

**CORRECTED**

**ADJOURNED SESSION  
WINNEBAGO COUNTY BOARD OF SUPERVISORS  
TUESDAY, AUGUST 4, 2020  
6:00 P.M.**

**SUNNYVIEW EXPOSITION CENTER  
500 E. COUNTY ROAD Y, OSHKOSH  
AND  
ZOOM VIDEO CONFERENCE MEETING**

**(Video Conference Meeting)**

**To join this video meeting via Zoom, use this link:  
<https://us02web.zoom.us/j/82193693835>**

**To join this meeting by telephone, dial (312) 626-6799. Enter the Meeting ID: 821 9369 3835**

At this meeting, the following will be presented to the Board for its consideration:

- \*Roll Call
- \*Pledge of Allegiance
- \*Invocation
- \*Adopt agenda

**Time will be allowed for persons present to express their opinion on any resolution or ordinance that appears on the agenda, as well as, any matter over which this body has jurisdiction.**

- Reports from Committees, Commissions & Boards
- County Executive's Report
- County Board Chairman's Report
- County Board Chairman's Appointment:
  - East Central International Trade, Business and Economic Development Council (ITBEC) – Paul Sundquist, 222 Hudson Avenue, Oshkosh; Amy Albright, Oshkosh Convention and Visitors Bureau, 100 North Main Street, Oshkosh

### **RESOLUTIONS AND ORDINANCES**

Resolution No. 050-082020: Authorize Winnebago County to Submit an Application for Community Development Block Grant Monies

Submitted by:

INDUSTRIAL DEVELOPMENT BOARD

**Vote required: Majority of Those Present**

Resolution No. 051-082020: Create a Residential Anti-Displacement and Relocation Assistance Plan (RADRAP)

Submitted by:

INDUSTRIAL DEVELOPMENT BOARD

**Vote required: Majority of Those Present**

Resolution No. 052-082020: Authorize the Adoption of a Citizen Participation Plan

Submitted by:

INDUSTRIAL DEVELOPMENT BOARD

**Vote required: Majority of Those Present**

Ordinance No. 053-082020: Repeal Section 11.15 Fair Housing, of the General Code of Winnebago County; and Create Section 11.16 of the General Code of Winnebago County to adopt a Fair Housing Ordinance Relating to the Equal Rights of All Persons to Fair Housing and Providing Means for the Implementation and Enforcement Thereof

Submitted by:

AFFIRMATIVE ACTION COMMISSION

**Vote required: Majority of Those Present**

Resolution No. 054-082020: Authorize Winnebago County to Commit Other Funds for the 2019 Community Development Block Grant CLOSE-PUBLIC FACILITIES (CL-PF) Application Related to Winnebago County's Participation in the Community Development Block Grant (CDBG) Program

Submitted by:

INDUSTRIAL DEVELOPMENT BOARD

**Vote required: Majority of Those Present**

Resolution No. 055-082020: Authorize the Winnebago County Clerk to Publish a Notice of Referendum Regarding the Enactment of Proposed Legislation to Support the Passage of an Amendment to the United States Constitution to Reclaim Democracy from the Expansion of Corporate Personhood Rights and the Corrupting Influence of Unlimited Political Contributions and Spending

Submitted by:

MICHAEL NORTON, District 20

STEPHANIE J. SPELLMAN, District 10

**Vote required: Majority of Those Present**

Resolution No. 056-082020: Authorize the Winnebago County Clerk to Publish a Notice of Referendum Regarding the Legalization and Decriminalization of Cannabis in the State of Wisconsin

Submitted by:

BRIAN DEFFERDING, District 6

STEPHANIE J. SPELLMAN, District 10

NICOLE NEUHOFF, District 8

STEVE LENZ, District 7

MICHAEL NORTON, District 20

KOBY SCHELLENGER, District 23

**Vote required: Majority of Those Present**

Respectfully submitted,  
Susan T. Ertmer  
Winnebago County Clerk  
(920) 232-3432

Upon request, provisions will be made for people with disabilities.

