



Wisconsin Elections Commission

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Wisconsin Elections Commission
Special Teleconference Meeting
201 W. Washington Avenue, Second Floor
Madison, Wisconsin
1:30 p.m. September 24, 2024

Open Session Minutes

Present: Commissioner Marge Bostelmann, Commissioner Ann Jacobs, Commissioner Don M. Millis, Commissioner Carrie Riepl, Commissioner Robert Spindell Jr., and Commissioner Mark Thomsen, all by teleconference.

Staff present: Ahna Barreau, Joel DeSpain, Sharrie Hauge, Brandon Hunzicker, Robert Kehoe, Anna Langdon, Angela Sharpe, Riley Vetterkind, Riley Willman, Jim Witecha, and Meagan Wolfe, all by teleconference.

A. Call to Order

Commission Chair Jacobs called the meeting to order at 1:40 p.m. and called the roll. All Commissioners were present.

B. Administrator's Report of Appropriate Meeting Notice

Administrator Meagan Wolfe informed the Commission that the meeting was noticed in accordance with Wisconsin's open meetings laws.

C. Consideration and Resolution of Wis. Stat. § 5.06 Complaints¹

1. EL 23-29 – Robert Rasmussen v. City of Oak Creek

Chair Jacobs noted that a circuit court required the Commission to meet to decide Wis. Stat. § 5.06 complaints, and that this was a new occurrence. She noted the proposed decision letter and recommended motion in the Commission's materials.

MOTION: The Commission has reviewed the proposed draft decision letter in Appendix 1, and decides this matter pursuant to Wis. Stat. § 5.06(6) by adopting the proposed decision letter in full. The Commission directs staff to immediately transmit a copy of this order to the parties.

Moved by Commissioner Millis. Seconded by Commissioner Thomsen.

¹ The appendices referenced in the motions of this item refer to appendices to the Commission's meeting materials rather than the meeting minutes.

Roll call vote: Bostelmann: Aye Riepl: Aye
 Jacobs: Aye Spindell: Aye
 Millis: Aye Thomsen: Aye

Motion carried 6-0.

2. EL 23-50 – Kenneth Brown v. Tara McMEnamin et al

Chair Jacobs noted the proposed decision letter and recommended motion in the Commission's materials.

MOTION: The Commission has reviewed the proposed draft decision letter in Appendix 2, and decides this matter pursuant to Wis. Stat. § 5.06(6) by adopting the proposed decision letter in full. The Commission directs staff to immediately transmit a copy of this order to the parties.

Moved by Commissioner Thomsen. Seconded by Commissioner Riepl.

Roll call vote: Bostelmann: Aye Riepl: Aye
 Jacobs: Aye Spindell: Aye
 Millis: Aye Thomsen: Aye

Motion carried 6-0.

3. EL 23-47 – Brian Peters v. Jennifer Goergen

4. EL 24-23 – Andrew Yunker v. Michelle Luedtke

The eventual motion passed for Item C.3. applied to both C.3. and C.4.

Chair Jacobs noted the proposed decision letter and recommended motion in the Commission's materials.

MOTION: The Commission has reviewed the proposed draft decision letter in Appendix 3, and decides this matter pursuant to Wis. Stat. § 5.06(6) by adopting the proposed decision letter in full. The Commission directs staff to immediately transmit a copy of this order to the parties.

Moved by Commissioner Thomsen. Seconded by Commissioner Riepl.

Commissioner Millis outlined his reasons for disagreeing with the decision letter. He suggested directing staff to revise the letter and bring it back to a later meeting.

Discussion.

MOTION: Postpone consideration of C.3. and C.4. to a later meeting to be decided by the chair.

Moved by Commissioner Millis. Seconded by Commissioner Spindell.

Chair Jacobs noted that Commissioner Millis's motion could not be voted on unless Commissioner Thomsen's motion was withdrawn.

Discussion.

MOTION: Postpone approval of the two letters, Peters v. Goergen and Yunker v. Luedtke, to a later date as approved by the chair.

Moved by Commissioner Bostelmann.

Discussion.

Commissioner Thomsen withdrew his motion.

Commissioner Millis seconded Commissioner Bostelmann's motion.

Roll call vote:	Bostelmann:	Aye	Riepl:	Aye
	Jacobs:	Aye	Spindell:	Aye
	Millis:	Aye	Thomsen:	Aye

Motion carried 6-0.

D. Discussion, Review, and Possible Action Pertaining to Rescission, or Labeling as Outdated, Inconsistent Clerk Communications following the Amended Final Order in Rise et al v. WEC et al

Chief Legal Counsel Jim Witecha presented the agenda item.

MOTION: The Commission hereby approves for publication, distribution, and use, the clerk communication titled "Absentee Ballot Witness Address Litigation Update: Rise, Inc. et al. v. Wisconsin Elections Commission et al. (22-CV-2446)," in accordance with the discussion or edits provided by the Commission at its September 24, 2024, meeting. The cross-referenced guidance and communications in Attachment B shall be updated, invalidated, or otherwise marked as noted in that document.

Moved by Commissioner Thomsen. Seconded by Commissioner Riepl.

Roll call vote:	Bostelmann:	Aye	Riepl:	Aye
	Jacobs:	Aye	Spindell:	Aye
	Millis:	Aye	Thomsen:	Aye

Motion carried 6-0.

E. Adjourn

MOTION: To adjourn.

Moved by Commissioner Bostelmann. Seconded by Commissioner Spindell.

Roll call vote:	Bostelmann:	Aye	Riepl:	Aye
	Jacobs:	Aye	Spindell:	Aye
	Millis:	Aye	Thomsen:	Aye

Motion carried 6-0.

The Commission adjourned at 2:29 p.m.

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September 24, 2024, Wisconsin Election Commission meeting minutes prepared by:

Anna Langdon, Help Desk Staff

October 4, 2024

September 24, 2024, Wisconsin Election Commission meeting minutes certified by:

Marge Bostelmann, Commission Secretary

October 4, 2024