



TOIRMA NEWS

PARTNERING WITH TOWNSHIPS

TOWNSHIP OFFICIALS OF ILLINOIS RISK MANAGEMENT ASSOCIATION



DILLON'S RULE

Dillon's Rule can be found on Page 1 of the Township Officials of Illinois Laws & Duties Handbook (Revised 2017). TOIRMA bases many of their coverage decisions on Illinois statutes.

Townships and other units of local government are regulated by provisions of Article VII, Sec. 8 of the 1970 Illinois Constitution which states in part, these governments "shall have only powers granted by law." In the late 1800's, John F. Dillon, a Supreme Court Justice in Iowa, developed this legal principle, which is known as Dillon's Rule. In plain language it means that if there is no statute permitting a township or road district (or official) to perform a function or service, the government or official may not carry out that function regardless of how much it's needed or wanted. If the statutes are silent (do not mention) regarding a particular power or function, it does not exist. If the power doesn't exist, the government (or official) may not perform the service.

See Jim Donelan's article on John Forest Dillon in the Winter 2015 TOIRMA News at <https://www.toirma.org/newsletters/>.



TOIRMA Increases Towing Coverage

By: Jim Donelan, Executive Director

Well summer is finally here. After the long winter and short spring, we deserve some nice weather. With the change in the season, our focus tends to be more on outdoor activities, and this is no different for the TOIRMA Program. Highway Commissioners and their employees are switching gears and working more and more on maintaining and improving township roads as the weather warms. An unfortunate part of working with highway vehicles and equipment is that it periodically breaks down. Fortunately, when this happens TOIRMA offers towing coverage to its members.

Towing coverage is applicable to all township/road district owned automobiles, trucks, and inland marine equipment.

The TOIRMA Board of Trustees has voted to increase the towing limitation from \$250 to \$750 per occurrence. This new limitation is effective June 1, 2018, and was updated to better meet the needs of TOIRMA members, and at no additional charge. No deductible applies to a towing claim.

The TOIRMA Team believes that service to our members is a priority and fundamental to our Program's success. Thanks to your Board of Trustees, we are meeting the needs of township officials while facing the challenges that lie ahead.

Please keep in-mind that if your vehicle or inland marine equipment breaks down, we encourage you to call a towing company rather than trying to drive the damaged vehicle or towing it yourself.

As we move further into the summer season, please remember to be safe and utilize your TOIRMA coverages. Towing, as well as all other claims, may now be reported 24 hours a day, 365 days per year by calling the TOIRMA Claim Reporting Hotline, (844) 562-2720, or on our website at www.toirma.org.

We hope you find this information helpful. All the best and have a safe summer.

Jim Donelan
Executive Director

Think Safe... Drive Safe... Work Safe

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COVERAGE FOR TREE REMOVAL

By: Danielle Smith

Summer is finally here! This is the perfect time to review our tree removal coverage before the storms start rolling in. Please keep this coverage in mind when you have a downed tree on township property.

TOIRMA provides coverage up to \$2,500 for the cleanup, removal, and replacement of downed trees on township property due to lightening, wind, rain, or ice storms. The \$2,500 maximum amount applies to all trees that may be damaged during any continuous 24 hour period. The Tree Removal coverage does not apply to trees that are the normal responsibility of the Highway Commissioner.

We have trees that need to be removed, what do we do next?

First and foremost is getting the trees cleaned up and removed, call your local tree removal company to come out and start the cleanup and removal. Then you will need to report a new tree claim by calling our TOIRMA Claim Reporting Hotline at (844) 562-2720 or online at www.toirma.org/claims-management/online-claims-form/. All you need to do is fax or email photos of the damage, your tree removal bill, and the replacement bill if you replaced the tree. Our fax number is (217) 444-2720 and our email is toirmaclaims@ccmsi.com.



Frequently Asked Questions:

- Question:** Are tombstones covered if damaged by a fallen tree on township property?
Answer: No, tombstones are not owned by the township, therefore, there is no coverage through TOIRMA.
- Question:** Can ornamental trees be replaced if they are damaged by the storm?
Answer: Yes, TOIRMA will cover up to \$2,500 for the cleanup, removal, and replacement of any type of tree.
- Question:** Are trees downed on the roadway covered under this tree removal coverage?
Answer: No, trees in the right-of-way are the responsibility of the Highway Commissioner.
- Question:** I already paid the tree removal company for their services, do we get reimbursed?
Answer: Yes, if you already paid the tree removal company we will reimburse the township up to \$2,500 for the cleanup, removal, and replacement of the tree.

