



9 Intergovernmental Cooperation Element

Intent:

The *Intergovernmental Cooperation Element* is to provide 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 also analyzes the relationship of the local governmental unit to school districts and adjacent local units of government, 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 s.66.0301, 66.037 or 66.0309. The element shall identify existing or potential conflicts between the local governmental unit and other governmental units specified and describe processes to resolve such conflicts.

Cooperation between local governments can take many forms. Relationships may be informal, based on verbal agreements or other informal arrangements. Or, cooperation may be formal, based on the Wisconsin Statutes. Most intergovernmental cooperation is done for the purpose of delivering services or exercising joint powers. Some cooperation is undertaken to receive services or make cooperative purchases.¹

¹ Alternatives for the Delivery of Government Services Including Intergovernmental Cooperation and Privatization. Local Government Center, University of Wisconsin Extension, Program Notes.

While recognizing the agreements already in place, entering into other agreements with surrounding and overlapping units of government has the potential to contribute to a more coordinated approach with respect to economic development and land-use. The Town should examine both positive and negative impacts when considering agreements and evaluate impacts once agreements are executed. Spillover effects from one municipality to another are not uncommon. For this reason, cooperation is strongly encouraged in the course of making land use-related decisions.

The following three intergovernmental arrangements are typically practiced or executed by local units of government.

EXTRATERRITORIAL JURISDICTIONAL AUTHORITY

Through its extraterritorial jurisdictional powers, city's and village's have statutory authority to develop plans and official maps, approve land divisions and adopt extraterritorial zoning for unincorporated lands within the extraterritorial area of their corporate boundaries.

To adopt extraterritorial zoning, a city or village is required to create a joint extraterritorial zoning committee consisting of three city or village Plan Commission members and three members from each affected town. This joint committee must approve the plan and regulations before the governing body (city or village) can approve the proposal and implement.² Extraterritorial zoning can be used in conjunction with a cooperative boundary agreement (see below). The Town should thoroughly review the process requirements before entering into this process if it is ever undertaken.

Historically, development beyond municipal borders has presented contentious regulatory and political issues. However, continuing to work with neighboring jurisdictions on land use issues of mutual concern can minimize conflict and result in better use of limited resources and service delivery.

JOINT PLANNING AND VOLUNTARY AGREEMENTS

Intergovernmental agreements for the joint planning and administration of services and facilities are effective alternatives to other types of binding agreements. More informal arrangements based on shared interests can help accomplish tasks while respecting local identities and achieve greater economy and efficiency. The Albany Public Library serving both the Town of Albany and the Village of Albany is an example of service provision occurring through voluntary mutual agreements.

² County & Local Government Land Use Planning & Regulation, University of Wisconsin-Extension, Local Government Center.

COOPERATIVE BOUNDARY PLANS

Wisconsin statutes also allow municipalities to prepare cooperative boundary plans or agreements. In order to do so, each municipality participating in the plan must adopt a resolution authorizing plan preparation. In addition to addressing physical development, environmental and housing issues, and planning and zoning, these agreements may specify changes to boundaries of participating municipalities. The cooperative agreement must identify the boundaries that will be altered, under what conditions they will be altered and the schedule of boundary changes. Municipalities are required to approve the boundary agreement by resolution, conduct public hearings and provide an opportunity for the public to present written comment. An existing cooperative agreement may be amended by agreement of all affected municipalities.³ The Town should review the statutory requirements related to cooperative boundary plans in detail to thoroughly understand its legal authority and the process requirements if ever undertaken.

THE INTERGOVERNMENTAL CONTEXT

In its recently released report, the Commission on State-Local Partnerships (Kettl Commission) calls for the creation of “growth-sharing areas: within which local units of government would collaborate to serve the needs of their citizens. The report recommends that local governments adopt “Area Cooperation Compacts” with at least two other governments in at least two functional areas including: law enforcement, housing, emergency services, fire, solid waste, recycling, public health, animal control, transportation, mass transit, land-use planning, boundary agreements, libraries, parks, recreation, culture, purchasing or e-government. The Commission also advocates for the reform of state aids to municipalities.⁴

The content below further outlines the intergovernmental context of local planning. Relationships can be described as vertical or horizontal. Vertical relationships are those linking a municipality to governments of broader jurisdiction. Horizontal relationships describe the Town’s connection to adjacent communities. Together, these relationships cut across each of the nine functional elements of this Smart Growth comprehensive plan.

