

INTERGOVERNMENTAL COOPERATION

Introduction

According to the Wisconsin Department of Administration, the State ranks thirteenth nationwide in total number of governmental units and third nationwide in governmental units per capita. As a result, Wisconsin residents have numerous opportunities to participate in local decision-making. The benefits of intergovernmental cooperation include:

- **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.

Intergovernmental Cooperation Element Requirements:

A compilation of objectives, policies, goals, maps and programs for joint planning and decision making with other jurisdictions, including school districts and adjacent local governmental units, for siting and building public facilities and sharing public services. The element shall analyze the relationship of the local governmental unit to school districts and adjacent local governmental units, and to the region, the state and other governmental units. The element shall incorporate any plans or agreements to which the local governmental unit is a party under §66.0301, §66.0307, §66.0309. The element shall identify existing or potential conflicts between the local governmental unit and other governmental units that are specified in this paragraph and describe processes to resolve such conflicts.

§66.1001(2)(g), Wis. Stats.

• **Understanding**

As jurisdictions communicate and collaborate on issues of mutual interest, they become more aware of one another’s needs and priorities. They can better anticipate problems and work to avoid them.

• **Trust**

Cooperation can lead to positive experiences and results that build trust between jurisdictions.

• **History of success**

When jurisdictions cooperate successfully in one area, the success creates positive feelings and an expectation that other intergovernmental issues can be resolved as well.

• **Service to citizens**

The biggest beneficiaries of intergovernmental cooperation are citizens for whom government was created in the first place. They may not understand, or even care about, the intricacies of a particular intergovernmental issue, but all Wisconsin residents can appreciate their benefits, such as cost savings, provision of needed services, a healthy environment and a strong economy.

Existing and Potential Agreements

Distinguishing between Intergovernmental Agreement Types

	General Agreements (§ 66.0301, Stats.)	Stipulations & Orders (§ 66.0225, Stats.)	Revenue Sharing Agreements (§66.0305, Stats.)	Cooperative Boundary Agreements (§66.0307, Stats.)
Used for?	Services	Boundaries	Revenue sharing	Boundaries, services, revenue sharing
Binding with boundaries?	No	Yes, so long as any party is willing to seek enforcement of the agreement	Yes, period fixed by participants (10 year minimum)	Yes, period fixed by participants (10 years or longer with MBR approval).
Notice required?	No	Yes	Yes	Yes
Public hearing required?	No	No	Yes	Yes
Referendum?	No	Binding referendum possible	Advisory referendum possible	Advisory referendum possible
Who decides?	Participating municipalities	<ul style="list-style-type: none"> • Municipalities involved in the lawsuit • Judge • Area residents (if they request a referendum) 	Participating municipalities	<ul style="list-style-type: none"> • Participating municipalities • MBR
Who reviews or comments?	Participating municipalities	<ul style="list-style-type: none"> • Municipalities involved in the lawsuit • Judge • Area residents (if they request a referendum) 	<ul style="list-style-type: none"> • Participating municipalities • Residents 	<ul style="list-style-type: none"> • Participating municipalities • MBR • Area jurisdictions • State agencies • RPC • County • Residents

Table 7.1 details the Village of Elmwood’s current intergovernmental relationships.

Table 7.1: Village of Elmwood intergovernmental relationships

Unit of Government	Relationship
Pierce County	Respond to calls to assist Village Police Department, recycling services
Village of Spring Valley	Share public works equipment, mutual aid agreement with the Village Police Department
Village of Hammond	Share public works equipment
Towns of Spring Lake, Rock Elm, El Paso, Weston, Lucas, Eau Galle (Dunn County)	Mutual aid agreement with the Elmwood Area Fire Department

Source: Village of Elmwood

Table 7.2 details how survey respondents feel about the Village’s relationships.

Table 7.2: Opinions about the Village’s intergovernmental relationships

Response	Strongly agree	Agree	Disagree	Strongly disagree	No opinion	No answer
Elmwood School District	17.8%	48.0%	4.6%	1.3%	23.0%	5.3%
Pierce County	12.5%	51.3%	1.3%	2.0%	26.3%	6.6%
Dunn County	7.2%	44.1%	4.6%	1.3%	36.2%	6.6%
Town of Spring Lake	7.2%	44.1%	2.0%	1.3%	38.2%	7.3%
Town of Rock Elm	6.6%	45.4%	2.6%	1.3%	36.8%	7.3%

Source: Village of Elmwood Community Survey (2008)

School Districts

The Village of Elmwood is entirely within the School District of Elmwood (see School Districts map), which contains three schools housed in one building. See the Issues and Opportunities and Utilities and Community Facilities elements for additional information.

