

STATE OF WISCONSIN

WISCONSIN ELECTIONS COMMISSION

IN THE MATTER OF:
CONSOLIDATED COMPLAINTS FILED AGAINST
TOWN OF OMRO ELECTION AND LOCAL OFFICIALS
WITH RESPECT TO THE OCTOBER 20, 2020
RECALL ELECTION FOR TOWN BOARD CHAIRMAN

SHERRY SEAMAN, *et al.*,

Complainants,

v.

Case No. EL 20-21

TOWN OF OMRO, *et al.*,

Respondents.

**REPLY OF SHERRY SEAMAN TO CONSOLIDATED VERIFIED
ANSWER TO CONSOLIDATED COMPLAINTS**

The undersigned, Sherry J. Seaman (“Seaman”), and others, have filed complaints with the Wisconsin Election Commission alleging violations of the State election laws with respect to the recall election that was conducted by the Town of Omro on October 20, 2020 (the “Recall Election”). A Consolidated Answer to the electors’ complaints was filed on November 6, 2020. The following sets forth the reply to the allegations and assertions made by the Town of Omro, and others, in the answer.

A. The Town Clerk wrongly withheld from Seaman voter mailing lists.

The Town of Omro (the “Town”) maintains a list of its registered voters by address. In fact as the discussion that follows will demonstrate, the Town Clerk utilized the mailing list to send to Town of Omro electors notices regarding absentee ballots for the Recall Election. On

numerous occasions prior to the Recall Election, Seaman requested that the Town provide her with that voter list. The list was available to Brian Noe (“Noe”) who was the incumbent Town Board Chairman, but Seaman was denied a copy. The result was that Noe had a competitive advantage over Seaman. As the discussion that follows demonstrates, Noe wields nearly absolute power over the Town administration; no officer takes any action without Noe knowing about it advance and approving it. The Town Clerk’s failure to provide Seaman with the voter list was no accident or oversight; it was not provided at the direction of Noe. Seaman believes that such circumstance was intentional and intended to put Seaman at a competitive disadvantage to Noe.

In their answer the Respondents attempt to characterize Seaman’s complaint regarding the voter list as being one in which Seaman is accusing the Town of violating the State’s open records law. The complaint filed by Seaman does nothing of the sort. It merely asserts that those in power at the Town, at the direction of Noe, refused to provide information that Seaman had every right to have in order to make it less likely that Seaman would prevail at the Recall Election.

B. At the direction of Noe, threats were made against Seaman.

Noe has been the Town Chairman of the Town of Omro Board for many years. It is well known that he exercises great control over those working at the Town Hall, including the Town Clerk, Carey Carley (“Carley”), as well as the Town Treasurer, Beth Jackson (“Jackson”). It is fair to say that both Carley and Jackson do Noe’s bidding. Moreover, Jackson and Carley are completely loyal to Noe and will do nothing other than what he directs.

On June 1, 2020, Seaman filed a complaint regarding the Town administration with the Wisconsin Attorney General, the Department of Justice and the Winnebago County District

Attorney's Office. With exhibits, the complaint was approximately 725 pages. At that time, it became well known in the Town of Omro that Seaman was going to seek a recall election with respect to Noe. Shortly after that, Jackson's spouse, Greg Jackson, entered onto Seaman's residential property, uninvited. He proceeded to park within a very short distance from Seaman's home and took pictures inside of Seaman's house. Until that incident, Seaman had never had any dealings with either Jackson or her husband, and Jackson had no reason to come upon Seaman's property to take pictures.

In their affidavits, Jackson and her husband deny the incident described in the preceding paragraph. The vehicle was indeed Mr. Jackson's. Seaman took a video of and a photograph of Mr. Jackson in his vehicle during that incident. Seaman later verified the license plate (it should be known that Seaman's family has an automotive business and Seaman is very familiar with the licensing of automobiles). Thereafter, through texting and social media, Mr. Jackson has been posting and sending Seaman harassing messages. It is believed that such action was in retaliation for Seaman having filed her complaint with law enforcement authorities and to discourage Seaman from attempting to force a recall election of Noe.

The Respondents assert that Jackson's actions should be disregarded because it took place before the committee to recall Noe was registered with the Wisconsin Ethics Commission and before the Recall Election was certified. That argument ignores the fact that there was no coincidence that people with whom Seaman never had any dealings began to harass her starting this past June and continuing up through the time of the election. There is no doubt that such action was taken with Noe's knowledge and with his consent. In support of Seaman's complaint she has provided photographs of the Jacksons' vehicle and the license plate as well as copies of messages sent by Mr. Jackson to Seaman.

The Respondent's assert that the allegations that Seaman has made are speculative. However, the photograph of Mr. Jackson and his vehicle show that the incident in questions occurred. Further, Seaman has confirmed that the man in the vehicle was Mr. Jackson by examining his Facebook profile pictures.

On an ongoing basis, members of Noe's family, including his wife and children, have been contacting Seaman in a harassing way over social media. Noe's wife has attempted to "friend" Seaman on Facebook. Mrs. Noe and her children (including one child who is a minor) have sent countless communications via social media. Members of the Noe family have attempted to invade the community website that is maintained by Seaman and attempted to break into her campaign website. Such action has been ongoing from June, 2020 to the present. Noe's wife and children have no reason to be in constant contact with Seaman through social media. Its only feasible purpose was to harass Seaman and to disrupt her campaign.

C. Noe knowingly made false representations pertaining to Seaman to affect voting at the Recall Election.

Wis. Stat. § 12.05 prohibits a person from knowingly making or publishing false representations pertaining to a candidate, which are intended or tend to affect voting at an election. On an ongoing basis from June 1 through October 20, 2020, the date of the Recall Election, Noe continually made false statements about Seaman and her family in violation of Wis. Stat. § 12.05. Those statements were made in retaliation to the complaint that Seaman filed with law enforcement officials concerning the Town and its administration. Such statements were also made continually to discourage Seaman from pursuing a recall election and, once a recall election was certified, to influence those who would be voting.

An example of the evidence that Noe was engaged in such conduct was provided along with Seaman's original complaint. That evidence included an article that Noe presented to the

Omro Herald. Specifically, Noe submitted an article that he wanted to have published to one of Omro Herald's reporters, Tony Daley. The material was submitted by Noe on September 16, 2020, just two days after the Recall Election was certified. Fortunately, the article was not published. A review of the proposed article reflects that it contains innumerable false and defamatory statements about Seaman. The Commission should examine that article carefully. A copy of the article drafted by Noe is enclosed.

Later, on September 24, 2020, the Omro Herald published an article in which Noe is quoted extensively. The statements attributed to Noe about Seaman are substantially false and have the tendency to diminish Seaman's reputation in the eyes of the community. It is only reasonable to conclude that Noe made such defamatory statements in an effort to impact the Recall Election. A copy of both the unpublished article as well as the article that was published in the Omro Herald is submitted with this reply. The Commission may also wish to speak directly to the reporter, Mr. Daley. He can be reached at (920)312-3715.

Finally, a private advertisement was published by an individual named Alan Knurr ("Knurr"). Much of the information that was found in that article pertained to the complaint that Seaman had filed with law enforcement authorities concerning the Town and its administration, which complaint had not been shared with the public. Knurr did not have access to the information that was found in his article. It can only be assumed that the information was provided to Knurr by Noe. Even though Seaman had met Knurr briefly only one time prior to the article in question, the article contained defamatory statements against Seaman, which statements were consistent with the defamatory statements that Noe had provided to the Omro Herald. Under the circumstances, it must be assumed that Knurr published the article at the urging and with the knowledge and consent of Noe.

For months, Noe has made false statements about Seaman to numerous residents of the Town of Omro. In doing so, he violated §12.05 and the Commission should hold Noe to account for such wrongful conduct.

D. There was inadequate notice of the Recall Election.

Wis. Stat. §10.06 establishes requirements for election notices. In the case of a municipality, the municipal clerk must publish a “type A notice”, which notice must be filed 40 days prior to the election for municipal office. The Town Clerk failed to publish notice of the Recall Election in a timely fashion.

The Town Clerk asserts that she published the notice in the Oshkosh Northwestern on September 16, 2020 and September 18, 2020. Such assertion is blatantly untrue. A complete copy of the September 16, 2020 and September 18, 2020 editions of the Oshkosh Northwestern accompany this reply. A review of the newspapers published by the Oshkosh Northwestern on those dates reveals that there was no publication regarding the Recall Election on either of those dates. Further, even if the notice was published on those dates, the notices would not have been done in a timely fashion.

The Town Clerk also asserts that she published notice of the election in the Omro Herald on September 24, 2020. That publication did indeed occur. However, that publication did not meet the 40-day notice requirement found in Wis. Stat. §10.06(3f).

The Town Clerk asserts that notice of the Recall Election was posted. Even the postings were flawed and defective from a legal standpoint. To the extent postings were made, such postings were made at non-official sites where electors would not notice. It is asserted that there was a posting on the Recall Election at the Town of Omro dump. However, the posting at that site was without effect. The Town officially discontinued posting notices at the Town dump

effective as of November 13, 2015. (See enclosed photograph of the sign at the dump indicating the site had been discontinued as a posting). Likewise, the Town also posted at Liberty School, a site that the Town of Omro discontinued use of for posting purposes for many years.

Finally, the Respondents assert that the election notice was published on the Town's website. That was purportedly done on October 5, 2020. However, the Town's website was not functioning for the vast majority of the time between October 5, 2020 and the date of the Recall Election. As a result, even the purported posting of the Recall Election on the Town website was deficient and inadequate.

In sum, the Town Clerk, at the direction of Noe, gave electors from the Town of Omro notice that was insufficient as a matter of law. Under the circumstances, electors in the Town of Omro were not given proper notice of the Recall Election as required under Wis. Stat. §10.06. We can never know what number of votes would have turned out had there been proper notice. However, it should be noted that 479 votes were cast at the Recall Election, while 1,594 electors cast their ballots at the general election two weeks later. As a result, the entire Recall Election was flawed.

