



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

March 18, 2016

Via electronic mail

Mr. Michael A. Towner
Honeywell LLC, UOP
8400 Joliet Road
McCook, Illinois 60525
michael.towner@honeywell.com

Re: OMA Request for Review – 2016 PAC 40638

Dear Mr. Towner:

The Public Access Bureau has received your March 8, 2016, Request for Review alleging that the Village of Brookfield (Village) may have violated the Open Meetings Act (OMA). For the reasons set forth below, the Public Access Bureau concludes that no further action on this matter is warranted.

Section 3.5(a) of OMA (5 ILCS 120/3.5(a) (West 2014), as amended by Public Act 99-402, effective August 19, 2015) provides:

A person who believes that a *violation of this Act* by a public body has occurred may file a request for review with the Public Access Counselor established in the Office of the Attorney General not later than 60 days after the alleged violation. * * * The request for review * * * must include a summary of the *facts supporting the allegation*. (Emphasis added.)

Your Request for Review alleges that the Village has not posted on its website the minutes from the meetings of any of its advisory committees. Section 2.06(b) of OMA (5 ILCS 120/2.06(b) (West 2014)) states:

[A] public body that has a website that the full-time staff of the public body maintains shall post the minutes of a regular meeting *of its governing body* open to the public on the public body's


Mr. Michael A. Towner
March 18, 2016
Page 2

website within 10 days after the approval of the minutes by the public body. (Emphasis added.)

The plain language of section 2.06(b) requires only the governing body of the public body to post its meeting minutes on the public body's website. The Village operates a Village Manager form of government under which the Village Board of Trustees (Village Board) appoints the Village Manager.¹ See 65 ILCS 5/5-1-4 (West 2014). Because the Village Board is the Village's governing body, section 2.06(b) of OMA does not require advisory committees' meeting minutes to be posted on the Village's website. Therefore, your Request for Review does not provide a summary of facts from which this office could conclude that the Village violated OMA. Accordingly, we have determined that no further action is warranted as to this matter.

If you have any questions, you may contact me at (312) 814-6437 or the Chicago address on the first page of this letter. This letter serves to close this matter.

Very truly yours,


LEAH BARTELT
Assistant Attorney General
Public Access Bureau

40638 o no fi war mun

cc: *Via electronic mail*
Mr. Kit P. Ketchmark
Village President
Village of Brookfield
8820 Brookfield Avenue
Brookfield, Illinois 60513
kketchmark@brookfieldil.gov

¹Village of Brookfield, Village Manager's Office, <http://brookfieldil.gov/departments/village-managers-office> (last visited March 18, 2016).