

VILLAGE OF HUNTLEY



FREEDOM OF INFORMATION ACT COMPLIANCE PACKET

May 2017

Village of Huntley FOIA Officers:

- Rita McMahon, FOIA Officer – Village Clerk's Office
Phone: 847-515-5261 / E-Mail: rmcmahon@huntley.il.us
- Denise Wills, FOIA Officer – Police Department
Phone: 847-515-5314 / E-Mail: dwills@huntley.il.us
- Rita McMahon, FOIA Officer – Police Pension
Phone: 847-515-5261 / E-Mail: rmcmahon@huntley.il.us

**VILLAGE OF HUNTLEY
McHENRY AND KANE COUNTIES, ILLINOIS**

REQUESTS FOR PUBLIC RECORDS

The Village of Huntley Rules and Regulations for the Implementation of the Illinois Freedom of Information Act (the “FOIA Rules”) provide comprehensive procedures, instructions, and forms for obtaining Village public records. This document provides only a brief summary of the FOIA Rules.

All requests to inspect, copy, or certify public records must be submitted to the Village in writing. Request Forms may be obtained from the Village. The Village will respond to each written request to inspect, copy, or certify public records within five Business Days after receipt of the request.

Copies of public records will be provided only upon payment of a copying fee, if any, as provided in Section 6 of the FOIA Rules. Copies of public records will not be mailed except upon pre-payment of a fee equal to the actual cost of postage and copying.

All notices and other communications relating to a request to inspect, copy, or certify public records, all requests for copies of the FOIA Rules, and all requests for any other information relating to the Village’s implementation of the Illinois Freedom of Information Act should be directed to:

Freedom of Information Officer
Village Clerk
Village of Huntley
10987 Main Street
Huntley, IL 60142

**VILLAGE OF HUNTLEY
McHENRY AND KANE COUNTIES, ILLINOIS**

**RULES AND REGULATIONS FOR
IMPLEMENTATION OF THE
ILLINOIS FREEDOM OF INFORMATION ACT**

These Rules and Regulations (“FOIA Rules”) outline procedures, and contain instructions and forms, for orderly compliance with the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* (the “Act”), by the Village of Huntley (the “Village”) and any person requesting public records from the Village (a “Requestor”).

The Village will respond to written requests for inspection, copying, or certification of public records in accordance with the Act, these FOIA Rules, and other applicable law. Under the Act, the Village must disclose to any Requestor for inspection or copying all requested public records except: (1) public records that would, if disclosed, violate individual privacy as contemplated by the Act; (2) public records whose production is unduly burdensome and would disrupt the duly undertaken work of the Village; or (3) public records that are specifically exempted from disclosure by the Act or other applicable law. Requests falling within any of these exemptions will be denied.

All notices and other communications in connection with a request to inspect, copy, or certify public records under the Act shall be sent to: Freedom of Information Officer, Village of Huntley, 10987 Main Street, Huntley, IL 60142 (the “Village Hall”). The Village Hall telephone number is (847) 515-5200.

I. INTERPRETATION

A. Conflicts and Invalidity

These FOIA Rules do not supersede, nor are they intended to supersede, the provisions of the Act. In the event that these FOIA Rules in any way conflict with the Act, the provisions of the Act shall govern and take precedence over these FOIA Rules and Regulations. If any provision of these FOIA Rules is deemed illegal or unenforceable, all other provisions and the application thereof shall remain unaffected to the extent permitted by law.

B. Definitions

In addition to the definitions provided in the Act, the following definitions are applicable to these FOIA Rules:

1. Freedom of Information Officer: The Village Clerk and appointees.
2. Business Hours: 8:00 a.m. to 5:00 p.m. on a Business Day.
3. Business Day: Any day on which the Village Hall is open and staffed for regular public business during Business Hours. Business Days are generally Monday through Friday, except official state holidays.

