

GRASSROOTS

The Official Newsletter of the Indiana Township Association

SECOND QUARTER 2008

Consolidation Is No Way to Streamline Government

Editors: The author testified on consolidation before the Indiana Legislature and edited a special edition of the Indiana Policy Review on the topic.

by SAM STALEY, Ph.D.

Suppose Indiana government convened a commission on improving the state's economic competitiveness. And suppose one of their recommendations was to consolidate all of the state's 659 machine shops into one big company, let's call it Indiana General Tool. The Indiana Chamber of Commerce, the Indiana Manufacturers Association and each of the 659 company owners would rightly protest, perhaps toppling the current administration and upending the General Assembly.

But doesn't such consolidation make sense? After all, only 100 of these firms employ more than 20 people. Surely they could achieve efficiencies by combining their operations into one big organization. They could eliminate all those company presidents and treasurers and coordinate all the marketing and sales functions for their products under one central marketing office. A strategic planning division could decide what products should be produced and marketed, eliminating the duplication of small research-and-development programs scattered across the state.

That idea, of course, is absurd. Yet this is what the Indiana Commission on Local Government Reform proposed last fall when it issued its report, "Streamlining Local Government". Townships would be eliminated. Police, fire protection and emergency medical services would be consolidated under one county government. School districts would be consolidated to ensure a minimum district-wide student population of two thousand.

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Township Assessor files suit

HUNTINGTON, INDIANA — A suit challenging the constitutionality of recent legislation abolishing the elected position of Township Assessor was filed here today. Joan Stoffel, the elected Township Assessor of Huntington Township in Huntington County, sued the State of Indiana and County officials. Stoffel was locked out of her Township Assessor's Offices in the County Court House, her files and furniture removed, and her computers removed, while she was attending a continuing education seminar out of the County during the week of May 19th. Stoffel's status under recent legislation does not change until June 30, 2008.

Stoffel is requesting a class action for all 139 Township Assessors who were elected in November, 2006 for terms ending December 31, 2010. She asks the Court to issue a declaratory judgment finding that the State acted unconstitutionally when it terminated in HB 1001 the positions of persons elected by the voters for set four year terms. Indiana's Constitution (Article 15, Section 3) provides that an official elected to an office "shall hold his office for such term". The suit asserts that when the voters elected their public officials a contract was agreed to that the official would serve for the four year term, performing statutory duties and being paid for those duties.

If successful, the suit would allow the Township Assessors to continue in their terms until December 31, 2010, to which they were elected by the voters.



see related article on page 8



The Voice for **Grassroots Government**

We are excited to introduce the new Indiana Township Association website! Our new online home is easy to use and packed full of streamlined information to better serve our township community. Please take this opportunity to take a look, register and browse around. www.indianatownshipassoc.org

- **There is a greater emphasis on educating the “non-township official” public that find our site.** In this climate that threatens the elimination of township government, it is important that we demonstrate what is right about maintaining grassroots government.
- **It’s the beginning of an online community.** Through the message board, blog and the ability to connect with other online users through your profile, you will find the new site to be a useful and powerful collaborative tool.
- **It’s more exclusive for members.** After logging in, ITA members can be comfortable communicating with other members without being intimidated by broadcasting everything they say to the world. The message board, for example, is only viewable by registered members. Non-members won’t be able to login.
- **It is expandable.** The new site is the last site the ITA will ever have to build! Because of the open-source software we used to build the web site, changing the look, adding functions and expanding its scope can be done in a few hours, no longer requiring a complete redesign of the site.
- **It will generate income,** possibly paying for itself within two years. We have added content relevant pay-per-click ads throughout the site. Each time someone clicks on an ad, the ITA gets about \$0.25 (on average).
- **It’s easy to add and edit content.** With an easy to use interface, ITA staff and other contributors can easily upload text, photos and other files without needing a Web master. This will allow us to keep the site up-to-date with current news.
- **You can personalize your own profile** with as much or as little information as you like. You can even download a picture of yourself!

Take a look and please let us know what you think of our new design (including our new logo, depicted above). We’ll be updating the rest of the website in the coming months and would love to get your feedback. Enjoy!



