

## Intergovernmental Cooperation

With a total of 62 municipalities and numerous special districts, intergovernmental cooperation in Dane County is of paramount importance in order to achieve a coordinated, responsible pattern of growth that maintains our distinct and prosperous communities. Intergovernmental cooperation can occur in many different ways, from sharing fire and police services, to joint planning and boundary agreements, resulting in significant cost savings, efficiencies, and coordinated growth management. Many Dane County communities already have cooperative agreements, including areas where specific services cover multiple jurisdictions (e.g. EMS or school districts) and areas where two or more governmental entities are engaged in land use planning for an area (e.g. joint planning area in the Town of Westport shared with the Village of Waunakee).

This element of the Dane County Comprehensive Plan will examine the issues, opportunities, and challenges associated with intergovernmental cooperation and recommend policies and other courses of action to promote greater understanding, coordination, and efficiency among Dane County local units of government.

Each municipality in Dane County is required by the state comprehensive planning legislation to develop goals, objectives, policies, and programs for intergovernmental cooperation. Most municipalities reasonably focus their efforts on cooperation with neighboring jurisdictions. Dane County, however, faces a unique and challenging opportunity to address the many overlapping intergovernmental issues affecting all of its municipalities. Although most of the goals, objectives, and policies contained in this chapter are intended to guide future Dane County actions, numerous recommendations and information are included to assist other communities in their efforts at intergovernmental cooperation. Dane County is well positioned to inventory examples of successful cooperative arrangements and to serve as a clearinghouse to share such information.

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## The Dane County Role

There are two primary roles Dane County may play with regard to intergovernmental cooperation – as a direct actor or participant in cooperative agreements, and as a facilitator of such agreements between municipalities. There are also many possible discreet manifestations within each of these roles. Dane County is uniquely positioned in both capacities, as direct participant and facilitator, to implement and recommend strategies for achieving a robust and coordinated intergovernmental cooperation agenda. Opportunities include identifying the many issues affecting intergovernmental cooperation, analyzing the qualitative and jurisdictional relationships between local units of government, inventorying existing cooperative agreements, identifying sources of existing or potential conflict and establishing a conflict resolution process, promoting communication between municipalities, actively engaging in more agreements, and providing information and support to communities interested in establishing intergovernmental agreements.

The following section explores these topics and identifies goals and objectives to guide Dane County's efforts at intergovernmental cooperation.

### Dane County as Direct Actor

Dane County regularly enters into various types of agreements and cooperative arrangements with other units of government, non-governmental organizations, and private individuals and organizations. These are not limited solely to planning related issues, and can range anywhere from conservation easements negotiated with individual property owners to service or funding agreements with other local units of government in Dane County. For example, the county has entered into agreements with the City of Madison (RES. 339, 02-03) for Household Hazardous Waste Disposal and many others. Other examples include the following:

1. RES. 101, 03-04  
AUTHORIZATION TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE PRESERVATION OF FARMLAND IN THE USH 12 CORRIDOR BETWEEN MIDDLETON AND SAUK CITY
2. RES. 109, 03-04  
AUTHORIZATION OF INTERGOVERNMENTAL AGREEMENT BETWEEN THE DANE COUNTY JUVENILE COURT PROGRAM AND THE STATE OF WISCONSIN DISTRICT ATTORNEY'S OFFICE
3. RES. 283, 03-04  
AUTHORIZING INTERGOVERNMENTAL AGREEMENT WITH DEFOREST AREA FIRE PROTECTION BOARD FOR EMERGENCY MEDICAL SERVICES DISPATCH

In addition to direct participation in agreements, Dane County utilizes mechanisms to create an inclusive and cooperative decision-making environment. Most Dane County committees and commissions, for example, strive to achieve balance and provide for broad representation of many individual citizens, stakeholder and interest groups. The composition of the Steering Committee of the Dane County Comprehensive Plan typifies the approach to include diverse

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representation. The following is a generic example to illustrate how diverse representation might be achieved for a hypothetical committee examining countywide land use issues:

- Towns (or Rural) Representative(s)
- Cities and Villages Representative(s)
- Madison Representative(s)
- Affordable Housing Advocate(s)
- Property Rights Advocate(s)
- Builder/Realtor Representative(s)
- Citizen Representative(s)
- Environmental Representative(s)
- Farm Representative(s)
- At least 1 County Board Representative
- A Designee from the Dane County Executive

## **Facilitator**

Dane County occasionally serves as a facilitator to assist in the resolution of issues that stretch beyond municipal boundaries. As a facilitator, Dane County can bring communities to the table and help them address difficult issues and reach agreement while keeping an eye on larger regional issues. Dane County can also provide a forum for the discussion of issues, providing the space necessary for participating communities to develop mediation or dispute resolution processes to ultimately help resolve issues. The county can also disseminate useful information (e.g. lessons learned, best practices, sample agreements, etc.) to local communities to help them achieve their own plans and goals.