TOIRMA ENHANCEMENTS

The following coverage enhancements go into effect June 1, 2018.

1. Auto & Equipment Towing limits increasing from \$250 to \$750
2. Elected Community Center Boards will not be excluded as long as the township owns the community building and property coverage is provided by TOIRMA

FAQ'S

By: Beth Eyrich, *Underwriting Supervisor*

We receive some very good questions from our members! Below are some "frequently asked questions" and answers.

1. Some tombstones in our township cemetery were damaged during the recent storms. Are they covered by TOIRMA?

Tombstones are not township owned property; therefore, there would be no coverage through TOIRMA. Tombstones would be considered personal property and the cost to repair or replace would be the responsibility of the family.

2. How young can summer hires be?

TOIRMA recommends age 18. Please keep in mind the Child Labor Laws – one in particular states "no minor under 16 years of age shall be employed, permitted or allowed to work...about or in connection with power-driven machinery." This would include riding lawnmowers. Also remember that only properly trained and qualified employees should operate township vehicles and equipment.

3. Do I still need to turn in my renewal packet if it is already past the return date?

Please send your completed renewal packet back to TOIRMA even if it is past the due date. We need the information you provide for us in your renewal packets in order to ensure your township is properly covered.

4. What is my windshield deductible?

There is no deductible if a windshield crack or chip can be repaired. However, if the windshield must be replaced, there is a \$50 deductible that will apply.

5. Is there an additional charge for "open space" the township acquires?

Liability for land is included under the township's limits of liability. Please call our office to let us know how much land was purchased and how it will be used. We'll keep this on file. If there is a building or any property on the land, we will add that to your coverage.



SEEN & NOTED:

As temperatures rise, stay safety wise.

Summer Reminders:

Building Alterations and New Construction

Will you be starting an addition or remodeling project on your township building this summer? If so, did you call TOIRMA to report your project? Maybe you put up a new building; did you call TOIRMA? If not, please call or e-mail your changes to Debbie Prentice at (217) 444-1204 (dprentice@ccmsi.com) or Beth Eyrich at (217) 444-1139 (beyrich@ccmsi.com).

Inventory Changes

Debbie and Beth also take care of vehicle and equipment changes. If you have traded or added vehicles or equipment, make sure you report them.



TOIRMA MEMBER CALENDAR ❁ Following are highlights of the upcoming TOIRMA calendar:

- June**..... Renewal contribution due June 1
Declaration pages and payroll audit mailed
- July**..... Payroll audits due



Matt Knight, TOIRMA Loss Control Consultant has the attention of staff from Oswego Township/Kendall County, Kendall Township/Kendall County and Na Au Say Township/Kendall County. Oswego Township sponsored the Safety Training this past March.



Steve Weber, Highway Commissioner of Phenix Township/Henry County won the TOIRMA door prize at the Northwest Illinois Highway Commissioners Association 2018 Spring Seminar this past April in Sterling, IL. Pictured are Jim Donelan, TOIRMA Executive Director; Steve; and Mickey Goral, TOIRMA Member Services Associate.



Leo Weber, Highway Commissioner of Rogers Township/Ford County and Robert Spencer, Highway Commissioner of Pleasant Grove Township/Coles County won the TOIRMA door prizes at the East Central Illinois Highway Commissioners Association 2018 Spring Seminar this past March in Decatur, IL. Pictured are Matt Knight, TOIRMA Loss Control Consultant; Leo; Robert; and Mickey Goral, TOIRMA Member Services Associate.



The attendees of the Ford/Iroquois County Loss Control Meeting sponsored by TOIRMA this past March are holding up their 2018 dividend checks.



Donald Hall, Highway Commissioner of Tower Hill Township/Shelby County displays the TOIRMA Highway Commissioner Diaries that he has completed since 2007.

