

GRASSROOTS

The Official Newsletter of the Indiana Township Association

THIRD QUARTER 2008

The latest battle in the war against local government - the ITA pushes back

As you are no doubt aware, township government continues to find itself in the crosshairs of local government consolidation discussions taking place at the Statehouse. Though we have faced numerous efforts over the last several years to eliminate township government, the release of the Kernan-Shepard Commission report last fall has sparked a renewed interest to do away with local elected officials in favor of overly-centralized government within each county. One of the 27 recommendations contained in the report was the total elimination of township government.

A coalition has been formed to push for enactment of the recommendations outlined in the Commission report. MySmartGov.org, an alliance of the Indiana Chamber of Commerce, Central Indiana Corporate Partnership, and the Indiana Association of Realtors, has hired Marilyn Schultz to serve as Executive Director. Marilyn is a former State Representative and State Budget Director and maintains a strong relationship with business and opinion leaders throughout the state. In addition, this alliance has launched an extensive grassroots campaign complete with a blog at StopGoverningLikeThis.com being run by a Democrat and a Republican, both with substantial political pedigrees.

Most alarmingly, news reports have indicated that between \$300,000 and \$500,000 will be spent on this effort, which we believe will be used to hire one or more lobbying firms to push this agenda during the 2009 Legislative Session. We were told directly by a coalition member that they are in the process of reviewing lobbying firms throughout Indianapolis to determine who is currently conflicted on this issue. **Make no mistake- with these resources at their disposal, the Chamber, Realtors, and CICP will be able to supplement their already sizable lobbying teams with strong government affairs professionals.**

We believe that the recommendations of the Kernan-Shepard Commission read like the playbook of the Indiana Chamber of Commerce, for many of these recommendations were touted by the Chamber for many years prior to the formation of the Commission. While the Commission has been promoted as independent, we see striking similarities to the Chamber's "C.O.M.P.E.T.E." study that the media and others have wielded as "proof" that township government is neither efficient nor relevant.

Moreover, believe that if the Commission's recommendations are implemented by the General Assembly, democracy in Indiana will be severely diminished. We believe that township's efficiencies bear out in the fact that the overall impact on property taxes - our primary source of revenue - is less than 3% statewide and less than 1% in many areas of the state. That is less than 3% to care for Indiana's needy and provide fire protection and many other services.

Furthermore, we believe that small units of government are more accessible and more accountable to the electorate which is the equivalent to democracy.

To demonstrate the broad support that exists in Indiana for smaller, more local government, and to give a voice in these discussions to ordinary citizens, we have launched a new website- www.HoosiersforDemocracy.org. Visitors to this website will be able to sign an online petition in support of maintaining access to their locally elected officials, and when Session convenes in January, will be able to contact their legislators directly from this site to ask them to support local government. The website will also provide important real facts and figures about Indiana's local governments the benefits they provide to Hoosiers everyday.

The website will be operational by Friday, October 17th. Please take the time to visit the website and sign the online petition, and encourage your friends and family to do so as well!

Destroying community at great cost

By Wendell Cox

Regional governance is all the rage in some circles in America. But the Canadian experience demonstrates it might not have all the benefits advertised. More than a decade ago, the Ontario government forced six municipalities to amalgamate into the megacity of Toronto. This was not done by the residents of the six jurisdictions. Separate referenda in each of the municipalities (North York, East York, York, Etobicoke, Scarborough and the former city of Toronto) all indicated strong disapproval.

The government claimed that an amalgamated Toronto would be more efficient and that the city would be more competitive. More than \$300 million was to be saved, according to the accounting firm hired by the government to study the issue. Early on it was clear that the efficiency claims were bogus. University of Western Ontario urban policy expert Dr. Andrew Sancton quickly raised questions about the analysis, pointing out that the harmonization of labor contracts and services among the six jurisdictions could only lead to higher costs and higher taxes.

The government was wrong and Professor Sancton was right. By 2003, the Toronto City Summit Alliance reported the amalgamation of the City of Toronto has not produced the overall cost savings that were projected. The Alliance went on to blame “harmonization of wages and service levels.”

