



ORDINANCE NO. 2050-20

AN ORDINANCE AUTHORIZING THE PUBLIC WORKS DIRECTOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT BETWEEN ELA TOWNSHIP HIGHWAY DEPARTMENT & VILLAGE OF HAWTHORN WOODS PUBLIC WORKS

BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Hawthorn Woods, Illinois, that the Public Works Director be, and the same is hereby authorized and directed, to enter into an intergovernmental agreement with Ela Township the shared use of equipment, as attached hereto as Attachment "A", and, by this reference made a part hereof.

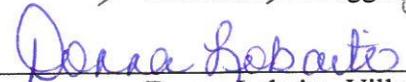
The foregoing Ordinance was adopted by the Board of Trustees of the Village of Hawthorn Woods, Illinois on November 23, 2020.

AYES: Mayor, Hesik, Luss, David, McCartney, Rescalk

NAYS: 0

ABSENT AND NOT VOTING: 0

APPROVED: 
Dominick DiMaggio, Mayor

ATTEST: 
Donna Lobaito, Village Clerk

ADOPTED: November 23, 2020

APPROVED: November 23, 2020

**INTERGOVERNMENTAL AGREEMENT FOR THE USE OF THE EQUIPMENT
BETWEEN
ELA TOWNSHIP HIGHWAY DEPARTMENT
&
VILLAGE OF HAWTHORN WOODS PUBLIC WORKS**

This Intergovernmental Agreement (referred to as the "Agreement") is entered into this 27th day of June 2019, between *Ela Township Highway Department*, located at 23605 N. Echo Lake Road, Lake Zurich, IL 60047 (Lake County) (referred to as *Ela*) and *Village of Hawthorn Woods* located at 57th N Old McHenry Rd, Hawthorn Woods, IL 60047 (Lake County) (referred to as *VOHW*). 35

WHEREAS, *Ela* and *VOHW* are public agencies within the meaning of the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 *et. Seq.*, as authorized by Article VII, Section 10 of the 1970 Constitution of the State of Illinois. The Illinois Constitution and the Illinois Statutes encourage and provide for units of local government to cooperate and to enter into intergovernmental agreements in any manner not prohibited by law or ordinance, to their mutual benefit; and

WHEREAS, *Ela* owns various different types of heavy mechanical equipment including but not limited to trucks, trailers, graders, and other types of maintenance equipment not owned by *VOHW*; and *VOHW* owns various different types of heavy mechanical equipment including but not limited to trucks, trailers, graders, and other types of maintenance equipment not owned by *Ela*; and

WHEREAS, it is not economically feasible for each agency to purchase and maintain all types of necessary heavy machinery and equipment; and

WHEREAS, the sharing of this equipment by and between *Ela Township Highway Department* and *Village of Hawthorn Woods* would make the best use of the limited financial resources of each agency and would be in the best interests of the residents of each agency.

NOW THEREFORE, *Ela Township Highway Department* and *Village of Hawthorn Woods* agree to share their machinery and equipment with each other under the following terms and conditions:

1. A road district may borrow equipment owned by the other road district on a first come, first served basis, if the equipment is not being used or scheduled for immediate use by the owning road district.
2. The borrowing road district shall return the equipment or machinery in substantially the same condition as when it was lent; reasonable wear and tear expected.
3. The using road district shall be responsible for providing fuel and routine operating and preventative maintenance for the equipment.
4. The using road district shall be responsible for all labor expenses connected with the use of the machinery and equipment.

5. Insurance shall be obtained and maintained by the road district owning the equipment or machinery. Each road district's insurance carrier shall be informed of the terms of this intergovernmental agreement.

~~6. The parties of this Agreement shall share the cost of repairs for the machinery and equipment.~~ *and 11/17/20*

7. The term of this Agreement shall be for the elected term of the current Highway Commissioner of Ela Township (5/2017-5/2021) unless both parties agree to terminate agreement before that date.

8. Notices may be given at the road district office listed above.

9. ANY PERSON UTILIZING EQUIPMENT OR VEHICLES MUST HAVE A VALID DRIVERS LICENSE THAT HAS NOT BEEN SUSPENDED.

Ela Township Highway Department

Village of Hawthorn Woods Public Works *and 11/17/20*

[Signature]
_____ *07/09/19*

Highway Commissioner Date

[Signature] *11-30-20*

Public Works Director Date

[Signature] *07-09-2019*
_____ *07-09-2019*
Township Clerk Date

[Signature] *11/23/20*
_____ *11/23/20*
Village Clerk Date