

Chapter XVI

INTERGOVERNMENTAL COOPERATION ELEMENT

INTRODUCTION

Sound planning requires that neighboring incorporated and unincorporated communities cooperatively plan for future land use, civil division boundaries, and the provision of urban services. Cooperative approaches will contribute significantly to the attainment of the goals, objectives, and policies of a comprehensive plan. In the preparation of this multi-jurisdictional comprehensive plan, Racine County and all of its cities, villages and towns have taken a cooperative approach to planning and decision-making regarding the future of areas of mutual concern. It is recommended that such efforts continue during the implementation of this plan.

The intergovernmental cooperation element is one of the nine elements of a comprehensive plan required by Section 66.1001 of the *Wisconsin Statutes*. Section 66.1001(2)(g) of the *Statutes* requires this element to compile goals, objectives, policies, programs, and maps for joint planning and decision making between the County, its communities, and other jurisdictions, including school districts, for siting and building of public facilities, and for sharing public services. The *Statutes* also requires this element to:

- Analyze the relationship between the various government agencies, including the County and its communities, school districts, adjacent counties, the region, the State, and to other government units.
- Incorporate any plans or agreements to which the County or its communities are a party to under Sections 66.0301, 66.0307, or 66.0309 of the *Statutes*.
- Identify existing or potential conflicts between the County, its communities, or the regional planning commission, and to describe the process to resolve such conflicts.

In addition, the following comprehensive planning goals related to the intergovernmental cooperation element are set forth in Section 16.965 of the *Statutes* and must be addressed as part of the planning process:¹

- Encouragement of coordination and cooperation among nearby units of government.
- Providing adequate infrastructure and public services and an adequate supply of developable land to meet existing and future market demand for residential, commercial, and industrial uses.

¹Chapter VIII lists all 14 of the comprehensive planning goals included in Section 16.965 of the *Statutes*.

- Providing an integrated, efficient, and economical transportation system that affords mobility, convenience, and safety and that meets the needs of all citizens, including transit-dependent citizens and persons with disabilities.
- Protection of natural areas, including wetlands, wildlife habitats, lakes, woodlands, open spaces, and groundwater resources.
- Planning and development of land uses that create or preserve varied and unique urban and rural communities.

Cooperation between neighboring and overlapping units of government is one of the goals of the Wisconsin comprehensive planning law and is an important aspect of this multi-jurisdictional comprehensive plan for Racine County. The County plan was undertaken as a cooperative, multi-jurisdictional process that involved Racine County and all cities, villages, and towns in the County as partners. The planning process was also fully coordinated with SEWRPC, the regional planning commission serving Racine County and its communities, and UW-Extension.

Some of the benefits of Intergovernmental Cooperation are provided below:

- **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. Examples include shared library services, police and fire protection, recycling of household hazardous waste, and shared government buildings (such as shared village and town halls).
- **Address Regional Issues**
By communicating and coordinating their actions, and working with regional and State agencies, communities are able to address and resolve issues that are regional in nature. Examples include the protection of natural resources, including wetlands, wildlife habitats, lakes, woodlands, open spaces, and groundwater and surface water resources; construction and maintenance of highways; provision of transit service; and planning and construction of facilities for stormwater management and water supply.
- **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 may be able to resolve issues before they reach the point of litigation. Reducing the possibility of costly litigation can save communities money, as well as the disappointment and frustration of unwanted outcomes.
- **Consistency**
Cooperation can lead to consistent goals, objectives, policies, programs, and plans 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, priorities, unique character, and sense of identity. They can better anticipate problems and work to avoid them, while respecting each other's identity.
- **Trust**
Cooperation can lead to positive experiences and results that build trust and good working relationships between jurisdictions, while maintaining identity.

- **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 residents can appreciate cooperation that improves their quality of life. Benefits such as cost savings, provision of needed services, and a strong economy may also result from such cooperation.

Element Format

This chapter is organized into the following five sections:

- Background Information on Intergovernmental Relationships in Racine County;
- Examples of Existing Cooperative Agreements in Racine County;
- Public Input – Intergovernmental Cooperation Issues;
- Intergovernmental Conflicts and Dispute Resolution;
- Intergovernmental Cooperation Element Goals, Objectives, Policies, and Programs.

BACKGROUND INFORMATION ON INTERGOVERNMENTAL RELATIONSHIPS IN RACINE COUNTY

The *Statutes* requires this element to provide information on the relationship between the various government agencies, including the County and its communities, school districts, adjacent Counties, the region, the State, and to other government units.

Racine County

This section briefly highlights a few of the County departments that provide services to local governments and other units and agencies of government.

Planning and Development Division

Pursuant to Section 59.69 *Wisconsin Statutes*, Racine County Planning and Development Division staff perform land use planning functions for Racine County. This includes both short range activities such as analyzing rezoning requests and conditional use petitions, and long range planning activities such as working with towns to develop land use plans, including the coordination of the preparation of this multi-jurisdictional comprehensive plan. The staff also provides services to the towns on land use issues, including reviewing proposed land divisions.

The Division's functions include taking rezoning and conditional use applications for projects in the municipalities that are under the Racine County Zoning Ordinance's jurisdiction. These include the Towns of Burlington, Dover, Norway, Raymond, Waterford, and Yorkville, and the Village of Caledonia. After petitions are filed, staff then prepares publication and public hearing maps. They review rezoning requests for consistency with the public interest, and they review conditional use requests for compatibility with the area in which the land is located. In addition, the office is responsible for shoreland, floodplain and shoreland-wetland zoning for all unincorporated areas in the County.

The staff also reviews proposed subdivisions to determine if those divisions are consistent with good planning principles and with the Racine County Land Division Ordinance, administers the State mandated Private Sewage System Program for all unsewered areas of Racine County, and maintains the County land information system which provides online access to Racine County geographic and land information.