C. **Measurement of Time**

1. **Days**. In counting the number of days allowed for any response or decision required to be given by the Village pursuant to the Act or these FOIA Rules, the day on which the request or notice requiring such response or decision was first received shall not be included.
2. **Supplemental Requests**. Supplemental, amended, or additional requests to inspect, copy, or certify public records shall not relate back to the time of receipt of the initial request. Supplemental, amended, or additional requests shall be considered new requests for purposes of determining all applicable time periods.
3. **Response Date**. All responses and decisions required to be issued by the Village pursuant to the Act or these FOIA Rules shall be conclusively deemed to have been given as of the date of personal delivery to the person or to the residence of the person entitled to such response or decision or, if mailed, as of the date of mailing as indicated by postmark, regardless of the date of actual receipt by such person. Each such response and decision shall include a verified proof of service evidencing the method by which, and time at which, such response or decision was delivered.

II. REQUESTS FOR INSPECTION, COPYING, OR CERTIFICATION OF PUBLIC RECORDS

A. **Officials Responsible for Responding to Requests**

The Freedom of Information Officer shall be the person administratively responsible for receiving and processing all requests to inspect, copy, or certify public records filed pursuant to the Act and these FOIA Rules. The Freedom of Information Officer will calculate the due date and document it on the written request. The Freedom of Information Officer will maintain the original request, along with copies of the response and any correspondence with the requestor, unless the response letter clearly documents the material supplied and it was not redacted so that it can be easily found. The Freedom of Information Officer will develop a list of documents or categories of records that the Village must immediately disclose upon request.

The Freedom of Information Officer shall be the person with authority on behalf of the Village to grant or deny requests to inspect, copy, or certify public records filed pursuant to the Act and these FOIA Rules, to extend the time for response, and to issue the appropriate notices with respect to such matters. The Freedom of Information Officer may consult with the Village Attorney before responding to any request to inspect, copy, or certify public records.

B. **Request Submittal**

All requests to inspect, copy, or certify public records shall be filed with the Freedom of Information Officer in writing. The form attached hereto as FORM 1 may be used, but is not required.

Completed requests may be filed with the Village by mail, overnight courier service, facsimile, in person, e-mail, or other means available to the public body. Requests

submitted in person submitted to the Freedom of Information Officer at the Village Hall. Request Forms submitted by mail or other means shall be addressed to the Freedom of Information Officer at the Village Hall and shall be deemed received only upon actual receipt by the Freedom of Information Officer on a Business Day, during Business Hours, regardless of date of mailing or other means of submitting a request.

C. Request Processing

The Freedom of Information Officer shall stamp each Request with the date and time of receipt and shall compute and write the day on which the period for response will expire.

III. RESPONSES TO REQUESTS

A. Time for Response

The Village shall respond to any Request filed pursuant to Section II of these FOIA Rules within five Business Days after such Request is received by the Freedom of Information Officer. If the request is for commercial purposes, the Village shall respond within 21 Business Days after receipt.

B. Form of Response

1. Disclosure of Public Records

- a. If the Freedom of Information Officer determines that the Act requires disclosure of all or any part or portion of any public records requested on a Request filed pursuant to Section II of these FOIA Rules, the Freedom of Information Officer shall notify the Requestor in writing of such determination.
- b. Such notice shall be given by use of FORM 2 attached hereto or a substantially similar writing.
- c. Except as otherwise specifically authorized by the Freedom of Information Officer, only Village personnel shall be permitted to search Village files, records, or storage areas; to use Village equipment; or to make copies of Village public records.
- d. Public records may not be removed from the Village Hall at any time.
- e. Public records may be inspected, or copies of public records obtained, during Business Hours at the Village Hall.
- f. Requestors must make arrangements in advance with the Freedom of Information Officer for a specific appointment to inspect public records at the Village Hall.
- g. Copies of public records will be mailed to the Requestor only if the Freedom of Information Officer reasonably determines that it is unduly burdensome for the Requestor to arrange for inspection of the original public records, or for pick up of copies of the public records, at the Village Hall or if the petitioner specifically requests and pays for other delivery or arranges for electronic delivery, if reasonably feasible.

- h. Requests for the reproduction of any public records that are tape recordings or digital records will be honored in accordance with the provisions of the Act and these FOIA Rules.
- i. Unless otherwise exempt, the Requestor shall be required to pay all copying (if applicable), certification, electronic media, and postage fees (if applicable), upon receiving copies of any public records. However, before reproducing any documents for Commercial requests, the Village may require prepayment of any applicable fees.
- j. Upon inspection or delivery of copies of the requested public records, the Freedom of Information Officer shall acknowledge such fact by execution of FORM 2 and the Requestor shall acknowledge such fact by execution of FORM 3 attached hereto or a substantially similar writing.

