

November 14, 2003

Sean Eberhart, Members of Shelby County Council and Attorney John DePrez, IV

In answer to your finding in response to the Taxpayers Objecting Petition, I find it very interesting that you don't know the procedure by which taxpayers can express themselves on budget requests.


It states our rights in the top paragraph. But if you don't read it, how would you know. The legal Notice to Shelby County Taxpayers advertised on July 22, 2003 and July 29, 2003 stated you would hold a public hearing on the 2004 budget at 1:00 P.M. on August 29, 2003. It stated 10 or more taxpayers had 7 days from this date to file an objecting petition with the County Auditor.

Fifteen taxpayers of Shelby County filed an objection with the Shelby County Auditor on September 4, 2003, five days from the Public Hearing.

Yes this petition would be insufficient under IC 6-1.1-17-5(b) that pertains to political subdivision deadlines for filing rates and budget for the ensuing year. Also IC 6-1.1-17-5(c) only pertains to consolidated city-county units. These are not the statutes we filed under. We filed under the right to object given us in the Notice to Taxpayers of Budget Estimate for 2004.

The balance of your answer is yet to be determined. To be determined is what irrevocable means. In IC 6-3.5-7-15(f) ~ If the designation is made to provide for payment of lease rentals or bond payments, the executive may specify that the designation and its duration are irrevocable. We believe that is why the Commissioners in Resolution 1992-5 irrevocably pledged, starting in May 1994 and for not more than 17 years or until all bonds were paid, 75% of Shelby County's share of EDIT. This is what Maurice Leap, David Mohr and Kenneth Nigh promised Shelby County Taxpayers in Resolution 1992-5.

We have filed an Objecting Petition now under IC 6-1.1-17-13 with over 900 taxpayers signatures supporting said petition.



Dwain Laird  
Shelby County Taxpayers

President: SEAN EBERHART  
Vice President: BOB CARMONY  
Meeting Dates: 3<sup>RD</sup> Tuesday, 7:00 PM

### **SHELBY COUNTY COUNCIL 2003 LIAISON APPOINTMENTS**

<b>BOB CARMONY</b>	EXTENSION SERVICES, CORONER, PLAN COMMISSION, COUNTY ASSESSOR, ADDISON TOWNSHIP ASSESSOR, RECORDER, TREASURER, GIS BOARD
<b>SEAN EBERHART</b>	AUDITOR, COMMISSIONERS, HUMAN RESOURCES, DRAINAGE BOARD, INSPECTORS, VA SERVICES, WEIGHTS AND MEASURES, TINDALL FARM, SANITATION, FIBER OPTIC APPOINTING BOARD, FIBER OPTIC BOARD
<b>TERRY SMITH</b>	HEALTH, ANIMAL SHELTER, SOLID WASTE, SENIOR SERVICES, PROBATION
<b>KERMIT PARIS</b>	HOSPITAL APPOINTING BOARD, PROSECUTOR, JAIL, SHERIFF, SHERIFF MERIT BOARD, SOIL AND WATER, AMBULANCE BOARD
<b>PHIL KASTER</b>	YOUTH SHELTER BOARD, COUNTY PARK BOARD, BUILDING MAINTENANCE, CUM BRIDGE, HIGHWAY, LOCAL ROAD AND STREET
<b>HERB MCCLAIN</b>	AMBULANCE BOARD, SURVEYOR, EMERGENCY MANAGEMENT, TRUSTEES, WELFARE, AUTOMATION COMMITTEE
<b>WRAY RIGGINS</b>	COMMUNITY CORRECTIONS BOARD, PUBLIC DEFENDER, DRUG FREE COALITION, GALLAHUE MENTAL HEALTH, CLERK, SUPERIOR COURT I, SUPERIOR COURT II, CIRCUIT COURT, ELECTION BOARD.
<b>AUDITOR</b>	SECRETARY

**I am here to speak for a group of people who are Citizens, Property Owners, Taxpayers and Voters.**

**We believe that it is a conflict of interest for any and all elected officials to vote for tax money to go to any Groups, Individuals or Businesses with whom they have a business and or personal relationship.**

**Competitive bidding for Tax Money when it comes into play normally solves most conflict of interest problems.**

**But when Non-elected groups, Appointed boards or Committees ask our elected officials for Tax dollars the situation changes.**

**This evening I am specifically talking about THE EDIT TAX MONEY, which everyone in the County pays when; we file our State Income TAX.**

**When Elected Officials Vote to commit this money to various Groups, Projects and Appointed boards in specific amounts and are also asked to agree to spend the same amounts out of future years income to make the payment on Long Term Bonds plus interest THEN we feel that any conflict of interest vote must be avoided so that there is no suspicion of financial gain on any vote.**

**I want to address the issue of Elected Officials Vote Abstention on various votes pertaining to conflict of interest matters.**

**The groups of people for whom I speak feel that it is not acceptable for an elected official to not vote on the issues, especially spending issues. An abstention really means that the voter loses his vote or is disenfranchised.**

**Changing liaison responsibilities does not resolve conflict of interest issues. It only says that there appears to be a conflict of interest.**