

	<b>Hear Ye, Hear Ye....</b>
	Current Events..... 1
	Guest Columns..... 2
	Legal Chambers..... 2
	Local News..... 3
	Elected Officials Scorecard..... 3
	Government Meetings..... 3
Memorable Quotes ..... 4	

## IN House of Representatives orchestrates efforts to undermine taxpayer friendly legislation!

I recently opined on the current legislative session; spouting words like appalling, atrocious, dismal, disgusting, dreadful, horrendous, pathetic, lackluster, and lackadaisical. Some might consider my criticism over the top, so I decided to recap this legislative session at the Indiana Statehouse so that readers could draw their own conclusions.

First, house majority leader Patrick Bauer refused to allow the caps legislation to come to the floor for a vote. Bad news Bauer claims that the vote can happen either this year or next and that we need to see the effects of the property tax caps before making them permanent.

Next the house Government and Regulatory Reform committee wasted no time before trampling many of the Kernan Shepard recommendations. They carefully culled the bulk of the recommendations into one bill; then they killed that bill in committee.

Finally to add insult to injury, our lackluster legislators seek to sabotage the voter referendums on public expenditures by drafting new laws that

would circumvent the requirement by incorporating "green technology". I see a mountain of greenbacks squandered for the sake of going green.

It appears that our lackadaisical legislators seek to delay their vote on the caps even as they block all avenues on the road to fiscal responsibility.

I assert that those asking us to wait have no intentions of permanently capping property taxes. Instead they will spend the next year stalling all attempts at fiscal responsibility while belaboring and ballyhooing every budget shortfall in order to defeat the caps in the court of public opinion before they vote next year.

I can hear the drumbeat of dire consequences banging in the distance. We must be ever vigilant, consistent in our demands and persistent in our efforts. If not we will be left with increased sales taxes and unbridled property taxes free to return to new heights. It has happened before. We must not let it happen again.

- Jim Arnold

## Pat Bauer May Be Roadblock To Permanent Tax Caps

When you have as your party's leader a man who has represented a gerrymandered district for decades and who has continuously drawn a second paycheck from either a local school district or Ivy Tech, it should come as no surprise that leader will do everything within his power to block homeowners from receiving the benefit of permanent property tax caps.

House Speaker Pat Bauer will have plenty of support from local governments and schools to block a vote on the amendment this year. He'll also have support from the Indiana Chamber of Commerce, which would just as soon keep shifting the property tax burden

on to homeowners and away from business. Proponents were dealt a big blow to the tax cap efforts when Democrats Mary Ann Sullivan, Ed DeLaney and John Barnes won their respective House districts in Marion County. All three of these newly-elected legislators accepted tens of thousands of dollars from the Indiana State Teachers Association's political action committee. ISTA opposes making the tax caps permanent as do Sullivan, DeLaney and Barnes. Our guess is that Bauer will tie the tax cap amendment up in committee so his members won't have to take an unpopular vote against the measure.

## Muncie City Council and Delaware County Council adopt new IC 36-1.5 Modernization Resolutions with committee and threshold changes.

Eighteen months after being first brought before the Delaware County Commissioners and then shortly thereafter to the Muncie City Council, the Muncie-Delaware County Modernization effort appears to have been re-railed and ready to move on down the line of creating a plan of City/County reorganization and modernization. It might be noted that in the process of the housekeeping necessary to address this issue, that the citizen's Petitions filed in February of 2008 were finally certified and addressed as well. The Petition effort created a Public Hearing on the issue of modernization that was held on February 4, 2009. The hearing saw an outpouring of support in favor of the effort and appeared to be well recieved by the City Council as they moved on a new Resolution at their next meeting on March 2, 2009.

While they say that it's "better late, than never", imminent revenue shortages combined with the declining economy and local loss of industrial tax base and assessed values, the effort to reduce costs is even more urgent.

