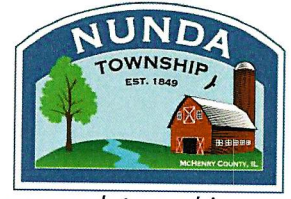


3510 Bay Road  
Crystal Lake, IL 60012  
Telephone: 815-459-4011 Fax: 815-459-4023  
email: [super@nundatownship.com](mailto:super@nundatownship.com)



[www.nundatownship.com](http://www.nundatownship.com)

RE: Regular meeting of the Nunda Township Board of Trustees  
WHERE: Nunda Township Hall 3510 Bay Road, Crystal Lake, IL  
DATE: Thursday, June 8, 2023 at 7:00 p.m.

## *A G E N D A*

1. The meeting is called to order
2. Pledge of Allegiance
3. Roll Call
4. Public Comments (related to Agenda items only – three minute limit per person)
5. Review and approval of the minutes of the Special board meeting dated Thursday May 11, 2023
6. Review and approval of the minutes of the regular board meeting dated Thursday May 11, 2023
7. Township Warrants for approval for payment for June 8, 2023
8. Road District Warrants for approval for payment for June 8, 2023
9. Review and approval of IGA with McHenry Township Fire Protection District for installation of warning siren in Moraine Hills
10. Decennial Efficiency Meeting
11. New Business
12. Old Business
13. Public Comment (three-minute limit per person)
14. Reports by the Supervisor, Town Clerk, Highway Commissioner, Assessor, Trustees and Cemetery Board Trustees
15. Adjournment

SPECIAL MEETING  
MEETING MINUTES – BOARD OF TRUSTEES  
NUNDA TOWNSHIP

STATE OF ILLINOIS }  
McHenry County } SS.  
Township of Nunda }

**The Board of Trustees** met for a special meeting at the Nunda Township Town Hall, 3510 Bay Road, Crystal Lake, Illinois, on Thursday May 11, 2023 at 6:30 p.m.

**The meeting was called to order** at 6:30 p.m.

Township Clerk Smith recorded the following official business

**Attendies:** Trustee: Karen Tynis; Trustee: Tim Parrish, Trustee: Johanna Donahue, Supervisor Leda Bobera-Drain. Absent: Trustee: Rob Parrish. Also present: Assessor Mark Dzemske, Cemetery Board Bill Boltz and residents.

**Public Comments** - Assessor Mark Dzemske expressed his disappointment in the Board with respect to lack of abatement and a plan for excess money in the Budget this year.

**Presentation of 2023 – 2024 Township, GA & Cemetery Budgets:** Supervisor Bobera-Drain explained the budget was the same as reviewed at the Budget workshop with the exception of the 401 funds were increased, Community Relations was increased to accommodate Nunda Townships portion of the Emergency Siren and Capital Improvements was lowered as discussed in the Budget workshop.

**Approval of Budget and Appropriation Ordinance for Fiscal Year 2023-2024 for the Town GA and Cemetery Fund:** Made by: Karen Tynis; Second by: Johanna Donahue. Discussion followed. Roll Call: Tim Parrish (Yes), Karen Tynis (Yes), Johanna Donahue (Yes), Leda Bober-Drain (Yes). Motion carries.

**Presentation of 2023 – 2024 Road District Budgets:** Supervisor Bobera-Drain explained there are no changes to the budget as reviewed at the Budget workshop with the exception of the 401 funds were increased.

**Approval of Budget and Appropriation Ordinance for Fiscal Year 2023-2024 for the Road and Bridge Account Funds:** Made by: Johann Donahue; Second by: Karen Tynis. Discussion followed. Roll Call: Tim Parrish (Yes), Karen Tynis (Yes), Johanna Donahue (Yes), Leda Bober-Drain (Yes). Motion carries.

