

# **7. Intergovernmental Cooperation**

## **7.1 Introduction**

Coordination and cooperation among the many units of government at all levels is a very important goal. Yet, there are instances where the actions of one governmental unit can possibly negatively affect another unit as in the case of annexation or certain transportation improvement projects, to name just a few. In such instances, it is important for the various units of government to strive for consensus to the mutual benefit of all involved. In the absence of this, financial and human resources can be wasted with little result. More importantly, intergovernmental conflict can foster a negative attitude toward all governmental units. Even where conflict does not exist, cooperation between local units of government can often provide more or different services at a lower cost to taxpayers.

This element identifies planning activities in Village of Kekoskee and provides a description of Wisconsin's statutes associated with intergovernmental cooperation. The Intergovernmental Cooperation element will also provide information regarding existing plans or agreements, opportunities for the future, existing and potential conflicts, and identify goals, objectives, policies, recommendations, and programs for 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 impact 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.

### **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 county, 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 the citizens for whom government was created in the first place. They may not understand, or even care about, the intricacies of particular intergovernmental issues, but all village residents can appreciate their benefits, such as costs savings, provision of needed services, a healthy environment, and a strong economy.

## **7.2 Existing Relationships**

### **County Government**

The Village of Kekoskee is located in Dodge County. The County was created in 1836 and named in honor of Henry Dodge, then territorial governor of Wisconsin. The town of Victory was chosen as the County Seat. The town of Victory was later renamed the City of Juneau after Paul Juneau, the son of Solomon Juneau, founder of Milwaukee. The Dodge County Board of Supervisors consists of 33 members. The Village of Kekoskee is located in the Districts 6 and 13 and is represented by two supervisors.

### **Cities and Villages**

The Village of Kekoskee is one of 10 villages located entirely in Dodge County, plus parts of Randolph is also located in Dodge County. In addition, there are 23 towns within the County. There are also 5 cities entirely located within Dodge County. These include Beaver Dam, Fox Lake, Horicon, Juneau and Mayville. There are parts of Columbus, Hartford, Watertown and Waupun also located in Dodge County.

### **Surrounding Towns**

The Village of Kekoskee is bordered on the west by the Horicon National Wildlife Refuge and the state of Wisconsin Horicon Marsh Wildlife Area. The 4 towns surrounding Kekoskee are Burnett, Leroy, Theresa, and Hubbard. The Village of Lomira is located further to the east of the Village and the Village of Brownsville to the north. The Village of Iron Ridge is to the south and the City of Horicon to the southwest of the Village of Kekoskee. In addition, the Village completely surrounds the City of Mayville.

### **Regional Planning Commission**

Within Wisconsin there are 9 Regional Planning Commissions (RPCs), which are formed by executive order of the Governor. All but 5 counties in the state are served by a RPC. Dodge County is one of the 5 counties not served by a RPC. The County does, however, have the Dodge County Land Resources and Parks Department whose purpose is to promote the orderly and sound development of Dodge County. It is responsible for providing the Board of Supervisors, its committees and County Departments with consultation and recommendations on planning matters and for carrying out plans and enforcing ordinances adopted by the Board. The Department also has the responsibility for economic development, tourism development and the maintenance and development of the County Park and Trail System.

### **School District**

The school districts of Mayville and Horicon serve the children of the Village of Kekoskee (see map 5). These school districts are also located in the Cooperative Educational Services Agency (CESA) District # 6 that serves 39 school districts in central and eastern Wisconsin Counties. Funding for programs is determined through cooperative sharing among the member school districts and from categorical funding for special education grants obtained by CESA personnel from state, federal and private endowments. The CESA office is located in Oshkosh.

### **Wisconsin Department of Transportation**

The Wisconsin Department of Transportation (WisDOT) is geographically organized into 8 district offices throughout the state. Dodge County is located in the Southwest Region, along with Columbia, Crawford, Dane, Grant, Green, Iowa, Jefferson, Juneau, La Crosse, Lafayette, Monroe, Richland, Rock, Sauk and Vernon counties. Its offices are located in Madison and La Crosse.

As noted in the Transportation Element, WisDOT has recently completed or is nearing completion on a number of statewide transportation planning projects. These documents were reviewed to understand how these efforts would directly or indirectly affect the provision of transportation services in the region and to the Village. In addition, WisDOT programmatic budgets were reviewed to identify what projects, if any, have been programmed that might increase existing transportation capacity, efficiency and/or safety in the area.

### **Wisconsin Department of Natural Resources**

The Wisconsin Department of Natural Resources (DNR) is organized into 5 geographic regions. Dodge County is located in the South-Central Region, along with 10 other counties.

The DNR has been very successful over the years in working with local governments to establish recreational trails throughout the state.

