caused by storms or floods.

Johnson County Transit

The County "owns" the Johnson County Transit service, but a private vendor, ATA, provides the services. ATA provides their own vehicles and pay the employees. Private companies are more expert in this area, and it is more efficient for the County to contract with private companies. Subcontracting provides incentives for the company to provide a good service and keeps capital cost down. A major advantage to the county was avoiding issuing bonds and incurring debt to initiate the service. The County can define the level of service, provided they are willing to pay for it.

Professionalization

A second major approach to improving efficiency is shifting responsibility for the daily operation of local government from an elected board to a professional manager. This approach separates the broad policy-making role of elected officials from the management of offices and implementation of policy. Although the separation of management and policy is never complete, professional management promises to increase consistency and control, two dimensions of efficiency. Although recently Douglas County formally hired a professional manager, Johnson County provides a useful case example of this reform.

Although in 1976, Johnson County voters rejected home rule, the idea of a professional county administrator did not disappear. The 1976 reform would have eliminated several elected positions, including the sheriff, and established the appointed position of county administrator. In 1983, the county commission formally recognized the position of county administrator and appointed a professionally trained county administrator. An important element in Johnson County's decision to establish professional management was the presence of professional city management within the county. The duties and responsibilities of a county administrator are similar to those of city managers.

The primary advantage of professional county management cited by officials in Johnson County is increased coordination.

Instead of dealing with a number of department heads the commission deals with the administrator. The administrator, in turn, deals with the various departments. County administrators, in contrast to city managers, must deal with a larger number of autonomous departments. A county administrator has, for example, no authority over an elected sheriff. The degree of professionalization is determined, therefore, by the extent of centralization of authority in the county administrator.

At this time, professional county management is more common in large, urban counties. The size of budgets, number of departments, and scope of activities found in populated counties have necessitated greater management control. Nevertheless,

rural counties may present comparable management problems. The difficulty and expense of providing basic services in rural counties may require professional management. This is a reform more Kansas counties should consider.

Consolidation

When confronted with the fact that Kansas contains over 4,000 governmental units, many observers imagine consolidation to be the best and most logical response. Consolidation of governmental units implies more consistent delivery of service for more people, reduced overlap and conflict of duties, realization of economies of scale, and simplification of structure. Order is brought to the apparent chaos and fragmentation of local government.

Several different types of consolidation exist. Functional consolidation refers to the merging of specific operations, procedures, and functions within an organization (internal consolidation) or between two or more governmental units (external consolidation). For example, a handful of cities have combined their police and fire departments into a single public safety department. An instance of external functional consolidation is the Riley County Police Department, which acts as law enforcement agent for all of Riley County.

More far-reaching than functional consolidation is organizational consolidation, in which two or more separate governmental units are combined into a single new unit. No

examples of organizational consolidation in Kansas were discovered in the research, and few examples exist nationwide.

Most notable but still imperfect is the consolidation of Indianapolis and Marion County, Indiana, into a county-wide body known as Unigov.

Statutory Authority

Statutory authority for consolidation is found in K.S.A. 12-3901, passed in 1974, which enables counties, townships, cities, school districts, and other taxing subdivisions created by the state (e.g., special districts) to consolidate operations for the purpose of improving efficiency and effectiveness. An article in the Kansas Government Journal sets out the requirements for enacting a consolidation:

- The governing body or bodies must first find by resolution that duplication exists and that operations can be more efficiently and effectively exercised.
- The body or bodies must designate an office or agency to perform the consolidated function and the time, form, and manner of implementation of the consolidation.
- Identical resolutions must be passed by each governing body for external consolidations.
- Additionally, if the consolidation involves the elimination of an elective office, approval is required by a majority of the electors voting at an election called

- and held according to provisions of the general bond law (K.S.A. 10-120).
- An election is also required if a proposed consolidation is protested by 10% of the qualified electors in a petition (KGJ, Dec. 1984).

Thus, the legislative authority for consolidation exists and allows Kansas governments a large measure of discretion in developing consolidation plans. The difficulties and complexity of the consolidation process, however, offer one explanation why consolidation has not been a widespread or popular tool for improving local government operations. Two case examples illustrate the difficulties and advantages of consolidation.