**Motion to Adjourn** made by: Karen Tynis; Seconded by: Johanna Donahue. Voice Vote: All Ayes. Motion carries.

**Adjourned at:** 6:47 p.m.

Respectfully submitted,  
Joni Smith  
Nunda Township Clerk

**MEETING MINUTES – BOARD OF TRUSTEES  
NUNDA TOWNSHIP  
DRAFT**

STATE OF ILLINOIS }  
McHenry County } SS.  
Township of Nunda }

The Board of Trustees met at the Nunda Township Town Hall, 3510 Bay Road, Crystal Lake, Illinois, on Thursday May 11, 2023 at 7:00 p.m.

Meeting called to order at 7:00 p.m.

Township Clerk Smith recorded the following official business

The Pledge of Allegiance was recited at 7:00 p.m.

Roll call answered by: Trustee: Tim Parrish, Trustee: Karen Tynis, Trustee: Johanna Donahue, Supervisor: Leda Bobera-Drain. Absent: Trustee: Rob Parrish. Also in attendance; Cemetery Board Member: Bill Boltz and public.

Public Comment: None

**Motion to review and approval of the regular board meeting minutes, dated Thursday April 11, 2023:** Made by: Karen Tynis; Seconded by: Johanna Donahue. No Discussion. Voice Vote: All Ayes. Motion Carries.

**Resolution 05-11-23-01 Appointment of David Collins – Trustee of the Nunda Rural Fire Protection District for a three (3) year term commencing with the first Monday in May 2023 through the first Monday in May 2026:** Made by: Johanna Donahue; Second by: Tim Parrish. Discussion followed. Voice Vote: All Ayes. Motion Carries.

**Motion to Approve for Payment Township Warrants for May 11, 2023 in the amount of \$43,916.65.** Made by: Karen Tynis; Second by: Tim Parrish. No Discussion. Roll Call: Karen Tynis (Yes), Johanna Donahue (Yes), Tm Parrish (Yes), Karen Tynis (Yes), Leda Bobera-Drain (Yes). Motion carries.

**Motion to Approve for Payment Road District Warrants for May 11, 2023 in the amount of \$697,035.48.** Made by: Karen Tynis; Second by: Johanna Donahue. Discussion followed. Roll Call: Johanna Donahue (Yes), Karen Tynis (Yes), Tim Parrish (Yes), Leda Bobera-Drain (Yes). Motion carries.

**Review and approval of IGA with McHenry Township Fire Protection District for installation of warning siren in Moraine Hills:** Supervisor Bobera-Drain explained she has not received an Intergovernmental Agreement from McHenry Township as of yet.

# NUNDA TOWNSHIP

McHenry County, State of Illinois

Crystal Lake, Illinois

SUPERVISOR – Leda Drain

TOWN CLERK – Joni Smith

**PERIOD:**

**May 11th, 2023 through June 8th, 2023**

We the undersigned members of **NUNDA TOWNSHIP BOARD OF TRUSTEES**, certify that we have this 8th day of June, 2023 examined and audited the amounts due for the items specified in the claims attached and hereby authorize payment in the amount of: **\$35,615.43 for all Township Funds, plus Payroll Expenditures.**

**TOWN FUND**

MAY PAYROLL EXPENDITURES

\$68,763.90

IN WITNESS WHEREOF, we the members of said Board of Township Trustees, have hereunto set our hand on June 8th, 2023.