Things have only gotten worse. The city of Toronto budget increased in constant dollar terms and the \$300 million in savings have long since evaporated.

Meanwhile, there is no point in arguing that amalgamation made Toronto more competitive. Despite the impressive residential development in the core, Toronto’s growth rate has become anemic — little more than one-half that of population growth whipping boy, Italy. Between 2001 and 2006, the first full census period after amalgamation, the city accounted for only five percent of the metropolitan area’s population growth. In the period immediately preceding amalgamation (1991-1996), the city-to-be accounted for 30 percent of the growth — six times that of the more recent period.

None of this is to deny that municipal amalgamations can produce economies of scale. They do — for special interests, not the people. Large corporate interests find larger governments more susceptible to their influence. So too do public employee unions and other well-organized interest groups. As city hall is moved farther away, voters have less control over what goes on. There is not only a loss of income for taxpayers, but there is also a loss of community. Indeed, if larger local governments are more efficient, why not abolish municipalities altogether, or even provinces. Surely if all garbage collection were administered out of Ottawa, things would be better, to take the logic of the consolidationists to its extreme.

Maintaining a sense of local community remains an important virtue. Equally critical, local governments have been proven to be far more cost effective and responsive. This is not just true in Toronto, it is true almost anywhere. There is good reason why municipal consolidation is unpopular — it costs more and it makes city hall more inaccessible. This is the principal reason cities forced into Montreal fled when given the chance. It is why municipal consolidation has led to demonstrations this year in the Australian state of Queensland. Where the scale of government is bigger, people are smaller — something the centralizers never seem to understand.



Election News

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On September 23 in Jasper, the three candidates for the office of Governor were asked a question pertaining to township government. In an effort to inform the membership on the policy positions taken by the candidates, the following is the transcript of the question and the answers which were given.

As you all are probably aware, the Commission on Local Government Reform has made recommendations for streamlining Indiana's local government. One of those recommendations includes the elimination of township government and the transfer of its responsibilities to the county executive. Do you support the elimination of township government or leaving it in its current form?

(D) Jill Long Thompson:

Well Governor Daniels has talked a great deal about reform and, as you know, has come forth with some recommendations, but I actually disagree with his approach. I am much more in favor of a de-centralized approach, as opposed to a centralized approach. Just as I think we can make better decisions at the state level than at the federal level in many instances, I think local governance can work. And I do support township government. It's probably because I come from a farming background from a rural community and I understand the importance of having that direct contact and accountability with local officials. So I am a supporter of township government.

I also think it's important for us to make sure that we are as efficient and effective in delivering services. I have some background in government reform from when I served at the United States Department of Agriculture and we engaged in a major reform there. But I also think that government reform ought to stop—ought to start—in the governor's office. And when we have a governor who talks about trying to save dollars but then is using the state airplane, that is funded by Indiana taxpayers, to fly from his vacation home in West Virginia and to fly to and from political events, I think that's where we need the reform. That's why I'm running for governor.

(L) Andrew Horning:

Well I'm going to answer that kind of at the end of my question. And I hate to do that because I think it's important to shift the paradigm just a little bit. I think the problem that we've had is that politicians have not obeyed the laws that protect us from them. I'm the only guy who's called a Constitutionalist. And sometimes that's said with a hiss as if it's a bad thing. The recognition behind being a Constitutionalist is that everybody is not. And that when we've got politicians who agree that the constitutions are not what we are doing right now at all, we have a problem. When they talk about amending it, why amend what they flout? If they're going to break the law, why not just start obeying the thing and we wouldn't have the problems, the necessity of talking about amending this thing. I guess my focus is really getting you guys to understand what our Constitution says. If you look at my website, it's horningforgovernor.com, and look at my platform, it *is* the Indiana Constitution. Read my comments on it and see if you think that we need to tinker around with the design. We do not.

And just to answer your question directly, I do not believe it's wise to shovel more power into fewer and fewer unelected hands. It's just not a good idea where politicians are concerned.

