

Knox County doesn't own the Orpheum

The rumor is rampant that Knox County owns the Orpheum Theatre. Many other former county board members and I dispute that, and for good reason. First, on the property deed filed in the Recorder's office on December 31, 1984, there is no mention of the Knox County Board. There is no signature of a Knox County official. Kerasotes Illinois Theaters, Inc, turned the Orpheum over to the Metropolitan, Exposition, Auditorium and Office Building Authority, created by the County Board on July 20, 1983.

The deed is signed by Attorney John Hattery, then a member of the authority board, now known as the Civic Center Authority.

Harold Wilson, a member of the county board at that time, says it was important to the board that Knox County not own or be responsible for the theater.

"When I heard the news that Knox County owned the theater I remembered that the other County Board members and I wanted it made clear that we had enough responsibility and did not want the county to be responsible for it. The representative from the Department of Commerce and Community Affairs who was in attendance assured me that the county would not have ownership or responsibility. I have discussed this issue with others on the board at that time and they have no understanding of such an arrangement, either."

One misunderstanding seems to come from the fact that the Knox County Board appoints the Civic Center Authority members. The County Board appoints members of a number of separate political bodies over which they have no authority, such as the Galesburg Sanitary District, Knox County Housing Authority, Knox County Health Department, Knox County Sheriff's Merit Commission, fire district boards, and many more.

The State statute enabling municipalities and counties to establish Civic Center Authorities makes clear that Civic Center Authorities have complete responsibility for the buildings and programs under their control, must pay the taxes (if any) and maintain the buildings. They have the power to buy Revenue Bonds, but for any other kind of bonds must put a resolution on a general election ballot for approval of the majority of people of the metropolitan area (Knox County).

The CCA has the power to borrow money to operate the Orpheum, to exercise the power of eminent domain. My



understanding of the Statute is that if the Orpheum can no longer be managed and the authority cannot carry out its duty, they are responsible for selling the property or solving the problem. Nowhere does the statute say the property reverts to ownership by the city or county board who created the Authority.

States Attorney Paul Mangieri was asked by County Board Chair Sally Keener in January, 2001 to render an opinion on the status of the theater and CCA board. He recommended that a new Civic Center Authority board be appointed immediately. His letter also states: "The Metropolitan, Exposition, Auditorium and Office Building Authority Board and ITS ownership of the Orpheum theater is truly one of Knox County's greatest assets."

Not only does he refer to the CCA as owners of the Orpheum Theatre, but there is no mention of ownership by Knox County under any circumstances. The County Board is considering providing insurance coverage for the Orpheum Theatre and they really have no legal basis to do so.

There is no question that the Civic Center Authority Board dropped the ball in its responsibility to run the Orpheum Theatre. Prairie Players Theater group was asked to manage the theater, which at the time they were eager to do, but corporate boards don't disband just because they have hired a manager. Prairie Players was hung out to dry, with no support from the authority ultimately responsible for the Orpheum's

appoint CCA board members. But the city will not own the Orpheum either. The CCA would simply revert to a municipal, instead of county, authority. Now the CCA can be responsible for programs and buildings throughout the county and that should be an issue to consider. There is no reason for the city and county to jointly do anything about the theater. As separate political bodies, they either want to support it and help it survive or they don't.

Harold Wilson, former county board chair and president of the Galesburg Sanitary District, is always outspoken and one with whom I often disagree, but he is right on the money on this one. He says, "I think we need to be positive now and not point the finger at anyone. The Orpheum Theatre is an asset to the community and I will work with anyone or any group to help establish an adequate budget so the theater can survive for the good of the community."

Newly appointed members of the Civic Center Authority have the tools and the power to solve the Orpheum problem. They need to do their homework, use them and stop passing the buck.

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maintenance and success and with the power to accomplish both.

Galesburg Alderman Rick Sundberg suggested the city take over the Orpheum and there is probably a way the City Council, instead of the county board, can begin to

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