

JOURNAL OF THE MEETING OF THE SHEBOYGAN COUNTY BOARD OF SUPERVISORS

September 20, 2022

Pursuant to Wis. Stat. § 59.11, the September 20, 2022 session of the Sheboygan County Board was called to order by Chairperson Vern Koch at 6:00 p.m. Chairperson Koch noted that the notice of meeting was posted on September 16, 2022 at 3:00 p.m. in compliance with the open meeting law. The meeting opened with the Pledge of Allegiance by all present.

The roll call was taken and recorded with 22 Supervisors present; 1 Supervisor attended remotely: Supervisor Smith; Absent: 3, Supervisors Clarke, Ellis, and Procek.

Resolution No. 11 (2022/23) Re: Honoring the Legacy of Herbert V. Kohler, Jr., a Life Well Lived.

Pursuant to County Board Rule 2.13, this Resolution was on the floor for immediate action and was unanimously adopted by the Board on a rising vote and a pause in its deliberations.

Supervisor Wegner moved for approval of the August 16, 2022 Journal, which was distributed to all supervisors prior to the meeting. The motion was seconded by Supervisor Brauer and carried on unanimous roll call vote of the board.

APPOINTMENTS

The Chairperson announced that the next order of business was the consideration of the appointments by the Chairperson.

Airport Advisory Committee – Re-appointments

Thomas Wegner, 202 Daleview Drive, Plymouth
(Representing – Member of the Transportation Committee)
Roger Te Stroete, N1912 Huibregtse Rd., Oostburg
(Representing – Member of the Transportation Committee)

Supervisor Brauer moved to concur with the reappointments. The motion was seconded by Supervisor Goehring and carried on unanimous roll call vote of the board.

The Chairperson announced that the next order of business was the consideration of the following appointments by the County Administrator.

Airport Advisory Committee

Appointment

John Kelchen, 444 Highland Ave, Kohler
(Representing Kohler Company)

Re-appointment

Thomas Trester, 316 Euclid Avenue, Sheboygan
(Representing Corporate Hangar Owners)

Supervisor Wegner moved to concur with the appointments from the County Administrator. The motion was seconded by Supervisor Brauer and carried on unanimous roll call vote of the board.

Supervisor Ellis arrived at 6:15 p.m.

PRESENTATIONS

Aaron Brault, Planning & Conservation Director – Planning & Conservation Department Updates.

Bryan Grunewald, CliftonLarsonAllen – 2021 Comprehensive Annual Financial Report.

LETTERS AND COMMUNICATIONS

The Clerk presented a resolution from the Kenosha County Board of Supervisors to conduct countywide advisory referendum on making the State of Wisconsin a 2nd Amendment Sanctuary State. By Chairperson received for information.

The Clerk presented a resolution from the Oneida County Board of Supervisors requesting the State of Wisconsin revise the current real estate transfer fees revenue sharing formula. By Chairperson received for information.

The Clerk presented resolutions from the Oneida and Taylor County Boards of Supervisors to prohibit the use of private donations for the purpose of election administration. By Chairperson received for information.

The Clerk presented resolutions from the Lincoln and Price County Boards of Supervisors requesting an advisory referendum regarding private funding of election administration. By Chairperson received for information.

COUNTY ADMINISTRATOR'S REPORT

County Administrator Adam Payne thanked and acknowledged Allen Nohl, President of the Sheboygan County Veterans Memorial Board, for his ongoing leadership and the continuous enhancements made to the Veterans Memorial. Mr. Payne honored and reminisced on the legacy of Mr. Herbert V. Kohler, Jr. and shared photos. Mr. Payne also spoke about the Wisconsin Counties Association Conference that he, Chairperson Koch, and a number of County Board supervisors just attended. Mr. Payne announced that Supervisor Tom Wegner received the 2022 WCA 'Friend in County Government Award' at the conference, which is given to an individual who has performed outstanding service not only in their own county, but also for the Association and counties statewide. Finally, Mr. Payne formally announced that after being the County Administrator for 24 years, he will be leaving Sheboygan County in March 2023 and joining the team at the Wisconsin Counties Association. Mr. Payne shared how grateful he is to have had this opportunity, for the support of the county board, a strong management team, and working with so many dedicated, talented staff and community leaders. He concluded by stating Sheboygan County is in good hands, and our community is truly something special.