Riley County Police Department, Riley County, Kansas: External Functional Consolidation

Consolidation of city and county law enforcement agencies was first proposed in 1970 by a Manhattan state senator in the interest of improving the effectiveness and professionalism of county law enforcement. In 1972 the proposed consolidation of the County Sheriff's Office and city police departments was approved by the voters; in 1974 the Riley County Police Department was created, and the separate forces of Manhattan, Ogden, Riley, Leonardville, and Riley County were abolished. The consolidation withstood a later recall effort, which was rejected by a larger margin than the original merger was approved.

Officials of the Department report the following benefits of the countywide agency:

- reduction in political atmosphere, due to the non-elected nature of the police chief position;
- greater opportunities for training and professional development;
- elimination of overlapping jurisdictions, and ability to provide unified 911 service, dispatching, purchasing, and jail facilities;
- reduction in per capita cost of law enforcement to the citizens of Riley County.

The Riley County example appears to be a case where both service and improved cost effectiveness have resulted. A police department official noted that consolidation was achieved because of the support of the community, which was able to look forward and envision the potential benefits, and the ability of citizens to move beyond parochial politics and give up their original local police forces.

<u>Indianapolis-Marion County, Indiana: Organizational</u> Consolidation

The Indianapolis case is well-known and widely admired, yet it is not a pure example of organizational consolidation. The City of Indianapolis and Marion County governments were consolidated by an act of the state legislature in 1969 to form a new government, commonly known as Unigov. Interestingly, the

consolidation was made possible by the election of a Republican mayor in 1967 and a GOP sweep of Marion Co. state legislature seats in 1968, rather than by approval of the voters at an election. A major reason behind the consolidation effort was the fact that "special districts, which the elected county officials had little control over, intensified the fragmentation of responsibility and undermined citizen control of government . . . the newly elected Mayor of Indianapolis recognized that even he lacked control over activities he was politically responsible for" (Wall St. Journal, 7/14/82, p. 1, 20).

Results of the unified government have been impressive.

While most Frost Belt cities have been losing their population to the suburbs, Indianapolis has been able to revitalize its central core and act more like a single political community. A brief study by the Governmental Research Institute lists some of

Unigov's accomplishments as "merging of many agencies and service districts into departments controlled by the Mayor; improved land use and service planning; and decrease in direct property tax rate for municipal services" (p. 67). Yet within the metropolitan area, three cities, nine townships, eleven school districts, and several special districts are excluded from Unigov. Marion County retains its elected officials of assessor, auditor, treasurer, sheriff, prosecutor, coroner, recorder, and surveyor (GRI: p. 67; WSJ: p. 20). Thus Unigov is not truly a comprehensive consolidation.

The applicability of the Unigov model to Kansas is questionable. First, the manner in which Unigov was created—through a state law promulgated by a dominant majority party—is of concern. Also, the need for metropolitan consolidation in Kansas is probably not as great as the need for better rural coordination; in this respect the problem of special districts in both the Unigov case and Kansas is comparable. Nonetheless, the Unigov case points out some of the benefits of consolidation, as well as illustrating that consolidation is usually not as complete and simple as it first appears.

No recent examples of county-county consolidation were uncovered in the research. In Kansas this topic may be worth further study for particularly sparsely populated counties providing identical or similar services.

Guidelines for Consolidation

The two cases presented prompt the question, "when is consolidation appropriate?" Since consolidation can produce unknown effects once concluded, its drastic nature causes many observers to be skeptical of its alleged benefits. An interesting case in point concerns a proposed merger of the public works departments in Topeka and Shawnee County. A study of the proposal by the Intergovernmental Cooperation Council (ICC) found that departmental consolidation would not be beneficial but that consolidation of certain functions would.

For example, consolidation of the City and County Traffic and Safety Divisions was recommended, since singular control over traffic signs would increase uniformity and order in the county's sign system. Other functions, such as water pollution control and bridge maintenance, were not considered good candidates for consolidation, since their actual operations differed greatly in nature and scope.

Conversations with ICC officials and a review of the literature suggest the following criteria for successful consolidation:

- performance of identical or highly similar operations in contiguous jurisdictions (for example, snow removal)
- clearly visible cost or service advantages that would result from merged operations
- similarly, existence of gross duplication and inefficiency in the performance of similar functions in separate jurisdictions
- operations that concern the sharing of information, services, or equipment across jurisdictional lines; for example, 911 systems, record-keeping, tax collection
- strong community interest and support in consolidation
- for city/county mergers, the existence of a large, centrally located city in a county whose population lies geographically near the city.

