

**WINNEBAGO COUNTY BOARD OF SUPERVISORS**  
**JUDICIARY & PUBLIC SAFETY COMMITTEE**  
**In person & via Zoom/Telephone**

DATE: July 11, 2022

TIME: 6:00 P.M.

PLACE: WINNEBAGO COUNTY SHERIFF'S OFFICE  
RICHARD MEYER COMMUNITY RESOURCE ROOM  
4311 JACKSON STREET, OSHKOSH

PRESENT: BRYAN STAFFORD  
JACOB FLOAM  
PAUL EISEN  
BRIAN DEFFERDING  
CONLEY HANSON

ALSO PRESENT: TODD CHRISTOPHERSON – SHERIFF'S  
JOHN MATZ - SHERIFF  
SUE ERTMER – COUNTY CLERK  
CHERYL BREHMER – CORONER  
ERIC SPARR – DISTRICT ATTORNEY  
CHUCK FARREY – COUNTY SUPERVISOR  
TOM EGAN – COUNTY SUPERVISOR  
MARY ANNE MUELLER – COUNTY SUPERVISOR  
NATE GUSTAFSON – COUNTY SUPERVISOR  
JOHN ZARBANO – CITIZEN  
MERLAINE ZARBANO – CITIZEN  
KATHLEEN DONNELLY – CITIZEN  
JARED LONGSINE – CITIZEN  
AMANDA LEIGH – CITIZEN  
ELIZABETH B – CITIZEN  
CAT BUTTRON – CITIZEN  
ISABEL MENDOZA – CITIZEN  
TAMRA MATHWIG – CITIZEN  
REP RACHEL CG - CITIZEN  
RACHAEL DOWLING– COUNTY SUPERVISOR  
REBECCA NICHOLS – COUNTY SUPERVISOR  
ANN MACPHETRIDGE – CITIZEN  
KRISTEN SANDVICK – CITIZEN  
KATIE CAMPBELL – CITIZEN  
RALPH HARRISON – CITIZEN  
JENIFER KOSER – CITIZEN  
MILES MAGUIRE – OSHKOSH EXAMINER

**1. Call to Order**

Chairman Stafford called the meeting to order at 6:00 p.m. and it was verified that the meeting was properly noticed.

## **2. Consideration of Minutes of June 13, 2022 meeting**

A motion to approve the minutes from June 13, 2022 was made by Brian Defferding, seconded by Jacob Floam. Carried 5-0.

## **3. Public comments on agenda items only**

Citizen John Zarnbano spoke about resolution item #12 regarding the Second Amendment Sanctuary and his opinion on the changes to the resolution.

Supervisor Karen Powers spoke about item #13 regarding forming a Scholarship Committee.

Supervisor Rebecca Nichols spoke in opposition to both resolutions for items #11 & #12 and stated individuals in her district also oppose the resolutions.

Representative Rachel CG spoke in regards to items #11 & #12 and stated she has heard a large support from members in the community on these resolutions.

Citizen Jared Longsine spoke in favor of agenda items #9, #11 & #12. He stated we should never hinder the rights for people to own guns.

Citizen Cat Buttron spoke in regards to items #11 & #12 and rejects the opposed resolutions.

Supervisor Rachael Dowling spoke in favor regarding items #11 & #12 and her opposition to item #9. Stated she would not feel safe if her rights were taken away.

Citizen Tamara Mathwig spoke in favor of resolutions #11 & #12 and her opposition to #9.

Citizen Ann Macphetrige spoke in opposition of items #11 & #12.

Citizen Kristen Sandvick spoke in opposition of items #11 & #12.

Citizen Katie Campbell spoke in favor of #9, #11 & #12.

Citizen Amanda Leigh spoke in opposition to items #11 & #12.

## **4. Communications shared by Committee Members**

Supervisor Defferding spoke about his participation at the WCA Steering Committee meeting he attended in Stevens Point and the topics that were discussed to include resolutions brought forward and DA staffing shortages.

Supervisor Floam discussed the upcoming National Night Out being held at the Oshkosh Fire Department.

Chairman Stafford thanked the Sheriff for reading the Declaration of Independence on July 4<sup>th</sup> courthouse steps.

Supervisor Hanson discussed his visit to the 911 Communication Center and wanted to thank the 911 dispatchers and emergency responders.

## **5. Brief Overview from department heads for their department**

- **County Clerk Office – Sue Ertmer**
- **Any other department heads here to speak?**

Sue Ertmer reviewed the County Clerk Office and any upcoming items that may be brought to the committee's attention in the near future.

#### **6. Update – Coroner's Office – Cheryl Brehmer**

Cheryl Brehmer gave an update on 4 suspected overdoses in the last 7 days. Clark County is asking for their trailer back and they will be getting that back this week. The transportation company the coroner's office uses have built a freezer facility that the county can utilize to store decedents awaiting autopsy. Transportation cost will be the same but there will be a storage fee for the decedents until the new morgue building is built. This will affect the budget until the storage garage is built.