E. Town failed to give proper notice of the ability to vote by absentee ballot or early.

The Town Clerk established a deadline for requesting absentee ballots from the Town. The notice issued by the Town Clerk to electors indicated that the deadline of October 15, 2020 for making application to receive an absentee ballot was 5:00 p.m. and that the last day to vote by absentee ballot was 5:00 p.m. on October 16, 2020. Utilizing the voter mailing list (which the Town Clerk denied the existence of when it was requested by Seaman) the Town Clerk sent out notices to electors of the deadlines just described above. A copy of the notice accompanies this Reply. However, for a significant portion of the Town of Omro electors, the notice of the ability

to vote by absentee ballot was not received until after the deadlines for applying and submitting absentee ballots had already passed. In other words, electors received the notice concerning absentee ballots October 17 or later. Seaman's complaint identifies numerous electors who received such notice late (or not at all).

It goes without saying that the ability to vote by absentee ballot is deemed by electors throughout the country, and certainly in the Town of Omro, as important in a COVID environment in which the Recall Election took place. Simply stated, many electors did not want to personally cast their ballot at the Town of Omro polling place. Under the circumstances, the Recall Election was fatally flawed. The Respondents assert that 55 electors voted by absentee ballot in the Recall Election and that that somehow excuses the failure on the part of the Town Clerk to send out notice of the absentee ballots in time for many Town of Omro electors to vote by absentee ballot. That fact does nothing of the sort. Given the high numbers of votes that were cast within this state by absentee ballot during the national election, one can only speculate as to the impact of the failure to give timely notice concerning absentee ballots out to all electors in the Town of Omro. It is especially true given the fact that the race was a close one; Noe received 240 votes, while Seaman received 236. Given the untimely notices with respect to the Recall Election in general, the failure to post at normal places of posting within the Town of Omro, the malfunctioning of the Town's website for substantial periods of time before the Recall Election and failure to send timely notice of the absentee ballot opportunity, the entire Recall Election was flawed. Seaman believes that such events were no accident. They were the result of the control exercised over the Town Clerk by Noe.

F. Lisa Dvorachek had a conflict of interest and should not have acted as Chief Election Inspector.

Lisa Dvorachek (“Dvorachek”) acted as Chief Election Inspector of the Recall Election. It cannot be disputed that Dvorachek is the next-door neighbor of Noe. As a result, she should not have been appointed to that position and, if she was, she had a duty to recuse. Regardless of the relationship Noe and Dvorachek have as next-door neighbors the fact that Dvorachek acted as the Chief Election Inspector created the appearance of impropriety. The Town’s attorney had an obligation to advise the Board of the possible conflict of interest. At a minimum, she should have advised it that having Dvorachek acting in that capacity under those circumstances created an appearance of impropriety which the Town should have sought to eliminate. It should be noted that Dvorachek and Seaman had a cordial relationship prior to the Recall Election and now Dvorachek will not even recognize the existence of Seaman.

G. Wis. Stat. §12.03(2) prohibits electioneering at or near a polling place on the date of an election.

Noe violated Wis. Stat. §12.03(2) on the night of the Recall Election. §12.03(2) prohibits a candidate from campaigning at or near polling places. Noe was observed by several individuals there to essentially have hung around the Town of Omro Hall long after he had cast his ballot. Specifically, he was observed “shaking hands and slapping backs”. He was also observed lingering in the office of the Town Clerk.

Noe had no reason to remain in the Town Hall after he had cast his ballot. The reason that he did was that he hoped his presence would sway voters to vote from. The foregoing was specifically witnessed by Diane Hertel, who is a highly respected elementary school principal. Ms. Hertel was appalled by what she witnessed. She can be contacted at (920)420-5661. Moreover, the Town Hall in the Town of Omro is a small building, primarily consisting of two

rooms: the meeting hall and the office of the Town Clerk. Noe's continued presence there after he voted violated §12.03(2).

H. There were irregularities observed at the polling place.

Brian Seaman acted as poll watcher from 5:17 p.m. to 8:08 p.m. on October 20, 2020. He observed that at 5:25 p.m. the Town Clerk brought out from her office ballots that appeared to have been opened. Mr. Seaman observed the Chief Election Officer, Dvorachek, and election officer Cheryl Gardner ("Gardner") carried the ballots to the address table and checked off elector names. Gardner then proceeded to take the ballots and insert them into the ballot-counting machines. The Respondents reply that this is somehow to be ignored for the reason that Mr. Seaman did not stand up and object then and there. They also indicate that Mr. Seaman had an earbud in his ear and was listening to his phone when he was acting as observer. It should be noted that the manner in which Mr. Seaman conducted himself that day was consistent with what he had been instructed to do by the election board, which was to be unassuming and to not create a disturbance. Mr. Seaman did exactly what he was directed to do; after the fact, Mr. Seaman reported what he observed and he stands by his report. The Commission should investigate exactly what occurred as reported by Mr. Seaman.

I. The defects in the conduct of the Recall Election were not insignificant and prevented it from being a fair election.

The Respondents have asserted that even if there were violations of the law and inconsistencies in the manner in which the Recall Election was conducted, that such defects were not material and should not affect the overall outcome of the Recall Election. With all due respect to counsel for the Respondents, the defects identified in the complaints were indeed serious and undermined the whole validity of the Recall Election. Notice of the Recall Election was not given in the manner prescribed by law, there were significant problems with the notice

concerning absentee ballots, there was improper electioneering taking place on the date of the Recall Election and irregularities in the manner in which the ballots cast in the Recall Election were handled. Taken together, the foregoing calls into question whether the Recall Election was free and fair; those defects and irregularities were material and undercut the validity of the Recall Election.

J. The Town Attorney improperly directed the County Clerk to refrain from communicating with Seaman.

Sue Ertmer (“Ertmer”) is the County Clerk for Winnebago County. Ertmer has great experiences with elections. In her affidavit, Carley asserts that the election was conducted under the guidance of Ertmer. Upon reviewing Carley’s affidavit, which was included along with the Respondents’ answer, Seaman contacted Ertmer to confirm the accuracy of Carley’s statements. In addition, attached to Carley’s affidavits were several email chains and what appeared to be emails between Carley and Ertmer. Seaman inquired about emails that appear to be omitted from the email chains. At that time, Ertmer informed Seaman that they had been told by Carley that she was not to have any further contact with them regarding the recall election. She was told the Carley was making that statement based upon the advice of the Town attorney. There seems to be no apparent reason why the Town attorney interjected herself into the election and ordered Carley not to communicate with the County Clerk. Given the statements above that Carley does the bidding of Noe, Seaman believes that it was done at the direction of Noe. As a result, the Town was denied would could have been valuable advise from an experienced clerk who had been involved in many elections in the past.

K. Responses to Affidavits filed by Respondents.

Along with their consolidated answer, the Respondents submitted various affidavits. Seaman has responded to the statements made in those affidavits on an affidavit-by-affidavit basis. Those responses are submitted along with the exhibits to this Reply.

CONCLUSION

The complaints set forth in Seaman's complaint and the complaints of other are serious. The Elections Commission should, at a minimum, conduct an investigation to determine what action should be taken as a result, additional witnesses should be contacted and further action should be taken to insure that the Recall Election met the requirements of Wisconsin law and was fair to the electors in the Town of Omro.

[Remainder of this page intentionally left blank.]

Response to Beth Jackson Affidavit

1. No discussion.
2. No discussion.
3. No discussion.
4. No discussion.
5. No discussion.
6. A statement from Ms. Jackson stating it's not her vehicle is insufficient. I have a video link that I can provide showing the incident.
https://1drv.ms/v/s!AjeKvcizGF2ci3v7YBwp_4AutqBD
7. False. I actually saw the gentleman who was taking these pictures, as he pulled into our driveway. I witnessed him making a phone call and then leaving. When Mr. Jackson made a Facebook request to join the Town of Omro Community page, and also had commented on a post asking me a question "for a friend", I looked up his profile. I instantly recognized him and shared this information with Deputy District Attorney Sparr. I can say with 100% certainty that this person who was taking pictures, and in our driveway making a phone call afterwards, was most assuredly Greg Jackson. Please see the video snapshots and the one of her vehicle.
8. False, I saw her husband and have pictures and video.
9. No discussion.
10. No discussion.
11. The door was most certainly closed. Both myself and my husband remarked on the fact that it was closed. I will swear that this is the truth. My husband also witnessed the clerk closing it several times while the election was proceeding while he sat in the corner as an observer. Can she provide proof of what she was doing that day? Can she provide proof that the door wasn't closed? Lisa Dvorachek was across the hall talking to an individual that I don't know when we walked in. She was on our right, the closed door to the clerk's office was on our left. It was closed.
12. What does this have to do with anything?
13. How can they prove they didn't?
14. Key notes of interest:
 - a. Ms. Jackson has been systematically harassing us.
 - b. The clerk and treasurer follow anything that Mr. Noe asks of them without question.
 - c. Ms. Jackson, when she became aware through the DDA talking to Mr. Noe that I had complained of harassment by her and her husband, makes a public disclosure at the town meeting saying she is being threatened. I informed DDA Sparr that she had claimed this and I asked if the Mr. Noe as Town Chairman had

contacted the police as this is a serious matter. To date, I am unaware of any contact to the police.

- d. I included Ms. Jackson because she's been instrumental in the harassment I have received. And it clearly shows a pattern by the attached documents. Why take pictures of our horse barn if the horses were inside? Why take pictures of our house and property? Because Mr. Noe had already once filed a zoning violation against us back in 2017 and was looking, I believe, for another excuse to call in another violation. His tactic had worked in the past when he retaliated against us to get us to back down and walk away. I believe this was an attempt to do it again.
- e. I'm unclear how a clerk who has access to tax bills and records, can claim she did not know where we lived. I'm unclear, how since April 2020, where I've made public comments at the monthly board meetings, and have had to give my name and address and she attended these meetings, she can now claim she had no idea where I lived. We are one of only a few businesses in this area, and the only auto repair that we are even aware of. My husband has had a business here since 2004. I believe this is an attempt to deflect her culpability in the harassment of myself and my husband.

