

# WISCONSIN COUNTIES



## THINKING GREEN

PUBLIC PROJECTS MAKING A DIFFERENCE

*legal issues*

## **Opportunities for Intergovernmental Cooperation**

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**C**ounties are always searching for ways to deliver services in more effective and cost-efficient ways. One option for counties is cooperating with other local governments to coordinate and consolidate services, personnel and fixed costs. In order to facilitate cooperation, counties should be familiar with statutes that authorize intergovernmental cooperation and explore cooperative opportunities.

Wisconsin law permits and practically encourages counties to cooperate with other governmental entities in the provision of services. There are two primary sources of cooperative authority for counties under Wisconsin law. Statutes covering specific service areas may authorize counties to cooperate with other local governments to perform those services. For example, *Wis. Stats.* 51.42 authorizes county boards in two or more contiguous counties to establish multi-county departments to administer community mental health, developmental disabilities, alcoholism and drug abuse programs. *Wis. Stats.* 59.03(2) provides county boards with broad authority to provide a variety of local government services to cities, villages and towns within the county that request the services. These services include water, sewers, streets and highways, fire, police and health.

In addition to statutes authorizing cooperation in specific subject matter areas, counties and other local governments are provided broad authority to cooperate and collaborate with other governmental units under *Wis. Stats.* 66.0301(2). This statute authorizes counties and other local governments to contract with each other for the "receipt or furnishing of services or the joint exercise of any power or duty required or authorized by law." If municipal parties to a contract have varying powers or duties under the law, each may act under the contract "to the extent of its lawful powers and duties." The statute requires that it be interpreted liberally in favor of cooperative action between municipalities and between municipalities, Indian tribes and bands in this state.

While there is considerable statutory authority for cooperation between governments, it is up to the government entities to find opportunities

for cooperation. There are examples of counties throughout the state cooperating with other municipalities to deliver services in efficient and innovative ways.

Over seven decades ago Marathon County and the City of Wausau realized the benefit of a single agency to manage and maintain parks for both. A single park management agency was created through an intergovernmental agreement. The success of the unified department led to further cooperation and responsibilities for the department. Most recently the unified department took on forestry and river front recreation area management duties.

Wausau and Marathon County built on their cooperation experience. When computers became essential tools for government, they created a City County Data Department to oversee, maintain and manage information technology rather than duplicating efforts. Today the City-County IT commission provides information services to all city and county departments, including installing and maintaining computer hardware and software.

Successful intergovernmental cooperation occurs among counties themselves. The BOW Solid Waste Partnership is an agreement between Brown, Outagamie and Winnebago Counties prompted by concerns over loss of landfill capacity and costs for permitting and designing new landfills. Sharing their available landfill capacity across the three counties

delayed need for new sites and realized a 71% decrease in recycling costs.<sup>1</sup>

A few years ago, operating deficits and Medicaid reimbursement structures threatened La Crosse County's ability to continue specialized nursing home care for patients with mental illness and developmental disabilities. Twelve counties responded with an innovative cooperative agreement that saved the specialized care from elimination within the requirements of Medicaid regulations.

For counties searching for opportunities to cooperate with other government entities, there are several areas to explore. First, look to cooperate where there are duplicated services. For example, many small municipalities have agreements with county sheriff's departments to provide law enforcement services rather than duplicate the service with its own police departments.

Another potential for cooperation is personnel. For example, there are recognized benefits of dedicated human resources personnel but hiring a personnel director may be cost-prohibitive given the size and resources of a single county. Two counties or a county and municipalities could split the cost of a human resources director, making it affordable for all involved. Also, when positions are vacated, counties could consider sharing personnel with other counties or municipalities rather than rehiring.

<sup>1</sup> *A Roadmap for Government Transformation* a study by the CPA firm Baker Tilly for the Local Government Institute.

## *Partnerships*

Other areas for cooperation include large fixed costs, such as information technology and the cost of office buildings. By sharing office space and office equipment that both governmental units will need, such as computer servers and copiers, both entities can reduce their overhead costs. Local governments can also coordinate the bulk purchase of items such as paper and other commonly used office supplies.

Ideas for cooperation can develop through regional organizations where county officials meet, discuss and share issues of mutual concern. The Inter-County Coordinating Committee, or

ICC, is one such organization. Facilitated by UW-Extension faculty, the ICC includes six south central counties participating in a regular forum for regionally sharing ideas and best practices. The ICC utilizes their collective power to lobby legislators on areas of mutual concern and explore avenues for cooperation.

Counties are continuously finding new and creative ways to cooperate with other government entities. The tools and experience already exist. All that is needed is the imagination and vision to find areas where two or more government entities can mutually benefit. ❧