*(Times provided are estimates. Any item on the agenda may be taken up by the Board after 6:00 P.M.)*

SHILOH RAMOS  
Chairman  
County Board



**Winnebago County**  
*The Wave of the Future*

112 OTTER AVENUE  
OSHKOSH, WISCONSIN 54903  
(920) 232-3439  
FAX (920) 232-3435

TO: Members of the Winnebago County Board

FROM: Shiloh Ramos, Chairman

DATE: August 4, 2020

RE: Appointment to the East Central International Trade, Business and Economic Development Council (ITBEC) Board

Subject to your approval, I am appointing Paul Sundquist, 222 Hudson Avenue, Oshkosh; and Amy Albright, Oshkosh Convention and Visitors Bureau, 100 North Main Street, Oshkosh; to the International Trade, Business and Economic Development Council (ITBEC) Board.

Thank you in advance for your approval of this appointment.

1 050-082020

2  
3 **RESOLUTION: Authorize Winnebago County to Submit an Application for Community**  
4 **Development Block Grant Monies**

5  
6  
7 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

8 **WHEREAS**, federal monies are available under the Community Development Block Grant (CDBG) Program,  
9 administered by the Wisconsin Department of Administration (DOA), Division of Energy, Housing and Community  
10 Resources (DEHCR), for the purpose of the provision or development of a Public Facility Improvement for  
11 Winnebago County; and

12 **WHEREAS**, after public meeting and due consideration, the Industrial Development Board (IDB) has  
13 recommended that an application be submitted to the DOA for the County Highway Y Reconstruction Project; and

14 **WHEREAS**, it is necessary for the Winnebago County Board of Supervisors to approve the preparation and  
15 filing of an application for Winnebago County to receive funds from this Program; and

16 **WHEREAS**, the Winnebago County Board of Supervisors has reviewed the need for the proposed project  
17 and the benefits to be gained therefrom.

18  
19 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby  
20 approves and authorizes the preparation and filing of an application for the above-named project and that the  
21 Winnebago County Executive and the Winnebago County Clerk are authorized to sign all necessary documents on  
22 behalf of Winnebago County and that authority is granted to the Industrial Development Board to take the necessary  
23 steps to prepare and file the application for funds under this program in accordance with this Resolution.

24  
25 Respectfully submitted by:

26 **INDUSTRIAL DEVELOPMENT BOARD**

27 Committee Vote: **6-0**

28 Vote Required for Passage: **Majority of Those Present**

29  
30 Approved by the Winnebago County Executive this \_\_\_\_ day of \_\_\_\_\_, 2020.

31  
32  
33 \_\_\_\_\_  
34 Mark L Harris  
Winnebago County Executive

1 051-082020

2  
3 **RESOLUTION: Create a Residential Anti-Displacement and Relocation Assistance Plan**  
4 **(RADRAP)**

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6  
7 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

8 **WHEREAS**, in accordance with the Housing and Community Development Act of 1974, as amended, and  
9 HUD Regulations at 24 CRF 42.325, a Residential Anti-Displacement and Relocation Assistance Plan (RADRAP),  
10 prepared by Winnebago County, applicable to the Winnebago County Community Development Block Grant (CDBG)  
11 Project is created (see attached).

12  
13 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby  
14 creates the attached Residential Anti-Displacement and Relocation Assistance Plan (RADRAP), which is made a  
15 part of this Resolution and incorporated herein by reference.

16  
17 Respectfully submitted by:

18 **INDUSTRIAL DEVELOPMENT BOARD**

19 Committee Vote: **8-0**

20 Vote Required for Passage: **Majority of Those Present**

21  
22  
23 Approved by the Winnebago County Executive this \_\_\_\_ day of \_\_\_\_\_, 2020.

24  
25  
26 \_\_\_\_\_  
27 Mark L Harris  
Winnebago County Executive

# WINNEBAGO COUNTY

## WISCONSIN RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN (RADRAP) FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAMS

This Residential Anti-Displacement and Relocation Assistance Plan (RADRAP) is prepared by Winnebago County in accordance with the Housing and Community Development Act of 1974, as amended, and HUD regulations at 24 CFR 42.325 and is applicable to our Community Development Block Grant (CDBG)<sup>1</sup> projects.

