

## CHAPTER 8

# INTERGOVERNMENTAL COOPERATION ELEMENT

The comprehensive planning legislation requires that a compilation of goals, objectives and recommendations that include policies 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 be included in the Comprehensive Plan. In addition the legislation states that the Plan shall analyze the relationship of the Village to school districts and adjacent local governmental units, and to the region, the state and other governmental units.

This chapter includes the benefits of Intergovernmental Cooperation, an analysis of intergovernmental relationships between Kenosha County, State and Regional government agencies, the Village, adjacent county and local governments. The chapter describes intergovernmental agreements involving Kenosha County and the Village and identifies existing and potential shared services and agreements, including existing and ongoing cooperative boundary agreements. In addition, this chapter identifies existing or potential land use conflicts between the Village and adjacent communities within Kenosha County, as required by the Statutes, and describes processes to resolve such conflicts.



*Village Information Meeting related to the Kenosha County Multi-Jurisdictional Plan*

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 the Village Comprehensive Plan. The Kenosha County Comprehensive Plan, which this Plan was based, was a multi-jurisdictional plan undertaken as a cooperative, multi-jurisdictional process that sought to involve all cities, towns, and villages in Kenosha County as either full partners or as cooperating partners as discussed in Chapter 1 of this Plan. The multi-jurisdictional planning process was also fully coordinated with Kenosha County, Southeastern Wisconsin Regional Planning Commission (SEWRPC), the regional planning commission serving Kenosha County and its communities, and UW-Extension. In addition, school districts, environmental and economic development interest groups, and representatives from State agencies were also involved in the planning process through membership on the Multi-Jurisdictional Comprehensive Planning Advisory Committee (MJAC), or were provided with plan materials and invited to submit comments and/or attend MJAC meetings. Intergovernmental Cooperation objectives and recommendations to meet the primary goal of this element is provided at the end of this Chapter.

### ***Intergovernmental Cooperation Goal:***

*To support further evaluation of consolidating and coordinating services only where the consolidation makes economic sense, while not reducing the level or quality of services currently provided to residents of the Village. The Village shall have the ability to decide what level of services they are willing to fund and who is best suited to provide those services. Language that identifies consolidation as a goal should only be considered if desired and requested by the Village and if the consolidated service is cost effective, that the level and quality of services is not reduced, and the consolidated services do not negatively impact the Village's image or character.*

## BENEFITS OF INTERGOVERNMENTAL COOPERATION

Below is a list of some of the benefits of Intergovernmental Cooperation:

- **Early Identification of Issues:** Cooperation enables communities 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 become mired in litigation. Reducing the possibility of costly litigation can save a community money, as well as the disappointment and frustration of unwanted outcomes.
- **Consistency:** Cooperation can lead to consistency of the goals, objectives, plans, policies, and actions of neighboring communities and other jurisdictions.
- **Understanding:** As communities communicate and collaborate on issues of mutual interest, they become more aware of one another's needs and priorities. They can better anticipate problems and work to avoid them through communication and shared information.
- **Trust:** Cooperation can lead to positive experiences and results that build trust and good working relationships between communities.
- **History of Success:** When communities cooperate successfully in one area, the success creates positive feelings and an expectation that other intergovernmental issues can be resolved as well.
- **Cost Savings:** Cooperation can save money by increasing efficiency and avoiding unnecessary duplication. Cooperation can enable some communities to provide their residents with additional services and facilities that would otherwise be too costly. Examples include shared library services, hazardous waste collection, recycling, and shared informational/data collection. When evaluating shared services, the impact on service levels must be evaluated together with potential cost savings, to ensure that existing levels of service will not be adversely affected and that projected cost savings are likely to be achieved.
- **Address Regional Issues:** By communicating and coordinating their actions, and working with regional and State agencies, County and local governments are able to address and resolve issues which are regional in nature. Examples include the construction and maintenance of highways, provision of transit service, and planning and construction of facilities for stormwater management, water supply, and sewage treatment and waste disposal.

## ANALYSIS OF INTERGOVERNMENTAL RELATIONSHIPS

### *Kenosha County*

All departments and services provided by Kenosha County are available to all residents of the County. The Utilities and Community Facilities Element (Chapter 5) provides a summary of the services and facilities provided by Kenosha County. The Transportation Element (Chapter 4) provides information on highway, transit, and other transportation facilities and services provided by Kenosha County. This section briefly highlights a few of the County departments that have entered into service agreements with, or provide services to local governments and other units and agencies of government.

#### *Planning and Development Department*

The Planning and Development Department is comprised of the Planning Operations Division, Long-Range Countywide Planning Division, Land Information Division, UW-Extension, Housing



Authority, and Surveying. The Planning and Development Department provides a number of services, including coordination of the multi-jurisdictional comprehensive planning process, GIS mapping services, maintenance of GIS mapping data on the County website and the Kenosha Area Land Management (KALM) system. The Department also interprets legal descriptions on recorded documents and makes the necessary changes to the real estate assessment roll for assessment and taxation purposes, which is used to generate assessment notices and tax bills.

The County administers and enforces a nonmetallic mining reclamation ordinance in the city, villages (except Pleasant Prairie), and towns that have not adopted a local reclamation ordinance; regulates private onsite waste treatment systems (POWTS) throughout the County; and administers and enforces general zoning and shoreland/floodplain and subdivision control regulations and the stormwater management and erosion control review process within the towns (see Chapter VI for information on County land use-related ordinances). The Department is also responsible for surveying and providing practical education, research, and knowledge to the needs of diverse families and communities in the County through UW-Extension, and with assistance from SEWRPC, conserving, rehabilitating, and improving property owned or occupied by low- and moderate-income residents throughout Kenosha County, except the City of Kenosha, via the County Housing Authority. The County Housing Authority further administers the Fox River Flood Mitigation Program, a buyout program for homes in the 100-year floodplain of the Fox River in the Town of Salem, Town of Wheatland, and Village of Silver Lake, as well as managing the Housing Rehabilitation and Homestead Opportunity loan programs.

