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Windsor talks incorporation with DeForest

Entire town must become a village in order for existing pacts to stay valid

By Jake Kurtz
DeForest Times-Tribune

Town of Windsor officials appeared at a regular DeForest Village Board meeting last week to provide an update on the town's continued incorporation efforts and a chance for the two groups to converse.

The brief joint session began with Town Chair Bob Wipperfurth emphasizing that Windsor is not looking to become a village and annex its neighbors and the potential governance change is strictly to "preserve our identity and protect our boundaries."

Wipperfurth noted that four neighboring towns — Bristol, Leeds, Vienna and Westport — have all passed resolutions in support of Windsor's incorporation attempt.

"That speaks volumes that a neighboring township would be supporting another town's incorporation," said Wipperfurth.

DeForest and the City of Sun Prairie to date have not officially weighed in on the matter. Wipperfurth said the board does not have a current timeline for incorporation nailed

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down, but they hope something can be completed before the end of 2015.

The driving force for the April 10 gathering was to answer questions piqued by DeForest officials at a joint meeting in December. Village leaders specifically wanted to know whether existing boundary and service agreements between the two parties would be impacted should Windsor become a village.

"After hearing comments from the Village Board in December, I think it underscored the importance about if we're going to incorporate, we need to incorporate the whole town," Wipperfurth said.

Windsor officials have maintained that they want to see all of those contacts continue. But according to Windsor's attorney, Connie Anderson, and Wipperfurth, it has become clear the only way that can happen is if Windsor incorporates in its entirety.

"We believe that's the only way to ensure these agreements will transfer," Wipperfurth said. "If there is a partial town incorporation, the agreements stay with the remaining part of the town and what becomes of them."

Because of that sticking point, Windsor officials have shifted away from the traditional method of incorporation that crosses paths with the Department of

Administration (DOA) and instead are working with legislators to have them open the door to village status. Such a plan, Anderson said, would still accompany a referendum.

"We're assuming that because every time that we've seen a legislative option that has proceeded, it has been followed with a referendum," Anderson explained. "So it's an assumption that we're making but we don't have a statement saying 'This is what would be required.'"

Anderson has drafted and provided DeForest officials with language that she and Windsor leaders are pushing to appear in any legislation that assists the town with incorporation that calls for the continuation of its existing agreements. Despite that, Anderson said it's still not yet known what the exact language of any future legislation will be.

"We don't have anything that we can provide beyond the language that I've recommended," Anderson said.

Trustee Jeff Miller said the possibility of supporting Windsor's plan without knowing the fine print of any legislation "doesn't sit very well."

"It would be difficult to support that without all of the language and how it potentially affects our residents," Village President Judd Blau said.

Blau noted that the DOA method of incorporation allows neighboring municipalities and towns an ability "to give their input and

feedback." "It's not necessarily that we're trying to stop it," said Blau. "It just means tap the breaks, slow up, and we need to understand how this affects our residents."

The comment by Blau led Wipperfurth to express hesitation of his own. The town chair said that following December's joint meeting, a member of DeForest's Plan Commission approached him and the two discussed the DOA and how it allows neighbors to "interject themselves into the process" and slow or halt an incorporation attempt.

"That made me extremely nervous about the DOA process," Wipperfurth said. "I hope you understand that we're hesitant when you say that you want to see all of the language because I don't know what that means. If you want to see what it is for the sake of seeing it or if you're trying to find a way to stop it."

Anderson tried to calm some concerns and said although the exact language is not known today and the legislative process could move on short notice, there would be efforts by Windsor to keep DeForest in the loop. Sup. Don Madelung added that he and the board have been "transparent and honest about this process" and will "share what we know with you when we know it."

"This is the best we've got right now," Madelung added. "This is as much information as we know and we will continue to share it as we go along."