Town of Albany

The Town of Albany operates through a Chairman-Board of Trustees form of government. The board of trustees is elected at-large and responsible for setting

³ 1999-2000 WI Statutes and Annotations

⁴ Governor’s Blue-Ribbon Commission on State-Local Partnerships for the 21st Century, January 2001.

policies. The Town Chairman is also elected at-large, presides at town board meetings and votes on all matters before the board. In general, town chairman are assigned certain administrative responsibilities and do not carry veto power.

The Town also has and participates on several boards, commissions and committees that recommend policies and actions to the Town Board. These bodies are typically comprised of interested citizen volunteers and local government representatives. Some of the Town boards, commissions and committees include:

- Planning
- Library Board
- Recycling Committee

In terms of infrastructure and services, the Town provides snow removal, street maintenance and lighting. The Town also works with the Green County Sheriffs Department for police services and works cooperatively with the Village of Albany for recycling services.

Surrounding Cities, Villages and Towns

Between 1990 and 1999, Green County saw a growth in the development pressure that its northern towns experienced. Many of the municipalities experiencing rapid growth lie close to the Dane County border. It is projected at this time that these pressures for additional development will continue to grow as time passes. It is imperative that the Town remains aware of the impacts of development not only on its self but also its neighbors. Only with a regional lens can the Town best plan for its future. Efforts made today to promote planned growth, compact development and cooperation across local governments should serve the Town well in protecting the quality of life for current residents and future generations.

To this end the Town of Albany recognizes the importance of its neighboring villages to serve as urban centers for its residents. By cooperating on focusing new industrial and commercial growth within village boundaries, the town is assisting in revitalizing downtown's, and protecting economically productive areas, including farmland and forests. Further evidence of the town's commitment to intergovernmental cooperation and planning can be found in the planned growth agreement that it has worked with the Village of Albany to create. This agreement again accomplishes many of the states fourteen planning goals, including maximizing the ability for new development to occur in areas with existing municipal services.

Town's of Brooklyn, Exeter, Mount Pleasant, Sylvester, Decatur, Union and Magnolia

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The Town's of Brooklyn, Exeter, Mount Pleasant, Sylvester, Decatur, Union and Magnola adjoin the Town of Albany. Joint meetings of Town Boards have taken place from time to time.

The Town should consider the possibility of conducting joint planning in an effort to reduce duplication, address common issues and provide for residents and businesses in the most efficient and cost-effective manner. In any case, the Town should work with its neighbors to ensure consistency in plans to minimize future conflicts and avoid the need for boundary agreements.

Green County

The Town of Albany is responsible to enact policies and programs and adopt plans that are consistent with County level plans. In turn, the County has a responsibility to contribute to maintaining a high quality of life across local units of government. Through its various plans, the County has expressed a long-term interest in preserving farmland. It has also expressed similar interest through the adoption of its Land & Water Resource Management Plan. For these reasons it is vitally important to coordinate proposals and action with Green County and all adjacent area municipalities.

Drainage Districts

These districts are organized to drain land for agricultural and other purposes. Land is drained by ditches that cross individual properties. Landowners in a district who benefit from drainage conveyance must pay assessments to cover the cost of constructing, maintaining and repairing the system. 1 district exists in Green County at this time. While still officially in existence, the district has been inactive for some period.

What is the Southwestern Wisconsin Regional Planning Commission?

The Southwestern Wisconsin Regional Planning Commission (SWRPC) is the area-wide planning and development agency serving the five counties of Grant, Green, Iowa, Lafayette and Richland. It was created in 1970, formed by executive order of the governor. Wisconsin statutes specify that regional planning commissions are to provide intergovernmental planning and coordination for the physical, social, and economic development of the region. Under Wisconsin law, RPC's have the following functions:

They may conduct all types of research studies; collect and analyze data; prepare maps, charts and tables, and conduct necessary studies.

They may make and adopt plans for the physical, social and economic development of the region.

They may publish and advertise their purposes, objectives, and findings, and may distribute reports thereon.

They may provide advisory services on planning problems to the local governmental units within the region and to other public and private agencies in matters relative to its functions and objectives.

Over the years, the demands of the regions have changed. These changes, however have not altered the basic advisory role of the commissions. The original and traditional role of the commissions was to work on planning issues such as land use, transportation,

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natural resources, and water and sewer services. While these functions remain important, additional responsibilities have often developed, including technical assistance in economic development, grant and loan management, and local government services.

