

7. Intergovernmental Cooperation

In general terms, intergovernmental cooperation is any arrangement by which officials of two or more jurisdictions coordinate plans, policies, and programs to address and resolve issues of mutual interest. It can be as simple as communicating and sharing information, or it can involve entering into formal intergovernmental agreements and sharing resources such as equipment, buildings, staff, and revenue. It can even involve consolidating services, jurisdictions, or transferring territory.

Many issues cross jurisdictional boundaries, affecting more than one community. For example, air, water, and wildlife pass over the landscape regardless of boundaries so that one jurisdiction's activities with regard to air, water, and wildlife impacts other jurisdictions downwind or downstream.

Today, increased communication technologies and personal mobility mean that people, money, and resources also move across jurisdictions, as quickly and freely as air and water. Persons traveling along roadways use a network of transportation routes, moving between jurisdictions without even realizing it.

Frequently, the action of one governmental unit impacts others. Increasingly, we have come to the realization that many vital issues are regional in nature. Watersheds, economic conditions, commuter patterns, housing, media markets, and effects from growth and change are all issues that spill over municipal boundaries and impact the region as a whole. Communities are not islands. For example, the health of the City of Neillsville and the health of Clark County are interconnected. The fate of one mirrors the fate of the other.

Wisconsin has over 2,500 units of government and special purpose districts defined as follows:

- ◆ 72 counties
- ◆ 190 cities
- ◆ 395 villages
- ◆ 1,265 towns
- ◆ 426 school districts
- ◆ 16 technical college districts
- ◆ Sanitary districts, drainage districts, lake protection districts, metropolitan sewage districts, etc.

Wisconsin ranks 13th nationwide in total number of governmental units and third nationwide in governmental units per capita. With the City of Stanley now owning land in the Town of Thorp, Clark County is home to 46 local units of government. Having so many governmental units allows for very local representation and means that Wisconsin and county residents have numerous opportunities to participate in local decision-making. However, the sheer number of governmental units with overlapping decision-making authority presents challenges. More governmental units can make communication, coordination, and effective action more difficult, creating a greater potential for conflict. Instead of communicating ideas within one jurisdiction, communication needs to move across multiple jurisdictions and involve multiple boards,

commissions, committees, executives, administrators, and citizens. Goals between communities may differ and present challenges. More governmental units may also mean unwanted and wasteful duplication in the delivery of community services. Cooperation can help avoid this.

Intergovernmental Cooperation Benefits

There are many reasons intergovernmental cooperation makes sense. The following are some examples:

- ◆ Cost savings – Cooperation can save money by increasing efficiency and avoiding unnecessary duplication. Cooperation can enable some communities to provide their residents with services that would otherwise be too costly.
- ◆ Address regional issues – By communicating and coordinating their actions, and working with regional and state jurisdictions, local communities are able to address and resolve issues which are regional in nature.
- ◆ Early identification of issues – Cooperation enables jurisdictions to identify and resolve potential conflicts at an early stage, before affected interests have established rigid positions, before the political stakes have been raised, and before issues have become conflicts or crises.
- ◆ Reduced litigation – Communities that cooperate are able to resolve issues before they become mired in litigation. Reducing the possibility of costly litigation can save a community money, as well as the disappointment and frustration of unwanted 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 costs savings, provision of needed services, a healthy environment, and a strong economy.

This element provides information regarding existing plans or agreements between Clark County and other jurisdictions, agencies, or groups. In addition, this section identifies existing county plans, plans of neighboring jurisdictions, and intergovernmental statutes and programs.

