



# The Pros and Cons of Consolidated Government

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## Introduction

This essay is meant to provide a list of items to consider when examining city/county consolidated government. These are presented in the form of a list of “pros” and “cons”. The list is by no means all inclusive. Certainly, there are other items which should be deliberated, especially in light of particular circumstances surrounding any given consolidation effort.

Whether any particular item belongs of the list of “pros” or on the list of “cons” may depend on which jurisdiction you are from. That’s because an item may be a “pro” to one jurisdiction but a “con” to another. This list was generated from articles and books written on the subject of consolidation and thus represents the opinions or perceptions of these authors. Therefore, these views may or may not apply in other circumstances, and as noted in a previous paper, very little “hard” (empirical) research exists which verifies some of these opinions.

## The Pros of Consolidation: Real and Perceived

1. Efficiency: There is a perception that a consolidated government will be more efficient (services delivered at less cost) than will separate city and county governments. However, this may only be a perception. A number of studies have been done in this regard and the results are mixed. In other words, efficiency of consolidated government has not been demonstrated or verified empirically. Efficiency can only be realized in certain cases, and there is no guarantee that on the whole service-delivery costs can be reduced. What this probably means is that in order for efficiencies to occur, the “system” must be actively and very well managed.
2. Less Duplication of Services: There are a few services provided by cities and counties which are currently duplicated and may better be provided jointly. For example, road and bridge construction and paving, fire protection, animal control, or the purchase of goods and materials could be jointly provided in order to increase buying power. Another example is elections, some of which will be eliminated under a consolidated jurisdiction, and thus costs will be reduced.

However, it should be noted that many cities and counties are currently working to jointly provide these services through mechanisms other than consolidation of governments (as discussed in number 3 below).

3. Opportunities for Jointly Provided Services: As an alternative to consolidation there are many services which can and are jointly provided by cities and counties. For example, some cities contract with the county for law enforcement services, or there are joint ambulance programs, joint animal control, or joint fire service programs. In addition, solid waste may be provided on a "regional" basis and many public safety dispatch services are now jointly provided. In short, there are a number of mechanisms such as the use of interlocal agreements which currently allow jurisdictions to jointly provide services.
4. Improved Coordination of Services: Many services are better coordinated on a larger, cross-jurisdictional scale. For example, fire protection, school transportation, sanitation collection, or planning and zoning services are many times constrained under a multi-jurisdictional system. Consolidation may improve the application of these types of services. It may also provide a vehicle for the application of services which are interdependent such as building permits and fire protection or housing and welfare/health.
5. Expanded Services: New and expanded services will likely be provided to areas not previously served. This is because a fundamental goal of consolidation is to introduce a greater degree of service provision to a larger area. In effect, the level of services experienced by a city will be expanded to the county in order to bring the county up to previous city levels. It should be noted that this may be a negative aspect for city residents, because many of their resources may be funneled to provide services to county residents.
6. The Possibility of Improved Utilization of Some Resources: Under a consolidated jurisdiction there may be opportunities to better coordinate services in order to reduce costs or provide better services at the same cost. Some of these opportunities are, for example, finance-related services such as accounting, billing, or annual audits, or services which require the use of specialized equipment which is infrequently used and yet is currently purchased by both jurisdictions (a GIS system for example).
7. Fewer Officials: A consolidated government should have fewer officials with whom the citizenry must interact. The "system" should be easier to understand and may result in better visibility and public focus regarding governmental actions. However, this may be offset by a decreased responsiveness since fewer officials will represent and serve a greater number of citizens.
8. Reduced Jurisdictional Confusion: Many voters are now confused by the array of governmental jurisdictions to which they belong. Reducing this number may increase citizen interest in government and will simplify confusion over "who does what". Here too, there are a number of services which either the city or county provide to all or a portion of residents in the other's jurisdiction. Some of these include water, sewer, schools, or parks and recreation. This interplay of overlapping services will largely be reduced under a consolidated system.
9. Economy of Scale: It is many times assumed that an economy of scale has not

been reached in most cities and counties, and that excess capacity to deliver services exists. Under this assumption, a consolidated government will improve the economy of scale under which these jurisdictions operate. However, this is many times a false assumption. For many years now, cities and counties have either "downsized", reduced operations, increased revenue sources in order to continue to provide the same level of service, or responded to so many requirements (mandates) for services that they have nearly all reached an economy of scale. Thus, in many cases there is no excess city capacity to deliver additional services. In short, many cities and counties have reached an economy of scale and consolidation will not provide any tangible benefits in this regard.