The newly adopted Modernization Resolutions have both corrected a legal deficiency of the prior

Resolutions as well as increased the Committee's membership. Two new appointments involving the Muncie City Council and the Delaware County Council have been added bringing the total Committee Members to eight. The Mayor's appointments consist of Eric Kelly, Gary Addison and Alan Wilson. The City Council appointed Billie Shephard. The County Commissioners swapped out all their appointments for Denise Moore, George Sheridan Sr., and Lee Ann Mengelt and the County Council has added Joe Russell.

Regarding the legal defect in the original Resolution that failed to specify a threshold declaration associated with the ballot referendum, the new Resolution specifies that the referendum shall be subject to a threshold. That threshold shall be determined by the Committee in its final plan.

Time is of essence as the one year clock started ticking with the County Commissioner's adoption of the Resolution on April 6, 2009. We would strongly urge all citizens, County and City alike, to embrace this effort. With massive local revenue shortfalls, local governments must reinvent themselves to survive.

## New County Commissioners continue with practice of high-priced Common Construction Wage Hearing appointments

The newly elected Delaware County Commissioners have picked up right where the past Commissioners left off with costing the local taxpayers hundreds of thousands, if not millions of dollars in squandered tax dollars serving special interests.

After the CDCPTR took to task the issue of illegal appointments that for decades had been selling our economic souls, the County Commissioners, in collusion with the AFL/CIO has developed a

pool of individuals aligned with their objectives to stand as routine appointments for the CCW hearings. Ironically, these individuals occupy an appointment in the hearings as a "taxpayer representative". Nothing could be further from the fact that they are appointed to represent the taxpayers. Quite the contrary.

Most recently, the Delaware County Commissioners' President, Todd Donati's cousin, Angie Moyer, has taken up the reigns of sticking it to the local taxpayers.

# The Delaware County Taxpayer Crier

## The High Cost Of Public Construction In Indiana If the Statehouse is serious about reducing taxes now would be the time to confront the 'elephant in the dining room'

The uproar over property tax increases took center stage a couple of years ago and arguably led to the political defeat of a once popular mayor of Indianapolis, Bart Peterson. The political debate continues in the Indiana General Assembly over constitutional caps and other solutions to the continuing problem of reigning in the levels of property taxes.

With all this uproar, however, there is almost total silence on the high cost of public buildings that property taxes fund.

The facts are these:

1) Between 1984 and 2006, Indiana property taxes for school debt and capital projects increased over eight percent per year;

2) Indiana schools cost 40 percent more to build than schools nationally.

So if Indiana taxpayers are not getting their bang for their buck, who is? The answer concerns the "elephant in the dining room," a term of political art referring to a controversial issue that is obvious but ignored out of embarrassment or convenience. It is a rhetorical device to acknowledge that the problem won't be going away by itself. That certainly is the case here.

The elephant is "common wage" and the stranglehold that Indiana union bosses in the building trades have over public construction.

When the costs of a public project exceeds \$150,000.00, a five-member committee is formed to determine what wages will be paid. The committee's job is to determine the "common" everyday construction wages being paid in your county.

The spirit of the law is to preserve the economic base of each county so that the wages determined are not too low or too high.

Who are these five members? There are two members appointed by the public entity that is building the project — your city or town, county, school board, library board, etc.

Last year, statewide, these particular members of the county boards missed 10 percent of all their meetings. That's right, 10 percent of the time the representatives of the owner of the project did not even show up to help determine a major cost item of their project.

A third member of these committees is appointed by your county commissioners. Last year, statewide, these particular members missed almost 20 percent of the meetings, according to the Indiana Department of Labor.

A fourth member comes from the Indiana Department of Labor. They typically show up but do not exercise their right to vote. This may

strike some as curious. The current administration wants property tax reform but doesn't take a stand at each Common Wage hearing to protect the taxpayer.

A fifth person is a representative of the AFL-CIO building trades unions. The union represents less than 25 percent of the construction workers in this state, have an automatic seat on these committees. They submit a list of wages at each hearing reflecting wages paid in Indiana's large urban areas. These are premium wages that typically do not reflect what is commonly paid in most counties for construction services. The fact of the matter is that the lowest rate union laborer on a school construction project is making more than the highly educated teacher within the school.