## **Element Issues**

The topic of intergovernmental cooperation is wide-ranging and defies a convenient, simple definition. To better grasp the breadth of the topic, the participants in this planning process generated what could be termed a “laundry list” of important issues related to intergovernmental cooperation. These issues represent both challenges and opportunities to effective intergovernmental cooperation, and are included below for your information. At the very least, these are some of the major issues a community should be aware of when considering an intergovernmental agreement.

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- Cost Savings – Cooperation can save money by increasing efficiency and avoiding unnecessary duplication. Cooperation can enable some communities to provide their residents with services or provide services to a larger area that would otherwise be too costly. It may be difficult to realize these cost savings, as each community must balance service levels with cost effectiveness. ***Examples include: Fire and EMS Districts; School Districts; and Contract Policing.***
- Address Regional Issues – By communicating and coordinating their actions and working with regional and state jurisdictions, local communities are better able to address and resolve issues that are regional in nature.
- Early Identification of Issues - Cooperation enables jurisdictions to identify and resolve potential conflicts at an early stage before rigid positions have been established, before the political stakes have been raised, and before issues have developed into full blown conflicts or crises.
- Reduced Litigation – Communities that cooperate are more likely to be able to resolve thorny issues before they become mired in litigation. Reducing the possibility of costly litigation can save communities money, as well as the disappointment and frustration of unwanted or unanticipated outcomes.
- Consistency – Cooperation can lead to consistency of the goals, objectives, plans, policies, and actions of neighboring communities and other jurisdictions.
- Predictability – Jurisdictions that cooperate provide greater predictability to residents, developers, businesses, and others. Lack of predictability can result in lost time, money, and opportunity.
- Understanding – As jurisdictions communicate and collaborate on issues of mutual interest, they become more aware of one another’s needs and priorities. They can better anticipate problems and work to avoid them.
- Trust – Cooperation can lead to positive experiences and results that build trust between jurisdictions.
- History of Success – When jurisdictions cooperate successfully in one area, the success creates positive feelings and an expectation that other intergovernmental issues can be resolved as well.
- Service to Citizens – The biggest beneficiaries of intergovernmental cooperation are citizens for whom government was created in the first place. They may not understand or even care about the intricacies of a particular intergovernmental issue, but all Wisconsin residents can appreciate their benefits, such as cost savings, provision of needed services, a healthy environment and a strong economy.
- Local Control – Communities need to decide if joint agreements provide enough incentive to overcome any real or perceived loss of local control. Local control goes

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hand-in-hand with responsibility; a community must be responsible to provide the best service possible at the most cost effective levels.

- Regional Government – If a regional entity exists, working together with that entity may lead to some cost saving and awareness of issues that exceed municipal boundaries.
- Cooperative Development/Boundary Agreement -- Recent history in Dane County has shown how cooperative agreements can benefit communities. Additionally, it has been shown how areas that lack such agreements can be adversely impacted. Communities must do their own cost/benefit analysis to ensure that such agreements are good for them.
- Community Identification/Separation – A recent trend in planning in Dane County has been the inclusion of language about community separation. These separations help a community retain part of its identity, sense of place and “uniqueness.” This idea can be integrated as cooperative agreement or as part of respective comprehensive plans if it is to be continued as a separation over time.
- Accountability & Liability – Communities entering into agreements with others must realize that along with sharing costs, responsibility, accountability, and liability are things that will be shared.
- Annexation – Existing Wisconsin State Statutes concerning annexation can put communities at odds with each other. Cooperative agreements may help to make these annexations less contentious.
- Revenue Sharing – Agreements may sometimes include revenue sharing to help offset fiscal or economic disparities between jurisdictions and make the agreement more palatable to both parties
- Bigger is not necessarily better – Expanded service areas could have the effect of decreasing the quality of the service thinning out finite resources allocated to a particular services. Some services may be better off staying at the local level, so service areas may be more responsive, especially when it comes to time sensitive issues such as EMS response times and road plowing.
- Politics – the relationships communities have with each other can be made better or worse by the politics involved.

