

7.0 INTERGOVERNMENTAL COOPERATION

This element identifies activities in Town of West Point associated with intergovernmental cooperation. Intergovernmental cooperation is generally considered to be any arrangement through which any two governmental jurisdictions coordinate plans, policies, and programs to address and resolve a mutual issue of interest. Intergovernmental cooperation is a necessity for all levels of government to operate in a cost effective and efficient manner while providing required services to citizens. The Town's relationship with neighboring and overlapping governmental units such as the state, county, cities and villages, towns, school districts, technical colleges, and other governmental districts can directly impact planning, the provision of services, and the siting of public facilities. This element examines these relationships, identifies real or potential conflicts, and provides suggestions for addressing issues in a productive manner.

7.1 INTERGOVERNMENTAL COOPERATION VISION

- ◆ The Town of West Point will develop cooperative relationships with neighboring communities, government bodies, municipal services, agencies and associations with mutual interests. This cooperation will enhance services for the town and provide a means of joint planning to minimize conflict and resolve issues in a proactive and productive manner.

7.2 INTERGOVERNMENTAL COOPERATION GOALS, OBJECTIVES, AND POLICIES

Goal 1: Plan for growth with neighboring communities and governmental units.

- Objective 1:* Develop an on-going relationship with adjacent communities to periodically review growth plans, zoning issues, and possible annexation plans that may affect the Town of West Point.
- Objective 2:* Assess proposed residential and commercial land development in neighboring communities that may impact town roads, traffic, services, or quality of life.
- Objective 3:* Communicate Town of West Point proposed residential and commercial development that may impact neighboring communities.
- Objective 4:* Communicate Town of West Point growth plans and proposed land development that may impact schools, utilities and services.

Policies and Proposed Programs:

- a) Develop Memorandum Of Understanding (MOU) with City of Lodi regarding long term development and annexation plans, extraterritorial zoning, and other issues of mutual interest.
- b) Mutually share development plans periodically with contiguous Towns and Villages.
- c) Develop Memorandum Of Understanding (MOU) with Prairie du Sac and Merrimac regarding extraterritorial zoning.

Goal 2: Protect and enhance the Agricultural, Natural and Cultural Resources of the Town of West Point that are affected by activities of neighboring communities, associations, agencies and other governmental units.

- Objective 1:* Establish liaisons with agencies and associations having issues of mutual interest with the Town of West Point.

- Objective 2:* Assess proposed residential and commercial land development in neighboring communities that may impact town agricultural, natural, and cultural resources.
- Objective 3:* Encourage Town of West Point participation in associations having a mutual interest with the Town.
- Objective 4:* Communicate Town of West Point growth plans and proposed land development that may impact agricultural, natural, or cultural resources in neighboring communities.

Policies and Proposed Programs:

- a) Solicit Town of West Point interested citizen to act as liaison with WI DOT and bike clubs to establish official bicycle routes and obtain public funding where eligible.
- b) Develop long term plan with Columbia County and WI DNR for maintenance of Gibraltar Rock.
- c) Solicit Town representative to act as liaison with WI Ice Age Trail Committee.
- d) Solicit Town representation on stakeholder group for BAAP Oversight & Management Commission.
- e) Solicit Town Memorandum of Understanding (MOU) with the Eagle Council and neighboring municipalities regarding eagle habitat.
- f) Explore Memorandum Of Understanding (MOU) regarding West Point participation in the Crystal Lake District with the Town of Roxbury.
- g) Explore Lake Wisconsin management issues with adjacent municipalities, Columbia County and Sauk County.

Goal 3: Provide for the on-going services of agencies, governmental units, and municipal services contracted or utilized by the Town of West Point.

- Objective 1:* Establish liaisons with Lodi and Sauk-Prairie school districts to proactively review issues that may impact the Town of West Point.
- Objective 2:* Periodically assess contracts with local fire, police and ambulance services.
- Objective 3:* Establish liaison (s) with Columbia County administration.
- Objective 4:* Establish liaisons with agencies and associations having mutual interests with the Town of West Point.
- Objective 5:* Coordinate Emergency Government services between West Point, Prairie du Sac, Sauk City, City of Lodi and Columbia County on the National Incident Management System.

Policies and Proposed Programs:

- a) Annually review and renew the agreement with Lodi and Sauk Prairie fire districts for fire protect services.
- b) Annually review and renew the agreement with Lodi and Sauk Prairie ambulance services.
- c) Annually review and renew the agreement with Columbia County for Law Enforcement services.
- d) Periodically review sanitary district plans with Harmony Grove and Okee Sanitary Districts.

