

CHAPTER 7 - INTERGOVERNMENTAL COOPERATION

INTRODUCTION

In general terms, intergovernmental cooperation is any arrangement by which officials of two or more jurisdictions coordinate plans, policies, and programs to address and resolve issues of mutual interest. It can be as simple as sharing information, or it can involve formal intergovernmental agreements and sharing resources such as equipment, buildings, staff, and revenue. It can even involve consolidating services, jurisdictions, or transferring territory.

Many issues cross jurisdictional boundaries, affecting more than one community. For example, air and water pass over the landscape regardless of boundaries, and persons traveling along roadways use a network of transportation routes, moving between jurisdictions without even realizing it. This is why intergovernmental cooperation is a critical component of every community's comprehensive plan, for without it even the best intentions of a plan can be undermined, even unintentionally, by an adjacent community with contradictory policies.

The Town of Lima's relationship with neighboring communities, Sheboygan County, the Bay-Lake Regional Planning Commission, the Oostburg and Sheboygan Falls school districts, and the state and federal government can impact Town residents in terms of taxation, planning, provision of services, and siting of public facilities. An examination of these relationships and the identification of opportunities to work together, as well as the identification of existing or potential conflicts can help the Town address these situations in a productive manner.

66.1001(2)(g)

Intergovernmental Cooperation Element. 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.

CHAPTER SUMMARY

The Town of Lima interacts with a number of other governmental entities. Existing relationships with these entities is generally positive. The Town participates in several public services partnerships already, and has made it a goal to maintain existing partnerships while remaining on the lookout for additional opportunities.

The Cities of Plymouth and Sheboygan and the Villages of Oostburg and Kohler currently exercise extraterritorial platting jurisdiction over about 20% of the Town, and no municipalities exercise extraterritorial zoning jurisdiction. The County and State will also continue to have an impact on the Town in a variety of ways, including review of future subdivision plats, shoreland zoning, highway reconstruction and maintenance, and possible State Highway expansion.

Existing or potential conflicts are limited, although the intersections along STH 28 and STH 32 will have to be monitored, as a variety of intensive land uses might eventually be proposed in the corridor. Several steps have been suggested to help resolve any conflicts that might arise.

EXISTING ACTIVITIES

Adjacent Municipalities

The Town of Lima borders the Town of Wilson to the east, Town of Holland to the south, Town of Sherman to the south-west, Town of Lyndon to the west, Town of Plymouth to the north-west and the Town of Sheboygan Falls to the north. The Town of Lima borders the Villages of Oostburg to the south-east and Kohler to the north-east, and the City of Sheboygan Falls to the north.

Relationship

The Town has a very good working relationship with the Village of Oostburg and the Towns of Holland, Sheboygan Falls, Plymouth, Sheboygan, Lyndon, Sherman and Wilson. The Town of Lima and Towns of Sheboygan Falls, Plymouth and Sheboygan have worked together since August 2007 on public participation and comprehensive planning. In addition to this process, there have been several productive intergovernmental meetings with neighboring towns, villages and cities regarding boundary issues.

The Town's relationship with the Town of Sheboygan Falls has been very good, as the two towns share some service costs. The Town's relationship with the City of Sheboygan Falls and Village of Kohler has been limited.

Siting Public Facilities

Due to the rural nature of the Town and the location of various nearby communities that have more appropriate sites for public facilities, there are very few non-town public facilities within the Town of Lima, and no immediate plans for any new facilities.

Sharing Public Services

The Town of Lima is involved in partnerships to share public services in a number of ways, including: 1) being a member of the Eastern Shore Library System, 2) being part of an ownership consortium (25%) for the Oostburg Fire Department, 3) other EMS services such as ambulance and EMS services, 4) served by the Sheboygan County Sheriff's Department to provide protective services for the Town 5) working with the Sheboygan County Planning & Resources Department to administer shoreland/floodplain provisions, private on-site sanitary system regulations, and the Sheboygan County Subdivision Ordinance 6) mutual aid agreements with nearby fire departments and emergency responders.

School District

About one-half of the Town of Lima, including Hingham and Gibbsville, is in the Oostburg School District; about one-half, is in the Sheboygan Falls School District; and a small area is within the Plymouth School District. Although there were approximately 660 school age children in the Town (2000 U.S. Census), the relationship between the Town and the school districts is best described as limited. School districts tend to operate rather independently and interaction with the Town is minimal.

Siting School Facilities

The siting of new school facilities is mainly conducted by the school districts. The recent trend has been to consolidate facilities to reduce costs. It is unlikely that any new school facility will be built in the Town of Lima during the planning period.

Sharing School Facilities

The Town has no formal agreement with the Oostburg, Sheboygan Falls, or Plymouth School Districts for shared use of the Districts' facilities.

Wastewater Commission

Residents of Hingham and Gibbsville, in the Town of Lima, are served by the Hingham or Gibbsville Sanitary district respectively. Hingham is served by the Onion River Wastewater Commission. The Village of Adell and Hingham, which has shared ownership of the facility, each have a two member commission. The facility manager sits on the joint commission for a total of 5 members. The two members from each community report back to their respective boards. The Gibbsville Sanitary District has a 3 member wastewater commission, a secretary, treasurer and president. All board members live within the sanitary district. Commission meetings are posted and treated with same respect of open meeting laws.

