

# RESOLUTION

## Resolution Authorizing an Intergovernmental Agreement for Participation in the Illinois Public Works Mutual Aid Network (IPWMAN) (82)

**WHEREAS**, the Illinois Public Works Mutual Aid Network (IPWMAN) was organized beginning 2009 to coordinate mutual aid. The system is designed to facilitate all levels of mutual aid from day-to-day non-emergent sharing of resources to major incidents and disasters requiring significant deployment of resources; and

**WHEREAS**, since the last revision of the master IPWMAN intergovernmental agreement IPWMAN has grown exponentially to its current composition of over 480 Illinois member agencies; and

**WHEREAS**, the Constitution of the State of Illinois, 1970 Article VII, Section 10, authorizes units of local government to contract or otherwise associate among themselves, with the State, with other States and their units of local government, and with the United States to obtain and share services and to exercise, combine, or transfer any power or function in any manner not prohibited by law or ordinance; and to further contract or otherwise associate with individuals, associations, and corporations in any manner not prohibited by law or ordinance; and

**WHEREAS**, the “Intergovernmental Cooperation Act”, 5 ILCS 220/1 et seq., provides that any power or powers, privileges, or authority exercised or which may be exercised by a unit of local government may be exercised and enjoyed jointly with any other unit of local government including units of local government from another state; and

**WHEREAS**, Section 5 of the “Intergovernmental Cooperation Act”, 5 ILCS 220/5, provides that any one or more public agencies may contract with any one or more public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform, provided that such contract shall be authorized by the governing body of each party to the contract; and

**WHEREAS**, the County Board has determined that it is in the best interests of this unit of local government and its residents to enter into the Illinois Public Works Mutual Aid Agreement to secure each of the benefits of public works mutual aid and assistance.

**NOW, THEREFORE BE IT RESOLVED**, by this County Board of McHenry County, Illinois, that it hereby authorizes the Emergency Management Agency and Division of Transportation to enter into an agreement for participation in the Illinois Public Works Mutual Aid Network (IPWMAN) Agreement, a copy of said Agreement being attached hereto and being made a part hereof; and

**BE IT FURTHER RESOLVED**, that the Chairman is hereby authorized to execute said Agreement; and

**BE IT FURTHER RESOLVED**, that the County Clerk is hereby authorized to distribute a certified copy of this resolution to the County Administrator, Chief Financial Officer, Emergency Management Director, Procurement and Special Services Director, an electronic copy to the Director of Transportation/County Engineer, and Executive Director of the McHenry County Council of Governments.

**DATED** at Woodstock, Illinois, this 15<sup>th</sup> day of April, A.D., 2025.

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Michael Buehler, Chairman  
McHenry County Board

ATTEST:

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Joseph J. Tirio, County Clerk

## RESOLUTION

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SUBJECT: Resolution Authorizing an Intergovernmental Agreement for Participation in the Illinois Public Works Mutual Aid Network (IPWMAN) (82)

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**Board / Committee Action Requested:**

To approve an Agreement allowing continued participation in the Illinois Public Works Mutual Aid Network (IPWMAN).

**Background and Discussion:** IPWMAN was officially established in November 2008 and has gained support from the Illinois Public Works Association, Homeland Security Advisory Council (HSAC and formerly the Illinois Terrorism Task Force) and has a seat at the Illinois Emergency Operation Center (IEOC). IPWMAN has sub-chair representation on the Critical Infrastructure Sub-Committee.

IPWMAN has provided immediate National Incident Management Systems (NIMS)-compliant access to a wealth of public works resources through the existing Illinois Emergency Management System. Since IPWMAN inception approximately \$2.5 million dollars of free mutual aid to disaster-stricken communities.

McHenry County has been an active member of IPWMAN since October of 2010. McHenry County has had numerous employee representation to include: a regional director, vice president, 2 term president, multi-year past president, executive board member, IT committee chairperson, and duty officer. MCDOT maintenance has responded to multiple disaster activations within McHenry County and other parts of the State supplying staff and equipment. Activations can be viewed on the attached spreadsheet.

There is no intent to change the day-to-day and emergency response mutual aid program. The reason for this new contract agreement/resolution is because there are a few issues which the IPWMAN Board believes should be revised. Significant changes from the current agreement are:

1. Clarification that mutual aid is not just for emergencies. Currently members assist each other with provision of equipment and personnel on a day-to-day basis and the new agreement expressly provides authority for this common practice.
2. The current by-laws provide for governance of IPWMAN by a not-for-profit corporate entity rather than by a board of members without a separate corporation. The Illinois Intergovernmental Corporation Act does not require the formation of a not-for-profit corporation to be the governing body. Revising the IPWMAN agreement and by-laws to

eliminate the corporate entity streamlines the organization and eliminate issues related to asset ownership, liability and tort immunity. All assets of the IPWMAN will be held in the intergovernmental agency's name going forward.

3. The new agreement provides a revised process for any future amendment. Any member may propose an amendment to the board of directors. If the board approves it, the proposed amendment will be sent to the entire membership 45 days before a general meeting. If at least 60% of the members present approve the amendment, a new intergovernmental agreement will be submitted to all members for the governing boards to approve by resolution.

The proposed intergovernmental agreement and by-laws are attached.

**Impact on Human Resources:** None

**Impact on Budget (Revenue; Expenses, Fringe Benefits):**

\$500.00 annually, which has historically been budgeted in the MCDOT Highway Fund.

**Position Reclassification or Regrade, please address the following:** None

**Impact on Capital Expenditures:** None

**Impact on Physical Space:** None

**Impact on Other County Departments or Outside Agencies:** None

**Conformity to Board Ordinances, Policies and Strategic Plan:** None

**Attachments / Appendices:** Attached Intergovernmental Agreement needs signatures.