



Dist. 15 petitions now in hands of Cook County clerk

By Madhu Krishnamurthy | Daily Herald Staff

Published: 4/27/2010 1:26 PM

Determining whether a petition to force a referendum on a \$27 million District 15 school bond issue is valid may take several days, officials said at a Monday night electoral board hearing.

The hearing lasted little more than half an hour before the board adjourned, saying the Cook County clerk's office will now check its records to verify each of the roughly 1,800 questionable signatures.

"We have to get the original records down to the county," said Gerald Chapman, electoral board chairman and president of the Palatine Township Elementary District 15 school board. "The two attorneys will work with the county to schedule the records check."

Whatever the outcome of that review, the electoral board will reconvene to hear evidence and testimony before making its ruling. The board is made up of Chapman, board Secretary June Becker and the longest-serving board member, Tim Millar, who was among three board members who voted against the \$27 million bond issue.

While the electoral board's decision is final, it is subject to judicial review. Both parties have 10 days to file an appeal with the circuit court, Chapman said.

No audience participation or public comments were allowed Monday per the rules of the hearing process.

Attorneys for the principal petitioner, Mary Vanek, and objectors Susan MacDonald and Theodore Grabbe, both of Palatine, presented brief opening statements.

"We believe that we have filed sufficient signatures of registered voters in the district, significantly over the number that is required," said Richard Means, Vanek's attorney.

Opponents collected 7,500 signatures, about 1,200 more than the 6,339 they needed. The number required is 10 percent of registered voters in District 15.

"We have a cushion," Means said. "It's not huge. We believe that we have very few faulty signatures, (and) after checking with official registered voters records downtown, it will be more than sufficient."

James Nally, attorney hired by the objectors, said of the 1,800 signatures identified as questionable, some are from people who aren't registered voters or don't live within the district.

The challengers also are questioning whether the petition was filed within the required time frame - within 30 days of publication of the bond notice in the local newspaper. Nally said in this case the 30th day fell on a Saturday, and the petitioner filed on the Monday after.

"Statute says within 30 days of the notice publication," Nally said, adding the law makes no mention of it having to be working business days. "That's a legal issue."

If the challenge is upheld, the school board can then proceed with the bond issue immediately.

"This happens with every closely fought issue, whether it's a candidate or whether it's a referendum," Means said. "We are not embarrassed about anything. We expect that the process is going to prove that we met all the requirements."