



TOIRMA Update

By Jim Donelan

TOIRMA Executive Director

Intergovernmental Cooperation—Townships working together, saving money

THERE HAS BEEN quite a bit of talk in the media recently about government efficiency (or lack thereof). Most of these discussions generally focus on the federal or state governments and some type of misuse of taxpayer dollars. One news network even has a periodic national segment about governmental waste. Now I want to be clear here. I haven't met a person yet, including myself, that is in favor of wasting taxpayer money. If there is an inefficient service or misuse of government resources, it should be corrected. However, the unfortunate part of all of this discussion is that it is leading the public to look at all governments, including local governments, in a negative way. It's very frustrating seeing this discouragement when so many local governments are working hard at saving money, stretching each and every dollar, and cooperating.

In fact, TOIRMA receives regular inquiries from our members regarding ways to enter into intergovernmental cooperation agreements. These calls are encouraging and demonstrate the sentiment of townships and road districts working together not only to save money, but to better serve their communities.

TOIRMA applauds these efforts and reminds any officials contemplating working with another government to call our office *before* beginning this activity. This helps us ensure we have a clear understanding of the activity *prior* to it starting and that proper coverage and liability concerns are addressed.

The following questions and answers have been put together to provide a better understanding of considerations of an intergovernmental agreement.

Question: Where does the authority for a township or road district to enter into an intergovernmental agreement come from?

Answer: Article VII, Section 10, of the Illinois Constitution states: "Units of local government and school districts may contract or otherwise associate among themselves, with the State, with other states and their units of local government and school districts, and with the United States to obtain or share services and to exercise, combine or transfer any power or function, in any manner not prohibited by law or by ordinance."

Question: Should a township or road district participate in an intergovernmental agreement for services authorized by statute for them to perform?

Answer: When choosing to explore whether to participate in a cooperative activity, township or road district officials should remember Dillon's Rule. "*(Local governments only have the powers that are expressly granted to them by the state legislature ...*"

Question: What is the purpose of a written intergovernmental agreement?

Answer: An intergovernmental agreement, in writing, outlines the specifics of what is being agreed to and the expectations of each party.

Question: Should a township or road district consult with an attorney *before* entering into an intergovernmental agreement?

Answer: Yes. Consulting with your attorney will help ensure that *your* interests are considered and protected.

Question: Should a township or road district contact TOIRMA *before* entering into an intergovernmental agreement?

Answer: Yes. Any township or road district that is a member of TOIRMA should contact our office and provide us with a draft of the agreement. TOIRMA staff will review the agreement *prior* to it being executed. We will provide feedback and assist in making sure there is proper coverage, and the member's concerns are addressed.

Question: Does TOIRMA provide any information regarding items to consider *prior* to entering into an intergovernmental agreement?

Answer: Yes. Each member of TOIRMA has been provided a "TOIRMA Program Manual." Located within the manual under the "General Information" tab within the "General Risk Management" section there is information pertaining to intergovernmental agreements. A good resource is the "Elements of a Good Intergovernmental Cooperation Agreement" document.

Question: What are some examples of intergovern-

mental cooperation?

Answer: Below are just a few examples of governments working together:

- ✓ Oiling roads
- ✓ Building/maintaining roads
- ✓ Sharing equipment
- ✓ Sharing workers/labor
- ✓ Partnering with counties, cities, or other road districts for snow removal
- ✓ Administering jointly the township general assistance
- ✓ Assessing of real property
- ✓ Publishing together the prevailing wage rates annually
- ✓ Establishing and maintaining cemeteries

Thank you for all you do. Please remember to contact TOIRMA *before* beginning any joint project with another governmental unit.

If you have any questions regarding the above topic, please feel free to contact me at 888-562-7861 or by e-mail at jdonelan@toirma.org.

As of June 24, 2015, the following TOIRMA members have not deposited their 2015 Dividend check. If your township/road district is on this list below, please deposit your dividend as soon as possible. Thank you!

Atlas Township	Pike County
Cotton Hill Township	Sangamon County
Farrington Township	Jefferson County
Fidelity Township	Jersey County
Franklin Township	DeKalb County
Gridley Township	McLean County
Indiantown Township	Bureau County
New Haven Township	Gallatin County
Shafter Township	Fayette County
Wabash Rd District 6	Wabash County



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