### **Minimize Displacement**

Consistent with the goals and objectives of activities assisted under the Housing and Community Development Act of 1974 ("the Act"), Winnebago County will take the following steps to minimize the direct and indirect displacement of person from their homes:<sup>2</sup>

- ☒ Coordinate code enforcement with rehabilitation and housing assistance programs.
- ☒ Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent undue financial burden on established owners and tenants.
- ☐ Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after rehabilitation, working with empty units first.
- ☐ Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
- ☐ Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.
- ☐ Adopt policies which provide reasonable protections for tenants faced with conversion to a condominium or cooperative.
- ☐ Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.
- ☐ Adopt tax assessment policies, such as deferred tax payment plans, to reduce impact of increasing property tax assessments on lower income owner-occupants or tenants in revitalizing areas.
- ☐ Establish counseling centers to provide homeowners and tenants with information on assistance available to help them remain in their neighborhood in the face of revitalization pressures.

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<sup>1</sup> CDBG programs include: Entitlement Community Development Block Grant (CDBG) Program, State CDBG Program, CDBG Small Cities Program, Section 108 Loan Guarantee Program, CDBG Special Purpose Grants Program, and the Neighborhood Stabilization Program (NSP).

<sup>2</sup> The steps provided are examples only; each jurisdiction must determine the actions it will take based on local needs and priorities. Include in this Plan the actions the local jurisdiction will take.

- ☐ If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable dwelling units (especially those units which are “lower-income dwelling units” as defined in 24 CFR 42.305).
- ☒ Target only those properties deemed essential to the need or success of the project.

### **Relocation Assistance to Displaced Persons**

Winnebago County will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the CDBG program, move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350. A displaced person who is not a lower-income tenant will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24.

### **One-for-One Replacement of Lower-Income Dwelling Units**

Winnebago County will replace all occupied and vacant occupiable lower-income dwelling units demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under the CDBG Program in accordance with 24 CFR 42.375.

Before entering into a contract committing Winnebago County to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the County will make public by publication in the *Oshkosh Northwestern* newspaper and submit to the U.S. Department of Housing and Urban Development (HUD) through the State, under the State CDBG Program, the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. To the extent known, the address, number of low-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided. (See also 24 CFR 42.375(d).);
5. The source of funding and a time schedule for the provision of the replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least ten (10) years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g. a 2-bedroom unit with two 1-bedroom unit), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the HUD-Approved Consolidated Plan and 24 CFR 42.375(b).

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, Winnebago County will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

**Replacement Not Required Based on Unit Availability**

Under 24 CFR 42.375(d), Winnebago County may submit a request to HUD (or to the State, if funded by the State) for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

**Contacts**

The Winnebago County Clerk ((920) 232-3430) is responsible for tracking the replacement of lower-income dwelling units and ensuring that they are provided within the required period.

The Winnebago County Clerk ((920) 232-3430) is responsible for providing relocation payments and other relocation assistance to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use.

Adopted by the Winnebago County Board of Supervisors on \_\_\_\_\_.

BY:

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Mark L. Harris,  
Winnebago County Executive

ATTEST:

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Susan T. Ertmer  
Winnebago County Clerk

Date Adopted: \_\_\_\_\_

Date Published: \_\_\_\_\_

Date Effective: \_\_\_\_\_



1 052-082020

2  
3 **RESOLUTION: Authorize the Adoption of a Citizen Participation Plan**

4  
5  
6 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

7 **WHEREAS**, Winnebago County has applied for a Community Development Block Grant (CDBG); and

8 **WHEREAS**, the State of Wisconsin, Department of Administration (DOA) and the U.S. Department of  
9 Housing and Urban Development (HUD) require recipients of CDBG monies to have in place a Citizen Participation  
10 Plan; and

11 **WHEREAS**, the Citizen Participation Plan shall encourage citizen participation (especially by persons of low  
12 and moderate income), provide citizens reasonable and timely access to local meetings and information, provide for  
13 technical assistance, provide for public hearings, provide for complaint procedures, and accommodate non-English-  
14 speaking residents; and

15 **WHEREAS**, Winnebago County has prepared and publicly reviewed a Citizen Participation Plan.

16  
17 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby  
18 adopts the attached Citizen Participation Plan, which is incorporated herein by reference and made a part of this  
19 Resolution.

