

7 Intergovernmental Cooperation

7.1 Intergovernmental Cooperation Chapter Purpose and Contents

The Intergovernmental Cooperation Element is an essential component of any comprehensive plan. Within this element the relationships between public, quasi-public, and private entities are discussed to increase the efficiencies and capabilities of each entity to provide service and support throughout Waushara County.

This element includes a brief summary of existing intergovernmental relationships followed by a series of goals, objectives, and recommendations to identify opportunities for joint planning and decision making throughout Waushara County. This element also provides a description of identified or potential conflicts identified for overlapping or adjacent jurisdictions within the county.

Goals, objectives, and recommendations were developed through the public participation process, through review of municipal comprehensive plans, and for compliance with Wisconsin's comprehensive planning law.

7.2 Summary of Existing Conditions for Intergovernmental Cooperation

The following section identifies existing intergovernmental relationships or agreements that may affect Waushara County or its affiliates. Existing relationships were identified by the East Central Wisconsin Regional Planning Commission (ECWRPC). A complete analysis of intergovernmental relationships can be located in the *Waushara County Comprehensive Plan Volume Two: Existing Conditions Report*.

Adjacent Local Governments

- Waushara County is comprised of 18 towns (Plainfield, Oasis, Rose, Springwater, Saxeville, Bloomfield, Poy Sippi, Leon, Mount Morris, Wautoma, Deerfield, Hancock, Coloma, Richford, Dakota, Marion, Warren and Aurora), two cities (Berlin – partial and Wautoma), six villages (Coloma, Hancock, Plainfield, Wild Rose, Redgranite and Lohrville).
- Counties that share a border with Waushara include Marquette, Adams, Portage, Waupaca, Winnebago, and Green Lake.

School Districts

- Waushara County contains portions of nine public school districts. These include the Almond-Bancroft, Omro, Tri-County Area, Westfield, Wautoma Area, Wild Rose, Waupaca, Weyauwega-Fremont, and the Berlin Area school districts.
- Three school forests and a town forest provide 819 acres of passive open space in Waushara County. These facilities include the Tri-County School Forest (230 acres), the Wild Rose School Forest (128 acres), the Coloma School Forest (40 acres) and the Town of Rose Forest (421 acres). School districts share the use of these facilities with local organizations and residents.
- Waushara County is part of the Mid State Technical School District in the northwestern portion of the county, the Madison Area District in the southern portion, the Moraine Park District in the southeastern portion, and Fox Valley District in the central and northeastern portion of the county. The FVTC offers limited classes at the Wautoma campus in the City of Wautoma. Agreements exist so that residents are able to attend technical college courses outside of their district if it is more convenient to do so.

Local and County Community Facilities

- Due to the rural nature of Waushara County, many facilities and services are shared jointly between neighboring communities as well as provided through agreement with the county.
- Police protection for Waushara County is provided by the Waushara County Sheriff's Department that dispatches officers from the City of Wautoma. The Sheriff's Department

provides backup protection to many of the incorporated communities that have their own police departments.

- Waushara County is served by a total of twelve fire departments and/or districts. These departments and/or districts are multi-jurisdictional.
- The fire districts/departments maintain mutual aid agreements with other fire districts/departments and surrounding counties.
- Emergency medical services for the county are primarily provided through the Waushara County EMS. The exception is the Town of Aurora who contracts with the City of Berlin.
- Many of the fire districts and local fire departments within the county have First Responders on staff that can assist with basic and advanced medical emergencies.
- Waushara County is part of the Winnefox Federated Library System.
- The County Courthouse and other county buildings are available for use by local groups for meeting space.
- The Waushara County Department of Aging works with communities to offer several programs to senior citizens. Among other things this includes transportation, meals, activities and fellowship.
- The Waushara County Parks, Recreation and Solid Waste Department works with communities to provide park, recreation and solid waste collection and recycling. Many of the sites that it utilizes are owned by the municipalities and the county has an agreement to use them and maintain them.
- The Waushara County Highway Department works with communities, surrounding counties and WisDOT to ensure that state and county roads are being maintained.

Extraterritorial Areas

- Two incorporated municipalities utilize extraterritorial controls within the county. The City of Wautoma regulates subdivisions within the extraterritorial area, while the City of Berlin has adopted extraterritorial zoning in the Town of Aurora.

