

OFFICE OF THE SUPERINTENDENT

Millburn Public Schools

ACTION ITEM

July 19, 2010

To: Board of Education Members

From: Ellen E. Mauer, PhD

Subject: Referendum Resolution

Proposed Action by the Board of Education

Approve the referendum resolution as presented.

Background

We discussed this last time and throughout the year. After meeting with PMA last week, we have a summary as follows:

.73 ed fund increase along with some additional cuts will allow us to provide a quality program for students, but not an overly expensive, all-encompassing program. We can sustain ourselves for 5-6 years this way as long as we have no unexpected emergencies. (roof, boiler, etc.) We will still need to rely upon TAWs for cash flow. The .73 will cover what the state has pulled from us with a very small cushion. We will be able to improve our state financial rating. It will be important that we continue to operate in a very frugal manner. .73 increase breaks down into about \$730 from each residence valued at \$300,000. That further breaks down to about \$2 per day per household. We would gain just over 2 million dollars in our ed fund. We would see 1 million in next year's revenue (2010-11) and the full amount the following year. (2011-12)

If we do not pass this .73 cent increase, we will need to make \$1.1 million in cuts by December. We will provide a variety of scenarios and plans from which to choose at a later date in August. We have been working on these scenarios all summer. This number is different from the 1.6 million previously projected due to the way our actual budget figures came in for this last year. We did better than we had anticipated.

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF EDUCATION OF
MILLBURN COMMUNITY CONSOLIDATED SCHOOL DISTRICT NO. 24
LAKE COUNTY
STATE OF ILLINOIS
HELD IN SAID DISTRICT AT 7:00 O'CLOCK P.M.
ON THE 19th DAY OF JULY, 2010**

The President called the meeting to order and directed the Secretary to call the roll.

Upon the roll being called, the following Members were physically present:

The following Members were allowed by a majority of the Board to attend by electronic means in accordance with and to the extent allowed by rules adopted by the Board:

The following Members were absent:

The President then declared that this Board of Education should proceed with consideration of submitting the proposition of increasing the limiting rate of the School District to the voters of the District at the General election to be held on November 2, 2010, in order that this Board of Education may maintain and operate an efficient and adequate system of schools to meet the educational requirements of the School District. After a complete discussion of the amount of the increase required on the limiting rate of the School District, Member _____ presented the attached resolution. Member _____ moved and Member _____ seconded the motion that the attached resolution as presented be adopted.

After a full and complete discussion of the attached resolution, the President directed the Secretary to call the roll for a vote upon said motion and, upon the roll being called, the following Members voted Aye:

The following Members voted Nay:

The President declared the motion carried and the resolution adopted and directed the Secretary to record the same in full in the minutes of the meeting, which was done.

Other business not pertinent to the adoption of the attached resolution was transacted at the meeting.

Upon motion duly made, seconded, and carried, the meeting was adjourned.

Secretary, Board of Education
Millburn Community Consolidated School District No. 24
Lake County
State of Illinois

**RESOLUTION REQUIRING THE SUBMISSION OF THE
PROPOSITION OF INCREASING THE EXISTING
LIMITING RATE TO THE VOTERS OF
MILLBURN COMMUNITY CONSOLIDATED SCHOOL DISTRICT NO. 24,
LAKE COUNTY, ILLINOIS, AT THE GENERAL ELECTION TO BE HELD ON
NOVEMBER 2, 2010**

WHEREAS, the Board of Education of Millburn Community Consolidated School District No. 24, County of Lake, State of Illinois ("Board of Education"), maintains and operates a system of schools for grades Kindergarten to Eight, inclusive, and is presently authorized to levy taxes at a limiting rate of 2.851 percent upon all the taxable property of the Millburn Community Consolidated School District No. 24, County of Lake, State of Illinois ("School District") at the value, as equalized or assessed by the Department of Revenue; and

WHEREAS, the Board of Education does hereby find and determine that the existing limiting rate cannot generate sufficient funds to pay the cost of providing an efficient and adequate program to meet the educational needs of the School District and that it is necessary, therefore, to increase the limiting rate applicable to the School District and to establish the same at 3.580 percent upon all the taxable property of the School District at the value, as equalized or assessed by the Department of Revenue for levy year 2010; and

WHEREAS, before the Board of Education is authorized to levy the taxes at the increased rate of 3.580 percent, the proposition of increasing said limiting rate and establishing the same at 3.580 percent must be submitted to the voters of the School District as provided by the provisions of Article 18 of the *Property Tax Code*, and such proposition must be approved by a majority of the votes cast on the proposition at an election to be held within the School District, and it is hereby deemed advisable, necessary and in the best interests of the School District that the proposition of increasing said limiting rate and establishing the same at the rate of 3.580 percent for levy year 2010, be submitted to the voters of the School District at an election to be held and conducted in accordance with the general election law.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Education of Millburn Community Consolidated School District No. 24, County of Lake, State of Illinois, as follows:

Section 1: That it is necessary and in the best interests of the School District, in order that the School District maintain and operate an efficient system of schools, that the present limiting rate applicable to the School District be increased and established at 3.580 percent upon all the taxable property of the School District at the value, as equalized or assessed by the Department of Revenue for levy year 2010.