7.1 Multi-Jurisdictional Plan Building Process

As a means to facilitate intergovernmental cooperation, the Clark County planning process utilized a regional workshop approach. The regional workshop approach was used to develop local comprehensive plans and provide public participation in the development of the *Clark County Year 2025 Comprehensive Plan*. Seven (7) rounds of regional review workshops (62 meetings total) were held as part of the planning process. Invitations were sent to all municipal officials, planning commission/committee members, County Board Supervisors, and Public Advisory Committee (PAC) members. Rounds 1 and 2 of the workshops included participation by all 45 units of government within Clark County while all following rounds only involved those communities formally participating in the process. An outline of topics covered at each round of regional workshops follows:

- ◆ Workshop #1 (April 17-30, 2001)
 - Discussed demographic trends
 - Conducted community facilities and services inventory
- ◆ Workshop #2 (August 28-September 12, 2001)
 - Reviewed existing community facilities services map and existing land use maps
- ◆ Workshop #3 (January 22-February 5, 2002)
 - Discussed local community goals and objectives
- ◆ Workshop #4 (March 18-April 4, 2002)
 - Discussed proposed land use management area definitions
 - Discussed potential plan implementation tools
- ◆ Workshop #5 (July 15-July 25, 2002)
 - Finalized land use management area descriptions
 - Built first draft of community preferred land use maps
 - Discussed survey mailing to collect additional public input on draft preferred land use maps
- ◆ Workshop #6 (April 21-29, 2003)
 - Reviewed local survey results
 - Finalized preferred land use management area descriptions and densities
 - Discussed public facility and service needs
 - Distributed and discussed policy statements and programs

- ◆ Workshop #7 (July 28-August 19, 2003)
 - Finalized policies
 - Discussed plan implementation tools
 - Discussed efforts to finalize local land use plans

The use of the regional workshop approach within the Clark County planning process provided an excellent forum for groups of local communities to discuss and resolve issues. The regional workshops allowed communities to discuss issues across jurisdictional boundaries and communicate resolution alternatives.

7.2 Intergovernmental Opportunities/Successes

The low population density of Clark County presents interesting challenges for communities to deliver services in a cost-effective manner. However, these challenges are being dealt with head on by many of the communities in the county. Below are some examples of efforts “in the works” which could reduce service cost while maintaining or even improving the levels of service.

United Communities of Clark County (UCCC)

Recognizing there is strength in numbers with the potential to save taxpayer dollars, the incorporated communities of Clark County have united and formed a partnership. They have come to call themselves the “United Communities of Clark County” (UCCC) and their vision is to band together for mutual benefit. Comprised of existing city mayors and village presidents, the group has already expanded beyond Clark County boundaries and includes the mayor of the City of Stanley in Chippewa County. The UCCC began meeting in December 2002 and meets monthly. UCCC consensus is there is need to consider the sharing or combining of services such as fire, police and public works as a way of cutting the cost of operations. The City of Loyal is already sharing equipment such as a sewer jetter and a sewer camera with the City of Owen, along with a water meter tester that is being utilized by the City of Greenwood. The UCCC will also attempt to save tax dollars through the bulk purchase of heavy equipment and supplies. In addition, a political directive of the UCCC is to gain more clout at the state level with a stronger joint voice.

Recent efforts have included the review of existing garbage collection/recycling contracts. Each community currently has individual contracts with private haulers and prices do vary. The group hopes to establish one contract that represents all communities in an effort to leverage cost savings. Another target area of the UCCC is to work with Public Works Directors to find efficiencies in road maintenance, treatment plant operations, and other related services. The creation of the UCCC is a tremendous step forward in the fiscal responsibility of public service management in Clark County.

School District Discussions

Faced with declining enrollments and budgets, the need to update facilities, and the expectation to maintain a high level of education standards, the school districts of Clark County have stepped up discussions to address tough issues. The sharing of programs between neighboring school

districts has worked in the past. For example, Greenwood has teamed up with Loyal on sports programs as have Neillsville and Granton. Consolidation appears to be a last resort for area school districts as discussions to date continue to focus on the sharing of facilities, teachers, and programs. These efforts appear to be a success based on the educational achievements of students and recognition of athletic programs. The question remains however: “Will future partnerships between districts be enough to counter the tough financial budgets school districts will undoubtedly encounter?”