2. Extension of Time

- a. If the Freedom of Information Officer determines that additional time is needed and allowed under the Act to respond to a Request filed pursuant to Section II of these FOIA Rules, the Freedom of Information Officer shall notify the Requestor in writing of such determination, of the reasons requiring the extension, and of the length of the extension, which shall not in any event exceed five Business Days.
- b. Such notice shall be given by use of FORM 4 attached hereto or a substantially similar writing.

3. Categorical Requests

- a. If the Freedom of Information Officer determines that a Request filed pursuant to Section II of these FOIA Rules for all records falling within a category will unduly burden the Village and that the burden of the Village outweighs the public interest in production of the public records sought, the Freedom of Information Officer shall notify the Requestor in writing of such determination, of the reasons supporting such determination, and of the right of the Requestor to meet with the Freedom of Information Officer in an effort to narrow the request.
- b. Such notice shall be given by use of FORM 5 attached hereto or substantially similar writings.
- c. If the Requestor agrees to meet and confer with the Freedom of Information Officer regarding the request and if the request can be narrowed so that it is no longer unduly burdensome, the Freedom of Information Officer shall respond to the Request, or to the Request as narrowed at such meeting, within five Business Days following the date of the adjournment of such meeting. Such response may take any form specified in this Subsection III B.
- d. If the Requestor does not agree to meet and confer with the Freedom of Information Officer regarding the request or if the request cannot be narrowed so that it is no longer unduly burdensome, the Freedom of Information Officer shall deny the request pursuant to Paragraph III B(4) below on or before the fifth Business Day after the date of the notice given pursuant to Paragraph III B(3)(a) above.

4. Denial

- a. If the Freedom of Information Officer determines that all or any part or portion of any public records requested pursuant to Section II of these FOIA Rules are not subject to disclosure under the Act or these FOIA Rules, the Freedom of Information Officer shall notify the Requestor in writing of such determination, of the reason for the denial, the factual basis for applying any of the exemptions, the name and address of the person responsible for the denial and of the Requestor's right to a review by the Public Access Counselor, 500 S. Second St., Springfield, IL 62705, 217-558-0486 or to seek judicial review in an Illinois Circuit Court pursuant to Section II of the Act. ("Notice of Denial").
- b. Such notice shall be given by use of FORM 6 attached hereto or a substantially similar writing.

C. Failure to Respond

If the Freedom of Information Officer fails to respond to a Request properly filed pursuant to Section II of these FOIA Rules, the request shall be deemed to be denied as of the last day permitted for such response.

D. No Obligation to Create New Records

Except as provided in Section VI below, in responding to requests to inspect, copy, or certify public records, the Act and these FOIA Rules do not require the Village to create records that the Village does not already maintain in record form. However, if a record is maintained in an electronic format, if feasible, the Village will produce it in that format up on request. If not feasible, the Village will furnish it in the format in which it is maintained by the Village or in a paper format upon the request of the Village. Also, the Village will search a database, if feasible, to generate a response.

IV. APPEALS TO THE PUBLIC ACCESS COUNSELOR (PAC)

A. Notice of Appeal: Time to File

If a Requestor disagrees with a Notice of Denial and wishes to appeal to the Public Access Counselor (PAC), then such Requestor may file a request for review with the PAC established in the Office of the Attorney General not later than 60 days after the date of the final denial. The request for review must be in writing, signed by the requester, and include (i) a copy of the request for access to records and (ii) any responses from the public body.

A public body that receives a request for records, and asserts that the records are exempt under subsection 7(1)(C) or 7(1)(F) shall, within the time periods provided for responding to a request, provide written notice to the requester and the Public Access Counselor of its intent to deny the request in whole or in part. The notice shall include:

- (i) a copy of the request for access to records;
- (ii) the proposed response from the public body;
- (iii) a detailed summary of the public body's basis for asserting the exemption.