Public Works Department

The Racine County Public Works Department provides essential services to plan, design, construct, maintain, repair, manage, and operate Racine County's buildings, facilities, public infrastructure, natural resources, and park and highway systems in a manner that provides the best value and highest quality service available to satisfy the needs of our citizens.

The Department functions with three divisions: Buildings and Facilities, County Parks, and Highways. The three divisions work to provide efficient, effective, high quality, constantly improving service to the citizens of Racine County through the coordinated resources and expertise of Public Works staff. The Department's objectives are to safeguard and improve the County's investment in its public infrastructure, to protect public safety within County property, and to provide for the commercial and leisure activities which will maintain and improve the quality of life in Racine County.

Land Conservation Division

Under the direction of the Racine County Land Conservation Committee (LCC), the Racine County Land Conservation Division (LCD) implements and administers County and State of Wisconsin Soil and Water Conservation Programs. The LCD relies on partnerships with local farmers, landowners, government officials, teachers, community businesses, and concerned residents to provide a cleaner environment. The LCD provides technical assistance on controlling soil erosion and water pollution to help find solutions to land and water resource problems.

Programs that the LCD administers include: Land and Water Resource Management Program, Sugar/Honey Creeks Watershed Project, Farmland Preservation Program, Wildlife Damage and Abatement Claims, Conservation Reserve Enhancement Program (CREP), and Tree, Shrub & Native Prairie Grass/Wildflower Program. The LCD also sponsors a variety of information and education activities for youth as well as providing information to the public and other interested organizations as requested.

Information Systems Department

The Information Systems Department is responsible for all information delivery for Racine County Government. The Department supports electronic, voice, video conferencing, print and mail services in all County facilities. The Information Systems Department also supports the County Internet site <http://www.GORacine.org>.

Sheriff's Department

The Racine County Sheriff's Department provides 24 hour police service for the entire County and provides additional service under contracts with a number of communities in the County. The Racine County Communications Center is operated under the direction and authority of the Sheriff's Department. In 2007, the Communication Center provided police dispatch service for not only the Sheriff's Department, but for the police departments of the Villages of Waterford and Wind Point, and the Towns of Burlington, Norway, and Waterford. The Communication Center also dispatched fire/rescue services for nine fire/rescue departments in the County.

Racine County Economic Development Corporation (RCEDC)

The RCEDC is a private, non-profit organization created in 1983 to build and maintain a strong economic base in Racine County. The RCEDC provides assistance to communities and businesses in Racine County with respect to economic development projects. Governed by a Board of Directors, the RCEDC assists in recruiting new business and industry to Racine County communities and assists existing industry with expansions.

School Districts

There were 56 public schools in 14 public school districts in the County planning area in 2006. There are also three institutions of higher learning in the County, all operated by the Gateway Technical College system and located in the Cities of Racine and Burlington and the Village of Sturtevant. Map V-12 and V-13 in Chapter V shows the location of public and private schools and technical colleges in the County in 2006, and the boundaries of public school districts.

Racine County can assist school districts, if requested, by providing information on projected population levels for use in facilities planning, and by offering comments on proposed school locations. Racine County regulations that affect the location of schools include the County zoning ordinance and sanitary regulations. County highways may also affect access to schools.

Each school district in Racine County overlaps a number of communities, requiring school districts to work with a number of local governments when proposing to construct new facilities or additions to existing facilities, or when proposing to abandon a school district facility. Schools and other district facilities are subject to local zoning regulations, and rely on local services such as sewer and water (where available), police and fire protection, and streets and highways.

Recreational sites and facilities present an opportunity for shared use of facilities between County and local governments and school districts. School districts may rely on the use of County or local parks for athletic events (such as the use of County parks for cross-country courses); and play apparatus and playfields at schools may be available for local residents to use when school is not in session. It may be advantageous to locate schools and parks next to each other when possible, to maximize opportunities for shared use of recreational areas and facilities.

Libraries

In 2007, there were five public libraries in Racine County, each operated by a city or village (see Map V-8 in Chapter V). These libraries may be used by all Racine County residents with valid library cards.

General Purpose Local Governments

There are 17² local units of government located entirely or partially in Racine County, including two cities, nine villages, and six towns. Cooperation between cities, villages, and towns is essential to the implementation of the comprehensive plan.

Situations may develop between units of government that could be handled in a cooperative manner that would be beneficial to both parties. Annexation of property from a town into a village or city remains one of the most contentious issues between neighboring communities. Wisconsin annexation law provides an advantage to cities and villages, allowing them to annex land upon request by property owners. This often creates conflicts between towns that want to preserve their borders and retain their existing and future tax base, and the incorporated communities that want to be able to expand their boundaries. Too often, this can lead to litigation and ultimately one “winner” and one “loser.” As an alternative, cities, villages, and towns are encouraged to work together on annexation issues and enter into cooperative boundary plans and intergovernmental agreements.

Boundary plans and intergovernmental agreements can preserve lands for towns and allow them the ability to plan for future development without concern about future annexation, at the same time, providing certainty for cities and villages regarding their future boundaries. Depending on the agreements and plans developed, such devices also have the potential for revenue sharing, for provision of municipal services not otherwise available to towns, and for agreement on future land use patterns. Boundary agreements and annexation and extraterritorial issues are described in more detail later in this chapter.

Adjoining Counties

Racine County is bordered by Walworth County to the west, Kenosha County to the south, and Milwaukee and Waukesha Counties to the north.