But I think the real issue is- are we going to be a nation of laws or are we going to be a nation of despots? We really are at that kind of hinge point right now. And I'm not worried about anybody on this stage as far as *Indiana* government. We have bigger problems that are facing us. And I want somebody who's going to face down the federal government and insist upon *federal* government because whoever becomes governor is going to swear an oath to both the Constitution of Indiana and the United States of America; and states—the United States—are the owners of federalism.

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(R) Mitch Daniels:

Yes, I recall. Thomas, thank you for your question and for your service. What I'm about to say about reform is said with full admiration for all those who are serving in these jobs now. These are not *my* recommendations, this is a bipartisan commission of people with no axes to grind that we asked to recommend to us all whether a system that is 150 years old is right for the 21st century in Indiana. Now many Hoosiers didn't know it before that report, but we have more elected politicians in this state than almost anybody- more than 11,000. These things we call townships do not exist in most of the states in this country. It is one reason property taxes got out of control in our state and therefore, the recommendations that that group brought us ought to be taken very, very seriously. I will tell you that I do believe that it's a good idea to move certain functions from the township trustees that we have known to an elected—an elected, Andrew—county executive who is accountable. Today it is very hard for a taxpayer to know who to give credit to or to whom to assign the blame.

You know, the complete opposition to this whole reform isolates Ms. Thompson in a very unusual way. This is something Democrats, Republicans, and people in between, newspapers of every description in the state have been crying for- for decades. And we won't do all the things, by any means, that were in that Kernan-Shepherd Report. But I hope whoever's governor will embrace at least the spirit of reform and work with the next legislature to move Indiana out of the 19th century and into the 21st.

Rebuttals

(D) Jill Long Thompson:

Well I believe very strongly in government by the people. And because I come from a rural community, I think I have a real appreciation for the importance of having that connectivity to those who represent us. And I think centralizing government generally does not work, whether it's centralized at the national level or at the state level. And I think that we ought to work to include *more* people in the governmental process, rather than fewer people. But I also believe that people at the local level have a much better understanding of what's going on in their respective communities. And that's why I believe that Governor Daniel's approach to reform is simply not workable. One size does not fit all. What might work for a highly urbanized county will not necessarily work for a more rural county.

(L) Andrew Horning:

Can I just suggest that you don't need politicians as much as you think you do? I think if you look to see how Kiwanis and churches and Habitat for Humanity and other voluntary organizations have a voluntary collection plate, and they do good work. You know, these are the organizations that used to be the health, education, and welfare of our nation. They used to run schools and hospitals, and they were the ones who ran the charity schools. This used to work. Now to say that this is backwards is really to go back 3,000 years before we had this magnificent system that people have lauded for centuries now. You know, for the last couple hundred years there have been other nations looking at the United States and saying, "I wish we had that." And they came here in boatloads. Vietnamese boatpeople came with nothing. And they became famous about coming here with nothing and getting rich. That can happen again.

(R) Mitch Daniels:

It's interesting to note that there are 2,600 units with the power to tax the property of Hoosiers. Many of them unelected- not elected by anybody. There is duplication, there is overlap, there is waste everywhere. And it is not more accountable government, it's less so. This is not *my* opinion. This is the opinion of people who have looked at this from both parties in every vantage point for a long, long time, and we ought to make some forward progress. To take the position of my opponents that first of all, my one opponent, not only against any reform of this mess, but also against property tax reduction, which is, I believe, the one way—by capping what the governments can take from taxpayers—we will finally, I believe, propel some reform. I hope it is bottom-up; not one size fits all. But we ought not stand still. It's a very, very backward point of view.

Fire district case sent to higher court - Recusal of Chief Justice requested

Wednesday, October 08, 2008 - reprinted with permission from the [Brown County Democrat](#) - By: Rodney Margison

As expected, the attorney in a lawsuit filed by five county residents claiming that the countywide fire protection district was created illegally has requested that the case be transferred to the Indiana Supreme Court.