## **Analysis of Relationships**

### **Local Governments**

Generally, local municipalities exercise complete autonomy when locating the services and public facilities its citizens need. Also, when locating county services throughout the

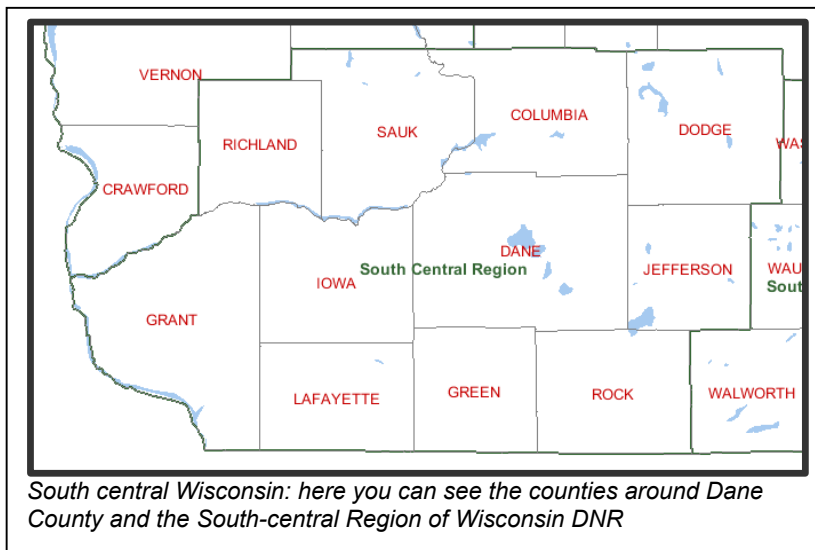
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county, Dane County will co-locate services whenever possible. Dane County Sheriff has precinct locations in facilities owned and operated by local municipalities. (Town of Windsor's Town Hall for example) Additionally, satellite Dane County offices can be set up when 2 or more County – Provided services are needed in a specific area in Dane County. (The public health clinic will use satellite human services offices for physical exams and immunizations, etc.) Dane County also performs some cost-sharing efforts with local municipalities on this such as Dane County Highway's Department's policies on Joint Projects with Municipalities.

<http://www.countyofdane.com/highway/policy/jointprojects.htm>

## **School Districts**

There are approximately 25 public school districts that have some jurisdiction within Dane County. Other than the County role of tax collection and redistribution, there is little direct relationship with the County. Most facility location issues are worked out with the local municipalities that are in that specific school district.



## **Adjacent Counties**

### ***Columbia County***

In 2003, Columbia County received a Wisconsin Comprehensive Planning Grant. The application was for the county and included 15 of the towns. The timetable has them completing the plan by 2007. For more information see the Columbia County

Comprehensive Plan Website:

<http://www.co.columbia.wi.us/dept/planning/Comprehensive.asp>

### ***Dodge County***

Dodge County, including 18 municipalities were awarded a 2003 Grant, it should be done near 2007. The county will be updating its adopted 1999 plan through a multi-jurisdictional effort.

Website: <http://www.co.dodge.wi.us/planning/plan/comprehensive-plan.htm>

### ***Green County***

With the Southwestern Wisconsin Regional Planning Commission (SWRPC) providing support Green County -- including 19 Communities: 14 Towns, 3 villages, and 2 Cities were awarded a 2003 Wisconsin Comprehensive Planning Grant

Website: <http://wicip.uwplatt.edu/regional/swrpc/green/index.html>

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## ***Iowa County***

With the Southwestern Wisconsin Regional Planning Commission (SWRPC) providing support to Iowa County -- including 13 Communities: 13 Towns, 7 villages, and 2 Cities were awarded a 2003 Wisconsin Comprehensive Planning Grant  
Website: <http://wicip.uwplatt.edu/regional/swrpc/iowa/index.html>

## ***Jefferson County***

Completed without a grant, the Agricultural Preservation and Land Use Plan ran into problems that were solved by integrative techniques used by Planning and UWEX in Jefferson County. The plan, adopted in 1999 was then as modified slightly to come into compliance with the State Statutes. (§66.023)

