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From: John Kraft [mailto:xxxxxxxxxxxxxxxxxxxxx]  
Sent: Thursday, February 21, 2013 7:35 AM  
To: 'Access, Public'; 'PublicAccess@atg.state.il.us'  
Cc: 'agriffin@edgarcountyillinois.com'  
Subject: FOIA Request For Review - County of Edgar

Office of the Attorney General,

I hereby submit this request for the Public Access Counselor to review a FOIA Request Denial.

Date FOIA Request sent to Public Body:

**February 5, 2013**

Name of Public Body:

**Edgar County Clerk  
115 West Court Street  
Paris, Illinois 61944**

**217-466-7433**

Summary of facts:

**On February 5, 2013, I submitted a FOIA request to the Edgar County Clerk, Mr. August Griffin, requesting:**

1. Copy of all documents, and a copy of all communications with the Auditors, that led to the auditor entering the below statement for Note 12:

Exhibit IX

Page 14

NOTE 12 – NOTES RECEIVABLE

On the audit dated November 30, 2010

*NOTE 12 – NOTES RECEIVABLE*

*Effective October 1, 2003, in consideration of \$100,000 and the assumption of all assets and liabilities, including a \$293,316 real estate loan, the County turned over the operations of the ambulance service to buyers Dee E. Burgin and Lisa L. Burgin d/b/a Edgar County Special Service Area Ambulance, Inc. Per a new agreement September 1, 2005 to August 31, 2010, the Special Service Area No. 1 Ambulance District will pay back the \$100,000 by making monthly payments at \$800 per month at zero percent interest. The amount owed at November 30, 2012 (this was a typo and should have been “2010”) is \$-0-.*

**The Email chain and responses to the FOIA request are below.**

The statement, or "Note", is a complete fabrication of facts. It would be impossible to come up with the stated conclusion by reading the complete documentation of all the facts and transactions surrounding the "purchase" of the ambulance service.

The Auditor was contracted to perform this audit (or governmental function on behalf of the public body) and as such these records, produced by or for, or having been used by, received by, in the possession of or under the control of the contracted auditor, shall be considered a public record of the public body.

Edgar County Clerk has not properly denied this request's records of independent contractors performing a governmental function on behalf of the public body are considered public records of the public body.

I believe this to be a denial of my FOIA request.

Thanks,  
John Kraft  
7060 IL HWY 1  
Paris, IL. 61944

217-808-2527

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From: August Griffin [mailto:agriffin@edgarcountyillinois.com]  
Sent: Wednesday, February 20, 2013 2:21 PM  
To: John Kraft  
Subject: Fwd: Re: FOIA Request 2-7-2013

John,  
Jeff Voigt called me yesterday and told me that he spoke with the auditors about your request. They are denying your request because they are not employees and as independent contractors, they are not subject to your request.  
Augie

-----Original Message-----

From: "August Griffin" <agriffin@edgarcountyillinois.com>  
To: "John Kraft" <xxxxxxxxxxxxxxxxxxxxxxxx>  
Cc: "Jeff Voigt" <xxxxxxxxxx>  
Date: Tue, 12 Feb 2013 11:40:56 -0600  
Subject: Re: FOIA Request 2-7-2013

John,  
My Office is not in possession of the documents you are requesting. I will present your request to Jeff Voigt, Chairman of the Finance committee.

Augie

-----Original Message-----

From: "John Kraft" <john@heirloomvideography.net>  
To: <agriffin@edgarcountyillinois.com>

Date: Thu, 7 Feb 2013 10:46:35 -0600

Subject: FOIA Request 2-7-2013

Augie,

Sorry to bother you with this, but Don Wiseman states he does not have the authority to request documents from the auditors since the County Board contracted with them, not the County Treasurer. He also stated no documents pertaining to this request are in the possession of his office.

Please consider this a FOIA request directed at your office.

Thanks,  
John Kraft  
7060 Illinois Highway 1  
Paris, Illinois 61944

217-808-2527

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From: John Kraft [mailto:john@heirloomvideography.net]

Sent: Tuesday, February 05, 2013 2:32 PM

To: 'ectreasurer@edgarcountyillinois.com'

Subject: FOIA Request 2-5-2013

In accordance with the Illinois Freedom Of Information Act, I request the following:

2. Copy of all documents, and a copy of all communications with the Auditors, that led to the auditor entering the below statement for Note 12:

Exhibit IX  
Page 14  
NOTE 12 – NOTES RECEIVABLE

On the audit dated November 30, 2010

**NOTE 12 – NOTES RECEIVABLE**

*Effective October 1, 2003, in consideration of \$100,000 and the assumption of all assets and liabilities, including a \$293,316 real estate loan                    nty turned over the operations of the ambulance service to buyers Dee E. Burgin and Lisa L. Burgin d/b/a Edgar County Special Service Area Ambulance, Inc. Per a new agreement September 1, 2005 to August 31, 2010, the Special Service Area No. 1 Ambulance District will pay      ck the \$100,000 by making monthly payments at \$800 per month at zero percent interest. The amount owed at November 30, 2012 is \$-0-.*

This is not a commercial request.

Electronic copies preferred.

Thanks,  
John Kraft  
7060 IL HWY 1  
Paris, IL. 61944

217-808-2527

August H. Griffin  
Edgar County Clerk & Recorder  
115 W. Court St. Rm. J  
Paris, IL 61944  
Ofc. 217-466-7433  
Cell 217-251-3261