

Voters to decide status of Windsor

At issue is whether the town will incorporate and settle a land dispute with DeForest

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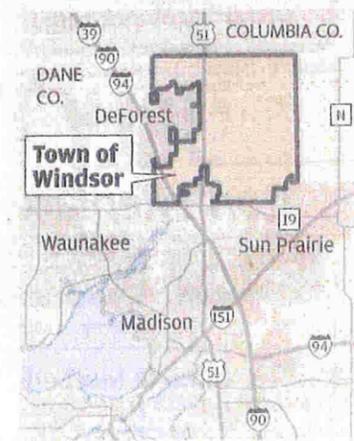
After more than a decade of conflict between elected officials in the town of Windsor and the village of DeForest, Windsor residents have a chance this week to permanently settle their land dispute and ensure local control over future development.

In a referendum Tuesday, Windsor voters will be asked to decide whether the town should incorporate and become a village — a move that would deliver Windsor officials more control over current boundaries and provide local oversight of zoning and land use.

The push to incorporate stems from a series of annexations, largely by neighboring DeForest.

After losing significant chunks

Please see **WINDSOR**, Page A8



State Journal

11-1-15

Windsor

Continued from Page A1

of land through annexation, the Windsor Town Board discussed a merger with the DeForest Village Board in 2000 but ultimately decided against it. Land disagreements continued, and in 2004, DeForest proposed to annex 2,200 acres of the town, prompting a lawsuit from Windsor. That dispute ended with an out-of-court settlement and the land divided between the communities.

The scuffles were eventually settled in 2010 when both municipalities' boards approved a 20-year boundary agreement.

After a few years of calm, Windsor officials reopened discussions about the town's future governance in 2014, touting incorporation as a way to protect the community's identity and tax base.

A December 2014 fiscal analysis determined that the 2,100 acres annexed by DeForest since 1990 were valued at \$290 million.

But DeForest officials have vehemently opposed Windsor becoming a village and have argued that an incorporated Windsor will stunt DeForest's ability to grow along its natural borders.

"In the future, the village of DeForest is, for all intents and purposes, locked into an area with no ability to annex lands to the east," said DeForest Village President Judd Blau, who fears that Windsor could eventually target for annexation land in the town of Burke and town of Vienna currently scheduled to become part of DeForest.

"It's kind of ironic that they are worried about that when that's what we've been experiencing for years," said Windsor Town Chairman Bob Wipperfurth. "This is about protecting Windsor's boundaries and its tax base. We're not interested in growing outside of our boundaries and creating problems like those that have been created for Windsor over the past few years."

Circumventing process

Incorporating into a village or city is typically a much more complicated process that involves going through the state Department of Administration's Incorporation Review Board. The review board allows for input from neighboring towns and villages.

But in May, Rep. John Nygren, R-Marquette, and Sen. Alberta Darling, R-River Hills, offered a motion to the state's budget-writing Joint Finance Committee that created an avenue for incorporation without going through the traditional DOA review.

Neither Nygren nor Darling represent the area, but the committee approved the nonfiscal item on a party-line vote.

The DeForest Village Board responded by formally opposing Windsor's incorporation and approving up to \$10,000 in lobbying efforts to get the item removed from the budget. The effort failed, and the budget was signed in July with the item included.

At the time, there was confusion over the language of the budget item because a previous state budget had attempted a similar measure for the town



JOHN HART — State Journal

Numerous signs have popped up around the town of Windsor ahead of Tuesday's referendum in support of becoming a village. The referendum is the only item on the ballot.

of Ledgeview in Brown County, but a court struck down the law as unconstitutional because it was written to favor a specific municipality.

Resident impact

Since voting to put the referendum on the ballot in August, town officials have pitched incorporation as a relatively seamless process with few tax implications for residents.

Windsor currently contracts with the Dane County Sheriff's Office to provide three officers for the town's roughly 28 square miles.

It shares a joint municipal court with DeForest and receives fire and EMS protection through

with DeForest Area Fire and EMS District.

Because Windsor already provides many of the services residents of a village would expect, Wipperfurth said tax implications for incorporation would be minimal.

"The mere fact of incorporation doesn't necessarily mean a tax increase when a town like Windsor is already providing village-level services," Wipperfurth said. "I'm not going to say taxes will never go up because they typically do, but there's no direct link just because of incorporation."

Windsor has three full-time public works employees, six office staff and a town engineer. All of those employees would be trans-

sitioned into the new village staff.

If the referendum passes and Windsor takes over zoning and land use decisions from Dane County and Sun Prairie, Wipperfurth said it's possible the municipality would need to hire a zoning enforcement officer to accommodate growth, but he said he doesn't anticipate having to add large numbers of municipal employees in the near future.

The town would also spend some on legal work, including authoring a new zoning code and establishing new boundary agreements, but those expenses are budgeted for, Wipperfurth said.

Still, some are concerned that town officials have skewed the narrative.

Shawn Feldman, 34, of Windsor, said he's concerned that, as a village, the municipality would have to significantly expand services, and he questions why incorporation became such a priority that town officials skirted the traditional process through a state budget item.

"I understand not wanting to have land annexed and wanting to preserve your identity, but there's no immediate danger," Feldman said. "It's going to serve the farmers. Those are the people that have the most to lose, land-wise. But what's the harm in keeping things the way they are? They are worried about agreements that are going to be expiring, but those can be renegotiated anytime between now and then."

Feldman and Blau anticipate low turnout for Tuesday's referendum with no other contests on the ballot.