ACTIVITY PRINT OUT OF "TOWN OF DMRD COMMUNITY"
FACEBOOK PAGE

Sherry Seaman
blocked
Brian Brown
from the group.
Oct 29, 2020, 3:41 PM

Add Note
Undo


Sherry Seaman
declined
Brian Brown
's request to join the group.
Oct 29, 2020, 3:41 PM

→ FRIEND OF MR. NOE'S SON

Add Note

Oct 27, 2020



Sherry Seaman
blocked
Greg Jackson
from the group.
Oct 27, 2020, 2:42 PM



Add Note


Sherry Seaman
declined
Greg Jackson
's request to join the group.
Oct 27, 2020, 2:42 PM



Add Note

Oct 21, 2020



Sherry Seaman
blocked
Nate Noe
from the group.
Oct 21, 2020, 10:38 PM

Add Note


Sherry Seaman

declined
Nate Noe
's request to join the group.
Oct 21, 2020, 10:38 PM

Add Note



Sherry Seaman
approved a pending post by
Jody Robl

Oct 21, 2020, 11:26 AM

Add Note



Oct 10, 2020



Sherry Seaman
changed
Tamar Mathwig
's role from admin to member.

Oct 10, 2020, 4:59 PM

Add Note

Sherry Seaman
removed
Christopher Michael Musha
from the group.

Sep 30, 2020, 8:11 PM

Add Note



Sherry Seaman
blocked
Christopher Michael Musha
from the group.

Sep 30, 2020, 8:11 PM

Add Note



Tamar Mathwig
accepted an invite to become an admin.

Sep 23, 2020, 11:54 AM



← Replies



prospective de... See More

10w Like Reply



Greg Jackson

when can an update of pages long be available. Asking for a friend

14h Like Reply



Sherry Seaman Author

Greg Jackson I am unclear what you are looking for

12h Like Reply



Sherry Seaman Author

Greg Jackson your wife is our Town Treasurer, I would think she has access to more information than I could provide to answer any questions. If you want to give me your friends name and number I can reach out to them directly.

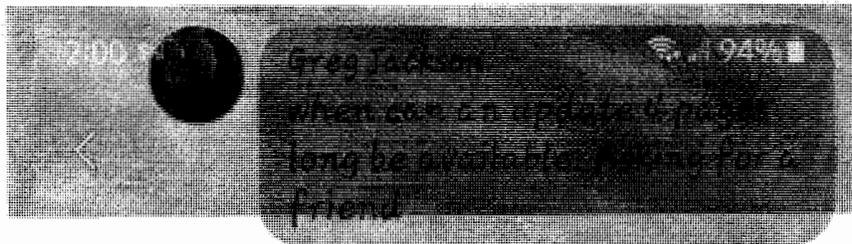
Just now Like Reply

Replying to Greg Jackson · Cancel



Greg Jackson





14h Like Reply



Sherry Seaman Author

Greg Jackson I am unclear what you are looking for

12h Like Reply



Sherry Seaman Author

Greg Jackson your wife is our Town Treasurer, I would think she has access to more information than I could provide to answer any questions. If you want to give me your friends name and number I can reach out to

Details



August 28, 2020 10:35 AM



Screenshot_20200828-103548_Facebook.jpg

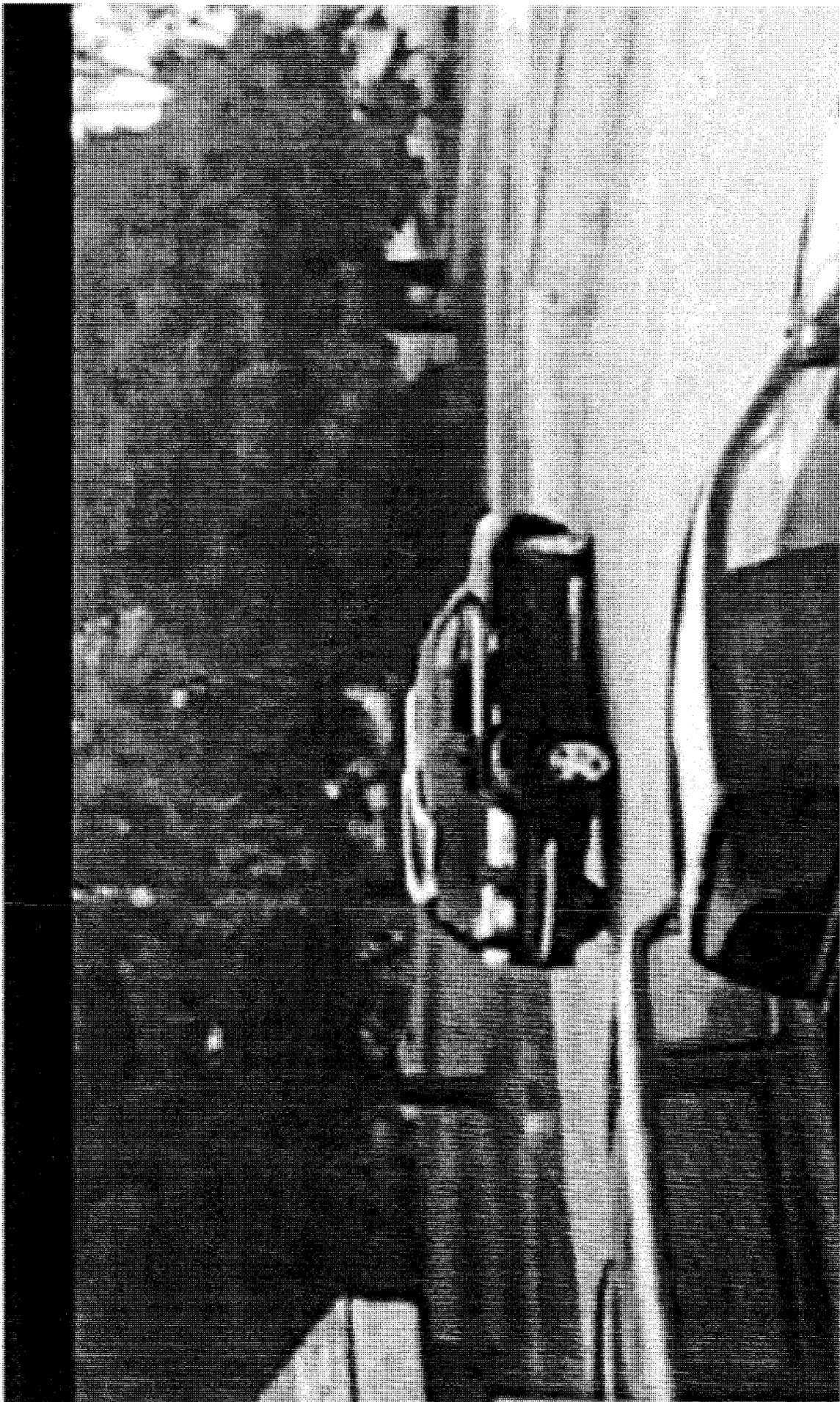
10:35 AM - 10:35 AM

480 73 811 1000 2790



99%
📶
🔇

4:51



Response to Brian Noe Affidavit

1. No discussion.
2. No discussion.
3. No discussion.
4. No discussion.
5. The Town Chairman is always an election official. Since the clerk is a hired employee, and answers to the board which Mr. Noe heads up, it is absolutely his responsibility to make sure his employee is completing her tasks as is required by law. Stating he has no official duties is simply not the truth. He has access to and control over the actions of the town clerk, which could easily be manipulated. I think if the WEC would ever depose Carey Carley, they would find the interference.
6. This is the same as above.
7. This can be directly disputed by Diane Hertel.
8. I cannot prove or disprove this statement.
9. Only Diane Hertel can prove this, and I request you reach out to contact her please.
10. In my original complaint, I supplied the WEC with a copy of the pdf file that Mr. Noe sent to Tony Daley. Tony Daley had called me to share it with me because of his concern that Mr. Noe had requested an article and interview with him regarding this. He felt it was unethical and inflammatory. He then sent Mr. Noe questions to be asked from this pdf file if Mr. Noe wanted to continue with an interview. If Mr. Noe was telling the truth about it being a speech, why would Tony need to send him questions regarding it? If it was an interview Tony Daley requested, he would have been prepared with his questions, and there would have been no need to ask. This is a complete falsehood on Mr. Noe's part. Tony Daley should be called as a witness. We need to get to the truth, and with so many people "hiding" information, it's hard for me to prove everything on my own. I also don't think that any reasonable person could read the pdf file and consider it a draft of a speech. By Mr. Noe sharing this document with a reporter, it clearly shows his INTENT to have it published at that time. Even if he later changed his mind, which he did, about publishing this, it still doesn't change the fact that he shared it with a reporter that could have quite easily printed an article about it at any time. His intent was there, and this was definitely not a speech. Another point, if it was supposed to be a speech, why would he attach Debbie Laatsch's emails? Why would he attach that article at the end? That doesn't even make sense. He also admits his guilt that he is the one who filed a complaint against us, giving my husband's ex-wife a confidential status, which is unheard of. Mr. Noe even went so far as to contact the town attorney about keeping her anonymous. All at the same time my husband was fighting with Mr. Noe about Soper Trucking. This clearly shows a pattern of behavior on Mr. Noe's part against my husband and myself. This is a pattern of harassment and an abuse of his

power and privileges as the Town of Omro chairman. This harassment has been ongoing, and Mr. Noe has continually used other people as tools to use against us.

11. He may not have asked or paid for this advertising, but Mr. Noe told Mr. Knurr information that was only available to Harve Ross as a part of his complaint. To my awareness only Harve, DDA Eric Sparr, his attorney, Eric, and myself were aware of Harve alleging a walking quorum. That means Mr. Noe shared that information himself with Mr. Knurr. If that isn't an attempt to sway the voter's opinion, via another individual, what is?