Existing Relationships with Municipalities

- With the exception of the Town of Warren, all unincorporated communities within Waushara County utilize county zoning.
- Waushara County enforces shoreland zoning and private on-site wastewater treatment system regulations in all jurisdictions.
- The County provides a variety of programs and services to county residents including senior programming, emergency services planning, recreational opportunities, public health services, and highway maintenance among others.

Existing Regional Relationships

- Waushara County and its communities are members of the East Central Wisconsin Regional Planning Commission.
- The County is a member of the Tri-County Regional Development Corporation (TCREDC).

Existing State Relationships

- The Department of Natural Resources maintains a service center in the Wautoma Industrial Park and has been active in local and county planning efforts.
- The Department of Transportation has been an active participant in the development of the land management and comprehensive plans.

7.3 Intergovernmental Cooperation Issues and Opportunities

Intergovernmental cooperation is an essential component of the comprehensive plan. Building relationships between public, quasi-public, and private entities can increase service efficiencies and capabilities that will provide the communities within Waushara County with better services. The following intergovernmental cooperation issues and opportunities were identified through the public participation process.

Lake Associations

Many area lake associations and local governments support each other and have a positive working relationship. Continuation of governmental support for activities such as preparing grant applications to curb invasive species is essential for maintaining area surface waters and upholding property values. The County encourages local communities to cooperate with other governmental and non-governmental entities to help promote, improve and sustain local water resources.

Quarry Operations

There are a number of non-metallic mineral extraction operations in Waushara County. The vast majority of these occur in unincorporated areas. Many town residents are not aware of reclamation plans filed with the Department of Natural Resources or Waushara County. Waushara County sends copies of all annual report correspondence with operators to the Town Chair of the municipality in which they are located. Still, some residents are unaware of these reports.

Economic Development

Many small communities in Waushara County are in need of economic development assistance. This includes a desire for programming and funding to help small businesses succeed. Greater intergovernmental assistance is desired to ensure local communities in Waushara County compete in a regional marketplace.

Road Maintenance

Communities in and immediately adjacent to Waushara County share some road maintenance duties. Most common are road plowing agreements where the community that is better suited for clearing the facility provides this service even if the facility belongs to another jurisdiction. In most instances, communities perform these services without contracts or formal agreements. Reportedly, this informal system works very well.

DNR-Owned Forestlands and Natural Areas

Due to large tracts of publicly owned lands, many unincorporated communities feel they are unable to control the rural character of their communities. This is especially true when the harvesting of woodlands on properties owned or under contract with the Department of Natural Resources affects the viewsheds of a number of neighboring properties. There is also some concern that potential tax loss will negatively affect local budgets. Many communities would like improved communication to occur, especially if potentially controversial acquisitions or large-scale harvesting is planned.

Emergency Services Provision

Many communities share fire and emergency services provision. The mechanisms for funding these services and the amount and frequency of communication can vary between districts. There is some call for standardized assessments based on equalized value. Regular communication with member communities on meetings and other operations would also reduce complaints about organizational transparency.

Annexation

There are eight incorporated communities in the county that could choose to enact legal authority in the extraterritorial area. While very few have chosen to do so, the issue of control and annexation

continues to be a topic during land use planning. Greater use of boundary agreements may help to minimize concerns related to loss of tax base or jurisdictional decisions related to road repair or code enforcement.

7.4 Existing or Potential Conflicts and Process to Resolve Conflicts

Wisconsin's comprehensive planning law requires that the Intergovernmental Cooperation Element identify existing or potential conflicts between the County and other governmental units, including school districts, and describe processes to resolve such conflicts.

Existing or Potential Conflicts

Existing conflicts include an unclear understanding between unincorporated communities and the Department of Natural Resources. Concerns about how the DNR chooses to manage land, and the lack of communication with potential stakeholders prior to major actions has caused misunderstandings in some locations of the County. A better DNR process of information dissemination and regular meeting attendance or public forums to help keep the public informed may help to alleviate mistrust issues. Another existing conflict is disagreement between lake associations about hours of operation and other limitations. These limitations have the potential to reduce traffic on some lakes and increase it on others which may further exacerbate existing tensions.

