

Mysuburbanlife.com, Editorial: D-1134A public hearing puts 2012-13 budget at risk (9.20.12)

Lemont, IL — It's a good thing that some Lemont merchants want to bring video gambling machines into their establishments, because some local elected officials feel lucky enough to roll the dice.

Lemont-Bromberek Combined School District 113A last month published a legal notice informing residents that its tentative 2012-13 budget would be available for inspection starting Aug. 20. The notice also declared that members of the School Board would hold a public hearing Sept. 18 as required by law.

The Illinois School Code mandates that a school district's tentative budget be placed on display for at least 30 days prior to any action taken on it. The Illinois State Board of Education requires school districts to pass their budgets by Sept. 30.

OK, so what's the problem? District 113A placed its budget on display 30 days prior to its public hearing, and the budget was approved by the School Board this week. So far, so good.

But state law also requires governmental entities to put these public notices in newspapers that are published in their school districts. District 113A placed its public notice in the Chicago Tribune.

The certificate of publication from this ad states that the Tribune's first community of publication is Chicago, not Lemont. Therefore, no legitimate public notice regarding the district's budget has yet been printed. Illinois case law has shown that the Tribune doesn't count as a local newspaper in towns other than Chicago, and actions taken by public bodies have been voided by courts because of improper notices.

But District 113A went ahead with its Sept. 18 public hearing, hoping that no one will mount a legal challenge. And maybe no one will. And even if they do, maybe a court will reverse the precedents already set.

District officials are betting the security of this year's budget on a "maybe." Given how close they are to having the ISBE taking over certain aspects of the district's financial operations, is everyone really comfortable with this?

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