- Section 2:** That the proposition hereinabove referred to be submitted to the legal voters of the School District in accordance with the general election law at the General election to be held on Tuesday, the 2nd day of November, 2010, and that the polls at said election shall be open from 6:00 o'clock a.m. to 7:00 o'clock p.m. of said day (the "Election").
- Section 3:** That the Election shall be held in voting precincts and polling places established by the County Board of Lake County, State of Illinois, for voters of the School District at the General election.
- Section 4:** That the County Clerk of Lake County, State of Illinois ("County Clerk") shall give notice of the Election (the "Notice") in accordance with the general election law by (i) publishing the Notice once not more than thirty (30) days nor less than ten (10) days prior to the date set for the Election in a local, community newspaper having a general circulation in the School District, and (ii) posting a copy of the Notice at least ten (10) days before the date set for the Election at the principal office of the County Clerk.
- Section 5:** That the Secretary of the Board shall post a copy of the Notice at the principal office of the School District upon passage of this Resolution.
- Section 6:** That it is hereby found and determined that the DAILY HERALD is a local, community newspaper having a general circulation in the School District as required by Section 12-5 of the *Election Code* of the State of Illinois, as amended (the "*Election Code*").
- Section 7:** That the Notice shall appear over the name or title of the County Clerk, and shall be in substantially the following form:

NOTICE OF ELECTION

**MILLBURN COMMUNITY CONSOLIDATED SCHOOL DISTRICT NO. 24
COUNTY OF LAKE, STATE OF ILLINOIS**

NOTICE IS HEREBY GIVEN that at the General Election to be held on Tuesday the 2nd day of November, 2010, the following proposition will be submitted to the voters of Millburn Community Consolidated School District No. 24, County of Lake, State of Illinois:

Shall the limiting rate under the Property Tax Extension Limitation Law for Millburn Community Consolidated School District No. 24, Lake County, Illinois, be increased by an additional amount equal to .729% above the limiting rate for the purpose for which the School District is organized for levy year 2009 and be equal to 3.580% of the equalized assessed value of the taxable property therein for levy year 2010?

- (1) The approximate amount of taxes extendable at the most recently extended limiting rate is \$8,423,574, and the approximate amount of taxes extendable if the proposition is approved is \$10,577,480.
- (2) For the 2010 levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of \$100,000 is estimated to be \$244.
- (3) If the proposition is approved, the aggregate extension for the 2010 levy year will be determined by the limiting rate set forth in the proposition, rather than the otherwise applicable limiting rate calculated under the provisions of the Property Tax Extension Limitation Law (commonly known as the Property Tax Cap Law).

The polls at said election will be opened at 6:00 o'clock a.m. and will continue to be open until 7:00 o'clock p.m. on that day.

By order of the County Clerk of Lake County, State of Illinois.

Dated this ___ day of _____, 20__.

Lake County Clerk
Lake County
State of Illinois

Section 8: That the Ballot to be used at the Election shall be in substantially the following form, with such necessary alterations, changes, deletions and insertions as may be required by Articles 24A, 24B, OR 24C of the *Election Code* if an electronic, mechanical or electric voting system is used at the Election:

(Face of any Paper Ballot and Question Form for Voting by Machine)

PROPOSITION TO INCREASE THE LIMITING RATE

(INSTRUCTIONS TO VOTERS: Mark a cross (x) in the space opposite the word indicating the way you desire to vote.)

Shall the limiting rate under the Property Tax Extension Limitation Law for Millburn Community Consolidated School District No. 24, Lake County, Illinois, be increased by an additional amount equal to .729% above the limiting rate for the purpose for which the School District is organized for levy year 2009 and be equal to 3.580% of the equalized assessed value of the taxable property therein for levy year 2010?

