

## 7. Intergovernmental Cooperation

Intergovernmental relationships are simplified by the Town of Delta's remote location. There are no incorporated municipalities bordering the town, as Delta is surrounded only by other towns. Delta and all of the surrounding towns are under the jurisdiction of Bayfield County Zoning, so consistency between land use regulations on town borders has not been an issue. The presence of the Chequamegon National Forest presents the potential for conflict and cooperation with the U.S. Forest Service.

Cooperation between governmental units is becoming increasingly necessary in order to deal with issues that cross municipal boundaries and to establish mutual relationships that can benefit both communities. Intergovernmental cooperation not only means cooperation with other towns, but also with the county, neighboring counties, county departments, non-profit organizations, regional organizations, the state, and state departments.

This element will contain information regarding existing plans or agreements between the Town of Delta and other jurisdictions. In addition, the element identifies existing or potential conflicts, as well as processes to resolve such conflicts relative to cooperative planning and decision making between the town and other governmental units.

### 7.1 Inventory of Existing Plans and Agreements

The Town of Delta has an agreement with the Iron River Volunteer Fire Department for fire protection service, and with Iron River Ambulance for emergency medical service. Both agreements are one year contracts. The cost of service is based on the valuation of the real estate in the Town of Delta, and the total cost for both services in 2008 was approximately \$34,000.

The Town of Delta is party to road maintenance agreements with surrounding towns and with the U.S. Forest Service. Roads that border the Towns of Mason and Keystone are maintained under a cooperative agreement with the Town of Delta. Thirty-four miles of roads within Delta are maintained in cooperation with the Forest Service.

### 7.2 Intergovernmental Cooperation in Wisconsin

Wisconsin's Comprehensive Planning legislation requires the *Intergovernmental Cooperation* element of a comprehensive plan to incorporate any plans or agreements to which the town is a party to under s. 66.0301, 66.0307 and 66.0309.

#### **66.0301 - Intergovernmental Cooperation**

Wisconsin Statute, 66.0301 permits local agreements between the state, cities, villages, towns, counties, regional planning commissions, and certain special districts, including school districts, public library systems, public inland lake protection and rehabilitation districts, sanitary districts, farm drainage districts, metropolitan sewerage districts, sewer utility districts, Indian tribes or bands, and others.

Intergovernmental agreements prepared in accordance with s. 66.0301, formerly s. 66.30, are the most common form of agreement and have been used by communities for years, often in the context of sharing public services such as police, fire, or rescue. This type of agreement can also be used to provide for revenue sharing, determine future land use within a subject area, and to set temporary municipal boundaries. However, the statute does not require planning as a component of any agreement, and boundary changes have to be accomplished through the normal annexation process.

### **66.0307 - Boundary Agreements Pursuant to Approved Cooperative Plan**

Under Section 66.0307, Wisconsin Statutes, combinations of municipalities may prepare cooperative boundary plans or agreements. Each city, village, or town that intends to participate in the preparation of a cooperative plan must adopt a resolution authorizing its participation in the planning process.

Cooperative boundary plans or agreements involve decisions regarding the maintenance or change of municipal boundaries for a period of 10 years or more. The cooperative plan must include: a plan for the physical development of the territory covered by the plan; a schedule for changes to the boundary; plans for the delivery of services; an evaluation of environmental features and a description of any adverse environmental consequences that may result from the implementation of the plan. The plan must also address the need for safe and affordable housing. The participating communities must hold a public hearing prior to its adoption. Once adopted, the plan must be submitted to the Wisconsin Department of Commerce for state approval. Upon approval, the cooperative plan has the force and effect of a contract.

### **66.0309 - Creation, Organization, Powers, and Duties of a Regional Planning Commission**

Wisconsin Statute 66.0309 permits local governments to petition the governor to create a regional planning commission (RPC). If local support for a commission is unanimous, the governor may create it by executive order. The governor may also create a commission if local governments representing over 50% of the population or assessed valuation of the proposed region consent to the creation. Commission members are appointed by either local governments or the governor.

State Statutes require the RPC to perform three major functions:

- ◆ Make and adopt a master plan for the physical development of the region.
- ◆ If requested by a local unit, report recommendations to that local unit on the location of or acquisition of land for any of the items or facilities which are included in the adopted regional master plan.
- ◆ Make an annual report of its activities to the legislative bodies of the local governmental units within the region.

