

FOR IMMEDIATE RELEASE

Board of Education of Joppa-Maple Grove Unit School District #38

September 26, 2017

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On September 6, 2017, the Joppa-Maple Grove Unit School District No. 38 settled a lawsuit filed by local taxpayers. The District, in entering into the settlement agreement, made clear that it did not, in any way, violate the law or engage in any illegal action concerning its approval of tax levies.

The lawsuit, filed on June 15, 2017, alleged that the District and Massac County were responsible for overtaxing their citizens. Despite these allegations, it is clear the Board of Education followed the law in every respect and was not responsible for overtaxing the citizens and, instead, the Massac County Clerk failed to properly calculate the school district's taxes.

The current Board of Education has followed the same legal process that every prior Board of Education followed, going back to 2000 and prior. The Board approves a tax levy identifying the amount of funds requested. The tax levy is forwarded to the County Clerk, who is then responsible to compute and calculate the taxes. The County Clerk is the only individual responsible for calculating the taxes and the Illinois statute states: "Prior to extension, the county clerk shall determine the maximum amount of tax authorized to be levied by statute. If the amount of any tax certified to the county clerk for extension exceeds the maximum, the county clerk shall extend only the maximum amount levied." 35 ILCS 200/18-45. The District's tax levy submitted to the County Clerk is a request for funds; it is not a final determination of the tax money the District

will receive. In fact, there are times when the amount of taxes received are less than the amount of the tax levy the Board of Education submits to the County Clerk. For example, one of the Plaintiff's that filed the lawsuit, Ben Schmidt, is a former member of the Board of Education. On November 25, 2002, Mr. Schmidt, the Board President at the time, signed a tax levy requesting \$1,078,176, but the County Clerk only extended \$963,902. Did Mr. Schmitt break the law when he signed a request for tax money that exceeded the amount the County Clerk calculated and approved? No, he did not. And, likewise, the current Board members did not break the law when they submitted tax levies to the County Clerk.

Moreover, at no time did any of the current Board members or District employees have any knowledge that the County Clerk was not properly calculating taxes for the period 2001 through 2016. In fact, Plaintiff Ben Schmidt, who served on the Board of Education for many years, was the Board President in 2001 when the County Clerk failed to properly calculate taxes. Plaintiff Charles Lewis was also a member of the Board of Education from 2003 to 2010, and each year he was on the Board of Education, the County Clerk failed to properly calculate the taxes. Ironically, Mr. Schmidt and Mr. Lewis filed a lawsuit against the current Board of Education for errors in the tax calculation that occurred while they were both on the Board of Education. Are Mr. Schmidt and Mr. Lewis responsible for the over taxation from 2001 to 2010, when either one or both of those individuals were on the Board of Education when the County Clerk over taxed the taxpayers of the District? No, they are not, just as the current Board members are not responsible and had no knowledge the County Clerk was not performing his/her job.

When citizens raised concerns with the Board of Education concerning high taxes, the Board directed the individuals to contact the County Clerk and County Assessor, as those County officials are responsible for setting the tax rate and calculating taxes. The Board President and Superintendent spoke with the County Clerk on multiple occasions to confirm the District's taxes were correct, and the County Clerk confirmed each time that the District's taxes were correct.

The County Clerk is solely and completely responsible for over taxing the taxpayers in the Joppa School District – and the taxpayers of this community should not be at all pleased with the former and current County Clerks complete and utter incompetence in performing their elected duties.

Although the lawsuit against the District was completely baseless and was on the verge of being dismissed, the Board of Education determined that it would go above and beyond what the law required, and would provide a tax reduction in future years for tax errors the County Clerk committed in prior years. The Board, in balancing the need for available funds continue providing the quality of education the citizens have come to expect and to ensure the District does not go bankrupt, agreed to provide tax relief in the amount of \$600,000 to the taxpayers over the next four years, with a reduction of District's taxes in the amount of \$264,000 for 2016 taxes due in 2017, \$264,000 for 2017 taxes due in 2018, \$36,000 for 2018 taxes due in 2019 and \$36,000 for 2019 taxes due in 2020. This tax relief will extend to all property owners in the Joppa School District, and not just to the individuals that filed the lawsuit. Moreover, the Board of Education, to make sure that tax payers are billed the correct amount, engaged the services of a school finance expert to recalculate the County Clerk's tax errors over the past 16 years to

ensure the tax base is correct when calculating taxes in future years.

The Board of Education of Joppa-Maple Grove School District remains committed to providing students a high quality education in a safe and effective learning environment for many years. We are pleased that as a result of this lawsuit, the County Clerk's errors were brought to light and corrected, and that the Board was able to provide tax payers some relief in their tax bills while ensuring the District remains financially viable and solvent in order to provide current and future generations of students a high quality education.