



From Your Associate Director



SUMMER 2011 IS HERE! Things are interesting at the TOI Office. The Illinois General Assembly is active and generating discussions regarding local government. As many of you have been reviewing news articles on the recent legislative proposal to discuss consolidation of local government, we are confident that we have secured our position that we will not accept any conclusions without active participation in the decision process.

The Champaign News-Gazette on Sunday, May 8, printed an article stating that — *“Today, local government lobbyists won in their effort to ensure that Illinois has more government than any other state in the union....”*

What the Association is celebrating is the fact that we have made our voice heard to Illinois lawmakers that township government intends to participate in the decision-making process to consolidate individual or specific purposes of local government. If decisions are being made about the services that are provided by townships in Illinois, local government representation will be part of the decision process. There are many services provided by township government that sustain rural and urban communities. These services are vital parts of the community network.

We will continue to provide updates to the current e-mail address listing that we have. If you would like to receive updates, please forward a valid e-mail address to us at jerry@toi.org.

We are in the third year of your current term as an elected township official. I hope that by now you have navigated your responsibilities as an elected official in the most important unit of local government—TOWNSHIP GOVERNMENT.

There are many responsibilities that are part of your position. Back in 2009, I provided as part of my article a list of common questions regarding the procedures of the regular monthly township board meeting. I have added a few this year and would like to pass them on to you for current or future reference.

What constitutes a “township meeting”?

According to the Illinois Open Meetings Act

(OMA) (5 ILCS 100), a meeting of a five-member body is any gathering, whether in person or by video or audio conference or other means of contemporaneous interactive communication, of a quorum of the township board members held for the purpose of discussing public business.

What constitutes a quorum at a township meeting?

Specifically for townships, the law was recently changed to reflect that a quorum is three voting members of the township board present at a meeting. This amendment to the OMA was effective August 17, 2007. This change is also applicable to committees and subcommittees of a public body.

Rationale: A meeting consists of a quorum of a five-member public body such as a township, instead of the previous definition as a majority of the quorum. With a township (five-member body), three members constitutes a quorum. Two township officials can now meet and discuss public business without it being considered a township meeting.

With regard to a vote—although a township official can participate by audio or video conference, a quorum must be present at the meeting site in order to pass any agenda item where a vote is required.

What is the time and place a meeting can be held?

All public meetings (township meetings) must be held at specified times and places that are convenient for public access. 5 ILCS 120/2.01 provides certain holidays that public meetings cannot be held. Additionally, if it is determined after a meeting is scheduled that the current agenda items may necessitate a larger venue—the township board may move the meeting location as long as proper notification is provided.

What Public Notices are Required?

For all meetings whether open or closed, proper public notice must be provided. Townships are

required under the Act to publish a listing of their regular scheduled board meetings at the beginning of the calendar year or the township fiscal year. This notice includes the date, location and time of the regular township board meeting. The annual notice of scheduled meetings is to be posted in the township office or (if no office exists) at the building or location where the meeting is scheduled to commence.

What should I include on the agenda?

Townships and their committees are required by state law to have an agenda for all meetings. It is important that the agenda be part of the meeting posting and be as specific as possible. Special items and topics of concern that need to be discussed and acted upon at a regular meeting must be listed on the agenda. If the board were to act on an item NOT included on the agenda, the action of the board could be found to be invalidated (Rice v. Board of Trustees of Adams County, 326 Ill. App. 3d 1120(4th Dist. 2002), if contested. The Act clearly states that the agenda for special, rescheduled or reconvened meetings is valid and the validity of any action taken by the township which is considered to be germane to the agenda item under consideration shall NOT be affected by the item not specifically being part of the posted agenda.

When do I have to post the agenda?

Meeting agendas are required for all meetings and must be posted only at the principal office and at the location of the meeting if it is other than the principal. The posting must be done at least 48 hours in advance of the meeting.

Any agenda item received after the required 48-hour notice will be part of the next available meeting agenda. If a change is made in the date not of a single meeting but of the periodic regular meeting date of the township, notice of the change must be published in a newspaper of general circulation in the area at least 10 days prior to the date of the change.

If individuals show up at your township meeting and request to discuss an item not included on the agenda, what can be done?

As outlined above, all action and discussion items MUST be posted on the meeting agenda a minimum of 48 hours prior to the posted meeting date and time. Therefore, for all issues not included on the agenda, the board can request that the item be presented to the board under the “new business” section. Further, the board can ask that the speaker limit their comments to a specified time period and forward written comments to the township office.

Can an elector be asked to leave a meeting for disruptive behavior?