- The Commission is a State Data Center affiliate and provides census and other data to businesses, individuals, governing bodies and non-profit organizations. Click here for a link to [EconData.Net](#) the best site for federal statistics. Click here for links to the [Wisconsin State Data Center](#) and [Wisc. Dept. of Workforce Development](#). Give us a call at (608) 342-1214 or [e-mail](#) us if we can assist you.
- The SWWRPC represents an Economic Development District designated in August 1986 by the U.S. Department of Commerce, Economic Development Administration (EDA). Click here for a listing of [EDA grants to southwestern Wisconsin](#) recipients.
- The Commission also administers a regional revolving loan fund under the auspices of the Southwestern Wisconsin Business Development Fund, Inc., composed of a seven-member loan administration board. For information on the [Regional RLF](#), click here.
- The Commission provides staff services to the Wisconsin River Rail Transit Commission and the Pecatonica Rail Transit Commission. Click here for a [map of rail lines](#) operated by the Wisconsin Southern Railroad and rail corridors converted to recreational trails under the "Rails to Trails" program.
- The organization also serves as the areawide clearinghouse under the Federal Project Notification & Review System (Executive Order #12372). Under this system, local comments are requested from interested parties concerning certain federally funded projects prior to federal approval. The purpose is to identify potential conflict with local and regional plans and policies, or to avoid duplication of effort.

Assistance to Communities, Counties, Businesses and Individuals:

ASSISTANCE TO PUBLIC BODIES	ASSISTANCE TO BUSINESSES AND OTHERS
Grant Writing and Administration	Sources of Financing and T/A
Technical Assistance (T/A) (Planning & Zoning, Economic Development, and Transportation Issues)	Local Business Loan Programs (Regional RLF & County RLF's)
Planning and Advisory Services New "Smart Growth" Law	Business Income Tax Credits (Grant-Lafayette & Richland Development Zones)
Mapping Services	Access to Business Counseling (Small Business Development Center, UW - Platteville)
Data and Other Information Sources	County Workforce Profiles or Employment Surveys
Funding Sources for Public Improvements	Zip Code Business Patterns

STATE AGENCY JURISDICTIONS

By virtue of their roles in monitoring and enforcing statutory regulations, the Wisconsin Departments of Natural Resources (DNR) and Transportation (DOT) are integral partners in Town policies, programs and projects. For example, the DNR regulates the distances between roads crossing state trails. As stated above, the DNR also approves sewer extensions and sewage treatment facilities. The DOT has jurisdiction over access issues related to STH 104 & 59. Another state agency with regulatory responsibility is the Department of Commerce. The Safety and Buildings Division administers and enforces state laws and rules relating to building construction and safety and health. Plan review and site inspection is part of the division's role in protecting the health and welfare of people in constructed environments. In addition, the Department of Agriculture, Trade and Consumer Protection (DATCP) carries regulatory duties concerning the Farmland Preservation Program and agricultural practices. The Department of Revenue (DOR) has assessment responsibilities.

Along with regulating local activities, all of these agencies provide information, education and training and maintain funding programs to assist local governments in development efforts and maintaining a basic level of health and safety.

Additionally, the Department of Administration's Land Information Office (LIO) is charged with identifying ways to enhance and facilitate planning of local governments and improve coordination and cooperation of state agencies in their land use activities. LIO also provides technical assistance and advice to state agencies and local governments with land information responsibilities, among other things. LIO will review this comprehensive plan to ensure consistency with the State's 'Smart Growth' legislation. The Department of Administration also reviews annexation requests, incorporations and cooperative boundary plans.

Goals, Objectives & Policies

The following goals and objectives were prepared based upon discussions at public meetings and review of existing plan documents.

Goal:

Continue lines of communication across municipalities to discuss common issues.

Objectives:

- Continue to invite adjoining Town's, school district's, and other stakeholders to participate in facility planning meetings and encourage these entities to inform the Town of their plans.
- Participate in joint planning efforts with Green County in an effort to reduce duplication, address common issues and provide for residents and businesses in the most efficient and cost-effective manner.
- Continue to work with adjoining Town's to ensure consistency in plans to minimize future conflicts and to avoid the need for boundary agreements.

Goal:

To coordinate the siting, building, and redevelopment of public facilities and the sharing of public services when possible.

- Fire
- EMS
- Community Center
- School(s)
- Library
- Parks & Recreation
- Open Space

Objectives:

- Explore the potential of jointly developing and managing parks and recreational facilities with Green County, the Village of Albany, school district's, and community-at-large.

CONCLUSION

The Town of Albany has routinely engaged citizens, stakeholders and other units of government, where appropriate, in the current Comprehensive Planning process. The Town also has made draft plan materials available to the public through the Public Library and Town Hall. Two newsletters were published over the course of plan development and three Town Hall public meeting sessions were conducted.

As a result of the Town's commitment to planning, it has a strong base from which to implement strategies that come out of the planning process. The Town is encouraged to build on the foundations in place and elevate its leadership role in collaborative efforts to increase the supply of housing options, provide for transportation enhancements and address storm water and other environmental issues related to service provision.