10. Improved Harmony: A consolidated government may help reduce discord among two or more existing governments. For example, annexation disputes or local planning and zoning issues may be more easily resolved. In addition, today's decision-makers increasingly realize how their actions affect the quality of life for their neighbors. Under a consolidated jurisdiction, leaders may better learn to legislate from a "regional" perspective. However, in contrast it should be noted that some consolidated jurisdictions have experienced increased division among decision-makers, particularly along racial lines.
11. An Economic Development Edge: Having one government may allow the jurisdiction to react more quickly and provide better resources to prospective business or industry clients. These clients would no longer have the red tape of two or more jurisdictions with which to deal. Instead these services can be provided through one point of contact, thus easing the ability of businesses to deal with local government.
12. Equalization of Services: Under a consolidated government, many services which are now provided at different levels will be equalized. For example, two separate school systems will become one, and thus school services will be equivalent for all students.
13. Opportunities for New Services - Sharing of Costs: Under a consolidated jurisdiction there will be a greater sharing of the costs of services, especially for area-wide services. This being the case, a number of new services may become possible since costs will be more widely distributed. In other words, the jurisdiction may be able to accomplish together what it could not individually.

## **The Cons of Consolidation**

1. Changes in Structure: County and city governments are each used to operating with a certain structure. If consolidation occurs that structure will change for both jurisdictions.

Counties operate with what is largely a "politically dominated", fragmented

structure. That is, they have a great number of elected officials with quasi-independent offices, including an elected executive. Cities on the other hand are more centralized, with very few elected officials, usually only the Board, and an appointed executive. Under a consolidated arrangement there will normally be fewer elected officials (but more than in a typical city), and an appointed or elected executive. This “hybrid” form, which results in alterations to both city and county structures, may present challenges which are difficult for both jurisdictions to overcome. Since a number of county elected positions will normally be eliminated, these office holders may be unwilling to support to such a structure. On the other hand, with the addition of more elected offices, city officials may also have difficulty supporting a structure which they see as too fragmented. Let’s look more closely at the specifics of existing State law as it relates to a consolidated structure.

The Tennessee Constitution requires that all county governments, including a consolidated government, have at least 5 elected “constitutional offices.” These include the Sheriff, County Clerk, Assessor of Property, Trustee, and a Register (see Tennessee Constitution, Article VII Section 1.). Under other provisions of the Constitution there is a required elected Circuit Court Clerk (who may be either a county or district officer - the Legislature has chosen to make this a county office). There is also a Clerk and Master who is appointed by the Chancellors. The Tennessee Constitution, Article VII Section 1 further states that a consolidated government is exempt from other constitutional mandates requiring a county executive and a county legislative body (the new consolidated government will have its own legislative body).

The Constitution later authorizes the General Assembly to provide for consolidation of local governments (see Tennessee Constitution, Article XI Section 9.) The General Assembly has done this, and these provisions can be found in TCA Title 7 Sections 7-1-101 et. seq.

A question arises regarding the offices listed above as required by the Tennessee Constitution. Specifically, does a consolidated government have to have these offices? This question has been answered on at least four separate occasions by the Attorney General’s office, and the answer is “yes”. However, it should be noted that in the Tennessee Constitution, Article VII Section 1. it is stated, “The General Assembly may provide alternate forms of county government .....” Some believe that this provision would not appear in the Constitution unless it was meant to provide the General Assembly with the option of establishing a form of county government which does not include the “constitutional offices” listed above. This opinion is in contrast to the opinions presented by the Attorney General’s office, but is noteworthy because there exists a possibility that the final answer would be provided by the courts, if a consolidation effort was attempted which excluded some or all of these offices. But it may also be possible for a consolidated government to later amend their charter to exclude one or more of these offices if deemed appropriate at that time.

A third alternative is also provided - termed a “Charter” form of government. It

is authorized in the Tennessee Constitution, and the specific “constitutional offices” discussed above are not required, although the duties performed by each must be considered. See *Jordon v. Knox County*, 213 S.W. 3d 751, 2007 for details. It is important to note that although this “Charter” form is not the form existing in the three consolidated jurisdictions in Tennessee, it is a viable “consolidation” alternative, and one which may cure many of the consolidation-related challenges discussed in the paragraphs above.