TOIRMA TOTAL MEMBERS As of 5/31/2018

Townships ❁ 1385 • MTAD's ❁ 301

Welcome New Members: Welcome New Members: Southwest Township/Crawford County (100% County); Ashland-Chandlerville-Newmansville-Panther Creek MTAD/Cass; Barnett-Wapella-Waynesville MTAD/DeWitt; Berreman-Derinda-Pleasant Valley-Stockton-Wards Grove MTAD/Jo Daviess; Burrirt-Harrison-Shirland MTAD/Winnebago; Dement-Lynnville-White Rock MTAD/Ogle; Eagle Point-Grand Detour-Pine Creek-Woosung MTAD/Ogle; Floyd-Coldbrook-Kelly MTAD/Warren; Martinsburg-Pleasant Hill-Atlas-Ross MTAD/Pike; Mill Shoals-Burnt Prairie-Enfield MTAD/White



TOIRMA Issues Dividend Checks

Dividend checks were mailed to 1,364 TOIRMA members on March 15, 2018. Members participating in the TOIRMA Program for the previous five consecutive years were eligible for the dividend; this dividend included members from the June 1, 2012-May 31, 2013 program year that are still current members. Although the dividend is not guaranteed, the TOIRMA Board of Trustees has declared a dividend for 27 consecutive years totaling \$41,411,987. This year the amount returned to members totaled \$2,092,931.

According to the Public Funds Deposit Act [30 ILCS 225/1] monies received by a township or road district that are not needed for immediate disbursement should be deposited within two working days. Please note that member names will be published in the Township Perspective if the dividend check is not cashed by May 31, 2018. As of March 31, 2018, 328 of the 1,364 had not been cashed.

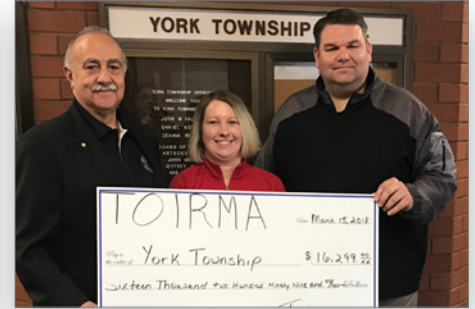
Below are some photos of dividend check deliveries around the state:



Sean Richardson, TOIRMA Loss Control Consultant with Adam Hart, Highway Commissioner of Georgetown Township/Vermilion County



Jim Schertz, Highway Commissioner of Metamora Township/Woodford County with Matt Knight, TOIRMA Loss Control Consultant



John Valle, Supervisor of York Township/DuPage County with Beth Eyrich, TOIRMA Underwriting Supervisor and Sean Richardson, TOIRMA Loss Control Consultant



Jasper St. Angel, Supervisor of Rockford Township/Winnebago County with Mickey Goral, TOIRMA Member Services Associate



Simphi Lenover, TOIRMA Account Manager with Angel Baker, Supervisor of Money Creek Township/McLean County; they joined TOIRMA June 4, 2012 and this is their first dividend



Roger Stoller, Supervisor of Gridley Township/McLean County with Matt Knight, TOIRMA Loss Control Consultant and Zeke Yergler, Highway Commissioner of Gridley Township



Joe Eakle, Highway Commissioner of Sidell Township/Vermilion County with Olen Kibler, Highway Commissioner of Newman Township/Douglas County and TOIRMA Board of Trustees Chairman



Bill Cocagne, TOIRMA Marketing Representative with Craig Hall, Supervisor of Talkington Township/Sangamon County and Jim Donelan, TOIRMA Executive Director



O. Chris Heidorn, Supervisor of Milton Township/DuPage County with Beth Eyrich, TOIRMA underwriting Supervisor



DROP IT AND DRIVE!

Distracted driving has become an epidemic in Illinois.

Distracted driving has become an epidemic in Illinois. From 2011 through 2015, more than 7,000 crashes occurred in which some form of driver distraction involving a cellphone was cited by police, according to the Illinois Department of Transportation. Forty-two of them were fatal.

Eighty percent of the people who responded to a National Safety Council survey said they are not aware of the driver distraction and crash risks associated with using hands-free cell phones. The research indicates drivers using handheld and hands-free phones only see about 50 percent of all the information in their driving environment. It's called, "inattention blindness."

Hand-Held Cellphone Ban in Illinois

Illinois was the 12th state to ban the use of hand-held devices while driving:

- **The law** bans hand-held cellphone use except in an emergency and allows only for speakerphones and headsets that feature voice-activated or one-digit dialing.
- **The law** imposes fees starting at \$75 for drivers caught using a hand-held cellphone while driving. Drivers could pay \$150 for repeat offenses and may eventually have their drivers' licenses suspended.
- **The law** imposes stricter penalties following crashes in which electronic devices were being used at the time of collision. A crash causing great bodily harm can earn a driver up to one year in prison and a fatal crash can result in a prison sentence of up to three years.

How to Avoid Distracted Driving

If you must talk on the phone, use a speakerphone or headset that allows for voice-activated or one-digit dialing. Both are allowed under the state's new hands-free cellphone law. Here are some other tips to avoid distracted driving:

- **Turn it off.** Shut off your cellphone before you get in your car, then stow it out of sight and out of reach.




