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## **Chapter Nine: Intergovernmental Cooperation**

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This chapter of the *Plan* contains background information, goals, objectives, policies and recommended programs for intergovernmental planning and decision making; incorporates by reference all plans and agreements to which Dekorra is a party under §66.0301, §66.0307, §66.0309 of Wisconsin Statutes; and identifies existing and potential conflicts between this *Comprehensive Plan* and the plans of adjacent villages and towns, Columbia County, the State, and school districts. This chapter includes several cooperative approaches with both Poynette and Lowville.

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## A. Existing “Regional” Planning Framework

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The following is a description of the plans of other jurisdictions operating within or adjacent to Dekorra. These jurisdictions are depicted in Map 2. A summary of any potential conflicts with the Town of Dekorra Comprehensive Plan follows the description of each jurisdiction’s plans. Where conflicts are apparent, a process to resolve them is also proposed.

### 1. Columbia County

At the time of writing, Columbia County was completing a comprehensive plan to meet the state’s comprehensive planning legislation. Dekorra has monitored and participated in this planning process to ensure consistency between jurisdictions. The precise relationship between the Town’s plan and the County comprehensive plan was uncertain at the time of writing. The County has been seeking some uniformity in plan policies, given that most towns (including Dekorra) fall under County zoning. Minimally, the County will be incorporating and interpreting individual town planned land use maps into a County planned land use map.

The *Columbia County Agricultural Preservation Plan* was originally adopted in 1977, and updated in 1988. This *Plan* supports the basic goal of preserving farmland, and lays the foundation for the County’s agricultural zoning, which was also adopted in 1977.

The *Columbia County Land and Water Resource Management Plan* was adopted in 1999. This *Plan* contains an assessment of County resources, and strategies to manage these resources.

There are no known conflicts between the *Town of Dekorra Comprehensive Plan* and the adopted Columbia County plans. However, the Town intends to work to assure that Town policy desires for the Town are incorporated into the County comprehensive plan.

### 2. Town of Lowville

The *Town of Lowville Land Use Plan* was adopted in 2004. Lowville’s updated plan is consistent with and complimentary to Dekorra’s *Plan*. Dekorra will need to address residential development pressure along Highway CS adjacent to that type of existing and planned development in Lowville.

### 3. Village of Poynette

The Comprehensive Plan for the Village of Poynette was adopted in 2005. Poynette’s updated plan was generally consistent with and complimentary to Dekorra’s *Plan*. There are other recent and emerging development, service, and intergovernmental issues between the two communities, particularly at the Village’s northeast corner. There are also very minor differences between recommended future growth areas. A recommended intergovernmental agreement approach is included later in this chapter. The Village has recently adopted extraterritorial subdivision regulations, which has prompted discussions and a possible intergovernmental agreement between the Village and Town.

**4. Town of Pacific**

Despite requests, no information was available from Pacific at the time of this publication.

**5. Town of Caledonia**

*The Town of Caledonia Land Use Goals, Objectives and Policies* document was adopted in 1996. It is a set of policies that recommends preserving the rural look and feel of the Town by limiting residential and commercial development. The goals, objectives and policies of the Town of Caledonia are consistent with the goals and recommendations of the *Town of Dekorra Comprehensive Plan*. Caledonia is updating its land use planning controls by preparing a comprehensive plan, participating with Columbia County in its planning process.

**6. Town of Arlington**

At the time of writing, the Town of Arlington did not have a land use plan in place. The Town policy is to discourage the conversion of agriculture to residential or commercial use. The Town is participating with the County in its comprehensive planning process.

**7. Town of Lodi**

*The Town of Lodi Land Use Plan* was adopted in 1992. The Plan's objectives include preserving farm operations and agricultural land, discouraging subdivision, protecting rural character, and protecting water and wetland quality. Housing density in most of the Town is limited to one parcel per 35 acres of land zoned agricultural. The *Town of Lodi Land Use Plan* is consistent with the goals and recommendations of the *Town of Dekorra Comprehensive Plan*.

**8. Important State Agency Jurisdictions**

The Wisconsin Department of Transportation's (WisDOT) District 1 office (Madison) serves Dekorra and all of Columbia County. The Town should continue to maintain good relations with District 1 as planning, congestion, and safety issues arise along U.S. and State highways, particularly Highway 51 and the interchange area. WisDOT plans are summarized in Chapter Five.

The Wisconsin Department of Natural Resources (WisDNR) provides service to the Town out of its service center located in Poynette. Project boundaries for potential DNR land acquisitions from willing sellers are shown on Map 6.

There are no known conflicts between the plans and policies of these State agencies and the *Town of Dekorra Comprehensive Plan*.

**9. Regional Planning Commission**

Dekorra is not within the service area of any Regional Planning Commission or Metropolitan Planning Organization.