- e) Annually review and renew the agreement with Columbia County solid waste facility and recycle center for waste management services.
- f) Periodically review population growth of West Point and new residential development with affected school district.
- g) Annually review community recreation programs with neighboring communities.

Goal 4: Support establishment of a Regional Planning Commission which includes Columbia County.

Objective 1: Implement county-wide and regional commission to periodically review issues of interest that could affect the Town of West Point.

7.3 EXISTING INTERGOVERNMENTAL COOPERATION PROGRAMS AND RESOURCES

7.3.1 UW-Extension Local Government Center

The Local Government Center's mission 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 Local Government Center maintains a collection of information on intergovernmental cooperation.

7.3.2 Wisconsin Partnership

The State of Wisconsin offer's local government's contract purchasing, technical advice, data, and financial assistance to more efficiently provide government services. Through it's website, www.wisconsinpartnership.wi.gov the State of Wisconsin allows local governments to access these resources. The website also offers significant information related to intergovernmental cooperation in Wisconsin.

7.3.3 Wisconsin Counties Association (WCA)

The Wisconsin Counties Association (WCA) is an association of county governments assembled for the purpose of serving or representing counties. The direction of this organization is determined by the membership and the WCA Board of Directors consistent with the WCA Constitution. The organization provides up to date information on issues affecting counties in Wisconsin and offers opportunities for counties to share information.

7.3.4 Wisconsin Town Association (WTA)

Wisconsin Towns Association (WTA) is a non-profit, non-partisan statewide organization created to protect the interests of the 1,264 towns in the State of Wisconsin and to improve town government. The association is organized into six districts and is headquartered in Shawano. WTA activities include regular district meetings, an annual statewide convention, publications, participation in cooperative training programs, and other efforts.

7.3.5 League of WI Municipalities

The League of Wisconsin Municipalities is a voluntary non-profit association of Wisconsin cities and villages working to advance local government. The League was first established in 1898 and provides a variety of services and resources to members including legal resources, the league conference, training opportunities, sample ordinances, legislation review, a variety of publications and handbooks, and others.

7.3.6 State of Wisconsin

The State of Wisconsin has a number of statues and related programs that deal with intergovernmental cooperation. For more information see section 7.5 of this element.

7.4 INTERGOVERNMENTAL COOPERATION

7.4.1 Town of West Point and Adjacent Governmental Units

The Town of West Point shares borders with several other governmental units. The Town's involvement with these other units of government is described below.

7.4.1.1 Adjacent Governmental Units

The Town of West Point is located within Columbia County and shares a border with the Towns of Lodi, Caledonia and Dekorra. The Town of West Point also shares a border with Dane County and the Towns of Roxbury and Dane within Dane County and with Sauk County and the Towns of Prairie Du Sac, Sumpter, and Merrimac as well as the Villages of Prairie Du Sac and Merrimac within Sauk County.

7.4.1.2 Relationship

Town of West Point's relationship with the adjacent Towns can be characterized as one of mutual respect with limited opportunities for shared resources and services. Towns are not incorporated and cannot annex land. Therefore, the borders between the Town of West Point and the adjacent towns are fixed and boundary disputes are virtually nonexistent.

The Town of West Point's relationship with the adjacent Villages of Prairie Du Sac and Merrimac can be characterized as one of general agreement and respect. The Villages of Prairie Du Sac and Merrimac, being incorporated municipalities, have the power to annex land from the Town. However, neither of villages have annexed land from the Town due mainly to the fact that the Wisconsin River separates the villages and the Town. It is unlikely boundary conflicts with the villages will be problem in the future.

Town of West Point's relationship with Columbia, Dane, and Sauk Counties can be characterized as one of mutual respect. The Town of West Point's interactions with Dane and Sauk Counties are limited whereas the Town's relationship with Columbia County is more complex. The Town is located within Columbia County and therefore the County has some jurisdiction within the Town. In particular, the County administers several land use related regulations within the Town of West Point regarding zoning, land division, private sanitary systems, floodplains, shorelands, wireless communication facilities, and nonmetallic mining. The County Sheriff's Department also has law enforcement jurisdiction within the Town and the County Highway Department also has jurisdiction over certain roads. In addition the County maintains a park, Gibraltar Rock, within the Town of West Point. In those areas where the County has jurisdiction within the Town, the County attempts to get input from the Town before making

decisions affecting the Town. Likewise, the Town has attempted to maintain open communication with the County.