As part of the Long-Range Countywide Planning Division, the County Land and Water Conservation staff maintains, enhances, and preserves land and water resources in Kenosha County. County staff provides various conservation services and programs to County residents, including various conservation practices; farmland preservation, conservation reserve, environmental quality incentives, soil and water resource management grant, and wetlands reserve programs; stormwater management, including stormwater and erosion control reviews; gypsy moth suppression; and shoreland, wetland, and pond information and permits. The department also organizes an annual seedling tree program.

#### *Human Services Department*

The Human Services Department is comprised of Aging and Disability Services, the Brookside Care Center, Children and Family Services, Division of Health, Veteran Services, and Workforce Development. The Human Services Department provides services and enforces public health regulations, including surveillance, investigation, control, and prevention of communicable diseases; other disease prevention; health promotion; human health hazard control; monitoring beach water quality; community safety and well-being; assistance and support to veterans and their families; employment services for low-income families, custodial and non-custodial parents, and the general public; and medical services, emergency shelter, and food for indigent and homeless persons. The Department administers nursing home services via the Brookside Care Center. The Department also prepares the *Healthy People Kenosha County Annual Report*. The Division of Aging and Disability Services, through the Kenosha County Aging and Disability Resource Center, provides information, programs, and services pertaining to transportation, healthcare services, housing for the elderly, meal programs, benefit services, financial assistance, recreation and education programs, and other services for the elderly and disabled.

#### *Public Works Department*

The Kenosha County Public Works Department is comprised of the Division of Highways, Division of Facilities, Division of Parks and Recreation, and Division of Golf. The Department constructs and maintains the County Trunk Highway system and helps maintain and plow highways under State jurisdiction, which includes State Trunk Highways, I-94, and U.S.



Numbered Highways (such as U. S. Highway 45). The Department also works with SEWRPC to plan and program construction and improvement projects on the County highway system, and oversees engineering and construction of improvement projects. The Department cooperates with SEWRPC, Wisconsin Department of Transportation (WisDOT), the Federal Highway Administration, and local governments in the County to prepare, implement, and periodically update the County jurisdictional highway plan. The Department also maintains County-owned facilities and buildings, maintains and oversees the development of facilities at County-owned parks, including two golf courses, and coordinates recreational programs.

#### *Sheriff's Department*

The Kenosha County Sheriff's Department provides full-time police services to the Towns of Brighton, Paris, Randall, Salem, Somers, and Wheatland and portions of the Village of Genoa City located in the County; and for four hours daily to the Village of Silver Lake. The Kenosha County Sheriff's Department also contracts police service to the Village of Paddock Lake and Town of Bristol for 16 hours a day each. The Department is the lead agency of the Hazardous Device Squad (Bomb Squad), which is comprised of members from the Sheriff's Department and City of Kenosha Police and Fire Departments.

#### ***Village of Pleasant Prairie***

Information related to the services and departments in the Village is outlined in detail within the Utilities and Community Facilities Element (Chapter 5).

#### ***Public School Districts***

There are two (2) public high school districts (Kenosha Unified School District No. 1 and Central High School District of Westosha) and two (2) school districts operating elementary schools (Kenosha Unified School District No. 1 and Bristol School District #1 serving the Village in Kenosha County as shown on Map 5.12 and listed in Table 5.14 in the Utilities and Community Facilities Element (Chapter 5). Chapter 5 also describes facilities planning by Kenosha Unified School District No. 1 and Central High School District of Westosha to determine and provide for future needs.



*Pleasant Prairie Elementary School*

Each school district includes portions of a number of local governments in Kenosha County. Because none of the school districts serves only one local government, each school district must 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 County and local zoning regulations, and rely on local services such as sewer and water (where available), police and fire protection, and streets and highways.

The Kenosha Unified School District No. 1 encompasses all lands east of I-94 within Kenosha County. The school district regularly meets with staff members from the City of Kenosha, Village of Pleasant Prairie, and Town of Somers to cooperatively share information on residential growth and the impact growth will have on schools within the district. Representatives from the city, village, and town serve on the Kenosha Unified School District Long-Range Facilities Planning Committee. The Committee meets on a regular basis to address updates to the long-range plan and cooperatively identify the best locations for new elementary, middle, and high school facilities within the district based on potential residential growth in each community.

Pleasant Prairie Police Department has a full-time School Resource Officer with an office at the LakeView Technology Academy High School and travels to the three (3) public elementary schools in the Village (Pleasant Prairie Elementary School, Whittier Elementary School and Prairie Lane Elementary School).

The Kenosha County Sheriff’s Department provides a Deputy Friendly and DARE Officer to schools within the Kenosha Unified School District, including parochial schools. Based on an agreement between the City of Kenosha and the school district, the City provides transportation services for all students in Grades 6 through 12 who qualify for busing and live within the city transit bus lines, and the city and school district jointly purchase fuel. The school district also has long term leases with the City for the use of recreational facilities at City-owned parks and buildings, such as Ameche Field at Anderson Park, Simmons Field, and KTEC Charter School (formerly Lincoln Elementary School). Furthermore, the school district and Kenosha County are jointly installing the Kenosha Fiber Infrastructure High-Speed Optical Wide Area Network.

