



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

October 23, 2017

*Via electronic mail*

Mr. Kirk Allen  
P.O. Box 593  
Kansas, Illinois 61933  
kirk@illinoisleaks.com

RE: OMA Request for Review – 2017 PAC 49828

Dear Mr. Allen:

The Public Access Bureau has received the enclosed response to your Request for Review from the Maine Township Board (Board). Additional documents provided to the Public Access Counselor have been withheld. You may, but are not required to, reply in writing to the public body's response.

If you choose to reply, you must submit your reply to this office within 7 working days of your receipt of this letter. 5 ILCS 140/9.5(d) (West 2016). Please send a copy of your reply to the Board as well.

If you have questions about this matter, please contact me at (217) 524-7958.

Very truly yours,

A handwritten signature in cursive script that reads "Laura S. Harter".

LAURA S. HARTER  
Assistant Attorney General  
Public Access Bureau

Attachment

cc: *Via electronic mail*  
Mr. Daniel J. Dowd  
Dowd, Dowd & Mertes, Ltd.  
danieljdowd@sbcglobal.net

**DOWD, DOWD & MERTES, LTD.**

ATTORNEYS AT LAW

701 LEE STREET, SUITE 790

DES PLAINES, ILLINOIS 60016-4549

JAMES J. DOWD  
(1949-1993)

DANIEL J. DOWD

DRAKE D. MERTES

TELEPHONE:  
(847) 827-2181

October 20, 2017

FACSIMILE:  
(847) 390-7643

WRITER'S E-MAIL ADDRESS:  
danieljdowd@sbcglobal.net

Via E-Mail to [lharter@atg.state.il.us](mailto:lharter@atg.state.il.us)

Office of the Attorney General  
State of Illinois  
500 South Second Street  
Springfield, IL 62701

Attn: Ms. Laura S. Harter  
Assistant Attorney General  
Public Access Bureau

Re: Maine Township OMA  
Reference No. 2017 PAC 49828  
Our File: 7511

Dear Ms. Harter:

Maine Township (the "Township") has asked that I respond to the inquiries contained in your October 3, 2017 letter. The following is the Township's response:

1. You have inquired if the Board posted agendas and public notices at least 48 hours prior to the August 22, 2017 and September 26, 2017 6:30 p.m. gatherings. The Board noted in its agendas and public notices that the Trustees would meet to review the bills at 6:30 p.m., but the Township does not consider this gathering to be a "meeting" within the meaning of OMA. The 6:30 p.m. gathering is for the Trustees to individually review the bills of the Township. Frequently these gatherings are less than a quorum and consist of 1, 2, 3 or up to 4 Trustees individually reviewing the bills. No deliberation or discussion on the bills takes place at this gathering and bill payment is an agenda item at the regular board meeting which convenes at 7:30 p.m., the time at which discussion, deliberation and the decision to pay a bill takes place. Because the Township does not consider this gathering to be a "meeting", no minutes are taken. At that last meeting, Trustee Carrabotta opined that it would be helpful to the Trustees if they could discuss the bills while reviewing them in this gathering and as a result, there is an action item on the Agenda of the October 24, 2017 Board meeting on whether to make the bill review session a part of the public meeting to which the requirements of OMA would apply. No

DOWD, DOWD & MERTES, LTD.

October 20, 2017

Page Two

final action was taken at either the August 22, 2017 or September 26, 2017 6:30 p.m. gatherings. Finally, the Township is not aware of any individual who sought and was denied an opportunity to comment at these gatherings and a copy of the Township Board's established rules governing public comment is sent herewith.

2. Also sent herewith are copies of the pertinent portions of the Township website in which a complete listings of the regular meetings for the 2017/18 fiscal year are posted with the time and place of the Board meetings along with the agendas for the meetings. They are also listed on the link provided in Paragraph No. 3.
3. The Agenda for the September 26, 2017 Board meeting is located on the Township website which clearly identifies the location of the meeting, however the Agenda itself does not. In the future, all agendas will contain the location of all Township meetings. (Here is the link <http://www.maintownship.com/government/meetingagendas.shtml>)
4. Also send herewith are copies of the Agenda for the September 26, 2017 7:30 p.m. meeting, draft minutes from the open session and an audio recording which is sent in the overnight counterpart of this letter.
5. The Township investigated the claim that the door was locked during a portion of the meeting and did learn that the night receptionist did lock the door for a period of time in violation of his employment responsibility. This part-time employee has been admonished and appropriate discipline is under consideration. To ensure that this does not happen in the future, any employee charged with the responsibility of monitoring the entrance during a Board meeting will be emphatically instructed to keep it open at all times while the Board meeting is in session.

Please let me know if you require any additional information to address the inquiries which you have made and the Township will promptly provide all that it can

Very truly yours,

Daniel J. Dowd

DJD/mk

Enclosures

cc: Ms. Laura Morask, Supervisor  
Maine Township  
(via e-mail)