Libraries

The Elmwood Public Library is located in downtown Elmwood. Additional information about the services it offers is included in the Utilities and Community Facilities element.

Road Maintenance

The Village uses its own equipment to maintain and plow snow on Village roads.

Solid Waste Disposal and Recycling Facilities

Residents and businesses in the Village of Elmwood contract directly with private solid waste disposal companies; Countryside Cooperative currently provides service to Elmwood residents. The Village maintains a compost pile for yard waste near the Wastewater Treatment Plant.

Pierce County provides roll-offs, located behind the Village Shop, which are accessible for residents all year. Twice a year in Ellsworth, the County conducts a clean sweep

program where residents can dispose of materials. See the Utilities and Community Facilities element for additional information.

Police, Fire and Rescue Services

The Elmwood Police Department has part time officers and their offices are housed in the Village Hall. There has been discussion with the Village of Plum City about sharing a police officer in order to make the position more attractive to potential candidates.

The Elmwood Area Fire Department is a mutually-aided department also serving the Towns of Spring Lake, Rock Elm, and El Paso in Pierce County; and the Towns of Weston, Lucas, and Eau Galle in Dunn County.

Private Utilities

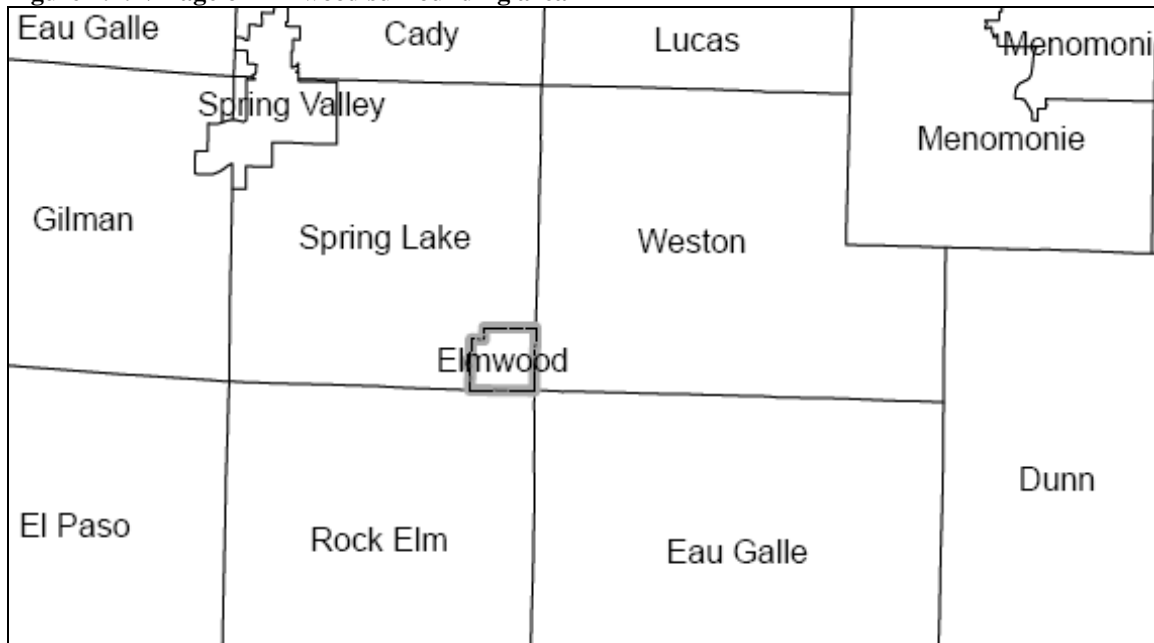
Private utility services are provided to each resident within the Village of Elmwood. Some of the current service providers include:

- Telephone and internet services: Celect Communications
- Gas and electric services: Xcel Energy
- General utility locates: Digger’s Hotline (Dial 811)

Adjacent Local Governments

The Village borders the Towns of Spring Lake and Rock Elm in Pierce County, and the Towns of Weston and Eau Galle in Dunn County.

Figure 7.1: Village of Elmwood surrounding area



Source: Wisconsin Department of Administration (2008)

Pierce County

The Village of Elmwood is located in Pierce County. The County Seat is located in the Village of Ellsworth. There are 17 members of the Board of Supervisors who serve two year terms; the Village of Elmwood is located in District 10. Additional information on services that are offered by Pierce County can be found on the County’s website, which is located at www.co.pierce.wi.us/index.html.

