



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

April 13, 2026

Via electronic mail
Ms. Kathy Sands
Editor
The Villagers' Voice
[REDACTED]

RE: OMA Request for Review – 2026 PAC 93342

Dear Ms. Sands:

This determination is issued pursuant to section 3.5(b) of the Open Meetings Act (OMA) (5 ILCS 120/3.5(b) (West 2024)). For the reasons set forth below, the Public Access Bureau has determined that no further action is warranted in this matter.

In your Request for Review submitted on March 30, 2026, you alleged the Wayne County Housing Authority Board (Board) violated OMA in connection with its February 6, 2026, meeting by (1) declining to answer questions during public comment, and (2) omitting the substance of your public comment from the meeting minutes.

Section 2.06(g) of OMA (5 ILCS 120/2.06(g) (West 2024)) provides that "[a]ny person shall be permitted an opportunity to address public officials under the rules established and recorded by the public body." A public body violates section 2.06(g) of OMA when it (1) prohibits a member of the public from addressing its members in a manner inconsistent with its established and recorded rules, or (2) prohibits a member of the public from providing public comment pursuant to its established and recorded rules, but those rules unreasonably restrict that person's right to address public officials. Ill. Att'y Gen. Pub. Acc. Op. No. 14-009, issued September 4, 2014, at 5-7.

Your Request for Review does not allege that any member of the public was prohibited from addressing the Board during the meeting. Instead, you allege that the Board imposed an ad hoc public comment rule by asserting that public comment is not for back-and-

500 South 2nd Street
Springfield, Illinois 62701
(217) 782-1090 • Fax: (217) 782-7046

115 South LaSalle Street
Chicago, Illinois 60603
(312) 814-3000 • Fax: (312) 814-3806

1745 Innovation Drive, Suite C
Carbondale, Illinois 62903
(618) 529-6400 • Fax: (618) 529-6416

Individuals with hearing or speech disabilities can reach us by using the 7-1-1 relay service.

www.IllinoisAttorneyGeneral.gov

forth exchanges. However, this office has consistently determined that the statutory right to provide public comment during an open meeting does not require public officials to respond to questions or comments. *See, e.g.*, Ill. Att'y Gen. PAC Req. Rev. Ltr. 35858, issued October 20, 2015, at 2 (noting that the right to address public officials includes the right to ask questions, notwithstanding that the public officials are not obligated to answer). A public body does not need to have an established and recorded public comment rule stating that public officials will not respond to public comments because public comment rules are for setting parameters for members of the public, and no provision of OMA requires public officials to respond to public comments. Accordingly, binding opinion 26-001¹ and this office's determination letter in 2025 PAC 87549,² where the public bodies conducted public comment in a manner inconsistent with their established and recorded public comment rules, are inapposite.

Similarly, your Request for Review does not allege that the Board failed to include any necessary information in the meeting minutes. Section 2.06(a)(3) of OMA³ requires that open session minutes include, in relevant part, "a summary of discussion on all matters proposed, deliberated, or decided, and a record of any votes taken." This provision requires public bodies to summarize in meeting minutes only the discussions in which public officials consider a decision. *See, e.g.*, Ill. Att'y Gen. PAC Req. Rev. Ltr. 55901, issued January 2, 2019, at 2. Accordingly, "OMA does not state that minutes must document the contents of public comments." Ill. Att'y Gen. PAC Req. Rev. Ltr. 53706, issued June 29, 2018, at 2.

Under these circumstances, this office has determined that no further action is warranted. This file is closed. If you have any questions, you may contact me at joshua.jones@ilag.gov.

Very truly yours,



JOSHUA M. JONES
Bureau Chief
Public Access Bureau, Chicago

93342 o no fi war hoa

¹Ill. Att'y Gen. Pub. Acc. Op. No. 26-001, issued January 21, 2026.

²Ill. Att'y Gen. PAC Req. Rev. Ltr. 87549, issued December 29, 2025.

³5 ILCS 120/2.06(a)(3) (West 2024).

Ms. Kathy Sands

April 13, 2026

Page 3

cc: *Via electronic mail*
The Honorable Dale Warren
Board Chairperson
Wayne County Housing Authority
303 North 1st Street
Fairfield, Illinois 62837-2549
wayneha@midwest.net