Cheryl stated she does not have an update on the construction of the new facility but does know it doesn't have to go back out for bid since it's an addition to another project. Once the morgue is built, the transportation of the decedents to Fond du Lac could then be handled in-house by the Coroner's Office to reduce transportation costs handled by other agencies. Cheryl stated once the morgue is built, the staffing at the Coroner's office won't change but additional equipment will need to be purchased in order to facilitate the examinations once the decedents are brought to the facility.

#### **7. Update – District Attorney's Office – Eric Sparr**

District Attorney Eric Sparr spoke about upcoming larger trial cases. He gave a brief overview of all of the latest cases the DA's Office is handling and other updates on the programs within the DA's Office to include the Connect Program. The DA's Office currently has one opening and it's a state-wide issue with staffing shortages in the DA's Offices. District Attorney Sparr elaborated and stated the shortage is mostly due to the DA's Office being a stepping stone for a lot of new attorneys and the pay range at the state level is geared towards non-experienced attorneys just starting out their careers. Someone who has more experience would not be interested in starting at the DA's office as the pay is a lot less than the salary they can obtain going elsewhere.

#### **8. Sheriff's Report**

Sheriff Matz Vivitrol program which is for opioid addiction. The Sheriff's Office applied for the grant for the program and it looks probable that the Sheriff's Office will receive the grant.

Sheriff Matz spoke about the boat crash that happened over the weekend.

Sheriff Matz discussed the budget and the absorption of the labor increase that was relayed to departments by the county executive. He discussed the hardships that would cause to the Sheriff's Department and the community as programs and services would need to be drastically decreased in order for the reflection in the budget to be a possibility.

Sheriff Matz stated activity in the county has increased as well as EAA coming soon.

#### **9. Discussion/Vote: Referendum preventing outside money to be taken and use to administer elections – Supervisors Nate Gustafson and Conley Hanson**

Supervisor Hanson moved to introduce the referendum preventing outside money to be taken and use to administer elections, seconded by Supervisor Defferding.

Supervisor Eisen respectfully requested that the sponsor of the resolution withdraw the resolution. He stated it is a political statement and not the proper subject for committee discussion. It is advisory and wouldn't accomplish anything.

Mary Anne Mueller from Corporation Counsel stated the statute states the board may accept donations such as gifts or grants for any governmental purpose for the county. Mary Anne Mueller stated she hopes lines 8, 10 and 13 have been vetted with the legalities of it. Supervisor Hanson stated he believes all of those lines were vetted and the language was introduced in other counties across the state.

Supervisor Eisen called the question, seconded by Supervisor Defferding. Carried 4-1.

Supervisor Floam made a motion to approve the referendum preventing outside money to be taken and use to administer elections, seconded by Supervisor Defferding. Carried 4-1.

~~**10. Discussion/Vote: Resolution on limiting the debate time of County Board Supervisors during discussion. — County Board Chairman Tom Egan**~~

**11. Discussion/Vote: First Amendment Sanctuary, Winnebago County – Supervisors Nate Gustafson and Conley Hanson**

Supervisor Hanson moved to introduce the First Amendment Sanctuary, Winnebago County, seconded by Supervisor Floam.

Supervisor Hanson stated this is not a new proposal and much of the language in the resolution is also in other counties resolutions around the state as well. The resolution is stating the county will uphold the law about everyone's first amendment rights.

Supervisor Eisen stated his opposition of the sanctuary. He referenced a Campbell County First Amendment Sanctuary article and the role of the county in the sanctuary. He does not support the resolution. Supervisor Hanson discussed the Campbell County resolution and pointed out that the language is similar but different and he fully supports the resolution.

Supervisor Defferding is supporting the resolution and keeping in mind what has happened because of the pandemic and the powers to the health director regarding communicable diseases and the rights to protest. It gives people the right to express themselves whether we agree to it or not.

Chairman Stafford enjoys the empathy of people expressing themselves in the community and sees the level of interaction in discussion and debate about the rights of everyone. He reviewed the oath of joining the county board and the promise of the constitution to others. The question is the home rule and who has jurisdiction in enforcing statutes set by the state.

Mary Ann Mueller of Corporation Counsel stated she would have to look into that but pointed out that she struck out a portion line 34 and line 35 as the Winnebago County Board of Supervisors is in the power of the purse and policy, not to direct employees. This is the legal recommendation of taking a portion of line 34 and line 35 out.

Supervisor Eisen called the question, seconded by Supervisor Defferding. Carried 5-0.

A motion to approve the amended First Amendment Sanctuary, Winnebago County, including striking lines 34 and line 35 was made by Supervisor Hanson, seconded by Supervisor Defferding. Carried 5-0.

**12. Discussion/Vote: Second Amendment Sanctuary, Winnebago County – Supervisors Conley Hanson and Nate Gustafson**

Supervisor Hanson moved to introduce the Second Amendment Sanctuary, Winnebago County, seconded by Supervisor Defferding.

