



Trustee Benford  
to include w/  
minutes

OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

KWAME RAOUL  
ATTORNEY GENERAL

January 31, 2020

VIA ELECTRONIC MAIL  
Ms. Alyssia Benford  
P.O. Box 845  
Bolingbrook, Illinois 60440  
alyssiabenford@comcast.net

RE: Freedom of Information Act Request  
2020 FOIA 061491

Dear Ms. Benford:

Thank you for writing to the Office of the Illinois Attorney General with your request for information pursuant to the Freedom of Information Act (FOIA) (5 ILCS 140/1 et seq. (West 2018)).

In an e-mail received on January 24, 2020, you requested the following:

1. All Open Meeting Act Review Requests regarding the social services committee of DuPage Township received from January 1, 2019 to January 21, 2020[; and]
2. All Open Meeting Act Review Requests regarding the accounting and auditing committee of DuPage Township from January 1, 2019 to January 21, 2020[.]

Please be advised that this office has conducted a search of its records, and we have located no records responsive to your request.

Very truly yours,

JAMES M. GALE  
Assistant Attorney General

JMG:ga



Trustee Benford  
to include w/minutes

**alyssiabenford@comcast.net**

**From:** Silverman, Steven <SSilverman@atg.state.il.us>  
**Sent:** Wednesday, January 22, 2020 3:21 PM  
**To:** 'alyssiabenford@comcast.net'  
**Subject:** RE: PAC #60758 and #57400

No problem!

**From:** alyssiabenford@comcast.net <alyssiabenford@comcast.net>  
**Sent:** Wednesday, January 22, 2020 2:55 PM  
**To:** Silverman, Steven <SSilverman@atg.state.il.us>  
**Subject:** RE: PAC #60758 and #57400

Thank you, that is extremely helpful. Again, I appreciate the prompt response.

**From:** Silverman, Steven <SSilverman@atg.state.il.us>  
**Sent:** Wednesday, January 22, 2020 2:49 PM  
**To:** 'alyssiabenford@comcast.net' <alyssiabenford@comcast.net>  
**Subject:** RE: PAC #60758 and #57400

In some instances, if PAC finds a violation we will ask the public body to remedy the violation by taking some form of action. For example, if PAC determines a public body passed a budget without providing the public with advance notice that it was going to act on the budget, we may ask the public body to remedy that violation by reconsidering and re-voting on the budget at its next meeting after providing proper advance notice. We do not seek remedial action from individual members of public bodies. Any person who violates OMA potentially can be prosecuted for a Class C misdemeanor pursuant to section 4 of OMA, though it is my understanding that it is very rare for prosecutors to file such charges. PAC's authority is set out in section 3.5(a) of OMA; PAC does not have authority to file criminal charges or impose penalties such as fines.

Thanks

**From:** alyssiabenford@comcast.net <alyssiabenford@comcast.net>  
**Sent:** Wednesday, January 22, 2020 2:11 PM  
**To:** Silverman, Steven <SSilverman@atg.state.il.us>; Public Access <PAccess@atg.state.il.us>  
**Subject:** RE: PAC #60758 and #57400

Thank you for the prompt response, this helps to clarify quite a bit.

I have a few follow up questions regarding violations. If the board or committee is found to be in violation of OMA, does the PAC note the violation and the recommendation to correct the matter? Are their fines and penalties issues issued to committee or a particular individual of the committee? How are violations addressed by the PAC?

**From:** Silverman, Steven <SSilverman@atg.state.il.us>  
**Sent:** Wednesday, January 22, 2020 1:35 PM  
**To:** 'alyssiabenford@comcast.net' <alyssiabenford@comcast.net>; Public Access <PAccess@atg.state.il.us>  
**Subject:** RE: PAC #60758 and #57400

Ms. Benford – It is correct that 60758 and 57400 are still under review. In 60758, we will determine whether the Senior Committee violated OMA, and in 57400 we will determine whether the Board of Trustees violated

OMA. Determinations are issued to the specific governing or subsidiary body alleged to have violated OMA, each of which is responsible for approving minutes and otherwise complying with the Act. While determinations are typically addressed to the head of the relevant governing or subsidiary body, they make findings as to whether the public body rather than individual members of public bodies violated or complied with OMA. It is correct that there is no fee to file a Request for Review; most Requests for Review are submitted by private citizens, but we do occasionally receive them from elected officials who serve on boards.

