



WISCONSIN DEPARTMENT OF ADMINISTRATION

**REVIEW of the COOPERATIVE PLAN
under Section 66.0307 Wis. Stats.**

between the

**VILLAGE OF MCFARLAND and TOWN OF DUNN
Dane County**

October 29, 2025



STATE OF WISCONSIN

DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Kathy Blumenfeld, Secretary
Dawn Vick, Division Administrator

This determination constitutes the Department's review of the proposed cooperative plan between the Village of McFarland and Town of Dunn under s. 66.0307 Wis. Stats. The Department is charged with reviewing cooperative plans for compliance with public interest standards set forth in s. 66.0307(5)(c) Wis. Stats.

In summary, it is the DETERMINATION OF THE DEPARTMENT OF ADMINISTRATION that when considering the proposed cooperative plan under Section 66.0307(5), Wis. Stats.:

Standard 1, Content of Cooperative Plan Sufficiently Detailed – Met

Standard 2, Cooperative Plan Consistent with Comprehensive Plans and State and Local Laws and Regulations – Met

Standard 3, Adequate Provision for Municipal Services – Met

Standard 4, Provision for Affordable Housing – [Repealed & Inapplicable]

Standard 5, Compactness of Plan Territory – Met

Standard 6, Planning Period is Consistent with Cooperative Plan – Met

The facts and analysis supporting these findings are discussed in the body of this determination. The Determination of the Department of Administration is as follows:

Pursuant to s. 66.0307(5)(d), Wis. Stats., the Department of Administration hereby determines that the proposed cooperative plan is APPROVED.

Amendments or revisions to the plan can only occur with the approval of the communities, and with the concurrence of the Wisconsin Department of Administration or any successor agency granted the authority to administer the provisions of s. 66.0307(8), Wis. Stats.

Dated this 29th day of October 2025.

Dawn Vick
Administrator, Division of Intergovernmental Relations

NOTICE OF RIGHT TO APPEAL

This Notice sets forth the requirements and procedures for obtaining review for those persons who wish to obtain judicial review of the attached decision of the Department. Per s. 66.0307(9), Wis. Stats., decisions of the Department are subject to judicial review under s. 227.52. Per s. 227.53 any person aggrieved by a decision of the Department is entitled to review in circuit court. Per s.227.53 (1) (a) 1., proceedings for review are instituted by serving a petition therefor upon the agency, either personally or by certified mail, and by filing the petition in the office of the clerk of the circuit court for the county where the judicial review proceedings are to be held. Per s. 227.53 (1) (a) 2m., an appeal must be filed and served within 30 days after mailing of the decision by the agency. Per s. 227.53 (1) (b), the petition shall state the nature of the petitioner's interest, the facts showing that petitioner is a person aggrieved by the decision, and the grounds specified in s. 227.57 upon which petitioner contends that the decision should be reversed or modified. Any petition for judicial review shall name the Department of Administration as the Respondent. Petitions for review should be served on the Department's Secretary, Kathy Blumenfeld. The address for service is:

c/o DOA, Municipal Boundary Review
101 East Wilson Street, 2nd Floor
PO Box 1645
Madison, WI 53701

Persons desiring to file for judicial review are advised to closely examine all provisions of ss. 227.52, 227.53 and 227.57 Wis. Stats. to ensure strict compliance with all requirements. The summary of appeal rights in this notice shall not be relied upon as a substitute for the careful review of all applicable statutes, nor shall it be relied upon as a substitute for obtaining the assistance of legal counsel.

Executive Summary

In accordance with s. 66.0307(5) Wis. Stats., the Wisconsin Department of Administration (Department) approves the *Cooperative Plan Between the Village of McFarland and the Town of Dunn* (Cooperative Plan).

This Cooperative Plan builds upon many years of previous intergovernmental cooperation between the Village of McFarland and Town of Dunn (Communities). Specifically, in 2005 the Communities developed an intergovernmental agreement under s. 66.0301(6), Wis. Stats. (2005 Agreement) which has resulted in many years of harmonious relations and rational municipal boundary and land use decisions between the Communities. However, the 2005 Agreement is set to expire at 11:59PM on December 31, 2025. This Cooperative Plan is intended to update, extend, and build upon the expiring 2005 Agreement. This Cooperative Plan enables the Communities to reliably plan for future growth and development with assurance that those plans will not be undermined by unanticipated municipal boundary actions or disputes.

Public Hearing, Resolutions, Referenda and other Procedural Matters

Before a cooperative plan is submitted to the Department, several procedural steps must occur. These are:

- Joint initiating resolutions passed by each participating municipality authorizing its governing body to work to negotiate and develop the plan;
- A joint public hearing to receive comments from the public and other governmental bodies; and
- Resolutions adopted by each municipality to approve a final version of the cooperative plan and forward it to the Department for review.