7.4.1.3 Siting Public Facilities

Town of West Point has not had a need or opportunity at this time to jointly site a public facility. The Town would be open to jointly siting a facility with another unit of government if the opportunity arose and it was mutually beneficial to both parties. The Town of West Point has no formal process established for siting and building public facilities with other local units of government, rather these types of projects are handled on a case by case basis.

7.4.1.4 Sharing Public Services

The Town of West Point currently shares fire protection and EMS services with Sauk City Sac and the City of Lodi through a contractual agreement. The Town also contracts with the County Solid Waste Department to process solid waste and recyclables and the County Highway Department for the plowing and maintenance of town roads. Schools, parks, and the library in the Village of Prairie du Sac, Sauk City, and the City of Lodi are also utilized by Town residents. The Town of West Point helps support the Sauk Prairie Recreation Department to provide recreational opportunities for Town residents. The Town of West Point has no formal process established for sharing public services with other local units of government, rather these types of agreements are handled on a case by case basis.

7.4.2 Town of West Point and Local School Districts

The Town of West Point is served by the Sauk Prairie and Lodi School Districts. The Town's involvement with the school districts is described below. More details about school districts are located in the Utilities and Community Facilities Element of this plan.

7.4.2.1 Relationship

Town of West Point's relationship with the school districts serving the Town can be characterized as good but limited. The school districts tend to operate rather independently and interaction with the Town tends to be minimal.

7.4.2.2 Siting School Facilities

The siting of new school facilities is mainly conducted by the school districts. The Town has historically had little input into the location of new schools.

7.4.2.3 Sharing School Facilities

No formal agreement between the school districts and Town of West Point exist for the shared use of school facilities. However, school recreational facilities are sometimes used by Town residents living in close proximity to the schools.

7.4.3 Region

Town of West Point is located in the south-central region of the State of Wisconsin. Columbia County and the Town of West Point are not part of a regional planning commission. As a result, the Town's interactions and contacts within the region are limited as there is no regional entity to be involved with. However, the

Town has been active in addressing water quality issues in Lake Wisconsin and transportation issues surrounding the improvements to USH 12.

7.4.4 State

Town of West Point's relationship with the state mainly involves state aid for local roads and the administration of various state mandates. In regards to comprehensive planning, coordination with several state agencies occurred as part of the Town of West Point Comprehensive Plan development process. The relationship with these state agencies and their assistance with the Town Comprehensive Plan development process includes, but is not limited to the following:

- ◆ Wisconsin Department of Administration (WDOA)

The WDOA awards and administers comprehensive planning grants. While the Town of West Point did not utilize these grants as part of the Town's planning effort these grants remain an important resource for future planning efforts.

In addition to grant awards and administration, the WDOA also provides population and demographic estimates and projections for planning purposes. The WDOA is also responsible for the administration of various programs often utilized for plan implementation. The WDOA is also the state contact for land information modernization activities.

- ◆ Wisconsin Department of Transportation (WDOT)

The WDOT maintains several plans with statewide policies and recommendations regarding various aspects of transportation. Plan recommendations were consulted and incorporated into the Town of West Point Comprehensive Plan where applicable. These plans are covered in more detail in the Transportation Element of this plan.

- ◆ Wisconsin Department of Natural Resources (WDNR)

The WDNR has provided a number of resources to the Town of West Point comprehensive planning process. These resources include information on natural resources such as wetlands, surface waters, groundwater, air quality, threatened and endangered species, wildlife habitat, and recreational uses and activities including hunting and fishing. In addition, the WDNR provided information through programs the department maintains regarding shoreland management, nonmetallic mining reclamation, stormwater, public sewer and water systems, solid waste management, and dam permitting. As a result, opportunities to work collaboratively with the WDNR are numerous

- ◆ Wisconsin Historical Society

The Wisconsin Historical Society provided data for the Town of West Point planning effort through its Wisconsin Architecture and History Inventory (AHI) and Archaeological Sites Inventory (ASI).