Potential conflicts include annexation and other extraterritorial controls that transfer authority. At this time, this is not an issue since so few municipalities exercise extraterritorial controls. However, the process of annexation needs to be transparent from the outset, or tensions may escalate between neighboring communities. Another potential issue is the use of cafeteria style zoning which allows municipalities participating in County Zoning to choose a variety of zoning districts. This can be difficult to manage, though the County has not had an issue with administration and the system provides local communities with the controls they require to enact their land use plans.

Process to Resolve Conflicts

Waushara County encourages towns, villages, and cities to coordinate with each other and the County on planning efforts. The intergovernmental cooperation element is intended to avoid and minimize potential conflicts though conflicts may still occur. When conflicts arise, there are several techniques available for dispute resolution. Dispute resolution techniques can be broken into the following two categories:

1. Alternative dispute resolution techniques such as negotiation and mediation.
2. Judicial and quasi-judicial dispute resolution techniques such as litigation and arbitration.

In the event that a conflict does occur, utilization of an alternative dispute resolution process will be encouraged in an effort to avoid costly and lengthy litigation. If these efforts are unsuccessful, facilitated negotiation utilizing a Dispute Resolution Panel may be used, followed by mediation. Arbitration and litigation are the remaining stages and tend to be slower and more costly than the foregoing stages.

Dispute resolution techniques are usually used to resolve conflicts and tense situations, but they can also be used to avoid them. It may be easier in the long run to prevent disputes, thus avoiding the time, trouble, and expense of resolving the dispute by maintaining open communication. The current process for dispute resolution is handled informally at the local level. If this current system fails, Waushara County may want to consider establishing a Dispute Resolution Panel to provide alternative dispute resolution.

7.5 Intergovernmental Cooperation Policies

The following policies have been identified by Waushara County for coordinating with school districts and adjacent or other local governments for siting, building, and sharing public services.

School Districts

Waushara County will encourage local governments to regularly communicate with school districts for planning and building public facilities and for sharing these facilities whenever feasible.

Other Governments

Waushara County will cooperate and communicate with all local, state and federal governments, adjacent counties, and regional organizations to provide County residents and businesses with timely information as well as efficient and economical services whenever warranted.

Furthermore, Waushara County will support intergovernmental and private sector coordination to ensure:

- A. Economic development in conformance with comprehensive planning policy;
- B. Reduction of dependence on county resources for needed services;
- C. Increased accountability and responsiveness to regional and Countywide needs;
- D. Increased efficiencies in the delivery of services;
- E. The integrity of the land-use policies of any County comprehensive plan element is preserved;
- F. The responsibility and support for land use planning will be coordinated with adjacent jurisdictions through the adoption of local comprehensive plans and other planning agreements which will recognize:
 - a. That the County will maintain planning oversight through the comprehensive plan in unincorporated areas until and during any jurisdictional transition;
 - b. The County will support the planning process for unincorporated areas and establish and participate in a cooperative process to address the future of urban service provision issues.
- G. Increased development of cooperative boundary agreements between municipalities.

7.6 Intergovernmental Cooperation Goals, Objectives, and Recommendations

The following section identifies goals, objectives, and recommendations to guide the future development of various cooperative practices and agreements. The goals and objectives identify what should be accomplished, whereas the recommendations focus on identifying the action necessary to achieve the desired outcome.

Goal 7.1: Work cooperatively with other public, quasi-public, or private entities when issues or opportunities arise that can be more effectively addressed cooperatively.

Objectives

- a. Create cost efficiencies through consolidation and cost-sharing.
- b. Continue improving levels of service.
- c. Form cooperative partnerships.

Recommendations

7.1.1 Encourage municipalities to create joint committees to identify areas of mutual benefit including cooperative agreements or shared facilities/services.

7.1.2 Coordinate with other entities, such as UW-Extension, to convene joint meetings with fire districts and other service entities to discuss cost-sharing opportunities.

7.1.3 Encourage government officials to support intergovernmental agreements and partnerships especially those that are environmentally and fiscally responsible.