Upon receipt of a notice of intent to deny from a public body, the Public Access Counselor shall determine whether further inquire is warranted. Within 5 Business Days after receipt of the notice of intent to deny, the Public Access Counselor shall notify the public body and the requester whether further inquiry is warranted. If the Public Access Counselor determines that further inquiry is warranted, the procedures set out in the Act regarding the review of denials, including the production of documents, shall also be applicable to the inquiry and resolution of a notice of intent to deny from a public body. Times for response or compliance by the public body under Section 3 of the Act shall be tolled until the Public Access Counselor concludes his or her inquiry.

B. Appeals to Circuit Court

An appeal of a denial also may be filed in the Circuit Court for McHenry or Kane County seeking injunctive or declaratory relief.

V. FEES

A. Fees Established

Unless fees are otherwise fixed by statute, waived or reduced pursuant to Subsection V (C) below, each Requestor shall pay the following fees for copying, certification, and mailing of public records:

1. First 50 letter/legal (black & white)-- Free
2. Over 50 letter/legal --\$0.10 per page
3. Color and oversized copies shall be charged the actual cost of the reproduction
4. Certification --\$1.00 per document plus copy cost
5. Mailing --Actual cost of Postage
6. If request includes reproduction on electronic media, the actual cost of this media

B. Method and Time of Payment

Payment of all required fees must be made in cash, by cashier's or certified check, or by money order prior to producing the copied or certified public record.

C. Waiver of Fees

The fees provided in Subsection V(A) above may be waived or reduced by the Freedom of Information Officer if the Requestor establishes to the reasonable satisfaction of the Freedom of Information Officer that a fee waiver or reduction would be in the public interest as defined by the Act. Any request for fee waiver or reduction should be indicated on the Request at the time the Request is filed.

A fee waiver or reduction shall be considered to be in the public interest only if the principal purpose of the request is to disseminate information regarding the health, safety, and welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit to the Requestor. The Freedom of Information Officer may consider the number of requested public records and the cost and necessity of copying them in setting the fee waiver or reduction amount.

VI. VILLAGE OBLIGATIONS

A. Organizational Description

The Freedom of Information Officer shall, at least once each fiscal year, produce and make available for inspection, copying, and mailing to any person requesting it, a brief description of the Village. Such description shall identify and describe the membership of the Village Board of Trustees and of all of its standing and special committees and other advisory bodies and shall also include:

- f* a short summary of the Village's purpose,
- f* a block diagram of its functional subdivisions,
- f* the approximate number of its full and part-time employees,
- f* the total amount of its operating budget, and
- f* the number and location of each of its offices.

B. Index of Public Records

The Freedom of Information Officer shall create, keep current, and make available for inspection, copying, and mailing, a current index of all types or categories of public records prepared or received, and maintained, by the Village. The index shall be reasonably detailed in order to aid persons in obtaining access to the public records of the Village.

C. Records Stored by Electronic Data Processing

The Freedom of Information Officer shall prepare and furnish to any person requesting it a description of the manner in which public records of the Village stored by means of electronic data processing may be obtained in a form comprehensible to persons lacking knowledge of computer language or printout format.

D. Summary of Procedures

The Freedom of Information Officer shall create, maintain current, and make available for inspection, copying, and mailing, a brief summary of the procedures established by these FOIA Rules.

E. Posting and Mailing of Information

The Freedom of Information Officer shall keep available at the Village Hall, and shall mail to any person making a request therefore, copies of the Organizational Description prepared pursuant to Subsection VI(A) above, the Index of Public Records prepared pursuant to Subsection VI(B) above, and the Summary of Procedures prepared pursuant to Subsection VI(D) above.

F. Filing of Notices of Denial

The Freedom of Information Officer shall retain copies of all Notices of Denial in a single file at the Village Hall that is open to the public and indexed according to the type of exemption asserted and, to the extent such categorization is feasible, the type of records requested. Any associated documents that have been withheld because of such denials shall not be produced or be open to the public.

