



OFFICE OF WILL COUNTY BOARD

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January 10, 2012

President Michael S. Einhorn
Village of Crete
524 W. Exchange St.
P.O. Box 337
Crete, IL 60417

Dear President Einhorn :

It is our understanding that Congressman Jesse Jackson Jr. and his staff have been making presentations to government leaders in support of his ill conceived Abraham Lincoln National Airport Commission. This is an important issue for Will County, our region and Illinois; so I would like to share some thoughts regarding the Jackson plan, and Will County's position regarding the responsible development of the South Suburban Airport.

Congressman Jackson says he wants to create jobs by moving forward the construction of the South Suburban Airport. However, by continuing to promote ALNAC as the governing body he has become the single greatest roadblock to the project and the jobs he says he wants to create. Here are just some of ALNAC's fundamental flaws and dangers as reflected in the intergovernmental agreement municipalities are being asked to sign:

- ALNAC is effectively controlled by Elk Grove Village—a northwest Cook County community— due to super majority voting requirements contained in the intergovernmental agreement (IGA) creating ALNAC, until the airport is constructed. This includes control over all decisions made regarding officers, directors, finance, budget, operations, contracts, litigation and airport development. This power is absolute regardless of the number of home rule communities that make up the membership of ALNAC. [§§5.06.03(i); 5.12.02(1)(A)(i-iv); 5.12.02(1)(B)(i-ii); 5.12.02(1)(C)(i-ii); 5.12.02(B)(1)(i-vii). This absolute Elk Grove Village authority includes the power to veto any attempt by an ALNAC member community to discontinue its membership in ALNAC. [§§5.03 and 5.12.02(1)(B).

- The super majority voting requirements will transfer to University Park and Park Forest after the airport is opened. [§5.12.03]. All other ALNAC members will never have decision making authority.
- Although denied any meaningful voice in ALNAC, members are required to sign a pledge. The required pledge mandates, among other things, that members: (1) never work with or negotiate with any other governmental or private entity concerning the planning, development, creation or operation of the South Suburban Airport, and (2) never work with any other governmental or private entity concerning the “planning, development, creation, funding, operation and maintenance of...another airport within the radius of 75 miles” of the South Suburban Airport. [§3.03].
- Elk Grove and Bensenville are given the right to sue ALNAC members to force the expansion of the airport for up to 25 years after the airport opens. [§5.14].
- At the time the airport is prepared to open, ALNAC is required to reimburse Elk Grove Village and Bensenville, from funds generated by the initial airport financing, for expenses they incurred promoting the South Suburban Airport as an alternative to O’Hare Expansion. These expenses total in the millions of dollars, with interest at the rate of prime plus two percent. If the initial airport financing funds are inadequate, the Commission and by implication each of its individual members are responsible for the payment to Bensenville and Elk Grove Village. [§12.01(B)(2)].
- The ALNAC structure was sold to some municipalities based on the promise of shared airport revenue. That promise won’t materialize because:
 - Airport funds will be needed to build and improve infrastructure on and near the airport.
 - Major airports, by their nature and typical structure, have constant construction and maintenance projects which require reinvestment of all available airport proceeds.
 - The rake-offs by ALNAC’s proposed private developers will preclude any money ever flowing to ALNAC municipalities.
- Congressman Jackson has said ALNAC will not utilize federal funds to construct or improve the airport. This claim seems dubious, given the cost to construct and improve a major airport. However, why would an airport decline to use the federal airport funds to which this area’s taxpayers have contributed? The answer, of course, is because the federal government as a matter

of policy would never permit the rake-off contemplated by Congressman Jackson's private partners.


- In January 2005 the IDOT Chief Legal Counsel issued a memorandum stating that ALNAC violated Illinois Procurement law in its selection of the developers for the airport.
- In December of 2005, Attorney General Lisa Madigan issued a legal opinion stating ALNAC violated law in its selection of developers for the airport.

Will County has always contended that the only way to properly create a governing body with the necessary powers to finance, design, construct and operate the airport is a duly authorized airport authority created by the Illinois General Assembly and signed into law by the Governor. The majority of its members should be residents of Will County because it is in Will County that the airport is to be developed.

This type of governing body has a very successful and proven track record in Illinois and other states for governing a commercial airport. It has the flexibility to utilize private and public financing, hire consultants and developers— while protecting the public interest in the construction and operation of the airport. In contrast, ALNAC fails to provide these extremely important legal powers.

Our cities, villages and residents will decide for themselves what they believe is best for Will County, the region and the State of Illinois. I just think that decision should be based upon fact. Should you have any questions or need additional information please feel free to call me at 815-740-4602, or email me at countyboard@willcountyillinois.com; and thank you for your consideration of these comments.

Sincerely,



James G. Moustis
Will County Board Chairman

Cc: County Executive Lawrence M. Walsh
Senator A.J. Wilhelmi – 43rd District
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