Board of Township Trustees

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Voucher List 6/8/23

Vendor	Budget Line Item	
AFLAC*	100-000-225 Town Employee Cancer Ins	\$310.26
Alan Zielinski	100-140-611 Assr/Proffesional Improvement	\$245.00
Ancel, Glink, Diamond, Bush	100-120-621 Admin/Legal Fees	\$0.00
Ameritas Dental	100-110-676 Admin/Hospitalization Insurance	\$202.04
Ameritas Dental	100-140-676 Assr/Hospital Insurance	\$378.96
Ameritas Dental - ML	100-110-676 Admin/Hospitalization Insurance	\$62.92
Leda Bobera-Drain	100-130-652 Super/Travel	\$61.31
Blue Cross*	100-110-676 Health Ins	\$2,921.55
Blue Cross*	100-140-676 Health Ins	\$4,192.62
Blue Cross*	100-000-228 Employee Portion	\$1,064.49
Blue Cross*	100-110-676 Admin/Hospitalization Insurance	\$1,637.17
Blue Cross*	100-000-228 Employee Portion	\$409.29
Buss Ford	100-140-640 Assr/Car Expense	\$0.00
Cardinal Office	100-140-654 Assr/Office Supplies	\$43.74
CIAO	100-140-649 Assr/Dues	\$0.00
Cirone Computer	100-140-629 Assr/Computer	\$14,840.00
Chronical Media	100-120-658 Admin/Publishing	\$0.00
ComEd	100-120-670 Admin/Utilities	\$459.87
CoStar	100-140-657 Assr/Publications Subscriptions	\$0.00
Culligan of Crystal Lake	100-140-690 Assr/Misc. Expense	\$359.70
EBC	100-110-676 Admin/Hospitalization Insurance	\$48.00
EBC	100-140-676 Assr/Hospitalization Insurance	\$72.00
First Bankcard	100-120-632 Admin/Building Maintenance	\$62.97
First Bankcard	100-120-619 Admin/Profession Svs	\$0.00
First Bankcard	100-120-620 Admin/Accounting Service	\$665.00
First Bankcard	100-120-626 Admin/Equipment Purchase	\$0.00
First Bankcard	100-130-654 Supr/Office Expense	\$205.20
First Bankcard	100-130-690 Admin/Misc. Expense	\$0.00
First Bankcard	100-120-651 Admin/Dues	\$0.00
First Bankcard	100-130-652 Admin/Travel Expense	\$0.00
First Bankcard	100-130-623 Supr/Professional Improvement	\$0.00
First Bankcard	100-130-6672 Supr/Telephone	\$182.71
First Bankcard	100-220-890 Community Relations	\$26.50
First Bankcard	100-140-672 Assr/Telephone Expense	\$605.00
First Bankcard	110-140-626 Assr/Equipment	\$0.00
First Bankcard	110-140-649 Assr/Dues	\$0.00
First Bankcard	100-140-690 Assr/Misc. Expense	\$0.00
First Bankcard	100-140-654 Assr/Office Supplies	\$0.00
First Bankcard	100-140-657 Assr/Publications Subscriptions	\$0.00
First Bankcard	100-140-623 Assr/Professional Imp	\$0.00

First Bankcard	100-140-640 Assr/Car Expense	\$0.00
First Bankcard	100-140-655 Assr/Postage	\$0.00
First Bankcard	100-140-629 Assr/Computer Expense	\$0.00
Fox Valley Fire & Safety	100-140-690 Assr/Miscellaneous Expense	\$0.00
Gordon Flesch	100-140-660 Assr/Maintenance	\$0.00
IL Property Assessment	100-140-623 Assr/Professional Improvement	\$0.00
Mchenry County Fire	100-220-890 Admn/Community Relations	\$122.00
McHenry County Recorder	100-330-855 Weed Ordinance	\$0.00
NCPERS*	201-008 Employee Portion Health Ins	\$64.00
NCPERS*	102-001 Due from R & B Employee Health Ins	\$96.00
Nicor	100-120-670 Admin/Utilities	\$38.89
NJS Enterprises	100-130-654 Supr/Office Expense	\$0.00
NJS Enterprises	100-140-629 Assr/Equipment Purchases	\$0.00
NJS Enterprises	100-140-611 Assr/Professional Svs	\$0.00
Nunda Road District	100-140-640 Assr/Car Expense	\$83.81
Nu-Way Cleaning	100-120-632 Supr/Maintenance	\$375.00
Orkin	100-120-632 Admin/Building Maintenance	\$275.00
Principal Insurance*	100-110-676 Assr/Hospital Insurance	\$130.67
Principal Insurance*	100-140-676 Admin/Hospitalization Insurance	\$170.22
Progressive Remodeling	100-220-901 Capital Improvements	\$4,850.00
Statgraphics	100-140-657 Assr/Publications Supcriptions	\$0.00
Shaw Media	100-120-65 Super/Publications	\$0.00
The IT Connection	100-130-654 Admin/Office Expense	\$200.00
T.O.I.R.M.A.	100-120-673 Admin/General Insurance	\$0.00
T.O.I.R.M.A.	100-120-675 Admin/Liability Insurance	\$0.00
T.O.I.R.M.A.	100-120-673 Admin/Workrs Comp	\$0.00
Township Officials IL	100-120-651 Admin/Dues	\$0.00
VSP Of Illinois	100-110-676 Admin/Hospitalization Insurance	\$38.94
VSP Of Illinois	100-140-676 Assr/Hospital Insurance	\$89.92
VSP Of Illinois - ML	100-110-676 Admin/Hospitalization Insurance	\$24.68
	TOTAL	\$35,615.43
* Bills already paid (or portions of)		

