

RESOLUTION NO. R-22-08

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN EXTENSION AGREEMENT
BETWEEN THE VILLAGE OF CAMPTON HILLS, KANE COUNTY, ILLINOIS AND
CAMPTON TOWNSHIP HIGHWAY DISTRICT, KANE COUNTY, ILLINOIS**

WHEREAS, the Village of Campton Hills, Kane County, Illinois (the "*Village*") is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, pursuant to Section 10 of Article VII of the Illinois Constitution and the Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq., the Village and Campton Township Highway District (the "*District*") entered into an agreement in 2017, which was further amended in 2021, whereby the District would provide maintenance over the roads and streets located within the corporate limits of the Village (the "*Maintenance Agreement*"); and

WHEREAS, by its terms, the Maintenance Agreement will terminate on June 1, 2022, unless the Village and District agree to an extension; and

WHEREAS, the Village President and Board of Trustees of the Village of Campton Hills (the "*Corporate Authorities*") deem it advisable and in the best interest of the health, safety and welfare of the residents of the Village to enter into an agreement extending the term of the Maintenance Agreement for an additional 30 days (the "*Extension Agreement*") while the Village and District discuss potential changes to the Maintenance Agreement.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Campton Hills, Kane County, Illinois, as follows

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. That the Extension Agreement by and between the Village and Campton Township Highway District, which is attached hereto and made a part hereof as Exhibit A, is hereby approved in substantially the form presented to the Village Board with such necessary non-material changes as may be authorized by the Village President, the execution thereof to constitute the approval by the Village of any

and all changes or revisions therein contained.

Section 4. That the officials and officers of the Village are further hereby authorized to undertake actions on the part of the Village as contained in the Agreement to complete satisfaction of the provisions, terms or conditions stated therein

Section 5. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity thereof shall not affect any other provision of this Resolution.

Section 6. All ordinances, resolutions, motions or orders in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 7. This Resolution shall be in full force and effect upon its passage, approval, and publication in the manner provided by law.

Passed this 31st day of May 2022, pursuant to a roll call vote as follows:

| | AYES | NAYES | ABSENT | ABSTAIN |
|------------------------------|-------|-------|--------|---------|
| Trustee Charles Cappell | ✓ | _____ | _____ | _____ |
| Trustee Susan P George | ✓ | _____ | _____ | _____ |
| Trustee Jim McKelvie | _____ | _____ | ✓ | _____ |
| Trustee Mike Millette | ✓ | _____ | _____ | _____ |
| Trustee Ed Muncie | ✓ | _____ | _____ | _____ |
| Trustee Wendy K. White Eagle | ✓ | _____ | _____ | _____ |
| President Michael Tyrrell | _____ | _____ | _____ | _____ |

APPROVED this 31st day of May 2022.


 Michael Tyrrell, Village President

(SEAL)

ATTEST:


 Deputy Village Clerk

**INTERGOVERNMENTAL AGREEMENT BETWEEN
THE VILLAGE OF CAMPTON HILLS AND THE
CAMPTON TOWNSHIP HIGHWAY DISTRICT
TO EXTEND THE EXISTING AMENDED INTERGOVERNMENTAL AGREEMENT
RELATIVE TO THE VILLAGE OF CAMPTON HILLS' ROADS
LOCATED IN CAMPTON TOWNSHIP AND
CERTAIN STREETS IN PLATO TOWNSHIP**

This Extension Agreement ("Extension Agreement") is made this 31st day of May, 2022, and is by and between the Village of Campton Hills (hereinafter the "Village"), an Illinois Municipal Corporation and unit of local government, and the Campton Township Highway District (hereinafter the "District"), a Township Road District and unit of local government.

WHEREAS, Section 10 of Article 7 of the Illinois Constitution of 1970 authorizes units of local government to contract or otherwise associate among and between themselves in any manner not otherwise prohibited by law or ordinance; and

WHEREAS, Section 3 of the Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq. permits any powers, privileges or authority exercised or which may be exercised by a unit of local government to be exercised jointly with any other unit of local government; and

WHEREAS, on June 6, 2017, the Village and the District entered into an intergovernmental agreement, which was amended in March 2021 (the "Agreement," attached hereto in amended form and made a part hereof as Exhibit 1), which provides for the District's maintenance over the roads and streets located within the corporate limits of the Village; and

WHEREAS, the Agreement is set to terminate on June 1, 2022; and

WHEREAS, the Village and the District may decide to renew the Agreement, but additional discussions are necessary, which cannot be completed before the June 1st termination date; and,

WHEREAS, the parties agree to extend the term of the Agreement by 30 days to allow for further discussions concerning renewal of the Agreement.

NOW THEREFORE, in consideration of the mutual covenants and provisions hereinafter set forth and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Village and the District hereby agree as follows:

1. The recitals set forth above are hereby incorporated herein verbatim.
2. The Agreement, as amended in 2021 and attached hereto, is hereby incorporated herein verbatim.
3. The term of the Agreement, as defined in Paragraph 6 of the Agreement, is extended by 30 days, to terminate on July 1, 2022.
4. All terms, provisions, and obligations of the Agreement shall remain in full force and effect

through July 1, 2022.

- 5. The term of the Agreement may be extended for an additional 30 days with the written consent of the Village President and the Highway Commissioner.
- 6. Nothing in this Extension Agreement shall be construed to commit either party to performance of the Agreement terms beyond the extended term date.
- 7. If any provision of this Agreement is held to be invalid, such provision shall be deemed to be excised here from and the invalidity thereof shall not affect in any way any of the other provisions set forth herein, which provisions shall be enforceable to the fullest extent possible.
- 8. This Extension Agreement may be signed upon any number of counterparts with the same effect as if the signatures to each were upon the same agreement. It may be reproduced by means of carbons, Xerox process or otherwise. Each such reproduction, if manually executed by the parties, shall for all purposes be deemed and the same is hereby declared to be a duplicate original of this Agreement
- 9. No waiver by either party of any breach of any term or condition hereto shall be deemed a waiver of the same or any subsequent breach of the same or any other term or condition hereto. No term or condition of this Agreement shall be deemed waived by either party unless waived in writing.

Village

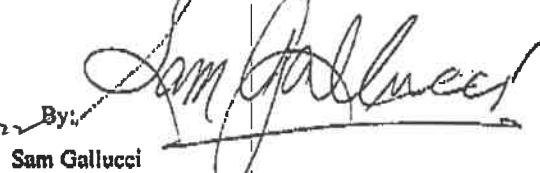
District

Village of Campton Hills

Campton Township Highway District

By:  5/31/2022

Michael Tyrrel
Village President

By: 

Sam Gallucci
Highway Commissioner

5/26/22

Attest:

By: 

Village Clerk

Exhibit 1

Agreement