Taxpayers have every right to expect that public buildings get built as cost effective, as safe and as efficiently as buildings in the private sector. That is not happening because the union bosses are protecting their own special interests and working against those goals.

As we have been reminded on a national level, industries dominated by unions are crumbling. That is because there is a tipping point beyond which labor costs overprice the value of the product. Dollars for public construction last year in Indiana was in the billions.

So you see what is at stake. And you also see why politicians are afraid to confront that "elephant in the dining room." Not only do politicians fear the wrath of the labor unions, they fear being labeled by the media as enemies of working men and women and destroyers of the middle class. Who wants to face that criticism?

And labor bosses can convincingly promise to fill the streets around the Indiana Statehouse with thousand of protesters. Who wants to face that crowd?

So the "elephant" stays in the room, the silence continues and we look for ways to control property-tax increases without controlling the cost of construction. But if even political leaders won't confront the "elephant," Indiana taxpayers might?

Costs of projects could be lowered overnight if taxpayers would take over a process that has been overshadowed by that "elephant in the dining room." In a world where decision-making seems out of reach for the regular citizen, you can make a difference. Go to the next Common Construction Wage hearing in your county. I hope to see you there.

- J.R. Gaylor, President of the ABC

## Legal Chambers: Local Tax Adjustment Board doomed by new legislation

An innocent oversight? A serious failure of the system? An outright sabotage? It all depends upon who you ask. But at any rate, the (Delaware) County Board of Tax Adjustment, the most powerful tool that any given County could utilize to scrutinize and control local taxation has been legally dismantled for at least until next year.

The new property tax legislation, passed last year, in all of it's 682 pages of legalese, addressed a countless number of issues including the law IC 6-1.1-29 governing the County Board of Tax Adjustment.

Unfortunately, the legal authority that the General Assembly

delegates the responsibility of researching and tying together all the loose ends associated with new legislation and it's trickle-down impact on our existing laws, blew it.

In a nutshell, the first section of the County Board of Tax Adjustment law, containing the critical definitions of membership of the Board, was rendered "expired" by the failure to remove a six word sentence that dealt with the county board of tax and capital projects review that was abolished by the new property tax legislation. This very serious error has allegedly been addressed in current legislation making its way through the General Assembly.

## Legislators Fiddle The Day Away By Sheila Suess Kennedy

The one thing Republicans, Democrats and independents seem to agree on is that the country is in a big mess, and business as usual isn't going to fix it.

As bad as things are nationally, states are arguably swimming in even more treacherous waters, because most state constitutions, including Indiana's, require balanced budgets, a requirement that gives state lawmakers very little maneuvering room in times of economic duress. So we might expect our state legislators to forgo the usual efforts to protect their fellow partisans and ingratiate themselves with narrow constituencies, and instead work in a bipartisan manner to solve the difficult fiscal problems we face.

We might expect that, but we would be wrong.

So far this session we have seen efforts to designate a state pie (harmless enough, but choosing an official state pie couldn't wait?); a bill to allow students at state universities to carry guns on campus (in addition to the mayhem this would promote, if you think we have grade inflation now -- how many of us faculty types would give poor marks, no matter how richly deserved, to students "packing heat?"); and yet another effort to amend the state constitution by inserting a ban on same-sex marriages (never mind that such unions are already illegal in Indiana, and that the prospect of Adam and Steve filing joint tax returns isn't exactly topping Hoosier worry lists these days).

And then there's state Sen. David Long. If you think solving the problem of gun violence by arming more adolescents is counterintuitive, what is there to

say about Long's effort to have government restructuring decided by local referenda? Leaving aside the obvious cowardice of this effort to avoid casting a vote that will make some people unhappy, this is a suggestion absolutely guaranteed to make an already bad situation worse.