Recently, the thought of consolidation has resurfaced. For example, the Greenwood School District held an advisory referendum on November 6, 2002 to assess the public interest in consolidating with a neighboring district if it will increase educational opportunities without driving up property taxes. Residents voted 823-220 in favor of a question that read, “Would you support a plan to consolidate the School District of Greenwood if the end result did not impact property taxes, but did increase educational opportunities for students?” Residents also overwhelmingly supported another question that said, “Would you support consolidation regardless of which other districts are involved?” The issue of consolidation was raised as one solution to the district’s financial concerns, particularly in the aftermath of two failed revenue cap exemption referendums in 2001 and 2002. As a follow up to the referendum, contacts were made with adjacent school districts and discussions continue. If past actions are indicators of success, it appears collaborative solutions will be found.

7.3 State of Planning in Neighboring Counties and Communities

Marathon County

Marathon County has recently embarked on a major planning venture that will include 53 of its 62 municipalities. The county will coordinate planning efforts with each municipality producing its own comprehensive plan. This massive project is expected to last four years with completion anticipated in 2006.

All of the towns along the Clark County border (Holton, Hull, Brighton, and Spencer) are participating in the planning process. None of these towns had existing plans before beginning the new process.

The Villages of Unity and Spencer are also participating in the Marathon County planning project. Only the Village of Spencer has an existing land use plan which was adopted in 1993. The Cities of Abbotsford and Colby and the Village of Dorchester, all of which have land in Marathon County, are participating in the Clark County planning process.

Wood County

Wood County’s existing comprehensive plan dates back to the 1970s, but discussions of creating a new plan have begun. On July 15, 2003, the Wood County Board of Supervisors voted 28 to nine (9) to proceed with comprehensive planning efforts. Ten of 22 towns are currently covered by the Wood County Zoning Ordinance.

On the eastern border of Clark County, the Town of Lincoln adopted a comprehensive plan in 2001. The *Town of Lincoln Comprehensive Plan* is consistent with Wisconsin's comprehensive planning legislation.

Chippewa County

Chippewa County does not have a comprehensive plan, and no planning efforts are currently underway at the county level.

Eight of 22 towns have land use plans that were recently adopted. The Chippewa County Land Conservation Department sponsored a town level planning process that was facilitated by the West Central Wisconsin Regional Planning Commission. Adjacent to Clark County, the Towns of Edson and Delmer participated in this process. The *Town of Edson Land Use Plan* and *Town of Delmer Land Use Plan* addressed many of the required Smart Growth planning elements and were adopted in 2000.

Taylor County

Neither Taylor County nor any of its towns have existing comprehensive or land use plans. In 2002, Taylor County formed a study committee to examine the potential for planning in the county. In November 2002, the county submitted a comprehensive planning grant to the Wisconsin Department of Administration (WDOA) but were unsuccessful in attaining any funds. Future planning efforts are currently on hold.

Jackson County

Jackson County's existing development plan dates back to 1965. None of the towns along the Clark County border have existing comprehensive or land use plans, nor have they started any plan update independent of the county at this time. Similar to Taylor County, Jackson County submitted a comprehensive planning grant to the Wisconsin Department of Administration (WDOA) in November, 2002, but was also unsuccessful in attaining any funds. Future planning efforts are currently on hold.

Eau Claire County

Eau Claire County's existing land use plan was adopted in 1979 and last updated in 1983. Steps toward creating a new comprehensive plan in response to comprehensive planning legislation have been taken, but have recently been delayed due to uncertainties in the state budget and implications for local shared revenues. The most recent contact with the county's planning department indicated the county will likely submit a 2004 WDOA comprehensive planning grant. When the process recommences, it is intended that the county will assist local communities in developing their own comprehensive plans while also creating a county framework comprehensive plan. Nine of 13 towns are currently involved in county zoning.

None of the towns sharing borders with Clark County have existing land use or comprehensive plans of their own. The Eau Claire County Town of Bridge Creek which shares a border with the Town of North Foster in Clark County is currently developing a new comprehensive plan. It is intended that this plan will meet the requirements of comprehensive planning legislation.

7.4 Inventory of Existing Agreements

The existing intergovernmental and service agreements that are in place within Clark County provide some of the most basic services required by residents.