²*The Town and Village of Rochester were consolidated as the Village of Rochester in December 2008, reducing the number of local units of government from 18 to 17.*

Cooperative efforts between Racine County and other counties include:

- ***Transit Marketing:*** The Southeastern Wisconsin Transit Partnership includes Washington, Ozaukee, Waukesha, Racine, Kenosha and Milwaukee Counties. The purpose is to share resources so that each transit system can maximize the impact of marketing and advertising funds which promote public transit in Southeastern Wisconsin. The pooling of resources from these counties allows for purchasing television and radio advertising and promotional activities that would be cost prohibitive for each system alone.
- ***Southeastern Wisconsin Regional Transit Authority:*** The Southeastern Wisconsin Regional Transit Authority (RTA) is an appointed body created by the Wisconsin State Legislature and Governor in July 2005 to serve Kenosha, Milwaukee, and Racine Counties. The RTA is responsible for identifying a permanent, dedicated funding source for the local share of capital and operating costs for commuter rail and/or public transit in the three-county region. Its members represent the mayors and county executives of the Cities and Counties of Kenosha, Racine and Milwaukee, as well as Governor Doyle. The RTA provided its recommendations to the Governor and State Legislature in November 2008.

Governor Doyle has proposed a permanent RTA for southeastern Wisconsin in the 2009-2011 budget. The permanent RTA is proposed to include all of Kenosha and Milwaukee Counties and the urbanized area of Racine, which is currently defined as the area east of IH 94 in Racine County. The creation of a permanent RTA is dependent on the endorsement of the Governor and the State Legislature. In addition, the governing bodies of Milwaukee County, Kenosha County, or any municipality located in the urbanized area of Racine County must adopt a resolution authorizing its membership.

- ***Southeastern Wisconsin Care Management Organization (SEWCMO):*** The SEWCMO involves five counties in Southeastern Wisconsin—Kenosha, Racine, Ozaukee, Washington, Waukesha, and Walworth Counties, and two private agencies—Community Care, Inc., and Lutheran Social services of Wisconsin and Upper Michigan. Through Community Care, Inc., the Family Care Program is offered in Racine and Kenosha Counties. Family Care serves people with physical disabilities, developmental disabilities, and frail elders, and is designed to provide cost-effective, comprehensive, and flexible long-term care, while fostering consumers' independence and quality of life and recognizing the need for interdependence and support.
- ***Tri-County Public Health Consortium:*** The health consortium includes health departments from Kenosha, Racine, and Walworth Counties. The consortium is responsible for developing comprehensive public health emergency preparedness plans and coordinating mutual assistance among Kenosha, Racine, and Walworth Counties. The consortium is associated with health care, fire protection, law enforcement, and emergency medical services, among others, to develop public health response plans that interact effectively and share resources to protect and serve County residents when preparing for and responding to emergency situations, such as bioterrorism, infectious disease outbreaks, public health threats, and public health emergencies.
- ***Kenosha/Racine Lead-Free Communities Partnership:*** The program is a partnership between the City of Racine Health Department and the Kenosha County Division of Health and provides lead-based paint risk assessments and abatement while providing services for children residing in housing units in need of lead abatement.
- ***Sanitary Sewer and Water Service:*** Through interagency agreements, the Caddy Vista area is provided with sanitary sewer service by the Milwaukee Metropolitan Sewerage District (South Shore treatment facility in Milwaukee County), and the Town of Somers KR Sewer Utility District in Kenosha County is provided with sanitary sewer service by the City of Racine Wastewater Utility. Interagency agreements are also in place for portions of the Caledonia East and West Utility Districts to receive public water service through the City of Oak Creek.
- ***Library Services:*** All of Racine County is part of the Lakeshores Library System, which also serves Walworth County. The Lakeshores System and the Mid-Wisconsin System (which serves Dodge, Jefferson, and Washington Counties and part of Walworth County) are part of the Shared Holdings and Resource Exchange (SHARE) consortium, which provides residents with easy access to materials throughout both systems. Residents throughout the area use a common library card.

- **Public School Facilities:** The Muskego-Norway School District includes area in both the Town of Norway and the City of Muskego in Waukesha County. It is important that the school district take into account the local land use plans and projections for both the Town of Norway and the City of Muskego as it plans for future school facilities.

Regional Organizations

SEWRPC

Racine County is served by the Southeastern Wisconsin Regional Planning Commission (SEWRPC). Racine County and SEWRPC signed a three-party Cooperative Agreement with each of the cities, villages, and towns in the County to participate in a coordinated, multi-jurisdictional comprehensive planning effort. SEWRPC also prepares a regional land use plan, which includes population, employment, and household projections to assist in local and county planning efforts, and is the Federally-designated transportation planning and programming agency for the seven-county region. SEWRPC is also the regional water quality management agency for communities in the Region, and is involved in many other aspects of land use planning and development. In addition to this comprehensive plan and the County jurisdictional highway system plan, major SEWRPC planning projects affecting the County include the regional water supply plan, regional water quality management plan, regional natural areas and critical species habitat management plan, and the regional telecommunications plan. SEWRPC works closely with the county and local governments in the Region, as appropriate, when developing its plans. SEWRPC also prepares county plans on request, such as the Racine County park and open space plan.

Milwaukee 7

The Milwaukee 7 is a council of representatives from the seven Southeastern Wisconsin counties (same seven counties within the SEWRPC area). The council, made up of about 35 civic and business leaders, was formed with the idea that a regional approach is key to fostering economic growth. Additional information about the Milwaukee 7 is provided in Chapter XIV.

Nonprofit Conservation Organizations

Organizations, including the Kenosha/Racine Land Trust and the Caledonia Conservancy have worked with Racine County and its communities to implement plans for acquiring or otherwise preserving lands with important natural resources and farmlands.

State of Wisconsin

Wisconsin Department of Transportation (WisDOT)

WisDOT administers a variety of State and Federal programs to complete projects that enhance the transportation network within Racine County in partnership with local governments, the County, and SEWRPC. Grant programs include the Surface Transportation Program, Congestion Mitigation and Air Quality, Local Transportation Enhancements, and a number of other programs that collectively provide funding for streets and highways, transit, bicycle and pedestrian improvements, and funding for railroad improvements.