12. Additional items:

- a. I have been continued to be harassed by Mr. Noe and his family. Please see the attached Facebook requests that have been happening even after the election and before.
- b. I have no doubt there was collusion between Mr. Noe, Carey Carley, Beth Jackson, and Karen Marone. All these actions when combined show a conspiracy to control the election in the attempt to give Mr. Noe the best advantage at winning. This is a direct violation of Wis SS 939.31, and the parties should be investigated.
- c. The clerk doesn't make a move without Mr. Noe being aware of it. I honestly do not think that he was unaware of her actions at any point.
- d. It's apparent, with the current budget coming out, that Mr. Noe is giving the clerk and treasurer a raise, and during the middle of this investigation. I question if the purpose of the 5% increase instead of a 2 or 3% increase as is normal, is for the purpose of a reward for actions taken in the election.

1 Matching Request Suggested First SORT

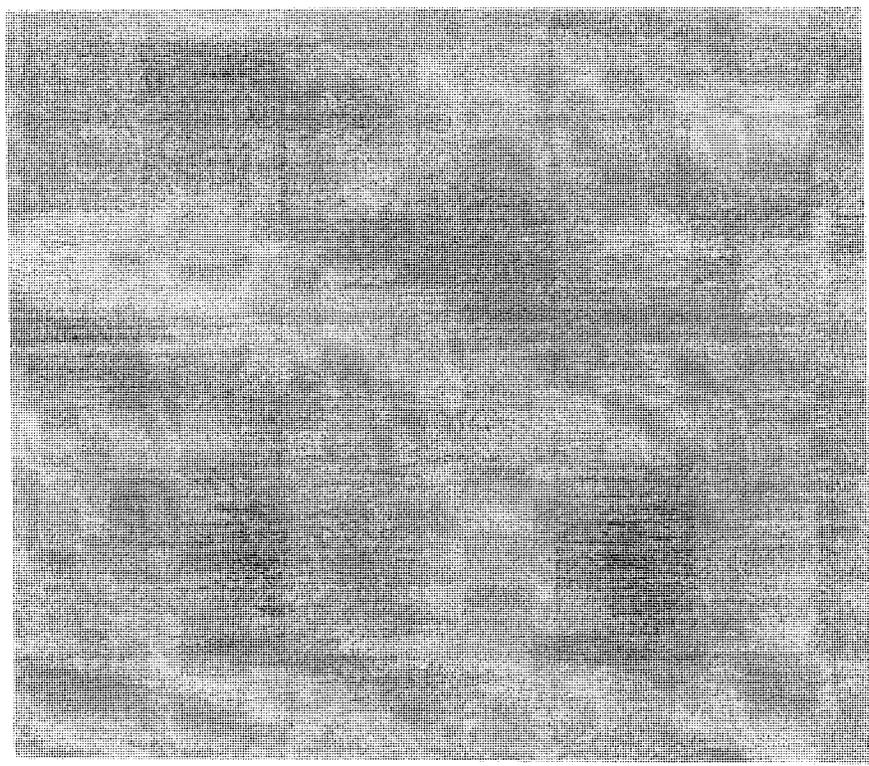


Nate Noe Requested 2 minutes ago

Friends: 243
Joined Facebook Oct 24, 2014



APPROVE DECLINE ...

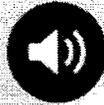


APPROVE ALL DECLINE ALL

10:11

88%

Fri, Oct 30



Media

Devices

Facebook 10:07 PM

Facebook

Paula Noe sent you a friend request.



Notification settings

Clear

AT&T

6:08

79%

Wed, Nov 4



Media

Devices

Facebook 5:56 PM

Facebook

Matthew Noe asked to join Sherry Seaman ..



Notification settings

Clear

AT&T



ACTIVITY PRINT OUT OF "TOWN OF OHIO COMMUNITY"
FACEBOOK PAGE

Sherry Seaman

blocked

Brian Brown

from the group.

Oct 29, 2020, 3:41 PM

Add Note

Undo



Sherry Seaman

declined

Brian Brown

's request to join the group.

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Add Note

→ FRIEND OF HR. NDE'S SON

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Add Note



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Add Note



Sherry Seaman
approved a pending post by
Jody Robl

Oct 21, 2020, 11:26 AM

Add Note



Oct 10, 2020



Sherry Seaman
changed
Tamar Mathwig
's role from admin to member.

Oct 10, 2020, 4:59 PM

Add Note

Sherry Seaman
removed
Christopher Michael Musha
from the group.

Sep 30, 2020, 8:11 PM

Add Note



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Christopher Michael Musha
from the group.

Sep 30, 2020, 8:11 PM

Add Note



Tamar Mathwig
accepted an invite to become an admin.

Sep 23, 2020, 11:54 AM

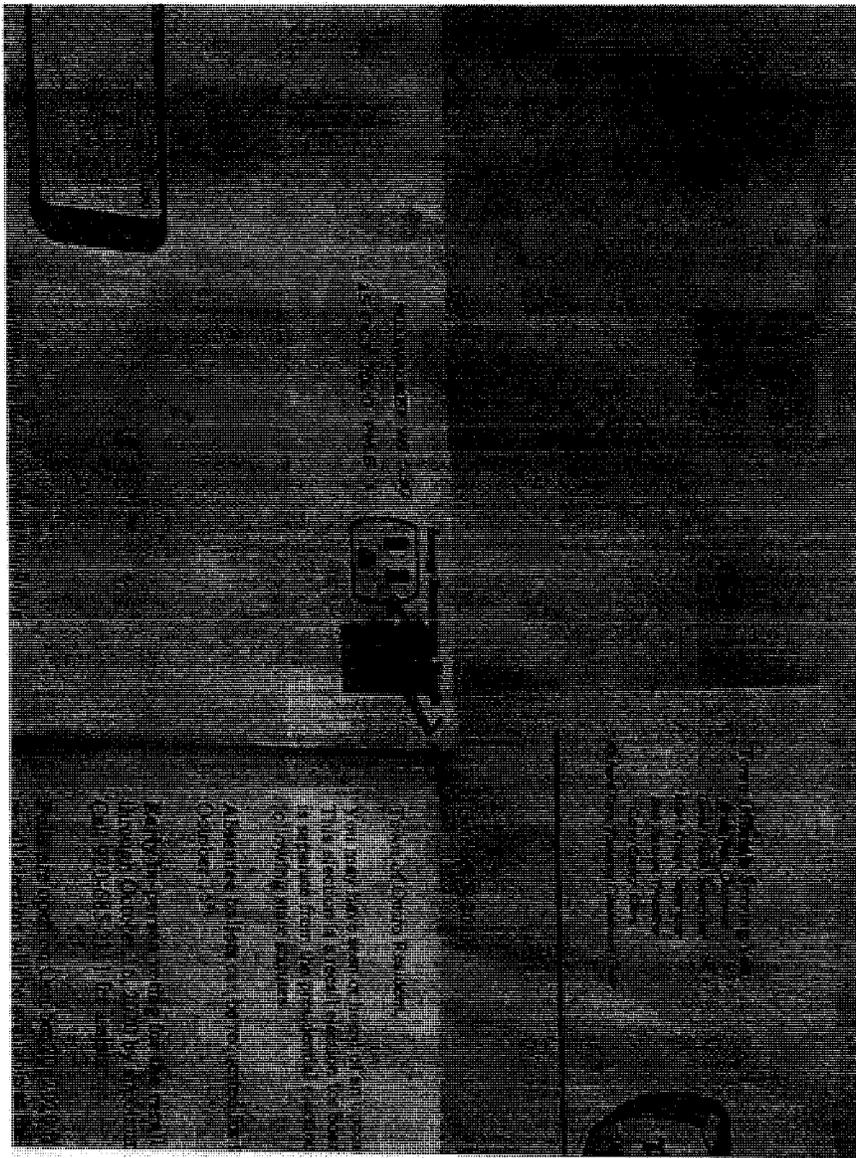




Jody Robl

Oct 21 • [location icon]

Received my information letter on the 20th??
Why? If this letter was generated on the 8th
why did it take until the 15th to get
postmarked and mailed?? Was this to keep the
numbers down on voting?



 Tamar Mathwig and 3 others >



Carolyn Slavik

Contact the Town Clerk if you have questions.

3w Like Reply

1 



Sherry Seaman  Carolyn Slavik the p...



Lena Malliett Ross

File a complaint with the election board. They need to know that this is not right, letters not sent out right away to people and past the last day to request absentee ballot.

3w Like Reply

1 



Kim Marie O'Keefe-Stapleton

I got mine after the fact also

3w Like Reply



Jody Robl Kim Marie O'Keefe-Stapleton...



Becky Giese I found out about the lette...



Mark Devlin

Mine was late got it past the chance to request absencety ballot must be new way to lower the number of voters

2w Like Reply



Write a comment...





Replies



Kim Marie O'Keefe-Stapleton
I got mine after the fact also

3w Like Reply



Jody Robl
Kim Marie O'Keefe-Stapleton
posted as I was wondering who
else had this happen looks like I
was not the only one!!!!

2w Like Reply 1



Becky Giese
I found out about the letter this
morning but have yet to receive
one..

2w Like Reply 1



Write a reply...





Replies



Tamar Mathwig

The margin was 4 votes!! That's odd.

2w Like Reply



Mark Devlin

Tamar Mathwig hope they do a recount being that close. Who is ahead ??

2w Like Reply



Tamar Mathwig

Mark Devlin Brian

2w Like Reply



Becky Giese

I also heard Brian was at the polling place greeting the voters... Isn't that voting fraud ?

2w Like Reply



Carolyn Slavik

Becky Giese

Mr. Seaman was at the town hall as an observer which is allowed by law.

2w Like Reply



Tamar Mathwig

Becky Giese yes



Write a reply...





Replies

2w Like Reply



Tamar Mathwig
Becky Giese yes

2w Like Reply



Sherry Seaman
Carolyn Slavik she's referring to Mr. Noe shaking hands and back slapping at polls yesterday, not about my husband who didn't talk.

2w Like Reply



Mark Devlin
Sherry Seaman the election should be void if Noe was there greeting voters it against the law .And being late on mailing info of the election many didn't even know about it .Will be interesting to see how this play's out

2w Like Reply

1



Becky Giese
Carolyn Slavik I was referring to Brian Noe as the greeter.. I'm sorry for the confusion ..

