

Is South Bend in Full Assault Mode on County Residents?

Desperate to pay off its Smart Streets project & its federally mandated sewer separation, South Bend has explored as many as 3 initiatives to grab revenue from county residents:

- 1) **County-wide code enforcement** with officials from South Bend judging everyone in the county on the length of their grass, whether they have a non-working vehicle, etc. paid for, of course, by an increase in taxes
- 2) **A Food and Beverage Tax** – an additional 1% on your meal every time you go to a restaurant anywhere in the county
- 3) **A Bid Ordinance** to give county construction and other bidded contracts to local union companies, resulting in higher taxes – DONE!

1) County-wide Code Enforcement!!?

Incredibly, there are rural residents ASKING for this nightmare. The rest of us need to speak up!

If you live in an unincorporated area of the county, can you imagine a loss of liberty quite as revolting as having Code Enforcement officers come out from the nearby city and tell you that your grass is too high, your house needs repainted, or you have to remove your car that you're trying to repair because it's not running? If you live in a subdivision with covenants, you may already have accepted that you cannot erect an outbuilding, or have a flagpole of a certain height, or park your car beside your driveway, but those were conditions you agreed to when you bought the house. Can you imagine someone just arbitrarily applying it to your rural home or farm where you have lived for decades?

Apparently St. Joseph County officials are considering putting the entire county, farms and all, under South Bend's Code Enforcement rules! Seriously! And for the privilege of being hounded and harassed at a level previously enjoyed only by people who elect to live in cities, we would have to foot the tax bill for two new Code Enforcement inspectors to the tune of \$150,000 a year! WHY would any rural resident of the county want to do this??? Well, apparently 157 such residents have complained to the County Council about their neighbor's property. People! Since when did we stop talking to our neighbors and go looking for a government entity to do it for us? Were these 157 people even thinking about the possible ramifications of what they were asking?

Oh, wait. These 157 people are probably all city dwellers who moved out into the county for the lower taxes – and now they want all the city services that would run their taxes right back up to what they were in the city. Even if they drive up the costs for ALL THE REST OF US.

Does anyone not realize that while 157 people filed complaints, that means that 117,834 of us did not? In other words, 1000 times more of us DID NOT feel it was appropriate to complain to the county about a neighbor's property.

Elected officials need to think a moment about this. The Revolutionary War was fought over things like taxation and the government forcing people to house government soldiers in their private homes. Most of us take personal property issues personally. It's a Constitution thing.

Also, Indiana is a freedom state. One of the highest freedom states in the country, according to the CATO Institute. We didn't get that distinction by doing insane things like subjecting everyone in the rural parts of our counties to the tightly defined rules that city dwellers agree to when they choose to live in a city.

County officials, please do not start a revolution. We have already talked to a number of county residents whose first step of rebellion would be to refuse to mow the County Right-of-Way (approximately 4 feet of yard on your property that faces a road). If the county is going to tell us how short to cut our grass, then they can take over cutting THEIR grass. Think about how business friendly our county would look then!

We need to contact our County Council members and County Commissioners to stop this Code Enforcement idea cold.

2) A Food & Beverage Tax

Yes, South Bend, Mishawaka, and the County are considering another tax on all of us.

Our county has the distinction of having the highest taxes in the state of Indiana. Sometimes Lake County (Gary) is listed ahead of us, and sometimes St. Joseph County is the acknowledged leader.

What does it take to have the highest taxes in the state? First of all, your property taxes need to be at the maximum. Property taxes aren't supposed to be more than your portion of the county budget (based on your property tax assessment as a part of the total assessed value in the county).

However, in St. Joe County the property tax bill has been pushed up for decades by bond issues for major projects and by tax incremental financing (TIFs). The taxes got so far beyond the budget that the State finally came down like a hammer and said "No more! From now on, property taxes can't be more than 1% of anyone's assessed value."

This caused major complaints from both South Bend and the County because both governments were so far over budget with their various building projects. To its credit, County government has been working to get back on budget, and has been somewhat successful.

South Bend is another story. Their "Smart Streets" initiative has them looking at million-dollar cost overruns, and the federally mandated sewer separation project could actually hit a billion dollars. They have already increased utility rates so high that city residents are screaming. What else can the city do? Find a way to make county residents pay, of course!

To get to be the highest-taxing county in the state, you not only need to top out the property taxes, but also need to implement every conceivable income tax that the state will allow. The County Option Income Tax (COIT) and the

County Economic Development Tax (CEDIT) were just the first. When another Local Option Income Tax (LOIT) came along, the County and South Bend jumped on it. When a Wheel Tax was offered as well, they immediately put a tax on every vehicle plated through the BMV.

But all these taxes aren't enough to allow South Bend to continue Smart Streets and the sewers, while still doing essential things like upgrading the ball stadium or paying for all the infrastructure for a casino for the Potawatomi's. Where could South Bend turn next? It appears they have been asking the state legislature to allow our county to impose a Food and Beverage Tax. Every time you buy a meal at a local restaurant, your bill would have not only state sales tax and a tip, but also another 1% tax to go to local governments.