Regional

Mississippi River Regional Planning Commission (MRRPC)

The Commission was created in 1964 to provide cost share planning and economic development services to the western Wisconsin county governments of Buffalo, Crawford, Jackson, La Crosse, Monroe, Pepin, Pierce, Trempealeau and Vernon and the communities and businesses within them. It covers over 6,000 square miles and in 2004 had an estimated population of over 306,000. The region makes up 11% of the State’s land area, 6% of the State’s population and 4% of the State’s real estate equalized value.

The MRRPC is governed by three Commissioners from each of the nine counties and serve six-year terms and make all policy, staffing and budgetary decisions of the MRRPC. Their meetings are held bimonthly in La Crosse.

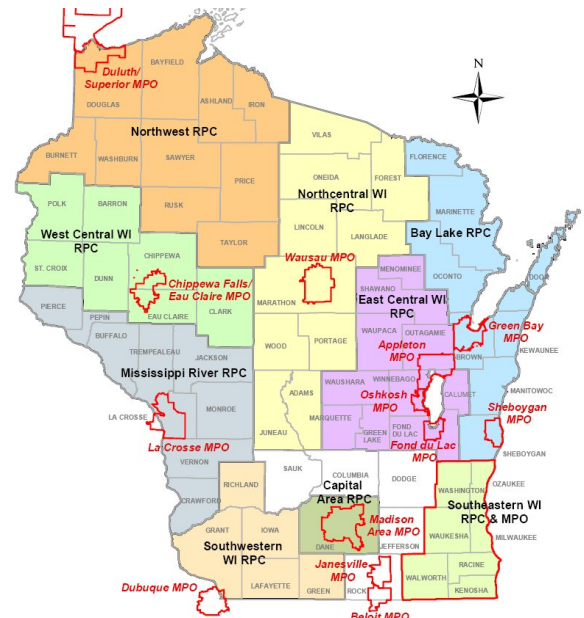
State

The State of Wisconsin has numerous departments that impact the Village of Elmwood. Some of the more influential departments include:

Department of Natural Resources (DNR)

The Department of Natural Resources performs a variety of responsibilities for environmental quality, state parks, and recreation. The department is divided into five regions of the State. The Village of Elmwood is located within the West Central region, which is headquartered in Eau Claire and has a service center location in Baldwin.

Figure 7.2: Wisconsin Regional Planning Commissions and Metropolitan Planning Organizations



Source: WisDOT

Figure 7.3: DNR Regions



Source: WDNR

Department of Commerce (DOC)

The Department of Commerce administers and enforces state laws and regulations regarding building construction, safety, and health. Plan review and site inspection are part of the departments responsibilities in protecting the health and welfare of people in constructed environments.

Department of Transportation (WisDOT)

The Department of Transportation is responsible for planning and maintaining transportation systems across the state. The Village of Elmwood is located in the Northwest Transportation System Development Region, which is headquartered in Eau Claire.

Figure 7.4: WisDOT Region



Source: WisDOT

The Division of Motor Vehicles (DMV) has office locations in Ellsworth and Menomonie. These offices handle license issuance and renewal, vehicle registration, and other services.

Department of Revenue (DOR)

The Department of Revenue is responsible for assessing real estate.

Department of Agriculture, Trade and Consumer Protection (DATCP)

The main responsibilities of this department concern the farmland preservation program and certain agricultural practices.

Department of Administration (DOA)

The Department of Administration carries out a number of functions. The DOA supports other state agencies and programs with services like centralized purchasing and financial management. The department also helps the governor develop and implement the state budget.

The Division of Intergovernmental Relations (DIR), which operates within the DOA, provides a broad array of services to the public and state, local and tribal governments. It supports counties, municipalities, citizens and businesses by providing support services in land use planning, land information and records modernization, municipal boundary review, plat review, demography and coastal management programs. It analyzes federal initiatives to ensure Wisconsinites receive a fair return on the tax dollars they send to Washington. DIR also works to strengthen the relationship between the state of Wisconsin and the governments of the state’s 11 Native American Tribes. The DIR also reviews Comprehensive Plans.

The Demographic Services Center, which operates within the DIR, develops population projections by age and sex for the counties; population projections of total population for

all municipalities; and estimates of total housing units and households for all counties. In addition, it is an information and training resource liaison with the U.S. Bureau of the Census through the State Data Center program.

Other Governmental Units

League of Wisconsin Municipalities

Membership in the League is limited to cities and villages in the State of Wisconsin and represents the interests of its member municipalities. The League provides the following services such as legal resources, sample ordinances, publications, federal relations, insurance and investment options, and legislation.

