



**OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS**

Lisa Madigan
ATTORNEY GENERAL

August 9, 2010

Mr. Gary Cordes
Klein Stoddard Buck Waller & Lewis, LLC
2045 Aberdeen Ct., Suite A
Sycamore, IL 60178-3140

RE: Open Meetings Act Request for Review – No. 8459

Dear Mr. Cordes:

This letter is to advise you that we have received and reviewed an Open Meetings Act (OMA) Request for Review from Mr. Mac McIntyre and have concluded that further inquiry is warranted in order to ensure that your client, the DeKalb Public Library Board of Trustees (Library Board), is in compliance with the requirements of the Open Meetings Act. The Request for Review is enclosed for your reference. It alleges that members of the Library Board improperly took final action on a \$1.8 Million real estate contract with DeKalb Clinic Chartered in closed session. It also alleges that the Library Board has failed to review certain closed meeting minutes on at least a semi-annual basis as required by Section 2.06(d) of the Open Meetings Act. 5 ILCS 120/2.06(d).

In order to further evaluate these allegations, pursuant to Section 3.5(b) of OMA (5 ILCS 120/3.5(b)), we ask that the Library Board provide us with an explanation of: (1) whether members of the Library Board improperly took final action on a \$1.8 Million real estate contract with DeKalb Clinic Chartered in closed session; and (2) whether the Library Board has procedures in place to ensure that it reviews closed meeting minutes on at least a semi-annual basis, and, if so, whether such procedures were followed in connection with the minutes in question. Please also provide any relevant documentation which relates to the Library Board's explanations.

As required under the Open Meetings Act, please provide this information to our office within 7 working days after receipt of this letter. 5 ILCS 120/3.5(b). As we conduct our review of this matter, we will notify you if we need to review additional records or information. The Library Board has 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). 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.

Thank you in advance for your cooperation in this matter. If you have any questions, please feel free to contact me at (217) 782-9078.

Sincerely,

Cara Smith
Public Access Counselor

By: 

Matthew M. Sebek
Assistant Attorney General, Public Access Division

Cc: Mr. Mac McIntyre
Via e-mail to:
mmcintyre@eworldlinx.com

Enc.