The following procedural steps may occur:

- An advisory referendum; and
- A public hearing held by the Department.

Authorizing resolutions were passed by the Village and Town on January 29th, 2025 and are provided with the Cooperative Plan. As required by s. 66.0307(4)(a) Wis. Stats., these resolutions were distributed to the neighboring municipalities and other area jurisdictions.

A joint public hearing for the Cooperative Plan was held on April 29, 2025 by both Village and Town as required by s. 66.0307(4)(b) Wis. Stats. A summary of this hearing is provided as part of the Cooperative Plan. Only a few residents spoke when

given the opportunity. Several asked clarifying questions. One Town resident desires to join the Village sooner than the Cooperative Plan allows.

Following the joint public hearing, the Town and Village made two changes to the Cooperative Plan: 1) the Term of the Cooperative Plan was reduced from 30 years to 20 years, and 2) the Future Highway 51 Growth Area portion of the Cooperative Plan was reduced from 12 years to 10 years.

The Communities adopted resolutions approving the Cooperative Plan on June 12th, 2025 - provided in Exhibits P and Q – and then forwarded the Cooperative Plan to the Department for its statutory review on July 28, 2025.

No area residents requested that an advisory referendum on the Cooperative Plan be held.

No residents requested the Department to hold a public hearing on the Cooperative Plan.

Statutory Review Standards

A cooperative plan shall be approved by the Department if the Department determines that each of the review criteria in s. 66.0307(5)(c), Wis. Stats., are met. The following paragraphs describe how the Cooperative Plan relates to these review criteria. It is important to understand that this review document is not a complete restatement of the Plan. Those wanting to learn specific details, provisions, nuances, and conditions should look to the text of the Cooperative Plan itself, which is available from the communities as well as on the Department of Administration's website at <http://doa.wi.gov/municipalboundaryreview>.

(1) The content of the plan under sub. s. 66.0307(3)(c) to (e) is sufficient to enable the Department to make the determinations under subds. 2 to 5m. s. 66.0307(5)(c)1, Wis. Stats.

The following are the fundamental components of this Cooperative Plan:

- Term – the term of the Cooperative Plan is twenty (20) years from its Effective Date, which is the date of approval by the Department of Administration.
- Town Protected Area – Shown at Exhibit E, no territory within the Town Protected Area shall be annexed or attached to the Village during the term of this Plan.
- Village Growth Areas – Two Village Growth Areas, identified as the *Eastern Expansion Area* and the *Future Highway 51 Growth Area* are shown on Exhibits F and G. These Growth Areas are planned for future growth by McFarland

during the term of this Plan. Within these Village Growth Areas the Town may not purchase conservation easements and may not oppose annexations. Furthermore, the Town agrees to make land use decisions within these areas based on its 2023 Comprehensive Plan, and any amendments to its 2023 Comprehensive Plan must be approved by the Village. Although the *Future Highway 51 Growth Area* is currently part of the Town Protected Area, this will change on 11:59 PM of the date that ten (10) years after the Cooperative Plan's Effective Date, as the area will go from Town Protected Area to a Village growth area.

- Town Islands – the village is prohibited from creating Town islands via annexation, except for those shown on Exhibit I which will automatically attach to the Village at the end of the Cooperative Plan's term. No petitioner is required to accomplish this attachment, merely the ordinance being adopted is sufficient to transfer the territory.
- Annexation of Village-Owned Property - the Village shall not annex Village-owned property located in the Town unless it is contiguous to the Village.
- Ownership Transfer of Parkland – the Town agrees to sell a parcel shown on Exhibit J which is to be used as a park and added to the Village's park system.
- Pedestrian and Bicycle Improvements - The Town authorizes the Village, together with WisDOT and Dane County, to construct, maintain and pay for the pedestrian and bicycle improvements shown on Exhibits K-N. However, the Communities agree that the Village's ownership and maintenance obligations shall not affect the Town's continuing regulatory jurisdiction over the territory underlying the pedestrian and bicycle improvements for as long as that territory is located within the Town.
- Maintenance of Hidden Farm Road – the Communities agree to share maintenance and costs of Hidden Farm Road as shown on Exhibit O.
- Exchange Street Bridge - the Town and the Village agree to share maintenance of the Exchange Street bridge.
- Dispute Resolution - the Cooperative Plan establishes a dispute resolution process.

The above information, along with other information included in the Cooperative Plan, provides sufficient detail to enable the Department to find that the standards in s. 66.0307(3)(c)1. Wis. Stats. are met.

(2) Is the cooperative plan consistent with each participating municipality's comprehensive plan and with current state laws, municipal ordinances and rules that apply to the territory affected by the plan? s. 66.0307(5)(c)2 Wis. Stats.