**VILLAGE OF HUNTLEY REQUEST
FOR PUBLIC RECORDS
INSTRUCTIONS AND INFORMATION**

Please describe in detail the public records that you wish to inspect, have copied, copied and certified and/or e-mailed. Use a separate sheet if necessary. Please be very specific about the documents that you are requesting. Please indicate whether you wish to inspect the public records at the Village Hall or if you wish to have them copied, certified or e-mailed by checking the appropriate space. Please indicate if the request is for a commercial purpose. The request form must be signed by Requester.

By submitting this Request Form, you are agreeing to pay to the Village, for receipt of copies of any public records as fees set forth below.

CHARGES:

- f* First 50 letter/legal pages (black & white copies): Free
- f* Over 50 letter/legal pages: \$0.10 per page
- f* Color and oversized copies shall be charged the actual cost of the reproduction
- f* Certification: \$1.00 per document, plus copy costs
- f* Actual Postage Cost
- f* If request includes reproduction on electronic media, the actual cost of this media.
- f* You further acknowledge and agree that, if the services of an outside vendor are required to copy any public record, you shall pay the actual charges that the Village incurs in connection with such copying services.

The Village will not mail copies of public records except upon satisfactory proof that it would be unduly burdensome for the Requestor to inspect or pick up the copies at the Village Hall and then only upon advance payment of the actual cost of postage.

The Village will disclose the public records requested on this Request Form within five Business Days after the receipt of this Request (non-commercial requests only), unless the five (5) day period is extended as provided by law or the request is denied. All extensions and denials will be in writing and will state the reasons therefore. A denial may be appealed to the Public Access Counselor, 500 S. Second St., Springfield, Il 62705; 217-558-0486 within 60 Business Days after the date of the Notice of Denial. All appeals must be in writing. Judicial review is available under Section 11 of the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* For more detailed information, please consult the Village of Huntley Rules and Regulations for Implementation of the Illinois Freedom of Information Act, which are available from the Freedom of Information Officer.

VILLAGE OF HUNTLEY
FREEDOM OF INFORMATION ACT REQUEST

FORM 1

Name of Requester: _____

Name of person/organization for which records are being requested (if other than Requester)

Contact Information for Responses, Decisions, and Communications:

Address _____

Telephone: _____

E-Mail Address: _____

Request for Records:

I hereby request the right to inspect, or to obtain copies, or certified copies of the following public records of the Village: (Please identify the documents or information as specifically as possible.)

Please indicate the manner in which to wish to obtain the above mentioned records.

INSPECT COPY CERTIFIED COPY E-MAIL RESPONSE

Please indicate if the request for public records is for a commercial purpose: YES NO

(C-10, "Commercial purpose" means the use of any part of a public record or records, or information derived from public records in any form for sale, resale or solicitation or advertisement for sales or services. For purposes of this definition, requests made by news media and non-profit scientific or academic organizations shall not be considered to be made for a "commercial purpose" when the principal purpose of the request is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles of opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education.)

CHARGES FOR DOCUMENTS: First 50 letter/legal, black & white pages are free. For additional charges, please see reverse side.

Signature of Requester: _____

Date Request Submitted: _____

10987 Main Street ~ Huntley, Illinois 60142
Village Clerk's Office: 847-515-5261 - Fax: 847-515-5206

Charges:

Unless fees are otherwise fixed by statute, waived or reduced pursuant to Subsection V (C) of the Village of Huntley Freedom of Information Act Compliance Packet, each Requestor shall pay the following fees for copying, certification, and mailing of public records:

1. First 50 letter/legal (black & white)-- Free
2. Over 50 letter/legal --\$0.10 per page
3. Color and oversized copies shall be charged the actual cost of the reproduction
4. Certification --\$1.00 per document plus copy cost
5. Mailing --Actual cost of Postage
6. If request includes reproduction on electronic media, the actual cost of this media

FOR OFFICE USE ONLY

Staff Member Receiving Request _____

Date Received: _____

Response Due: _____
(Five (5) business days after day of receipt for non-commercial requests only)

COMMENTS/STATUS:

Payment Received: \$_____

Date Finalized: _____

VILLAGE OF HUNTLEY APPROVAL OF REQUEST FOR PUBLIC RECORDS

Name of Requestor: _____ Date of Request: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Copies/Charges

Number of copies or certified copies of the Specified Records will not be provided until the following applicable fees have been paid. Fees must be paid in cash, by cashier's or certified check, or by money order. The first 50 letter/legal pages (black & white) are free.