WisDOT also administers the General Transportation Aids program, which returns a portion of the money collected through fuel taxes and vehicle registration fees to County and local governments to help offset County and local road construction and maintenance costs. WisDOT maintains the Wisconsin Information System for Local Roads (WISLR), which is an extensive map-based database, accessible to local and County officials and staff, of road conditions such as right-of-way and pavement width, shoulder width, number of driving and parking lanes, pavement condition, and other information.

Wisconsin Department of Natural Resources (DNR)

The Wisconsin Department of Natural Resources is dedicated to the preservation, protection, effective management, and maintenance of Wisconsin's natural resources. It is responsible for implementing the laws of the State and, in some cases, the laws of the Federal government that protect and enhance the natural resources of the State, including wetlands, shorelands, floodplains, woodlands, and water quality. The DNR is charged with coordinating the many disciplines and programs necessary to provide a clean environment and a full range of outdoor recreational opportunities for Wisconsin citizens and visitors.

The DNR makes grants available to County and local units of government for park acquisition and development. Racine County and its communities should continue to apply for grant funds through the DNR to improve recreational opportunities, to purchase land for parks and preservation of important natural resources, and to develop parks. County and local governments must have an adopted park and open space plan in order to apply for DNR grant funds. The DNR also administers grant programs related to lake protection, lake management and planning, and conservation easements.

The DNR also worked with the Federal Emergency Management Agency and Racine County to update floodplain mapping within the County in 2008.

In addition, the DNR identifies and monitors environmentally contaminated sites and administers grant programs to clean up such sites, which are commonly referred to as “brownfields.” Contaminated sites and brownfield remediation grant programs are identified in Chapter XIV.

Department of Commerce

The Wisconsin Department of Commerce administers regulations for private onsite waste disposal systems (POWTS) in the State of Wisconsin. The Racine County Planning and Development Division works closely with the Department of Commerce to implement these regulations. The Planning and Development Division enforces POWTS regulations throughout the County.

Other Governmental Units

Other governmental units or “special purpose” units of government that Racine County works with include lake, sanitary, utility, and drainage districts, and public library boards.

EXAMPLES OF EXISTING COOPERATIVE AGREEMENTS IN RACINE COUNTY

The *Statutes* require that this element incorporate any plans or agreements to which the County or its communities are a party under the following:

- Section 66.0301—Intergovernmental Cooperation: This section of the *Statutes* provides broad authority for intergovernmental cooperation among local units of government with respect to the provision and receipt of services and the joint exercise of their powers and duties. Racine County or its communities are not a party to any agreements established under Section 66.0301.
- Section 66.0307—Cooperative Boundary Plan Agreement: This section of the *Statutes* allows any combination of cities, villages, and towns to determine the boundary lines between themselves under a cooperative plan, subject to oversight by the Wisconsin Department of Administration. Section 66.0307 envisions the cooperative preparation of a comprehensive plan for the affected area by the concerned local units of government and prescribes in detail the contents of the cooperative plan. Importantly, the cooperative plan must identify any boundary change and any existing boundary that may not be changed during the planning period; identify any conditions that must be met before a boundary change may occur; include a schedule of the period during which a boundary change shall or may occur; and specify arrangements for the provision of urban services to the territory covered by the plan. Boundary agreements between the Village of Mt. Pleasant and the Village of Sturtevant and between the Village of Caledonia and Town of Raymond (under preparation) were developed using Section 66.0307.
- Section 66.0309—Creation, Organization, Powers, and Duties of Regional Planning Commissions: This section of the *Statutes* authorizes the Governor to establish regional planning commissions in response to petitions from County and local governments. A regional planning commission is charged by the *Statutes* to prepare and adopt a master plan for development of the region. Racine County is part of the Southeastern Wisconsin Regional Planning Commission (SEWRPC), which serves the seven counties and 146 cities, towns, and villages in the southeastern corner of Wisconsin. The seven counties include Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha. SEWRPC was

established by then-Governor Gaylord Nelson in 1960 and is governed by a 21-member Commission. Chapter VI includes a summary of recent plans conducted by SEWRPC that affect Racine County and its communities. SEWRPC also assisted the County and its communities in the preparation of this comprehensive plan.

Boundary agreements may also be established under Section 66.0225 of the *Statutes*. This section of the *Statutes* allows two abutting communities that are parties to a court action regarding an annexation, incorporation, consolidation, or detachment, to enter into a written stipulation compromising and settling the litigation and determining a common boundary between the communities. A boundary agreement between the City and Town of Burlington was developed using Section 66.0225.

Additional opportunity for intergovernmental cooperation is provided under Section 66.0305 of the *Wisconsin Statutes*, entitled “Municipal Revenue Sharing.” Under this statute, two or more cities, villages, and towns may enter into revenue sharing agreements, providing for the sharing of revenues derived from taxes and special charges. The agreements may address matters other than revenue sharing, including municipal services and municipal boundaries. Municipal revenue sharing can provide for a more equitable distribution of the property tax revenue generated from new commercial and industrial development within metropolitan areas and help reduce tax-base competition among communities, competition that can work against the best interests of the metropolitan area as a whole. A municipal revenue sharing agreement between the City of Racine and the Villages of Caledonia and Mt. Pleasant (both were towns at the time of the agreement), Sturtevant, and Wind Point was developed using Section 66.0305. Under this intermunicipal agreement, the City of Racine receives shared revenue payments from neighboring communities for use in renovating older residential areas, redeveloping brownfield sites, and supporting regional facilities like the City zoo, fine arts museum, and library. In return, the City of Racine agreed to support the incorporation of the two adjacent Towns of Caledonia and Mt. Pleasant; refrain from annexations without the consent of the Towns; refrain from using extraterritorial and plat review powers; and move ahead with sewerage system improvements that will accommodate growth in the Towns.

