

Chapter 9: Intergovernmental Cooperation Element

Credit to Sally Williams, who originally drafted and presented this element.

9.A. Vision Statements

1. The Town will have in place mutually acceptable guidelines with the neighboring communities of the City of Oconomowoc and the Village of Sullivan regarding the areas in which these municipalities currently exercise extraterritorial plat review.
2. The Town will have in place boundary agreements to guide future development, plat review, and annexations with the neighboring communities of the City of Oconomowoc, the Village of Sullivan, the Town of Summit, the Town of Farmington, and the Town of Ixonia.
3. The Town will continue to have a smooth working relationship with Jefferson County to ensure that requests for zoning and land division are handled in a timely and consistent manner.
4. The Town will have in place written agreements with neighboring communities for the shared maintenance of specified roads.
5. The Town of Concord will not require a local community law enforcement facility, and law enforcement needs will continue to be met by the County and the State.
6. Maintenance costs of Town roads will be mitigated through participation in the Wisconsin Department of Transportation *Town Road Improvement Program* and the *Local Bridge Assistance Program*.
7. The enjoyment of the Town's rural atmosphere will be enhanced by the Town's participation in the Department of National Resources (DNR)'s Glacial Heritage Area project.
8. The Town of Concord will have in place a Natural Hazard Mitigation Plan.
9. Groundwater supply needs and concerns will be evaluated.

9.B. Strategies

Strategies to Resolve Potential Conflicts with the City of Oconomowoc

1. **Extraterritorial Plat Review:** The Town of Concord will approach the City of Oconomowoc and the City of Oconomowoc Plan Commission with the goal of developing a set of guidelines that are mutually acceptable to the City of Oconomowoc, the Town of Concord, and Jefferson County as to what types of land divisions and development will be allowed in the area of the Town in which the City of Oconomowoc exercises extraterritorial plat review (*see map 3, Appendix A*).

At the very least, the Town could request written guidelines as to what the City of Oconomowoc would approve or deny in that area. This could serve to expedite future requests for plat review and decrease frustration on the part of landowners.

2. **Boundary Agreement:** The Town of Concord may pursue the establishment of a boundary agreement with the City of Oconomowoc, which would guide future development, plat review, and annexations in the event that state law would change to allow such annexations.

Strategies to Resolve Potential Conflicts with the Village of Sullivan

3. **Extraterritorial Plat Review:** The Town of Concord will approach the Village of Sullivan and the Village of Sullivan Plan Commission with the goal of developing a set of guidelines that are mutually acceptable to the Village of Sullivan, the Town of Concord, and Jefferson County as to what types of land divisions and development will be allowed in the area of the Town in which the village exercises extraterritorial plat review (*see map 3, Appendix A*).

As above, at the very least, a unilateral set of guidelines generated by the Village of Sullivan as to what they would approve or deny in that area would be helpful.

4. **Boundary Agreement:** The Town of Concord may pursue the establishment of a boundary agreement with the Village of Sullivan, which would guide future development, plat review, and annexations in the event that a change to the County Land Use Plan would allow such annexations.

Strategies to Resolve Potential Conflicts with the Village of Dousman

5. The Town of Concord should consider establishing a written agreement with the Village of Dousman in regards to limiting future extension of Dousman’s public sanitary sewer service into the southwest corner of the Town. While the Village of Dousman does not directly abut the Town of Concord, it does have a wastewater treatment facility and could extend sanitary sewer service through the Town of Summit and into the Town of Concord in the future.

Strategies to Resolve Potential Conflicts with the Towns of Summit, Ixonia, and Farmington

6. **Boundary Agreements:** The Town of Concord will approach the Towns of Summit, Ixonia, and Farmington with the goal of establishing boundary agreements including mutually acceptable guidelines for development and potential annexation in areas in which these towns would exercise extraterritorial plat review if and when they reach village status. This is particularly important with the Town of Summit, which may pursue village status in the near future.

Other Strategies the Town May Consider to Resolve Potential Conflicts with Neighboring Communities

7. **Boundary Agreements:** Regarding the potential boundary and annexation issues with neighboring communities, one regulatory route the Town of Concord might investigate is establishing cooperative boundary agreements under Section 66.0307. Such an agreement is a formal contract between municipalities and towns to set ultimate boundaries. It may contain other provisions relating to joint land use planning, zoning, the provision of shared municipal services, road maintenance, easements, and revenue sharing. A 66.0307

cooperative boundary agreement can last up to 20 years or more. New town, city, or village administrations cannot unilaterally dissolve or amend it without the consent of all the governments involved. Once a 66.0307 cooperative boundary agreement is in place, annexations can occur only as specified by the terms of the agreement. It is important to note, however, that a 66.0307 cooperative boundary agreement is rather complex. The agreement must specify the following: current land use, agreement duration, proposed boundary changes, conditions that may trigger future boundary changes, and a land use plan for the affected area with attention to public improvements and how public services will be provided to the affected area. In addition, the agreement must include proof of consistency with existing plans and ordinances and a rather detailed analysis of its environmental, economic, and social impacts.