- ◆ Other State Agencies

In addition to the above, the following state agencies also contributed data and other trend information towards the Town of West Point comprehensive planning process:

- Wisconsin Department of Public Instruction (school enrollments and district information)
- Wisconsin Department of Commerce (economic information)
- Wisconsin Public Service Commission (information on public utilities)

7.4.5 Other Governmental Units

Several other governmental units, such as lake districts, sanitary districts, utility districts, drainage districts etc., exist within Columbia County and may encompass territory within the Town of West Point. These governmental units tend to operate rather independently and interaction with the Town tends to be minimal.

7.5 WISCONSIN INTERGOVERNMENTAL COOPERATION STATUTES

7.5.1 Intergovernmental Agreements

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, formerly s. 66.30, are the most common form of agreement and have been used by communities for years, often in the contest 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.

7.5.2 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.

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, 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 Administration for State approval. Upon approval, the cooperative plan has the force and effect of a contract

7.5.3 Creation, Organization, Powers and Duties of a Regional Planning Commission

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. Commission members are appointed by either local governments or the governor.

State Statutes require the RPC to perform three major functions:

- Make and adopt a comprehensive 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, which are included in the adopted regional comprehensive plan.
- Make an annual report of its activities to the legislative bodies of the local governmental units within the region.

RPC's are also authorized to perform several other functions; however, by law they serve a strictly advisory role.

Columbia, Dane, Dodge, Jefferson, Rock, and Sauk Counties are the only counties in the state that are not part of a Regional Planning Commission.

7.5.4 Municipal Revenue Sharing

Wisconsin Statute, 66.0305, Municipal Revenue Sharing, gives authority to cities, villages and towns to enter into agreements to share revenue from taxes and special charges with each other. The agreements may also address other matters, including agreements regarding services to be provided or the location of municipal boundaries.

Boundaries of the shared revenue area must be specified in the agreement and the term of the agreement must be for at least 10 years. The formula or other means for sharing revenue, the date of payment of revenues, and the means by which the agreement was made may be invalidated after the minimum 10-year period.

7.5.5 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:

- 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.
- 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.

7.5.6 Incorporation

Wisconsin Statutes, 66.0201 - Incorporation of Villages and Cities; Purpose and Definitions, and 66.0211 - Incorporation Referendum Procedure, regulate the process of creating new villages and cities from town territory. Wisconsin Statute, 66.0207 - Standards to be applied by the department, identifies the criteria that have to be met prior to approval of incorporation.

The incorporation process requires filing an incorporation petition with circuit court. Then, the incorporation must meet certain statutory criteria reviewed by the Municipal Boundary Review Section of the Wisconsin Department of Administration. These criteria include:

- Minimum standards of homogeneity and compactness, and the presence of a "well developed community center".
- Minimum density and assessed valuation standards for territory beyond the core.
- A review of the budget and tax base in order to determine whether or not the area proposed for incorporation could support itself financially.

- An analysis of the adequacy of government services compared to those available from neighboring jurisdictions.
- An analysis of the impact incorporation of a portion of the town would have on the remainder, financially or otherwise.
- An analysis of the impact the incorporation would have on the metropolitan region.

7.5.7 Extraterritorial Zoning

Wisconsin Statute, 62.23(7a), Extraterritorial Zoning, allows a city with a population of 10,000 or more to adopt zoning in town territory, three miles beyond a city's corporate limits. A city or village with a population less than 10,000 may adopt zoning 1.5 miles beyond its corporate limits. In Columbia County, all cities and villages had populations less than 10,000 during the 2000 US Census and therefore have the potential to exercise extra-territorial zoning authority up to one and one-half miles. If the extraterritorial area of two municipalities overlaps, jurisdiction is divided between them as provided under s. 66.0105.

Under extraterritorial zoning authority, a city or village may enact an interim zoning ordinance that freezes existing zoning, or, if there is no zoning, existing uses while a plan and regulations are developed. The statute provides that the interim ordinance may be for two years.

A joint extraterritorial zoning committee must be established consisting of three city or village plan commission members and three town members. The city or village plan commission works with the joint committee in preparing the plan and regulations. The joint committee must approve the plan and regulations by a majority vote before they take effect.

None of the municipalities with extra-territorial zoning jurisdiction over the Town of West Point have exercised their authority.