2w Like Reply



Write a reply...





Replies



Jody Robl

Sherry Seaman the Town of Omro does not want change and they did what they needed to do to make work in their favor!! Glad to hear that the Election Commission and DA's office are aware!

2w Like Reply



Sherry Seaman

Jody Robl the Election Commission knew before I did on some of the problems. And with the website down, the towns voice mailbox full, there was no where to get the information. And quite a few people emailed the Town and received no response. It's sad to see this behavior.

2w Like Reply



Jody Robl

Sherry Seaman it is terrible and speaks volumes as to what kind of people are in office for the Town of Omro!! The voice-mail box should never be full!!!



Write a reply...



 Tamar Mathwig and 3 others >



Brian Seaman

Anyone wanting to file a complaint here is the link

<https://elections.wi.gov/forms/el-1100>



ELECTIONS.WI.GOV
EL-1100 Elections
Complaint Form | Wiscons...

2w Like Reply



Bob Giese

Same story different day in the town of Omro. Its a dictatorship not a government.

2w Like Reply



Brian Seaman

What a coincidence that the website not working, absent ballot letters Late for the recall election and now Mr noe is looking to limit or remove public input at town meetings. This one more step to dictatorship.

2w Like Reply



Mark Devlin Brian Seaman little Hitler



Eric Dvorachek



Write a comment...





Replies



Eric Dvorachek

Can I respectfully request that y'all hold off with the torches and pitch forks til Nov 4th. There's a lot of work to be done leading up to a presidential election.

2w Like Reply



Sherry Seaman

Eric Dvorachek I respectfully answer, don't you think that's a little hypocritical coming from the man who posted several false stories about me during the campaign?

2w Like Reply



Eric Dvorachek

Sherry Seaman I'm not aware of any false stories. Sorry. If this is going to become the Town of Omro hater's club, you can take me off. It's a waste if time and money.

2w Like Reply



Sherry Seaman
Eric Dvorachek



Write a reply...



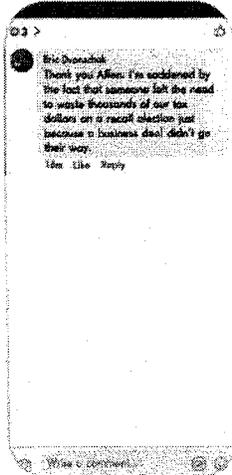


Replies



Sherry Seaman

Eric Dvorachek



2w Like Reply



Eric Dvorachek

Sherry Seaman not false. I am saddened by the whole situation and it is a waste of time and money. That's my opinion as a tax payer.

2w Like Reply



Sherry Seaman

Eric Dvorachek you stated it was over a bad business deal. That's a false statement. The recall was filed for ethical and statutory violations not because of any business deal. So, it's definitely a false statement. Thank you.



Write a reply...





Replies



Eric Dvorachek

Sherry Seaman ok. Still a waste of time and money with a regular election right around the corner. Thank you.

2w Like Reply



Sherry Seaman

Eric Dvorachek thank you for admitting you gave false information. And I respect your opinion on the recall election. When is it a good time to file a recall? The recall was filed in June. If Mr. Noe had at least been willing to review the information given to him and the board back at the May meeting, and discussed it, none of this would have happened. Don't blame me for someone else's actions please. Thank you.

2w Like Reply



Eric Dvorachek

Sherry Seaman I'll be praying for you.

2w Like Reply



Write a reply...





Replies



Jody Robl

Just curious what was the final count on the vote?

2w Like Reply

1



Mark Devlin

Jody Robl no one is saying anything, it was 1 question and 1 township it should be fairly easy to count and give the results.

2w Like Reply

1



Jody Robl

Mark Devlin yes it should be very simple to answer!! Something smells fishy to me!! Just my opinion

2w Like Reply



Sherry Seaman

We were told last night. Noe 240, me 236.

2w Like Reply



Jody Robl

I just wonder how many others did not receive the letter in a timely matter??



Write a reply...





Replies

I just wonder how many others did not receive the letter in a timely matter??

2w Like Reply



Sherry Seaman

Jody Robl quite a few it appears from all the calls and messages we received today

2w Like Reply



Lisa O'Brien

We also did not receive the letter in a timely manner, and in fact, beyond the date to accommodate any of the deadlines outlined within it.

2w Sad Reply



Sherry Seaman

Lisa O'Brien so wrong. It doesn't matter which side you were voting for. Everyone should have received the information timely as is required by law. And now they want to give the same clerk a raise??? Something is definitely wrong here...

2w Like Reply



Write a reply...



 Tamar Mathwig and 3 others >



Beth Lux

I did not receive mine on time.

2w Like Reply



Carla Ann

I never received one either. Found out about the recall through a friend.

2w Sad Reply



Lena Malliett Ross

just found out that the complaints need to be turned in to the elections commission within 10 days of the election. So please fill out and send in your complaints asap. You can email or fax to make sure they get it in time.

2w Like Reply



Kim Marie O'Keefe-Stapleton Lena Ma...



Lena Malliett Ross

here is the link to click on and fill out for filing a complaint

2w Like Reply



Lena Malliett Ross

https://elections.wi.gov/sites/elections.wi.gov/files/gab_forms/122/el_1100_complaint_form_rev



Write a comment...



Update to Brian Noe

Not included in my original response were the two articles I am attaching from the Omro Herald. The first one is dated Thursday, August 20, 2020. In this article, it discusses issues at the Annual Town Meeting for the Town of Omro. In the article, I am referred to as stating that I filed complaints with the Department of Lawyer Regulation and having spoken to the Deputy District Attorney for 2 hours.

The second article is dated Thursday, September 24, 2020. In it, Mr. Noe states there is only one complainant. In his affidavit he states he at no time said anything to the press in an attempt to sway voters opinion against me. He was aware at the time of his meeting with Mr. Sparr that there were other complainants, yet he lies and states there is only just one in the article. I believe this was done in an attempt to discredit me and sway voters to his side.

This is another perjury item that Mr. Noe gave in his statement. He requested from Tony Daley an article of rebuttal, but with his statements in the article, and the fact that an article came out a month before that states my name as one of the people who filed a complaint, he was assured that everyone in the community who had read that previous article would now read his statement and think that the complaint was nothing to worry about. How can this not be misconduct, besides perjuring himself on his affidavit?

Do they really think I'm that dumb not to catch all these inconsistencies?

Town of Omro Annual Meeting electors vote to terminate Municipal Attorney

By Tony Daley

Some electors of the Town of Omro want Attorney Karen Marone fired.

A majority vote by attendees of the Tuesday, August 18 Annual Meeting backed motions to direct the Omro Town Board of Supervisors to terminate Marone's professional relationship with the town.

The first was motioned by citizen Sherry Seaman, who qualified her motion by claiming that "recent events have cast a shadow on the relationship" held between Attorney Marone and the Town, leading to Seaman moving supervisors to terminate Marone.

"I furthermore ask and direct the Board to take the appropriate steps to retain a new attorney for the town as soon as is feasible."

Brian Seaman seconded the motion.

Sherry Seaman further opined about Omro's professional relationship with the Attorney and the situation as it has developed, "I think with the events of the last six months, there is, very prevalent in everyone's minds in this community, no matter what side of the fence you fall on, there's been several [things]; one of the most prevalent things, in my opinion, is the relationship between the Town Attorney and the Board."

Claims by Seaman against Attorney Marone delved into allegations of various instances of misconduct, misrepresentation, and professional insufficiency as for interpreting legal matter such as state statutes.

indications that their legislative bodies did not have attorneys at every meeting.

The Town of Omro not having monies to pay for things like an external, third-party audit, asked for at the August 18 Annual Meeting, because of legal expenditures, was brought up by Seaman, who accused the Town Board of using Omro's attorney "as a crutch."

"It's just not necessary to incur expense of having an attorney at every meeting," Seaman opined, adding, "I believe there's a serious loss of faith in this community for [Attorney Karen Marone] being retained any longer."

Regarding the removal procedures, Seaman said, "It is something we, at this Annual Meeting, can discuss, because it's not just about elected officials, it's about a hired one, as well. I'd like to discontinue and terminate the relationship with Ms. Marone, and pursue a different avenue for the Board, and go forward with it that way."

Votes tallied by Omro Town Board of Supervisors Brian Noe came out 14 for removal of Marone, six for retention.

Seaman asked Noe, "Everything else you said all night long, this is one of the items we could change, and you're not confirming or denying that this is going forward, and the Board is going to adopt it."

The Chair replied, "It is my understanding this is not statutory or mandatory" with respect to actuating a binding decision on the Marone termination.

Noe at length read out of a Wisconsin Towns Association handbook those things for which electors had power to direct and those which might only be submitted as voted items for a town board to take under advisement and have its members decide to bring to a future meeting.

Of note, Omro's town Annual Meeting was, following suit of other municipalities under law, not a town board session but an assembly of electors, residents able to exercise, yearly, certain rights and decisiveness in policy issues.

In other electors' business, a citizen



OMRO HERALD FILE

THE OMRO WOMEN'S Service League.

OWSL back to monthly meeting planning August 'Welcome Picnic'

By Tony Daley

The Omro Women's Service League is restarting its monthly organizational meetings with a Tuesday, August 25 "Welcome Picnic" Set for Lower Miller Park at 6:30 p.m., the picnic will be followed by regular sessions.

Noted by OWSL President Joanie Beem, "We will now meet a month and secondly we have added more Service Committees."

Beem added, "The people reaching out to us for more information have been outstanding."

The August 25, 6:30 p.m., Welcome Picnic at Upper Miller Park, follow "all state and county COVID-19 [physical] distancing and covering guidelines," according to the Omro Women's Service League.

If raining and/or temperature 80 or above, the League will meet at the Bridge of Faith Baptist Church, 124 E. Main Street.

According to Beem, sloppy Joes, the main dish, will be donated by the Beem family and beverages by the Goodearle family.

OWSL members with the last name A-G are requested to please bring veggies or fruit.