20  
21 Respectfully submitted by:

22 **INDUSTRIAL DEVELOPMENT BOARD**

23 Committee Vote: **8-0**

24 Vote Required for Passage: **Majority of Those Present**

25  
26 Approved by the Winnebago County Executive this \_\_\_\_ day of \_\_\_\_\_, 2020.

27  
28  
29 \_\_\_\_\_  
30 Mark L Harris  
Winnebago County Executive

# Citizen Participation Plan for the Community Development Block Grant (CDBG) Program Winnebago County

## **PURPOSE**

In order for the Community Development Block Grant (CDBG) Program to operate effectively, and to address the needs of the citizens of Winnebago County, the entire population must be kept informed. The decision-making process must be open and consistent with State and Federal regulations. To accomplish this, the follow plan will be followed:

## **PROGRAM OVERSIGHT**

1. Winnebago County shall create a Citizen Participation Plan Committee, members of which shall be appointed by the Winnebago County Executive and confirmed by the Winnebago County Board of Supervisors. This Committee shall be responsible for implementation of the Citizen Participation Plan, as well as offering guidance in preparation of the grant application.

Winnebago County shall oversee the preparation of the CDBG grant application.

2. To insure responsiveness to the needs of its citizens, Winnebago County shall provide for and encourage citizen participation. Particular emphasis shall be given to participation by persons of low-to-moderate income.

## **CITIZEN PARTICIPATION**

Winnebago County shall establish a committee composed of persons representative of the County's demographics. This committee must include at least one person of low-to-moderate income.

The committee members should also include representatives from the local government, real estate, banking, and labor communities whenever possible. This committee shall assume responsibility for coordinating all required elements of the Citizen Participation Plan. All committee members must be residents of Winnebago County.

## **NOTICE OF HEARINGS**

1. Official notice of hearings will be by public notice in the *Oshkosh Northwestern* at least two (2) full weeks prior to the hearing. In addition, the public notice shall be posted at the County Administration Building. These notices will include time, place, and date of meetings, as well as a brief agenda.
2. All notifications of meetings and available assistance must be worded in such a way as to encourage low-to-moderate income participation. In addition, all meeting announcements shall include where, and during what time, formation and records relating to the proposed and actual use of funds may be found.

## **REQUIRED PUBLIC HEARINGS**

Public hearings shall be held to obtain citizen views and to enable citizens to respond to proposals at all stages of the CDBG Program, including the development of needs, the review of proposed activities, and the review of program performance. Hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodations for the handicapped, and if needed, non-English-speaking persons.

1. The first hearing will receive citizens' views and provide an explanation of:
  - a. Community development needs, objectives, and strategies.
  - b. The CDBG Program including goals, objectives, application process, amount of funds available, timetable, eligible activities, etc.
2. The second hearing will receive citizens' views and provide a review of the performance of the funded activities.
3. The first public hearing shall be held during the development of the application for funds. The second public hearing shall be held during the implementation of the program. Winnebago County will attempt to have at least one of the public hearings in the service area (if applicable).

## **PROGRAM INFORMATION, FILES, AND ASSISTANCE**

1. Technical assistance will be provided to any citizen who requests information about program requirements. Assistance with the application process will be provided by

Winnebago County staff in the Planning and Zoning Department. A County staff member will meet with citizens on request.

2. Winnebago County will maintain, in the County Administration Building, a record of all citizen participation efforts including minutes of meetings, newspaper clippings, and copies of notices and brochures.
3. Citizens will be invited to make proposals regarding the application. If suitable proposals are submitted in writing, a written response will be provided within fifteen (15) days. Every effort will be made to respond to all proposals prior to the final action on the subject.
4. Citizens may petition or request in writing assistance or changes.

The Winnebago County staff will respond to all such requests within fifteen (15) days after the Industrial Development Board has met to discuss the request.

## **COMPLAINTS**

Winnebago County will handle citizen complaints about the program in a timely manner. By federal regulation, the County will respond in writing to all written letters of complaint within fifteen (15) days after receipt of the complaint. The nature and disposition of verbal complaints will be recorded in a complaint log. The first contact for complaints should be made to the Winnebago County Clerk.

