



Illinois Department of Transportation

Office of Chief Counsel
2300 South Dirksen Parkway / Springfield, Illinois / 62764

February 4, 2020

Coles County Airport Authority Commissioners
432 Airport Road
Mattoon, IL 61938

Dear Commissioners,

Pursuant to Section 5 of the Airport Authorities Act, IDOT hereby notifies the Board of Commissioners that it appears Mark Nelson may be disqualified from acting as a Coles County Airport Authority Commissioner. It appears that Mr. Nelson is an employee of the Mattoon Community Unit School District.

For your reference, Section 5 of the Airport Authorities Act provides as follows:

§ 5. Qualifications of commissioners and removal from office. No person shall be appointed to the Board of Commissioners of any Airport Authority who has any financial interest in the establishment or continued existence thereof or who is a member of the governing body or an officer or employee of a municipality, a county, or any other unit of local government, or an elected official of State or federal government, except when the authority is wholly located within a single county with a population of less than 40,000, an individual employed by a local school district may serve as a commissioner.

Should it appear to the Department of Transportation that any member of the Board of Commissioners of an airport authority may be disqualified, or guilty of misconduct or malfeasance in office or unwilling or unable to act, it shall notify the Board of Commissioners of that fact in writing and it shall then be the duty of the Board of Commissioners to require such board member to show cause why he should not be removed from office. Any such person shall be given a hearing by the Board of Commissioners and, after such hearing, if the Board of Commissioners finds such a charge should be sustained, it shall remove the person so charged from office, and a vacancy shall thereupon exist for the unexpired term of such office. (70 ILCS 5/5)

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IDOT appreciates the Board addressing its duty under the statute. Please advise me of your resolution of this matter. Should you have questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael S. Prater", with a long horizontal flourish extending to the right.

Michael S. Prater
Deputy Chief Counsel
217-524-7749

cc: Phil Kaufmann
Alan Mlacnik