COMMITTEE REPORTS

The Clerk read the report of the Executive Committee regarding **Resolution No. 08 (2022/23) 2023 Five-Year Capital Plan** recommending adoption.

Supervisor Goehring moved to adopt the resolution. The motion was seconded by Supervisor Brauer and carried on unanimous roll call vote of the board.

The Clerk read the report of the Executive Committee regarding **Resolution No. 09 (2022/23) Supporting the Principle of Fair Housing and Adherence to the Fair Housing Law** recommending adoption.

Supervisor Goehring moved to adopt the resolution. Supervisor Brauer seconded the motion which carried on unanimous roll call vote of the board.

The Clerk read the report of the Finance Committee regarding **Resolution No. 10 (2022/23) Authorizing County Aid for Culvert and Bridge Construction in the Towns of Greenbush, Holland, Wilson, and Lima** recommending adoption.

Supervisor Goehring moved to adopt the resolution. The motion was seconded by Supervisor Te Stroete and carried on unanimous roll call vote of the board.

The Clerk read the report of the Finance Committee regarding **Ordinance No. 02 (2022/23) Modifying Fee Schedule of Medical Examiner in Chapter 96** recommending enactment.

Supervisor Wegner moved to enact the ordinance. Supervisor Te Stroete seconded the motion which carried on unanimous roll call vote of the board.

(Vice-Chairperson Abler presiding)

Pursuant to Rule IV of the Rules of Order, the following resolutions were introduced by the Clerk and referred by the Vice-Chairperson as indicated:

Resolution No. 12 (2022/23) Re: Amending 2022 Budget to Provide for an All Employee Appreciation Gift referred to the Finance Committee.

Resolution No. 13 (2022/23) Re: Disallowance of Albert Claim Against Sheboygan County referred to the Executive Committee.

Resolution No. 14 (2022/23) Re: Renewing Corporation Counsel Contract referred to the Executive Committee.

Resolution No. 15 (2022/23) Re: Supporting Housing Development at UW-Green Bay, Sheboygan Campus referred to the Executive Committee.

Resolution No. 16 (2022/23) Re: Petitioning the Secretary of Transportation for Airport Improvement Aid referred to the Finance Committee.

ADJOURNMENT

Supervisor Te Stroete moved to adjourn. Supervisor Brauer seconded the motion which carried on unanimous roll call vote of the board. The meeting was adjourned at 7:00 p.m. **The next scheduled meeting is Tuesday, October 18, 2022 at 6:00 p.m.**



KENOSHA COUNTY

BOARD OF SUPERVISORS

Resolution No. 22

| | |
|--|--|
| Subject: | |
| Resolution to Conduct Countywide Advisory Referendum on making the State of Wisconsin a 2nd Amendment Sanctuary State | |
| Original <input type="checkbox"/> | Corrected <input type="checkbox"/> |
| 2nd Correction <input type="checkbox"/> | Resubmitted <input type="checkbox"/> |
| Date Submitted: Date Submitted: 5/9/2022 | Date Resubmitted: |
| Submitted by: Supervisors Decker and Poole | |
| Fiscal Note Attached <input type="checkbox"/> | Legal Note Attached <input type="checkbox"/> Agreement |
| Prepared by: Supervisor Erin Decker | Signature: |

WHEREAS, the Constitution of the United States is the Supreme Law of our nation, and;

WHEREAS, the Right of the People to Keep and Bear Arms is guaranteed as an Individual Right under the Second Amendment to the United States Constitution, and reads "A well regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed," and;

WHEREAS, the Constitution of the State of Wisconsin, Article I, Section 25, reads "The people have the right to keep and bear arms for security, defense, hunting, recreation or any other lawful purpose," and;

WHEREAS, the United States Supreme Court in *District of Columbia v. Heller*, 554 U.S. 570 (2008), affirmed an individual's right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home, and;