## ***Lafayette County***

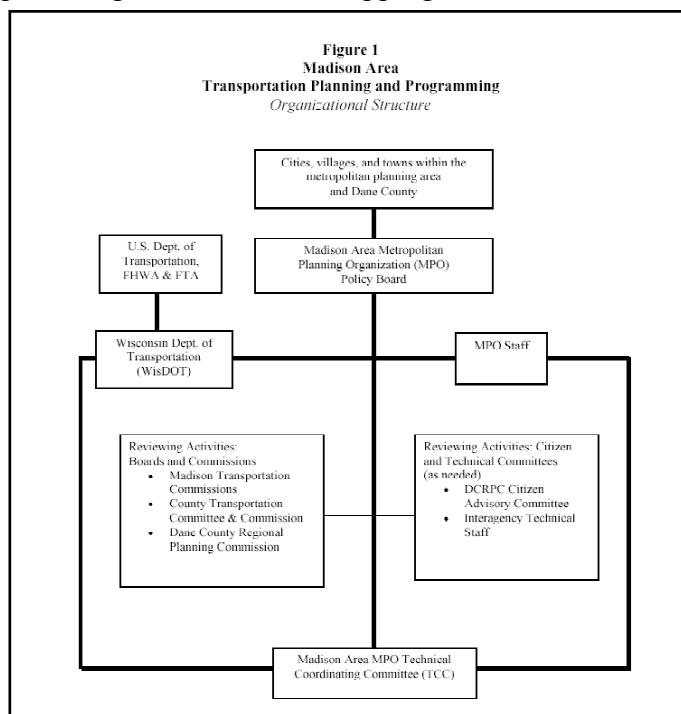
It seems that 2 communities in Lafayette County have completed comprehensive plans: the City of Shullsburg and the Village of Belmont. To date it is not known if or when the County will do its own plan.

## ***Rock County***

It appears that Rock County itself has not applied for a grant. Three communities inside of Rock County have begun the process (City of Beloit, City of Evansville, City of Edgerton) The City of Edgerton, partially in Dane County, is working jointly with several communities in the South East part of the county.

## ***Sauk County***

Sauk County, in concert with 21 local municipalities, applied for and got a 2003 Wisconsin Comprehensive Planning Grant. The county is acting in an advisory role providing assistance and mapping to the communities.



Website:

[http://www.co.sauk.wi.us/dept/pz/comp\\_plan/index.html#](http://www.co.sauk.wi.us/dept/pz/comp_plan/index.html#)

## **Region**

### ***Regional Planning Commission (RPC)***

In place since 1968, the Regional Planning Commission has been instrumental in planning in Dane County for the last 35 years. They have worked hand-in-hand with the MPO linking land use and population trends to their subsequent traffic impacts.

Additionally, the RPC has been the water-quality planning agency in Dane County. They have used

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the tool of Urban and Limited Service Areas to help communities' focus and phase growth in areas where they could adequately supply water and sewer services.

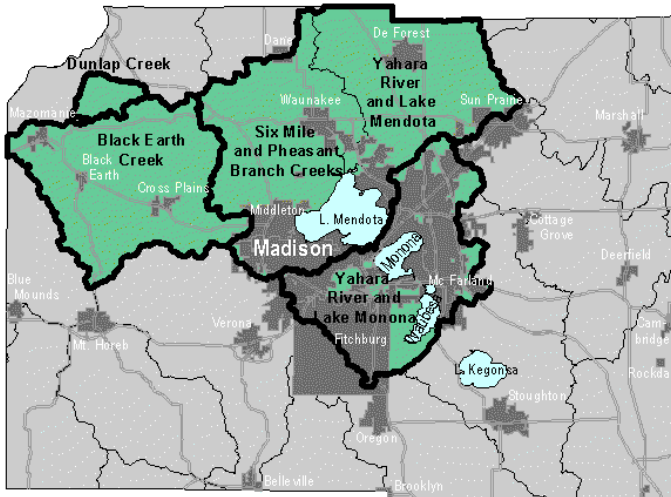
**Madison Metropolitan Planning Organization (MAMPO)** – Transportation plays a major role in intergovernmental cooperation. The MPO is the link between all Dane County communities and Federal funding for transportation infrastructure. The MAMPO's Transportation Improvement Plan lays out planned expansions and improvements for the next 3 to 4 years that are eligible for federal funding. Dane County should ensure any transportation improvements needed in the County should get onto the TIP Plan.