Fire Protection

There are 18 different fire departments and/or fire associations that serve various areas in Clark County. These departments serve towns, villages, and cities and have service areas which cross municipal borders and even county borders. All departments also have mutual aid agreements to assist other departments if necessary. As development patterns change within the county over the planning period, the service areas of these departments should be monitored.

Emergency Medical Service

Many of the arrangements or agreements that are in place for fire protection are also in place for emergency medical service. There are 18 ambulance and first responder providers serving the county. These providers also have mutual aid arrangements in place.

Police Protection

Police service in Clark County is provided by seven city/village departments and the Clark County Sheriff's Department.

The Clark County Sheriff's Department is dispatched on all calls within the county unless a municipal department is responding. Therefore, all areas of the county are at least covered by the Sheriff's Department. Law enforcement departments within the county also have mutual aid type agreements similar to fire departments and emergency medical providers.

The most recognized police protection agreement between communities in Clark County is an agreement between the Cities of Abbotsford and Colby. The agreement establishes a joint police department. The primary service area for the police department is within the boundaries of both cities. There are typically two officers assigned per shift. The current agreement establishes 45% of the department budget to be paid by the City of Colby and 55% to be paid for by the City of Abbotsford.

The City of Owen and the Village of Withee also have an agreement very similar to the agreement between Abbotsford and Colby. The City of Owen provides all police services to the Village.

Sanitary Sewer

The Village of Withee contracts with the City of Owen for public sanitary sewer service. The Owen-Withee Wastewater Treatment Facility treats all collected wastewater from both communities. A sewer commission is in place with members from both communities. The City of Owen plans to complete construction of a new pumping station to replace existing lift station

No. 3 which is located in the Village of Withee. This pumping station pumps all wastewater collected in the City of Owen and the Village of Withee to the treatment facility. Construction is currently estimated to be complete in 2004.

Water

The Town of Pine Valley has an agreement with the City of Neillsville for certain public water services. Currently, the city operates wells south of the city in a gravel quarry, west of the Black River. Water transmission lines run through the Town of Pine Valley connecting the wells to the city. The town and the city have established an agreement that the city may construct and maintain water extension lines and related services in the town. Property owners in the town that abut the City of Neillsville water system may connect to the city water system.

7.5 Intergovernmental Trends and Outlook

The following intergovernmental trends are anticipated during the planning period within Clark County.

- ◆ Intergovernmental cooperation will increase as state, county, and local budgets become more restrictive and partnerships are pursued.
- ◆ Clark County school districts will face increased challenges to maintain expected educational standards in the face of declining enrollments and budgets.
- ◆ As more jurisdictions create comprehensive plans and share them with surrounding communities, new opportunities for intergovernmental cooperation will become apparent.
- ◆ The sharing of employees, equipment, and facilities will increase locally to meet demand at reduced costs.

7.6 Intergovernmental Plans and Programs Currently in Use

The following programs, which involve intergovernmental relations, are being utilized in Clark County:

Wisconsin Towns Association (WTA)

Wisconsin Towns Association (WTA) is a non-profit, non-partisan, statewide organization created under s. 60.23(14) of the Wisconsin Statutes to protect the interests of the state's 1,266 towns and to improve town government. The association is organized into six districts and is headquartered in Shawano. WTA relies on regular district meetings, an annual statewide convention, publications, participation in cooperative training programs, and other means to support the goal of keeping grassroots government strong and efficient in Wisconsin. Clark County towns are active participants in the Wisconsin Towns Association.

League of Wisconsin Municipalities

The League of Wisconsin Municipalities is a not-profit association of municipalities. First established in 1898, the League acts as an information clearinghouse, lobbying organization and legal resource for Wisconsin municipalities. Its membership consists of 378 villages and all of the 190 cities in the state. Clark County cities and villages participate in the League of Wisconsin Municipalities.

Annexation

Wisconsin Statute, 66.021, Annexation of territory, provides three petition methods by which annexation may occur. Annexation involves the transfer of one or more tax parcels from a town to a city or village. Cities and villages cannot annex property without the consent of landowners as required by the following petition procedures:

1. Unanimous Approval - A petition is signed by all of the electors residing in the territory and the owners of all of the real property included within the petition.
2. Notice of intent to circulate petition (direct petition for annexation) - The petition must be signed by a majority of electors in the territory and the owners of one-half of the real property either in value or in land area. If no electors reside in the territory, then only the landowners need sign the petition.