# NUNDA TOWNSHIP

McHenry County, State of Illinois

Crystal Lake, Illinois

SUPERVISOR – Leda Drain

TOWN CLERK – Joni Smith

## PERIOD:

**May 11<sup>th</sup>, 2023 through June 8th, 2023**

We the undersigned members of NUNDA TOWNSHIP BOARD OF TRUSTEES, certify that we have this 8th day of June 2023 examined and audited the amounts due for the items specified in the claims attached and hereby authorize payment in the amount of: **\$202,818.04 for all Road District Funds plus Payroll Expenditures.**

### PERMANENT HARD ROAD FUND

MAY 2023 PAYROLL EXPENDITURES

\$138,980.99

### R.D. SOCIAL SECURITY FUND

MAY 2023 PAYROLL EXPENDITURE

\$ 10,279.96

### R.D. INSURANCE FUND

MAY 2023 PAYROLL EXPENDITURES

\$ 0

### R.D. IMRF FUND

MAY 2023 PAYROLL EXPENDITURES

\$ 11,004.86

IN WITNESS WHEREOF, we the members of said Board of Township Trustees, have hereunto set our hand on June 8th, 2023.

Board of Township Trustees

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Meeting Date  
June 8th, 2023

Nunda Township Road District

Vouchers for June

AFLAC*	400-120-676A Employee Ins Contribution	\$ 1,139.95
1st Ayd Corporation	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 256.71
Ace Hardware McHenry	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 89.14
Advanced Auto	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 96.62
Ameritas	400-120-676 PHR Admin Div - Hosp. Insurance	\$ 404.83
Ameritas	400-120-676A PHR Admin Div - Empl.Ins.Contribution	\$ 101.21
AT & T	400-200-670 PHR Building Div - Utilities	\$ 436.65
AT & T	400-200-670 PHR Building Div - Utilities	\$ 171.43
AT & T Uverse	400-200-670 PHR Building Div - Utilities	\$ 62.82
Blue Cross/Blue Shield of IL*	400-120-676 PHR Admin Div - Hosp. Insurance	\$ 7,182.39
Blue Cross/Blue Shield of IL*	400-120-676A PHR Admin Div - Empl.Ins.Contributions	\$ 2,084.02
Burriss Equipment	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 39.99
Cassidy Tire	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 129.99
Cintas	400-170-636 PHR Road Div - Maint. Personnel	\$ 8,779.24
Clarke	400-170-619 PHR Road Div - Professional Serv.	\$ 415.00
ComEd*	400-200-670 PHR Building Div - Utilities	\$ 1,490.51
ComEd*	300-170-645 R&B Road Div - Street Lighting	\$ -
Conserv	400-170-648 PHR Road Div - Gasoline & Oil	\$ 2,766.02
Direct TV	400-200-634 PHR Building Div - Maint/Facility Improv.	
Dons Welding	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 130.00
Eds Automotive	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 270.00
First Bankcard #8584	300-120-654 R&B Admin Div - Office Expense	\$ 99.99
First Bankcard #7052	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 604.90
First Bankcard #7052	400-170-642 PHR Road Div - Road Improvements	\$ 1,002.81
First Bankcard #7052	400-170-636 PHR Road Div - Maint. Personnel	\$ 125.85
First Bankcard #7052	300-120-654 R&B Admin Div - Office Expense	\$ 24.97
Geske	400-170-642 PHR Road Div - Road Improvements	\$ 72,147.75
General Truck Parts	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 1,075.00