Election News

Have you heard that Senator John Waterman is working to get the “Taxpayers Party” on the gubernatorial ballot for this November? If he is able to garner the necessary 33,000 signatures by the end of June, he would join Republican incumbent Mitch Daniels and Democrat Jill Long Thompson on this fall’s ballot, leaving Hoosier voters with three choices for governor.

It is vital that township officials remember that they are part of a potentially strong voting block with more than 4000 members. When you add to staff & family members, we are a coalition to be considered by the candidates!

The ITA is working toward getting statements from all three candidates of their positions on the retention of township government.

Watch the fall issue of the *GRASSROOTS* for a full report.

Why? Efficiency, they say. Our job was to recommend ways to improve the effectiveness and efficiency of local government, the commission members wrote. We believe that our recommendations will do that and, as a result, lower the cost of local government and, by extension, property taxes.

Too bad it's not true. Making such a statement, in fact, shows a remarkable lack of familiarity with the real world of local government consolidation. Even the experts who research this area question the inevitability of improved efficiency.

For example, the Indiana Policy Review in the fall of 2005 surveyed researchers with direct knowledge of the effects of local government consolidation. Ninety percent of those responding believed that consolidation would not reduce taxes. Only about half with direct knowledge of Indianapolis believed UNIGOV had reduced overall costs while more than half believed it was harder for citizens to access government services after the consolidation.

The reasons for such results are complex and reflect the practical difficulties of implementing consolidation. In many cases, the consolidation process simply negotiates up. That is, employees in local governments who are paid less (townships) are brought up to the pay scales of the best-paid government workers. Moreover, the transition costs of consolidation - renegotiating collective-bargaining agreements, developing and adopting common standards, restructuring and realigning public services are routinely underestimated by consolidation promoters. In fact, the most rigorous statistical studies of police and fire department consolidations find little or no impact on service levels, productivity or efficiencies. (These studies are reviewed and summarized in a report to the Marion County Consolidation Study Commission available here.)

Notably, the Indiana Policy Review survey found consensus among the experts that consolidation could improve the technical efficiency of providing services and provide more uniform service delivery, two important goals of the Indiana Commission on Local Government Reform. Yet, even this begs a question: Is uniform service delivery desirable?

Surprisingly, probably not. Citizens don't necessarily want uniform service delivery. That's why they move to new neighborhoods and towns. Families in rural areas don't necessarily want the same level of snow removal that cities in urban areas want. Families in some towns would rather not pay for the expensive back-door trash pickup desired in a neighboring town. Households in safe neighborhoods don't necessarily want the same kind of street-level law enforcement needed in other towns or neighborhoods. In sum, consolidated county government with a mandate to provide uniform service delivery will be hard-pressed to accommodate the diverse interests and desires of Indiana citizens.

Instead of eliminating townships, for instance, state policymakers would be wiser to ask broader and more relevant questions. Which services, for example, should be devolved to the neighborhood and local level? How can state legislation enable the more efficient provision of service delivery at the local level?

Again, consolidating Indiana's machine shops wouldn't make sense. A unified Indiana General Tool would squash the diversity and accountability that allows those smaller companies to identify key niches in their industry, thrive and remain globally competitive. Similarly, the sweeping changes recommended by the Indiana Commission on Local Government don't recognize that inherent benefits of tailoring public-service levels to the diverse needs of Hoosiers.

Sam Staley, Ph.D., an adjunct scholar with the Indiana Policy Review Foundation, is a senior fellow with the Reason Foundation. Frequently called to testify before the Indiana Legislature, his experience in local government and economic development spans more than 25 years as a researcher, analyst and consultant. His academic work has appeared in leading professional publications, including the Journal of the American Planning Association, the Journal of Urban Development and Planning, Town

Educating our legislators

The ITA is in preparation of inviting legislators to spend time in trustee's offices across the state. We have selected offices based on their caseload, fire departments and location. All 150 legislators will be given the opportunity to see township government in action.

As you know, township assistance administrative costs have been sorely misunderstood by the press, the Indiana Chamber of Commerce, and others. We want legislators to have the opportunity to **see** the administration process first-hand.

Attendees will be given a packet of information to read that will include statistics on the tax impact of township government statewide and documentation on why townships are essential and efficient.