## **7.3 Wisconsin Intergovernmental Agreement Statutes**

### **Intergovernmental Cooperation**

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

Intergovernmental agreements prepared in accordance with s. 66.0301, 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.

## **7.4 Inventory of Existing Intergovernmental Agreements**

At the present time the Village of Kekoskee, with the exception of five sections in the northeastern part of the Village, receives its Emergency Medical Response Services under a contractual agreement with the City of Horicon. The other five sections are covered by the Village of Theresa. The Village, with the exception of three sections in the southwestern part of the Village, provides its own fire protection and response through an agreement with the private volunteer, Kekoskee Fire Department. The three remaining sections in the southern area of the Village receive their fire protection and responses under a contractual agreement with the City of Horicon. See Maps 3 and

4 for service coverages. All police and law enforcement responses are provided to the Village of Kekoskee by the Dodge County Sheriff's Department.

### **Boundary Agreements Pursuant to Approved Cooperative Plan**

Under 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.

## **7.5 Existing or Potential Conflicts and Resolutions**

There are certainly areas representing potential conflicts as well as the opportunity for change and business improvements, depending upon how the issues are approached. The challenges facing the Village of Kekoskee include: the potential for expansion of the landfill, the utilization of the City of Mayville Sewage Treatment Plant, the disposal and potential environmental impact of waste from the canning company on land in the Village of Kekoskee, and the possible exploitation of the amenities of the Horicon Marsh and Wildlife Area by the City of Mayville. Good planning and the involvement of all interested parties in arriving at best solutions to these difficult circumstances will serve the needs of all residents in the Village and this area of Dodge County in the most responsible way.

In 2018, the Village of Kekoskee and Town of Williamston entered into a cooperative plan with the then Village of Kekoskee under Wis Stats 66.0307 effectively attaching the entire Town of Williamstown to the Village of Kekoskee. The reason for the cooperative plan was to help the village function as a governmental unit. The City of Mayville (City) filed an injunction and a petition for Judicial Review of the Cooperative Plan. Litigation carried on through the Wisconsin Supreme Court where the outcome in 2021 was that the attachment was revoked.

During the three years of litigation, the Village discovered many economic and practical reasons to not dissolve back to the Town of Williamstown. Shortly after the Supreme Court decision, the Village approached the Town to develop and implement a Shared Services Agreement and an Intergovernmental Cooperation Agreement. The city again started litigation and asked for an injunction. The injunction was denied. Rather than wait another three years for the final litigation outcome, the Village finds it prudent to move forward with development of a comprehensive plan and zoning ordinance as the Village of Kekoskee.

## **7.6 Intergovernmental Cooperation Trends and Outlook**

The following intergovernmental trends are anticipated during the planning period in Village of Kekoskee.

- Intergovernmental cooperation will increase as state, county, and local governments strive to spend less money more efficiently.
- The sharing of employees, equipment, and facilities will increase locally to meet demand at reduced costs.

- Comprehensive planning may help communities share information and identify opportunities for shared services and facilities.
- Given the large number of small cities and villages in Dodge County, annexation and other land use conflicts will continue between towns and incorporated communities.
- The use of boundary agreements and extraterritorial review tools will increase as development pressures increase near municipal borders.
- Economic development will further require leveraging the strengths of the county as a region rather than an uncoordinated, individual focus on the community level.
- Successful intergovernmental cooperation will require sustained commitment and investment by all affected parties to produce value over time.

## **7.7 Intergovernmental Goals and Objectives**

Wisconsin Statutes 66.1001 requires a statement of overall goals and objectives to guide the future development and redevelopment of the Village over a 20-year planning period. The following are the goals and objectives developed by Village of Kekoskee with regard to the Intergovernmental element.

### **Goals:**

- Goal 1: Improve intergovernmental cooperation among neighboring cities, villages and towns.
- Goal 2: Establish mutually beneficial intergovernmental relations with other units of government.
- Goal 3: Seek opportunities to enhance the provision of coordinated public services and facilities such as police, fire, emergency rescue, waste management, transportation systems (e.g., roads, bike/pedestrian routes, transit, parks, and recreation with other units of government).

### **Objectives:**

1. Increase intergovernmental cooperation with the towns and county.
2. Work with the school district on their interests in transportation, enrollment and shared facilities and the student's general welfare.
3. Work with the area towns to identify the need for growth, the need to protect the agriculture economy and the need to share losses.