In a perfect world, everyone gets along, right? If you have an elector or anticipate that an elector may become difficult or present obnoxious behavior—TOI recommends that you invite a member of law enforcement to your monthly meeting. The mere presence of law enforcement can stop individuals from obnoxious behavior. All township meetings are open to the public.

If an elector determines that a township has violated the Open Meetings Act, what can they do?

Electors who have determined that the act has been violated may bring action to enforce the provisions of the Act within 60 days of the challenged meeting or the discovery of the violation by the State’s Attorney.

Can a township meeting be cancelled?

Yes, a meeting can be cancelled by the supervisor as long as it is rescheduled and a meeting notice is posted at the township building and the location of the meeting being cancelled. Second, when a new date is determined, the agenda must be posted at least 48 hours in advance of the meeting.

If a Supervisor cannot attend a meeting, who chairs the meeting?

The board meets and elects among the members present a chairman to preside over the meeting. Although not a statutory requirement, this responsibility is mostly given to the most senior trustee of the township board.

Remember, if you have any questions please contact the Township Officials of Illinois toll free at 866.897.4688. We are happy to assist you in obtaining accurate information to perform your statutory responsibilities as a township official.

EDUCATION UPDATE


Education District 4 (Normal) is scheduled for June 3. We have three district events remaining:

June 23	District 5	Lisle
July 14	District 7	Rockford
August 25	District 2	O’Fallon

See the *Perspective* magazine or go online at www.toi.org to register today.

TOIPAC Fundraiser Update

The tickets for the 2011 TOIPAC fundraiser are

now available. TOIPAC will be awarding a \$2,500 certificate to a travel agency in Springfield. This means that you get to pick your destination. There is a cash alternative prize of \$1,000. Contact a TOI Board member to purchase a ticket. They are being sold at \$10 each or three (3) for \$20. The winner will be drawn at the November Conference. The great thing about this fundraiser is that ANYONE can purchase a ticket. Also, you do not need to be present to win! Help support our PAC legislative efforts and purchase a ticket! 



SCENES FROM District 6 event held at the Hotel Pere Marquette in Peoria April 14



Is your township looking for a used dump truck or snowplow? Go to www.toi.org and check out the Township Classifieds! In the right margin of the homepage, click on Township Classifieds. These ads are also published in the current issue of *Township Perspective*.

**60" Brush Cutter
AND
22" Ditcher for Rent**

Attention: All Township Officials
Larry Heuerman Trucking
Montrose, IL 217-924-4207 Cell 217-663-0552

**Cut Limbs up to
6"-8" in Diameter**

**Cut Ditches with
a 22" cut**

**20 Foot Reach
from Tractor**

**Cut Brush & Limbs
on Overgrown
Roadways and Ditches**

**Rent by the Day,
Week, or Month for \$120/hour
(includes operator)**



Tired of patching old roads over and over? Especially your roads that are worn out or have heavy traffic. Then why don't you consider stabilizing your roads? Depending on road width, price will be \$2000-\$3000 per mile. The more miles you have, the less expensive it will be. This is our machine and will be operated by our workers.



2011 Annual Educational Conference

The Theme this year “Township Government: Conquering the Challenges of Change” will bring an outstanding educational line-up for session topics. The list we are currently working on includes, but is not limited to, the following course titles:

- Local Democracy and the Townships of Illinois – A Discussion with Wendell Cox**
- An Overview of the Cemetery Oversight Act – How do Townships Comply?**
- 10 Things Every Highway Commissioner Should Know!**
- Windmill Issues with Township Government**
- Overview of Recent Court Decisions Impacting Township Government**
- The Purchase of Township Assets (Personal and Real Estate)**
- Record Retention – What to Keep and What to Purge**
- Township Grants – How to find them in local government – Township Government!**
- Unemployment and General Assistance**
- Separation of Powers in Township Government**
- Personnel Issues in Township Government**
- How to Develop and Manage Social Change in Townships**
- Social Media and Youth in Township Government**
- Technology and Security – Best Practices for Professionals**
- GATI – What is it and how do we manage it?**
- Discover what QuickBooks can do for your Accounting Practices**
- Microsoft 2007 – What’s New**
- IMRF Update**
- Development and Management of Social Media**
- Misuse of Social Media with Teens**
- Identity Theft – What and How are We Evolving to Protect Ourselves?**
- Parliamentary Procedure in Township Government**
- Townships and the Media – What Should You be Doing?**
- TIF Districts and Township Government – What Has Changed?**
- History of Township Government**

Please remember that we are working toward securing speaker contracts on all of the topics listed above. If you have a topic of interest that is not listed, please forward the informational request to me at jerry@toi.org. You can call me toll free at 866.897.4688.