McFarland and Dunn each have an adopted comprehensive plan under Wis. Stats. §66.1001. Consistency of the Cooperative Plan with Dunn's comprehensive plan is shown via a planning goal to "establish boundary agreements with neighboring municipalities" and an action item to "renew the Town's intergovernmental agreement with the Village of McFarland."

Meanwhile, the Village's Comprehensive Plan includes a land use initiative to "secure McFarland's planned east side expansion". To implement this initiative the Village Board adopted the *2023 East Side Plan* as a component of the Village's 2017 Comprehensive Plan and this 2023 East Side Plan is consistent with the Cooperative Plan's Eastern Expansion Area Village growth area. The Village's comprehensive plan also includes an intergovernmental initiative that "prior to its next 10-year Comprehensive Plan update, the Village seeks to engage with the Town of Dunn regarding extension of that [2005 Agreement], which would otherwise terminate on December 31, 2025."

Finally, in developing this Cooperative Plan the Communities identified areas of difference between the two comprehensive plans and created an approach to resolve these differences. Specifically, section 13.B(3) of the Cooperative Plan provides a procedure for joint participation in future amendments to the Dunn comprehensive plan that affects the areas having the greatest impact on McFarland.

Nothing in this Cooperative Plan appears to be inconsistent with any existing ordinances, or state or federal laws. No additional ordinances are needed to implement this Cooperative Plan other than the annexation ordinances and attachment of town islands described previously.

In its comment letter the Capital Area Regional Planning Commission (CARPC) indicates support for the Cooperative Plan, stating that the Cooperative Plan is "substantially consistent with the *2050 Regional Development Framework* adopted by CARPC in 2022 under Wis. Stat. § 66.0309 (9) to guide the physical development of the region."

For the foregoing reasons, the Department finds that the Cooperative Plan is consistent with each community's comprehensive plan and with all current state laws, municipal regulations and administrative rules and that the standard in s. 66.0307(5)(c)(2) Wis. Stats. is therefore met.

(3) Adequate provision is made in the cooperative plan for the delivery of necessary municipal services to the territory covered by the plan. s. 66.0307(5)(c)(3), Wis. Stats.

In general, the Cooperative Plan does not impact how services are provided, as each community will continue to provide the same type and level of services to its residents as it currently provides. However, the Cooperative Plan does contain some provisions regarding changes to sewer and water service and to transportation.

Sewer and Water

Exhibit B of the Cooperative Plan shows that all Village lands are located within Madison Metropolitan Sewer District's (MMSD) boundaries, while some Town areas - roughly four general areas - are located within approved MMSD sewer service areas. The Communities agree that during the Cooperative Plan's term neither will object to efforts by the other municipality to expand their future sewer service areas.

Transportation

As mentioned previously, the Communities agree to share maintenance of Hidden Farm Road and the Exchange Street Bridge.

For the foregoing reasons, the Department finds that adequate provision has been made for the delivery of necessary municipal services to the agreement territory and that the standard in s. 66.0307(5)(c)3, Wis. Stats., is met.

(5) The shape of any boundary maintained or any boundary change under the cooperative plan is not the result of arbitrariness and reflects due consideration for compactness of area. Considerations relevant to the criteria under this subdivision include quantity of land affected by the boundary maintenance or boundary change and compatibility of the proposed boundary maintenance or boundary change with natural terrain including general topography, major watersheds, soil conditions and such features as rivers, lakes and major bluffs. s. 66.0307(5)(c)(5), Wis. Stats.

This Cooperative Plan reduces urban sprawl by concentrating the location of residential and commercial development, while promoting reservation of natural areas, wetlands, and floodplains, farmland, and other open space. For example, the two Village Growth Areas provide time for the Village to expand in an orderly urban fashion. Specifically, the growth areas stagger development, focusing first on the Eastern Expansion Area where the Village can readily provide sewer and water service followed ten (10) years later by the Future Highway 51 Growth Area which will require additional planning and infrastructure to develop. Furthermore, the Cooperative Plan's elimination of potential Town islands ensures compact and rational municipal boundaries.

As a result, the Department finds that the standard in s. 66.0307(5)(c)5., Wis. Stats. is met.

(6) *Any proposed planning period exceeding 10 years is consistent with the plan.*
s. 66.0307(c)6 Wis. Stats.

The Cooperative Plan takes effect upon Department approval and remains in effect for 20 years. The Communities chose a 20-year term to be consistent with the terms of their prior 2005 Agreement and because 20 years provides each party with boundary certainty and to plan for longer-term public improvement such as utilities and roadways. Furthermore, because the pace of development is often influenced not just a village or town but also by national and global economic trends, a longer term such as 20-years provides for a greater time cushion.

The Department finds a 20-year term to be appropriate and therefore finds the standard in s. 66.0307(5)(c)6, Wis. Stats., is met.