Over 50 letter/legal pages at \$0.10 each: No. of pages _____ @\$0.10 \$ _____
Number of certified copies at \$1.00 each: No. of copies _____ @\$1.00 \$ _____
Outside Vendor/oversized/color copies _____
/electronic media (actual cost): \$ _____
Postage (actual cost) \$ _____
Total Cost: \$ _____

Approval of Request: Your request for public records is hereby approved and has been

_____ made available for inspection _____ copied for your use
_____ copied and certified _____ e-mailed per your request

VILLAGE OF HUNTLEY

By: _____
Freedom of Information Officer

Receipt of Payment
The Village has received the charges listed above in the form of cash, a cashier's or certified check, or a money order, in payment of all fees related to the aforesaid request.
Signature: _____ Dated: _____

PROOF OF SERVICE

I, _____, state that on this _____ day of _____, _____, on or about the hour of _____ .m, I personally delivered the foregoing document entitled "**APPROVAL OF REQUEST FOR PUBLIC RECORDS**" by:

___ Personally handing it to the person to whom it is addressed.

___ Placing it in an envelope addressed to the person to whom it is addressed at the address to which it is addressed and depositing said envelope, with proper postage affixed, in the United States post office or mail box located at:

Signed: _____

**VILLAGE OF HUNTLEY ACKNOWLEDGEMENT OF RECEIPT/INSPECTION
OF PUBLIC RECORDS**

The following is to be completed upon receipt / inspection of requested documents.

I, _____, have received/inspected the documents listed in the foregoing document entitled "APPROVAL OF REQUEST FOR PUBLIC RECORDS". In the event that I have been denied the right to inspect or copy other public records, this acknowledgement shall in no way affect my right to appeal such denial.

Signature of Requestor

Date

VILLAGE OF HUNTLEY McHENRY AND
KANE COUNTIES, ILLINOIS

FORM 4

NOTICE OF EXTENSION OF TIME TO RESPOND
TO REQUEST FOR PUBLIC RECORDS

To: _____

On _____, the Village of Huntley received your written request for the inspection, copying, or certification of certain Village public records ("Your Request").

I. Extension of Time to Respond

Pursuant to Section 3(e) of the Illinois Freedom of Information Act, 5 ILCS 140/3 (e), the Village hereby notifies you that the time to respond to Your Request is extended for _____ Business Days as to all records identified in Section II below (the "Specified Records").

Accordingly, the Village will respond to Your Request as it relates to the Specified Records on or before _____, a date that is not more than 10 Business Days after the date on which Your Request was originally received by the Village.

II. Specified Records

This extension applies to the following public records included in Your Request:

You will receive a separate response from the Village regarding Your Request as it relates to any public records that are not listed above.

III. Justification for Extension

This extension is necessary because:

_____ The Specified Records are stored in whole or in part at a location other than the office in charge of the Specified Records.

_____ Your Request requires the collection of a substantial number of Specified Records.

_____ Your Request is couched in categorical terms and requires an extensive search for responsive records.

PROOF OF SERVICE

I, _____, being duly sworn on oath state that on this _____ day of _____, _____, on or about the hour of _____ .m. I personally delivered or mailed the foregoing document entitled "**NOTICE OF EXTENSION OF TIME TO RESPOND TO REQUEST FOR PUBLIC RECORDS**" by:

___ Personally handing it to the person to whom it is addressed.

___ Placing it in an envelope addressed to the person to whom it is addressed at the address to which it is addressed and depositing said envelope, with proper postage affixed, in the United States post office or mail box located at:

Signed:

Date:

PROOF OF SERVICE

I, _____, being duly sworn on oath state that on this _____ day of _____, _____, on or about the hour of _____ .m. I personally delivered or mailed the foregoing document entitled "**NOTICE TO MEET AND CONFER TO NARROW CATEGORICAL REQUEST FOR PUBLIC RECORDS TO MANAGEABLE PROPORTIONS**" by:

_____ Personally handing it to the person to whom it is addressed

_____ Placing it in an envelope addressed to the person to whom it is addressed at the address to which it is addressed and depositing said envelope, with proper postage affixed, in the United States post office or mail box located at:

Signed: _____

Date: _____

DENIAL OF REQUEST FOR PUBLIC RECORDS

To: _____

On _____, the Village of Huntley received your written request for inspection, copying, or certification of certain Village public records (“Your Request”).

