

Dave H Email #2 & Responses

Regards,

Dave

From: Dave H <dshirons@yahoo.com>

Sent: Tuesday, January 19, 2016 12:37 PM

To: acraig@ilsos.net; gmcormick@ilsos.net; ltucker@ilsos.net; Leslie Bednar; Leander Spearman

Subject: Illinois Heartland Library System - Questions Regarding Possible Violations of OMA, FOIA and the Library Systems Act

Can someone please answer the following questions?

1. Why are the approved minutes of the IHLS monthly board meetings and committee meetings not posted? According to the Open Meetings Act, the approved minutes must be posted within seven (7) calendar days after the minutes are approved. (Some websites say 10 days.) This is NOT being done on a consistent basis - the regular board meeting approved minutes have not been posted at least since last summer, and some committee approved minutes have not been posted for well over a year. Only preliminary (unapproved) drafts have been posted.

2. Why wasn't the final audited financial statements for fiscal year ending June 30, 2015 approved by the IHLS board? The only thing I see is that a draft copy of the financial statements were examined and approved. However, this was merely a draft copy, a working copy. How do we know that the final copy of the financial statements (with opinion) hasn't been changed? I don't think an approval of a draft copy of the financial statements meets the necessary requirements. Perhaps the final audited financial statements have been approved, but without seeing the unposted approved minutes from 1. above, one cannot say for sure.

3. Why isn't a copy of the final audited financial statements available to member libraries for inspection, as required by the Library System Act and regulations? I don't see where the final audited financial statements are posted on the IHLS website. If I'm just not seeing it, could someone please give me the link? If the link is there, it is certainly not clearly marked.

4. The Open Meetings Act requires that compensation of persons earning more than \$75,000 per year be posted within six (6) days of the approval of the budget. This has NOT been done for at least two years, since some of the employees on the posted list have not been employed by IHLS for more than two years.

I would like someone to explain to me why these things haven't been done according to the law, and when I can expect the above violations to be rectified. Otherwise, I may have to take additional action.

I'm also concerned that perhaps my e-mails to the System may be being blocked. Can someone please confirm to me that this is not the case?

Regards,

Dave

1st Response to DH Email #2

From: Leslie Bednar

Sent: Tuesday, January 19, 2016 1:00 PM

To: acraig@ilsos.net; gmcormick@ilsos.net; ltucker@ilsos.net; Leander Spearman; Dave H

Subject: Re: Illinois Heartland Library System - Questions Regarding Possible Violations of OMA, FOIA and the Library Systems Act

Dear Sir,

Thank you for your inquiry regarding the Illinois Heartland Library System and its adherence to state and federal laws including the Open Meetings Act, Freedom of Information Act and the Illinois Library System Act.

As executive director of this organization I have begun a formal inquiry into the matters you raised in your email communication and will respond with a complete and thorough answer as soon as possible.

Sincerely,
Leslie Bednar

Leslie M. Bednar

Executive Director

Illinois Heartland Library System

6725 Goshen Road

Edwardsville, IL 62025

618.656.3216 ext. 420

cell: 618.364.6680

lbednar@illinoisheartland.org

Celebrating 50 years of library systems in Illinois!

2nd Response to DH Email #2 (which includes his follow up email)

From: Dave H <dshirons@yahoo.com>

Sent: Thursday, January 28, 2016 5:37 AM

To: Leslie Bednar

Subject: Re: Illinois Heartland Library System - Questions Regarding Possible Violations of OMA, FOIA and the Library Sy...

Thank you so very much.

I appreciate the time, trouble and effort for your response.

Regards,

Dave

On Wednesday, January 27, 2016 3:46 PM, Leslie Bednar <lbednar@illinoisheartland.org> wrote:

Dear Sir,

I write this afternoon in response to the questions you raised January 19, 2016 regarding information posted on the Illinois Heartland Library System website.

As I indicated in my previous correspondence, I have reviewed our website with regard to compliance with the Freedom of Information Act (FOIA), Open Meetings Act (OMA), and the Library Systems Act. For convenience, my replies follow the order in your original message.

1. Why are the approved minutes of the IHLS monthly board meetings and committee meetings not posted? According to the Open Meetings Act, the approved minutes must be posted within seven (7) calendar days after the minutes are approved. (Some websites say 10 days.) This is NOT being done on a consistent basis - the regular board meeting approved minutes have not been posted at least since last summer, and some committee approved minutes have not been posted for well over a year. Only preliminary (unapproved) drafts have been posted.