Recreational sites and facilities present an opportunity for the 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 track); and play apparatus, playfields, indoor swimming pools, and auditoriums at schools may be available for local residents to use when school is not in session. It is often advantageous to locate schools and parks next to each other, to maximize opportunities for shared use of recreational areas and facilities.



*Shared Neighborhood Park and School Park at Pleasant Prairie Elementary School*

**Libraries**

All public libraries in Kenosha County are part of the Kenosha County Library System. The County Library System provides interlibrary loan, delivery, and consulting services to member libraries in Kenosha County. The Library System also contracts with the Lakeshores Library System to provide access for Kenosha County residents at libraries in Racine and Walworth counties, in addition to providing access for Lakeshores Library System users to Kenosha County libraries. Kenosha County is required to reimburse libraries outside the County for services provided to Kenosha County residents. Similarly, libraries in Kenosha County receive funding from adjacent Counties whose residents use Kenosha County libraries. The Utilities and Community Facilities Element (Chapter 5) further discusses the Kenosha County Library System. Map 5.9 and Table 5.8 illustrates the location of libraries and Table 5.9 in Chapter 5, specifies circulation data of the libraries within Kenosha County Library System.



*Kenosha Southwest Library*

### ***Adjoining County and Local Governments Cooperative Efforts***

Kenosha County is bordered by Racine County to the north, Racine County and Walworth County to the west, the State of Illinois to the south, and Lake Michigan to the east. Kenosha County is part of the Chicago metropolitan area, but is also within proximity to the Milwaukee metropolitan area. Cooperative efforts between Kenosha County and other Wisconsin counties, local governments near Kenosha County, and Illinois counties are listed below.

#### *Transit Marketing*

The Southeastern Wisconsin Transit Partnership includes Kenosha, Racine, Washington, Ozaukee, Waukesha, 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 TV 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.

#### *Family Care Consortium*

The Family Care Consortium involves 29 counties throughout the State, and includes Kenosha, Racine, Ozaukee, Washington, Waukesha, and Walworth Counties in southeastern Wisconsin. 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. The consortium was able to fund a position to assist the counties in developing shared data bases and procedures to meet reporting requirements.

#### *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, 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.

#### *Wisconsin/Illinois Border County Mutual Aid Agreement for Emergency Response and Recovery*

The Wisconsin/Illinois Border County Mutual Aid Agreement for Emergency Response and Recovery Agreement facilitates mutual assistance between Kenosha and Walworth Counties in Wisconsin, and Lake, McHenry, and Boone Counties in Illinois in the event of bioterrorism, other infectious disease outbreaks, and other public health threats and emergencies affecting these counties. Mutual assistance rendered may be in the form of personnel, equipment, materials, and supplies including, but not limited to, laboratory, nursing, and environmental health.

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### *Kenosha County Fire Rescue Safety Association*

The Kenosha County Fire Rescue Safety Association is made up of all of the Fire/EMS Agencies in Kenosha County. The Fire Rescue Safety Association has an agreement with Kenosha County Emergency Management to provide HazMat Team services within the County, and maintains a Kenosha County Dive Team and a Specialized Response Team for confined space, structural collapse, trench, and high-angle rescues. All assets under the Fire Rescue Safety Association are part of the Mutual Aid Box Alarm System (MABAS) and will respond, on request, to emergencies anywhere in southeastern Wisconsin or northeastern Illinois.

### *Emergency Management Mutual Aid Agreement*

The Agreement facilitates mutual assistance among Kenosha, Racine, Walworth, Milwaukee, Waukesha, Ozaukee, Washington, and Jefferson Counties in the event of fire and medical-related emergency services or specialized emergency operations, such as containing and disposing of hazardous materials, underwater rescue and recovery, and trench and building collapse rescues. As part of the eight-party agreement, any County Emergency Management Director can travel to another County and manage or provide assistance to an emergency, if requested.

### *Southern Lake Michigan Regional Water Supply Consortium*

The Consortium was founded by the Wingspread Accord. In 2002, an agreement was signed between the regional planning commissions in southeastern Wisconsin, northeastern Illinois, and northwestern Indiana to cooperate closely in matters of regional interdependence, and also includes members of Federal, State, and local governments, including Kenosha County, private firms, non-profit advocacy groups, and universities. The agreement is designed to promote a comprehensive, regional approach to sustainable water supply planning and management in the greater Chicago metropolitan region, including southeastern Wisconsin and northwestern Indiana, and also recognizes that comprehensive planning and management must include all water resources, from Lake Michigan to inland surface waters to groundwater.

### *Upper Des Plaines River Phase II Feasibility Study*

The Study is a multi-purpose feasibility study that evaluates flood risk management and environmental restoration of degraded ecosystems and determines the feasibility of improvements related to water quality, recreation, and other related purposes within the Des Plaines River basin. The Study also evaluates flooding impacts on the transportation system and studies methods for mitigation. The Phase II study is a continuation of the Phase I study completed in 1999. The Kenosha County Division of Highway along with the Lake County Stormwater Management Commission, Cook County Highway Department, Illinois Department of Natural Resources, and the Army Corps of Engineers comprise the executive steering committee which oversees the study.

### *Northeastern Illinois County Cooperative GIS Program*

The six counties of northeastern Illinois (Cook, DuPage, Kane, Lake, McHenry, and Will) are engaged in a long-term cooperative program in GIS, and are consulting with neighboring counties in Illinois, Wisconsin, and Indiana. The GIS agencies of northeastern Illinois are working together to develop common standards for the data they share with each other and with other government agencies, with an emphasis on meeting the needs of public safety. Kenosha County participates in the review and finalization of standards under development.