Supervisor Hanson clarified some of the concerns with this item of discussion. Moving forward with the resolution, he reviewed case law before writing the resolution. There have been many other counties that have passed a resolution similar to this and he has read several of those resolutions before writing this resolution. The conclusion in drafting the resolution was if any kind of incident happened, the intent for harm is before any type of weapon is chosen and he is only defending the constitution of the country and law-abiding citizens.

Chairman Stafford asked Corporation Counsel for clarification on the strike out recommendations to this resolution.

Mary Anne Mueller of Corporation Counsel stated on line #19 they may have left out a word and wanted them to interpret what they wanted there. In crossing out lines 21 & 22, the Sheriff is an elected official and he needs to follow the law. As a result, that section was struck out. Line 23 suggests that it will not appropriate or transfer any funds which would then combine line 20 to line 23 reading, "NOW, THERFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it will not appropriate or transfer any funds for enforcement of unconstitutional laws against the people of Winnebago County, Wisconsin." Line 33 and Line 35 was just eliminating extra words.

Supervisor Defferding addressed the mental health conditions with this resolution but also the need to observe medical privacy and HIPPA law and how far that can go in regards to medical privacy. Red flag laws can overburden the law enforcement officers creating more visits and calls for service. Who determines who gets to have a self defense weapon? Not all about guns but means of self-defense. Expanding services in the community to address ground level issues that arise.

Supervisor Eisen reviewed a Milwaukee County Journal Sentinel article from 2021 regarding gun laws. Supervisor Eisen wanted to address the public safety administration for Winnebago County on their perspective on what it will do to enhance or complicate their responsibilities for public safety. Sheriff Matz spoke on protecting democracy and do that by protecting all amendments and rights by following state statute and county ordinances.

Chairman Stafford discussed public comments with mental health and domestic violence and it's a problem in the communities and lives are being impacted. He heard solid points on both sides of this resolution and with heavy consideration and whether this is a topic for the broader board. Chairman Stafford would like to see the discussion move forward to the board to obtain everyone's opinions for those who couldn't attend the Judiciary meeting. He would like to have a completed resolution so the board is able to respond to it.

Supervisor Gustafson agrees with Corporation Counsel in striking lines 20-21, 23, 33, 34-35. He would like the wording for line 19 to be "unconstitutional".

Hanson made a motion to approve the Second Amendment Sanctuary, Winnebago County, with the recommended changes in striking lines 20-21, 23, 33, 34-35 and adding the word "unconstitutional" to line 19, seconded by supervisor Defferding. Carried 4-1.

### **13. Discussion: Establishing a Scholarship Committee**

Supervisor Powers stated there is currently \$43,311 in donations designated to scholarship funds. It goes back into the general fund in a protected section but designated to the scholarship fund. It was established approximately 22 years ago. Tuition at UWO has increased 150% and the scholarship sits and hasn't been used.

Supervisor Eisen stated he was part of a scholarship committee from 2006-2010. This scholarship committee was absorbed by the UW Extension committee. There is no need for establishing a new committee when in the recent past there has been discussion about combining committees.

Supervisor Powers stated she would take up Supervisor Eisen's recommendation and take it back to the UW Extension Education and Agriculture committee.

County Clerk Sue Ertmer stated there about 30 to 35 students who apply for the scholarship yearly. The County Clerk's office has taken on the process for the scholarship where they collect the information and they then send it off to the university. It then comes back after the decisions are made and it then goes to the board for the final decision.

Chairman Stafford asked Supervisor Powers to have the UW Extension Education and Agriculture committee create a task force committee specifically for the scholarship funds. The task force can consist of the members already on the UW Extension committee.

#### **14. Public comments on non-agenda items.**

Supervisor Egan discussed item #10 being crossed off of the agenda and stated he will work on it for next month's meeting. He will take any feedback from board members. He also discussed the county clerk's office and corporation counsel's office and the praise of the work that their offices do in putting together the committee agendas.

#### **15. Next Meeting Date: Monday, August 08, 2022 at 6:00 pm**

- **Deadline for agenda items due Monday, August 1, 2022, 12:00 pm. Please forward those requests to Chairman Bryan Stafford for approval. Thank you.**

Chairman Stafford stated this process has changed to allow for the County Clerks's Office and Corporation Counsels office more time to prepare the next meetings agendas. This will also allow for the meeting agenda and other items to be mailed out sooner as there can be delays in the mail system and therefore could result in committee members not receiving the information before the next meeting.

- Deadline for agenda items due **Monday, July 25th, 2022, 12:00 pm**. Please forward those requests to Chairman Bryan Stafford for approval. Thank you.

#### **16. Adjourn**

A motion to adjourn was made at 9:12 pm by Supervisor Floam, seconded by Supervisor Defferding. Carried 5-0.

Respectfully Submitted:

Kimberly Delcore  
Winnebago County Sheriff's Office