

November 19, 2024

John Oltmann  
PO Box 1  
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Public Access Counselor  
500 South 2<sup>nd</sup> Street  
Springfield, Illinois 62706

Re: Non-compliance of requested FOIA information.

Under the Illinois Freedom of Information Act, 5 ILCS 140, I submitted a written FOIA request to the Village of Worden to view all documents regarding the following request: "All forms of communications, emails, text messages, written documents, Village of Worden meeting minutes, personal notes in reference to the property located on 208 Main street, Village of Worden identified as Madison County Tax Identification Number 12-2-04-35-07-201-010. This request for information should include all legal documents or communications with the transfer of property to Susan (Loemker) Myer, Village Board Member and re-zoning of property from residential to multi-family to commercial parking. If the property was not identified as commercial parking if a village ordinance violation was issued for improper use of the property for commercial parking." Under the Illinois Freedom of Information Act, 5 ILCS 140 of all government expenditures."

The request for the FOIA material was hand delivered by John Oltmann to Village Clerk Chelsea Paul on November 12, 2024, at the Village of Worden municipal building located at 115 Wall Street, Worden, Illinois.

"It is a fundamental obligation of government to operate openly and provide public records as expediently as efficiently as possible in compliance with (FOIA)." 5 ILCS 140/1(West 2016). Under section 1.2 of FOIA (5 ILCS 140/1.2 (West 2016. "All records in the custody or possession of public body are presumed to be open to inspection or copying." Section 3(a) of FOIA (5 ILCS 140/3(a) (west 216) provides that "each public body shall make available to any person for inspection or copying all public records, except as otherwise provided in Section 7 and 8.5 of this act." Section 3(d) of FOIA further provides:

Each public body shall promptly either comply with or deny a request for public records within five business days after its receipt or request unless the time for the response is properly extended under subsection ( e ) of the section. Denial shall be in writing as provided in Section 9 of this act. Failure to comply with a written request, extend the time response or deny a request within five days after its receipt shall be considered a denial of the request. A public body that fails to respond to a request within the requisite periods in this section but, after that, provides the requester with copies of the requested public records may not impose a fee for such copies. A public body that fails to respond to a request received may not treat the request as unduly burdensome under subsection (g).

This request is filed with the State of Illinois Public Access Counselor, and assistance is requested involving the Village of Worden's failure to respond to the request for public documents.

Respectfully,

John Oltmann