Thanks

**From:** [alyssiabenford@comcast.net](mailto:alyssiabenford@comcast.net) <[alyssiabenford@comcast.net](mailto:alyssiabenford@comcast.net)>

**Sent:** Wednesday, January 22, 2020 12:56 PM

**To:** Public Access <[PAAccess@atg.state.il.us](mailto:PAAccess@atg.state.il.us)>; Silverman, Steven <[SSilverman@atg.state.il.us](mailto:SSilverman@atg.state.il.us)>

**Subject:** PAC #60758 and #57400

I have some procedural questions for your department given our public body first started submitting or became involved in Request for Reviews in 2019. Please respond to my questions below to confirm if I have the correct understanding as I would like to update our board on the matters following our board meeting last night. I am working to assist to educate some of our board members further regarding the Open Meeting Act while we have a few matters pending review in your office.

1. PAC #60758 and #57400 were submitted to your committee as a request for review. That means we are asking you to review these actions to determine if DuPage Township is in compliance with the Open Meetings Act.
2. As of today, Wednesday, January 22, 2020, your committee has not issued a written opinion regarding PAC #60758 and #57400. I assume your committee is still reviewing the supporting documentation you received and will determine if a written opinion is needed.
3. There is no fee to submit a request for review to the Illinois Attorney General's Office, Public Access Committee.
4. You typically receive request for review from private citizens as well as elected officials serving on boards.
5. When the PAC issues an opinion, the opinion is issued to the governing body only. For example, the opinion for PAC #60758 will be issued to DuPage Township. It will not be issued to the DuPage Township Senior Committee nor any volunteer or member on that committee, for example the secretary of the senior committee.
6. It is the responsibility of the governing body, in this case, DuPage Township, to ensure the minutes for all the township committees (i.e. youth, social services, senior services) are maintained in compliance with the Open Meetings Act.

Thank you in advance for the consideration given this matter.

Trustee Oliver  
to include w/  
minutes



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Kwame Raoul  
ATTORNEY GENERAL

December 9, 2019

The Honorable Maripat Oliver  
Trustee  
Senior Committee  
DuPage Township Board of Trustees  
241 Canterbury Lane  
Bolingbrook, Illinois 60440

As of 1/31/20 this has  
cost the Township \$1,200<sup>00</sup>  
After the Atty General closed it -  
she asked for it to be re-opened - AO

RE: OMA Request for Review - 2019 PAC 60758

Dear Ms. Oliver:

the cost is increasing!!

The Public Access Bureau received the attached Request for Review in which Ms. Alyssia Benford alleges that the Senior Committee (Committee) of the DuPage Township Board of Trustees violated the Open Meetings Act (OMA) (5 ILCS 120/1 *et seq.* (West 2018)). On December 2, 2019, this office determined that we were precluded from reviewing Ms. Benford's allegations that certain minutes of Senior Committee meetings did not comply with OMA because they did not identify members who attended those meetings. Specifically, we determined that the Request for Review was untimely because it was not submitted within 60 days of approval of the minutes. Ill. Att'y Gen. PAC Req. Rev. Ltr. 60758, issued December 2, 2019. However, Ms. Benford subsequently provided this office with documentation indicating that the minutes of the Committee's August 6, 2019, meeting were approved within 60 days of submission of her Request for Review; she stated that she wishes to pursue this matter.

Accordingly, we are re-opening this file. Please provide a copy of the minutes of the Committee's August 6, 2019, meeting and a written response to Ms. Benford's allegation that the minutes do not identify the members of the Committee that attended the meeting.

As required by section 3.5(b) of the Open Meetings Act (5 ILCS 120/3.5(b) (West 2018)), 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

The Honorable Maripat Oliver  
December 9, 2019  
Page 2

opportunity to reply. 5 ILCS 120/3.5(c) (West 2018). 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.

If you have any questions or would like to discuss this matter, please contact me at (312) 814-6756.

Very truly yours,



STEVE SILVERMAN  
Bureau Chief  
Public Access Bureau

Attachment

cc: The Honorable Alyssia Benford (will receive letter only)  
Trustee  
DuPage Township Board of Trustees  
241 Canterbury Lane  
Bolingbrook, Illinois 60440

Request for Review – OMA – DuPage Township – Senior Committee

Request for Review of alleged OMA violations which includes not maintaining meeting minutes in compliance with the Open Meetings Act

**Public Body:**

Maripat Oliver, Trustee  
DuPage Township  
241 Canterbury Lane  
Bolingbrook, IL 60440  
Phone: 630-759-1317  
Fax: 630-759-3412

**OMA Request for Review:**

I am asking the PAC to review the matter and make a determination if the public body meeting minutes are in compliance with the Open Meetings Act.

