

CHAPTER 7 Intergovernmental Cooperation Element

66.1001 (2)(g) Wisconsin Statutes:

Intergovernmental Cooperation Element. A compilation of objectives, policies, goals, maps, and programs for joint planning and decision making with other jurisdictions, including school districts, drainage districts, and adjacent local governmental units, for sighting and building public facilities and sharing public services. The element shall analyze the relationship of the local governmental unit to school districts, drainage districts, and adjacent local governmental units and to the region, the state, and other governmental units. The element shall consider, to the greatest extent possible, the maps and plans of any military base or installation, with at least 200 assigned military personnel or that contains at least 2,000 acres, with which the local governmental unit shares common territory. The element shall incorporate any plans or agreements to which the local governmental unit is a party under s. 66.0301, 66.0307 or 66.0309. The element shall identify existing or potential conflicts between the local governmental unit and other governmental units that are specified in this paragraph and describe processes to resolve such conflicts.

The intergovernmental cooperation chapter identifies opportunities for establishing or maintaining cooperation between units of government. Cooperation improves lines of communication between different units of government, aids in the recognition and possible resolution of conflicts between jurisdictions, and allows for the identification of mutual service needs and improvements.

The intent of this chapter is to identify, inventory, and analyze existing and potential cooperative relationships.

Section 7.1 Inventory and Analysis of Intergovernmental Relationships

Inventory and examination of existing municipal relations allows for the understanding of how municipalities currently work together and how these relationships can be enhanced. As the Town of Grant develops over the next 20 years it is important for them to continue to work with surrounding municipalities, school districts, and other governmental units.

A. Adjacent Units of Government

The Town of Grant shares borders with the Portage County Towns of Buena Vista, Pine Grove, and Plover, Adams County Town of Leola, and the Wood County Towns of Grand Rapids and Saratoga.

1. Adjacent Communities

The Town of Grant has informal agreements with surrounding communities for aid in snow removal and road maintenance on local roads that are located along the Town boundaries.

The Town of Grant is served by the Town of Grand Rapids and Village of Plainfield Volunteer Fire Departments. The Town of Grant is also part of a mutual aid agreement with all fire departments within the surrounding municipalities for fire protection assistance. The Town contracts with the Grand Rapids and Plainfield for vehicle extrication services when needed. Currently there are five First Responders serving the Town of Grant. Responders are local residents who volunteer to be the first to respond to accidents and medical emergencies within the area. First Responders are dispatched by the Portage County 911 system, respond

in their personal vehicles and attempt to stabilize patients before paramedics arrive. Supplies and equipment used by local First Responders are kept at the Town Hall. The First Responder program is supported financially by the Town of Grant. Grant also contracts with United Emergency Medical Response (UEMR) for ambulance service in conjunction with the Wood County municipalities of Village of Rudolph, and Towns of Rudolph, Grand Rapids, Seneca, and Sigel. UEMR is a full-service, advanced life support/ Critical Care Paramedic level ambulance service that provides all levels of patient care for transports for 911 emergencies, BLS & ALS medical/trauma transfers, interfacility and long distance transfers, and special events.

B. School Districts

The Town of Grant is served by three public school districts: Stevens Point Area, Tri-County Area, and Wisconsin Rapids. The primary form of interaction with these entities is through the payment of property taxes which, in part, help to fund the districts. The Town has little participation with either district in issues pertaining to administration or siting of new facilities. The Wisconsin Rapids School District has the Grant Elementary School (grades K-5) located within the Town.

The Stevens Point Area School District has their own buses for student transportation with the exception of eight contracted buses; the Tri-County Area School District contracts with two local providers to offer bus service to students living outside the Village of Plainfield limits; the Wisconsin Rapids School District offers bus service to students through two private contractors.

C. County

1. Portage County Highway Department

The Highway Department of Portage County maintains and plows county roads in the Town of Grant. This Department also administers the application process for funds for local road projects as part of the Wisconsin Department of Transportation's Local Roads Improvement Program and General Transportation Aids. The Highway Department also is retained to perform bridge inspections within the Town. The Town purchases road materials from Portage County.

2. Portage County Sheriff and Ambulance

The Town relies on the Portage County Sheriff's Office to provide protective services through periodic patrols and an "on-call" basis. The Stevens Point Fire Department and Amherst Fire District operate the Ambulance Service for Portage County. However, the ambulance service for the Town of Grant is contracted with UEMR instead of using Portage County ambulance service. See Utilities and Community Facilities Chapter for more detailed information.

In July 2015, the Town of Grant and three resident co-plaintiffs sued Portage County over an errant levy for ambulance services, so-called *County-wide Emergency Medical Services (EMS)*. As of this writing, a portion of every Town of Grant property owners' county taxes goes to support the City of Stevens Point Fire Department and the Village of Amherst Fire Department for ambulance services. No county taxes, from any municipality in Portage County, goes to support the Town's ambulance provider United Emergency Medical Response (UEMR). In 2016, Town of Grant taxpayers paid \$38,095 to the County for ambulance services they do not use, and also paid \$37,792 to UEMR for the ambulance

services it does use. No other municipality in Portage County is currently double-taxed in this way.

State Statute 60.565 requires that Towns, not counties, contract for ambulance service. The Town of Grant is the only municipality in Portage County that has a contract on file with a provider, as the law requires. Portage County assumed responsibility for ambulance services without either verbal or written consent from the Town, and taxes annually for it. And although residents all pay for other services provided by the county that they may not use commonly or at all, it is relevant that ambulance (and fire protection) services are a responsibility of the Town, not the county. The Town contends that Portage County has no authority, under current state law, to levy for ambulance service. To exaggerate this issue, beginning in 2008, Portage County exceeded the State of Wisconsin levy limits caps under the auspices of *County-wide EMS* to accrue enough funds for the aforementioned fire departments to support ambulance services. Since that time the Town of Grant has actively protested the county's actions through meeting attendances, county board appearances, written memos and letters, preliminary legal action and ultimately, formal legal action.