Figure 1, from the Public Participation in the Regional Transportation Process and the Transportation Improvement Process, shows the MAMPO Organizational structure that also links Dane County to local entities and State and Federal transportation bodies.

## State

**Wisconsin Department of Transportation** -- Dane County is in Madison Transportation District 1. The WiDOT often is invited and participates on many of the projects in Dane County. There is a connection to WiDOT from Dane County Highways and Dane County Planning but also a connection through the MAMPO (Figure 1, above)

**Wisconsin Department of Natural Resources** -- South Central Administration Region



## Priority Watersheds

A watershed is an area of land that drains into a marsh, stream, river, lake or groundwater. A priority watershed project assesses sources of nonpoint pollution in a specific watershed and guides implementation of nonpoint source pollution control measures or best management practices. Best management practices (BMPs) are the most effective practice or combination of practices for

reducing nonpoint source pollution to acceptable levels. BMPs are implemented to meet specific water quality goals by reducing pollution and ultimately enhance and protect the water quality of the streams, rivers and lakes.

Participation in the program is voluntary for landowners. Cost-share assistance is provided for control of the most significant nonpoint sources of pollution. Alterations in farm management (nutrient management and crop rotation, etc.) and engineered structures (clean water diversions, sediment basins, etc.) are tailored to landowner needs.

Municipalities are also eligible for cost-share funds and can reduce their impact on the



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5. City of Watertown - Paul Lange
6. Ixonia Sanitary District No. 1 - Norbert Willing
7. City of Beloit, Wisconsin - Daniel Kelley
8. Madison Metropolitan Sewerage District - James Nemke
9. Spauldings Pond - Hal Robb
10. Walworth County MSD - Joseph Cannestra
11. City of Beaver Dam - Don Quarford
12. City of Mayville - Ron Wellner
13. Village of Johnson Creek - Todd Hampton
14. City of Lake Mills - Vernon Johnson
15. City of Sun Prairie - John Krug
16. Juneau Wastewater Treatment Facility - Ross Canniff
17. Beaver Dam Lake Improvement Association - Wendy Braun
18. Hidden Meadow Association - Paul Rick
19. Specialty Cheese - Matt Smith
20. Nasco - Richard Ciurczak
21. Alto Dairy - Larry Lemmens
22. Beaver Dam Lake Improvement Association - Wendy Braun
23. Charles Lemke
24. Warren Topel
25. UW-Extension Jefferson County Office - Steven Grabow
26. Ladish Malting Co. - William Ladish
27. Town of Beloit - John Walters
28. Beloit Corporation - Douglas McLeish
29. Village of Hustisford - Cliff Falkenthal
30. Dane County Regional Planning Commission - Thomas Favour
31. Waupun Correctional Institution - Steve Bach
32. Rock River Coalition/Dodge County - Dave Carpenter
33. Rock River Coalition Inc. - Cindy Arbiture
34. Village of Iron Ridge - Joseph Dorn
35. MSA Professional Services, Inc - Gilbert Gerdman
36. USDA Natural Resources Conservation Service - Patrick Leavenworth
37. Village of Clinton - William Ruston
38. City of Jefferson - Arnold Brawbers
39. Village of Marshall - Sue Peck
40. Allenton Sanitary District - Thomas Gurecki
41. City of Edgerton - James Kapellen
42. Washington County Land Conservation - Perry Lindquist
43. Fond du Lac County Land Conservation - Leonard Rosenbaum
44. Rock County Land Conservation - Richard Towns
45. City of Janesville - Steven E. Sheffer
46. Dodge County Land Conservation - Marc Bethke
47. Jefferson County Land Conservation - Mark Watkins
48. Village of Fall River - Bob Niehoff
49. Columbia County Land Conservation - Robert Stoltenberg
50. Fox Lake Inland Lake P & R District - Robert McCloud
51. Fort Atkinson WI Conservation Club - Leo Roethe
52. City of Whitewater - Dean Fischer
53. Briess Industries Inc. - Carl Siebert
54. Dane County Land Conservation Committee - Kevin Connors

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- 55. Farm Bureau of Dodge County
- 56. Walworth County Farm Bureau -