The attached meeting minutes dated 5/1/19, 5/7/19, 6/4/19, 7/9/19 and 8/6/19 fail to comply with 5 ILCS 120/2.06

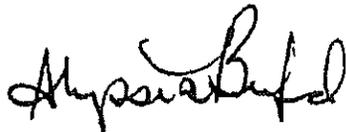
Sec. 2.06 (a) (2) Minutes shall include, but need not be limited to the members of the public body recorded as either present or absent and whether the members were physical present or present by means of video or audio conference.

The attached meeting minutes fail to list the members or simply states "everyone responded here".

I am asking the PAC to review this matter and make a determination on the public bodies meeting minutes.

Please confirm receipt of this communication.

Respectfully Submitted,



Alyssia Benford

currently 11/31/20  
But is INCREASING.



We could have saved the Tax Payers \$1,200.00  
if she sent this ONE SENTENCE to Supervisor  
George or the Senior Committee Secretary

**Amy Albright**

**From:** Alyssia Benford  
**Sent:** Friday, December 6, 2019 4:13 PM  
**To:** Ssilverman@atg.state.il.us; publicaccess@atg.state.il.us  
**Subject:** RE: 2019 - PAC 60758  
**Attachments:** Senior Committee Meeting Posted Dates.pdf

*sent 9 minutes later - adding more nonsense*

*o: Amy General on Alyssia Benford*

I have also provided a listing of the dates the meeting minutes were made public. The August 6, 2019 meeting minutes were published on October 15, 2019. The minutes were approved on October 1, 2019. Both of those dates are within the 60 days required to file the complaint, as the first date I would have had the ability to the review the meeting minutes was October 15, 2019. My complaint was filed on November 21, 2019.

**From:** Alyssia Benford  
**Sent:** Friday, December 6, 2019 3:44 PM  
**To:** Ssilverman@atg.state.il.us; publicaccess@atg.state.il.us  
**Subject:** 2019 - PAC 60758

*my friend*

Mr. Silverman,

*sent first*

I am in receipt of the PAC decision regarding my request for review. All of the meeting minutes were not approved by the committee more than 60 days before I filed the complaint.

My complaint was filed on November 21, 2019. The minutes for the August 6, 2019 meeting was approved at the next meeting which was held on October 1, 2019. There was not a meeting held in September, nor was there a notice of the a meeting be canceled for September. I have attached the meeting schedule from the DuPage Township Website along with the meeting agenda for the October 1, 2019 meeting. The prior meeting minutes also display a pattern of the issue raised regarding the August 6, 2019 meeting minutes. The November 5, 2019 meeting was cancelled. There had not been any other meetings held prior to my complaint being filed. Therefore my request was filed within the 60 days required.

*she wants it re-opened. Amy General closed it*

I am asking you to reconsider my request as a timely filed request and reopen the request for review. My goal is to ensure compliance. You are aware via PAC #57400 that I have had challenges in the past attempting to get Trustee Oliver to comply with the Open meetings Act. Given my past experience with her, the only thing she will read is your statement that "the file is closed" as an indication that she was in compliance. The "advice and education" listed in the response has been ignored in the past. My goal is to not to continue to have to submit these requests to your office. I have attempted several times to address matters such as this in the past myself, but my efforts have failed.

Alyssia Benford  
DuPage Township Trustee

*The file was actually CLOSED and she argued and fought to get it re-opened!!*

*Please see attached OMA Certificate from the Atty General dated 11/14/2014. It is 2018 and Township can*

**Amy Albright**

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**From:** Alyssia Benford  
**Sent:** Saturday, December 21, 2019 6:56 AM  
**To:** Silverman, Steven  
**Subject:** Re: 2019 PAC 60757

This is similar situation like PAC 60758. The August minutes were not posted for the public until 10/15/19. The minutes just appeared on the website. I can't find notice or approval. My request was filed 11-21-19, 36 days after the minutes were made public.

However August 19, 2019 was the first committee meeting, so the agenda for that particular meeting does not contain a notice to approve prior minutes. I understand that to be correct.