In addition to the above procedure, any citizen wishing to object may complain directly to the following address:

Wisconsin Department of Administration  
Division of Energy, Housing, and Community Resources, 9<sup>th</sup> Floor  
Attention Executive Staff Assistant  
PO Box 7970  
Madison WI 53707-7970

Written complaints should contain the following information and should be as specific as possible when describing:

1. The Program area being referenced: HOME, Community Development Block Grants for Housing (CDBG-Housing), Community Development Block Grants for Community Development (CDBG-Community Development), Community Development Block Grant Close Program (CDBG-CL), Emergency Solutions Grants (ESG), etc.

2. The event resulting in the complaint.
3. The dates, details, and reason for the complaint.
4. The complainant's name, address, email address, and telephone number.

### **NON-ENGLISH SPEAKING PERSONS**

Winnebago County will regularly survey the municipality to identify non-English-speaking persons and will make all special efforts to assure them equal opportunity in the citizen's participation process.

053-082020

**ORDINANCE: Repeal Section 11.15 Fair Housing, of the General Code of Winnebago County; and Create Section 11.16 of the General Code of Winnebago County to Adopt a Fair Housing Ordinance Relating to the Equal Rights of All Persons to Fair Housing and Providing Means for the Implementation and Enforcement Thereof**

**TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

**WHEREAS**, §106.50, Wis. Stats., as amended, relates to the equal rights of all persons to fair and open housing, and provides a means for the implementation and enforcement thereof; and

**WHEREAS**, the Winnebago County Board of Supervisors recognizes its responsibilities under §106.50, Wis. Stats., as amended, and endorses the concepts of fair and open housing for all persons and prohibition of discrimination therein.

**NOW, THEREFORE, THE WINNEBAGO COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:** that it hereby repeals Section 11.15: Fair Housing; of the General Code of Winnebago County.

**BE IT FURTHER ORDAINED** by the Winnebago County Board of Supervisors that it hereby creates Section 11.16 of the General Code of Winnebago County: Fair Housing, and adopts §106.50, Wis. Stats., as amended, and all subsequent amendments thereto, to read as follows:

**11.16 FAIR HOUSING:**

(1) Winnebago County hereby adopts §106.50, Wis. Stats., as amended, and all subsequent amendments thereto.

(2) The officials and employees of Winnebago County shall assist in the orderly prevention and removal of all discrimination in housing within Winnebago County by implementing the authority and enforcement procedures set forth in §106.50, Wis. Stats., as amended.

(3) The Winnebago County Clerk shall maintain forms for complaints to be filed under §106.50, Wis. Stats., as amended, and shall assist any person alleging a violation thereof in Winnebago County to file a complaint thereunder with the Wisconsin Department of Workforce Development, Equal Rights Division, for enforcement of §106.50, Wis. Stats., as amended.

Respectfully submitted by:

**AFFIRMATIVE ACTION COMMISSION**

Committee Vote: **3-0**

Vote Required for Passage: **Majority of Those Present**

Approved by the Winnebago County Executive this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mark L Harris  
Winnebago County Executive

1 054-082020

2  
3 **RESOLUTION: Authorize Winnebago County to Commit Other Funds for the 2019**  
4 **Community Development Block Grant CLOSE-PUBLIC FACILITIES**  
5 **(CL-PF) Application Related to Winnebago County's Participation in the**  
6 **Community Development Block Grant (CDBG) Program**  
7

8  
9 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

10 **WHEREAS**, federal monies are available under the Community Development Block Grant Close-Public  
11 Facilities (CDBG, CL-PF) Program, administered by the State of Wisconsin Department of Administration, for the  
12 purpose of improvement of public facilities; and

13 **WHEREAS**, the Winnebago County Board of Supervisors has authorized the submission of a CDBG Public  
14 Facilities Application to the State of Wisconsin for the following project: County Highway Y Reconstruction; and

15 **WHEREAS**, adequate local financial funds (other funds) must be provided for the proposed Public Facility  
16 project by Winnebago County.

17  
18 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby  
19 authorizes the commitment of other funds to be used as outlined in the CDBG application, for the match amount of  
20 \$23,500 from the following secured source(s): Industrial Development Board 2020 Budget.

21  
22 Respectfully submitted by:

23 **INDUSTRIAL DEVELOPMENT BOARD**

24 Committee Vote: **8-0**

25 Vote Required for Passage: **Majority of Those Present**

26  
27 Approved by the Winnebago County Executive this \_\_\_\_ day of \_\_\_\_\_, 2020.