**10. School Districts**

Information on local school districts is presented in Chapter Six. There are no known conflicts between the *Town of Dekorra Comprehensive Plan* and the plans of the affected school districts. Dekorra's *Plan* advocates a controlled growth strategy in and around the Town and the continued operation of Dekorra School.

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## B. Intergovernmental Cooperation Goals, Objectives, Policies, Programs

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### 1. Goal

Develop and build on mutually beneficial relationships with nearby governments and school districts.

### 2. Objectives and Policies

- a. Work with Poynette and Lowville to ensure that future municipal boundary changes, utility service areas, land use policies, and extraterritorial decisions benefit all three communities.
- b. Explore the possibility of pursuing cooperative economic development initiatives and/ or a marketing approach that would have benefits for all three communities and minimize competition for new development.
- c. Work with Columbia County and neighboring jurisdictions on their ongoing comprehensive planning efforts.
- d. Cooperate with neighboring governments, school districts, Columbia County and State agencies on providing joint or shared services and planning for future public facilities needs, such as recreational programming and emergency services.
- e. Stay informed on activities of the School Districts to ensure the Town has the opportunity to be involved in decisions that affect Town residents, such as building improvements, tax issues, and transportation.

### 3. Recommended Program: Intergovernmental Agreement

Dekorra, Poynette, and possibly Lowville would benefit from entering into a formal intergovernmental agreement covering community development issues of mutual concern. These issues may include municipal boundaries, extraterritorial rights, economic development, rural development, growth management, sanitary sewer and water service provision, parks and recreation, development design standards, or even shared revenues from new development. An agreement such as this would help the communities minimize competition for development, share both the costs and benefits of economic development, make sure that future development is of high quality, provide all parties with a greater sense of certainty on the future actions of others, and promote municipal efficiency in an era of diminishing government resources.

There are two main formats for intergovernmental agreements under Wisconsin Statutes. The first is available under Section 66.0301, which allows any two or more communities to agree to cooperate for the purpose of furnishing services or the joint exercise of any power or duty authorized under State law. While this is the most commonly used approach, a “66.0301” agreement is limited by the restriction that the municipalities must be able to exercise co-equal powers. Another format for an intergovernmental agreement is a “cooperative plan” under Section 66.0307 of the Wisconsin Statutes. This approach is more labor intensive and ultimately requires State approval of the agreement, but does not have some of the limitations of the “66.0301” agreement format.

The following is a draft outline of issues that an intergovernmental agreement could cover. Municipal attorneys would need to place any agreement in a proper legal format prior to adoption, obviously following a significant amount of additional negotiation among the communities. Often, intergovernmental agreements are executed after a year or more of meetings, research, consideration of options, writing, and legal review.

- a. **Municipal Boundary Changes.** Intergovernmental agreements between villages and towns frequently suggest limits to long-range municipal annexation, generally in exchange for some compromises from the town. Such compromises may include the town's agreement not to legally contest any annexation petition that is within the agreed annexation area and/or to limit town development in the possible future annexation area. Where there are annexations, responsibilities for road maintenance and upgrades can be confusing or controversial. Provisions for future maintenance, upgrades, or extensions of roads are often covered in intergovernmental agreements.

Within the context of an intergovernmental agreement focused particularly on Dekorra and Poynette, future (e.g., through 2025) annexation area boundaries could be based on a negotiated Urban Transition Area boundary between the Town and Village. The Town's initial suggestion for that Urban Transition Area is shown on Map 6. Within that mutually agreed area, the Town would agree not to oppose annexation. Outside of that area, the Village would agree not to annex land. Both communities could agree to a procedure for addressing road maintenance issues when new land is annexed. The discussions on municipal boundary changes should address the future of the existing agreement between the Village and Town associated with the Pauquette Pines development.

- b. **Utility Service Area Boundaries.** Some intergovernmental agreements include provisions that define where public sewer and/or water services may be extended and where they may not over the term of the agreement. These areas largely define where fairly intensive urban (public sewer) growth may occur. Some agreements include provisions that do not allow intensive development with on-site waste treatment systems in such designated utility service areas. These areas may extend beyond current municipal limits or utility district boundaries, as such agreements generally extend for 20 years or more.

Within the context of an intergovernmental agreement focused particularly on Dekorra and Poynette, future (e.g., through 2025) utility service area boundaries could be established within a negotiated Urban Transition Area boundary between the Town and Village and within a mutually agreed area near the Wisconsin River/Lake Wisconsin interchange. Each community could agree not to extend public sewer services beyond those limits. This, combined with the municipal boundary provisions described above, would provide greater certainty to both communities, property owners, developers, and the general public as to where intensive development could occur and where it could not. The discussions on utility services could also cover provisions for dealing with developed areas with failing septic systems or holding tanks to address public health concerns. The discussions and resulting agreement could also assure that both communities are carrying out appropriate stormwater management planning in planned development areas in accordance with specified standards.