Resistance to Consolidation

Several major factors inhibit consolidation. Especially significant are political concerns, since many small jurisdictions have long-time incumbent officeholders and a loyal community following who are anxious to retain their own power, identity, and individuality. Political costs of consolidation efforts can be high, especially when traditional seats of local power, such as the county sheriff and mayor, are threatened.

Uncertainty over true benefits often plagues consolidation attempts. The exact consequences of a merger are not completely knowable in advance. Fear that the quality of service will decline in areas receiving excellent service are also common, since consolidation implies more uniformity of service delivery. No one wants to be "lost in the shuffle." Economies of scale may not exist if two unrelated functions are brought under one roof; bigger is not always better, even if it looks neater on an organizational chart. Citizens resist losing a government they are familiar with and identify with.

Nonetheless, consolidation can be beneficial, depending on the individual circumstances of each case. Consolidation should be seen as an important device for achieving better service and cost effectiveness in the long run, but it should be recognized that both political and economic costs can be high in the short run. Interlocal agreements can increase the probability of successful consolidation, reduce the uncertainties inherent in

such mergers, and generate citizen support. Interlocal agreements can also known as collaborative agreements or intergovernmental cooperation agreements. These instruments are discussed in the following section.

Intergovernmental Cooperation Agreements

Although less dramatic than consolidation efforts, intergovernmental cooperation agreements represent a significant and realistic means for improving the efficiency and effectiveness of local governments in Kansas. The trend toward increased interlocal cooperation may be seen as a response by local governments to factors like tax lids, rising costs, shrinking revenues, growing local demands, and expanding state and federal mandates (KS Govt Journal, June 1978, p. 20). An important advantage of interlocal agreements is their flexibility: they can be formal or informal, written or unwritten, involve two jurisdictions or twenty, and last for six months or twenty years. While local agreements often involve routine operations and may not seem to represent reform, their usefulness for furthering reform ends, such as consolidation, should not be overlooked.

Statutory Authority

Statutory authority for interlocal cooperation is found in many state laws, but K.S.A 12-2901, known as the interlocal

cooperation statute, is most significant. K.S.A. 12-2901
"essentially permits any two or more local units to do
cooperatively or jointly that which they are empowered to do
separately" (KS Government Journal, 12/84, p. 394). The statute
has been amended several times so that the purposes specified in
the legislation have been expanded. Although local governments
have a great deal of flexibility in devising collaborative
agreements, written agreements entered into under 12-2901 must be
reviewed by the attorney general to ensure their compliance with
state laws.

Other statutes concerning interlocal cooperation concern specific functional areas, such as highways, public works, health, and recreation. The popularity of interlocal agreements is demonstrated by the thousands of examples in Kansas. The following is a sample of the types of agreements found within the state.

City of Lakin and Kearny County. The County Sheriff serves as Chief of Police; Lakin has no police department and pays the County an annual amount determined by contract. Duplication of effort is avoided by Lakin not having their own department; reduced costs have been realized; and the results have been satisfactory. This type of contract is common in western Kansas. While it resembles consolidation because of the sheriff's jurisdiction within the city, a new institution was not created, and Lakin retains the option of reestablishing their own agency

when the contract expires.

City of Arkansas City and City of Winfield. The two cities jointly own and operate Struther Airport/Industrial Park. Three members from each city commission act as the governing body; agricultural, utility, and oil and gas revenues make the airport self-supporting. Economies of scale are achieved and a more attractive facility is made possible by having the two cities share the airport. Many city-county airports also exist in Kansas.

City of Overland Park and City of Lenexa. The two cities have several agreements for the coordination of traffic lights on thoroughfares that run through both cities. Some lights are owned and operated by one city, while the other city pays expenses. While the agreements are not true examples of cost-saving service-delivery arrangements, they do illustrate the greater efficiency and cooperative attitude found in successful interlocal agreements.

City of Lawrence, Douglas County, University of Kansas. The three organizations have a joint contractual agreement concerning investigation of arson cases. The agreement enables effective investigation of cases and avoids duplication of effort.