A significant point regarding a traditional consolidated structure should here be made. Of the 7 “constitutional offices” listed above (including the Circuit Court Clerk and Clerk and Master), only one of these provides a service which is duplicated by most existing city governments. That of course is the Sheriff’s office. Thus, the “hybrid” form created by a consolidation may not be as disruptive to the existing structure most comfortable to city officials. In fact, a consolidated government could be established which utilizes an appointed executive responsible for the day to day administration of the jurisdiction’s affairs. Those offices which would not come under this “council-manager” type structure would continue to function as they do under the existing county government arrangement. The only exception to this is again the Sheriff’s office. However, the duties of this office could be somewhat altered (for example, in the consolidated jurisdiction of Metropolitan Nashville/Davidson County the Sheriff operates the jail while an appointed professional administers the police department).

However, it should also be noted that although many of the “required” offices do not provide services which duplicate those of most cities, one cannot assume that such services should be provided by the establishment and coordination of offices such as those which are “required”. In other words, there may be better, more efficient, or more responsive alternatives to providing these services, but existing constitutional requirements prevent consideration of such.

It should also be pointed out that a consolidated jurisdiction’s charter may require continuation of certain county offices (although this is a choice for the Charter Commission). For example, the Hartsville/Trousdale County metropolitan government chose to retain the Superintendent of Highways position, which is now responsible for duties of the previous city Street Superintendent. In addition, they have chosen to continue the office of Sheriff, now responsible for the duties of the former city Chief of Police. The County Executive office also remains, and is responsible for all municipal administrative duties, prerogatives, and services previously provided by the County Executive and city Mayor.

2. Distribution and Control of Resources: Cities are partially funded through per capita state-shared revenues. For most cities, this is the largest revenue source. Other city revenues are from sales and property taxes. Under a consolidated government the new entity is divided into an “urban services district” (formerly the “city”) and a “general services district” (formerly the

"county"). Even though city residents still generate sales taxes and state-shared per capita revenues, these revenues are spent by a newly formed governing body. Thus, "urban services" (city) residents may lose some control over where and how their dollars are spent. They may instead be spent in the "general services" district (formerly the county).

The opposite may also be true, and accounts for much of the opposition to consolidation from suburban residents when faced with becoming part of a large inner-city jurisdiction. In this case such residents are concerned about the higher taxes and diminished political clout associated with becoming part of a larger jurisdiction.

3. Level of Service/Reduction of Service Considerations: As mentioned earlier, a large governing body with a number of members elected from the county (or "general services" district) will decide what services will be provided and at what level. Thus, city residents who are accustomed to and demand a given level of service may be unable to guarantee that their service demands are met.

Under a consolidated government it is also possible that city residents may experience a reduction in service and/or a resulting increase in costs. For example, resources which go to support the lower "fire rating" of most cities (when compared to counties) may be spent in the "general services" district in an effort to improve their rating. The resulting move of expenditures over time may mean that "city" residents receive a lower level of service or a level of service which does not improve over time but remains constant. This is because the tendency may be to provide equivalent services through most of the consolidated jurisdiction, resulting in a diminution of service in the urban services district and an increased level of services in the general services district. Therefore, this component can be viewed as a "positive" for county residents and a "negative" for city residents.

4. Citizen Satisfaction with Services: Research has been conducted to determine if citizens in consolidated jurisdictions are more satisfied with services than are citizens in similar non-consolidated jurisdictions. The results of these tests are mixed. Most show that for certain services citizens are equally satisfied. But for many more services they are more satisfied in non-consolidated jurisdictions than under a consolidated arrangement.
5. Decision-Making Difficulties: Generally, the governing bodies of consolidated jurisdictions are quite large. For example, the board of Nashville/Davidson County contains 42 members, the Lynchburg/Moore County board has 15 members and the Hartsville/Trousdale County board has 14 members. Needless to say, decision-making under this arrangement can be difficult at best. These problems are exacerbated by the decentralized and dispersed authority of the additional "constitutional" offices.
6. Policy and Administration Demarcation: It is generally accepted that there are

two levels of decision-making which must be undertaken in order for local governments to effectively deliver services. The first is "policy-making", or the deciding of what will be done and at what level. The second is "administration", or the actual doing or delivering of the service. Policymaking is best undertaken by elected representatives of the citizens in the form of a governing body. Administration is best undertaken by trained professionals, hired by the governing body based on their qualifications. Under a consolidated arrangement these levels of decision-making are blurred. This is because there is no separation of powers. The same persons elected to decide policy are the same persons who must administer the operations of the government.

Much of this could be overcome if significant alterations are made which serve to combine the best of both the city and county structures (as discussed above).

7. Loss of the Sense of Community: Needless to say, residents of both the county and participating cities may experience a loss in their sense of "community" when jurisdictions consolidate. In short, there will no longer be a City of XXXX or a XXXXX County.





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