RPCs are also authorized to perform several other functions, however, by law, they serve a strictly advisory role.

### 7.3 Analysis of the Relationship Between Delta and Other Jurisdictions Including Potential Opportunities for Cooperation

#### **School District**

The Drummond School District provides service to the Town of Delta. Potential opportunities for cooperation include working with the school district to anticipate future growth and facility needs.

#### **Surrounding Towns**

The Town of Delta is active in working with the surrounding towns. Delta contracts with the Town of Iron River for ambulance and fire protection service. Delta has agreements for shared road maintenance with the Towns of Mason and Keystone. All towns surrounding Delta have the common thread of jurisdiction under Bayfield County's general zoning ordinance. Potential opportunities for cooperation include continuing current cooperative efforts and exploring other opportunities for joint service delivery and joint purchasing in pursuit of maximum efficiency of town budgets.

#### **Bayfield County**

Bayfield County agencies provide various services to the town including law enforcement, highway maintenance, and zoning. The Town of Delta is under the jurisdiction of the Bayfield County Zoning Ordinance. Potential opportunities for cooperation include continuing to communicate with the county to develop a mutually beneficial implementation program to ensure orderly and efficient land use planning. The town will continue its participation in the county's comprehensive planning process toward this same goal. There is also a potential opportunity for cooperation by coordinating transportation planning efforts with the Bayfield County Highway Department.

#### **Regional Planning Commission**

Bayfield County and the Town of Delta are members of the Northwest Wisconsin Regional Planning Commission (NWRPC). The NWRPC offers local planning assistance to counties and municipal governments within its region. Typical functions of NWRPC include, but are not limited to: comprehensive, intergovernmental planning; transportation planning and programming; water quality planning; collecting and analyzing data; conducting studies; sewer service area planning; economic development planning and grant writing; and meeting area wide requirements so local jurisdictions can receive federal grants. The town could utilize NWRPC services for future projects such as park planning or transportation grant assistance.

#### **Wisconsin Department of Natural Resources**

The Town of Delta was awarded a Lake Planning grant to assist the town in the development of its comprehensive plan. Given the abundance of natural resources within the town, including wetlands, endangered resources, and the presence of more than 50 lakes, the town has the opportunity to continue working with the WDNR to protect and preserve these resources.

## **USDA Forest Service**

Nearly one half of the Town of Delta is located within the Chequamegon National Forest. The town maintains 34 miles of roads in cooperation with the Forest Service. Given the expansive presence of the National Forest, the town has the opportunity to continue working with the Forest Service to protect and preserve its forest resources.

## **Lake Organizations**

The Delta Area Lakes Association (DALA) was formed in 2003. Its defined purpose is to preserve and protect the Delta lakes area and its surroundings and to enhance water quality, fisheries, boating safety and aesthetic values of the Delta lakes area as a public recreational facility for today and for future generations. DALA provides a forum that include but are not limited to: Environmental issues, Crime prevention/law enforcement, Gathering and distributing information relating to the concerns of the membership through annual and special meetings and Providing representation at various government and civic functions as deemed necessary by personal attendance or written communications.

The Iron River Lakes Association is the oldest active lake association in the Town of Delta. This association serves lakes in the Towns of Delta, Hughes, Iron River, Oulu, and Tripp. The Iron River Lakes Association was formed to provide a forum for concerns related to environmental issues, law enforcement, crime prevention, the quality and cost of local educational services, and governmental activities. The association meets at least twice each year and calls special meetings as necessary.

The Bayfield County Lakes Forum (BCLF) is a lake organization that includes representatives of many different waterways throughout the county. The mission of the BCLF is to facilitate education, research and information sharing between organizations, individuals, governmental bodies, and the general public with regard to issues relating to the protection, preservation, and



The Town of Delta can work cooperatively with lake organizations to address surface water issues that are identified during the planning process. The town can also help increase awareness of water quality related programs that can be hosted by lake organizations such as Citizen Self-help Lake Monitoring and Sensitive Area Designations.

improvement of Bayfield County water bodies, shorelands, environs, and watersheds. Such issues include, but are not limited to, aesthetics, water quality, wildlife habitat, fisheries and recreation.