- **Stop first.** If you have to make a call, pull over to a safe area, such as a rest stop or oasis, to make your call.
- **Ask a passenger.** Have a passenger make a call or respond to a text for you.
- **Take control.** Set climate controls and adjust seat and steering wheel before driving.
- **Spread the word.** Record a message on your phone that warns callers you're driving and will get back to them later — or sign up for a service that offers this feature.
- **Be prepared.** Program navigational devices or review written directions before you start to drive.
- **Finish first.** Complete your personal grooming, dressing and eating before hitting the road.
- **Buckle up.** Secure children and pets before beginning to drive. If they need attention, pull over before tending to them.


For more information, go to <https://www.illinoistollway.com/travel-information/drop-it-and-drive>.

The TOI Post Accident Info Card





POST ACCIDENT TESTING NOTICE



IF your township is in the TOI/Midwest Truckers Random Drug & Alcohol Program and the township is involved in an accident, the township driver will be required to take a post-accident test if one of the following occurs:

1. Fatality
2. Township driver ticketed and a vehicle HAS to be towed
3. Township driver ticketed and someone is taken away by ambulance

Alcohol testing needs to be done within 8 hours, however it needs to try and be done within 2 hours, otherwise documentation needs to be made as to why it was not done.
Drug testing needs to be done within 32 hours.

Midwest Truckers has a 24-hour answering service. It is imperative that you call immediately as testing must be done within a limited amount of time. If you are not sure if you need to have a post-accident test and TOI is closed, call Midwest Truckers at the number below.

IT IS FAR BETTER TO ASK THEN TO REGRET IT LATER.

Call 217.525.0310

EQUIPMENT BREAKDOWN COVERAGE

TOIRMA added equipment breakdown coverage effective June 1, 2014 (commonly referred to as "boiler and machinery coverage"). If you have any boilers or pressure vessels that require an inspection, you are eligible to have them inspected at no additional charge. Please call or e-mail Simphi Lenover at (217) 444-1128 or slenover@ccmsi.com and she will see if you are already on the inspection list.



The following are exempt:

1. Steam boilers used for heating purposes and operated at a pressure not in excess of 15 pounds per square inch gauge (psig) and having a rating not in excess of 200,000 B.T.U. per hour input.
2. Hot water heating boilers operated at a pressure not in excess of 30 psig and having a rating not in excess of 200,000 B.T.U. per hour.
3. Boilers and pressure vessels, located in private residences or in multi-family buildings having fewer than 6 dwelling units.
4. Hot water supply boilers that are directly fired with oil, gas, or electricity when none of the following limitations are exceeded:
 - a. Heat input of 200,000 B.T.U. per hour.
 - b. Water temperatures of 200 degrees Fahrenheit.
 - c. Nominal water containing capacity of 120 U.S. gallons.
5. Coil type hot water boilers where the water can flash into steam when released directly to the atmosphere through a manually operated nozzle provided the following conditions are met:
 - a. There is no drum, headers, or other steam space.
 - b. No steam is generated within the coil.
 - c. Outside diameter of tubing does not exceed 1 inch.
 - d. Pipe size does not exceed ¾ inch NPS.
 - e. Water capacity of unit does not exceed 6 U.S. gallons.
 - f. Water temperature does not exceed 350 degrees Fahrenheit.
6. Pressure vessels containing only water under pressure for domestic supply purposes, including those containing air, the compression of which serves only a cushion or airlift pumping function.
7. Pressure vessels operated at a pressure not exceeding 15 psig with no limitation on size.
8. Pressure vessels that do not exceed:
 - a. Both a volume of 15 cubic feet and 250 psig when not located in a place of public assembly.
 - b. Both a volume of 5 cubic feet and 250 psig when located in a place of public assembly.
 - c. A volume of 1 ½ cubic feet or an inside diameter of 6 inches with no limitation on pressure.
9. Water conditioning equipment used for the removal of minerals, chemicals, or organic or inorganic particles from water by means other than application of heat filters, dealkalizers, and demineralizers.





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Administrative & Claims
Towne Centre Building
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Danville, IL 61832-5852

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CLAIM REPORTING HOTLINE

(844) 562-2720 | Available 24/7 | www.toirma.org/claims-management

Human Resources Help Line

Don't forget to call for help with employee issues. **(888) 472-6785 Ext. 1172**

Executive Office

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