The problem with Indiana government is that we have too many overlapping and duplicative units of government, and far too many elected officials. These multiple layers of government are inefficient, they make it difficult for citizens to know who is responsible for what, and they are all paid for with tax dollars desperately needed for service delivery. (In a real sense, we are being asked to choose between paved roads and township trustees.) The Kernan-Shepard report identified a number of problems stemming directly from the crazy quilt that is Indiana government.

If each county held a referendum on whether to streamline government in that county, we would be addressing the problems caused by one incoherent patchwork by creating an even bigger, more incoherent patchwork. It's like treating a cold by taking bird flu virus.

Is it too much to ask our state legislators to stop fiddling while Indiana burns? To put aside the game-playing, pandering and politics as usual, at least for the duration of the economic crisis? We citizens would sure appreciate it.

*Dr. Sheila Suess Kennedy is professor of law and public policy at the Indiana University School of Public and Environmental Affairs in Indianapolis.*

# The Delaware County Taxpayer Crier

## Will the recent MFD equipment problems translate into LOIT?

The most recent development of a Muncie Fire Department ladder truck being pulled out of service has raised the concern of many that the issue of LOIT will once again surface.

Most in Muncie have already heard of the truck's de-commissioning and the fact that the immediate solution for a replacement appears to be caught in the middle of a political/labor battle involving the Center Township Trustee's Office, the Mayor and the City Council. How that will ultimately play out still remains a mystery. In the interim, the Delaware County Redevelopment Commission and the Muncie Redevelopment Commission entered into an agreement to pilfer the Morrison TIF for a cool million dollars to buy three fire trucks for the City. This should probably bring the citizens of the unincorporated area of the TIF up for air!

In the meantime, the Chamber of Commerce hosted an event featuring John Stafford, an individual specializing in alternative revenue sources (ie: LOIT). Stay tuned!

## CDCPTR moves to reinstate convenient public access by providing local government meeting coverage on its website

Once again the CDCPTR has circumvented the beauracracy of local government by taking the initiative and posting the videos of most of the local government meeting on its website.

The local public access channel went dark on March 20th following the cable company's handing off of that responsibility to the City that was not prepared to take it on. Subsequently, the Muncie Cable Commission was hastily reinstated and delegated the task of resolving the dilemma and getting things back online but has yet to come up with a plan. In the meantime, the CDCPTR saw a serious black-hole developing with local government transparency and accountability.

Therefore, the CDCPTR starting filming and broadcasting the videos via the Internet. They can be accessed at: [propertytaxrepeal.com/media.html](http://propertytaxrepeal.com/media.html)

## Newly elected officials make several changes to meeting schedules

With newly elected officials, many of our local government bodies have adopted several changes to their agendas. Some of the meetings have had time changes that are important to note. The Delaware County Commissioners that meet twice a month, on the first and third Mondays, have changed their meeting time from 9:30 am to 9:00 am. Additionally, the Commissioners have elected to hold a 6:30 pm evening meeting on the first Monday of every other month beginning March. Unfortunately this will now conflict with the Muncie City Council who also holds their meeting on the first Monday of each month.

The Muncie Sanitary District that had historically held their meeting in direct conflict with the Muncie Community School Board meeting at 6:30 pm on alternating Tuesdays has now moved their meeting to 5:30 pm. While a step in the right direction given the fact that the MSD's meeting generally lasts less than 30 minutes, it is still difficult to make both meetings if so inclined.

## CDCPTR Crier reverting to quarterly publication

The CDCPTR Taxpayer Crier, historically published every other month is reverting to a quarterly publication. Because of several considerations, including ongoing newsletter costs and a temporary lull in the local political cycle, it was decided to direct our resources in many other areas.

While we retain a close focus on our many local issues, there is important legislative efforts going on in the Indiana General Assembly this session that has or will require a great deal of our time and effort.

