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Taken to task over late tax payments

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May 10, 2010

In December, Kane County Court Clerk Deb Seyller warned the county board judiciary and public safety committees that she couldn't perform mandated services within their proposed budget, but they didn't listen.

So she's had to turn off the phones, send court dispositions to Springfield late, forgo auditing child support payments and, against union rules, have supervisors work the courtrooms.

Meanwhile, between 2004 and 2009, board chairman Karen McConaughay doled out 50 percent pay raises to department heads, directors and managers reporting directly to her. Now, someone such as finance director Cheryl Patelli, with her staff of six, makes \$36,000 a year more than Seyller who manages 125 employees.

Declaring, "The board cannot abdicate their responsibility for these mandates," Seyller hired eight new staff members, potentially putting her office \$550,000 over budget. This, of course, caused the finance committee to go immediately into conniptions at the April 28 meeting.

I asked Seyller whether it might have been a better approach to let the board in on her staffing decisions. She replied, "I've tried to have an intelligent conversation with the board, but when all you get is snide comments, it's impossible to do so. It would be nice to sit down with professionals."

As if to prove her point, in the middle of the meeting, finance committee member Cathy Hurlbut, R-Elgin, who loves adding fuel to any fire, interjected, "Maybe she can answer the phone now that she has the eight new hires."

There are times I'd rather referee a group of hyped-up-on-Twinkies fifth-graders than have to attend another county board meeting.

I asked Hurlbut if that kind of comment ever helps move the conversation along. She said she made the statement "for a reason" and left it at that. But fair is fair. So I also asked, given her well-publicized property tax issues, wouldn't it be reasonable for me to take her to task in the same manner she went after Seyller? Hurlbut laughed, quipped, "Is that the best you've got?" and explained, "I made a financial decision and paid all the associated penalties."

According to records, last October, Hurlbut paid \$26,000 in property taxes on her McLean Boulevard Elgin office building the day before a looming tax sale. She previously paid late on that property in 2004 as well as on her Elgin residence in 2008. In addition, Hurlbut was named as a defendant in a 2008 foreclosure proceeding on a North Aurora property.

And to answer her question, I do have something better. In addition to driving a BMW convertible, property records show Hurlbut and her husband own two condos in Lake Geneva, Wis. -- one in The Cove resort and the other at Timber Ridge Lodge. The Walworth County treasurer told me those taxes are current.

Seyller may have an "interesting" relationship with the board, but I have a much bigger problem with a board vice chairman, a head of the development committee and a member of the finance committee who can't pay her Illinois property taxes on time. Her lack of professionalism in the boardroom aside, shouldn't elected officials be setting the tax payment example for the rest of us? Meanwhile, we're liable for her \$22,000 board salary and full health care benefits.

State Rep. Kay Hatcher, R-Yorkville, recently sponsored two bills prohibiting folks from serving on fire protection or park district boards if their taxes aren't current. Public officials with financial issues are a liability. I'm not saying Hurlbut has used her position to personally benefit nor has she done anything illegal, but this tax issue will always come back to haunt any difficult decision she makes as development chair.

I asked Hatcher why county boards weren't included in either of her bills, and she referred me to state Sen. Chris Lauzen, R-Aurora. Lauzen said, "I have been considering that common sense requirement for county board members, but have taken no action because our budget priorities are so urgent." Don't worry. I'll be pressing him on that one.

All Illinois elected officials were required to submit their economic interest statements last Wednesday. As of Friday, May 7, only one board member had not filed. I guess Ms. Hurlbut will be paying that \$15 late fee.

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Kane board follies enlightening, entertaining

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May 30, 2010

Apparently, I was utterly misguided in my May 13 attempt to portray Kane County Board Vice Chairman Cathy Hurlbut as someone who can't pay her property taxes on time. My crackpot theory was that any public officeholder who doesn't remit those payments in a timely manner should be forced to step down.

It's true Hurlbut paid \$26,000 on her Elgin McLean Boulevard office building the day before a 2009 tax sale. And yes, she was previously late on that property in 2004. Let's not forget a similar 2008 problem with her Elgin residence.

But despite that paltry mountain of evidence, Ms. Hurlbut was kind enough to show me the error of my ways during the May 20 Finance Committee meeting. It may not have been a topic of conversation nor was it on the agenda, but that didn't stop Hurlbut from speaking directly into the microphone to ask Treasurer Dave Rickert if the county made more money from interest on their investments or delinquent tax payments.

Rickert replied that property tax penalties bring in more cash, but those fines don't go to the taxing bodies -- they end up in the general fund. That happens to be the pot from which we pay the board members.

I did call Ms. Hurlbut seeking her specific reason for asking the tax penalty question, but got no response. I now fear I may have inadvertently disparaged a great American. This tax tardiness obviously wasn't borne of arrogance or financial mismanagement. She obviously waited to pay until the last minute in an altruistic effort to channel as much money into Kane County coffers as possible. Why, she may very well have been trying to pay her own salary. Think of the precedent this could set for all politicians.

So to make up for my previous bout of madness, may I humbly suggest we emulate Ms. Hurlbut's fine patriotic pursuit by paying our property taxes as late as possible. It's literally the least we can do.

Oh, but the financial follies didn't end there. As soon as Chairman Karen McConaughay arrived, board member Gerry Jones provided more entertainment when, with Corrections Commander Pat Keaty out of town, Lt. Lynn Woodruff asked for a \$587,000 jail budget increase.