- (1) The approximate amount of taxes extendable at the most recently extended limiting rate is \$8,423,574, and the approximate amount of taxes extendable if the proposition is approved is \$10,577,480.
- (2) For the 2010 levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of \$100,000 is estimated to be \$244.
- (3) If the proposition is approved, the aggregate extension for the 2010 levy year will be determined by the limiting rate set forth in the proposition, rather than the otherwise applicable limiting rate calculated under the provisions of the Property Tax Extension Limitation Law (commonly known as the Property Tax Cap Law).

(Back of Any Paper Ballot)

OFFICIAL BALLOT

Ballot for the purpose of voting on the proposition to increase the limiting rate for Millburn Community Consolidated School District No. 24, County of Lake, State of Illinois at the General Election held on November 2, 2010.

Precinct Number: _____

Polling Place: _____

(Facsimile Signature)

Lake County Clerk
Lake County
State of Illinois

- Section 9:** That for the Election those persons appointed by the County Board shall serve as judges of election in each election precinct, and they are hereby appointed to act as judges of election for said election.
- Section 10:** That not less than sixty-one (61) days prior to November 2, 2010, the Secretary of the Board of Education shall certify to the County Clerk the public question set forth herein in order that said proposition may be submitted to the voters at the Election.
- Section 11:** That said election shall be held and conducted and the returns thereof duly canvassed, all in the manner and the time as provided by law.
- Section 12:** If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining portions of this Resolution.
- Section 13:** That all resolutions and parts of resolutions in conflict herewith be and the same are hereby repealed, and this Resolution shall be in full force and effect forthwith upon its passage.

Adopted this 19th day of July, 2010

President, Board of Education
Millburn Community Consolidated School District No. 24
County of Lake
State of Illinois

ATTEST:

Secretary, Board of Education
Millburn Community Consolidated School District No. 24
County of Lake,
State of Illinois

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

CERTIFICATION OF MINUTES AND RESOLUTION

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Education of Millburn Community Consolidated School District No. 24, County of Lake, State of Illinois, and as such Secretary, I am the keeper of the records and files of the Board of said District.

I do further certify that the foregoing is a full, true and complete transcript of that portion of the minutes of the special meeting of said Board of Education of said School District held on the 19th day of July, 2010, in full and complete compliance with the *Open Meetings Act* (5 ILCS 120/1 *et seq*), insofar as the same relates to the adoption of a resolution entitled “**RESOLUTION REQUIRING THE SUBMISSION OF THE PROPOSITION OF INCREASING THE EXISTING LIMITING RATE TO THE VOTERS OF MILLBURN COMMUNITY CONSOLIDATED SCHOOL DISTRICT NO. 24, LAKE COUNTY, ILLINOIS AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 2, 2010.**” A true, correct and complete copy of said resolution as adopted appears in the foregoing transcript of the minutes of said meeting.

There is hereby certified to the County Clerk of the County of Lake, State of Illinois, for submitting to the voters of the District at the General election to be held on the 2nd day of November, 2010, the proposition set forth in said resolution, which said resolution was duly adopted by the Board of Education of the School District on the 19th day of July, 2010.

IN WITNESS WHEREOF, I hereunto affix my official signature at _____, Illinois, this ___ day of _____, 2010.

Secretary, Board of Education

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

FILING CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of the County of Lake, State of Illinois (the "County"), and as such official I do further certify as follows:

1. That on the _____ day of _____, 2010, there was filed in my office a duly certified copy of a resolution entitled:

Resolution Requiring the Submission of the Proposition of Increasing the Existing Limiting Rate to the Voters of Millburn Community Consolidated School District No. 24, Lake County, Illinois at the General Election to Be Held on November 2, 2010.

duly adopted by the Board of Education of Millburn Community Consolidated School District No. 24, Lake County, Illinois (the "District"), on the 19th day of July, 2010, and that the same has been deposited in the official files and records of my office.

2. That included in said certification were the form of a public question (the "Question") to be placed on the ballot at the General election to be held on the 2nd day of November, 2010 (the "Election"), and the date on which the Question was initiated by the adoption of said resolution.

3. That the Question will be submitted to the voters of the District at the Election.

4. That notice that the Question will be submitted to the voters of the District at the Election (the "Notice") will be given as required by Section 12-5 of the *Election Code* of the State of Illinois, as amended (the "*Election Code*"), by (a) publishing the Notice once not more than thirty (30) nor less than ten (10) days prior to the date of the Election in the _____, being a local, community newspaper having general circulation in the District, and (b) posting a copy of the Notice at my principal office at least ten (10) days before the date of the Election as set forth in Section 4 of said resolution and that the Notice will be in substantially the form set forth in Section 7 of said resolution.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the County, this _____ day of _____, 20__.

County Clerk, Lake County, Illinois

(SEAL)