We have already hosted 2 of our 4-Corners Community Updates and they were rousing, standing room only successes. Our third is tentatively scheduled at Osborns in Yorktown on May 9th and the fourth will be announced a short while later. We will continue to timely update our website on these and other issues as they develop, so please try to stay close to that as well. With our expanded capabilities in the area of posting full length government meetings, we're hoping citizens will become more comfortable with utilizing the website routinely.

## Elected Officials Scorecard

The voting and public positions of our elected public officials.

Legend	Property Tax Repeal	Constitutional Pkly Tax Caps	County Consolidations	City Consolidations	City/Co. Consolidations	Dept. Consolidations	Personnel Reductions	Privatization of Svcs	Tax Abatement	TA Non-compliance Penalty	Forced Annexation	Allied with Spc. Interests	Favors Alt. taxes (LOIT)
Y = Yes, in favor N = No, not in favor - = Undecided..... (yet to demonstrate by vote)													
Sen. Sue Errington	N	N											Y
Rep. Bill Davis	Y	Y											N
Rep. Dennis Tyler	N	Y											Y
Rep. Jack Lutz	Y	Y											Y
DC Cms. Todd Donati			N	Y	N	N	Y	Y	-	-	Y	-	
DC Cms. Don Dunnuck			N	Y	N	N	Y	Y	-	-	Y	-	
DC Cms. Larry Bledsoe			N	Y	N	N	Y	Y	-	-	Y	-	
DC Cnc. Brad Bookout			Y	N	N	N	Y	Y	Y	N	N	-	
DC Cnc. James King			Y	Y	Y	Y	Y	N	Y	N	-	-	
DC Cnc. Ron Quakenbush			Y	N	Y	Y	N	N	Y	N	N	-	
DC Cnc. Mary Chambers			N	N	N	N	N	Y	N	N	-	-	
DC Cnc. Kevin Nemyer			Y	Y	Y	Y	-	Y	N	N	N	-	
DC Cnc. Ted Bowman			N	N	N	N	N	Y	-	Y	-	-	
DC Cnc. Chris Matchett			Y	N	Y	N	Y	Y	Y	N	-	-	
Mayor Sharon McShurley				Y	Y	Y	Y	Y	Y	-	Y	N	-
MC Cnc. Sam Marshall				N	Y	N	N	N	Y	N	Y	Y	Y
MC Cnc. Alison Quirk				N	Y	N	N	N	Y	N	Y	-	-
MC Cnc. Mary Jo Barton				N	Y	N	N	N	Y	N	Y	Y	-
MC Cnc. Monte Murphy				N	Y	N	N	N	Y	N	Y	Y	-
MC Cnc. Jerry Dishman				N	Y	N	N	N	Y	N	Y	-	-
MC Cnc. Mike King				N	Y	N	N	N	Y	N	Y	-	-
MC Cnc. Linda Gregory				Y	Y	Y	Y	Y	Y	N	Y	N	-
MC Cnc. Brad Polk				Y	Y	Y	Y	Y	Y	Y	N	N	-
MC Cnc. Mark Conatser				Y	Y	Y	Y	Y	Y	Y	N	N	-

## Important Government Meetings Schedule

Please plan on attending at least some of these meetings!  
Cut this schedule out and place it where you can't forget!

Tuesday, 5/12/09 @ 6:30 pm:  
Muncie Schools Board Meeting  
MCS Administration Building  
2501 N. Oakwood Avenue, Muncie, IN

Tuesday, 6/23/09 @ 9:00 am:  
Delaware County Council Meeting  
Commissioners Court, Room 309  
County Building, Muncie, IN

Monday, 5/18/09 @ 9:00 am:  
Del. Co. Commissioners Meeting  
Commissioners Court, Room 309  
County Building, Muncie, IN

Tuesday, 6/23/09 @ 6:30 pm:  
Muncie Schools Board Meeting  
MCS Administration Building  
2501 N. Oakwood Avenue, Muncie, IN

Tuesday, 5/26/09 @ 9:00 am:  
Delaware County Council Meeting  
Commissioners Court, Room 309  
County Building, Muncie, IN