8. **Conservation Easements:** The Town may also consider working with the various land trusts that function in this area to preserve agricultural lands. Landowners can **voluntarily** sell or donate land and/or conservation easements to the land trust and receive compensation in some form. Compensation may be in the form of cash for the sale of their land or conservation easement, or, in the case of donated land or conservation easements, a tax deduction is given for the value of the donation, to the extent allowed by law. The purpose here would be three-fold: **(1)** to work with these land trusts to preserve the rural character of the Town by decreasing development, **(2)** to preserve agricultural lands, **(3) to use conservation easements strategically as a buffer to development in neighboring communities and to make land in areas open to annexation less desirable for such a purpose.** The Town may want to undertake an effort to educate the public (especially those along borders at risk for annexation) about these land trusts. Education could take the form of mailings and/or informational meetings where members of area land trusts could be invited to speak to the citizens of the Town. Some area trusts include the **Natural Heritage Land Trust, Land Trust Network of Jefferson County, and Drumlin Area Land Trust** (see section C, Appendix B for contact information).

Strategies for Continuation of Current Cooperation and Agreements with Other Governmental Units

9. The Town of Concord will continue to work with Jefferson County to review zoning and land division requests in accordance with the *Jefferson County Zoning Ordinance*¹ and the *Jefferson County Agricultural Preservation and Land Use Plan*.²
10. The Town of Concord will continue to work with Jefferson County to ensure a preservation of agricultural land within the Town.
11. The Town may want to evaluate and quantify the current level of police protection and police presence within the Town with the objective of making a determination as to the adequacy of the services provided.
12. The Town will reevaluate fire and ambulance services as contracts expire to ensure the best protection to the Town citizens and to ensure these services are provided at a reasonable and competitive cost to the Town.

¹ *Jefferson County Zoning Ordinance No. 11* (Jefferson County, Effective January 15, 1975, Last Amended September 11, 2006).

² *Jefferson County Agricultural Preservation and Land Use Plan* (Jefferson County, October 1999).

13. The Town of Concord will continue to cooperate with public, private, and home schools in providing educational opportunities when appropriate. This could include encouraging use or rental of Town facilities by schools or home school groups to aid in providing learning opportunities or school sports-related activities.
14. The Town will pursue written agreements with each community involved in a shared road maintenance effort. This would help to establish continuity as members of governing bodies change. These need not be legally binding documents but should at least serve to set down in writing the current verbal agreements (*see 9.D. Town Road Maintenance for a list of current verbal agreements*).
15. The Town will regularly reevaluate its alternatives for snow-plowing services as contracts expire to ensure that the services are both adequate and cost-effective for the Town.
16. The Town will continue to participate in the *Local Bridge Assistance Program* to ensure safe bridges and cost-effective bridge maintenance.
17. The Town will continue to participate in the *Town Road Improvement Program* when appropriate to ensure safe, cost-effective repair of town roads.
18. The Town of Concord will continue to participate in the DNR's Glacial Heritage Area (GHA) project. The Town may consider appointing a citizen liaison to collect input from the Town, attend the planning meetings, and keep the Town informed as to the status of the project. The Town may also undertake to inform residents about the project either through information given at Town meetings or information included in mailings or in the annual Town newsletter (*see 9.D. Cooperation with the DNR for more information*).
19. The Town of Concord will continue to use the services of the UW Extension when appropriate.
20. The Town of Concord will continue to support and work with the UW Extension and the Rock River Coalition to determine the existence and extent of water quality and supply problems and to educate the public on these issues.
21. The Town of Concord will continue to work with Jefferson County to develop a *Natural Hazard Mitigation Plan*.
22. The Town of Concord will work with the Jefferson County Historic Sites Preservation Commission and the local Concord Historical Society on historic preservation issues.

9.C. Potential Conflicts with Neighboring Communities or Other Governmental Units

Potential Conflicts with the City of Oconomowoc

- The City of Oconomowoc currently exercises extraterritorial plat review in the northeast portion of the Town of Concord (*see map 3, Appendix A*). While the city cannot impose any unwanted development in that area of the Town, they can deny plats that have gained approval of the Town of Concord and Jefferson County. The purpose of this would be to refuse any development of this area that would not be in keeping with the overall development plan for the City of Oconomowoc were they to annex this area in the future.

