



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

December 10, 2010

Cheryl Johnson  
Freedom of Information Officer  
Kendall County Health Department  
811 W. John Street  
Yorkville, Illinois 60560

RE: Pre-authorization Request - 2010 PAC 11015

Dear Ms. Johnson:

We have received and reviewed the written notice from the Kendall County Health Department (Department) of its intention to deny certain information as exempt from disclosure under Section 7(1)(f) of the Freedom of Information Act (FOIA), 5 ILCS 140/1 *et seq.*, as amended.

On November 12, 2010, [REDACTED] requested, among other things, the salary ranges for 13 job classifications. On November 23, 2010, the Department provided responsive records and asserted the Section 7(1)(f) exemption for one document, a draft Excel spreadsheet which it stated contained the Department staff's opinions and recommendations for proposed starting salary grades and/or salary ranges.

Section 7(1)(f) allows a public body to withhold "[p]reliminary drafts, notes, recommendations, memoranda or other documents in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body." (5 ILCS 140/7(1)(f)).

The Department's request to withhold the spreadsheet pursuant to Section 7(1)(f) is approved. After reviewing the document, we have determined that it is a preliminary draft, and contains notes, recommendations in which opinions are expressed or policies or actions are formulated. Therefore, the withheld document falls within the definition of Section 7(1)(f). In addition, the withheld document has not been publicly cited or identified by head of the Department.

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Therefore, the Department has met its initial burden of demonstrating that this document is exempt from disclosure under Section 7(1)(f) of FOIA.

If you have any questions, please call me at 312-814-5206. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith  
Public Access Counselor

By:

  
Amalia Kroja  
Chief Deputy Public Access Counselor

cc:



*11015 pre-auth at 71fprelim mun*