

TOWN OF WINDSOR

With state budget approved, referendum plans commence

By Joe Pruski
DeForest Times-Tribune

The town of Windsor is a referendum away from becoming a village.

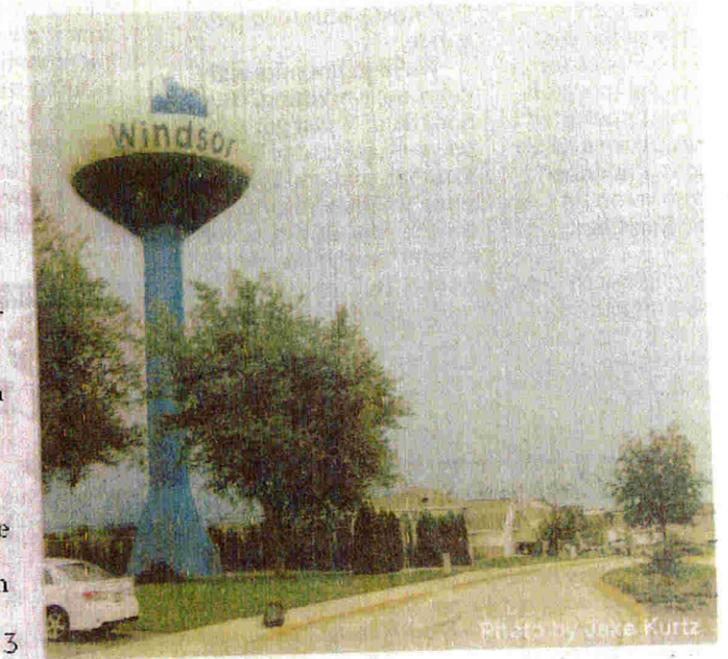
Gov. Scott Walker's signature on the \$72.7 billion biennial budget Sunday cast into law a provision that will allow Windsor to incorporate by a majority of votes in an upcoming election.

The provision, which was added to the budget by the state's Joint Finance

Committee on May 14, sets seven criteria for the incorporation of towns contiguous to third class cities. Windsor is currently the only town in the state that meets those criteria. The provision sunsets in 2020.

Language in the budget mandates that a referendum shall not be held prior to six weeks after passage of the budget bill, and specifies what the language of the referendum question

See **WINDSOR**, page 3



DeForest Times Tribune

7-6-15

WINDSOR

From page 1

will read. The question posed to voters will be "Shall the town of Windsor become a village?" Two choices on the ballot will read "For a village," and "Against a village."

Windsor town chairman Bob Wipperfurth called the passage of the budget a "historic event for Windsor."

"We can now secure our borders and not worry about future annexation. This preserves our tax base, enhances our ag-enterprise area by safely securing it, and allows us to continue to develop and grow Windsor."

Wipperfurth said the town would continue to operate as efficiently as it does now, and that the potential incorporation would be "pretty cost neutral." He sees a slight increase in the cost of the town doing all of its own zoning, as well as replacing signage. He said all other services would continue unchanged for the time being.

Windsor supervisors are set to discuss the incorporation at a July 16 board meeting. The agenda includes items authorizing correspondence with neighboring communities, authorizing preparation of the incorporation resolution to be put to the electorate, and reviewing the timeline of the process.

"We'll be working on a public informational campaign to make sure town residents have all the information they need to make a decision," Wipperfurth said.

Wipperfurth said that he and his wife were in front of the computer watching Gov. Walker's signing ceremony

Sunday afternoon, but were unsure after the signing if the incorporation measure had evaded the Governors veto pen.

"We found out that the language was largely intact and there was a little celebration," he laughed. "There were a lot of people who put in hours and hours of work on this."

THE PROCESS TO THIS POINT

The Windsor town board bucked the mandated incorporation route in favor of what they called the "legislative option," or "legislative route."

While the traditional incorporation process includes approval from the Department of Administration's Incorporation Review Board (IRB), Windsor officials feared the uncertainty the IRB process would bring. The prospects of incorporation for a town the size of, and with as much agricultural land as Windsor has, appeared slim based on an extensive Times-Tribune review of past incorporation attempts statewide.