- Because of the status of the Town of Concord as a town, there is a concern that the City of Oconomowoc may choose to annex land from the Town against the Town's wishes. Current state law prohibits the annexation of land across county lines, but future changes in state law may allow such annexations.

Potential Conflicts with the Village of Sullivan

- The Village of Sullivan currently exercises extraterritorial plat review in the southern portion of the Town of Concord (*see map 3, Appendix A*). While the village cannot impose any unwanted development in that area of the Town, they can deny plats that have gained approval of the Town of Concord and Jefferson County. The purpose of this would be to refuse any development of this area that would not be in keeping with the overall development plan for the Village of Sullivan were they to annex this area in the future.
- Because of the status of the Town of Concord as a town, there is a concern that the Village of Sullivan may choose to annex land from the Town against the Town's wishes. Currently, under the *Jefferson County Agricultural Preservation and Land Use Plan*,³ a city or village may only annex town land that lies in an *urban service area* as designated in the County Plan. To date, the 27 acres of land in the Town of Concord that were within the Village of Sullivan's designated urban service area have already been annexed (*see map 3, Appendix A*). However, a future change to the County Land Use Plan may increase the village's urban service area and make additional land in the Town of Concord available for annexation.

Potential Conflicts with the Town of Summit

The Town of Summit currently has the same status as the Town of Concord; however, they may pursue village status in the near future. This would create a situation similar to that with the City of Oconomowoc. With village status, Summit would exercise extraterritorial plat review extending into the eastern portion of the Town of Concord. There would also be a concern that the village would choose to annex land from the Town in the event that state law would change and allow annexation across county lines.

Potential Conflicts with the Village of Dousman

The Village of Dousman does not directly abut the Town of Concord, but it does have a wastewater treatment facility and could extend sanitary sewer service through the Town of Summit and into the Town of Concord in the future. Establishment within the Town of an area served by public utilities would be contrary to the intent of this plan as such an area could be a nucleus for more dense development.

³ *Jefferson County Agricultural Preservation and Land Use Plan* (Jefferson County, October 1999), pp. 173–174.

9.D. Current Cooperation and Agreements with Other Governmental Units

Zoning, Land Division, and Plat Review

- Zoning, land division, and land use in the Town of Concord are currently controlled by the *Jefferson County Zoning Ordinance*⁴ and must comply with the goals set forth in the *Jefferson County Agricultural Preservation and Land Use Plan*.⁵ The County does seek town approval for any zoning changes, plat reviews, or land divisions prior to giving county approval to such requests.
- The Village of Sullivan exercises extraterritorial plat review within a 1.5-mile radius of the Village perimeter. This includes an area along the southern border of the Town of Concord (*see map 3, Appendix A*). All requests involving zoning changes, land divisions, and plat review in this area are reviewed by the Village of Sullivan as well as the Town of Concord and Jefferson County. The Village has the right to deny these requests.
- The City of Oconomowoc exercises extraterritorial plat review within a 3-mile radius of the perimeter of the City. This includes an area in the northeast portion of the Town of Concord (*see map 3, Appendix A*). All requests involving zoning changes, land divisions, and plat review in this area are reviewed by the City of Oconomowoc as well as the Town of Concord and Jefferson County. The City has the right to deny these requests.

Protection of Persons and Property

- **Police Protection:** Police protection for citizens in the Town of Concord comes from the Jefferson County Sheriff's Department and the State Patrol. A Jefferson County Sheriff's deputy regularly attends the monthly Town Board meeting to talk to citizens and to note any complaints or areas of concern that citizens may have in regards to law enforcement within the Town.
- **Fire and EMS Services:** Fire and rescue and EMS services for the Town of Concord are currently being met through intergovernmental agreements with the Towns of Sullivan and Ixonia and with the Village of Johnson Creek. The Town maintains annual contracts with these communities for service coverage in different areas of the Town (*see map 5, Appendix A*).

Town Road Maintenance

- **Agreements with Neighboring Communities:** A number of agreements exist between the Town of Concord and neighboring communities for the purpose of maintaining roads that form common borders between Concord and neighboring communities or that traverse both communities. To date these agreements are verbal understandings and there are no formal contracts. These agreements are as follows:
 - Agreements with the **Town of Summit:** The border between the Town of Concord and the Town of Summit is down the middle of Morgan Road. Currently, the Town of

⁴ *Jefferson County Zoning Ordinance No. 11* (Jefferson County, Effective January 15, 1975, Last Amended September 11, 2006).

⁵ *Jefferson County Agricultural Preservation and Land Use Plan* (Jefferson County, October 1999).