28  
29  
30 \_\_\_\_\_  
31 Mark L Harris  
Winnebago County Executive

2  
3 **RESOLUTION: Authorize the Winnebago County Clerk to Publish a Notice of**  
4 **Referendum Regarding the Enactment of Proposed Legislation to**  
5 **Support the Passage of an Amendment to the United States Constitution**  
6 **to Reclaim Democracy from the Expansion of Corporate Personhood**  
7 **Rights and the Corrupting Influence of Unlimited Political Contributions**  
8 **and Spending**  
9

10 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

11 **WHEREAS**, the group “United to Amend” is seeking support from “We the People” of Winnebago County to  
12 reclaim democracy from the expansion of corporate personhood rights and the corrupting influence of unlimited  
13 political contributions and spending by placing an advisory referendum on the ballot during the November 2020  
14 general election; and

15 **WHEREAS**, § 59.52(25), Wis Stats, allows for a county board to conduct a county-wide referendum for  
16 advisory purposes. A county-wide advisory referendum on the issue of whether or not to limit contributions by  
17 corporations, unions, and other artificial entities would provide guidance to the state legislature as to the will of the  
18 Winnebago County electorate on this issue. This resolution seeks authorization to conduct such a county-wide  
19 advisory referendum.

20 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby  
21 authorizes Winnebago County to conduct a county-wide advisory referendum to appear on ballots during the  
22 November 2020 general election; and that a concise statement of the question be given and shall read as follows:

23  
24 ***Question: Should the state legislature enact proposed legislation to support passage of an***  
25 ***amendment to the United States Constitution that seeks to reclaim democracy from the***  
26 ***expansion of corporate personhood rights and the corrupting influence of unlimited political***  
27 ***contributions and spending?***

28  
29 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby directs the  
30 Winnebago County Corporation Counsel to prepare a Notice of Referendum to be published by the Winnebago  
31 County Clerk in accordance with statutory requirements.

32  
33 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that this Resolution and the  
34 referendum shall be filed with the Winnebago County Clerk no later than 70 days prior to the election at which the  
35 question will appear on the ballot.

36  
37 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby directs the  
38 Winnebago County Clerk to forward a copy of this Resolution to the Winnebago County Corporation Counsel and the  
39 Winnebago County Executive in accordance with statutory requirements.  
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Respectfully submitted by:

**MICHAEL NORTON, District 20**  
**STEPHANIE J SPELLMAN, District 10**

Committee Vote: \_\_\_\_\_

Vote Required for Passage: **Majority of Those Present**

Approved by the Winnebago County Executive this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mark L Harris  
Winnebago County Executive

2 **RESOLUTION: Authorize the Winnebago County Clerk to Publish a Notice of**  
3 **Referendum Regarding the Legalization and Decriminalization of**  
4 **Cannabis in the State of Wisconsin**  
5  
6

7 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

8 **WHEREAS**, criminalizing cannabis use has failed to curb its use, and more than 100 million Americans say  
9 they have used cannabis; and

10 **WHEREAS**, in a 2016 poll, 59 percent of Wisconsinites said that marijuana should be “fully legalized and  
11 regulated like alcohol,” and recent polls show a majority of Americans favor legalization of adult recreational use of  
12 marijuana; and

13 **WHEREAS**, according to a 2019 report of a non-partisan organization, the Prison Policy Institute, “Drug  
14 offenses still account for the incarceration of almost half a million people, and nonviolent drug convictions remain a  
15 defining feature of the federal prison system”; and

16 **WHEREAS**, in 2016, Federal Bureau of Investigation (FBI) data indicated that annually in Wisconsin 15,000  
17 people are arrested for marijuana offenses; and

18 **WHEREAS**, the cost of incarcerations, including probation revocations, in Winnebago County is \$60 per day;  
19 and

20 **WHEREAS**, in 2016 a University of Wisconsin-Madison study concluded that it costs taxpayers \$439 for  
21 each marijuana arrest, meaning that the annual cost to arrest individuals for marijuana offenses is \$6.5 Million per  
22 year; and