### *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.



## **Regional Organizations**

### **Southeastern Wisconsin Regional Planning Commission (SEWRPC)**

Kenosha County is served by the Southeastern Wisconsin Regional Planning Commission (SEWRPC). Kenosha County contracted with SEWRPC to assist the County and nine participating local governments to help prepare the County and local comprehensive plans. 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.<sup>1</sup> SEWRPC is also the regional water quality management agency for the region, and is involved in many other aspects of land use planning and development. In addition to this comprehensive plan, major SEWRPC planning projects affecting the County include the County jurisdictional highway system plan, the regional water supply plan, and the regional telecommunications plan. SEWRPC works closely with the County and local governments in the Region, as appropriate, when developing its plans.

### **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 important to fostering economic growth. Additional information about the Milwaukee 7 is provided in Appendix 7-1.

### **Nonprofit Conservation Organizations**

Several nonprofit conservation organizations are active in the County. These organizations work to preserve lands with important natural resources, and educate citizens on the benefits of protecting natural resources. Kenosha County cooperates with the Kenosha/Racine Land Trust, the Conservation Club of Kenosha, and the Des Plaines Wetlands Conservancy, Inc., among others, to prepare and implement plans for acquiring or otherwise preserving lands with important natural resources. A representative of the Land Trust served on the multi-jurisdictional advisory committee.

## **State of Wisconsin**

### **Wisconsin Department of Transportation (WisDOT)**

In partnership with local governments, the County, and SEWRPC, WisDOT administers a variety of State and Federal programs to complete projects that enhance the transportation network within Kenosha County. 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 multi-modal, streets and highways, transit, harbors, airports, bicycle and pedestrian improvements, and funding for railroad improvements (see Appendix 4-1 for more information).

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



*I-94 reconstruction project-2009*

<sup>1</sup> The seven Counties in the SEWRPC region are Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, and Waukesha.

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 DNR 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.

The DNR makes grants available to County and local units of government for park acquisition and development.<sup>2</sup> Kenosha County has historically applied 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.



*Des Plaines River floodplain*

The DNR is also working with the Federal Emergency Management Agency and Kenosha County to update floodplain mapping within the County. The floodplain update is expected to be completed in 2010.

The DNR also 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 Appendix 7-1.

#### *Department of Commerce*

The Wisconsin Department of Commerce administers regulations for POWTS in the State of Wisconsin. The Kenosha County Planning and Development Department works closely with the Department of Commerce to implement those regulations. The Kenosha County Planning and Development Department enforces POWTS regulations in all local governments in the County, as described in the Utilities and Community Facilities Element (Chapter 5).

#### *Department of Health and Family Services (DHFS), Division of Public Health (DPH)*

In collaboration with DHFS/DPH, local health departments, community organizations, medical clinics operated by local governments, and Federal tribes make up the public health system in Wisconsin. Wisconsin's Public Health Statutes include but are not limited to Chapters 250 through 255 and regulations promulgated from them. The State supports local public health service capacity building through grants, consultation, and technical assistance. Local boards of health assure that measures are taken to provide an environment in which individuals can be healthy.

<sup>2</sup> A County or local government must prepare and adopt a park plan to be eligible to receive recreational grant funds from the DNR.

### **Other Governmental Units**

There are a number of “special purpose” units of government serving the Village within the Kenosha County. Special purpose units of government that are directly involved in land use planning and development include Utility Districts as described in Utilities and Community Facilities Element (Chapter 5). Services provided by other special purpose units of government, most notably school and library boards, are described in Chapter 5.

### **EXAMPLES OF EXISTING SERVICE AND OTHER AGREEMENTS**

The *Wisconsin Statutes* require that this element incorporate any plans or agreements to which the County and participating local governments are a party under the following statutory sections:

#### **Section 66.0301 – Intergovernmental Cooperation**

This section of the *Statutes* authorizes cooperation between local, County, and State government agencies and/or special purpose units of government for the receipt or furnishing of services or for the joint exercise of powers or duties required or authorized by law. The agreement is a contract between the cooperating entities and specifies the responsibilities of each, and the time period for which the contract is in effect. This section is also be used for boundary agreements between communities. The parties either commit to maintain existing boundaries or to allow the city or village to grow to the boundary specified in the agreement.

Existing intergovernmental agreements among County, the Village and other local governments in Kenosha County and service agreements between governmental agencies and private organizations are described in the following section.

- Intergovernmental agreements are in place among Kenosha County, SEWRPC, and each participating local government for development of the County comprehensive plan.
- Intergovernmental agreements exist between Kenosha County, City of Kenosha, Villages of Pleasant Prairie and Silver Lake, and Towns of Bristol, Salem, and Somers in Kenosha County; City of Racine and Villages of Caledonia, Mt. Pleasant, Sturtevant, and Wind Point in Racine County; Cities of Franklin and Oak Creek and Villages of Greendale and Hales Corners in Milwaukee County; and City of New Berlin in Waukesha County as contracted with the Root Pike Watershed Initiative Network to implement a public participation project, *Keep Our Waters Clean Plan*, to fulfill the information and education requirements of the State of Wisconsin-issued stormwater discharge permits for each unit of government list above, and also provide public outreach and education related to water pollution caused by stormwater discharge.
- Intergovernmental agreements are in place between the Village of Pleasant Prairie and the Town of Somers for road maintenance, sanitary sewerage maintenance, and snow plowing for portions of roadway north of 67<sup>th</sup> Avenue east of STH 31 until land is annexed into the City of Kenosha.
- Intergovernmental agreements are in place between the Village of Pleasant Prairie and the Towns of Brighton, Randall, and Salem and the Village of Twin Lakes for Real and Personal Property Assessment Services.
- Intergovernmental Agreement are in place between Fire Departments in Kenosha County to receive and provide mutual aid to one another in conjunction with the Mutual Aid Box Alarm System (MABAS).