WHEREAS, the United States Supreme Court in *McDonald v. Chicago*, 561 U.S. 742 (2010), affirmed that the right of an individual to "keep and bear arms," as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment against the states, and;

WHEREAS, the United States Supreme Court in *United States v. Miller*, 307 U.S. 174 (1939), opined that firearms that are part of ordinary military equipment, or with use that could contribute to the common defense are protected by the Second Amendment, and;

WHEREAS, the Right of the People to Keep and Bear Arms for the defense of Life, Liberty, and Property is regarded as an Inalienable Right by the People of the Kenosha County, and;

WHEREAS, the People of Kenosha County derive an economic benefit from all safe forms of firearms recreation, hunting, and shooting conducted within Wisconsin using all types of firearms allowable under the United States Constitution and the Constitution of the State of Wisconsin, and;

WHEREAS, the Citizens of Kenosha County are concerned about the passage of any bill containing language which could be interpreted as infringing the rights of the citizens of Kenosha County to keep and bear arms, and;

WHEREAS, The Kenosha County Board of Supervisors desires to hear the views of the public on this important matter; and subsection 59.52 (25) of the Wisconsin Statutes permits the County Board of Supervisors to conduct a countywide referendum for advisory purposes, and;

WHEREAS, The following advisory referendum question provides a way for the public to express its views on making Wisconsin a 2nd Amendment Sanctuary State:

Question: Should the Wisconsin State Legislature declare the State of Wisconsin be a Second Amendment Sanctuary State?

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors, in legal session assembled will place the following question on the November 8, 2022 ballot as an advisory referendum question.

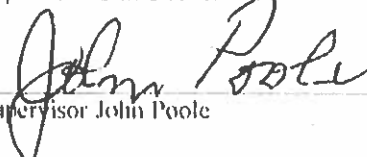
Question: Should the Wisconsin State Legislature declare the State of Wisconsin be a Second Amendment Sanctuary State? YES _____ NO _____, and;

BE IT FURTHER RESOLVED, that the Kenosha County Board of Supervisors directs Corporation Counsel to prepare a Notice of Referendum to be published by the Kenosha County Clerk in accordance with statutory requirement, and;

BE IT FURTHER RESOLVED, that this resolution and the referendum shall be filed with Kenosha County Clerk no later than 70 days prior to the November 8, 2022 election at which the question will appear on the ballot, and;

BE IT FURTHER RESOLVED, that a copy of this ballot referendum shall be forwarded to Kenosha County's legislative delegation, all other Wisconsin counties, the Wisconsin Counties Association and Governor Evers.

Supervisor Erin Decker


Supervisor John Poole

RESOLUTION # 87-2022

Resolution to Request the State of Wisconsin Revise the Current real estate Transfer Fees Revenue Sharing Formula.

Resolution approved for presentation to the Oneida County Board by the Supervisors of the Administration Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, the collection of a real estate transfer fee by counties was mandated by the State of Wisconsin in 1969, and included a requirement that counties remit 50% of all transfer fees collected to the State; and

WHEREAS, in 1981 the State changed the transfer fee formula to require counties to remit 80% of all transfer fees collected to the State; and

WHEREAS, the County, through the Register of Deeds Office, assumes the annual operating costs of recording all real estate transfers occurring in each county, including the collection of real estate transfer fees; and

WHEREAS, Oneida County real estate transfer fee collections over the past five years totaled \$5,963,713.00 of which the County retained \$1,192,742.00 and \$4,770,970.00 was remitted to the State;

WHEREAS, using a 50/50 split, the County's share of fees collected on local real estate transfers during that same five-year period would have provided an additional \$1,789,114.00 in support of local government; and

WHEREAS, in 2021 the State of Wisconsin has built up a budget surplus of approximately \$2.5 billion dollars, while many Wisconsin counties continue to struggle financially due to the ever-increasing costs of providing county government services in an inflationary economy and providing services for increasing unfunded State mandated programs along with the financial restrictions imposed by State imposed levy limits.