Heritage Crystal Clean	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 452.56
HiViz	400-170-642 PHR Road Div - Road Improvements	\$ 1,755.00
HR Green	400-170-619 PHR Road Div - Professional Serv.	\$ 11,000.00
Hydraulic Services	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 644.02
Interstate Bateries of North Chi	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 9.70
Interstate Rush Truck	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 14,568.95
J. Condon & Associates	400-170-619 PHR Road Div - Professional Serv.	\$ 1,392.50
Joseph Foreman	400-170-642 PHR Road Div - Road Improvements	\$ 1,680.00
Leach	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 72.55
Menards	400-200-634 PHR Building Div - Maint/Facility Improv.	\$ 540.48
Napa	400-200-634 PHR Building Div - Maint/Facility Improv.	\$ 61.17
Nicor	400-200-670 PHR Building Div - Utilities	\$ 602.20
Northwest Medical	400-170-619 PHR Road Div - Professional Serv.	\$ 35.00
Pitel	400-200-634 PHR Building Div - Maint/Facility Improv.	\$ 95.00
Pomps	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 25,585.90
Prime Tack and Seal	400-170-642 PHR Road Div - Road Improvements	\$ 1,432.44
Ralph Helm	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 209.94
Reliable Sand and Gravel	400-170-642 PHR Road Div - Road Improvements	
Reprographaics	300-120-654 R&B Admin Div - Office Expense	\$ 634.72
Roland Machinery	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 4,514.84
Ronco	400-170-636 PHR Road Div - Maint. Personnel	\$ 647.29

\* Bills paid before meeting



Meeting Date  
June 8th, 2023

Nunda Township Road District

Vouchers for June

Sauber	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 1,059.00
Shaw Media	300-120-654 R&B Admin Div - Office Expense	\$ 117.34
Suburban Propane	400-170-648 PHR Road Div - Gasoline & Oil	\$ 215.88
Terminal Supply	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 110.53
The I.T. Connection	300-120-654 R&B Admin Div - Office Expense	\$ 1,400.13
Tifco Industries	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 656.23
Upland Construction	400-170-642 PHR Road Div - Road Improvements	\$ 22,221.00
Vanderstappen Land Surveying	400-170-619 PHR Road Div - Professional Serv.	\$ 7,800.00
Verizon	400-200-670 PHR Building Div - Utilities	\$ 186.64
VSP of Illinois, NFP	400-120-676 PHR Admin Div - Hosp. Insurance	\$ 94.58
VSP of Illinois, NFP	400-120-676A PHR Admin Div - Empl.Ins.Contribution	\$ 103.84
Waste Management	400-200-635 PHR Building Div - Recycling	\$ 1,095.05
Westside Tractor	400-190-626 PHR Equip Div - Maint. & Purchases	\$ 695.77
	TOTAL VOUCHERS TO BE PAID	\$ 202,818.04

\* Bills paid before meeting

**INTERGOVERNMENTAL AGREEMENT  
FOR THE INSTALLATION, OPERATION AND  
MAINTENANCE OF WARNING SIRENS**

This Intergovernmental Agreement (“Agreement”) is entered into between the Nunda Township, a unit of local government, located in McHenry County, Illinois (“TOWNSHIP”), an Illinois municipal corporation, and the McHenry Township Fire Protection District (“DISTRICT”) a unit of local government, (collectively, “Governmental Entities”).