23 **WHEREAS**, according to a 2015 report from the Vera Institute of Justice, the average cost per incarcerated  
24 persons in Wisconsin State Prisons annually is \$38,644, with marijuana compounding to other sentences; and

25 **WHEREAS**, marijuana offenses are still considered subject to felony conviction in the State of Wisconsin;  
26 and

27 **WHEREAS**, according to the Vera Institute of Justice using data from the Wisconsin Department of  
28 Corrections (DOC), the average cost of incarcerating first-time marijuana offenses is \$19,000 for a six-month  
29 sentence; and

30 **WHEREAS**, according to a 2019 report by the analytics company, New Frontier, “the impact of federally legal  
31 marijuana suggest that nationwide legalization could generate 1.1 million jobs by 2025,” and additional labor income  
32 will further economic growth almost immediately; and

33 **WHEREAS**, the Wisconsin State Legislature has failed to act on legislation to legalize and regulate cannabis  
34 and has not allowed hearings on such legislation; and

35 **WHEREAS**, legalizing and taxing cannabis could significantly increase state and local revenues; and

36 **WHEREAS**, an estimate of Congressional Research Service suggests that replacing cannabis prohibition  
37 with a system of taxation and regulation could yield \$6.8 billion in federal excise taxes alone; and

38 **WHEREAS**, Alaska, California, Colorado, Main, Massachusetts, Nevada, Oregon, and Washington have  
39 legalized adult personal use of marijuana and regulate the production, distribution, and sale of cannabis, while  
40 Vermont and the District of Columbia have legalized limited personal possession and cultivation of cannabis by  
41 adults; and

42           **WHEREAS**, the amount of time law enforcement spends enforcing existing cannabis laws and ordinances  
43 negatively impacts the time available to solve more serious crimes and apprehend more dangerous criminals; and  
44           **WHEREAS**, cannabis prohibition makes product quality control and sales regulation impossible, leaving  
45 cannabis sellers free to target children as potential customers and to peddle potentially adulterated products; and  
46           **WHEREAS**, according to the National Center for Biotechnology Information, studies have shown that THC  
47 from cannabis alleviates heroin and opioid addiction, thereby assisting in ending the opioid crises; and  
48           **WHEREAS**, our current elected Governor recognizes the medical benefits of legal marijuana.

49  
50           **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby  
51 authorizes Winnebago County to conduct a countywide advisory referendum to appear on ballots during the  
52 November 2020 general election.

53  
54           **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that a concise statement of  
55 the question be given and shall read as follows:

56  
57           **Question: Cannabis Should:**  
58 *(Please select one of the alternatives below or your vote will be invalid)*

- 59           ☐ (a) ***Be legal for recreational use for adults 21 years of age and older, and legal for***  
60                                   ***medical use, taxes and regulated similar to alcohol.***  
61  
62           ☐ (b) ***Be legal for medical purposes only.***  
63  
64           ☐ (c) ***Remain a criminally illegal drug as provided under current law.***  
65  
66           ☐ (d) ***None of the above.***

67  
68           **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby directs the  
69 Winnebago County Corporation Counsel to prepare a Notice of Referendum to be published by the Winnebago  
70 County Clerk in accordance with statutory requirements.

71  
72           **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that this Resolution and the  
73 Referendum shall be filed with the Winnebago County Clerk no later than 70 days prior to the election at which the  
74 question will appear on the ballot.

75  
76           **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby directs the  
77 Winnebago County Clerk to forward a copy of this Resolution to the Winnebago County Corporation Counsel and the  
78 Winnebago County Executive in accordance with statutory requirements.

79  
80                                   Respectfully submitted by:  
81                                   **BRIAN DEFFERDING, District 6**  
82                                   **STEPHANIE SPELLMAN, District 10**  
83                                   **NICOLE NEUHOFF, District 8**  
84                                   **STEVE LENZ, District 7**  
85                                   **MICHAEL NORTON, District 20**  
86                                   **KOBY SCHELLENGER, District 23**

87           Committee Vote: \_\_\_\_\_

88 Vote Required for Passage: **Majority of Those Present**

89

90 Approved by the Winnebago County Executive this \_\_\_\_ day of \_\_\_\_\_, 2020.

91

92

93

94

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Mark L Harris  
Winnebago County Executive