According to Kurt Young, attorney for the five plaintiffs-Ronald Sanders, Paul Hardin, Dallas "Dak" Kelp, Vernon "Bernie" McGaha and Lucinda Bray-the paperwork was submitted late last week and asks the state's highest court to overturn the Indiana Court of Appeals decision upholding the September 2007 creation of the fire district by the county's Board of Commissioners.

In addition, Mr. Young and his clients are asking that Chief Justice Randall T. Shepard recuse himself from the case, based on his participation as co-chair of the Indiana Commission on Local Government Reform, committee established by Governor Mitch Daniels to research the streamlining of local government.

In their request, the plaintiffs cite a footnote in the original ruling by Special Judge Roderick D. McGillivray, the trial court judge in the case, that mentioned Chief Justice Shepard's role on a statewide committee that recommended transferring the fire service responsibilities from township trustees throughout the state to a county's executive and the creation of a countywide body to oversee public safety.

The plaintiffs add that Governor Daniels, through then-Fire Marshal Roger Johnson and others from within the Indiana Department of Homeland Security, have supported the creation of the Brown County Fire Protection District and question Chief Justice Shepard's ability to be impartial in this case, having served as an advocate for the governor's local government reform issues.

The question presented to the Supreme Court is whether or not the Court of Appeals erred when it upheld Judge McGillivray's decision that a county legislative body-specifically, the Board of Commissioners-can create a fire district without first presenting a petition signed by a freeholders within the proposed fire district requesting its establishment.

Mr. Young argues that the decision made by the Court of Appeals "is in conflict with and a significant departure from well-settled rules of statutory construction, and it erroneously decides a previously undecided question with statewide impact."

The Court of Appeals agreed with Judge McGillivray, who interpreted Indiana Code to permit two methods of creating a fire protection district, one by freeholder petition and the other by a county's legislative body.

In concluding the latter, the Court of Appeals mentioned that the creation of a fire protection district would fall under the Home Rule Act, which grants governmental bodies the powers required "for the effective operation of government as to local affairs."

The plaintiffs disagree, asking why, if a county legislative body can use its discretion in choosing whether or not to create a fire protection district without a petition, the law spells out the requirements for a petition.

"The answer is obvious," the plaintiffs state in court documents. "The creation of a fire protection district is the creation of a new municipal entity, supported by property taxes. The legislature intended that before a county legislative body proceed to consider creation of such an entity, it must have before it a request of at least 20 percent of the freeholders in the affected area or, if that number is fewer than 500, a majority of the freeholders.

"Their property taxes will fund the municipal entity, and a demonstration of at least that threshold of support was viewed by the Legislature as a necessary prerequisite to further hearings and action by a county legislative body."

2008 EDUCATIONAL CONFERENCE

The annual ITA educational conference will be held **November 16-20, 2008** at the Indianapolis Hyatt. Packets were mailed in September and are available on line at www.indianatownshipassoc.org.

Vendor and Sponsorship information is also available on the ITA website, as well as on-line booth reservations!

Don't forget to reserve your hotel room no later than October 24th! Discounted rooms may not be available after that date!

You can HELP with Vendors, Sponsors & Advertisers

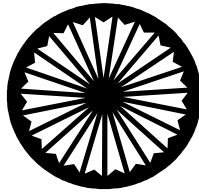
Collecting business card ads is very simple and an inexpensive way for your vendors to show their appreciation for your patronage. If you have a vendor interested in an ad other than business card size, please contact Barbara at 317.813.3240 or itaindy@indianatownshipassoc.org for pricing. Otherwise, simply collect their business card, along with their payment of \$30.00 (made payable to I TA). Get these business cards and payment to the I TA office no later than October 31st. We can mail them a receipt for their records, if requested.

Many townships and county trustee organizations purchase ads to help support the costs of the conference program. Your help is also appreciated in collecting door prizes - no prize is too big or too small. Just turn them in at the Registration and Resource Center when you arrive at the conference.

Send the business cards and payments (payable to the I TA) to:

Deadline is **October 31**.