Other Examples of Cooperative Agreements

There are and have been many cooperative agreements within Racine County between the County and local units of government, and between local governments. Several examples are listed below.

Police/Fire Services

- The Towns of Dover, Raymond, and Yorkville and the Villages of Elmwood Park, Rochester, Union Grove, and Waterford contract with the Racine County Sheriff’s Department for police protection.
- The Villages of Elmwood Park, North Bay, and Wind Point contract for fire service with the City of Racine.
- The Town of Yorkville and the Village of Union Grove are served by a joint Union Grove/Yorkville Fire and Rescue Department.
- The Town of Waterford is served by the Village of Waterford Fire and Rescue Department, the Wind Lake Volunteer Fire Company, and the Tichigan Volunteer Fire Company.
- Consolidation of the Village of Mt. Pleasant and Village of Sturtevant fire departments into the South Shore Fire Department.
- The Racine County Communication Center provides dispatch services for a number of police and fire/rescue departments throughout Racine County.
- The Village of North Bay contracts with the Village of Wind Point for police protection.
- The Villages of Caledonia and Mt. Pleasant cooperatively built and staff a fire station (Fire Station #3).
- The Villages of Mt. Pleasant and Sturtevant operate a joint dispatch center.

Cooperative Planning

- Racine County, all its communities, SEWRPC, and UW-Extension, formally agreed to work together to develop a multi-jurisdictional comprehensive plan for Racine County.
- Prior to their participation in this comprehensive planning effort, joint land use plans were prepared by the Village and Town of Rochester, and by the Village of Union Grove and the Town of Yorkville. This represents a cooperative approach to planning and decision-making regarding future land use in areas of mutual concern and facilitated the incorporation of these plans into the comprehensive plan without creating conflicts.
- In December 2008, the Town and Village of Rochester were consolidated as the Village of Rochester. This represents a significant effort in maximizing efficiencies with respect to land use and comprehensive planning and overall government services.

Ordinance Administration

- Racine County administers County zoning and land division ordinances within each town in the County.
- Racine County administers the County's nonmetallic mining reclamation ordinance on behalf of all communities in the County unless the local unit of government has adopted its own ordinance.
- Under a contract with the Village of Caledonia, Racine County provides review services with respect to zoning, land division, and other planning issues.

Other Services

- City of Burlington sewage facilities provide sanitary sewer service to a portion of the Town of Burlington.
- City of Racine sewage facilities provide sanitary sewer service to the Villages of Caledonia, Elmwood Park, Mt. Pleasant, North Bay, Sturtevant, and Wind Point.
- Village of Union Grove sewage facilities provide sanitary sewer service to a portion of the Town of Dover (Southern Wisconsin Center).
- Western Racine County Sewerage District facilities provide sanitary sewer service to the Villages of Rochester and Waterford and the Town of Waterford.
- The Caledonia/Mt. Pleasant Health Department serves the Villages of Caledonia, Mt. Pleasant, North Bay, and Sturtevant. The Department's mission is to improve the health of the communities served through health promotion, disease prevention, and protection from health and environmental hazards.
- The City of Racine Belle Urban System (BUS) provides fixed-route public transit service throughout the Racine urbanized area. This includes areas within the City of Racine, the Villages Caledonia, Mt. Pleasant and Sturtevant, and the Town of Yorkville.
- All libraries in the County can be used by Racine County residents with valid library cards.
- The Village of Rochester has entered into a lease agreement with Racine County to develop ball diamonds at Case Eagle Park.

PUBLIC INPUT-INTERGOVERNMENTAL COOPERATION ISSUES

The plan should address key intergovernmental cooperation issues based upon the intergovernmental cooperation related information and public input gathered during the comprehensive planning process. The countywide public opinion survey, and strengths, weaknesses, opportunities, and threats (SWOT) analyses—both completed in 2007—resulted in the identification of a number of intergovernmental cooperation related issues to be addressed in this element. These issues include:

- The plan should strive to increase community awareness, understanding, and participation with respect to the comprehensive plan and plan implementation.
- The plan should strive to continue and improve cooperation between government agencies and the private sector in order to realize long term benefits ranging from coordinated planning on issues that affect the entire County, to local infrastructure cost savings, provision of needed services, a healthy environment, a strong school system, and sustainable economy.
- The plan should encourage public and private partnerships to assist in the implementation of plan recommendations related but not limited to, agricultural and open space preservation, park and trail facilities, utilities and services, housing, and economic development.

INTERGOVERNMENTAL CONFLICTS AND DISPUTE RESOLUTION

Section 66.1001(2)(g) of the *Wisconsin Statutes* requires that the Intergovernmental Cooperation Element identify existing or potential conflicts between participating local governments and other governmental units, including school districts, and describe processes to resolve such conflicts.

The Racine County land use plan map (Map IX-1 in Chapter IX) reflects locally identified planned land uses within each community's current boundaries. Recommended land use plan maps for each of the communities in the planning area are presented in Appendix D. Local land use plans for cities and villages within the County planning area can include areas outside of their corporate limits within adjacent towns. As shown on the local land use plan maps in Appendix D, the planning areas for the City of Burlington and the Villages of Waterford and Union Grove include lands outside of their respective corporate limits. This practice is consistent with good land use planning, because cities and villages typically annex land to accommodate population growth and associated land uses. The regional land use plan recommends that additional residential growth occur in a compact pattern within and adjacent to urban service areas at densities that can be cost-effectively provided with sewer and other urban services. The regional plan recommends that new urban development occur with sanitary sewer service and other urban services and facilities; however, it is not necessary that such development occur only within cities and villages. Towns that have formed a sanitary or utility district to provide sanitary sewer services, or that have entered into a boundary agreement with an adjacent city or village that provides for urban development in the town and the extension of sewers to serve that development, is consistent with the regional land use plan.

