

## Lisa N. Thomas

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**From:** Lisa N. Thomas <lisa@edgarcountywatchdogs.com>  
**Sent:** Sunday, September 25, 2016 10:46 AM  
**To:** 'Charity Murphy'  
**Cc:** 'rstone@sycamoreengineering.com'; 'cjewing6@frontier.com'; 'testep42@yahoo.com'; 'randys\_101@yahoo.com'; 'gkuehnel@rowefoundry.com'; 'turpinappraisals@yahoo.com'; 'donpine@joink.com'  
**Subject:** RE: FOIA Due 09/23/2016

Do not delete anything. I did receive the recording.

Do you concede that there was not a board vote on the expense of \$5000.00 for the Wall Dog Project? Or do you think that since you budgeted for it, that it was approved? I am really just trying to understand why you think it was OK to spend the money without the board approving a \$5000 expense, which is beyond your spending authority. I want you to realize that this appears to be a direct violation of the Illinois Park District Code 70 ILCS 1205/4-6 which states:

"No member of the board of any park district, nor any person, whether in the employ of said board or otherwise, shall have power to create any debt, obligation, claim or liability, for or on account of said park district, or the monies or property of the same, except with the **express authority of said board conferred at a meeting thereof and duly recorded in a record of its proceedings.**"

Not ONCE during that recording was the cost of the obligation discussed. Simply because no one stated an objection to the project does not mean it was approved. Can you show me where it was on the agenda to be approved? It was discussed under committee reports specifically under Master Planning Committee. The discussion was brought up by Commissioner Stone. Commissioner Stepp added a little to the discussion and Commissioner Kuehnel stated one word. There was no roll call vote. The discussion lasted 1 minute and 20 seconds. How can anyone vote on an expense when no amount was even mentioned?

Also, if you think this "discussion" gave you the authority to spend, why is it NOT recorded in the minutes of the meeting? I hope you realize this is a violation under OMA 5 ILCS 120/2.06 which states:

- (a) All public bodies shall keep written minutes of all their meetings, whether open or closed, and a verbatim record of all their closed meetings in the form of an audio or video recording. Minutes shall include, but need not be limited to:
- (1) the date, time and place of the meeting;
  - (2) the members of the public body recorded as either present or absent and whether the members were physically present or present by means of video or audio conference; and
  - (3) a summary of discussion on all matters proposed, deliberated, or decided, and a record of any votes taken.

If you care to explain more, please feel free to do so. I am more than willing to print your thinking on the approval process required to spend public funds beyond your spending authority expressly granted to you by a board vote (\$4000).

Commissioners:

Here is a link to the recording provided to me by Mrs. Murphy.

<https://www.dropbox.com/s/4zwtvd976usc9oe/February%2018%202016%20Regular%20Meeting%20Minutes.WMA?dl=0>

I would hope to see a special meeting called immediately (within a week) to discuss the ramifications of what I believe to be unauthorized expenditures of public funds as well as violations of the open meetings act. I am a citizen of the Clark County Park District and expect the law to be followed. I have voted for people who I would expect to be given the opportunity to PROPERLY AND LEGALLY vote to spend public funds. As some of you have stated, the Executive Director does not have carte blanche to spend as she pleases. These laws are enacted to promote transparency, promote public input, and control spending.

This is not a personal attack on Mrs. Murphy. The purpose of this email is to bring out the truth about what can and cannot be done as well as what HAS been done. I hope we can start a dialogue addressing my concerns brought out here. Mrs. Murphy has been in the position for over 2 years now. She has expressed prior knowledge of the constraints put on her spending authority by law, but still, those constraints are ignored. This CANNOT continue without repercussions. It can be handled internally by the Board or the Board can continue to ignore the violations putting themselves in jeopardy of violations of statutes.

Do you ever wonder why no one wanted to sponsor the Wall Dog mural? I assume it is because no one wanted their name mixed up with the park district which appears to skirt the law any chance they get. That is not the fault of the public which calls out the transgressions, but the fault of those who continue to ignore their legal duties and constraints put on them by law.

I hope to see you all soon at a special meeting called for the purpose of the discussion of the above.

Sincerely,

Lisa N. Thomas  
Edgar County Watchdogs



[lisa@edgarcountywatchdogs.com](mailto:lisa@edgarcountywatchdogs.com)

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**From:** Charity Murphy [mailto:charitymurphy@ccparkdistrict.com]

**Sent:** Friday, September 23, 2016 5:45 PM

**To:** 'Lisa N. Thomas' <lisa@edgarcountywatchdogs.com>

**Subject:** RE: FOIA Due 09/23/2016

Lisa,

I uploaded the audio to the drop box. Around 48 minutes is where it was discussed. It is not referenced in the written minutes of the meeting. Also, I had issues again trying to upload this. Should I go in and delete some of the older files?

Regarding the project, it was brought up at the February board meeting and discussed briefly. I included the cost of the sponsorship in the budget for the 2016-17 year following that discussion, as it would be incurred during this budget year and not last year. At no time did any board member state that the District should not support the project during the discussion. That is why it was budgeted for.

Thank you,  
Charity

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Charity Murphy  
Executive Director

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**From:** Lisa N. Thomas [<mailto:lisa@edgarcountywatchdogs.com>]

**Sent:** Friday, September 16, 2016 6:42 AM

**To:** [foia@ccparkdistrict.com](mailto:foia@ccparkdistrict.com)

**Subject:** FOIA Due 09/23/2016

In accordance with the Freedom of Information Act I am requesting the following. If you are not the FOIA officer please forward to the FOIA officer as required by statute.

1. *Copy of all meeting minutes from the period of October 2015 through September 2016 in pdf format in which the Walldog project was discussed including when the project expense was approved by the board.*
2. *Copy of the verbatim recording of all minutes from the period of October 2015 through September 2016 in pdf format in which the Walldog project was discussed including when the project expense was approved by the board.*

**Electronic copies are requested.**

**This is not a commercial request.**

This is also a request for fee waiver, should any fees be imposed, as this information bears on the public business of the **Clark County Park District** and will be used to inform citizens of the actions of their public officials and of their rights and responsibilities.

*I qualify as both media and non-profit under the definitions in Section 2 (c-10) ("Commercial purpose"), Section 2 (f) ("News media"), Section 2 (g) ("Recurrent requester"), and Section 2 (h) ("Voluminous request") of the Freedom of Information Act, for the purposes of being exempt to the provisions of Section 3.1 (Requests for commercial purposes), Section 3.2 (Recurrent requesters), Section 3.6 (Voluminous requests), and Section 6 (Authority to charge fees).*

Thanks,  
Lisa N. Thomas  
Edgar County Watchdogs



[lisa@edgarcountywatchdogs.com](mailto:lisa@edgarcountywatchdogs.com)