Monday, 7/6/09 @ 6:30 pm:  
Del. Co. Commissioners Meeting  
Commissioners Court, Room 309  
County Building, Muncie, IN

Tuesday, 5/26/09 @ 6:30 pm:  
Muncie Schools Board Meeting  
MCS Administration Building  
2501 N. Oakwood Avenue, Muncie, IN

Monday, 7/6/09 @ 7:30 pm:  
Muncie City Council Meeting  
(Public meetings and special meetings may begin earlier)  
City Hall Courtroom  
Muncie City Hall

Monday, 6/1/09 @ 9:00 am:  
Del. Co. Commissioners Meeting  
Commissioners Court, Room 309  
County Building, Muncie, IN

Tuesday, 7/14/09 @ 6:30 pm:  
Muncie Schools Board Meeting  
MCS Administration Building  
2501 N. Oakwood Avenue, Muncie, IN

Monday, 6/1/09 @ 7:30 pm:  
Muncie City Council Meeting  
(Public meetings and special meetings may begin earlier)  
City Hall Courtroom  
Muncie City Hall

Monday, 7/20/09 @ 9:00 am:  
Del. Co. Commissioners Meeting  
Commissioners Court, Room 309  
County Building, Muncie, IN

Tuesday, 6/9/09 @ 6:30 pm:  
Muncie Schools Board Meeting  
MCS Administration Building  
2501 N. Oakwood Avenue, Muncie, IN

Tuesday, 7/28/09 @ 9:00 am:  
Delaware County Council Meeting  
Commissioners Court, Room 309  
County Building, Muncie, IN

Monday, 6/15/09 @ 9:00 am:  
Del. Co. Commissioners Meeting  
Commissioners Court, Room 309  
County Building, Muncie, IN

Tuesday, 7/28/09 @ 6:30 pm:  
Muncie Schools Board Meeting  
MCS Administration Building  
2501 N. Oakwood Avenue, Muncie, IN

The Citizens of Delaware County  
for Property Tax Repeal, Inc.  
1716 N. Wheeling Ave.  
Muncie, IN 47303

**April-June 2009**

Committed to educating the taxpaying and  
voting citizens of Delaware County for the betterment  
of government, community and reduced taxes.



The Delaware County  
**Taxpayer Crier**



**HELP US HELP YOU!**

**May challenge:** Watch the Government meetings on the  
CDCPTR website: [www.propertytaxrepeal.com](http://www.propertytaxrepeal.com)!

**June challenge:** Attend a Modernization Committee meeting!

If your name is "Current Resident", please  
update your information with the CDCPTR!!



The Delaware County  
**Taxpayer Crier**

The Delaware County Taxpayer Crier is published  
bimonthly by the Citizens of Delaware County for  
Property Tax Repeal, Inc. promoting the dissemination  
of information for the purpose of educating the Citizens,  
Voters and Taxpayers in pursuit of our primary goals:

***Responsible Government Spending;***

***Responsible and Responsive Public Officials;***

***Repeal of Indiana Property Taxes.***

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submissions may additionally be published on the Citizens  
of Delaware County for Property Tax Repeal, Inc. website.

**Memorable Quotes:**

*"What at first was plunder assumed the softer name of revenue."*  
**Thomas Paine**

*"The worst thing in this world, next to anarchy, is government."*  
**Henry Ward Beecher**

*"My reading of history convinces me that most bad government results  
from too much government."* **Thomas Jefferson**

*"If, from the more wretched parts of the old world, we look at those  
which are in an advanced stage of improvement, we still find the  
greedy hand of government thrusting itself into every corner  
and crevice of industry, and grasping the spoil of the multitude.  
Invention is continually exercised, to furnish new pretenses for  
revenues and taxation. It watches prosperity as its prey and  
permits none to escape without tribute."* **Thomas Paine**

*"To compel a man to subsidize with his taxes the propagation of  
ideas which he disbelieves and abhors is sinful and tyrannical."*  
**Thomas Jefferson**