



# TOIRMA Update

By Jim Donelan

TOIRMA Executive Director

## *Intergovernmental Agreements*

### Happy New Year!

Recently the TOIRMA Team met to review the responses from our *Annual Member Survey*. We would like to express our thanks to the nearly 70% of our members that took the time to provide us with your feedback. The survey is a helpful instrument in assessing our members' needs, and our Team evaluates and discusses each response. This feedback assists us in reviewing our present services/coverages and considering potential changes/improvements. During our evaluation meeting this year, one of the topics discussed was intergovernmental agreements.

The TOIRMA staff receives regular inquiries from our members regarding the need for and the specifics of intergovernmental agreements. We welcome calls of this nature, and it is good to see townships and road districts working together with other units of government. This is saving public money and maximizing resources.

An intergovernmental agreement is a document or agreement that outlines how two or more governmental units are going to cooperate. 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.*" Put simply, an intergovernmental agreement outlines the specifics of what is being agreed to and the expectations of each party.

According to Dillon's Rule "*(local) governments only have the powers that are expressly granted to them by the state legislature...*" Keep this rule in-mind when considering whether to enter into an agreement. Common examples of intergovernmental contracts include oiling roads, constructing/maintaining roads, sharing equipment, sharing workers/labor, partnering with counties, cities, or other road districts for snow removal, adminis-

tering jointly the township general assistance, assessing real property, publishing together the prevailing wage rates annually, and establishing and maintaining cemeteries.

TOIRMA strongly encourages its members **before** entering into an intergovernmental agreement to consult a township attorney, and contact TOIRMA and provide us with a draft of the agreement for review. TOIRMA staff will provide feedback regarding the agreement from a "risk management" point of view which will help in ensuring there is proper coverage, and that the township's interests are addressed.

Thank you for your attention to these matters. Happy New Year!

As always, if you have any additional questions, please feel free to contact me toll-free at (888) 562-7861 or by email at [jdonelan@toirma.org](mailto:jdonelan@toirma.org).

### Think Safe... Drive Safe... Work Safe

Emails are sent to alert our officials on pending legislation that would help or harm township government. Please make sure that if you wish to receive these alerts, our office has your correct email address. Thank you for your help!

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