

Kankakee Airport Commissioner, Attorney Resignations

KANKAKEE, IL. ([ECWd](#)) –

The Kankakee Valley Airport Authority held its first meeting since receiving this [letter from IDOT](#) in reference to a potential commissioner disqualification of office.

During public comment, I restated past events with [the roofing contract](#), talked about another commissioner's alleged conflict in contracts, and asked the board to terminate the employment of [their attorney](#) for the bad advice he had given them. this is the same attorney who wanted to drop the hockey puck and play games with FOIA. On our way back to Edgar County, I was informed by the Chairman of the board that the attorney resigned as their legal counsel.

After the executive session, Commissioner Langlois read a prepared statement containing his resignation, and he also asked for the attorney to resign because of the legal advice he provided being bad advice that placed him in a position of potential criminal prosecution. Although we do not believe there is going to be any prosecution, we do agree the legal advice given was not consistent with the law. Video below:

<https://youtu.be/anCRGmCkXIA>

In other board business, apparently, there was a real estate tax bill sent to the airport for a portion of airport authority property where a house is located. This house had been rented in the past, but for several years has been vacant. The board may wish to get another legal opinion from their future legal counsel as once again it appears the attorney present last night didn't have all the information

sufficient to support his statement that they have to pay this bill.

Our problem with this real estate tax issue, is that public property is not subject to real estate taxes (except for the single exception below), however, [if leased out for other than exclusively public purposes](#) (like a rental house or farmland) the leaseholder is responsible for payment of any real estate taxes on the leased property. The assessor/collector is required to send the tax bill to the leaseholder, and the county cannot sell the property at a tax sale if the leaseholder does not pay the taxes due. They cannot force the public body to pay those taxes either, and the public body is never responsible for the payment of those taxes. One could argue the public body is responsible IF that language was included in any lease agreement – but that would be an issue between the leaseholder and public body, not one between the county assessor/collector and the public body.

The only reason for taxes payable by the public body is if the real estate had taxes previously levied to pay issued and outstanding bonds (until those bonds are paid) as of the date the real estate was acquired by the airport authority. [35 ILCS 200/15-160](#)

https://youtu.be/5GvZ_f5H-hI

Additionally, the board discussed the possibility of a \$5 million runway improvement to upgrade the existing runway to MD-80 specs (to handle larger aircraft). With the upgraded runway, there is also the possibility of attracting commercial freight companies, especially with the current location of the KVAA.

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