Reciprocal agreements between fire departments are common also. For example, the City of Olathe has agreements with neighboring cities and fire districts; if additional manpower is needed by other agencies, Olathe provides support, and vice versa, and if

Olathe is closer to a fire in another jurisdiction than that jurisdiction's forces, Olathe will respond to it, and vice versa. Such agreements recognize and reduce service overlap rather than allow overlap to be an obstacle.

Interlocal agreements like these illustrate the variability of cooperative efforts among local governments. More importantly, they reveal that interlocal agreements represent hidden efficiencies within the tangle of overlapping local governments. Contractual agreements allow local units to develop specific methods for providing services economically without surrendering local autonomy and identity.

Furthermore, agreements can be viewed on a spectrum of local government action leading to consolidation. If consolidation is an ultimate goal, contractual agreements can pave the way. By implementing service delivery transfer singularly or piecemeal, the benefits of combined service may be seen and documented, thus making consolidation easier later. For example, if consolidation of Lakin and Kearny County law enforcement agencies was a goal, the provision of police service by the County under the existing contract would reveal the advantages of having one agency provide the service. Consolidation thus becomes an evolutionary process, rather than an abrupt, all-or-nothing leap. Even though consolidations typically phase in their changes over time, a commitment to consolidate has been made before the benefits can be guaranteed. By beginning with contractual agreements, costs

and benefits may be tested before a commitment to consolidate is made.

Increasing the effectiveness of Kansas local governments, then, should begin with encouragement of interlocal agreements for service delivery. While they are not as visible as consolidations, interlocal agreements provide a realistic, adaptable, and effective method for reducing inefficiencies, overlap, and uneven provision of services - problems that consolidations also attempt to eliminate. The circumstancespecific nature of local government agreements makes definitive statements about automatic cost savings impractical, but collaborative agreements typically involve reduced costs or better service for the same cost for each jurisdiction. Compared to consolidations, interlocal agreements are much easier to implement both legislatively and politically. Moreover, contractual agreements can be an end in themselves or a means to consolidation. The expanded and innovative use of interlocal agreements should be encouraged and promoted actively.

CONCLUSIONS: TOWARD GREATER EFFICIENCY

As stated in the introduction and reinforced by the descriptions, the major finding of this study is that the proliferation of local governments makes it extremely difficult to meaningfully answer questions about the quality and efficiency of services delivered to Kansans. The efficient and effective management of government services depends on developing local government structures that take advantage of economies of scale and provide government officials with information about how and how well services are delivered.

In the past, as counties and other forms of local government assumed new responsibilities the structure of government remained the same. Locally elected community leaders took on more and more managerial responsibility for public services.

Nevertheless, few elected officials have either the time or expertise to manage local government services. Moreover, when new types of services were needed, additional governmental units or special districts were created. These trends added to the complexity of local government without increasing the management capabilities of local government. Although it is not possible to directly link the variations in tax rate and allocations to services to managerial problems in local government, the wide

variation in the costs of local government suggests that great differences in the costs, quality, and availability of services exist in Kansas.

No one is more aware of the difficulty in local government than local government officials. Many local communities have experimented with various reforms to improve the quality and efficiency of service delivery. These experiments are essential, given the growing expectations of citizens for improved community services at a time when resources are declining. All four types of reform—privatization, professionalization, consolidation, and cooperative agreements—deserve the attention of local governments.

Privatization, especially when accompanied with specified performance measures, can improve efficiency. For services that are considered too central to be delegated to private firms, efforts to introduce performance measures should be encouraged. Increasing the professional management of local governments also deserves serious attention. Although more common in urban counties, many of the management problems in rural counties require the skills of trained individuals who devote full time to community service.

In addition, local governments need to consider interlocal agreements as a routine, rather than extraordinary, solution for shared problems. In the past the trend in local government was proliferation. This trend needs reversal. The consolidation of

specific services and, where realistic, of local governments is necessary to share the costs and benefits of specific services over a larger population base than many of Kansas' small communities. Consolidation also offers opportunities for improved management. Small governmental units often lack the resources to justify professional management. Breaking down artificial barriers that prevent local government from efficiently delivering services warrants the careful attention of officials at all levels of government.