Although many towns recognize the need for cities and villages to grow, there is often opposition to annexations when such annexations occur in prime farmland areas, particularly where alternatives are available; when a city or village annexes land without providing sewer and/or water services; and when annexations result in irregular city or village boundaries, including long, narrow "arms" of the city or village extending into the town or creation of small areas of the town completely surrounded by the city or village, except for a thin strip of land left to avoid creation of a town island. Irregularly-shaped annexations can create problems with street maintenance, due to alternating portions of a street being in a city or village and remaining portions in a town; can create situations where one side of the street is subject to city or village construction standards (which may, for example, require installation of curbs and gutters), while the other side is subject to town standards; create situations where different speed limits are posted for segments of the street under town versus city or village jurisdiction.

Many of these issues and disagreements could be resolved through the development of cooperative or boundary agreements between cities and villages and adjacent towns. Until such agreements are developed, disagreements will likely continue between cities and villages and adjacent towns as each unit of government develops in accordance with its land use plan, and cities and villages continue to exercise their extraterritorial authorities in adjacent towns.

There were opportunities to develop coordinated planned land use maps for the extraterritorial areas of cities and villages during this multi-jurisdictional planning process. Prior to their participation in this comprehensive planning effort, joint land use plans were prepared by the Village and former Town of Rochester, and by the

Village of Union Grove and the Town of Yorkville. These plans have been incorporated into the planned land use map of the comprehensive plan thereby avoiding conflicting areas of land uses. The inventory information and recommendations developed as part of this multi-jurisdictional comprehensive plan should provide a good basis for the development of boundary agreements and other joint planning activities.

As noted earlier, the maps in Appendix D depict the land use plan map approved by each city, village, and town in the County. The planning areas for the City of Burlington and the Villages of Waterford and Union Grove include lands outside of their respective corporate limits within the adjacent towns. Map XVI-1 identifies the areas where adjacent local land use plans conflict. As shown on Map XVI-1, these areas include the overlapping planning areas of the City and Town of Burlington and the Village and Town of Waterford. The map identifies the planned land uses based on the city/village plans.

Conflicts between local plans as shown on Map XVI-1 are as follows:

- **City and Town of Burlington:** An area in the Town, adjacent to Echo Lake and the airport, that is identified as “Agricultural Estate (5.0 acres or more per dwelling unit)” and “Residential Unsewered (1.5 to 4.99 acres per dwelling unit)” on the Town land use plan map is identified as “Medium Density Residential (6,200 square feet or more per dwelling unit)” on the City land use plan map. In addition, an area in the Town, abutting the southern boundary of the City, which is identified as “Agricultural Preservation” on the Town land use plan map, is identified as “Industrial/Business Park” on the City land use plan map. And finally, a small area along STH 83 and north of the existing business park, which is identified as “Industrial” and “Primary Environmental Corridor” on the Town land use map, is identified as “Commercial” on the City land use map.
- **Village and Town of Waterford:** An area in the Town, adjacent to the northwestern boundary of the Village, that is identified as “Suburban Residential,” “Prime Agricultural Land,” and “Other Agricultural, Rural Residential, and Open Land” on the Town land use plan map is identified as “Residential (less than 1.5 acres per dwelling unit),” “Mixed Use-Commercial and Residential,” and “Industrial” on the Village land use plan map. In addition, an area of the Town adjacent to the eastern boundary of the Village, that is identified as “Prime Agricultural Land” and “Other Agricultural, Rural Residential, and Open Land” on the Town land use plan map is identified as “Residential (less than 1.5 acres per dwelling unit),” “Mixed Use-Commercial and Residential,” and “Industrial” on the Village land use plan map.

Boundary agreements between towns and the adjacent city and village offer the best means of resolving conflicts between local governments, particularly when disputes are based on conflicting recommendations for future land uses or residential densities within a city or village’s extraterritorial area and/or sewer service area. In addition to establishing future city and village boundaries, such agreements can also establish future land uses and provide for the extension of city or village sewer and water services to portions of the town.

Although the *Wisconsin Statutes* provide cities and villages with the authority to annex town lands, annexations often lead to lawsuits, court battles, and ultimately one “winner” and one “loser.” Boundary plans and intergovernmental agreements can preserve lands for towns and give them the ability to plan for the future without the uncertainty related to future annexations. Depending on the agreements and plans developed, such agreements also have the potential for revenue sharing, extension of municipal services to adjacent towns, and for agreement on future land use patterns. Boundary plans and intergovernmental agreements provide cities and villages certainty with respect to their future boundaries and provide a firm framework within which cities and villages can plan for future public utilities and public facilities.

Racine County has encouraged participating cities, villages, and towns to coordinate with each other and the County through the multi-jurisdictional comprehensive planning effort. While the intergovernmental cooperation element is intended to avoid and minimize potential conflicts, it is recognized that conflicts will arise. Development of boundary agreements between the city and villages and adjacent towns where no agreement is in place is the best option for resolving conflicts regarding annexations and land uses in extraterritorial areas, and

should be pursued. The use of boundary agreements as provided under the *Statutes* is intended to provide a low-cost, flexible approach to resolving disputes between governmental units arising from the adoption of comprehensive plans. This process works to resolve actual and potential conflicts through open dialog and cooperative initiatives.

In addition to the previously cited benefits, benefits of government entities utilizing this process to resolve conflicts include:

- Saving time and legal expenses
- Having greater control over the dispute resolution process
- Resolving conflicts in a more creative way than might be possible if it were left to a decision by a judge or jury
- Greater privacy in resolving disputes than is afforded in a courtroom
- Responding to conflict in a rational and courteous manner—increasing communication, fostering positive intergovernmental relationships, providing an opportunity for learning, and broadening perspectives and solutions

In cases where informal negotiations or boundary agreements are unsuccessful in resolving the conflict between disputing parties, communities may have to rely on arbitration and litigation which tend to be slower and more costly.