**Recitals**

**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 in any manner not prohibited by law or ordinance;

**WHEREAS**, 5 ILCS 220/1 *et seq.*, entitled the “Intergovernmental Cooperation Act” (the “Act”), 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;

**WHEREAS**, 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 of the contract;

**WHEREAS**, the TOWNSHIP is a unit of local government duly incorporated under the laws of the State of Illinois and, as such, may enter into an intergovernmental agreement;

**WHEREAS**, pursuant to 70 ILCS 705/0.01 *et seq.*, the DISTRICT is a fire protection district duly incorporated under the laws of the State of Illinois;

**WHEREAS**, under the provisions of 70 ILCS 705/6 *et seq.*, the board of trustees of the DISTRICT has the express power to enter into such an agreement;

**WHEREAS**, the Governmental Entities hereto have determined that it is in both of their best interests to enter into this Agreement to provide for the installation, operations and maintenance of a solar powered warning siren;

**WHEREAS**, the Governmental Entities have agreed that there are economies of scale and value in jointly installing and maintaining a warning siren (“Warning Siren”);

**WHEREAS**, this Agreement is for the purpose of installing, operating and maintaining a solar powered Warning Siren that will benefit the constituents of both Governmental Entities;

**WHEREAS**, the Warning Siren will be located within such an area that will benefit both Governmental Entities; and

**WHEREAS**, this Agreement satisfies the requirements of the Act and the Illinois State Constitution (Article 7, Section 10).

**NOW, THEREFORE, BE IT ORDAINED** that the Governmental Entities agree as follows:

1. **Recitals.** The above recitals are an integral part of this Agreement and are incorporated herein by reference.
2. **DISTRICT’s Duties.** The DISTRICT shall install, operate and maintain a solar powered Warning Siren at or within such location described on Exhibit “A” of this Agreement (“Siren Locations”).
3. **TOWNSHIP’s Duties.** The TOWNSHIP shall share in the cost of the installation, operation, and maintenance of the Warning Siren by paying to the DISTRICT such amounts described on Exhibit “B” of this Agreement for such location.
4. **Payment(s).** The TOWNSHIP shall pay the DISTRICT within sixty (60) days of receipt of the cost share invoice.
5. **Term.** The term of this Agreement shall be three (3) years beginning from the date of execution of this Agreement, or until otherwise terminated. This Agreement shall automatically renew for additional three (3) year periods, unless notice of termination is given 90 days prior to the expiration of such term or renewal term.
6. **Termination.** Both parties may terminate this Agreement by mutual consent, or either party may terminate due to a breach by the other party after a written notice and a sixty (60) day cure period, or upon the end of the term.
7. **Notices.** All notices required by this Agreement shall be delivered by first class, certified, or registered U.S. Mail to the respective parties at the following address:

If to the DISTRICT:           McHenry Township Fire Protection District  
                                          3610 W. Elm Street  
                                          McHenry, Illinois 60050  
                                          Attention: Fire Chief

If to the TOWNSHIP :         Nunda Township  
                                          3510 Bay Road  
                                          Crystal Lake, IL 60012  
                                          Attention: Township Supervisor

8.     **Rights of Third Parties.** Nothing herein shall be construed to create any rights or duties to third parties, it being the parties' mutual intent that there be no third party beneficiaries to this Agreement. Any allocation of costs, duties and responsibilities described herein is intended only as an allocation of administrative responsibilities between the DISTRICT and the TOWNSHIP to facilitate the most economical use of limited public resources and not as an enlargement or diminution of either party's underlying duties or obligations lying in statute or common law.