H-M members are asked to bring side dishes like casseroles, salads, and N-Z desserts.

Guests are encouraged to attend."

"Ladies wishing to find out more about the League and our wonderful ladies are welcome to come in and visit."

**"I BELIEVE THERE'S A SERIOUS LOSS
OF FAITH IN THIS COMMUNITY
FOR [ATTORNEY KAREN MARONE]
BEING RETAINED ANY LONGER."**

Seaman also took issue with the Town Attorney's legal counsel on the Board's responsibilities for supplying information to the public when convening into closed session.

With references to several investigations claimed going forward against Attorney Marone in connection with alleged violations, including mention of the Winnebago County District Attorney's Office, Seaman also accused Marone of wrongly telling Omro officials, during the August 17 regular board meeting, that the Town did not have to post and publicly notice all its adopted ordinances and resolutions.

For closed sessions, in particular, specific reasons and exemptions were also required by state statutes for public notification, Seaman argued.

"None of us want details of what you talk about in your closed session, or why you are going into them. We just want compliance with the law."

Seaman referenced having a "two-hour conversation" with Assistant District Attorney Eric Sparr of the Winnebago County District Attorney's Office.

Indicated by Seaman were talks of legal grounds for allegations of infractions or lawyerly misconduct as having been committed by Marone, such as inadequate notification to the public of the reasons for the Omro Town Board to go into closed sessions.

One assertion by Seaman was, "[Attorney Marone] continually gives feedback and information to the Board that isn't compliant with the law."

"I don't know if it comes from not understanding the law, or [if she is] ignorant of the statute and doesn't look outside that."

Seaman noted for the Annual Meeting's electors in the audience and the Town Board that "three complaints have been filed" with the State Supreme Court's Office of Lawyer Regulation, though Seaman did not give an account of the status of said complaints, progress in the legal system's bureaucracy, or potential timeline of determinations.

A per-meeting expense of \$500 for Marone's services was quote by Seaman, who claimed she had spoken with officials of several other neighboring municipalities and having received

means for financial summary reporting of expenditures and revenues.

The citizen wanted something to be "actually on the record, something printed" in the way of articulated account line items, which could be posted and printed for future Town clarification and reference.

"We can certainly do that," Noe said. "It will be up to the [Town Treasurer Beth Jackson] to find that, I see no problem with that."

However, the Board Chair indicated efforts in the past to keep some "other" or "miscellaneous" financial reporting sections purposely generalized so as not to get bogged down in specifying diverse account line items.

From the Omro Town Board of Supervisors regular session of Monday, August 17, posted as online audio/video feed, a request is going out from the Town to find someone from the west side to sit on the Planning Commission.

Rich Kern, Planning Commission Chair, was part of talks about getting representation from that part of the Town of Omro.

Omro had a couple people attempt to try to get someone from the Plan Commission from that part of town, which has not been so successful in getting representation to deal with interests in that area, Chair Noe explained.

"We try to create diversity on the Plan Commission; we're not opposed to getting someone from that part of town, but we can't mandate they serve. I suggest we go find someone over there that is willing to do that. I agree, it wouldn't be bad for someone to represent that area's concerns."

Noe also mentioned many of the development issues that are handled by the Planning Commission happening to occur on the east side of the Town of Omro.

Omro board member Dave Friess said he wanted someone with "shoreline" or "lakeside" zoning experience to serve on the Planning Commission.

Those were also specific municipal interests that could be better represented by town planners in an official capacity, seemed to be the intention on seeking that kind of committee appointee.

No specific timeline was mentioned for finding a suitable candidate.

However, the Town of Omro Planning Commission seat was indicated as bearing some urgency to fill.

County bike, pedestrian support group mobilizing after hiatus

By Tony Daley

Bicycling and pedestrian forms of alternative transportation had planning efforts slowed down for a while during the coronavirus pandemic, claims Susan Garcia Franz of the Winnebago County Health Department.

Multidisciplinary in nature and composed of different constituents, the Bike/Ped Stakeholders Group is not an official County agency or department, but does tie in strategic objectives with some public health initiatives.

But regular meetings have fallen off in 2020, a situation group members are seeking to remedy.

"I want to thank you for your patience during this time of the COVID-19 pandemic," Franz shared in a Thursday, August 13 Bike/Ped meeting update to

stakeholders.

"There have been many items that have been put on hold or may see changes in the near future."

Franz added, "I would like to resume a meeting in October and pull together information that will inform what priorities will take precedence moving forward."

Franz is encouraging stakeholders, "Please feel free to reach out to me with any suggestions or ideas you may have. Thank you for all the work that has continued to take place in our communities for bicycle/pedestrian infrastructure."

The tentative date for the next Bike/Ped Stakeholders session will be Friday, October 16 at 8 a.m.

Franz explained that she would set up a Zoom option "and we will assess an in-person option closer to the date. I will be in touch."

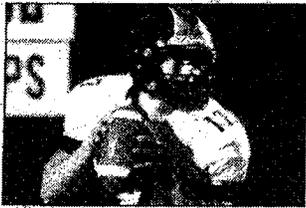
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FOOTBALL
Boxes Gearing
For Opener
 Page 8



SPORTS
Cross Country
Hosts Meet
 Page 9



*****CAR-RT LOT**R-004
 Expires 03/05/2021
 RICH KERN
 5210 TULANE CT
 OMRO, WI 54963-1785

56-1
 443

OMRO HERALD

NUMBER 39 THURSDAY, SEPTEMBER 24, 2021 \$1.00 PER COPY

Omro schools register sensitive COVID-19 test

By Tony Daley

Monday, September 21 School District Director of and Nursing Services Kary sent a notice to parents and guardians "that two siblings have tested positive for COVID-19."

She noted, "One attends Omro Elementary School and the other is at Omro Middle School." District Manager Mandy Potratz provided an accompanying letter, "In an effort to keep you well informed, we would like to share that the following message and attachment were sent to all OES and Middle School families." She added, "Please see the attached 'Notification: Positive

"WE UNDERSTAND THAT THERE WILL BE POSITIVE CASES, YET OUR MITIGATION STRATEGIES HELP TO PROTECT OTHERS FROM GETTING SICK."

—MANDY POTRATZ

Regarding the two siblings, Carley's correspondence continued, "We have worked with the Winnebago County Health Department to quickly identify, notify, and quarantine any students or staff who may have come into close contact with them and who may be at risk of getting sick."

Noe responds to complaints, investigations

By Tony Daley

Omro Town Board of Supervisors Chair Brian Noe responded to complaints against him and Municipal Attorney Karen Marone.

While not able to speak much on behalf of the Town's legal counsel, who was not present at the Town Hall during a Friday, September 18 interview, Noe commented on matters pertaining to allegations against him that in part led to Noe and Marone recently speaking with Deputy District Attorney Eric Sparr of the Winnebago County District Attorney's Office.

Asked about how many complainants have come forward, Noe said, "I'm only aware of one individual who has lodged complaints against the Town Attorney, through the Office of Lawyer Regulation (an agency



OMRO HERALD PHOTO

OMRO TOWN BOARD OF SUPERVISORS Chair Brian Noe discusses allegations made against him and Town of Omro Municipal Attorney Karen Marone.

Court). And [Marone] is responding to that, and she has retained legal counsel to represent her, not because of any issues that were in there, but because it is her livelihood, and there is no reason not to defend it correctly."

complaint with the District Attorney's Office by one individual, which has numerous components in the complaint, and refers back to numerous allegations going back to, I think, 2016 or beyond."

Plans, agreement continue in process for new Kwik Trip store

By Tony Daley

Planning Commission and Common Council meetings moved a developer's agreement, site plan, and certified survey map through review and approval process during September Zoom online meetings, as the new east-side Kwik Trip off Highway 21 at Brooke Drive and Huckleberry Road nears its early 2021 project launch.

Development Manager Jeff Osgood and Property Manager Steve McConaghy of the store team made appearances before Omro authorities to work out details.

Materials first approved by the Planning Commission on Tuesday, September 8, got review and two resolutions finally adopted by Council on Tuesday, September 15, during development agreement talks that

included site plan and certified survey map reviews.

About the Kwik Trip developer's agreement, City Administrator Linda Kutchenriter opined, "It's a basic agreement allowing them to do the road alongside, sidewalk, storm sewers, and water and sewer."

City of Omro Director of Public Works Steve Bilkey, also on the Planning Commission, indicated having gone over the store's site plans, certified survey map (CSM) and developer's agreement.

"Everything looks good," said Bilkey.

Some project materials such as those relating to water and sewer will get submitted to the Department of Natural Resources for compliance, indicated Kwik Trip officials.

The CSM joins two lots through annexation, which were needed for building at a location where the City of Omro and the Town of Omro abut.

The developer's agreement came with a site plan laying out details of utilities, with accord on the agreement corresponding on the site plan, said Kutchenriter, before Omro planners carried motions that gave Kwik Trip the go-ahead to begin processing its certified survey map.

On Tuesday, September 15, the Common Council, meeting via Zoom, put on the virtual floor the Certified Survey Map and the developer's agreement approval, along with the east-side planned store's site plan.

Again, documentation went through carried motions and roll call voting, with a couple of friendly amendments added

to clear up what Kutchenriter referred to as "outstanding legalese" items, relating only to the resolution itself, not to the developer's agreement, being worked on with Omro's municipal attorneys Lud Wurtz and/or John Blazel with Kwik Trip counsel.

About the overall project and coordinating with Kwik Trip, Kutchenriter said, "There are a whole lot of plans we have gone through, laying out what they are doing with sidewalks, storm sewer, water, and sewer. They've been great to work with, as far as engineering and contracting."

Kwik Trip's Jeff Osgood relayed to Council the corporation having moved the east-side Omro project up.

"I think it's one of our first projects starting for [next] year."



OMRO HERALD PHOTO

Noe

CONTINUED FROM PAGE 1

Noe added, "During that period of time [the Town of Omro has] had two clerks, now a third clerk, and we've had different treasurers. There have been different allegations affecting those things and also saying that somehow I am responsible for those things, or [there are] individual things that have been alleged against me."

