

Kirk Allen

From: Kirk Allen <kirk@edgarcountywatchdogs.com>
Sent: Tuesday, October 15, 2013 9:04 AM
To: statesattorney@fordcounty.illinois.gov
Subject: FW: Illegal Meeting

Mr. Fitton,

I am requesting that you take all appropriate action to ensure compliance with the law as it pertains to your client, the Ford County Board, as it relates to the illegal special meeting they held on September 30th, 2013.

I have confirmed with the County Clerk that the proper procedures for holding a special meeting were not followed, even remotely.

Please review the following statute as it pertains to special meetings and note that this is in fact from the County Code, not the OMA.

(55 ILCS 5/2-1002) (from Ch. 34, par. 2-1002)

Sec. 2-1002. Special meetings. Special meetings of the board ***shall be held only when requested by at least one-third of the members of the board***, or when requested by the chairman of the board in counties where such chairman is elected by the voters of the county, ***which request shall be in writing, addressed to the clerk of the board***, and specifying the time and place of such meeting, upon reception of which the clerk shall immediately transmit notice, in writing, of such meeting, to each of the members of the board. The clerk shall also cause notice of such meeting to be published in some newspaper printed in the county, if any there be. In case a vacancy arises in the office of clerk, because of death or other reason, then the request shall be addressed to the circuit clerk who shall perform the duties of the clerk pursuant to this Section.

(Source: P.A. 86-962.)

This is the confirmation from the Clerk that the statute was not followed. [Link to FOIA Response](#)

I am requesting that all action taken during that illegal meeting be void as the voting to expend taxpayer funds in an illegal meeting violates state statute.

An acceptable remedy would be to simply call a special meeting, in accordance with the statute, and vote on the matters taken during the illegal meeting or correct the wrong during the next regular meeting.

If this matter is not going to be corrected willingly I do intend on exercising all appropriate legal recourse's to ensure it is corrected.

If you have any questions please feel free to contact me anytime.

Thanks
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