Why does Township Government have so many enemies?

by Joe Smith

As I reflect on my five years in office and look to relinquish yet another portion of the task to which I was elected, I want to share with you some of my thoughts and questions;

John Adams said of a free and popular government, "But I fear that in every assembly, members will obtain an influence by noise not sense. By meanness, not greatness. By ignorance, not learning. By contracted hearts, not large souls..."

As I read this it impressed me to believe this statement is as true today as it was during the revolution. We see the politicians of today striving to gain influence or become influential to the point that it makes no sense. While we recognize this shortfall in integrity with our national and state officials we must also see it in our local officials. We see Trustees who make no attempt to serve the public. We hear Trustees make statements about how to avoid serving the public. Does this make sense? Are we making noise not sense? Many of you are true servants. Many of you go above and beyond the call of duty. Many of you govern by common sense. You make sense not noise. Yet some of us – yes some local officials – even trustees, govern by meanness, not greatness - by ignorance, not learning - by contracted hearts, not large souls.

With recent legislation, part of local representation was removed. To me it is government being both mean and ignorant of the possibilities. Possibilities existed to improve and finally rectify a flawed property tax system. But our governor and legislators chose not to see possibilities – they chose to see hurdles. Our reaction to this legislation can show our greatness or our meanness – our large souls or our contracted hearts. We have opportunities to influence by noise that makes sense – we have opportunities to dispel the ignorance about local representation by teaching.

I recently attended a "Town Hall Meeting" in Delaware County that made sense – that taught. It informed the public we serve of the possibilities and the problems. It decreased ignorance and increased learning. This type of meeting is occurring in other parts of the state and I applaud those who choose to make noise while making sense. We have a great message – it is not mean – We have large souls – not contracted hearts. Let us exclaim it.

Township Government has enemies because of noise, meanness, & ignorance. If you choose to join the revolution of informing the public how valuable local representation is let us know. If you have a plan share it – if you need a plan contact us. The ITA wants Township Government to be a part of a government of the people – by the people and for the people.

2008 EDUCATIONAL CONFERENCE

The annual ITA educational conference will be held **November 17-20, 2008** at the Indianapolis Hyatt. You can expect:

SEMINARS

With two days of solid instruction time, followed by a full day with the State Board of Accounts, this conference is certainly worth your time. Conference fees are low enough that if you can only attend part of the program, you will still get your money's worth in valuable education.

NETWORKING

You asked for it: More time to network with other township officials. This year you can count on plenty of round-table discussion groups. Round-tables are designed to be a relaxed, open atmosphere where you can ask questions of other trustees and board members along with a "seasoned" facilitator. The program includes topics such as community service contracts and cemeteries. You can also check out the "general government" round-tables where any topic can be discussed.

ANNUAL AWARDS BANQUET

The annual awards will be presented on Wednesday evening, November 19th. These three prestigious awards are "Trustee of the Year", "Township Board Member of the Year" and "Township of the Year". You are important to the success of this event since nominations come from the membership. A nomination form will be included in your registration packet.

Here is the tentative schedule:

Sunday, November 16 - early bird registration

Monday, November 17 - General Session & Breakout workshops; evening hospitality

Tuesday, November 18 - Breakout workshops; evening hospitality

Wednesday, November 19 - Annual State Board of Accounts meeting; tradeshow; awards banquet

Thursday, November 20 - Closing breakfast

** Conference registration packets will be available online in August and mailed in September.*

2009 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.

43 Township Assessors stand for referendum

by Matt Norris

As most of you know, HB 1001, passed by the Indiana General Assembly this year, made drastic changes to Indiana’s property tax assessment system. Under this bill, property tax assessing duties will be transferred from elected township assessors and trustee-assessors to county assessors in townships with less than 15,000 real property parcels, effective July 1st.

The 43 elected township assessors with more than 15,000 real property parcels will continue to perform assessing duties in the near future, but will face a referendum on the November ballot that will determine whether they keep those responsibilities. In those 43 townships, voters will be asked, “Should the assessing duties of the elected township assessor in the township be transferred to the county assessor?”

The results of these referendums will determine in part how township government is discussed at the Statehouse in future sessions.