Broaching the progress now being made with the investigation in the office of Sparr, Noe replied, "Karen Marone, our attorney, and I contacted him after a town meeting at which we were told a complaint had been filed there; and we asked if we could meet with him to review any concerns."

Noe stated wanting to meet with

[Sparr], our goal is to fully comply with the law. If we've made errors somewhere along the way, we'll certainly correct them. There's been no purposeful attempt to evade the law or any statutory requirement, but everybody has to remember, these are not professional people doing these positions. We do the best we can and retain legal counsel, which is here to advise, because statutes are not always clear and in plain English."

Asked about another meeting with the Deputy District Attorney pertaining to status of the investigation, Noe responded, "There is no meeting scheduled at this point. I believe he was going to do some additional research and talk to some additional folks; and if he felt there was a need to reconvene

a complete record, you might be better off getting rid of some of the old stuff and establishing a policy to having a smaller window of information, in terms of the organization of the website. There was not [an indicator] saying there was any statutory violations, because there is nothing mandating how long these notices are retained on a website. It was just out of general discussion... we should look at trying to cleanup the website."

Asked about advice Noe may have received from Attorney Marone against him speaking out publicly during the investigation and going on the record with any media outlet, Noe replied, "No," though opined, "Most attorneys are not comfortable, if there's an ongoing investigation, of having any speech

Planners

CONTINUED FROM PAGE 1

would, if the church grew too much, likely move to another location, without need for an enforceable conditional use.

Talks also went to the difficulty of tracking numbers congregating to begin with.

The conditional use will apply to the property, which, used as a church, would be tax exempt, though church status is something determined through paperwork and compliance with state rules, indicated City Administrator Linda Kutchenriter.

"The state makes a determination if they are still a church," she said, discussing what may happen if the current plans for using the south Webster property as a devotional space again changes, leaving the location empty.

Blazel explained, "[The property would] not be permanently off the tax records if the use changes," though the attorney noted, "But [tax-exemption for ecclesial purposes such as a church] can't be a factor when considering land-use issue."

The Municipal Attorney said this mandate was "based on various laws existing for religious uses," which prohibits the monetary factor of taxable revenues when determining application of a conditional use permit, known as a "CUP."

However, Blazel also explained about the south Webster property, "If it switched back to residential use, it would go back on the books for tax purposes."

Presenting by remote-access Zoom on September 8 to the Plan-

ning Commission was property owner Eric Pederson and church Pastor Danny Vang.

Pederson explained his having moved out of the property and currently renting it.

"I want it to stay as an historical building," and said his congregation was looking to move in as a claimed "perfect opportunity to preserve it as an historical building and put back as intended."

Vang said there are around 45 parishioners.

Read by Kutchenriter into the planning session's record was correspondence by a neighbor, who noted not wanting the south Webster location as a church because of potential traffic problems and lack of off-site parking to accommodate parishioners.

Vang explained that, whether renting or buying the property, it would be used for services every Sunday from 10 a.m. -noon and once a week on Wednesday between 6-8 p.m.

Pederson confirmed that his property would be used "strictly as a church," and said that the congregation was looking at this fall for starting renovations, more exact times still to be determined.

Pederson said the pastor first needed approval from the City of Omro before going back to the congregation to get a formal commitment before expensing any renovation phases such as hiring an architect to move forward with the project.

The Planning Commission ultimately was unanimous in its decision to apply the CUP for church use in the City's residential R-1 zoning jurisdiction.

and try to respond to those things, as opposed to saying, 'We don't know' or if there is a disagreement over what we are or are not doing right."

Referring to one past session at Town Hall, Noe remarked, "After, I think, the August board meeting in which the complainant alleged [having] spoken to the [Deputy DA] and he said certain things and there were complaints filed against us [Noe alluding to Attorney Marone and himself], we made contact with Sparr and asked about a time to talk, and to figure out where we're at, if there is any validity to it, and do we need to change anything we're doing."

Noe added that Sparr was "agreeable to doing that," noting, "Karen and I met with him last week Friday [September 11], for about three hours. And prior to that, he was good enough to forward a copy of the portion of the complaint, with summary documents with each of the items. He gave us an opportunity to look at that before we sat down, and went through each one of those items, point by point."

Noe claims that comparisons were made to state statutes, using as a reference in Sparr's office, what Noe and the Omro Town Board of Supervisors use as a tool, a town officers handbook, published by the Wisconsin Towns Association, "which is our bible on how town government works."

Noe also claimed that "out of fairness" to Deputy District Attorney Sparr, "I don't want to get into each and every item, until he has had a chance to conclude his review."

Noe claimed, "I'm confident that the Town has not done anything purposefully, knowingly in violation."

He added, "If there are any technical issues that we haven't done correctly, as I've told and assured

NOE CONTINUED, THERE HAS BEEN some exchange of emails between [Sparr] and me because there have been some subsequent complaints [claimed by Noe from the same individual] alleged beyond that original filing. I responded to some of them, to provide him answers as to where we are, what we're doing. Again, we are addressing any issues brought to our attention."

Asked if there were any prohibitions by the office of the District Attorney precluding Noe or another of the Omro Town Board of Supervisors from conducting governmental affairs and business, Noe replied, "Absolutely not."

Further explaining about the investigation in Sparr's office, Noe commented, "While I can't get into every detail and particular, I can give you generalities. But I have no control over that process, as much as I'd like to see it concluded, I don't see that we have that ability."

Responding to the question of any status change in operations of Town of Omro Board government and operations, Noe said, "Based on legal advice we have received, we will continue to function as we pretty much have. There has been no directive from anyone saying we need to totally change our process. There has been a recognition that our website needs some improvement."

This comment was made in reference to talks with Sparr.

"There may be some missing information or gaps of material in there," Noe continued about the website, "partially because the site goes back to 2015 or 2016, however far back it goes."

Further claiming what Sparr may have recommended, Noe said, "It came out of discussion, if they're going to look back ... and it's not

ing, Noe claimed, "Not that I'm aware of. I only felt an obligation at least provide what information I felt we could, to try to clear up misapprehensions that we had. I don't know if any of our members or town officials, because to date, no one has pointed out for any significant issue that any town official has done any intention wrongdoing that is going to change how we're operating."

Looking to the future and potential short-term plans, Noe said, "I have not been directed to change how we're doing anything. We continue to do our very best to follow statutes and laws. There may certainly be differences of opinion by some people as to what they believe the law says, but the Board and town officials take our advice from legal counsel."

Noe added, "We are not attorneys. So if there's a question that's raised, it gets deferred to legal people to give us direction. We have always sought direction if there's a legal issue, and I can't remember a time when we didn't follow that legal direction from counsel."

Noe further claimed, "And [Attorney Marone] has done much the same, if there's a question that has in her mind, she has always been very receptive and willing to reach out to outside counsel, to get another opinion. In this case, she reached out to Eric Sparr [to see: 'Here's what I see, here's how you read it, what do you think?'] That's one of the advantages of having an attorney at every board meeting. They see and hear everything that's done, so if there is one of those delegations made, it is not as though they had no awareness of it, they're right here."

Response to Karen Marone Affidavit

1. No discussion.
2. No discussion.
3. No discussion.
4. No discussion.
5. No discussion.
6. Please see the attached email regarding Ms. Marone's response to the website being down. I will say that my husband had contacted the WEC and asked if this was considered supplemental, and they stated that it would not be and it should be considered as one of the required posting places.
7. I ask that you reach out to Anna Portelli and request a statement from her regarding this conversation. I spoke to Ms. Portelli a few days ago and asked her about the conversation again, to refresh my memory on what she had told me. She did state that at the beginning of the conversation, Ms. Marone did not understand what she was talking about, but by midway through the conversation, Ms. Marone had a clear understanding and instead "played dumb", her words. Ms. Portelli stated she was absolutely not talking about setting up the tables, but about the conflict of interest. I think it would be behoove the commission to contact Anna Portelli and request a statement regarding this conversation. (920) 216-5280
8. Key notes of interest:
 - a. As the town attorney, and knowing that Ms. Carley had not done an election before, why wouldn't she assist Ms. Carley with this process? Why not assure that the town was in compliance, especially over such a contentious election?
 - b. If Ms. Marone had no direct duties to this election, why did she interfere and tell Carey Carley not to contact the Winnebago County Clerk's office any further? The County Clerk has years of experience and was only attempting to assist Ms. Carley to give a legal and fair election. Please see the attached email for your reference. I think these actions need to be thoroughly investigated. Ms. Marone would not have known of any actions taken by the clerk. The only way Ms. Marone would know of anything is by being informed by the chairman. I think the chairman found out about the Winnebago County Clerk's office questioning timeliness of this election, informed Ms. Marone to contact Ms. Carley and tell her to not contact the county office again. The Town Attorney is there for the board, not a hired clerk.

From: Karen Marone <kmaronelaw@gmail.com>
Sent: Monday, October 19, 2020 8:35 PM
To: Mechanical Services, Inc.
Subject: Re: Website Issues

Hello Ms.Seaman,

In reviewing your email of October 15th, I noted that there is information about the Notice of Recall and general absentee voting instructions on the site. It is our understanding that posting/publication is required for recall information, but website info is not a required form of notice. Therefore, per our guidance from the WI Election Commission, the provision of website information may be provided as an "extra, " but is not required.

Sincerely,

Karen Marone

On Thu, Oct 15, 2020 at 1:03 PM Mechanical Services, Inc. <mechanicalserviceswi@live.com> wrote:

Good Afternoon,

I was not sure if you are aware, but the Town's website does not allow the voter's of our community to access the Notice of Recall or the Absentee Voting for October 20th information. I've monitored it being down for several days and have now had constituents reaching out to me regarding the problem. The other concern is the fact that the website is unsecured, which leaves the Town open to being hacked, which is extremely serious.

With the election only a few days away, I don't think this is something that can wait until you have time, but needs to be addressed immediately please. If you would please send me an email confirmation when the corrections have occurred, so I may pass this on, I would greatly appreciate it.

Thank you and have a great day.