Indiana Township Association
PO Box 611
Fishers IN 46038



2009 ITA Conferences

Convention & Legislative Conference - February 1-4, 2009

Indianapolis Hyatt

Monday, February 2nd - Convention Business meeting & Lobbying preparation

Tuesday February 3rd - Lobby the Statehouse; evening legislative reception

Wednesday February 4th - Breakfast / Debriefing

Educational Conference - * September 21-23, 2009 - * Indianapolis Sheraton

Monday, September 21 - General Session & Breakouts

Tuesday, September 22 - Breakout Seminars

Wednesday, September 23 - State Board of Accounts; trade show; awards banquet

*** Note the change of dates and location!** The Sheraton is located on the north side of Indianapolis near 86th & Keystone. The ITA has received many requests to move the conference from downtown. The Sheraton is located at Keystone at the Crossing which has many amenities along with free parking.

Township officials receive “Distinguished Hoosier” Awards



On September 4, 2008, The Honorable Janice Snodgrass, Anderson Township Trustee (Warrick County), and the Honorable Alan Wangler, Anderson Township Board President, received the “Distinguished Hoosier” Award. State Representative Suzanne Crouch and State Senator Vanetta Becker presented the awards for their twenty-five years of service. The event was hosted by the Yankeetown Volunteer Fire Department. The award was granted by Governor Mitch Daniels in honor of their accomplishments, dedication, and loyal service.

Pictured above, left to right, are: Senator Becker, Alan Wangler, Trustee Snodgrass, and Representative Crouch.

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Continued from page 5 - Fire District Case

Bill Lloyd, attorney for the Brown County Fire Protection District, said the petition to transfer the case to the Supreme Court reiterates the same things the plaintiffs have already argued before both Judge McGillivray and the Court of Appeals.

"The Trial Court Judge and the three Court of Appeals Judges have unanimously answered those statements and arguments," Mr. Lloyd said. "The four Judges found that the Fire District Ordinance is a valid local initiative to provide improved emergency and fire protection services as provided and described in the Ordinance."

According to Mr. Young, there is no guarantee that the Indiana Supreme Court will hear the case, as it is selective in the cases it reviews, but Mr. Lloyd said it might in order "to affirm and reemphasize the validity of this local government initiative by its decision."

"I do expect other counties will be utilizing the benefit of this legislative method for emergency services reform to thereby serve their communities," he concluded. "This is a community safety issue that we must support and see successfully prevail."

I love my job

by Joe Smith

I love my job! I love seeing relief on people's faces when at their wit's end they come to us and find we can help with their rent, or utilities, or prescriptions, or burial. I love offering assistance to families who find themselves unable to purchase school supplies. I love delivering Christmas gifts to those less fortunate. I love offering a Christmas dinner to anyone who finds themselves alone on Christmas Day. I love coordinating repair and replace efforts for low income homeowners. I love speaking to groups about services available. I love preserving history markers within our abandoned cemeteries. I love seeing neighbors cooperate in settled fence disputes. I love beautifying our neighborhoods by mowing unwanted weeds. I love enabling work responsibility for assistance. I love providing food supplements for the disadvantaged. I love procuring job opportunities for those willing and able to work. I love providing a meeting place for all kinds of groups. I love helping support our parks. I love funding fire protection. I love being coordinator for transient placement. I love providing transportation to and from the Wayne County Health Clinic, Welfare Office, Doctors Offices, grocery stores, etc., I love referring special needs to local churches and agencies for assistance. I love telling you this is not an exhaustive list. I love being a Township Trustee. I LOVE MY JOB!!

This article is not meant to brag but to bring light to what we do. While many people have offered their plan to reduce the size of government we have been quietly at work providing services most take for granted.

The press., the Indiana Board of Realtors, the Indiana Chamber of Commerce, and others would have you believe our services are no longer needed. It is difficult to sit idly by without response;

While others brag of a surplus in budgets, it would be unusual to not find a Trustee in Wayne County without surplus. And this is nothing new – we have always managed your money as it were ours. While others talk about escalating the size of government, we have remained constant. Fifteen townships – fifteen trustees – no bureaucrats. Nothing like the 110,000 people who work for the state of Indiana you can't touch with your vote. The proposal to elect one county official and appoint the rest adds to the bureaucratic dilemma. The good old folks will only appoint one of their own and we will see a major blow to a representative type government of the people, for the people, and by the people.