4. Encourage municipalities to enter into boundary agreements to address annexation and development issues.
5. Encourage neighboring communities to create intergovernmental cooperative agreements for services, governmental activities and programs wherever deemed appropriate.
6. Request County planning staff to serve as facilitators and educators to assist the Village with ordinance administration and local plans to induce cooperation across levels of government.
7. Achieve cooperation and coordination between incorporated municipalities and adjoining towns with respect to long-range planning and land use regulations.
8. Encourage cooperative arrangements with the Wisconsin Department of Natural Resources and US Fish & Wildlife for mutual benefits.
9. Work with the Wisconsin Department of Transportation (WDOT) and other agencies to assure that transportation improvements are consistent with the goals and policies of the Comprehensive Plan.

## **7.8 Intergovernmental Policies and Recommendations**

Policies and recommendations build on goals and objectives by providing more focused responses and actions to the goals and objectives. Policies and recommendations become the tools that the Village should use to aid in making decisions. Policies that direct action using the words “will” or “shall” are advised to be mandatory and regulatory aspects of the implementation of the comprehensive plan. In contrast, those policies that direct action using the word “should” are advisory and intended to serve as a guide.

Recommendations are specific actions or projects that the Village should be prepared to complete within the 20-year planning period. The completion of these actions and projects are consistent with the policies, and therefore will help fulfill the comprehensive plan goals and objectives.

### **Policies and Recommendations:**

1. Seek and make use of opportunities for open communication and cooperation among neighboring communities.
2. Before the purchase of new facilities or equipment, or the reinstatement of service agreements, the Village should pursue options for trading, renting, sharing, or contracting such items from neighboring jurisdictions in order to provide services efficiently and save taxpayers money.
3. The Village should work with Dodge County to match their individual future land use plans.
4. Reach out to area governments and agencies to develop more cooperative opportunities.

5. All annexation should be preceded with a boundary agreement or otherwise made beneficial to the Village as well as the Cities.
6. Allow Village staff to facilitate the development of cooperative boundary agreements between municipalities. Seek professional assistance when needed.
7. Use Dodge County Planning staff as a resource when drafting boundary or municipal service agreements.

## **7.9 Intergovernmental Cooperation Programs**

The following general programs are currently available to the Village to assist with implementation of the various goals, objectives, policies, and recommendations of the Intergovernmental Cooperation Element of the *Village of Kekoskee Comprehensive Plan*.

### **Wisconsin Department of Administration, Division of Intergovernmental Relations**

The Division of Intergovernmental Relations coordinates and provides information with regard to Wisconsin's comprehensive planning statute. The division also administers the grant program that assists local governments in developing comprehensive plans. For further information on the division and their programs, contact the WDOA or visit their website. Their website contains a variety of information including fact sheets, grant information, model ordinances, guides for developing the elements of comprehensive plans, and links to a variety of other sources of information for comprehensive planning.

### **UW-Extension Local Government Center**

The mission of the Local Government Center is to provide focus, coordination, and leadership to UW System educational programs for local government, and to expand the research and knowledge base for local government education. The Center conducts and coordinates educational programming in general local government, local government finance, growth management, and community planning and design. Additional programs are under development. Educational programs are delivered through the two-way audio Educational Telecommunications Network (ETN), satellite television, and state-wide and regional workshops. The Center supports the programming of county-based extension faculty. A variety of resources regarding intergovernmental cooperation are available through the Local Government Center. Visit: <https://localgovernment.extension.wisc.edu/> for more information.

### **League of Wisconsin Municipalities (LWM)**

The League of Wisconsin Municipalities was created on December 14th, 1898 to help Wisconsin cities and villages share ideas and learn from one another, to train and provide information to the people elected and appointed to govern those cities and villages, and to advocate on their behalf with the Wisconsin Legislature, Governor and state agencies. Visit <https://www.lwm-info.org/> for additional information.

### **UW Stevens Point - Center for Land Use Education (CLUE)**

The Center for Land Use Education (CLUE) is a joint venture of the College of Natural Resources at the University of Wisconsin - Stevens Point and the University of Wisconsin - Madison Division of Extension. It is a focal point for land use planning and management education. CLUE specialists and faculty teach students, train local government officials and communities, create a variety of publications and conduct research focused on planning and zoning issues. CLUE specialists, with input from partners, create learning opportunities for communities. By providing up-to-date, comprehensive training on planning and zoning tailored to address specific local needs, CLUE specialist are able to assist towns, villages, cities and counties in making sound land use decisions. Visit <https://www3.uwsp.edu/cnr-ap/clue/Pages/default.aspx> for additional information.

### **Cooperative Purchasing**

Wisconsin municipalities are able to buy goods and services at discounted prices under contracts already negotiated by the State of Wisconsin as long as the contracts allow for Cooperative Purchasing. Visit: <https://doa.wi.gov/Pages/StateEmployees/CooperativePurchasing.aspx> for additional information.

*This page intentionally left blank.*