I. Denial of Request

After review, Your Request is hereby denied as to the following records (the “Specified Records”):

II. Justification for Denial

Your Request is being denied with respect to the Specified Records because the Specified Records are exempt from disclosure pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.*, for the following reason or reasons (references are to sections of the Act):

- ___ To the Village’s knowledge the Specified Records do not exist.
- ___ Your Request, couched in categorical terms, is unduly burdensome because the burden on the Village of complying with Your Request outweighs the public interest in providing the Specified Records, and efforts to reduce Your Request to manageable proportions have been unsuccessful. § 3(f)
- ___ Your Request is unduly burdensome because you have repeatedly requested the Specified Records or similar public records and we have responded to or denied that request. § 3(g)
- ___ Disclosure is prohibited by Federal or State law or rules and regulations implementing Federal or State law. § 7(1)(a)
- ___ Disclosure of the specified records involves release of private information not otherwise required to be released.
- ___ Disclosure of the Specified Records would constitute a clearly unwarranted invasion of personal privacy. § 7(1)(c)

____ Disclosure of the Specified Records would or could interfere with a pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency that is the recipient of the request; interfere with active administrative enforcement proceedings conducted by the Village; create a substantial likelihood that a person will be deprived of a fair trial or an impartial hearing; unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies; except that the identities of witnesses to traffic accidents, traffic accident reports, and rescue reports shall be provided by the Village, except when disclosure would interfere with an active criminal investigation conducted by the Village; disclose unique or specialized investigative techniques other than those generally used and known or disclose internal documents of correctional agencies related to detection, observation or investigation of incidents of crime or misconduct and disclosure would result in demonstrable harm to the Village; endanger the life or physical safety of law enforcement personnel or any other person; or obstruct an ongoing criminal investigation by the Village. § 7(1)(d)

____ The Specified Records relate to the security of correctional institutions and detention facilities. § 7(1)(e)

____ The Specified Records are preliminary drafts, notes, recommendations, memoranda, or other records in which opinions are expressed or policies or actions are formulated and have not otherwise been publicly cited by head of the public body. § 7(1)(f)

____ The Specified Records contain trade secrets, or proprietary, privileged, or confidential commercial or financial information or were furnished under such claims. § 7(1)(g)

____ The Specified Records constitute proposals or bids for a contract, grant, or agreement that has not been finally awarded and executed or would, if disclosed, frustrate or compromise the Village's procurement procedures. § 7(1)(h)

____ The Specified Records are valuable formulae, computer geographic systems, designs, drawings, or research data. § 7(1)(i)

____ Disclosure of the Specified Records would or could compromise the security of a public building. The Specified Records are Architects' plans, engineers' technical submissions and other construction related technical documents for projects not constructed or developed in whole or in part with public funds. § 7(1)(k)

____ The Specified Records are minutes of closed meetings of the Village and are not subject to public inspection pursuant to the Open Meetings Act. § 7(1)(l)

____ The Specified Records constitute or reflect communications between the Village and an attorney or auditor that are not subject to discovery in litigation. § 7(1)(m)

- ___ The Specified Records were prepared or compiled at the request of an attorney advising the Village in anticipation of criminal, civil, or administrative proceedings. § 7(1)(m)
- ___ The Specified Records were prepared or compiled with respect to an internal audit of the Village. § 7(1)(m)
- ___ The Specified records relate to the Village’s adjudication of employee grievances or disciplinary cases, and not final outcome in which discipline is imposed has been reached.
- ___ Disclosure of the Specified Records would jeopardize the security of a data processing system or the data contained therein. § 7(1)(o)
- ___ The Specified Records relate to employee collective bargaining matters and do not constitute a final collective bargaining agreement. § 7(1)(p)
- ___ The Specified Records relate to the testing or examination of qualifications of an applicant for a license or employment. §7(1)(q)
- ___ The Specified Records relate to pending negotiations for the purchase or sale of real estate. § 7(1)(r)
- ___ The Specified Records relate to pending or contemplated eminent domain proceedings and are not subject to discovery pursuant to the rules of the Illinois Supreme Court. § 7(1)(r)
- ___ The Specified Records are proprietary information related to the operation of an intergovernmental risk management association, self-insurance pool, or jointly self-administered health and accident cooperative or pool. Insurance or self insurance (including any intergovernmental risk management association or self insurance pool) claims, loss or risk management information, records, data advice or communications. § 7(1)(s)
- ___ The Specified Records are information that would disclose or might lead to the disclosure of secret or confidential information, codes, algorithms, programs, or private keys intended to be used to create electronic or digital signatures. § 7(1)(u)
- ___ Other: _____