The County has suggested they would put a fourth of their collection toward the Potawatomi Zoo -- which has proposed a \$37 million expansion as if it's trying to get as big as Fort Wayne or Toledo! Most county residents are fond of the zoo but feel it needs to pay for itself with its own entrance fees and fundraisers, and should keep its expansions in line with that. South Bend and Mishawaka aren't saying what they would use the money for.

Restaurant owners ask why they're being singled out. They would have no choice but to impose the tax even though it might anger customers and decrease sales.

All residents need to ask why we should pay yet another tax every time we eat out – just because South Bend can't get itself under fiscal control.

A Pay-to-Play Bidder Ordinance

Sorry, we didn't this one out to you in time. This one has already happened.

South Bend Tribune (Aug. 24, 2016) – "A newly proposed St. Joseph County ordinance that would give preference to local companies to bid on public works projects failed to make it out of committee Tuesday night. Although it doesn't mention 'unions,' the measure also requires companies to show evidence that their workers have completed apprenticeship and training programs, something that would exclude many non-union shops."

Are you reading between the lines here? The intent was to make sure that major construction projects and other bid projects go to local union shops – even if that means letting them charge 5% more than the lowest bidder!

What does that mean to county taxpayers? Two things: 1) Our taxes will go up because construction and other contract costs will go up 5%, and 2) we will have locked ourselves further into a good old boy, entrenched political machine, Pay-to-Play scheme.

Don't believe it? It's real, very real. Citizens for Common Sense has spent two decades documenting the local Pay-to-Play scheme. It works like this. Local unions and companies, including banks and law firms, make political contributions to the campaigns of various Democrat candidates for public office (council members, sheriffs,

commissioners, mayors), then when those candidates get elected or re-elected, the officials make sure all the contracts go to the unions and firms that backed them.

The last time one of these union pay scale ordinances came up, we presented evidence showing that three of the council members who were voting on it had received campaign donations almost EXCLUSIVELY from unions.

This so-called "Responsible" Bidder ordinance gave preference to union companies -- which only represent about 30% of the construction workers in the county. The other 70% of the construction workers in our county get shut out! Do you think this is fair to them?

Proponents of the ordinance argued that it would pay off for county residents because local companies have a more vested interest in doing quality work for their

community. Really? Does anyone like the speed at which Reith-Reilly (of South Bend) does its work here? Ask the businesses on SR 23 in Granger who had their access torn up for months on end with no work being done! You notice whenever Notre Dame needs a project done quickly, they hire's Phend and Brown out of Kosciusko County to do the work.

This ordinance was passed in February, was then vetoed by County Commissioners Andy Kostielney and Deb Fleming, but then the veto was overridden by the County Council in March.

The good news: State law may allow the Commissioners not to follow the new policy!

So What Can You Do about All of This?

**Make calls. Write letters. Send emails.
Let your elected officials know that you think about these issues.**

**Most of the issues in this newsletter are county issues,
so the people to talk to are:**

ST. JOSEPH COUNTY COUNCIL

Robert Kruszynski
287-1754
rkruszynski@co.st-joseph.in.us

Rafael Morton
232-7190
rmorton@co.st-joseph.in.us

Mark Catanzarite
232-9112
mcatanzarite@co.st-joseph.in.us

Corey Noland
273-0603
cnolan@co.st-joseph.in.us

Diana Hess
315-0714
dhess@co.st-joseph.in.us

Robert McCahill
289-8909
rmccahill@co.st-joseph.in.us

Jamie O'Brien
532-6860
jobrien@co.st-joseph.in.us

Mark Telloyan
287-7690
mtelloyan@co.st-joseph.in.us

Mark Root
675-1211
mroot@co.st-joseph.in.us

ST. JOSEPH COUNTY COMMISSIONERS

County Commissioners **Andy Kostielney, Dave Thomas, and Deb Fleming**
235-9534 sjccom@co.st-joseph.in.us

However, some of these issues (such as the Food and Beverage tax) involve South Bend, Mishawaka, and our State Legislators, so the full contact list is also enclosed.

OTHER COUNTY ISSUES

Leaf Pick-up

You may not want to hear this, but the only answer to county-wide leaf pick-up is to give up on it. There is simply no way a single vendor can get everywhere in the county at whatever random time the leaves decide to fall and get them all picked up before the snow falls. Can't be done!

So let's stop fooling ourselves and wasting \$1 million a year on a program that cannot succeed. The real answer is to let everyone go back to dealing with leaves on their own. Rake them and haul them, rake them and find a vendor to pick them up, or burn them. And yes, that means there needs to be one week, or maybe two separate weeks separated by a few weeks, when burning is allowed. Those with health issues need to be forewarned to stay indoors, get a ventilator or take their vacation then. Pumping millions more dollars into it and holding more meetings is not going to make any company big enough to remove all the leaves as fast as they fall. Not going to happen.