Kenneth Rowley

## Other

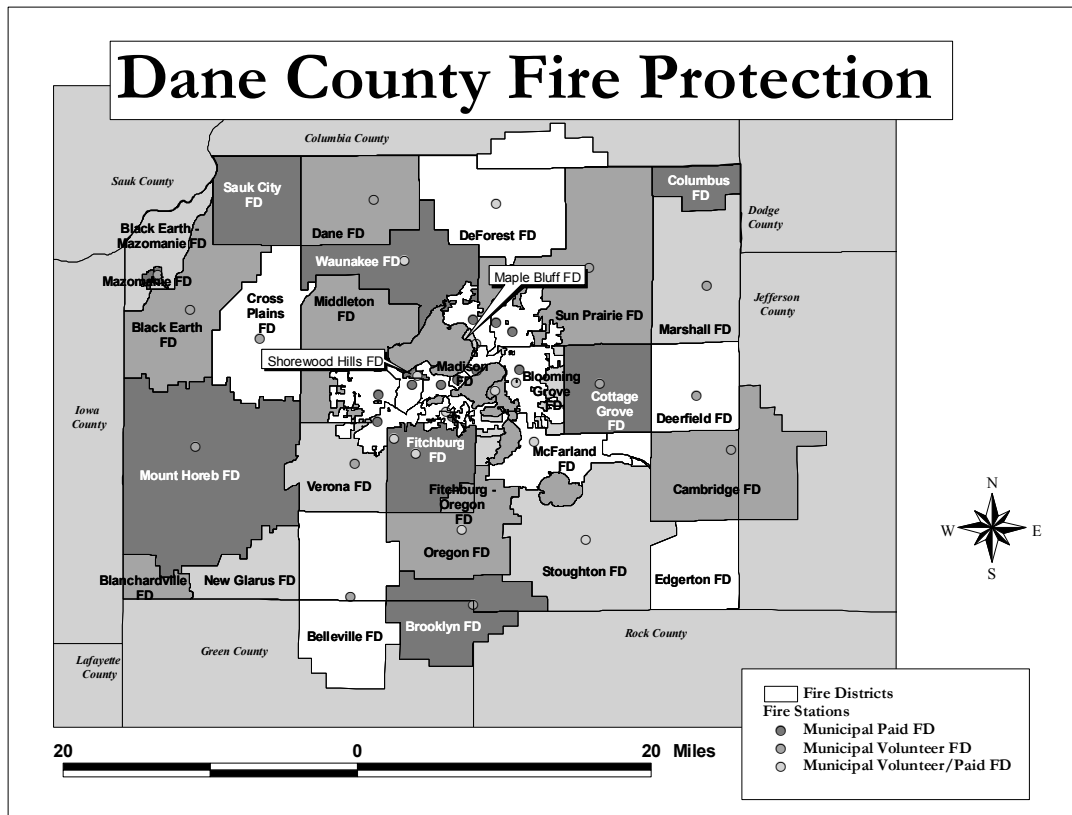
### Existing Intergovernmental Cooperation Inventory

To get an idea of the types and places in Dane County that have intergovernmental agreements, the Steering Committee solicited input from all of the municipalities. This is the list of the returned inquiries. Full text of the response is available upon request and will be part of an appendix to the final plan. The existing agreements run the gambit from Fire & EMS to full blown Joint Planning Agreements or Boundary agreements.

<b><i>Responding Community</i></b>	<b><i>Agreements</i></b>
<i>Village of Black Earth</i>	<i>None, Discussions of Agreement with Town of Black Earth</i>
<i>Village of McFarland</i>	<i>Intermunicipal Agreement with City of Madison</i>
<i>Town of Cottage Grove</i>	<i>Wis § 66.030 with Village of Cottage Grove</i>
<i>Town of Dunn</i>	<i>None</i>
<i>Town of Westport</i>	<i>Joint Planning &amp; Boundary Agreement with Waunakee. Joint Planning with City of Middleton</i>
<i>Town of Bristol</i>	<i>Fire District—Town of Burke &amp; Sun Prairie &amp; Sun Prairie Vol. Fire Dept. EMS Contract with City of Sun Prairie</i>
<i>Village of Mount Horeb</i>	<i>Joint Fire District</i>
<i>Town of Roxbury</i>	<i>None</i>
<i>City of Stoughton</i>	<i>Intergovernmental agreement with Town of Rutland Intergovernmental agreement with Town of Pleasant Springs</i>
<i>Town of Vienna</i>	<i>Boundary &amp; Joint Development Agreement with Village of Deforest Voluntary Joint ETZ with Village of Deforest 5 year renewable Boundary Agreement with Village of Waunakee</i>
<i>Village of Marshall</i>	<i>No agreements, they do exercise ETJ</i>
<i>Town of Verona</i>	<i>Discussions for possible agreement with City of Verona</i>
<i>Town of Pleasant Springs</i>	<i>Informal Boundary Agreement with the City of Stoughton</i>
<i>Village of Mazomanie</i>	<i>Agreement with local Electric Co. – equipment purchase</i>