We fully expect legislators to debate the merits of the Kernan-Shepard at great length during the 2009 Legislative Session, and the elimination of township government will be at the top of the discussion list. For the last several years, we have insisted that any sort of government reorganization or consolidation measure include a referendum component, believing that the citizens should have a voice in these important proceedings and that ultimately they will support the continuation of grassroots government.

If the majority of township assessors keep their positions after the November referendums, it will go a long way in demonstrating the support that exists for local government, and it may give legislators pause before enacting the Kernan-Shepard recommendations. Conversely, if a majority of assessors lose their duties as a result of the referendums, legislators may view that as a general lack of support for township government and will push for its complete elimination.

In a nutshell, the stakes are high with these referendums.

The ITA is determining how it can best support elected township assessors prior to the November elections. We also urge you to contact any elected township assessors in your area that are facing a referendum this fall to determine how you can support their efforts as well.

Number of townships with more than 15,000 real property parcels

County	No. of townships	County	No. of townships
Allen	3	LaPorte	1
Bartholomew	1	Madison	1
Clark	1	Marion	8
Delaware	1	Monroe	1
Elkhart	1	Porter	2
Floyd	1	St. Joseph	2
Hamilton	3	Tippecanoe	1
Hendricks	1	Vanderburgh	3
Howard	1	Vigo	1
Johnson	2	Warrick	1
Lake	6	Wayne	1

PERF offers Information and Assistance to Assessors

The Public Employees' Retirement Fund (PERF) is providing information, counseling and online assistance to assessors and their staff whose employment may change as a result of recent legislation.

A statewide series of PERF information meetings for assessors will wrap up by the end of the month. However, PERF Retirement Services Consultants will remain available throughout the state for individual or group counseling.

In addition, an assessors-oriented web page on PERF's website is a regularly-updated source of information regarding:

- Meeting dates, times and locations
- PERF benefits
- Pre-Retirement Workshops
- Retirement readiness

The assessors section of PERF's website is available here: <http://www.in.gov/perf/3262.htm>

Those wishing to schedule an individual counseling appointment near their home or place of work may call PERF toll-free at (888) 526-1687.

Questions from assessors regarding PERF may be e-mailed to:
PERFTownshipAssessors@perf.IN.gov

Participate in the survey!

The Indiana Advisory Commission on Intergovernmental Relations (IACIR) will conduct its bi-annual survey of local elected officials later this summer. The survey provides regular information to the Indiana General Assembly and the IACIR about the critical issues facing Indiana communities and the local governments that serve them. The survey will be sent to one elected official from counties, townships, cities, towns, and school districts. Each township trustee will receive survey this year. Respondents will have the option to return the survey by mail or to complete it online.

Look for your survey in late July/early August. Questions about the survey can be directed to Jamie Palmer, Associate Director at 317/261-3046 or jlpalmer@iupui.edu.

More on the Stoffel lawsuit...

By Rebecca S. Green
The Journal Gazette

The Huntington Township assessor sued a number of Huntington County officials - and some state agencies - Monday, contesting recent legislation that will phase out township assessors as unconstitutional.

And amid her recitation of portions of the Indiana Constitution and the recently enacted House Bill 1001, Joan Stoffel's lawsuit outlines the jarring transfer of her office to the Huntington County assessor's last month.

Signed by Gov. Mitch Daniels in March, House Bill 1001 cut property taxes statewide by an average of 30 percent this year. One of the provisions of the law the transfer of the duties of the 966 township assessors in townships with less than 15,000 parcels to the county assessors. In the remaining 43 townships of more than 15,000 parcels, voters will decide in November whether to transfer the township assessor's duties to the county.

In early May, Attorney General Steve Carter issued a legal opinion, saying elected township assessors will continue to get their full salaries this year even though the property assessment jobs will shift to the counties' assessors in July.

Stoffel's lawsuit, filed Monday in Huntington Circuit Court, names the state, the Indiana Department of Local Government Finance, Huntington County, the Huntington County commissioners and County Council members and Huntington County Assessor Terri Boone.

According to Stoffel's lawsuit, Boone began meeting in April with Huntington County officials to discuss the transfer of Stoffel's office into her own.