NOW, THEREFORE, BE IT RESOLVED by the Oneida County Board of Supervisors that in an effort to assist all Wisconsin counties, the State of Wisconsin revise the real estate transfer fee share formula to again allow Wisconsin counties to retain 50% of all real estate transfer fees collected, with 50% to be remitted to the State.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Governor Tony Evers, all members of the State Legislature representing Oneida County, the Wisconsin Counties Association, and all other Wisconsin Counties.

Vote Required: Majority = ☒ 2/3 Majority = ☐ 3/4 Majority = ☐

The County Board has the legal authority to adopt: Yes ☒ No ☐ as reviewed by the Corporation Counsel, 7.26.22, Date:

Approved for presentation to the County Board by the Administration Committee this 26th day of July, 2022.

Consent Agenda Item: ☒ YES ☐ NO

Offered and passage moved by: _____

RESOLUTION # 86-2022

Resolution to insist upon the prohibition of the use of private donations for the purpose of election administration.

Resolution approved for presentation to the Oneida County Board by the Supervisors of the Administration Committee

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, during Wisconsin's 2020 General Election a private, non-profit entity, the Center for Tech and Civic Life, funded in part by Facebook founder Mark Zuckerberg, furnished approximately \$8.5 million to five Wisconsin cities and an additional \$1.6 million to over 200 other Wisconsin municipalities; and,

WHEREAS, by accepting this money, municipalities agreed to certain conditions related to election administration, which directly impacted the procedures adopted by municipalities who were recipients of the money, while other municipalities that did not receive the money did not implement the same measures; and,

WHEREAS, by accepting this money, municipalities granted special access to voter data to agents of the special interest group, including the ability to manage municipal staff and special access to the ballots; and,

WHEREAS, voters need to be able to trust that their local elections officials are acting in a non-partisan capacity and are not under the influence of private resources that might impact how an election is administered; and,

WHEREAS, the ability to accept private funds for election administration can be used by any political party or special interest group to improperly influence the outcome of elections; and,

WHEREAS, the ability of a privately funded special interest group to participate in an election in this manner allows for circumvention of campaign finance laws and creates the appearance of unfairness in election administration.

WHEREAS, to have a well-functioning election, voters need to have trust in the fairness of the process.

NOW THEREFORE, BE IT RESOLVED, the Oneida County Board of Supervisors, duly assembled on this 16th day of August, 2022, insists upon the prohibition of the use of private donations from special interest groups, people, or other private entities by government, for the purpose of election administration.

BE IT FURTHER RESOLVED, that the Oneida County Clerk is directed to send a copy of this resolution to the Governor of the State of Wisconsin, the Wisconsin Counties Association, the Wisconsin Towns Association, the Wisconsin League of Municipalities, all members of the state legislature and to each Wisconsin County Board.

Vote Required: Majority = ☒ 2/3 Majority = _____ 3/4 Majority = _____

RESOLUTION NO. 22

A RESOLUTION REGARDING PRIVATE FUNDING OF ELECTION ADMINISTRATION.

WHEREAS, during Wisconsin's 2020 General Election a private, non-profit entity, the Center for Tech and Civic Life, funded in part by Facebook founder Mark Zuckerberg, furnished approximately \$8.5 million to five Wisconsin cities and an additional \$1.6 million to over 200 other Wisconsin municipalities; and,

WHEREAS, by accepting this money, municipalities agreed to certain conditions related to election administration, which directly impacted the procedures adopted by municipalities who were recipients of the money, while other municipalities that did not receive the money did not implement the same measures; and,

WHEREAS, by accepting this money, municipalities granted special access to voter data to agents of the special interest group, including the ability to manage municipal staff and special access to the ballots; and,

WHEREAS, voters need to be able to trust that their local elections officials are acting in a non-partisan capacity and are not under the influence of private resources that might impact how an election is administered; and,

WHEREAS, the ability to accept private funds for election administration can be used by any political party or special interest group to improperly influence the outcome of elections; and,

WHEREAS, the ability of a privately funded special interest group to participate in an election in this manner allows for circumvention of campaign finance laws and creates the appearance of unfairness in election administration.



WHEREAS, to have a well-functioning election, voters need to have trust in the fairness of the process.