- c. **Future Land Use Recommendations.** Frequently, intergovernmental agreements include maps or descriptions that specify future land uses or development densities considered acceptable or unacceptable in areas that concern both communities. For example, the agreement may specify certain areas that both communities agree should remain in open space or at least maintain an open space character as limited development occurs. Some agreements also include provisions that the communities will then amend their comprehensive plans to be consistent with the future land use recommendations negotiated in the agreement, or to not amend their comprehensive plans in a manner that would be inconsistent with the agreement.

Within the context of an intergovernmental agreement focused particularly on Dekorra and Poynette, the negotiations and resulting agreement could focus on provisions to:

- Amend this *Comprehensive Plan* and Poynette’s plan as necessary to achieve full compliance with the agreement. It should be noted that this *Comprehensive Plan* and the draft plan for Poynette were largely in alignment with respect to land use recommendations in areas of mutual concern.
  - Make development (e.g., rezoning) decisions that are consistent with the amended comprehensive plans and the agreement. This type of provision could include amending the comprehensive plans or intergovernmental agreement if both communities agreed in the future.
  - Implement innovative approaches to achieving shared growth management and land use objectives. These may include an inter-community transfer of development rights (TDR) program to direct more residential development to the village from the town. Another approach may be cooperative extraterritorial zoning, whereby the Village and Town could jointly (and without the County) make zoning decisions within 1½ miles of the Village limits.
- d. **Joint Economic Development Efforts.** An intergovernmental agreement provides a potential tool to establish joint economic development or marketing efforts to the mutual benefit of each community. Some of the more innovative agreements include provisions on sharing property tax revenue from new development or mitigating tax losses resulting from annexation. These types of arrangements are allowed under Section 66.0305 of Wisconsin Statutes. For example, an agreement may include a provision specifying that participating communities would share property tax revenue from certain types of new developments (e.g., commercial or industrial). This tends to minimize competition for development, increases development quality, and somewhat equalizes municipal “winners and losers” resulting from new development.

Within the context of an intergovernmental agreement focused particularly on Dekorra and Poynette, the negotiations and resulting agreement could focus on provisions to:

- Jointly pursue state, federal, and county economic development grants and incentives to promote business and light industrial development consistent with the “small-town” character of the area.

- Cooperatively plan for economic development in mutually agreed areas in and near Poynette and the Interstate 39/CS interchange, and not promote or allow economic development in other areas.
  - Consider a revenue sharing agreement for new municipal taxes generated from development in some of these areas.
  - Decide on the rerouting of Highway CS to extend near the Village's southern boundary east to Highway 51 as a means to facilitate economic development and redirect heavy and through traffic.
- e. **Consistent Design Standards.** Intergovernmental agreements sometimes include minimum standards that all or certain types of new development projects would need to follow, regardless of in which community the development occurred. These might include standards for signs, landscaping, lighting, setbacks, building design, or other features of development. This type of provision tends to reduce the practice of communities compromising their development standards in attempts to lure projects away from their neighbors.

Within the context of an intergovernmental agreement between Dekorra and Poynette, the communities could agree to:

- Follow development design guidelines included in comprehensive plans when reviewing development proposals.
  - Amend zoning ordinances as necessary to require site plan review and to require new non-residential and any multiple family residential development projects to meet minimum agreed standards for site design, building design, landscaping, signage, and/or lighting.
  - Institute or maintain site plan review requirements for all commercial, industrial, and multiple family residential development projects.
- f. **Shared Programs or Services.** The most common types of intergovernmental agreements focus on shared services or programs between communities. Poynette and Dekorra already have such an agreement with respect to fire and EMS services, and share municipal offices. The management of recreational lands and programs is another service that is occasionally shared across municipal boundaries.

Within the context of an intergovernmental agreement between Dekorra and Poynette, the communities could discuss greater opportunities for cooperation or consolidation of local parks and recreational programming. This should ideally be done in consultation with the Poynette School District. Another issue that could be advanced through the intergovernmental agreement is a joint commitment to work with WisDNR and potentially non-profit groups to create a trail through the Rowan Creek corridor.

The Poynette School District may be involved in this component to the extent appropriate.

- g. **Agreement Term and Amendments.** An intergovernmental agreement should specify the length of time that it is applicable. Twenty years is a typical timeframe (e.g., through 2025), as this corresponds with local comprehensive planning time horizons. Occasionally, agreements have provisions for automatic extensions if neither party

decides to withdraw. Most agreements also include provisions for periodic review and possible amendments if both parties agree. This keeps the agreement fresh in people's minds and allows adaptability as conditions change.