



From Your Associate Director

AS FALL COLORS BEGIN to cover the landscape in Illinois, we embrace the beauty of our townships both rural and urban. Like the colors of fall, we must embrace township government and make our communities better than they have ever been before. What is important is that the practices of township government are conducted in the best interest of the electors that make up the community.

It is imperative that townships plan, prepare and conduct effective township board meetings. Second, be united in their efforts to work together with all of the local officials on the township board. Over the past few months, I have taken several calls addressing the relationships that exist between many of the positions on a township board. The one thing that Illinois law does not address is personalities. In Illinois we are unique. The road district like the assessor is considered a separate office. Other than administrative consent and approval, the only control a township board has over these offices is in the budget process. After the budget is approved, the board is only responsible for ensuring that the monies spent are in accordance with how they were budgeted. Of course there are exceptions to the degree of involvement, and the relationships that exist vary among the 1,432 townships in Illinois.

The September *Perspective* includes comments on the application of parliamentary procedure to township meetings. My reasoning for including this information is to assist townships in understanding the importance of collective agreement in the conducting of township business. It is important to follow an acceptable formal procedure. Additionally, to have an agenda as a guideline and to document accurately what occurs at a meeting.

I thought that it may be beneficial to reprint a revised version of one of my articles from 2008 regarding the effective township board meeting.



Controlling Your Township Meeting!

A question we get asked frequently is “What can we do to control overall production of our town board meetings?” Often times, disruptions occur due to an

elector’s view of a particular issue or individuals bringing issues before the board perhaps at the wrong time. Additionally, a group of residents may be attempting to utilize a board meeting for their own purposes on a particular issue (wind farm, recycling program, land acquisition etc).

The Illinois Open Meetings Act states ... *it is the public policy of the state that public bodies exist to aid in the conduct of the peoples business. ...* (5 ILCS 120).

Often, the board discovers that these issues are causing the regular board meetings to run late into the evening. This interferes with the regular schedules of board members who are on the board to serve in a public capacity on the board. I have heard of township board meetings going as late as 12:00 AM. Now that is a commitment to public service. The bigger question is why they were allowed to run so long. Second, what may have been conducted to avoid such a long meeting?

We are all aware of the commitment to serve on a township board. This should be a rewarding experience. Most importantly an experience from the public viewpoint to generate future support of township positions. If board meetings contain lengthy discussions and unlimited time constraints, serving in this public capacity becomes a hardship.

Illinois township board meetings are known for their informal setting to address the needs of the public. It is this informal setting that can lead to disruptions.

In an effort to reduce disruptions and reduce the length of meetings, it is recommended that the town board consider adopting a format to their agenda. The board needs to consider what type of process they intend to follow and formally adopt the procedure to

be addressed at each town board meeting. Utilizing the same agenda each month is not encouraged but a format with additions where necessary is a good start.

If a course in parliamentary procedure is needed, explore providing board members with the appropriate assistance. Often, knowing the proper way to present items, vote and proceed is a vital step to a successful meeting. The 2010 conference is providing a session on the application of parliamentary procedure.

If you are looking to adopt a standard board agenda, it allows the township to keep its meeting running orderly, and keep unwanted remarks from the audience at bay as well as keep the discussion focused on the agenda. By educating the board on the appropriate abbreviated parliamentary procedure process, this will ensure that only those who are authorized to speak, make motions, and vote are participating in the motion, discussion, and subsequent voting. The TOI website www.toi.org provides a downloadable sample agenda.

While the Illinois Open Meetings Act guarantees that members of the public have the right to attend

a meeting, there are rules of access in order to fully participate in a township meeting. Recent changes to the Open Meetings Act (OMA) in 2010 mandate that a township board has a designated OMA officer. The intent of this requirement is to ensure that appropriate procedures are being followed.

The Illinois Open Meetings Act requires that the agenda provide a section entitled “**public comments**”. This is the designated area for members of the general public to bring business before the township. However, any action suggested by the board must be postponed to the next meeting to ensure appropriate posting with the agenda requirements (48 hours for regularly scheduled township board meetings). Remember, most important is that if it is not on the agenda, it cannot be acted upon. Additionally, if an item is acted on that is not on the agenda, it may be determined an illegal action.

The township board has the ability to place time constraints on the public comment section of the agenda. If necessary, common restrictions include a time limit of 3-5 minutes or that the comments are directed to the entire board. Some may require that the comments be submitted in writing or the comments are only to introduce a subject to the board and not be a question and answer period.


It is important for the rules and procedures that the township board places on the public comment section to be consistent and enforced by the entire board. It is the board chairman (supervisor) that has the ultimate responsibility to ensure that this practice is utilized efficiently and consistently.

It is the supervisor or current board chair that has the ultimate responsibility to move the agenda forward and enforce all the rules of access and procedure as well as stop any disruptions. It is important to note that it is each township’s responsibility to adopt the rules and procedures that work best for your township, based upon your individual needs. Remember that an organized meeting is a productive and efficient meeting.

The Illinois Open Meetings Act (5 ILCS 120) is a great resource and if you are interested in additional information, contact the Office of the Illinois Attorney General at 217.782.1070.

Question of the Month

Q: What is the responsibility of the township board in appointing a FOIA officer? How does this impact recordkeeping by the township clerk?

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We welcome you back
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A: The recent change to the Open Meetings Act (5 ILCS 100) requires a township board by resolution appoint a FOIA officer and an alternate if the appointee is not available. In discussions with the Office of the Attorney General, each unit of government has the ability to appoint a FOIA officer. From this interpretation, it is our best practice application that a township road district, as a recognized separate unit of government, may appoint individually their own FOIA officers. However, if the township and road district agree on a single person, they may act as the FOIA officer for both entities. If this is the case, access to all road district records must be provided to the clerk as the statutorily designated road district clerk.

Cemetery Regulation Update

The formal administrative rule adoption of the Cemetery Oversight Act continues to be pending. The Joint Committee on Administrative Rules voted an extension to the rulemaking (68 Ill. Adm. Code 1249) at their August board meeting. This 45-day extension does not expire until mid-October. Therefore it is likely that the proposed rulemaking will be considered at the committee's October meeting. JCAR staff indi-

cated that the unresolved issues involve standards for cemetery care, as well as overall exemption clarifications. TOI staff will monitor the proposed rules progression through the process, but it is my prediction that we will not see formal guidelines and department forms until January 2011.

I look forward to seeing all of you at the Association's 103rd Annual Educational Conference. This year will be "**Simply the Best!**"

The TOI Education Committee has released the theme for the 2011 Educational District Program:

TOWNSHIP GOVERNMENT – Smarter, Simpler ... More Efficient!

The dates for the 2011 calendar year are:

- District 1 – Hilton Garden Inn – Effingham – March 10
- District 2 – Hilton Garden Inn – O'Fallon – August 25
- District 3 – Northfield Inn – Springfield – February 17
- District 4 – Marriott – Normal – June 3
- District 5 – Hilton – Lisle – June 23
- District 6 – Pere Marquette Hotel – Peoria – April 14
- District 7 – Cliffbreakers/Lexington Hotel – Rockford – July 14

Serving the legal needs of townships and road districts



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