On October 23, 2015, an initial hearing was held in Portage County with Judge Bernard Bult of Marquette County presiding. Judge Bult did not grant the Town of Grant the temporary injunction it was seeking to prevent Portage County from taxing them in 2016 for *County-wide EMS* from the 2015 fiscal year. But, he also did not grant Portage County the dismissal of this case they were seeking. He said the case had merit and would continue in the court system.

On September 23, 2016, a formal hearing was held. Judge Bult did not grant Portage County a dismissal of the Town of Grant as plaintiffs. However, he did find in favor of them in his summary judgment. In December 2016, a Notice of Appeal was filed in the State of Wisconsin Court of Appeals District IV, and a decision is pending.

3. Portage County Planning and Zoning Department

There are currently seven different sections operating under the Planning and Zoning Department. They include Planning, Zoning, Land and Water Conservation, On-Site Waste, Water Resources, Geographic Information Systems, and Economic Development.

The Planning Section includes staff and resources to assist local communities in the preparation or amending of various plan documents including a comprehensive plan.

Zoning Section staff is responsible for administering the County's Wellhead Protection, Subdivision, Floodplain Zoning, Shoreland Zoning, Non-metallic Mining Reclamation, Sexually Oriented Businesses, and Private Sewage System Ordinances. The Town of Grant administers its own Zoning and Tower Ordinances.

The Land and Water Conservation Section focuses on protection and improvement of the County's land and water resources by implementing a variety of county, state, and federal programs. Staff works with individuals to design and implement conservation practices. Assistance is given to Towns upon request.

On-Site Waste Section Staff are responsible for administering the County's Private Sewage System Ordinance and On-Site Sewage Program, including issuing sanitary permits for approved septic systems, and enforcement of County Ordinances and State Codes related to Private On-site Waste Treatment Systems (POWTS).

The Water Resources Section coordinates, organizes, and evaluates all Portage County water resource data for the Planning and Zoning Department, with a primary focus on groundwater. This includes providing information to communities, the public and elected officials on groundwater management, protection, groundwater issues and on methods to resolve water resource issues or problems in Portage County. This Section is responsible for administering the County's Well Abandonment Ordinance. This Section is also responsible for carrying out initiatives to implement the County's Groundwater Management Plan and associated programs.

Staff of the Geographic Information Systems (GIS) Section develop and maintain the Planning and Zoning Department's GIS. This Section has daily interaction with residents, municipal officials throughout the County, State agencies, and other Portage County staff to provide information on parcels of land, and produce maps for individual requests and ongoing projects.

The Economic Development Section manages the Portage County Business Park. Staff maintains a strong relationship with the Portage County Economic Development Committee and City of Stevens Point Community Development and Engineering Departments in order to streamline projects.

4. Portage County Drainage District

Half of the Town is within the Portage County Drainage District, which was organized in the early 1900's to drain lands for agricultural purposes. The Portage County Drainage Board is required to ensure that the District complies with the standards in the drainage rule (Chapter ATCP 48 of the Wisconsin Administrative Code) and statute (Chapter 88 of Wisconsin Statutes). As such, the County Drainage Board maintains a 100 foot corridor on each side of every district ditch as a means to provide effective access for vehicle and/or equipment access to the ditch for routine maintenance, and to provide a buffer against land uses which may adversely affect water quality.

D. State of Wisconsin

The three primary state agencies that the Town of Grant interacts with are the Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP), Department of Natural Resources (DNR) and the Wisconsin Department of Transportation (WisDOT). DATCP regulates management of the Portage County Drainage District. The DNR is responsible for natural resource protection, compliance monitoring, and law enforcement. WisDOT is responsible for the planning and development of road networks and associated infrastructure and is the lead agency for the Local Roads Improvement Program (LRIP). Town road improvement projects must be submitted as part of a two year improvement plan.

Section 7.2 Identification of Existing or Potential Issues and Conflicts with Other Governmental Units

The Town Plan Commission identifies specific conflicts with other governmental units which need further attention.

- Would like to see the current level of sheriff patrols maintained or increased.
- Would like to see the conflict with Portage County for ambulance services resolved.
- Would like to see improved coordination with the Portage County Drainage Board when road culvert or bridge replacements are needed within the District.

Overall, the Town felt that intergovernmental relations were, for the most part, satisfactory. General methods of conflict resolution that the Town may explore include negotiation, compromise, or third-party mediation. At this point, Town officials think that the best method of resolution is to maintain communication with other units of government and various agencies to address particular issues before they escalate into a conflict.

Section 7.3 Issues/Conclusions Regarding Intergovernmental Relations

- The Town of Grant should investigate the creation of written agreements with surrounding communities (i.e. road maintenance and plowing).
- The Town would like to continue its intergovernmental agreements with surrounding communities and meet with them on a periodic basis to review how relationships and services can be improved.

Section 7.4 Intergovernmental Cooperation Goals, Objectives and Policies

A. Goal: Share services with other units of government whenever possible.

B. Objectives:

1. Continue shared agreements with adjacent units of government.
2. Local units of government work together to maintain appropriate public access to natural resources.
3. Communicate with surrounding municipalities for discussion of land use and other related issues.

C. Policies:

1. Continue to meet with other government units as needed.
2. Continue participation with the Portage County Unit of the Wisconsin Towns Association.
3. Explore additional opportunities for intergovernmental agreements.
4. Maintain an agreement with affected Towns regarding maintenance of Town Line Road.