7.1.4 Improve working relationships with other governmental entities by encouraging representatives from various agencies, businesses, and County departments to periodically attend regular board or plan commission meetings in communities where consolidation of services is most prudent.

7.1.5 Encourage Waushara County Sheriff's Department to provide periodic law enforcement reports to the municipalities they serve.

7.1.6 Continue coordination between the Waushara County Highway Department and WisDOT on upcoming road construction projects.

7.1.7 Pool resources for local food banks and senior programming, including Meals on Wheels, to continue to operate throughout the County.

7.1.8 Encourage cooperation between local governments and the Waushara County Emergency Services Department to determine availability of grant opportunities for acquisition and distribution of NOAA emergency radios at reduced costs.

7.1.9 Initiate efforts to consolidate services between governments and quasi-public entities. Discuss the importance of cost-effective and efficient delivery of services throughout Waushara County communities. Enlist involvement with other agencies (ECWRPC, UWEX, etc.) to educate the public about consolidation and cost-sharing.

Goal 7.2: Improve natural resources quality and opportunities for recreation by coordinating with other entities.

Objectives

- a. Enhance recreation facilities countywide.
- b. Improve water quality in lakes and streams.
- c. Obtain grant funding.

Recommendations

7.2.1 Work cooperatively with local governments, law enforcement, and friends groups in meeting and addressing common public park service issues.

7.2.2 Develop policy to enable increased educational and technical assistance available to the Waushara County Watershed Lakes Council, lake districts, and lake property owners associations that wish to address water quality, invasive species, and other related environmental issues, and support the concept of a regional effort to address aquatic invasive species.

7.2.3 Continue to work with the DNR, other state agencies, and the private sector in providing multiple-use facilities for activities such as hiking, nature study, cross-country skiing, hunting, and fishing on county and state-owned lands where multiple-use of the land is appropriate and environmentally sound.

7.2.4 Continue to work with local municipalities to encourage adoption and implementation of local land use plans, which can be used to protect natural resource areas.

7.2.5 Encourage development of joint grant applications to procure funding for countywide initiatives such as reductions in invasive species on all area lakes.

Goal 7.3: Increase the availability of regional economic development and home repair assistance programming.Objectives

- a. Increase the availability of regional programming.
- b. Promote use of available programming to increase economic development opportunities and improve code compliance.

Recommendations

7.3.1 Encourage local communities to lobby the state for increased funding for new business development or exterior maintenance. Coordinate with regional providers to establish local need and to allocate specific monies for use in Waushara County.

7.3.2 Support and encourage the efforts by the Waushara County Economic Development Cooperation and the Tri County Regional Economic Development Corporation. Encourage them to develop and maintain a website for progress updates and dissemination of materials.

7.3.3 Coordinate with UWEX to hold seminars on business development. Continue ongoing relationships with UWEX staff to increase the availability of education programming related to improving entrepreneurship throughout the County.

7.3.4 Coordinate with communities experiencing a large number of nuisance properties to discuss options for notification and mitigation of code violations. This may include holding periodic seminars or forums that include information about funding to help alleviate problem properties.

Goal 7.4: Coordinate regional development and planning activities.Objectives

- a. To encourage communities to coordinate and plan jointly.
- b. To reduce planning conflicts.

Recommendations

7.4.1 Prior to actions on rezoning of lands the County Planning and Zoning Committee/County Board will take under advisement the recommendations provided in the town plans as well as any plans prepared by cities or villages for the purpose of seeking coordinated and compatible growth.

7.4.2 Cooperate and seek ways to cost share and resource pool with other local governments in meeting the State of Wisconsin's comprehensive planning requirements for implementation, updates, and rewrites of the comprehensive plan.

7.4.3 Consider forming a dispute resolution panel at the county level to facilitate negotiation of conflicts for resolution. This may include such conflicts as may arise during annexation proceedings between a town and an incorporated community.

7.4.4 The County should continue to update the code of ordinances with amendments identified by local governments to better allow implementation of their comprehensive plans and the orderly flow of information. One example includes a possible amendment to Sec. 58-966 (Nonmetallic Mining Reclamation) to require copies of the annual operator report are sent to the municipality where the mine is located.

7.4.5 Work with communities to promote use of consistent standards to ensure that private development is of similar high quality.