1,000 Friends of Wisconsin

1,000 Friends of Wisconsin was created to protect and enhance Wisconsin’s urban and rural landscapes by providing citizens with the inspiration, information and tools they need to effectively participate in the decisions that have the greatest impact on community health: where we live, work, learn, play and how we get from one place to another. They accomplish their work through three major efforts:

- promoting implementation of smart growth
- policy development and advocacy
- research and information sharing

Ideas for how to combine and cooperate with services

- Voluntary assistance (mutual aid)
- Renting equipment
- Sharing municipal staff
- Trading services
- Contracting
- Consolidating services

Existing and Potential Conflicts

At this time the Village of Elmwood does not have any existing conflicts relating to intergovernmental cooperation. Potential conflicts in the future include the following:

- maintenance of adjoining roads
- potential extension of municipal sewer and water
- capacity of existing sewer and water systems
- fire department service area limits

Conflict Resolution

The Comprehensive Planning Law requires that the intergovernmental cooperation element address a process that the community can use to resolve conflicts.

Recommended methods for conflict resolution include:

- **Mediation**

Easily the most recommended form of conflict resolution. Mediation is a cooperative process involving two or more parties and a mediator. The mediator acts as a neutral third party and is highly trained in conflict resolution to help all parties reach a mutually acceptable settlement. A mediated outcome is often more favored by both sides of the disputing parties, is settled faster, and costs less than a prolonged law suit.

Possible mediators could include county planning agency staff, regional planning commission staff, UW Extension agents, and retired or active judges and attorneys.

- **Binding arbitration**

This is a process where a neutral person is given the authority to make a legally binding decision and is used only with the consent of all of the parties. The parties present evidence and examine witnesses and the arbitrator makes a determination based on evidence.

- **Non-binding arbitration**

This is another technique in which a neutral person is given the authority to render a non-binding decision as a basis for subsequent negotiation between the parties after the parties present evidence and examine witnesses.

- **Early neutral evaluation**

Early neutral evaluation is a process in which a neutral person evaluates brief written and oral presentations early in the litigation process. The neutral person provides an initial appraisal of the merits of the case with suggestions for conducting discovery and obtaining a legal ruling to resolve the case as efficiently as possible.

- **Focus group**

These can be used to resolve disputes by using a panel of citizens selected in a manner agreed upon by all of the parties. The citizens hear presentations from the parties and, after hearing the issues, the focus group deliberates and renders an advisory opinion.

- **Mini-trial**

These consist of presentations by the parties to a panel selected and authorized by all the parties to negotiate a settlement of the dispute that, after the presentations, considers the legal and factual issues and attempts to negotiate a settlement.

- **Moderated settlement conference**

This is a process in which conferences are conducted by a neutral person who hears brief presentations from the parties in order to facilitate negotiations. The neutral person renders an advisory opinion in aid of negotiation.

- **Summary jury-trial**

A technique where attorneys make abbreviated presentations to a small jury selected from the regular jury list. The jury renders an advisory decision to help the parties assess their position to aid future negotiation.

SWOT Analysis: Intergovernmental Cooperation

<p>STRENGTHS</p> <ul style="list-style-type: none"> • Existing agreements to share costs and services with surrounding municipalities and agencies • Cooperation with School District of Elmwood 	<p>WEAKNESSES</p> <ul style="list-style-type: none"> • Located in far eastern portion of Pierce County • Located in Western Wisconsin – distance from Madison and Milwaukee
<p>OPPORTUNITIES</p> <ul style="list-style-type: none"> • More opportunities to share costs and services • Grants available through various sources 	<p>THREATS</p> <ul style="list-style-type: none"> • Maintenance of adjoining roads • Existing utilities capacity • Fire Department service area expansion • Rising cost of providing services

Goals, Objectives, and Implementation

Goal: Establish a cooperative and mutually beneficial relationship with adjacent municipalities and jurisdictions

Objectives:

- Work with other local governments, state agencies, school districts on land use and community development issues of mutual concern.
- Maintain open communication with surrounding municipalities and agencies.
- Minimize costs of services and facilities.
- Offer a forum for joint meetings with neighboring Towns.
- Work to resolve actual and potential conflicts.

Implementation (Policies and Programs):

- Distribute inventory list to all neighboring municipalities.
- Collaborate with surrounding municipalities and agencies to protect the area's natural resources.
- Distribute the Village of Elmwood Comprehensive Plan to surrounding municipalities, agencies, and other groups to share the Village's long-term goals.