



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

August 28, 2012

Ms. Jennifer A. Gher
Board Secretary
Clark-Edgar Rural Water District
475 Highway 1
Marshall, Illinois 62441

RE: OMA Request for Review – 2012 PAC 21048

Dear Ms. Gher:

The Public Access Bureau has received a Request for Review under section 3.5 of the Open Meetings Act (OMA) (5 ILCS 120/3.5 (West 2011 Supp.)) from Mr. John Kraft alleging that the Clark-Edgar Rural Water District Board of Trustees (Board) violated OMA during its August 20, 2012, meeting. Mr. Kraft asserts that action was taken on items not listed on the agenda and that the Board improperly went into closed session. A copy of the Request for Review is enclosed for your reference.

We have determined that further inquiry is necessary. In order to further evaluate this matter, we ask the Board or its representative to respond in writing to the allegations raised in Mr. Kraft's Request for Review. The Board's response should provide legal and factual support for any OMA exemption(s) that it cited to hold a closed meeting on August 20, 2012. Additionally, please provide us with copies of meeting minutes (draft form if necessary) from the open and closed portions of the Board's August 20, 2012, meeting, and a copy of the verbatim recording from the closed portion of the meeting.

As required by section 3.5(b) of the Open Meetings Act (5 ILCS 120/3.5(b) (West 2011 Supp.)), please provide this information to our office within 7 working days after receipt of this letter. As we conduct our review of this matter, we will notify you if we need to review additional records or information. Please note that under the Act, we are required to forward a copy of any response from a public body to the requester and provide the requester an opportunity to reply. 5 ILCS 120/3.5(c) (West 2011 Supp.). The Act also permits a public body to provide a redacted version of any response for release to the requester. If you believe that other documents or information would be helpful to us as we review the issues, you may submit additional records or affidavits. Please provide the requested materials, any response and all additional information within 7 working days of receipt of this letter.

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If you have any questions, please contact me at (877) 299-3642.

Very truly yours,



LINDSAY LAVINE
Assistant Attorney General
Public Access Bureau

Enclosure

cc: Mr. John Kraft (will receive letter only)
7060 IL HWY 1
Paris, Illinois 61944