7.5.8 Extraterritorial Subdivision Review

Wisconsin Statute, 236.10, Approvals Necessary, allows a city with a population of 10,000 or more to adopt zoning in town territory, three miles beyond a city's corporate limits. A city or village with a population less than 10,000 may adopt zoning 1.5 miles beyond its corporate limits. However, unlike extraterritorial zoning that requires town approval of the zoning ordinance, 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. All cities and villages in Columbia County had populations less than 10,000 during the 2000 US Census and therefore have the potential to exercise extra-territorial plat review authority up to one and one-half miles. A 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. Overlapping authority by incorporated municipalities is handled by drawing a line of equal distance from the boundaries of the city and/or village so that not more than one ordinance will apply. Map 7-1 illustrates the potential extent of city and village extra-territorial subdivision regulation within Columbia County including the Town of West Point.

7.6 PLANNING IN COLUMBIA COUNTY

In Columbia County, 15 of the 21 towns, including Arlington, Caledonia, Columbus, Fort Winnebago, Fountain Prairie, Hampden, Leeds, Lewiston, Lodi, Newport, Otsego, Pacific, Randolph, and West Point, have developed comprehensive plans, compliant with Wisconsin Statue 66.1001, in cooperation with the Columbia County Comprehensive Planning Program. Three other towns, Dekorra (2005), Lowville (2004), and Courtland (2002), have developed comprehensive plans, compliant with Wisconsin Statue 66.1001, through the assistance of private consultants. The remaining three towns, Marcellon, Scott, and Wyocena have not yet prepared plans.

Two villages in Columbia County, Arlington (2003) and Poynette (2005), have prepared comprehensive plans in compliance with Wisconsin Statue 66.1001. The other eight villages have not yet prepared plans.

Two of the four cities, Columbus (2001) and Wisconsin Dells (2004) have prepared comprehensive plans compliant with Wisconsin Statue 66.1001. The City of Lodi is in the process of preparing a comprehensive plan and the City of Portage has not yet prepared a plan.

A number of other plans also exist that apply within Columbia County. These planning documents include the Agricultural Preservation Plan (1977, updated 1988), the Erosion Control Plan (1987), the Land and Water Resource Management Plan (2006), the Columbia County Comprehensive Development Plan (1970), the Solid Waste Management Plan (1980, updated 1990), the Outdoor Recreation Plan (1968), the Park, Open Space, and Outdoor Recreation Plan (1975), the Outdoor Recreation Plan (1981), and the Comprehensive Outdoor Recreation Plan (1997). These documents and others from adjacent counties and state agencies were consulted and reviewed as appropriate during the development of this plan.

7.7 INTERGOVERNMENTAL CONFLICTS AND OPPORTUNITIES

7.7.1 Existing or Potential Conflicts with other Governmental Units

Several existing and potential conflicts between units of government will likely need to be addressed during the course of the planning period. Existing and potential conflicts are summarized in Table 7-1.

7.7.2 Opportunities for the Resolution of Conflicts with other Governmental Units

Conflicts are most effectively addressed in a proactive manner by pursuing opportunities that will reduce or altogether prevent future conflicts. Table 7-1 also summarizes potential opportunities that can be explored to address the identified existing or potential conflicts.

TABLE 7-1
Intergovernmental Conflicts and Opportunities for Resolution
Town of West Point

Existing or Potential Conflict	Opportunities for Resolution
<p>Concerns over incompatible land uses in one municipality negatively impacting landowners and residents in adjacent municipalities.</p>	<p>Columbia County Planning and Zoning Department should work with local municipalities to modify or add land use regulations that address local concerns.</p> <p>Columbia County Planning and Zoning Department should encourage municipalities to develop, update, and properly administer local land use ordinances and programs.</p>
<p>Conflicts and inconsistencies between town, village, city, and county plans and ordinances.</p>	<p>Columbia County Planning and Zoning Department should work with municipalities on procedures for the review of development proposals.</p> <p>Columbia County Planning and Zoning Department should provide assistance to municipalities in the development of plans and ordinances.</p> <p>Columbia County Planning and Zoning Department should review and provide comments on drafts of local comprehensive plan and ordinances.</p>
<p>Conflicts over land use and development issues in the extraterritorial jurisdictions of cities and villages.</p>	<p>Columbia County Planning and Zoning Department should provide assistance with extraterritorial and boundary agreement issues.</p>
<p>Concern that local control in land use issues is subject to too much intervention by Columbia County and the State.</p>	<p>Ensure ample opportunity for public involvement during land use planning and ordinance development.</p> <p>Maintain and encourage communication between the Columbia County Planning and Zoning Department and local municipalities on land use issues.</p>
<p>Concern that County's land use regulations are not adequate to address today's land use issues.</p>	<p>Review and revise land use ordinances as necessary to address current land use issues.</p>