## 7.4 Plans of Neighboring Jurisdictions

Several surrounding towns have completed land use plans. Although these plans contain many elements of a comprehensive plan, none of them are fully compliant with Wis. Stats. 66.1001 Comprehensive Planning law.

The Town of **Iron River** completed a land use plan in 1984. This plan included recommendations in the areas of housing, community facilities, recreation and tourism, transportation, and economic development, but did not include a future land use map. The plan included an implementation strategy that was focused on economic development and community facilities planning. Key recommendations included:

- ◆ Directing new developments to areas that can be serviced by existing or easily expanded infrastructure.
- ◆ Improvements to Moon Lake Park.
- ◆ Developing a capital improvements program.
- ◆ Revising transportation budgets.
- ◆ Encouraging economic development.

The Town of **Keystone** developed a land use plan in 2000. Although no specific recommendations were made in the plan, a future land use map was developed. No potentially conflicting uses were identified on lands bordering the Town of Delta. Key goals cited by the plan included:

- ◆ Preserve the existing quality of life through orderly and sustainable growth.
- ◆ Encourage light, non-polluting industry.
- ◆ Preserve and protect unique natural resources and rural characteristics.
- ◆ Preserve productive agricultural land.

The Town of **Drummond** adopted a land use plan in 2002. This plan included a land use plan map and detailed recommendations for future development. No conflicting uses are planned for the areas that border the Town of Delta. Key goals of the land use plan map included:

- ◆ Direct development away from sensitive environmental areas.
- ◆ Protect and maintain natural resources.
- ◆ Continue active agricultural and forest uses.

- ◆ Maintain rural and open landscape character by avoiding high density development in rural areas.
- ◆ Maintain scenic visual resources.
- ◆ Disallow commercial and retail development outside of existing business areas within the existing sanitary district.

The Town of **Grandview** finalized a land use plan in 2002. This plan included a land use plan map and detailed recommendations for future development. No conflicting uses are planned for the areas that border the Town of Delta. Key goals of the land use plan map included:

- ◆ Direct development away from sensitive environmental areas.
- ◆ Protect and maintain natural resources.
- ◆ Continue active forest uses.
- ◆ Continue active resort and recreational uses.
- ◆ Maintain rural and open landscape character by avoiding high density development in rural areas.
- ◆ Maintain scenic visual resources.
- ◆ Maintain strict road standards.
- ◆ Keep larger parcels manageable and intact.

The Town of Barnes has completed a Comprehensive Plan.

Several surrounding towns have not adopted a land use or comprehensive plan to date. However, plan development is in progress in each of these communities including the Towns of Hughes and Mason.

### **Bayfield County Land Use Plan**

The Bayfield County Land Use Plan addresses eight of the nine required elements of Wisconsin's Comprehensive Planning legislation; however, the plan is not considered a comprehensive plan. The county continues to work on this plan and intends to finish in early winter 2009.

### **7.5 Existing and Potential Conflicts**

Existing and potential intergovernmental conflicts were considered in the analysis of relationships with other units of government, the inventory of plans of neighboring jurisdictions, and during the town's plan development process. Two areas of conflict have been identified: the treatment of nonconforming structures by the Bayfield County Zoning Ordinance, and the forest management practices of the USDA-Forest Service.

## **Nonconforming Structures**

The *Town of Delta Year 2030 Comprehensive Plan* contains recommendations for changes to the Bayfield County Zoning Ordinance with regard to the treatment of structures that have a nonconforming setback from the water. These recommendations are found in the *Implementation* element. These zoning rules are the source of existing conflict and have the potential to be a source of continuing conflict in the future.

The relationship between towns and counties that are involved in a county zoning program is often a difficult one. Counties are often the best equipped unit of government to provide zoning services to rural areas in a cost-effective manner. However, counties in this situation are challenged by the differing needs of various towns under their jurisdiction. It is an ongoing challenge to administer a single set of zoning rules that apply to many different communities. This relationship is also challenged by the requirements of regulatory programs mandated by the state. Any changes to the rules that apply to nonconforming structures in the shoreland zone must also meet the minimum requirements of Wisconsin Administrative Code NR 115.

The recommended method of resolving these conflicts is continued communication with Bayfield County and neighboring towns. This includes active participation in development of comprehensive and land use plans of the county and of neighboring towns. County government cannot be expected to modify ordinance provisions that apply to an entire county based on the recommendations of one town. However, if the plans of several towns identify the same issues, then action on the part of the county may be justified. Working through lake organizations may also prove valuable in resolving these conflicts. Continuing to monitor the progress of revisions to NR 115 is also recommended.