9.     **Indemnification.** The DISTRICT agrees to indemnify, defend, and hold harmless the TOWNSHIP, its elected officials, its duly appointed officials, agents, employees, and representatives, from and against any and all claims, suits, settlements, actions, losses, expenses, damages, injuries, judgments, and demands arising from the negligent actions of the DISTRICT. The TOWNSHIP agrees to indemnify, defend, and hold harmless the DISTRICT, its elected officials, its duly appointed officials, agents, employees and representatives, from and against any and all claims, suits, settlements, actions, losses, expenses, damages, injuries, judgments, and demands arising from the negligent actions of the TOWNSHIP.

10.    **Parties Independent.** It is mutually agreed by and between the parties hereto that nothing contained in this Agreement is intended nor shall be construed in any manner or form as creating or establishing a relationship as partners between the parties hereto, or as constituting the TOWNSHIP (including its elected officials, duly appointed officers, agents, employees and representatives) or the DISTRICT (including its elected officials, duly appointed officers, agents, employees, and representatives) as agents of the other party for any purpose, or in any manner, whatsoever. The DISTRICT is to be and shall remain independent of the TOWNSHIP with respect to all services performed under this Agreement.

11. **Waiver.** Either party's failure to insist upon strict compliance with any provision hereof or its failure to enforce any rights or remedy in any instance shall not constitute or be deemed to be a waiver of any provision, right or remedy.

12. **Modification.** This Agreement may be modified by mutual agreement, in writing, by the parties hereto.

13. **Severability.** It is mutually agreed by and between the parties hereto that the provisions of this Agreement are severable. If any provision, paragraph, section, subdivision, clause, phrase, or word of this Agreement if for any reason held to be contrary to law, or contrary to any rule or regulation having the force and effect of law, such decision shall not affect the remaining portions of this Agreement.

14. **Entire Agreement.** It is understood and agreed that the entire agreement of the parties is contained herein and that this Agreement supersedes all oral agreements in negotiations between the parties relating to the subject matter hereof.

15. **Jurisdiction and Venue.** This Agreement shall be interpreted and construed according to the laws of the State of Illinois. Venue for any action arising from this Agreement shall be in the 22<sup>nd</sup> Judicial Circuit Court, McHenry County, Illinois.

16. **Authorized Signatory.** The parties signing on behalf of the DISTRICT and the TOWNSHIP represent that they have full and complete authority and are legally authorized to do so.

IN WITNESS WHEREOF, the parties have executed this INTERGOVERNMENTAL AGREEMENT on the dates indicated.

*(Signature Page to Follow)*

NUNDA TOWNSHIP

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Dated: \_\_\_\_\_

McHENRY TOWNSHIP  
FIRE PROTECTION DISTRICT

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Dated: \_\_\_\_\_

**EXHIBIT "A"**  
**Siren Location**  
**Mason Hill Road**

A 4 foot diameter circular easement for a Warning Siren Pole, in the Southeast Quarter of the Northeast Quarter of Section 7, Township 44 North, Range 8 East of the Third Principal Meridian, the center of which is located as follows: Commencing at the Southeast corner of said Southeast Quarter of the Northeast Quarter; thence South 89 degrees 34 minutes 28 seconds West along the South line thereof, 159.09 feet; thence North 00 degrees 25 minutes 32 seconds West perpendicular to the last described course, 48.73 feet to the center of said circular easement, in McHenry County, Illinois.

**Part of 14-07-200-008**

**EXHIBIT “B”**  
**Cost Share Allocation**  
**Nunda Township**

**TOWNSHIP Cost: \$10,030.00.**

**TOWNSHIP Share: One Third (1/3) cost for installation, operation and maintenance. \*\***

\*\* The TOWNSHIP shall continue to share in the same cost share allocation for repairs, improvements, and annual maintenance, as the case may be, in such proportion as defined in Exhibit “B” Cost Share Allocation for such Siren Location.