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### **Section 66.0307 – Boundary Change Pursuant to Approved Cooperative Plan**

A cooperative plan may change boundaries between local governments. The cooperative plan must be approved by the Wisconsin Department of Administration. The plan may establish ultimate city or village boundaries, zoning for the areas included in the agreement, and provide for revenue sharing. The major difference between a boundary agreement established under Section 66.0301 and one established under Section 66.0307 is that the latter supersedes the annexation Statute for attachment and/or detachment of property from one local government to another, provided the attachment or detachment is called for by the agreement. Kenosha County is not a party to any agreements established under Section 66.0307.

Currently there are no boundary agreements developed under Section 66.0307 in effect in the Village.

### **Section 66.023—Cooperative Plan Agreements**

The Village of Pleasant Prairie and the Town of Bristol entered into the 1997 Settlement and Cooperation Agreement related to annexation and sewer service for portions of the Town of Bristol under Section 66.023, which was renumbered as Section 66.0307 in 1997. This Agreement also involved Section 66.027 of the Statutes, which was renumbered to Section 66.0225 in 1997.

### **Section 66.0225 – Stipulated Boundary Agreements**

Boundary agreements may also be established by a judicial order as part of a settlement of annexation litigation between a town and adjacent city or village. Boundaries are determined by mutual agreement of the parties. The procedures for this type of agreement are set forth in Section 66.0225 of the *Statutes*, “Stipulated Boundary Agreements in Contested Boundary Actions.” There are no such agreements in the Village.

### **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. Kenosha County is part of the SEWRPC region, which serves the seven counties and 146 cities, towns, and villages in the southeastern corner of Wisconsin. SEWRPC was established by then-Governor Gaylord Nelson in 1960 and is governed by a 21-member Commission. Appendix 2-1 includes a summary of recent plans conducted by SEWRPC that affect Pleasant Prairie.

### **EXAMPLES OF EXISTING AND POTENTIAL SHARED SERVICES IN THE VILLAGE AND WITHIN KENOSHA COUNTY AFFECTING THE VILLAGE.**

There are many existing service agreements within Kenosha County between the County and local units of government, and between local governments. Agreements can take the form of intergovernmental agreements under the Statutes, memoranda of understanding between or among units of government, resolutions approved by governing bodies, or more informal written or verbal agreements. The agreements impacting Pleasant Prairie are listed below.

Several potential shared services and agreements were identified during a brainstorming session by the MJAC during a January 2009 meeting. Existing and potential shared services and agreements are also listed below. Each potential shared service or equipment shall be examined by the Village to ensure that there is an added benefit for the shared service, not only financially, but that the level and quality of existing service is not negatively affected.

## **Existing Shared Services and Equipment**

### *Police/Dispatching/Fire/Emergency Medical Services (EMS)*

- All fire departments in the County receive and provide mutual aid to one another in conjunction with the mutual aid box alarm system (MABAS). Fire departments in Kenosha County will also provide mutual aid to areas of southeastern Wisconsin and northeastern Illinois, when requested.
- Agreement between the Kenosha City/County Joint Services-Communication Center and the Pleasant Prairie, Twin Lakes, and UW-Parkside Police Departments to cooperatively operate dispatch services for fire, police, and rescue and take emergency calls 24 hours a day.



*Pleasant Prairie Ambulance*

- The Village of Pleasant Prairie and the City of Kenosha Police Department have an agreement related to the City of Kenosha's enforcement responsibility on STH 50 for and including the intersection of STH 31 west to 70<sup>th</sup> Avenue.
- The Village of Pleasant Prairie have and agreement with the Lake & McHenry County Specialized Response Teams joining the Fire & Rescue Department with all fire and rescue departments in Lake and McHenry County, IL to provide service during exceptional emergency situations. Those situations include response for victims under water using SCUBA divers, confined space rescue, high angle rope rescue (power plant smoke stack); response for structural collapses, response to trench collapse where rescue is required, and surface ice rescue.
- The Village of Pleasant Prairie, as well as many other communities in Kenosha County, participate in the Mutual Aid Radio Channel (MARC), which is a statewide joint frequency for police and fire first responders.
- The Village of Pleasant Prairie Police Department contributes one member to the Kenosha County Sheriff's Department Tactical Response Team.

### *Garbage Collection/Recycling*

- Kenosha County has an agreement with Waste Management to sponsor a hazardous household waste collection program available to all Kenosha County residents.

### *Public Works*

- Agreement between the Kenosha County Division of Highways and all local governments within the County for County administration of the Local Road Improvement Program. The Program provides State funding to all local governments within Kenosha County for street and highway improvement projects.
- Kenosha County provides asphalt paving services for county, village, town, and WisDOT streets and highways. The Department of Public Works also provides asphalt paving services in other Counties. The County is reimbursed for time and materials plus administrative fee.
- Agreement between Kenosha County and bordering Illinois counties to provide maintenance services on bordering highways.
- Agreement between the City of Kenosha, Village Pleasant Prairie, and Town of Somers for snowplowing streets on community boundaries.