Alyssia Benford

On Dec 20, 2019, at 4:05 PM, Silverman, Steven <SSilverman@atg.state.il.us> wrote:

Ms. Benford – even if the committee had approved minutes at the August 19 meeting without providing advance notice, we could not review that allegation because you submitted your Request for Review on November 21, which was more than 60 days after the August 19 meeting. The letter to Mr. Burgess dated December 2 does ask the Youth Committee to address whether it approved minutes of the August 19 meeting so we will review that issue

**From:** Alyssia Benford <abenford@dupagetownship.com>  
**Sent:** Friday, December 20, 2019 3:51 PM  
**To:** Silverman, Steven <SSilverman@atg.state.il.us>  
**Subject:** 2019 PAC 60757

Mr. Silverman,

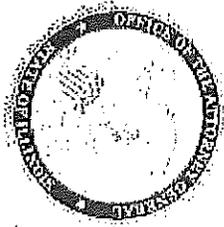
I have a couple of questions for you regarding your instructions in PAC 60757.

1. You stated "It is not necessary to address the allegation that the committee failed to provide advance notice of the approval of minutes at its August 19, 2019 meeting. Based on my review of the meeting schedule a second time, I realize that August 19, 2019 was the first meeting for the youth committee. Therefore the committee would not have any prior meeting minutes to approve. I assume that is why you stated the public body does not need to provide advance notice of the approval of minutes at its August 19 2019 meeting.
2. My request for review was emailed on 11/21/19. The November committee meeting was held on November 25, 2019. The agenda for this meeting was not posted when I sent my request for

*City Councils  
Response*

*Alyssia Benford is paying this to the AHJ Annual - when parents with*

review. The agenda for the November 25, 2019 meeting contains an item to approve the meeting minutes from the September 23, 2019 and the October 28, 2019 meetings. I was not able to locate any agendas that contain notice of approval of the minutes from the August 19, 2019 meeting. Per 5 ILCS 120/2.06 (b), a public body shall approve the minutes of its open meeting within 30 days after that meeting or at the public body's second subsequent regular meeting, whichever is later. Therefore it appears the meeting minutes from the August 19, 2019 meeting should have been approved by the October 28, 2019 meeting at the latest. I am requesting to still ask the PAC to consider and review the approval of the August 19, 2019 meeting minutes in the request for Review.



**Office of the Attorney General  
State of Illinois**

**Certificate of Completion**

2014 OMA Training

Tuesday, June 3, 2014

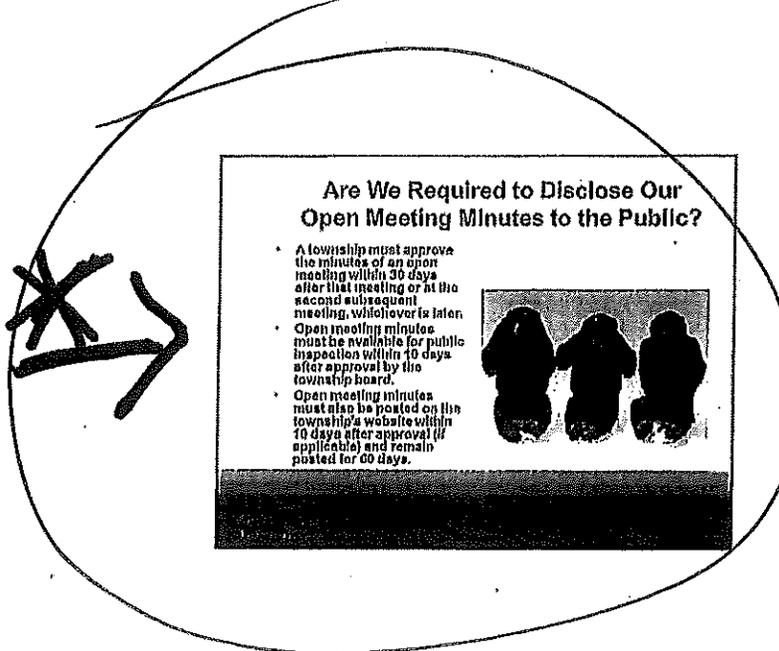
**Post Adoption Advisory Committee Member  
Maripat Oliver**

**Has successfully completed the  
Open Meetings Act on-line training.**

**Kwame Raoul  
Attorney General  
State of Illinois**

**Sarah Pratt, Public Access Counselor  
Chief, Public Access Bureau  
Office of the Attorney General**

Trustee Oliver  
to include ~~in~~  
minutes



### Are We Required to Disclose Our Open Meeting Minutes to the Public?

- A township must approve the minutes of an open meeting within 30 days after that meeting or at the second subsequent meeting, whichever is later.
- Open meeting minutes must be available for public inspection within 10 days after approval by the township board.
- Open meeting minutes must also be posted on the township's website within 10 days after approval (if applicable) and remain posted for 60 days.