A lot of money will be spent to convince you to vote for the elimination of local representation. We will spend a little amount of money to spread the aforementioned services throughout Wayne County. Ultimately (at least for now), you will decide. If you decide to eliminate our services – so be it. But I encourage you to reject this proposal and call for the elimination of bureaucratic offices not local services.

Joe Smith is the Jefferson Township Trustee in Wayne County. He also serves as the ITA East Central Area Director

They just don't get it

“There were 961 township assessors who were folded into county assessor offices on July 1. Did you notice?”

This is the question Brian Howey asked in his recent article printed in the Kendalville News-Sun. He went on to say, “Defenders of township government keep making the argument that it is government ‘closest to the people.’ The problem with this is the fact that for the past 130 years, people have been moving closer and closer to the government. In 1851, a human could move no faster than a horse or a primitive locomotive. We had the telegraph. Today, we have cars, phones and computers. Government is now a simple phone call, computer click or a 15-minute drive away.”

There are so many things wrong with that last statement: Has the writer tried to call a state government agency lately? Probably not. If so, I doubt it was “simple”. “Cars”, “computers”...hmmm. No, many of our clients do not have those amenities. “15-minute drive away?” Again, the ability to drive being an assumption

Over and over again, it seems apparent that members of the press that have no comprehension of what we do at the township level of government. Nor have most of them cared to take the time to educate themselves. They should be thankful they haven't been educated since that would probably mean they had had an emergency need like falling sick and unable to pay for utilities or medicine. Or perhaps having to call the fire department. So, I guess it's a good thing for them that they don't understand.

Now, let's talk about being “close to the people”. What exactly does that mean? Mr. Howey thinks only in the realm of how long it takes to “get there” – rather than what happens once you arrive. Even before you arrive, we answer the phone and a live person answers your questions! A person talks to you who knows where you are and what you are talking about. Centralized government is unable to be staffed to offer this service. There is no way at a county level that everyone in the office can understand the surroundings of anyone that calls.

“Close to the people” or “grassroots” implies access to power and accountability for use of that power. Power? Yes, power to find an answer to the problem in front of you and power to use common sense and creativity to find a solution.

Interestingly, the article goes on to state that only 14% of those polled in an August Howey-Gauge Poll, favored the elimination of township government. It sounds like although the uneducated media don't get it, the people do.

www.HoosiersforDemocracy.org

This site is dedicated to preserving local
government in Indiana.

My thoughts on democracy

By Joe Smith

Even though there is no universally accepted definition of ‘democracy’, there are two principles that any definition of democracy include. The first principle is that all members of the society have equal access to power and the second that all members enjoy universally recognized freedoms and liberties

An essential process in representative democracies are competitive elections that are fair both substantively and procedurally. Furthermore, freedom of political expression, freedom of speech and freedom of the press are essential so that citizens are informed and able to vote in their personal interests.

With the present trend for Indiana State Government to centralize or regionalize government services, democracy as stated above would take a step backward. Moving government farther away from the rural communities because of population standards denies equal access to power. The accepted freedoms and liberties afforded to those in densely populated areas would not be afforded to those in rural areas. Each mandated move toward centralizing, regionalizing, fire territories, fire districts, combination of offices, removal from elected to appointed positions, etc. cause us to “give up” on government serving the people.

We must stand firm and proclaim the advantages of a “Democracy”.

**Do you have questions or problems with the
Family & Social Services “Modernization” Program?
Perhaps you have a client who is having trouble with their food stamps!**

**Townships have a liaison at FSSA!
You may call Matt Schomburg at 317.910.5803**

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2008
Indiana Township Association
FALL EDUCATIONAL
CONFERENCE

November 16-20, 2008
Indianapolis Hyatt

Register today!



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