Successfully navigating the IRB process would have likely meant that the town would have had to pare down the land it intended to incorporate, leaving some residents out of the newly formed village. This prospect, according to town attorney Connie Anderson, could potentially affect boundary agreements with neighboring municipalities.

Language included in the budget provision states that boundary agreements to which a town incorporating under the provision are a

party to, are "still in effect on the effective date of the incorporation, shall continue in force until altered or repealed, to the extent allowed under the agreements." The provision also states that the newly formed village shall be considered the town's successor.

"We chose the process we thought would protect all town residents and ensure that all our agreements would transfer," Wipperfurth said.

The town hired high-powered lobbyist Eric J. Petersen to represent their interests in the Capitol. Petersen, who counts a company at the center of a controversial WEDC loan and Sanimax among his extensive list of high-profile clients, was suggested to the town by attorney Connie Anderson. To date, Windsor has paid Petersen \$25,000 to push favorable incorporation language into the budget.

Democrats on the budget writing committee opposed the incorporation language, contending that non-fiscal policy items affecting one entity do not belong in a state budget. Rep. Gordon Hintz, D-Oshkosh, questioned the ideology of allowing towns to hire a lobbyist and "get it tucked in the budget so we can move forward. Then I think it becomes a precedent and I think that's a road that we don't want to go down."

Wipperfurth said he didn't think there was anything the town could have done differently.

"It was all part of the process [of hiring a lobbyist to secure language in the budget]. Whether you like it or understand it can be debated, but it was not an

easy process," he said. "We believe [hiring Petersen] has been a positive thing for us."

The source of the actual budget language has not yet been determined. The question went unanswered in an email with Anderson, and Wipperfurth declined to comment, saying that he was "not sure if it was pertinent anymore."

Joint Finance Committee co-chairs Rep. John Nygren, R-Marinette, and Sen. Alberta Darling, R-River Hills, introduced the motion allowing for Windsor's incorporation "on behalf of members of my caucus who have a perspective here," Nygren said at the time. The Times-Tribune confirmed that the member who asked for its inclusion in the budget was Rep. Keith Ripp, R-Lodi, who was eventually one of 11 Assembly Republicans who voted against the budget.

REPERCUSSIONS

Both Wipperfurth and DeForest village president Judd Blau acknowledged that Windsor's push toward incorporation has damaged relations between the neighboring communities.

DeForest staunchly opposed Windsor's incorporation, and hired a lobbyist of its own in an unsuccessful attempt to keep incorporation language out of the budget.

For his part, Wipperfurth is resolute in saying that the town was transparent and kept its word to DeForest that it would include language maintaining boundary and other cooperative agreements.

"The realities are what we said they would be," he said.

Wipperfurth said that in

the end it will be up to DeForest "to choose whether they want to work with us or not."

"We want to work with all of our neighbors," he added. Blau, who was firm in his stance that the two communities would benefit from a merger, said that a large community on par with that of Middleton and Fitchburg would have held more weight at the county level.

"Two villages with two different philosophies just doesn't have the same pull," Blau said. "The line between Windsor and DeForest is an arbitrary line. In all practicality we are one community and should have one voice representing all the people."

Blau criticized the process used by Windsor to move to the brink of incorporation.

"It was a non-fiscal item - it had no bearing on the budget," he said. "There's a

process for [incorporation], and I don't know why they weren't willing to follow that process."

Blau also expressed disappointment with DeForest's elected state officials for not "standing up for the village of DeForest."

"It shows they're not invested in our community. Not one of them [but Sen. Jon Erpenbach, D-Middleton] would stand up and say 'hold up - let's see what the village has to say about this,'" Blau said.

He said the village board would discuss the development but that he was unsure if the village could take any counter-action.

The budget provision explicitly states that no action to challenge the validity of the incorporation through this section of the budget can be brought beyond 60 days of a successful referendum.