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### A Quick Note About Approving Minutes

- Minutes may be corrected upon approval by the Board
- Minutes should not be amended to include additional matters not discussed at meeting
- Annual town meeting minutes
- Draft minutes are exempt from disclosure

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### Do the open portions of our meetings need to be audio or videotaped?

- Recording of open session not necessary
- The public has a right to record open meetings
- Public body may adopt reasonable rules regarding recording by the public
- All closed sessions must be recorded

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**MEETING MINUTES OF THE SOCIAL SERVICES  
COMMITTEE**

at

DuPage Township Boardroom

241 Canterbury Lane

**MONDAY OCTOBER 7, 2019 4:30 P.M.**

I. Called to order at 4:32 pm.

II. Pledge of Allegiance

III. Roll Call for Quorum

Present – Tracy Odom, Felix George, Peggie McMillian, Ruth Smith

Absent – Kym Owens, Maureen Fox and Kulsum All

IV. Approval of Agenda

Motion by Felix George, Second by Tracy Odom. Motion Passed. Maureen Fox joined at 4:35 p.m.

V. Approval of minutes from August 1, 2019 Committee Meeting  
Motion to table by Maureen Fox, second by Tracy Odom. Motion passed.

VI. Approval of minutes from September 16, 2019 Committee Meeting  
Motion to table by Maureen Fox, second by Tracy Odom. Motion passed.

VII. Public Comment

None

VIII. Community Partnership Grants Application Review/Status

a. H2O

Ryan Lawrence and Leo Venegas spoke to the social services committee regarding mental health and transportation services provided to the youth. Grant was submitted in July for the youth tutoring, basketball, anti-bullying and transportation. They want to amend

*already  
66 days.  
why?  
table.*

*\*See attachment - Township must approve the minutes within 30 days after that meeting or at the second subsequent meeting*

MEETING OF THE SOCIAL SERVICES COMMITTEE

at

DuPage Township Boardroom

241 Canterbury Lane

MONDAY November 4, 2019 4:30 P.M.

AGENDA

- I. Call to order
- II. Pledge of Allegiance
- III. Roll Call for Quorum
- IV. Approval of Agenda
- V. Approval of minutes from August 1, 2019 Committee Meeting
- VI. Approval of minutes from September 16, 2019 Committee Meeting
- VII. Approval of minutes from October 7, 2019 Committee Meeting
- VIII. Public Comment
- IX. Community Partnership Grants Application Review/Status
  - a. Operation Christmas
  - b. H2O
  - c. Community Service Council
  - d. Citizens Against Abuse
- X. General Assistance and Emergency Discussion
  - a. Review of Letter from Legal Counsel regarding general assistance and emergency assistance
  - b. Client Needs
  - c. Site visit update
  - d. Emergency Assistance and General Assistance Limits for board approval
- XI. Fiscal Year 2019 Schedule of Material Weaknesses Action Plan
- XII. Public Comment
- XIII. Old Business
  - a. Open Meetings Act Training Status Update
  - b. Change of Date for December Meeting
- XIV. New Business

95 DAYS TO  
APPROVE  
3 minutes

\* NOT IN  
COMPLIANCE

**MEETING MINUTES OF THE SOCIAL SERVICES  
COMMITTEE**

at

**DuPage Township Boardroom**

**241 Canterbury Lane**

**MONDAY NOVEMBER 4, 2019 4:30 P.M.**

- I. Called to order at 4:32 pm.
- II. Pledge of Allegiance
- III. Roll Call for Quorum  
Present – Tracy Odom, Felix George, Peggie McMillian, Ruth Smith, Kym Owens, Kim Johnson, Kulsum Ali, Alyssia Benford  
Absent – Maureen Fox
- IV. Approval of Agenda  
Motion by Felix George, Second by Tracy Odom. Motion Passed.
- V. Approval of minutes from August 1, 2019 Committee Meeting  
Motion to Kym Owens second by Tracy Odom. Motion passed.
- VI. Approval of minutes from September 16, 2019 Committee Meeting  
Motion to Tracy Odom, Second by Felix George, Motion passed.
- VII. Approval of minutes from October 7, 2019 Committee Meeting  
Motion to Felix George, Second by Tracy Odom, Motion passed.
- VIII.
- IX. Public Comment  
None
- X. Community Partnership Grants Application Review/Status