Summit does the plowing of this road in the winter, and the Town of Concord is responsible for mowing the shoulders in the summer.

- Agreements with the **Town of Sullivan**: The Town of Sullivan plows Pioneer Drive, Trail Drive, and Indian Point Road in the winter. The Town of Concord is responsible for mowing the shoulders of these roads in the summer.
- Agreements with the **Town of Farmington**: Stonewood Drive is on the border between the Town of Farmington and the Town of Concord. Currently, Farmington plows this road in winter, and Concord mows the shoulders in the summer.
- Agreements with the **Town of Ixonia**: North Side Drive forms the border between the Town of Concord and the Town of Ixonia. Currently, Ixonia plows this road in winter, and Concord mows the shoulders in the summer.
- **County Road Maintenance**: Jefferson County is responsible for all maintenance and plowing of the county roads that run through the Town of Concord. These include: CTH B, CTH F, CTH P, and CTH E.
- **Snow Plowing**: Prior to the winter of 2007–2008, the Town of Concord used its own vehicles and employees to maintain and plow the Town roads in winter. The Town entered into a contract with Jefferson County for the winters of 2007–2008 and 2008–2009 for snow plowing. In conjunction with this, the Town used its own employees and plows to assist the County as needed. This was a contract for the 2007–2008 and 2008–2009 winter seasons only and will need to be reevaluated for future years.
- **Cooperation with Wisconsin Department of Transportation (DOT)**: The Town of Concord has worked with the Wisconsin DOT to maintain bridges in the Town through the *Local Bridge Improvement Assistance Program*. Through this program, the Town can rehabilitate and/or replace, on a cost-shared basis, bridges within the Town that are structurally deficient. Currently, the Town is planning for the future replacement of the River Drive bridge with costs shared through this program. The Wisconsin DOT also provides funds for repair of seriously deteriorating town roads through the *Town Road Improvement Program* (a division of its *Local Road Improvement Program*).

Schools

- There are currently no schools, either public or private, located within the Town of Concord. The Town of Concord Community Center was for many years a school in the Watertown School District, and the building and property were purchased by the Town in spring of 2004 after the district had closed the school.
- **Public Schools**: Public school students in the Town of Concord currently attend school in four districts: Jefferson, Watertown, Johnson Creek, and Oconomowoc (see map 15, Appendix A). Students may apply to attend a public school outside of their district through open enrollment. Many students are bused to school from outlying areas.



- **Private Schools:** There are many students who attend private schools in neighboring communities. Busing is available to these students in some cases.
- **Home Schools:** There are a number of students in the Town who are home schooled. Currently, a home school group uses the Concord Community Center for a basketball program for members of its group.

Miscellaneous Services Shared with Neighboring Communities or Governmental Units

- The Town of Concord currently collects property taxes from all properties in the township and then disperses funds to the appropriate school districts, Madison Area Technical College, and Jefferson County as allocated.
- The Town of Concord currently contracts for the services of a building inspector and assessor independent of neighboring communities although the services of these individuals may also be used by other communities.

Cooperation with the Department of Natural Resources (DNR)

The Wisconsin DNR is embarking on an evaluation of a proposed project known as the Glacial Heritage Area (GHA). The GHA project, centered primarily in western Jefferson County, proposes to establish a coordinated network – in a “strings and pearls” layout – of conservation lands and recreation trails and facilities (see maps 16 and 17, Appendix A). The project coordinators have asked the Town of Concord if it would be interested in participating in this project, and the Town has indicated that it would be interested. All meetings are open to the public, and the DNR is encouraging participation by concerned individuals, landowners, conservation groups, recreation users, commercial interests, elected officials, government agencies, and others. Interested parties can find information regarding the public meetings on the website <http://dnr.wisconsin.gov/org/land/facilities/glacial/index.html> or can be added to an e-mail list by e-mailing Glacial.Heritage@wisconsin.gov.

Miscellaneous Services Shared with Jefferson County

- **Elections:** The Town of Concord currently works with Jefferson County and the State of Wisconsin on local, state, and national elections. The Town uses its own employees and follows state guidelines in participating in the election process.
- **University of Wisconsin (UW) Extension:** UW Extension services and expertise are used extensively by the Town government and Town individuals.
 - Farmers within the Town have access to a wealth of information and education.
 - The Town has used the services of Professor Steve Grabow, Community Development Educator, extensively for guidance in developing a Comprehensive Plan. Steve has conducted a number of visioning sessions with the citizens of Concord and has provided valuable information in regard to the Comprehensive Planning process.
 - The Town has worked with the UW Extension and the **Rock River Coalition** to provide information and education to the Town citizens as to potential water quality and supply problems in the Rock River Basin. The Town has participated in the Rock