Annexation by referendum - A petition requesting a referendum election on the question of annexation may be filed with the city or village when signed by at least 20 percent of the electors in the territory. Clark County cities and villages have grown and will likely continue to grow through the use of annexation.

Extraterritorial Subdivision Review

Wisconsin Statute, 236.10, Approvals necessary, allows a city or village to exercise its extraterritorial plat review authority in the same geographic area as defined within the extraterritorial zoning statute. However, extraterritorial zoning requires town approval of the zoning ordinance, while extraterritorial plat approval applies automatically if the city or village adopts a subdivision ordinance or official map. The town does not approve the subdivision ordinance for the city or village. The city or village may waive its extraterritorial plat approval authority if it does not wish to use it.

The purpose of extraterritorial plat approval jurisdiction is to help cities and villages influence the development pattern of areas outside their boundaries that will likely be annexed to the city or village. This helps cities and villages protect land use near its boundaries from conflicting uses outside its limits. Overlapping authority by the city and village is prohibited. This situation is handled by drawing a line of equal distance from the boundaries of the city and village so that not more than one ordinance will apply.

7.7 Wisconsin Intergovernmental Statute Agreements

The following statutes in Wisconsin promote and allow for intergovernmental cooperation.

66.0301 - Intergovernmental Cooperation

Wisconsin Statute, 66.0301 permits local agreements between the state, cities, villages, towns, counties, regional planning commissions, certain special districts, including school districts, public library systems, public inland lake protection and rehabilitation districts, sanitary districts, farm drainage districts, metropolitan sewerage districts, and sewer utility districts, Indian tribes or bands, and others.

Intergovernmental agreements prepared in accordance with s. 66.0301, formerly s. 66.30, are the most common form of agreement and have been used by communities for years, often in the context of sharing public services such as police, fire, or rescue. This type of agreement can also be used to provide for revenue sharing, determine future land use within a subject area, and to set temporary municipal boundaries. However, the statute does not require planning as a component of any agreement and boundary changes have to be accomplished through the normal annexation process.

66.0307 - Boundary changes pursuant to approved cooperative plan

Under Section 66.0307, Wisconsin Statutes, combinations of municipalities may prepare cooperative boundary plans or agreements. Each city, village, or town that intends to participate in the preparation of a cooperative plan must adopt a resolution authorizing its participation in the planning process.

Cooperative boundary plans or agreements involve decisions regarding the maintenance or change of municipal boundaries for a period of 10 years or more. The cooperative plan must include: a plan for the physical development of the territory covered by the plan. It must also include; a schedule for changes to the boundary; plans for the delivery of services; an evaluation of environmental features and a description of any adverse environmental consequences that may result from the implementation of the plan; and it must address the need for safe and affordable housing. The participating communities must hold a public hearing prior to its adoption. Once adopted, the plan must be submitted to the Wisconsin Department of Commerce for state approval. Upon approval, the cooperative plan has the force and effect of a contract.

66.0309 Creation, Organization, Powers and Duties of Regional Planning Commissions

Wisconsin Statute 66.0309 permits local governments to petition the governor to create a regional planning commission (RPC). If local support for a commission is unanimous, the governor may create it by executive order. The governor may also create a commission if local governments representing over 50% of the population or assessed valuation of the proposed region consent to the creation. Either local governments or the governor appoints commission members.

State Statutes require the RPC to perform three major functions:

- ◆ Make and adopt a master plan for the physical development of the region.
- ◆ If requested by a local unit, report recommendations to that local unit on the location of or acquisition of land for any of the items or facilities that are included in the adopted regional master plan.
- ◆ Make an annual report of its activities to the legislative bodies of the local governmental units within the region.

RPCs are also authorized to perform several other functions, however, by law, they serve a strictly advisory role. Clark County is a member of the West Central Wisconsin Regional Planning Commission.