Boone said she would come up with a plan for the transition by May 9, and gave Stoffel and her deputies until May 30 to apply for employment with the county assessor's office, according to court documents.

Stoffel said she didn't hear anything from Boone by May 16, and she and some of her staff went to a previously scheduled weeklong training seminar. While Stoffel was gone, Boone told the remainder of Stoffel's staff to help move the offices to the county assessor's office - including phones, computers, files and desks, according to court documents.

When Stoffel talked to Boone on May 20, she said she told Boone she wanted to work for the county assessor's office. Boone said she didn't have room for Stoffel and abruptly hung up the phone, according to court documents.

Boone had the locks changed on Stoffel's office and has denied Stoffel access to some of her files and records, according to court documents.

In a telephone interview, Boone said she transferred the phone lines on the day she did because it was the only day the technicians were available and stressed she went through the proper channels of the county commissioners, council members and county attorney.

When asked why she changed the locks on the township assessor's office door, Boone declined to

comment further.

Longtime Huntington County Commissioner Richard Brubaker declined to comment because he had yet to see a copy of the lawsuit.

Having served as the Huntington Township assessor since 1995, Stoffel makes \$39,234 this year and was re-elected for a four-year term that will end Dec. 31, 2010, according to court documents.

Stoffel's attorney, Indianapolis-based John Price, said he and Stoffel believe the township assessors should be allowed to finish out their terms, until Dec. 31, 2010, at full salary.

And he worries other township assessors will be kept from employment at the county assessors' offices, particularly if the two are from different political parties.

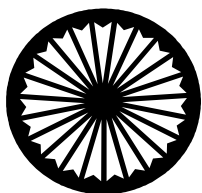
In her lawsuit, Stoffel is asking a judge to rule state legislators violated the state's Constitution when they passed House Bill 1001, and, among other requests, find the county-level officials interfered with Stoffel's contract between her and her constituency as an elected official, according to court documents.

Stoffel also wants a judge to grant class-action status to the case because she said she is acting on behalf of the state's township assessors, some of whom have already been told they have no job, or that they will not be paid any salary or other compensation for the rest of 2008, according to court documents.

A class certification would be welcome, said Becky Williams, Franklin Township assessor in Marion County and president of the Indiana Assessors Association.

She said she hears a lot of horror stories from township assessors around the state about what is going on during the transition before the July 1 date, such as township assessors being offered only \$1 in salary a year for the remainder of their terms.

"There doesn't seem to be a lot of rhyme or reason to what is going on," Williams said.

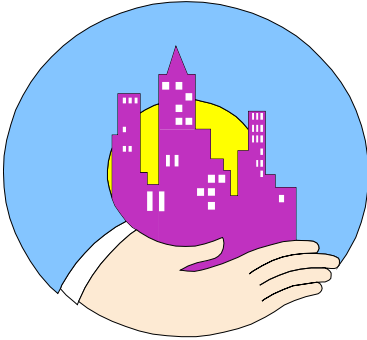


The ITA has fought hard these last several years to retain the assessing duties of trustee-assessors and are very concerned with the legislature's decision to transfer those duties to county assessors. We are following the Stoffel lawsuit intently and are determining what, if anything, the ITA can do while best utilizing the ITA's resources.

We certainly believe that the trustee-assessors are rightfully due the compensation they planned to receive until January 1, 2011 while fulfilling the duties they were elected to perform. We will keep the membership in tune as things move along in the process.

Public Servant

People run for office and are elected to represent and serve the people who elected them. They are not to put themselves above their constituents; they are not the heir apparent to rule those they suppose to be inferior. The term we use for those we elect is public servant. What can we as citizens reasonably expect from those that we elect? How are we at assessing whether or not we are receiving that which is reasonable?



Are our expectations too low? Have we become accustomed to officials treating us as though we are subservient? Do we demand and expect good government?

The public has the right to be treated with respect. Public servants may not be able to please all of the people all of the time, but they should not argue with, ridicule or humiliate the electorate.

With high office comes great responsibility to lead through service. Do our officials settle for power with no responsibility?

Do they serve anyone or anything besides their own self interest? Are they interested in helping corporate friends or are they working for the general good?

Servant leaders make it their business to know the pulse of the people. To such public servants, service does not come before self; it is self..