III. Responsible Official

The Freedom of Information Officer is the official responsible for this denial.

PROOF OF SERVICE

I, _____, being duly sworn on oath state that on this _____ day of _____, _____, on or about the hour of _____ .m. I personally delivered or mailed the foregoing document entitled "**DENIAL OF REQUEST FOR PUBLIC RECORDS**" by:

_____ Personally handing it to the person to whom it is addressed

_____ Placing it in an envelope addressed to the person to whom it is addressed at the address to which it is addressed and depositing said envelope, with proper postage affixed, in the United States post office or mail box located at:

Signed: _____

Date: _____

VILLAGE OF HUNTLEY

Huntley is a non-home rule municipality governed by an elected Mayor (Village President) and a six member Board of Trustees. The Board of Trustees functions as the legislative branch of the Village government and is the elected representation of the citizens of Huntley. In accordance with state law, the Board of Trustees establishes the policy and legislative direction, adopts all ordinances and resolutions, and maintains the authority of final determination on land use matters. The Mayor and Board of Trustees are elected at-large to four year, staggered terms.

The Village of Huntley currently employs approximately 90 full and part-time employees. The approximate amount of the operating budget of the Village of Huntley is \$23 million. The Village's locations of operations are:

Village of Huntley
Municipal Complex
Administrative Offices
10987 Main Street
Huntley, IL 60142
General Phone No.: 847-515-5200
Hours: Monday – Friday 7:30am – 5:00pm

Village of Huntley
Municipal Complex
Police Department
10911 Main Street
Huntley, IL 60142
General Phone No.: 847-515-5311
Hours: Records Division: 8:00am – 5:00pm
After hours: police radio dispatchers answers public accessible lobby telephone.

Village of Huntley
Public Works & Engineering Administration / Facility
11000 Bakley Street
Huntley, IL 60142
General Phone No.: 847-515-5222
Hours: Monday – Friday 8:00am – 5:00pm

The members of the boards, commissions and committees of the Village of Huntley are as follows:

Board Trustees

Village President	Charles Sass
Village Trustee	Ronda Goldman
Village Trustee	Timothy Hoeft
Village Trustee	Niko Kanakaris
Village Trustee	Harry Leopold
Village Trustee	John Piwko
Village Trustee	JR Westberg

Planning Commission

Chairman	Tom Kibort
Member	Robert Chandler
Member	Darci Chandler
Member	Terra DeBaltz
Member	Dawn Ellison
Member	Ron Hahn
Member	Lori Nichols

Zoning Board of Appeals

Member	Paul Belonax
Member	L. Arlen Higgs
Member	Helen Shumate
Member	Melissa Stocker
Member	Kim Scalise
Member	Vacant
Member	Vacant

Historic Preservation Commission

Chairman	Donna Britton
Vice Chairman	Lonni Oldham
Member	Geraldine Rizzo
Member	Deb Waters
Member	Keith Mallegni
Member	Burt Natkins
Member	Vacant

Cemetery Board

Chairman	John Drafall
Member	Joe Hansen
Member	Charles Yerke

Police Commission

Chairman	Jim Burgess
Secretary	Daniel Maloney
Member	Judith Serrano

Police Pension Board

President	Mike Hewitt
Vice President	Alex Panvino
Treasurer	Cathy Haley
Trustee	Nancy Topalovich
Trustee	John Ciombor
Trustee	Dave Richardson