County

The Town of Lima has cooperated and/or partnered with Sheboygan County in a number of ways in the past and intends to continue to do so in the future. Examples include 1) signing on as a partner in Sheboygan County's 2008 multi-jurisdictional planning grant application, 2) working with Sheboygan County Planning and Resources Department and UW-Extension to prepare the Town's comprehensive plan, 3) using the Sheboygan County Sheriff's Department for protective services, and 4) working with the Sheboygan County Highway Department for snow plowing and road maintenance.

While the Town administers its own general zoning, it is under the County's Sanitary Ordinance, Subdivision Ordinance, and Shoreland-Floodplain Ordinance. The County also helps the Town administer the state's Farmland Preservation Program.

Region

The Town of Lima is located in Sheboygan County, which is located in the northeast region of the State of Wisconsin. Sheboygan County is a member of the Bay-Lake Regional Planning Commission (BLRPC), which is the regional entity the Town is involved with. The BLRPC has a number of programs and plans in place covering natural resources, population projections, traffic counts, transportation plans, bike plans, etc., several of which have been used in the preparation of this comprehensive plan.

State

The Town's relationship with the State of Wisconsin is one which deals mainly with issues related to transportation (WisDOT), natural resources (WDNR), and agriculture (DATCP). Relationships in the past with these agencies have been adequate.

INVENTORY OF PLANS AND AGREEMENTS

Cooperative Boundary Plan

The Town of Lima has not entered into a formal boundary agreement with any municipality, nor is any anticipated.

Annexation

Annexation is the process for transferring lands from unincorporated areas (towns) to contiguous incorporated areas (cities and villages). In Wisconsin, municipal annexations are typically initiated by landowners, and not by villages or cities. Approximately 500 acres in the Town of Lima have been annexed, it is not anticipated that additional annexations will occur during the 20-year planning period.

Extraterritorial Platting Jurisdiction (ETP)

State Statutes allow an incorporated village or city to extend land division review over surrounding unincorporated areas. The extraterritorial area can extend for 1.5 miles for villages and cities (under 10,000 people), and up to 3 miles for cities over 10,000. Portions of the Town of Lima are within the 1.5 mile reach of Extraterritorial Platting Jurisdiction. The Villages of Kohler and Oostburg have ETP over small areas of the Town, the Cities of Plymouth and Sheboygan also have ETP over areas of the Town. The Villages of Adell and Waldo and the City of Sheboygan Falls do not currently exercise ETP in the Town, but would be able to extend their extraterritorial area into the Town in the future.

Extraterritorial Zoning Jurisdiction (ETZ)

Cities have been given by statute either a 3-mile (if pop. 10,000 or more) or a 1.5-mile extent of zoning control outside their corporate boundaries if the proper cooperative steps with the adjoining town are followed. Villages have up to 1.5 miles, regardless of population. In 2009, extraterritorial zoning authority was not being practiced by any municipality within Sheboygan County, but in order to have extraterritorial zoning jurisdiction both municipalities need to agree and form a committee with three members from each municipality. Portions of the Town of Lima are within the 1.5 mile reach of ETZ of neighboring villages. The Villages of Kohler, Oostburg, Adell, and Waldo do not currently use ETZ within the Town, but are within the 1.5 mile boundary and may chose to do so in the future. The Cities of Plymouth, Sheboygan, and Sheboygan Falls also do not practice ETZ, but Town of Lima land would be within the 1.5 to 3 miles of the corporation limits of the Cities.

EXISTING OR POTENTIAL CONFLICTS

On June 25, 2009, members of the Town of Lima Plan Commission participated in an issue identification process with the Towns of Sheboygan, Sheboygan Falls and Plymouth Smart Growth Workgroups and other municipality representatives. This meeting identified 1) existing areas of cooperation, 2) potential areas of intergovernmental cooperation, 3) potential areas of conflict, and 4) potential strategies to resolve conflicts.

Potential Conflicts

- A. Annexation
- B. Border land uses/zoning regulations
- C. Road maintenance and jurisdictional study
- D. Competition for tax base
- E. Transportation corridor land uses

Proposed Conflict Resolution Process

For A, B, C, D and E above: Establish a regular and ongoing (at least annual) intergovernmental forum to establish a open dialogue and open lines of communication between municipalities. Such a meeting could be facilitated by UW-Extension or similar organization. Representatives from the Town of Lima, and neighboring municipalities should include the board president/chair, a board member-at-large from each community, and a plan commission member-at-large from each community. These initial meetings will be used to allow municipalities to get to know each other. Once these open lines of communication are established, a bi-annual joint meeting (at least annual) can take place to discuss these potential conflicts in a larger capacity and depth. Quarterly meetings may be needed. These regular forums would be facilitated by a nonpartisan mediator, UW-Extension or similar organization. Recommendations resulting from these joint meetings would be brought back to the appropriate governmental bodies for final review and consideration.