Joint planning between school districts and communities within the district to share information on residential growth and the impact that growth will have on schools within the district can improve planning and development decisions by both the school district and local governments. School districts are encouraged to take into account the local land use plans and projections of this comprehensive plan in future school facility plans.

INTERGOVERNMENTAL COOPERATION ELEMENT GOALS, OBJECTIVES, POLICIES, AND PROGRAMS

The intergovernmental cooperation element goals and objectives, along with the implementing policies and programs were developed based upon consideration of the recommendations of regional, County, and local plans; meetings with local officials; and the results of the public participation process including input from the advisory committee, public opinion survey, and SWOT analyses.

The following County intergovernmental cooperation related goals were developed under the comprehensive planning program and previously presented in Chapter VIII.

Racine County Intergovernmental Cooperation Goal

Goal XVI-1: Encourage intercommunity planning efforts to make effective use of resources and to resolve conflicts.

Goal XVI-2: Encourage a public participation process that provides equity and fairness to landowners and other stakeholders, balanced with responsible land use.

Racine County Intergovernmental Cooperation Objectives

- Encourage intergovernmental cooperation.
- Encourage shared services and facilities between units and levels of government.
- Seek to reduce conflicts between neighboring jurisdictions concerning annexations, urban and rural development, and development in transitional areas.

- Promote a better understanding among all levels of government regarding the roles and responsibilities of each.
- Encourage Racine County and its communities to coordinate with school districts as they prepare facility plans or evaluate sites for new school facilities.
- Encourage Racine County and its communities to coordinate with respect to the provision of key services including police and fire protection, and sewer and water service.
- Encourage Racine County and its communities to coordinate with respect to economic development in the County.
- Provide a structure for continuing dialog about comprehensive planning, land use regulation issues, and boundary issues between local governments in Racine County.

Racine County Intergovernmental Cooperation Policies and Programs

- Implement all policies contained in other elements of the comprehensive plan, especially those policies that are more likely to be implemented through cooperative efforts and partnerships, such as the recommendations related to agricultural and natural resource preservation or countywide trail development.
- Racine County should work cooperatively with local units of government, as appropriate, to make the necessary revisions and updates to zoning, land division, and official map ordinances to implement the recommendations of the comprehensive plan.
- Encourage intergovernmental cooperation when selecting sites for public facilities such as police stations, fire stations, government administration buildings, and libraries, and quasi-public facilities such as hospitals, clinics, and skilled nursing, assisted living, and independent living centers for the elderly and persons with disabilities. In addition, joint use of facilities such as schools/libraries and government/non-government meeting places should be encouraged.
- Encourage school districts to consult with Racine County and local governments when initiating facilities planning or when planning locations of new schools or recreation facilities.
- Support the coordination between Racine County, its communities, and other agencies, where appropriate, to provide cost-effective government services.
- Racine County and its communities should continue to work with the RCEDC with respect to business development and expansion in the County.
- Racine County should cooperate with local governments on countywide stormwater management planning, education, and enforcement of stormwater management and erosion control ordinances.
- Encourage local governments to develop joint agreements to provide shared stormwater management facilities.
- Coordinate the implementation of the recommendations of regional water supply plan.
- Coordinate comprehensive management of surface water, groundwater, and water dependent natural resources.
- Coordinate the implementation of the transportation element of the comprehensive plan.
- The Racine County Sheriff's Department should continue to provide police protection and dispatch services to communities in Racine County.
- Racine County should continue to maintain, plan and construct County Trunk highways and to maintain State Trunk highways and freeways in a manner that will provide citizens of the County with a safe, usable roadway system at a level of service acceptable to a majority of its citizens and at the lowest possible cost.

- Racine County and its communities should continue to work with SEWRPC and WisDOT on regional transportation planning and programming efforts and to develop methods to promote interconnectivity between all transportation modes and systems within the County and the Region.
- Racine County and its communities should continue working with SEWRPC to update Racine County transportation plans, such as the jurisdictional highway system plan and the public transit plan.
- Racine County should continue to provide technical services that benefit the public and other units and agencies of government, such as updating and maintaining GIS data, including parcel, land use, and floodplain data.
- Racine County should continue to maintain the County website to provide information to the public and other units and agencies of government.
- Racine County and its communities should work with other government agencies and private entities, including non-profit agencies, where appropriate, to construct and /or operate community facilities in a cost-effective and efficient manner through joint service agreements.
- Racine County and its communities should continue to work with the DNR and non-government organizations (NGOs) to acquire and develop parks, trails, and other recreation facilities, and to acquire and protect valuable natural resource areas as called for in County or local park and open space plans.
- Continue to work with SEWRPC on regional plans and issues affecting Racine County and its communities.
- Coordinate with communities in counties adjacent to Racine County with respect to existing and future land uses to minimize or avoid conflicts.
- Racine County should continue to provide information on land use-related ordinances and programs to local governments.
- The Racine County Executive's Office should continue holding periodic heads of government meetings as a forum for the distribution of information and for open discussion of County-wide issues.
- Communities in Racine County that have prepared cooperative boundary agreements should continue to honor and implement those agreements. This includes agreements between the Villages of Mt. Pleasant and Sturtevant and the Village of Caledonia and Town of Raymond (under preparation).
- Other existing boundary or revenue sharing agreements in the County should continue to be implemented. This includes a limited boundary agreement between the City and Town of Burlington and a revenue sharing agreement between the City of Racine and the Villages of Caledonia and Mt. Pleasant.
- Communities in Racine County that have not prepared cooperative boundary agreements should prepare such agreements to resolve existing and future conflicts. Specifically, cooperative boundary agreements should be entered into between towns and adjacent cities/villages. This would include agreements between: the City and Town of Burlington; the Village of Union Grove and the Town of Yorkville; the Village of Union Grove and the Town of Dover; the Village and Town of Waterford; and the Village of Mt. Pleasant and the Town of Yorkville.
- Cities and villages adjacent to each other could also consider entering into agreements as appropriate. This could include revenue sharing agreements or agreements to adjust community boundaries that result in boundaries between two communities that are more logical and that can be provided with services more efficiently.
- Racine County should work cooperatively with local units of government to update the County farmland preservation plan in order to participate in the State's Working Lands Initiative. For communities and landowners to take full advantage of the financial benefits of the Working Lands Initiative it will be necessary to amend the comprehensive plan to reflect the updated farmland preservation plan.
- Consider the implementation of cooperative programs to dispose of household and agricultural waste.