Elected officials only have power if we allow them to. Become involved in your communities. Examine the performance and voting records of those who hold seats in the court house and the state house. Let them know that irresponsible and non responsive behavior has a cost and if they ignore the public they will pay for it.

**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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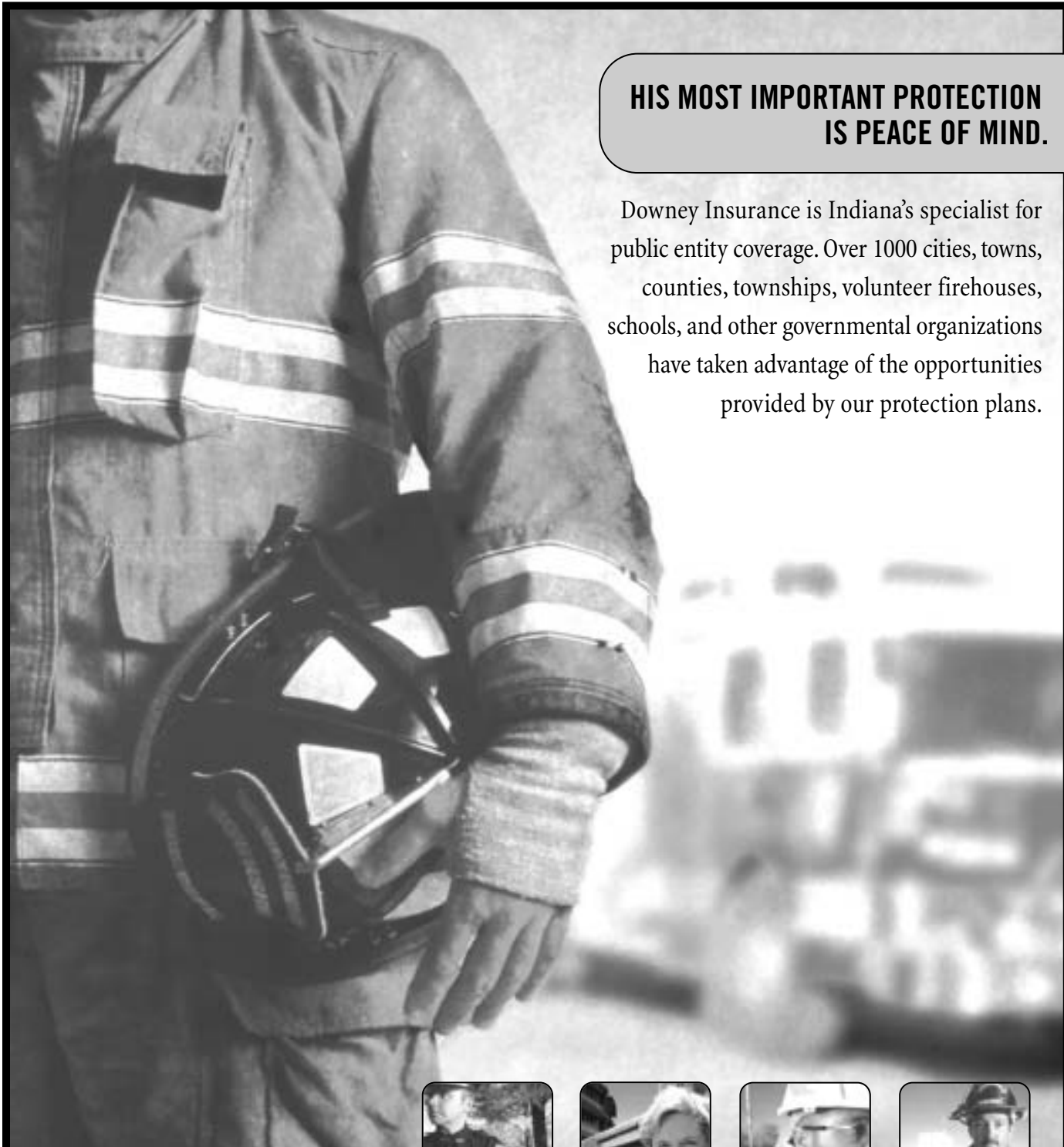
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