"You were given a budget, and folks have to learn to live within the parameters of the budget," Jones responded. "I don't understand why someone would come back with a budget request this large. \$600,000? That's a considerable miscalculation on someone's part."

For once, I agree with Mr. Jones. And I admire his willingness to take on himself, his committee and the chairman. Because, as Woodruff pointed out, the jail had indeed asked for the correct amount, but the Finance Committee and chairman came back with a budget number they knew wouldn't work.

You see, 98 percent of the jail's expenses consist of corrections officers, food service and medical contracts. And just who negotiated and approved those contracts? You got it. The chairman and the Finance Committee. You have to give Jones credit for displaying that kind of chutzpah.

But never let it be said I'd accuse Mr. Jones of being any less altruistic than Ms. Hurlbut. May I humbly suggest, much like the Andy Griffith episode where Aunt Bee played house warden to town drunk Otis Campbell, Jones could volunteer to take two or three inmates home each week. If the rest of the Finance Committee follows suit, the jail could end up with a surplus. I love it when a plan comes together.

As usual, I've saved the best for last. Since the Finance Committee, the chairman and certain board members are so fond of theatrics, here's our best shot at solving all the county's budget deficits in one fell swoop.

Let's turn each committee meeting into an off-Broadway show, charging 50 bucks a head. During those frequent contentious meeting moments the board could leap onto their tables and perform a Glee-like rendition of the Beatles' "Taxman." I'd pay good money to see Ms. Hurlbut on lead vocals. To emphasize his frequent logical derailments, Jones could launch into a "Les Miserables"-type opera number. Doesn't it choke you up just thinking about it?

But my personal favorite would be watching our chairman, ala Austin Powers, playing two characters at the same time. She could dash between the dais and podium, debating herself on the merits of negotiating and approving a contract, but then refusing to pay for it.

Who knows? There could be a Tony in it for her.

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Closed session attack should leave Kane citizens concerned

Comments

May 19, 2010

I should've known better. Last week I made a point of complimenting Kane County Board Chairman Karen McConaughay for her direction in resolving an asphalt bidding conundrum. Why, when I subsequently witnessed her support of board member Drew Frasz on a point at the May 5 executive committee meeting, I began to believe we'd entered a new era of county board cooperation.

But no sooner had the ink on that column dried that I discovered being cynical ain't always a bad thing. In a closed session at that same executive committee meeting, in what appears to be a violation of the Open Meetings Act, in a purportedly orchestrated maneuver, McConaughay and Vice Chairman Cathy Hurlbut tore into committee member Jim Mitchell like Rush Limbaugh into a childproof Oxycontin container.

The perceived "offense" was Mitchell's temerity to bring up the chairman's generous pay raises during last month's elected official pay freeze debate. While gutting the electeds' departments and freezing their pay, between 2004 to 2009, McConaughay passed out 50 percent pay raises to department heads, directors and managers who report directly to her. This subject seems to make the chairman a wee bit touchy.

McConaughay opened the closed session festivities by passing out a list of department head salaries and demanding Mitchell point to those who made too much. In what was described as a toddler-worthy tantrum, when Mitchell tried to defend himself, Hurlbut shouted something about sticking to executive committee rules, gathered up her belongings and threatened to storm out unless he only answered the chairman's specific question.

Then, as if on cue, the vice-chairman made eye contact with the chairman who accused Mitchell of demoralizing department heads who have families to feed and were worried about losing their jobs.

No, Ms. McConaughay! According to multiple sources close to the county, morale is at rock bottom because of your unique management style. Staff won't risk something as simple as talking in the hallways because if you catch 'em, you demand to know the content of their conversation. Then there's the occasions in which you reduce staffers to tears. And if they're worried about their jobs, it's because you fire folks just to put the fear of God into the rest.

But Jeff, you ask, how the heck do you know what went on in a closed session? I'm glad you asked. There is no law that prevents board members from discussing any meeting with anyone. A handful of conscientious board members, tired of the chairman's repeated use of fear as a weapon, individually came to me with this story. Since I don't want them to have to endure similar retribution, we won't use their names.

Like Mitchell, I'm not after county staff -- I'm sure they do a fine job. But, when it comes to this topic, and in deference to Dr. Seuss, I will raise it on a plane, I will write it on the train, I will say it in the car, I will shout it in a bar -- I will continue to talk about these raises until the chairman provides a reasonable explanation for her actions. My attempts to get that answer continue to be rebuffed.

In the end, the chairman may not have had the right to dole out those dollars in the first place. Please refer to county code section 2-48, subsection 3, where it clearly states only the executive committee, with subsequent approval from the full board, has the right to set county salaries. It would be unfair to rescind these raises now, but we need to make sure the chairman refrains from a repeat performance.

Then the chairman just had to go and compound the problem. Going into closed session for the purpose of attacking a board member for any reason, is a patent violation of the Open Meetings Act. Assuming this version of the closed session events is accurate, State's Attorney John Barsanti said, "That's not one of the statutory reasons which allow a board to go into a closed session."

I shouldn't be the one filing complaints with the state's attorney, but there's nothing stopping you, dear reader. While Tea Partiers ineffectually clamor against vague government conspiracies, this kind of reprehensible government goes on right under our noses. Holding a sign on a street corner is one thing, but we have something right here, right now where just one of you can make a difference. Pay attention. Get involved. I won't always be there to do it for you.

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