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	<i>Wastewater treatment – Black Earth, Arena, Dane, Iowa Fire District – Black Earth, Sauk Prairie, Mt. Horeb, etc. EMS District – Black Earth, Berry, and Vermont</i>
<i>City of Fitchburg</i>	<i>Cooperative Boundary Agreement with the City &amp; Town of Madison</i>
<i>*City of Madison</i>	<i>Town of Middleton</i>
<i>*Town of Burke</i>	<i>City of Madison</i>
<i>*Town of Burke</i>	<i>Sun Prairie</i>



The existing Fire Districts in Dane County demonstrate one of the many intergovernmental cooperative agreements in place in Dane County. Notice how few of the districts contain a single municipality. Additionally there are coverage agreements between the Fire Districts.

## Goals and Objectives

1. **Promote communication** – it has been discussed that just sitting down at the same table goes a long way to promoting understanding and cooperation between governmental entities.

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- a. **Promote multi-jurisdictional discussions** to address growth issues inside and out of Dane County.
2. **Provide support** – Dane County has a long-standing tradition of providing service to local municipalities. That tradition should continue in aiding the local municipalities to complete the intergovernmental cooperation element of their respective comprehensive plans.
  - a. **Inclusive Process** – to the greatest extent possible, Dane County should ensure all affected parties are part of the process when issues are focused in a certain area.  
*(For example: Transportation issues should include all communities, Dane County highways department, Madison Area Metropolitan Planning Organization, and Wisconsin Department of Transportation.)*
  - b. **Provide a forum** – as a facilitator, Dane County should provide at least one forum (per year) for local communities to sit down and discuss local or countywide issues.
  - c. **Encourage agreements** – Dane County should encourage more communities to engage in and complete intergovernmental agreements.
  - d. **Be part of more agreements** - Dane County should actively enter into more intergovernmental agreements to promote improved service, shared public service and lower costs.

## Conflict Identification

### Impacts Greater than Property or Municipality Boundary

Often, planned land uses will have specific far reaching impacts: housing, traffic, noise, and others. Communities and landowners should be aware of these impacts and if those impacts cross boundaries they should work with their respective neighbors to make them aware of possible land use changes and to help in mitigating some of the extended impacts. Example: With a proposed zoning change, the Dane County Zoning Department uses a notification system where all adjacent (specific distance) landowners are informed as to the proposed changes and the neighbors are allowed to comment on the changes.

### Incompatible land uses

Occasionally, land uses in adjacent parcels and/or adjacent jurisdictions do not co-exist within certain proximities. For that reason, neighbors and neighboring jurisdiction should maintain open communication networks to avoid creating these conflicts in the future. Efforts should also be made to mitigate existing land use incompatibility situations in Dane County.

### Between Comprehensive plans (Consistency)

As a rule, the intent behind Dane County Comprehensive Plan is to maintain a similar structure as the current Farmland Preservation Plan. The County plan would provide structure and guidelines to the local plans and it would be up to the local plans to choose local, site-specific implementation techniques. Additionally, the County Comprehensive plan is intended to act as an umbrella unifying all adopted countywide plans.

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As there have been many different planning processes over the last 5-10 years, there is the distinct possibility that Town; City and Village plans may not completely agree with the Dane County Comprehensive Plan. The intent of the Wisconsin State Statutes (66.023) was to have completed comprehensive plans by 2010 but to not to alter the community relationships that already exist. Below are listed the 4 possible conflicts that could exist once each community has a comprehensive plan in place and the processes that can help resolve any conflicts.

- Plan conflicts between Dane County and Cities and Villages
- Plan conflicts between Dane County and Towns
- Plan conflicts between Cities and Villages and Towns
- Plan conflicts between County and State or Regional Plans
- Plan conflicts between County and Federal Plans

## Consistency Requirements by Jurisdiction

If a community is able to meet these minimum consistency requirements, Dane County will declare that specific Jurisdiction consistent with the Dane County Comprehensive Plan.

Towns

Cities and Villages

## Conflict Resolution Process

- Method
- Consistency Process?
- Forum
- Format

## Strategies and Recommendations