- The City of Kenosha and Kenosha Unified School District have an agreement for the City to provide transportation services for all school children with the district, including Pleasant Prairies and the City and the School District also share costs for the purchase of salt and fuel.
- The County is responsible for perpetuating all public land survey system corners. Kenosha County's Engineer/Surveyor works with adjoining county surveyors to ensure that the monuments on the county lines are perpetuated.
- Agreement between the Village of Pleasant Prairie and the Town of Somers for street maintenance, sewer maintenance, and snow plowing portions of roadway north of 67<sup>th</sup> Street east of STH 31 until the area is annexed into the City of Kenosha.



*Pleasant Prairie snow plows*

#### *Shared Equipment and Staff*

- The Village of Pleasant Prairie provides property assessment services to one (1) village and three (3) towns in the County, including the Village of Twin Lakes and the Towns of Brighton, Randall, and Salem.

#### **Potential Shared Services and Equipment**

- Discuss ideas for joint public education programs about fire, police, and emergency medical services.
- Coordinate fire response services and service areas; provided that the local government requests such service and such service does not reduce the level of service and is financially beneficial to the units of government that choose to participate.
- Provide joint recycling, garbage collection, and disposal services among local governments; provided that the local government requests such service and such service does not reduce the level of service and is financially beneficial to the units of government that choose to participate.
- Provide a joint recycling and garbage collection disposal site(s) for local governments or adjoining counties to use; provided that the cost savings are beneficial to the units of government that choose to participate and the level of service is not reduced.
- Additional cooperation for highway maintenance among the County and local governments; provided that the cost savings are beneficial to the units of government that choose to participate and the level of service is not reduced.
- Statewide purchasing of salt, fuel, and other materials and equipment that is mutually beneficial for the units of government that choose to participate.
- Discuss a entering into an agreement between the Village of Pleasant Prairie and the Town of Somers for shared salt storage in the Village.



*Pleasant Prairie Sanitation Truck*

**Existing Shared Utilities and Community Facilities**

- Agreement between the City of Kenosha and Village of Pleasant Prairie and Towns of Bristol and Somers for the City to provide sewage treatment and water services to portions of the village and towns through local government and utility districts.
- Agreement between Kenosha and Racine Counties public libraries to share library services.
- Agreement between Kenosha County and United Hospital Systems that allows the County to lease autopsy facilities at the Kenosha Medical Center Campus for use by the County Medical Examiner.
- Agreements with the Village of Pleasant Prairie and the Kenosha Unified School District to share park and school/park sites at Pleasant Prairie Elementary School.

**Potential Shared Utilities and Community Facilities**

- Consider cooperative planning and development of an interconnected system of County and local trails.
- Village of Pleasant Prairie, Town of Bristol, Town of Paris, and Kenosha County should consider developing a Des Plaines River Trail; provided that it is financially beneficial to units of government that choose to participate.
- Consider the construction of new and/or share existing community buildings and facilities between towns and villages (halls, parks, etc.); provided that the local governments concerned request that the buildings and facilities be shared.
- Share use of school auditoriums between schools, school districts, local governments, and private groups.
- Consider Village and school district efforts to plan and develop joint school and park sites.
- Consider the construction of stormwater management (detention and retention basins) to serve multiple communities within a watershed; provided that the local governments request such consolidation and the facility is cost effective.
- Consider the creation of regional water and wastewater utilities to provide and operate regional water and wastewater facilities for local governments in the Lake Michigan Basin.<sup>3</sup>
- Potential agreements with the Village of Pleasant Prairie and Kenosha Unified School District to share park and school/park sites as new school sites develop in the Village.



*Kenosha County Bike Trail entrance at 89<sup>th</sup> Street*

<sup>3</sup> *The City of Kenosha, Village of Pleasant Prairie, and portions of the Towns of Bristol and Somers currently receive public water and sanitary sewage treatment and disposal services from the Kenosha Water Utility through a number of intergovernmental agreements. Chapter 200 of the Wisconsin Statutes establishes the parameters for the provision and operation of sewage collection and treatment facilities through a metropolitan sewerage district. Public water could be provided through a water district organized under Section 198.22 of the Statutes or through a water authority created under Section 66.0823 of the Statutes. The Statutes set forth the procedures for establishing such districts and authorities.*

### **Existing Shared Technology Services**

- The importance of digital orthophotography in a variety of County applications continues to increase. SEWRPC coordinates Federal, State, regional and county government partners to acquire this valuable imagery. Each partner is able to get the imagery they need at a fraction of the cost they would have paid doing the project alone.
- Kenosha County has been partnering with local governments (with funding contributions from the communities) to complete digital terrain modeling and update topographic mapping within the County.
- The Kenosha Area Land Management System and SEWRPC have acquired a great deal of base data. Parcel mapping, orthophotography, and topographic mapping are just a few examples of the data layers available. The resulting data is made available at no or little charge to other units of government, saving them the expense of acquiring the data themselves.
- Kenosha County provides ballots (a portion of the costs are billed back to the Village when a Village municipal race is on the ballot), memory cards, and some election supplies to the Village of Pleasant Prairie.
- Kenosha County provides the forms for the tax bills for all 13 local governments. Kenosha County provides the tax bills, tax rolls, and computer tax receipting for most of the local governments in the County.
- Kenosha County shares UW-Extension programs with Racine County and Lake County, Illinois.
- The Village of Pleasant Prairie Police, the City of Kenosha Police Department, and Kenosha County share a T-1 line for access to the WisDOT and National Law Enforcement Network known as Badgernet.



