



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 12, 2017

Via electronic mail

Ms. Jeanne Hamilton
Library Director
Bloomington Public Library
205 East Olive Street
Bloomington, Illinois 61701
librarydirector@bloomingtonlibrary.org

RE: OMA Request for Review – 2017 PAC 48494

Dear Ms. Hamilton:

The Public Access Bureau has received a Request for Review in which Ms. Diane Benjamin alleges the Bloomington Public Library (Library) Board of Trustees (Board) violated the Open Meetings Act (OMA) (5 ILCS 120/1 *et seq.* (West 2016)). A copy of the Request for Review is enclosed.

In her Request for Review, Ms. Benjamin alleges that the Board held meetings on June 19, 2017, and June 20, 2017, without posting advance notice on the Library's website for either meeting. We construe Ms. Benjamin's Request for Review as alleging violations of section 2.02(a) of OMA (5 ILCS 120/2.02(a) (West 2014)). We have determined that further inquiry is warranted.

To further evaluate this matter, we request that the Library or its representative provide a written response to the allegations in the Request for Review. In your response, please address whether the Library held meetings on June 19 and June 20, 2017; and if so, please specify if and when notice was posted on the Library's website. Additionally, please clarify whether the Library's website is maintained by a full-time staff member. Also, please provide copies of the meeting notice, agenda, and minutes (draft form if necessary) for both the June 19, 2017, meeting and the June 20, 2017 meeting.

As required by section 3.5(b) of the Open Meetings Act (5 ILCS 120/3.5(b) (West 2016)) **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

Ms. Jeanne Hamilton
July 12, 2017
Page 2

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 2016). 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 claim that any portion of your written response is confidential, please send two versions of your response letter: a complete copy for this office's confidential review and a redacted version suitable for this office to forward 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 contact me at (312) 814-3670 or at vcalhoun@atg.state.il.us if you have any questions or would like to discuss this matter. Thank you.

Very truly yours,



VALERIE R. CALHOUN
Assistant Attorney General
Public Access Bureau

Enclosure

cc: *Via electronic mail*
Ms. Diane Benjamin (will receive letter only)
blnnews@yahoo.com

Public Access

48494

From: Bloomington Normal News <blnnews@yahoo.com>
Sent: Wednesday, June 28, 2017 12:43 PM
To: Public Access
Subject: Request for Review
Attachments: lib.jpg

The Bloomington Public Library Board held meetings on both June 19th and June 20th - 2017. Neither meeting was posted 48 hours in advance on their website.

The picture attached was taken of the Bloomington Library's website on June 19th at 7:19 am. Neither meeting is posted.

Both meetings are posted now: [Bloomington Public Library](#)

Bloomington Public Library

By Kerie Parker
Bloomington Public Library is located in Bloomington, IL.

2017 Meeting Dates, Agendas, Minutes

- June 20, 2017 | Agenda | TBD
- June 19, 2017 (Joint Committee) | Agenda | TBD
- June 1, 2017 (Special Meeting) | Agenda | Minutes
- May 16, 2017 | Agenda | Minutes
- April 18, 2017 | Agenda | Minutes
- March 21, 2017 | Agenda | Minutes
- February 21, 2017 | Agenda | Minutes
- January 17, 2017 | Agenda | Minutes

I contacted the Attorney for the City of Bloomington, the State's Attorney's civil lawyer, and the Sheriff's office concerning these two meetings that violated the Open Meetings Act. I did not receive a response from any of them and both meetings took place as scheduled.

My email:

Bloomington Normal News <blnnews@yahoo.com>

Jun

To Jeff Jurgens, Don Knapp, sheriff@mcleancountyil.gov

The Bloomington Public Library failed to post the joint meeting with the City Council on their website. I have a picture taken this morning the June 19th and June 20th meetings were not posted. See this story: <https://blnnews.com/2017/06/19/illegal-meeting-tongiht/>

Someone at the library has now posted two meetings in an attempt to circumvent the Open Meetings Act.

I am calling on Jeff Jurgens to inform his client the meeting is illegal. In the event they plan to hold this illegal meeting anyway, the State's Attorney need to do their job and stop it.

Please advise.

Diane Benjamin

The City Attorney did attempt to use Section 2.02(b) of the Open Meetings Act to justify holding the meetings anyway, he ignored parts (a) and (c). This was in an email to another citizens who also notified him of the failure to post the meetings.

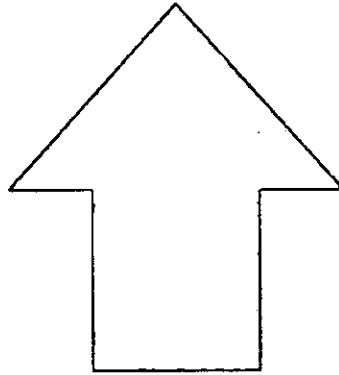
I am asking you to find the Library Board guilty of violating the Open Meetings Act. Laws apparently are immaterial in McLean County.

Sincerely,

Diane Benjamin

June 10

7:30 AM



2017 Meeting Dates, Agendas, Minutes

Board Archives