Education forums may also be a tool used by the Town of Lima to stay involved and up to date on issues relating to any of the potential conflicts listed above.

See Appendix 7 for a detailed list of items discussed.

INTERGOVERNMENTAL STRATEGY AND RECOMMENDATIONS

The Town of Lima will seek direction for this element from the vision and goals identified through the public participation process:

Vision

“We envision the Town of Lima as an area dominated by agriculture in harmony with a strong natural resource base. Situated between the two communities of Sheboygan Falls and Oostburg, the town does and will continue to provide a safe, quiet country atmosphere with friendly people. To preserve and maintain its uniqueness, careful planning is essential for continued slow, managed growth.”

Goals, Objectives, Policies, Programs

- 1) **The Town of Lima seeks to achieve compatible land uses at or near its borders.**
 - a) *Policy/program:* The Town of Lima will attend meetings, when appropriate, and provide comments to neighboring communities when amendments to neighboring comprehensive plans are made.
 - b) *Policy/program:* The Town will attend and make their comment known at neighboring City, Village or Town meetings, in which possible annexation and/or border lands of the Town of Lima are discussed.
- 2) **The Town of Lima considers it important to have boundary agreements with adjacent units of government, especially with the City of Sheboygan Falls and Village of Oostburg.**
 - a) *Policy/program:* Work to establish an agreed-upon growth area boundary, giving consideration to each municipality's comprehensive plan. Likewise, the city and/or village

agrees to limit its expansion to defined areas where it plans to provide municipal services within a defined time period.

- b) *Policy/program:* In lieu of a formal boundary agreement, establish a formal policy to use the 20-Year Potential Land Use Maps in the comprehensive plans of the City of Sheboygan Falls, Village of Oostburg and Town of Lima to provide official guidance for growth patterns in the transition areas between city, village and town.
 - c) *Policy/program:* To ensure continued consistency and compatibility between plans, ordinances, regulations, and policies, an official Comprehensive Plan Amendment Procedure will be mutually established by the four Towns (Lima, Plymouth, Sheboygan and Sheboygan Falls) within two years of adoption of the four comprehensive plans. This process will be facilitated by UW-Extension or similar organization.
 - d) *Policy/program:* Inform other area municipalities when an Intergovernmental Agreement between the Town and adjacent municipalities is being considered.
 - e) *Policy/program:* Encourage neighboring municipalities to establish Intergovernmental Agreements between one another.
- 3) The Town of Lima currently cooperates with other entities to provide numerous services to its citizens, knowing that intergovernmental cooperation is important to Lima's future.**
- a) *Policy/program:* Keep the surrounding towns and school districts aware of any significant development proposals or changes to the Town's 20-Year Potential Land Use Map.
 - b) *Policy/program:* Continue mutual aid agreements and all other current intergovernmental cooperation activities and policies of benefit to Town of Lima residents.
 - c) *Policy/program:* Continue to work with state agencies such as WisDOT and WDNR to promote wise management of STH 28 and STH 32, and proper stewardship of natural resources such as groundwater, wetlands, surface waters and environmental corridors.
 - d) *Policy/program:* Continue to coordinate emergency response services with the Adell, Gibbsville and Town of Sheboygan Falls First Responders, the Cities of Sheboygan Falls and Plymouth, the Village of Oostburg, the Town of Sheboygan Falls, the Sheboygan County Sheriff's Department, and Orange Cross, Oostburg, and Plymouth Ambulance Services.
 - e) *Policy/program:* The Town of Lima shall continue to cooperate with the Cities of Sheboygan Falls and Plymouth, the Towns of Sheboygan Falls, Plymouth, Sheboygan, Sherman, Holland, Wilson and Lyndon and the Villages of Oostburg, Waldo, and Kohler, and Sheboygan County in order to minimize land use and policy conflicts, and to achieve economies of scale.
- 4) The Town of Lima will always look for opportunities to cooperate and coordinate additional services. (This policy is required under Wisconsin Statutes Chapter 16.)**
- a) *Policy/program:* Cooperate with and support Sheboygan County on its comprehensive planning and implementation efforts.

- b) *Policy/program:* Continue to consider opportunities for future shared initiatives, purchases, services, and/or facilities with other nearby governmental units.
- c) *Policy/Program:* Establish a regular and ongoing (at least annual) intergovernmental forum to discuss boundary issues, shared service opportunities, and any other items of mutual concern. Such a meeting will be facilitated by UW-Extension or similar organization. Representatives from the Town of Lima, surrounding Towns, Village of Kohler and Village of Oostburg and Cities of Sheboygan Falls and Plymouth will include the board president/chair, a board member-at-large from each community, and a plan commission member-at-large from each community, for a total of an odd number of representatives. Recommendations resulting from these joint meetings will be brought back to the appropriate governmental bodies for final review and consideration.
- d) *Policy/program:* Coordinate the implementation of the Town's Comprehensive Plan with the Towns of Plymouth, Sheboygan, Sheboygan Falls and with Sheboygan County.
- e) *Policy/program:* Review as part of the Town's annual budgeting process, the opportunities to provide efficient and economical public facilities and services through cooperation with other units of government.