## **National Forest Management**

No specific existing conflicts with the management of the Chequamegon National Forest have been identified during the planning process.

### **7.6 Intergovernmental Cooperation Goals and Objectives**

Community goals are broad, value-based statements expressing public preferences for the long term (20 years or more). They specifically address key issues, opportunities, and problems that affect the community.

Objectives are more specific than goals and are measurable statements usually attainable through direct action and implementation of plan recommendations. The accomplishment of objectives contributes to fulfillment of the goal.

**Goal 1)           1Seek to establish and improve mutually beneficial relationships with other units of government.**

### ***Supporting Objectives:***

- ◆ 1 Seek opportunities to enhance the provision of coordinated public services and facilities such as police, fire, emergency rescue, waste management, transportation systems, parks and recreation with other units of government.
- ◆ 1 Achieve cooperation and coordination with adjacent towns with respect to comprehensive planning and land use controls.
- ◆ 1 Maintain town involvement in county planning efforts and policy development.
- ◆ 1 Promote communication and cooperation by providing neighboring towns and overlapping authorities opportunities to comment on the town comprehensive plan, implementing land use controls, and future development proposals.
- ◆ 1 Coordinate implementation of the town comprehensive plan with Bayfield County to avoid conflicting regulations, duplication of regulatory and review processes, and public confusion on applicable regulations.
- ◆ Work toward improving the completeness of Bayfield County's decision record regarding land use decisions that affect the Town of Delta.
- ◆ 1 Seek county technical assistance to support town planning efforts and implementation of land use controls.

### **Goal 2) Improve relationships with state and federal agencies with a major presence in the town.**

#### ***Supporting Objectives:***

- ◆ Support Wisconsin Department of Natural Resources lake and river protection programs in the town when they are consistent with the *Town of Delta Year 2030 Comprehensive Plan*.
- ◆ Establish regular, two-way communication between Delta and the Wisconsin Department of Natural Resources regarding natural resource issues in the town.
- ◆ Continue and improve regular communications with the U.S. Forest Service regarding issues of mutual concern such as forest management and road maintenance.

## **7.7 Intergovernmental Cooperation Policies and Recommendations**

Policies and recommendations build on goals and objectives by providing more focused responses to the issues that the town is concerned about. Policies and recommendations become the tools that the town can use to aid in making land use decisions.



Policies identify the way in which activities are conducted in order to fulfill the goals and objectives. Policies that direct action using the words “will” or “shall” are advised to be mandatory and regulatory aspects of the implementation of the *Town of Delta Year 2030 Comprehensive Plan*. In contrast, those policies that direct action using the word “should” are advisory and intended to serve as a guide.

Recommendations are specific actions or projects that the town should be prepared to complete. The completion of these actions and projects is consistent with the town’s policies, and therefore will help the town fulfill the comprehensive plan goals and objectives.

### **Policies**

- ◆ The Town of Delta will work to maintain positive relationships with the surrounding towns, with Bayfield County, and with state and federal agencies.
- ◆ Neighboring communities and districts will be invited to any future meetings in which amendments or updates to the comprehensive plan that apply to them are made or discussed.
- ◆ The Town of Delta will work toward recording all intergovernmental agreements in writing including joint road maintenance agreements.

### **Recommendations**

1. Meet with Bayfield County and neighboring town officials to explore opportunities for the cooperative development and administration of Delta’s proposed implementation strategy. Specific opportunities include the commercial and industrial design review ordinance and proposed changes to the Bayfield County Zoning Code.

## **7.8 Intergovernmental Cooperation Programs**

### **Wisconsin Towns Association (WTA)**

The Wisconsin Towns Association (WTA) is a non-profit, non-partisan, statewide organization created under s. 60.23(14) of the Wisconsin Statutes to protect the interests of the state's 1,266 towns and to improve town government. The association is organized into six districts and is headquartered in Shawano. The WTA relies on regular district meetings, an annual statewide convention, publications, participation in cooperative training programs, and other means to support the goal of keeping grassroots government strong and efficient in Wisconsin. The WTA may provide information and resources for the development of shared service agreements.