NOW THEREFORE, BE IT RESOLVED, the Taylor County Board of Supervisors, duly assembled on this 15th day of July, 2022, insists upon the prohibition of the use of private donations from special interest groups, people, or other private entities by government, for the purpose of election administration.

BE IT FURTHER RESOLVED, that the Taylor County Clerk is directed to send a copy of this resolution to the Governor of the State of Wisconsin, the Wisconsin Counties Association, the Wisconsin Towns Association, the Wisconsin League of Municipalities, all members of the state legislature and to each Wisconsin County Board.

RESPECTFULLY SUBMITTED:

EXECUTIVE COMMITTEE:


Jim Metz

Michael Bub


Scott Mildbrand

Reason for the resolution: Politically motivated out-of-state individuals and third-party groups found a loophole in Wisconsin election laws.

In Wisconsin, outside money can influence elections and officials, creating a difference in how elections are funded and operated from one county to another. Outside money from individuals and third-party groups does not belong in our elections. It's dangerous, it's wrong, and it undermines the integrity of our elections.

The outside money loophole was used in 2020 to influence Wisconsin elections, and there are plans underway to continue to take advantage of that loophole again!

In the 2020 election, more than 200 jurisdictions in Wisconsin received and spent over \$10 million paid for by Facebook CEO Mark Zuckerberg and his wife. In fact, the majority of Zuckerbucks were funneled into 5 districts. Nearly \$8.5 of the \$10 million provided to the state were funneled into Milwaukee, Madison, Green Bay, Racine, and Kenosha.

Governor Evers failed to protect Wisconsin elections with his veto of the ban on outside money in our elections.

The Wisconsin Legislature passed a law that would have stopped outside money from influencing elections in Wisconsin. Governor Evers vetoed the bill leaving Wisconsin voters vulnerable to outside influences. 21 states have already enacted legislation to restrict or prohibit state and local governments from accepting funding from private individuals and third parties.

Let's send a message from the County that elections are not for sale in Wisconsin.

A county resolution sends a message to the Governor and to election officials throughout Wisconsin that our elections are not for sale. Support integrity in elections by ensuring that the State of Wisconsin does not accept funding for election administration from politically motivated groups.

Second By: Bialecki

**RESOLUTION FOR ADVISORY REFERENDUM REGARDING PRIVATE
FUNDING OF ELECTION ADMINISTRATION**

WHEREAS, During Wisconsin's 2020 General Election a private, non-profit entity, the Center for Tech and Civic Life, funded in part by Facebook Founder Mark Zuckerberg, furnished approximately \$8.5 million to five Wisconsin cities and an additional \$1.6 million to over 200 other Wisconsin municipalities.

WHEREAS, By accepting these grants municipalities agreed to certain conditions related to election administration which directly impacted the procedures adopted by municipalities who were recipients of the grant funding while other municipalities that did not receive the grants did not implement the same measures.

WHEREAS, By accepting these grants municipalities granted special access to voter data to agents of the special interest group, including the ability manage municipal staff and special access to ballots.

WHEREAS, Voters need to be able to trust that their local election officials are acting in a non-partisan capacity and are not under the influence of private resources that might impact how an election is administered.

WHEREAS, The ability to accept private funds for election administration can be used by any political party or special interest group to improperly influence the outcome of elections.

WHEREAS, The ability of a privately-funded special interest to participate in an election in this manner allows for circumvention of campaign finance laws and creates the appearance of unfairness in election administration.

WHEREAS, In order to have a well-functioning election, voters need to have trust in the fairness of the process.

NOW, THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors insists upon the prohibition of the use of private donations from special interest groups, people, or other private entities by government for the purposes of election administration.

