



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

June 16, 2016

Via electronic mail
Ms. Mary Clements
President
Bellwood Public Library Board of Trustees
600 Bohland Avenue
Bellwood, Illinois 60104
trusteeclements@bellwoodlibrary.org

RE: OMA Request for Review – 2016 PAC 42328

Dear President Clements:

The Public Access Bureau has received a Request for Review in which Mr. Kevin DuJan alleges that the Bellwood Public Library Board of Trustees (Board) violated the Open Meetings Act (OMA) (5 ILCS 120/1 *et seq.* (West 2014)). A copy of the Request for Review is attached.

In his Request for Review, Mr. DuJan alleges that the Board violated OMA by discussing matters in executive session that were outside the scope of the exceptions to openness found in section 2(c) of OMA (5 ILCS 120/2(c) (West 2014)). Mr. DuJan also alleges that three Board members gathered to discuss public business on June 8, 2016 without complying with the requirements of OMA.

We have determined that further inquiry is warranted. Please provide a detailed written response to the allegations in the Request for Review. Please also provide copies of all verbatim recordings of any executive sessions held since April 10, 2016, together with the agendas and minutes (draft if necessary) for any corresponding meetings. Lastly, please address whether any gathering of Board members on June 8, 2016, was a "meeting" as defined by section 1.02 of OMA (5 ILCS 120/1.02 (West 2014)).¹

¹OMA defines a "meeting" as:

any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive

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As required by section 3.5(b) of the OMA (5 ILCS 120/3.5(b) (West 2014), as amended by Public Act 99-402, effective August 19, 2015), 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. You have the option under the Act to provide a written response to these allegations in addition to the requested materials. That response may take the form of a letter, brief or memorandum. 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 2014), as amended by Public Act 99-402, effective August 19, 2015. The Act also permits a public body to provide a copy of a response with confidential information redacted 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.

If you have any questions or would like to discuss this matter, please contact me at directly at (217) 782-9078 or nolson@atg.state.il.us. Thank you in advance for your cooperation.

Very truly yours,



NEIL P. OLSON
Assistant Attorney General
Public Access Bureau

Attachment

cc: *Via electronic mail*
Mr. Kevin DuJan (will receive letter only)
storytimewithmeganfox@gmail.com

communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business or, for a 5-member public body, a quorum of the members of a public body held for the purpose of discussing public business.