*Digital orthophotography of a portion of Pleasant Prairie -2005*



*Pleasant Prairie public safety dispatcher using updated technology-2009*

### **Potential Shared Technology Services**

- Coordinate public safety and communications programs among Kenosha, Racine, and Lake Counties for activities or shared highway facilities.
- Consider development of coordinated telecommunications infrastructure for public safety and private wireless communication networks; provided a unit of government requests such shared services and further provided that such shared service is financially beneficial and does not reduce the amount or quality of services, as determined by the unit of government concerned.

### **Existing Cooperative Planning and Ordinance Administration**

- Kenosha County, in partnership with nine (9) local governments, SEWRPC, and UW-Extension, formally agreed to work together in a single planning effort to develop a multi-jurisdictional comprehensive plan. This joint planning process provided an opportunity for neighboring local governments to work through issues to provide for the economic vitality and quality of life in Kenosha County.

- Boundary agreements between several communities as discussed earlier in this chapter.
- An advisory committee was formed in 2008 to develop a Kenosha County Transit Development Plan to evaluate and make recommendations for transit service and capital improvements for both the City of Kenosha and Kenosha County transit systems. The committee includes representatives from State, County, and local governments, school districts, private organizations, and citizens.
- The cooperative planning efforts among the City of Kenosha, Village of Pleasant Prairie, Town of Somers, and the Kenosha Unified School District to identify growth areas, plan for additional development at existing school sites, identify locations of potential new school sites, and discuss other school-related issues within the school district.
- The cooperative planning efforts between Kenosha County, City of Kenosha, Village of Pleasant Prairie, Town of Somers, and the Kenosha Unified School District to develop a safe schools plan as required by U.S. Department of Homeland Security guidelines.
- An update of floodplain mapping throughout the County through the Federal Emergency Management Agency’s (FEMA) Map Modernization program.



*Kenosha Area Transit Bus*

**Potential Cooperative Planning and Ordinance Administration**

- Consider a countywide stormwater management regulations and enforcement, and development of joint facilities.
- Consider cooperating with Chicago metropolitan communities relative to land use and transportation planning and economic development.
- Consider cooperating with school districts and units of government to identify and address the impact of development on schools, services, and the environment.
- Consider cooperatively developing a natural resources plan for Racine, Kenosha, and Lake Counties.
- Consider undertaking joint land preservation programs, and grant applications, among County and local governments.
- Consider cooperation among school districts and communities west of I-94 similar to existing cooperation east of I-94.
- Complete the City of Kenosha, Village of Pleasant Prairie, and WisDOT cooperative development of an updated functional and access and traffic management plans for STH 50
- Consider updating the Kenosha County Jurisdictional Highway System Plan.
- Consider developing and coordinating planning and development of multi-use trails, including hiking, biking, horse-back, and water trails, with adjoining County and local governments, that builds on existing County and local plans; provided that the plan is equally financially beneficial to the County and participating local governments.
- Consider cooperative economic planning efforts that strengthen the economic base of Kenosha County.



*Intersection of STH 50 and STH 31*

## INTERGOVERNMENTAL CONFLICTS AND CONFLICT RESOLUTION

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

Section 59.69(3)(b) of the *Wisconsin Statutes* explicitly requires that a county development (comprehensive)<sup>4</sup> plan include, without change, the master (comprehensive) plan of a city or village adopted under Section 62.23(2) or (3), and the official map adopted by a city or village under Section 62.23(6) of the *Statutes*. Section 59.69(3)(e) of the *Statutes* further provides that a city or village master plan or official map adopted under Section 62.23 “shall control” in unincorporated areas of a county; however, Section 59.69(3)(e) does not specifically require that city and village plans for their extraterritorial areas be included in the County comprehensive plan. There is also no Statute requiring a county to incorporate town plans into the county comprehensive plan. In addition, the comprehensive planning law did not alter any existing town, village, city, or county authorities or responsibilities with regard to planning, zoning, plat approval, extraterritorial authorities, annexations, or any of the other many Statutes and regulations that affect land use in Wisconsin. There has been no apparent attempt by the proponents of the comprehensive planning law or any State officials or agencies to address the many ambiguities between the comprehensive planning law and pre-existing Statutes.

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 in that the law is designed to enable annexation to occur following a request by a property owner. Towns want to preserve their borders and retain their existing and future tax base, and/or existing agricultural land, and the incorporated communities want to be able to expand their boundaries into adjoining towns to accommodate urban growth and development.

Although the *Wisconsin Statutes* provide cities and villages with the authority to accept annexations from town property owners, annexations oftentimes 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 or payments from incorporated areas, extension of municipal services to adjacent towns, and preservation of agricultural lands.

Several local governments in Kenosha County have developed boundary agreements, or are working on such agreements. 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.

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. The Kenosha Unified School District and the Town of Somers, City of Kenosha, and Village of Pleasant Prairie provide an excellent model for establishing similar cooperative efforts among other communities and school districts in the County.

<sup>4</sup> Section 66.1001(1)(a) of the *Statutes* defines a comprehensive plan as a county development plan prepared or amended under Section 59.69(2) or (3); a city or village master plan adopted or amended under Section 62.23(2) or (3); a town master plan adopted under Section 62.23(2), where the town exercises village powers under Section 60.22(3); and a master plan adopted by a regional planning commission under Section 66.0309(8), (9), or (10).



## **INTERGOVERNMENTAL COOPERATION RECOMMENDATIONS**

This section sets forth Village's Intergovernmental Cooperation Goal with objectives and recommendations, including policies or programs recommended to be taken to achieve the overall goal. The general intergovernmental cooperation issues in this Chapter was the ability of adjacent communities and different levels of government to work together and the effect on future planning and policy efforts.