- Explore regional partnership options for recycling programs and facilities.

Racine County Intergovernmental Cooperation Financial and Technical Assistance Programs

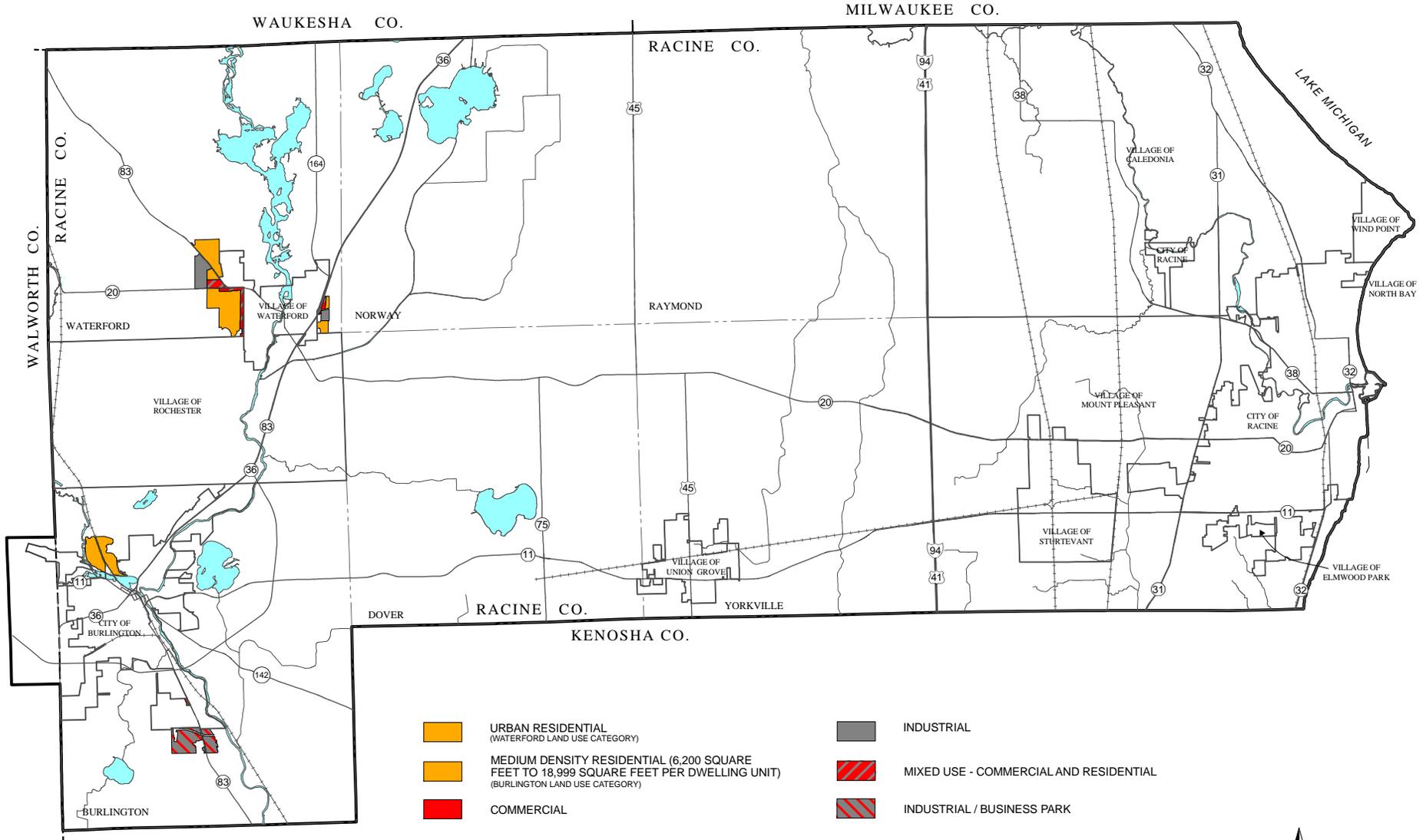
Various types of financial and technical assistance programs are available from Federal, State, and County agencies that are applicable to the implementation of the comprehensive plan. Information on these programs has been presented in other elements of the plan. Many of these programs require or encourage cooperative efforts between governmental agencies or between government agencies and NGOs to take full advantage of their financial benefits. This is especially true for programs that focus on the protection of agricultural, natural, and cultural resources.

The plan recommends that consideration be given to developing public and public/private partnerships as appropriate to implement the financial programs and work programs listed in all the elements of the plan to facilitate the implementation of the comprehensive plan. Examples of specific programs that will require cooperative efforts to be initiated or used include:

- Purchase of development rights (PDR) program.
- Transfer of development rights (TDR) program.
- Farmland Preservation/Working Lands Initiative.
- Wisconsin Department of Natural Resources Knowles-Nelson Stewardship Program.

Map XVI-1

AREAS OF CONFLICT BETWEEN CITY/VILLAGE AND TOWN LAND USE PLANS IN THE RACINE COUNTY PLANNING AREA



Source: SEWRPC.

