



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

KWAME RAOUL  
ATTORNEY GENERAL

February 19, 2025

*Via electronic mail*

The Honorable Don Goncher  
President, Board of Trustees  
Village of Shabbona  
206 South Blackhawk Street  
Shabbona, Illinois 60550  
mayorgoncher@gmail.com

RE: OMA Request for Review – 2025 PAC 85223

Dear Mr. Goncher:

The Public Access Bureau has received a Request for Review in which Mr. Kallan Welsh alleges that the Village of Shabbona Board of Trustees (Board) violated the Open Meetings Act (OMA) (5 ILCS 120/1 *et seq.* (West 2022)). A copy of the Request for Review is enclosed.<sup>1</sup>

In his Request for Review, Mr. Welsh alleges that the Board purchased an easement and two properties without posting the actions on an agenda or taking final action during an open meeting. Section 2(a) of OMA (5 ILCS 120/2(a) (West 2022)) requires all meetings of public bodies to be open to the public and section 2.02 of OMA (5 ILCS 120/2.02 (West 2022)) requires 48 hours advance notice to the public of any meeting of a public body, including an agenda listing any items that will be the subject of final action. Section 2(e) of OMA states that "[n]o final action may be taken at a closed meeting. Final action shall be preceded by a public recital of the nature of the matter being considered and other information that will inform the public of the business being conducted." 5 ILCS 120/2(e) (West 2022).

This office has determined that further inquiry is warranted. To further evaluate this matter, we request that the Board or its representative provide a written response to the

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<sup>1</sup>In support of his Request for Review, Mr. Welsh submitted numerous additional records. Because of the volume of those records, they are not attached here but can be made available at the Board's request.

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allegations in Mr. Welsh's Request for Review. In your response, please clarify if and when the Board authorized or approved the specified purchases. Please identify any and all discussions and communications that occurred between and among Board members concerning the decision to purchase the properties. Please provide copies of any records that document those discussions, as well copies of any records of communications, such as e-mails. If discussions concerning the purchases took place during Board meetings, please provide copies of the notices, agendas, open and closed session minutes, and open and closed session recordings of those meetings.

**As required by section 3.5(b) of the Open Meetings Act (5 ILCS 120/3.5(b) (West 2022)), 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 opportunity to reply. 5 ILCS 120/3.5(c) (West 2022). 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 questions about this matter, please contact me at (217) 782-0954 or [caleb.briscoe@ilag.gov](mailto:caleb.briscoe@ilag.gov).

Very truly yours,

*Caleb L. Briscoe*

CALEB L. BRISCOE  
Assistant Attorney General  
Public Access Bureau

Attachment

cc: *Via electronic mail*  
Mr. Kallan Welsh  
[kallanwelsh@yahoo.com](mailto:kallanwelsh@yahoo.com)