IHLS response: As an agency supported by tax dollars, we endeavor to comply with all state and federal requirements with an aim to demonstrate transparent governance to the member libraries we serve. I have identified the board and committee meetings on our website lacking final approved minutes. We are currently updating those entries on our website and anticipate that project will be complete by Friday, February 5, 2016.

2. Why wasn't the final audited financial statements for fiscal year ending June 30, 2015 approved by the IHLS board? The only thing I see is that a draft copy of the financial statements were examined and approved. However, this was merely a draft copy, a working copy. How do we know that the final copy of the financial statements (with opinion) hasn't been changed? I don't think an approval of a draft copy

of the financial statements meets the necessary requirements. Perhaps the final audited financial statements have been approved, but without seeing the unposted approved minutes from 1. above, one cannot say for sure.

IHLS response: Our annual financial audit(s) are a component of our annual reports as directed by 23ILAC 3030.270. Our annual report, minus the audit components, was approved September 29, 2015. You may find links to our annual reports at this URL:

<http://illinoisheartland.org/?q=about/governance/documents>

The financial audits are also available as links from the same URL, and there you will find the final approved versions of the FY2015 Audit (Financial Statements) and Single Audit.

I believe you may have found our draft audit with the board packet materials at this [link](#) with materials for the October 27, 2015 board packet. If so, I apologize for the confusion. We post final versions of governance documents in two primary areas of our website that start in the same place:

--<http://illinoisheartland.org/?q=about> You may reach this by first going to our landing URL (<http://illinoisheartland.org>), selecting the About tab and hovering down to IHLS and selecting it.

--Once you are at the About IHLS page, please look for links on the far right side of the page.

--Approved policies are found by selecting the Policies link

(<http://illinoisheartland.org/?q=about/policies>)

--Additional governance documentation is found at the Documents link

(<http://illinoisheartland.org/?q=about/governance/documents>)

I apologize the approved board minutes from the October 27, 2015 board meeting are not yet posted.

3. Why isn't a copy of the final audited financial statements available to member libraries for inspection, as required by the Library System Act and regulations? I don't see where the final audited financial statements are posted on the IHLS website. If I'm just not seeing it, could someone please give me the link? If the link is there, it is certainly not clearly marked.

IHLS response: Please see response to Question 2, above. In addition, hard copies of our final audited financial statements are available to member libraries for inspection at our Edwardsville Office (6725 Goshen Road, Edwardsville, IL 62025) M-F 8:30 a.m. to 4:30 p.m.

4. The Open Meetings Act requires that compensation of persons earning more than \$75,000 per year be posted within six (6) days of the approval of the budget. This has NOT been done for at least two years, since some of the employees on the posted list have not been employed by IHLS for more than two years.

IHLS response: You may find the current version of the OMA Compensation document at this link: <http://illinoisheartland.org/sites/default/files/about/2016-Open-Meetings-Act-Compensation-Disclosure.pdf>

5. I would like someone to explain to me why these things haven't been done according to the law, and when I can expect the above violations to be rectified.

IHLS response: Please see the response to Question 1, above.

6. I'm also concerned that perhaps my e-mails to the System may be being blocked. Can someone please confirm to me that this is not the case?

IHLS response: Illinois Heartland Library System does not block incoming email. Your correspondence dated January 16, 2016, is an attachment in our board packet for the February 4, 2016 board meeting to ensure it reaches all of our board members.

On behalf of IHLS I thank you for the inconsistencies you pointed out in communication available via our website. As an information tool, websites are only helpful if users navigate them the way they were intended.

In addition I invite you to attend IHLS board meetings and learn more about our organization and governance. Our next meeting is Thursday, February 4, 2016, and an agenda when complete will be posted here: <http://illinoisheartland.org/?q=about/board/board-meetings>

I hope your questions have been adequately addressed and feel welcome to respond with additional questions.

Sincerely,
Leslie Bednar

Leslie M. Bednar
Executive Director
Illinois Heartland Library System
6725 Goshen Road
Edwardsville, IL 62025
618.656.3216 ext. 420
cell: 618.364.6680
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