### **Goal:**

*To support further evaluation of consolidating and coordinating services only where the consolidation makes economic sense, while not reducing the level or quality of services currently provided to residents of the Village. The Village shall have the ability to decide what level of services they are willing to fund and who is best suited to provide those services. Language that identifies consolidation as a goal should only be considered if desired and requested by the Village and if the consolidated service is cost effective, that the level and quality of services is not reduced, and the consolidated services do not negatively impact the Village's image or character.*

### **Objectives:**

- Provide a structure for continuing dialog about land use regulation issues and boundary issues among local governments, and between local governments and Kenosha County.
- Encourage shared services between units of government in Kenosha County, if cost savings and maintenance or improvement in service levels would result.
- Encourage intergovernmental cooperation when selecting sites for public facilities such as police stations, fire stations, government administration buildings, schools, libraries, and trail linkages between communities.
- Encourage efforts that promote and strengthens area wide economic development.
- Continue to share information on services, programs, land use-related plans and ordinances among units and agencies of government.
- Promote better understanding among all levels of government on the roles and responsibilities of each.
- Continue cooperative planning and implementation efforts between local governments, the County, and SEWRPC.
- Continue to share information on among local governments.
- Coordinate land use planning and development decisions with school districts.
- Continue to assist Kenosha Unified School District to plan for the future.

### **Recommendations:**

- Cooperate with other units and agencies of government, where appropriate, to provide cost-effective government services, provided the level of service will be maintained or improved.
- Cooperate with other units and agencies of government and other appropriate agencies, where appropriate, to develop strategies and programs to promote and strengthen economic prosperity of the area.
- Work with other units and agencies of government, where appropriate, to construct and/or operate community services and facilities in a cost-effective and efficient way through joint service agreements where the level of existing services will not be reduced.

- Encourage intergovernmental cooperation when selecting sites for public facilities such as schools, fire stations, and libraries, provided it is beneficial to the affected local government or school district, is cost effective, and continues to provide the same or greater level of service.
- Continue to maintain existing shared services, and encourage additional shared services where appropriate.
- Continue to develop and share information about issues or projects that affect land use development and public services and facilities.
- Continue to share existing services and equipment between the Kenosha County Sheriff's Department and local police, fire, and rescue departments, where appropriate, and with emergency disaster relief.
- Continue cooperative efforts among Kenosha County and local governments to plan and develop a system of countywide parks, trails, and recreational facilities, and coordinate such efforts with surrounding counties and SEWRPC.
- If appropriate, initiate contacts with surrounding communities and the County prior to constructing new facilities or establishing or expanding community services to determine if there are opportunities for joint facilities and services.
- Continue discussions among units and agencies of government regarding land use planning, water resources, boundary issues, and land-use related extraterritorial authorities.
- Encourage comprehensive water resource management of surface water, groundwater, and water dependent natural resources.
- Continue to work with the DNR, non-profit conservation organizations, and other units and agencies of government to protect important natural resources.
- Continue to work with SEWRPC on regional plans and issues affecting the Village and Kenosha County.
- Continue to provide information on land use-related ordinances and programs to other units and agencies of government.
- Cooperate with SEWRPC to implement the recommendations of the regional water supply plan.
- Consider the preparation of a multi-jurisdictional stormwater management plan, including counties and local governments adjacent to Kenosha County within the same watershed.
- Encourage Kenosha County to form a multi-jurisdictional advisory committee to prepare a County-wide transit plan and a County-wide trail plan.
- Continue working with SEWRPC to prepare new and updated elements of the regional plan, such as the regional transportation, water quality, water supply, natural areas, and telecommunications plans and the jurisdictional highway system plan.
- Encourage Kenosha County to continue cooperative efforts between the Kenosha County Health Department and local governments to enforce State public health Statutes, and County and local ordinances concerning dilapidated, unsafe, or unsanitary housing that pose a human health hazard.
- Encourage Kenosha County to continue to provide updated shoreland/floodplain zoning maps to local governments when floodplain boundaries are changed or other significant amendments are made.

- Continue to involve surrounding communities and Kenosha County, where appropriate, when local land use-related plans or ordinances or plans for developing or delivering local facilities or services are prepared or comprehensively updated.
- Encourage Kenosha County to continue to provide information to local governments on the general requirements of the County sanitary ordinance.
- Encourage Kenosha County to consider forming a Multi-Jurisdictional Advisory Committee and prepare an update to the countywide solid waste management plan.<sup>5</sup>
- Encourage Kenosha County to consider the creation of a regional wastewater and water utility for areas within the Lake Michigan watershed.
- Encourage the Kenosha Unified School District to continue to consult with the Village when initiating facilities planning or when identifying the need for and suitable locations for new schools, expanding existing schools, or developing recreational facilities that present opportunities to share facilities.
- Potential agreements with the Village of Pleasant Prairie and Kenosha Unified School District to share park and school/park sites as new school sites develop in the Village.
- Continue to invite the Kenosha Unified School District to participate in Village land use planning activities.
- Continue to work with the Kenosha Unified School District to assess the impact of proposed new subdivisions on district facilities. Continue to invite school district officials to meetings when new development projects will be discussed.
- Continue to participate with the Kenosha Unified School District, on request, to prepare or update facilities plans.
- Continue to provide population projection data, including age composition and demographic projections to the Kenosha Unified School District for use in preparing facilities plans on request.

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<sup>5</sup> Documented in SEWRPC Community Assistance Planning Report No. 129, A Solid Waste Management Plan for Kenosha County, Wisconsin, May 1989.