Hall of Fame

We can't pass on the opportunity to once again point out what a mistake it is to ignore the taxpayers on "Build It and They Will Come" projects like this. Jim Cierzniak and others researched the Hall's history, looked carefully at the financing and concluded that it would end up costing the taxpayers money despite the promises of then-mayor Joe Kernan. It ran million dollar deficits each year until it's closing, and now no one can find a use for the empty building. The message to all local elected officials: The next time you have taxpayers willing to do that much independent research, please listen to them!

UniGov

We periodically get wind that the Chamber of Commerce or somebody else is pushing the idea of UniGov in St. Joe county. The idea is that South Bend, Mishawaka and the County would all become a single government like Indianapolis/Marion County. Farms in Wyatt, Lakeville and New Carlisle and all the subdivisions of Granger would be part of a giant city. (Hmm. What do you suppose they'd call it?)

The argument in favor is that all the various codes and regulations could be uniform, and there could be cost savings from buying everything in bulk instead of duplicating purchases and services and staff.

The downside? Consider the fact that the city government of South Bend has never seen a tax that they didn't like or a new program that they didn't want to try. Now consider the fact that time and again the only hope the residents of the rest of the county have had is that either Mishawaka or the County itself would have the brains or the guts (preferably both) to stand up against unbridled taxing and spending.

UniGov for St. Joe County? That would be giving up our last line of defense against an entrenched political machine that has for decades put its own well-being ahead of that of its citizens. Anyone who wants to still enjoy the freedoms of owning your own property (such as being able to raise chickens on it), determining your own lifestyle (being able to smoke a cigarette, drink a beer or carry a gun when you feel it is appropriate), choosing your own hobbies or work (e.g., car repair) should think long and hard about wanting to become a resident of a city with no checks and balances from other local powers.

Contact Info

ST. JOSEPH COUNTY COUNCIL

Robert Kruszynski 287-1754 rkruszynski@co.st-joseph.in.us	Corey Nolan 273-0603 cnolan@co.st-joseph.in.us	Jamie O'Brien 532-6860 jobrien@co.st-joseph.in.us
Rafael Morton 232-7190 rmorton@co.st-joseph.in.us	Diana Hess 315-0714 dhess@co.st-joseph.in.us	Mark Telloyan 287-7690 mtelloyan@co.st-joseph.in.us
Mark Catanzarite 232-9112 mcatanzarite@co.st-joseph.in.us	Robert McCahill 289-8909 rmccahill@co.st-joseph.in.us	Mark Root 675-1211 mroot@co.st-joseph.in.us

ST. JOSEPH COUNTY COMMISSIONERS

County Commissioners **Andy Kostielney, Dave Thomas, and Deb Fleming**
235-9534 sjccom@co.st-joseph.in.us

SOUTH BEND COMMON COUNCIL

Tim Scott 538-1936 tscott@southbendin.gov	Regina Williams-Preston 235-5983 rpreston@southbendin.gov	Randy Kelly 235-5981 rkelly@southbendin.gov
Jo Broden 235-5978 jbroden@southbendin.gov	David Varner 291-1798 dvarner@southbendin.gov	Oliver Davis 288-4523 odavis@southbendin.gov
John Voorde 233-8933 jvoorde@southbendin.gov	Gavin Ferlic 235-5979 gferlic@southbendin.gov	Karen White 520-4477 kwhite@southbendin.gov

SOUTH BEND MAYOR'S OFFICE

Mayor Pete Buttigieg phone: 235-9261 custserv@southbendin.gov

MISHAWAKA COMMON COUNCIL

Woody Emmons 259-1839	Mike Bellovich 259-0827	Ross Deal 258-0805
Kate Voelker 256-5133	Mike Compton 256-2409	Ron Banicki 255-0562
Joe Canarecci 855-9680	Matt Mammolenti 258-9128	Bryan Tanner 400-5277

MISHAWAKA MAYOR'S OFFICE

Mayor Dave Woods phone: 258-1601 mayor@mishawaka.in.gov

INDIANA SENATORS -- phone at State House: (800) 382-9467

Joe Zakas s11@iga.in.gov	John Broden s10@iga.in.gov	Ryan Mishler s9@iga.in.gov	Jim Arnold s8@iga.in.gov	Carlin Yoder s12@iga.in.gov
------------------------------------	--------------------------------------	--------------------------------------	------------------------------------	---------------------------------------

INDIANA HOUSE REPS. -- phone at State House: (800) 382-9842

Dale DeVon h5@iga.in.gov	B. Patrick Bauer h6@iga.in.gov	Dave Niezgodski h7@iga.in.gov	Ryan Dvorak h8@iga.in.gov	Tim Wesco h21@iga.in.gov	Curt Nisly h22@iga.in.gov	Wes Culver h49@iga.in.gov
------------------------------------	--	---	-------------------------------------	------------------------------------	-------------------------------------	-------------------------------------