



TOIRMA Update

By Jim Donelan

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Intergovernmental Agreements — Cooperation that works

IN RECENT YEARS it seems that people have become more and more cynical about government. Constantly complaining about the waste, or how they disagree with this or that. In these situations I have found it an interesting exercise to ask these individuals: “what exactly is the problem?” Answers may vary, but the typical answer pertains to a recent event in the news dealing with the federal government. The topic may gravitate to some federal program that they perceive as wasteful. Rarely, if ever, is their complaint pointed at local governments such as townships. Of course we all know that the reason for this is simple. Township government, the government closest to the people, is doing a fine job of delivering services directly to our neighbors. In fact, townships and road districts take it even a step further every day by partnering together to “get the job done.”

Article VII, Section 10 of the Illinois Constitution specifically authorizes local governments to work together, stating: *“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.”*

An intergovernmental agreement specifies the nature of a particular partnership and the expectations existing between governmental units. Examples of townships and road districts working together throughout the state are countless, but I will take the liberty to name a few. Road districts are cooperating in the maintenance of road improvements, such as oiling road surfaces by sharing equipment, labor and resources. Road districts are entering into intergovernmental agreements with municipalities and counties to maintain and remove snow from streets and highways for these entities. Townships are jointly administering general assistance programs. Townships are collaborating to perform assessment of real property. Townships and road dis-

tricts within the same county are jointly publishing their prevailing wage rates annually. I could mention more but I’ve only been allotted a certain amount of space, but you get the picture.

Whether the savings from these partnerships are large or small in terms of total dollars, township government is showing on a regular basis that cooperation and efficiency is possible, and is directly benefiting its constituencies.

TOIRMA PREFERS the following steps occur prior to a township or road district entering into an intergovernmental agreement:

- (1) consult your township attorney; and
- (2) provide TOIRMA with a draft of the agreement for review.

Step one will help ensure the township’s or road district’s best interests are considered. You should discuss the joint task or program with your attorney, ask that he/she examine the legality of the joint task or program, and draft an agreement accordingly.

Step two will allow TOIRMA to evaluate your existing liability coverage as it directly pertains to this agreement.

As I said earlier, every day townships throughout the state are partnering together to “get the job done.” Keep up the good work, and don’t forget to inform TOIRMA of your intergovernmental agreements/work prior to beginning.

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.



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