BE IT FURTHER RESOLVED that the Lincoln County Board of Supervisors, in legal session assembled, does hereby approve that the following question be placed on the November 8, 2022, General Election ballot as an advisory referendum question:

| Dist. | Supervisor | Y | N | Abs |
|---|---------------|----|---|-----|
| 1 | Bialecki | X | | |
| 2 | Anderson-Malm | | | |
| 3 | McCrank | | X | |
| 4 | Osness, Jr. | | | |
| 5 | Peterson | X | | |
| 6 | Ashbeck | X | | |
| 7 | Rusch | | X | |
| 8 | Thiel | X | | |
| 9 | Friske | X | | |
| 10 | Boyd | X | | |
| 11 | Detert | X | | |
| 12 | DePasse | X | | |
| 13 | Callahan | X | | |
| 14 | Hafeman | | X | |
| 15 | Lemke | X | | |
| 16 | Loka | | | |
| 17 | Brixius | X | | |
| 18 | Wickham | X | | |
| 19 | Allen | | X | |
| 20 | Cummings | X | | |
| 21 | Simon | X | | |
| 22 | Hartwig | X | | |
| Totals | | 14 | 4 | |
| <div>Carried</div> <div>Defeated</div> <div>Amended</div> | | | | |
| <div>Voice vote</div> <div>Roll call</div> | | | | |

STATE OF WISCONSIN)
) SS
COUNTY OF LINCOLN)

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by the Lincoln County Board of Supervisors on:
July 19, 2022

Christopher D. Marlowe
Lincoln County Clerk



Question: Should the State of Wisconsin prohibit election officials from soliciting or using private funds, technology, or services from special interest groups, people, or other private entities for the purpose of administering elections and referendums?

YES _____ **NO** _____

NOW, THEREFORE BE IT RESOLVED, that the County Clerk is directed to send a copy of this resolution to the Governor of the State of Wisconsin, the Wisconsin Counties Association, the Wisconsin Towns Association, the Wisconsin League of Municipalities, all members of the state legislature, and to each Wisconsin County Board.

Dated: July 19, 2022

Authored by: Calvin Callahan

Co-Sponsored by: Jesse Boyd, Angela Cummings, Randy Detert, Greg Hartwig

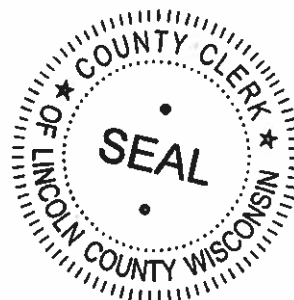
Committee: Administrative & Legislative

Committee Vote: carried – unanimous

Date Passed: 7/6/2022

Fiscal Impact:

Drafted by: Calvin Callahan



Resolution 28-22
**Resolution for Advisory Referendum Regarding Private Funding
of Election Administration**

WHEREAS, during Wisconsin's 2020 General Election a private, non-profit entity, the Center for Tech and Civic Life, furnished approximately \$8.5 million to five Wisconsin cities and an additional \$1.6 million to over 200 other Wisconsin municipalities; and

WHEREAS, in order to have a well-functioning election, voters need to have trust in the fairness of the process.

NOW, THEREFORE BE IT RESOLVED, that the Price County Board of Supervisors insists upon the prohibition of the use of private donations from special interest groups, people, or other private entities by government for the purposes of election administration; and

BE IT FURTHER RESOLVED that the Price County Board of Supervisors, in legal session assembled, does hereby approve that the following question be placed on the November 8, 2022 General Election ballot as an advisory referendum question:


Question: Should the State of Wisconsin prohibit election officials from soliciting or using private funds or services from special interest groups, people, or other private entities for the purpose of administering elections and referendums?

YES _____ NO _____


BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to the Governor of the State of Wisconsin, the Wisconsin Counties Association, the Wisconsin Towns Association, the Wisconsin League of Municipalities, all members of the state legislature, and to each Wisconsin County Board.


Submitted by the Price County Executive Committee:


Alan Barkstrom, Chair

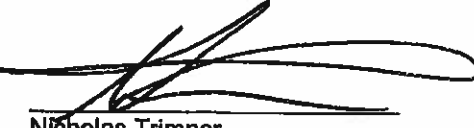

Jeff Hallstrand

excused
Larry Palecek


Brian Ernst


Paula Houdek

Reviewed by County Administrator:


Nicholas Trimner

Adopted by the Price County Board of Supervisors this 16th day of August 2022.


Alan Barkstrom, County Board Chair


Jean Gottwald, County Clerk

For: 8 Against: 5