Sincerely,

Sherry Seaman

mechanicalserviceswi@LIVE.COM

From: Ertmer, Sue <SErtmer@co.winnebago.wi.us>
Sent: Tuesday, November 17, 2020 3:25 PM
To: 'Mechanical Services, Inc.'; Judnic, Nathan - ELECTIONS; riley.willman@wisconsin.gov
Cc: Charles J. Hertel; Witecha, James - ELECTIONS; Mueller, Mary Anne
Subject: RE: Records Request-Town of Omro Recall Election 10.20.20

Dear Ms. Seaman

Because I am not in possession of Exhibit C and don't know it's content, I will need a timeframe and the subject matter for the emails that you are requesting from me.

In regards to the Town of Omro's attorney's direction to Ms. Carley about my office's involvement in this election, it took place during a phone call between Ms. Carley and Julie Barthels, Winnebago County Deputy Clerk. According to Ms. Barthels, Ms. Carley told her that the town's attorney didn't want the county to be involved in the preparation for this recall election. I am not sure of the date of this phone call, but assume it was late September or early October, 2020.

Sincerely,
Susan T. Ertmer
Winnebago County Clerk

From: Mechanical Services, Inc. <mechanicalserviceswi@LIVE.COM>
Sent: Monday, November 16, 2020 12:59 PM
To: Judnic, Nathan - ELECTIONS <Nathan.Judnic@wisconsin.gov>; Ertmer, Sue <SErtmer@co.winnebago.wi.us>; riley.willman@wisconsin.gov
Cc: Charles J. Hertel <CJH@dempseylaw.com>; Witecha, James - ELECTIONS <james.witecha@wisconsin.gov>
Subject: Records Request-Town of Omro Recall Election 10.20.20
Importance: High

Good Afternoon:

I have reviewed the Town of Omro's response to my complaint, and I have found issues regarding Ms. Carley's Exhibit C. I can see where some of the emails have been hidden ([Quoted text hidden]) and where the chain of emails provided by Ms. Carley are incomplete. I request that all emails between the Town of Omro clerk, Carey Carley, and yourselves be provided for me to be able to respond to their answer within the 10 business days allowed to me, which would be this Friday, November 20, 2020. If I could receive this information no later than Thursday, November 19, 2020, I would appreciate it. I furthermore request that any emails regarding this election between yourselves and any member of the Town of Omro's administration be provided as well.

Sue, per our conversation last Friday, I request the email where Ms. Carley states the Town Attorney has informed her to stop communicating with you. If this happened in a phone call, if you could please provide a statement referencing the date and time along with the specific details of this conversation be provided as well.

Please feel free to reach out to me regarding any questions you may have, and I thank you for your prompt response.

Thank you and have a great day.

Sincerely,

Sherry Seaman

Response to Lisa Dvorachek Affidavit

1. No discussion.
2. No discussion.
3. No discussion.
4. My question is, she has served or she did serve?
5. No discussion.
6. The Dvorachek's were our customers until my husband filed the recall of Brian Noe in June 2020. At that point, they severed ties with us completely. I will also point out that Ms. Dvorachek and her husband had won a vehicle from us at our last customer appreciate party two years ago. A BMW Z3 convertible. I also gave Ms. Dvorachek's daughter cooking lessons in my home. It's concerning that with this kind of history she didn't immediately refuse the position she took. She and her family have lived next door to Mr. Noe for several years, and have formed a close relationship as well.
7. If Ms. Dvorachek does not allow her personal relationships to affect how she conducts elections, then why not from the very beginning, remove herself from being called as the Chief Election Inspector? Why did she supposedly wait until October 11, 2020, as she states? She was well aware that she had a relationship with both people running and should have not accepted the position.
8. Yes, my husband contacted her regarding costs. He was not able to reach anyone else within the Town regarding the costs associated with an election and had reached out to her to request if she had any knowledge. At that point, we were unaware they had severed ties with us as friends and our customer. If we had known her position, my husband would not have reached out to her. Either way, it's a harmless question and I wonder why she would even say anything?
9. Ms. Dvorachek states she did not intend to encourage any debate with her postings on Nextdoor. But the problem is she allowed her postings to remain there for people to see accusations on both sides and did nothing to stop the discussions, or to remove them. She should have stated in her original posting to contact the Town of Omro, instead she left it open so she could respond and answer people. With her postings, she did in fact encourage dissent in the election. Other people not associated with the election itself should have posted something if they felt the need, it should not have been done by the person assigned to be the Chief Election Inspector. It also was not her place or her responsibility to post something in this app. I do believe this was done in an attempt to spark arguments and discord, and it is unethical already with her personal relationship by both sides, she should never have done it. I think after a review of her post, and the one she interjects herself into, it doesn't look good on an ethical standpoint. Also, if you review the Nextdoor post submitted by Luann Osborne, how do you go from Lisa Dvorachek stating two people's names, to the response Ms. Osborne

gave? I think a private message occurred between these two women. Otherwise, I can't figure out the reaction to the listing of two names, can you? Also, please see the attached post from Facebook, where Ms. Dvorachek's husband Eric has been caught out lying about the reason for the recall. Please see where her husband asks about the complaints filed, and then states he will get the information from Brian Noe himself. So I ask the question again. How can any of us be sure that she didn't access her husband's Facebook account and post these things herself?

10. She was afraid I would accuse her of wrongdoing. If you are doing nothing wrong, there's nothing to be afraid of. I had not once prior to my complaint being filed with the WEC, named Ms. Dvorachek for a single issue. I had serious reservations when I found out she was the chief election inspector, but I did not at any time voice a concern to anyone about it besides to one friend and in private. While they may have assigned Cheryl Gardner as chief election inspector, it was Lisa Dvorachek who was acting in the capacity of it during the election. She was the one walking around and assisting people with voting and registration. Not Ms. Gardner. I believe this was in name only and not in actual practice. Ms. Dvorachek was in the position, with Ms. Gardner, of handling all the absentee ballots.
11. Once again, Ms. Dvorachek gave off the perception that she was the chief election inspector, while Ms. Gardner sat at a table working, for all appearances, as just a poll worker. I stand with my husband. He doesn't lie. If he did not see Ms. Dvorachek or Ms. Gardner using a letter opener as they state, I believe him.
12. I cannot prove they were not, and they cannot prove they were.
13. I have no comment for this, I was not there to witness every time they handled the absentee ballots.
14. I don't know if this is the truth. Do any of us?
15. You can't believe her statements about Mr. Noe because she is obviously prejudiced in his favor. I don't believe she would tell the truth.
16. Diane Hertel can answer this statement.
17. I can believe that was true. But it doesn't take a significant amount of time to greet someone and shake hands, does it?
18. This is a personal observation and opinion, and not something she provided any proof to support her assertion that he was disinterested. I can most surely guarantee you he was not disinterested. My husband had only one earbud in and was listening to talk radio. There are no pictures on a talk radio app. He had the volume on low so that he could hear what was happening in the room as well. My husband did as he was instructed as an observer, he watched and didn't interfere. He was unaware he had any right to question anything.
19. My husband did not know that he was allowed to stay for the canvass, or what exactly it even was. He was informed when asked at the WEC that he could stay for the count at the end of the night, which he did. This is there attempt to show a lack of interest on my husband's part, when all he was trying to do was be compliant with the instructions

he received from the WEC. Again, another personal opinion injected into an attempt to make it fact.

20. Key notes of interest:

- a. Why would her husband be all over Facebook making false claims for the reason for the recall if not in an effort to sway voters to Mr. Noe's side?
- b. Do you really believe that Ms. Dvorachek was completely unaware of her husband's actions? I think she knew very well what he was doing.
- c. Ms. Dvorachek had access to up front information that was provided apparently not only by the clerk but by Brian Noe himself.
- d. By Mr. Dvorachek claiming he would get the information directly from Mr. Noe, he shows a deep relationship between the two parties. This alone should have removed Lisa Dvorachek's participation in the recall election, if for no other reason than to avoid the appearance of impropriety.
- e. I believe Ms. Dvorachek worked in conjunction with her husband to spread false information about me to affect the election.
- f. In her affidavit, she states she posted things in the Nextdoor app on October 10, 2020. This is not true. If you look at the attachments for my response to her affidavit, you will see the time and date stamp that my phone produces. On her post on this app, it shows a time date stamp of when I took this picture of October 8, 2020. On the post it shows it was posted 4 days prior, which would be October 4, 2020. If she cannot tell the truth about this, what else has she not told the truth about? Why delete the post once the Town was notified by the WEC of complaints? I believe this was an attempt to destroy evidence.
- g. I took a screen shot of the post by Luann Osborne as well, which shows a date of October 11, 2020. It shows Ms. Dvorachek interjecting herself into the conversation and providing a copy of a newspaper article. It doesn't matter what the article is, or that it could have provided someone with assistance. It shows that on October 10, 2020, she was still actively sharing information. This information should have been given by the Town, and I seriously question if Ms. Dvorachek didn't through a personal message, reach out to these individuals to possibly sway votes in favor of Mr. Noe. Her husband had been actively doing this, why would it be a stretch of the imagination to think she wouldn't be doing that as well? It's definitely the appearance of unethical behavior and possibly more.

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Lisa Dvorachek

Town of algoma • 4 days ago



Town of Omro, October 20th. All Town of Omro residents, there is a special election for our town's Chairman position on Tuesday October 20th. Please mark your calendars and come vote.

Posted in **General** to **12 neighborhoods**



Like



8 Comments



3



Melissa Curtis • Oakwood



Do you have more information on who is running and such? Thanks!! Marked the calendar!

2 days ago

Like

Reply



2



Lisa Dvorachek • Town of algoma



I can tell you that it is the current chairman, Brian Noe being challenged by Sherry Seaman. I can point you to the Omro Herald for more information, they have been following the story.

2 days ago

Like

Reply



2



Add a reply...



Lisa Dvorachek • Town of algoma



 **Lisa Dvorachek** • Town of algoma • 4 days ago
Town of Omro, October 20th. All Town of Omro residents, there is a special election for our town's Chairman position on Tuesday October 20th. Please mark your calendars and come vote.

Posted in **General** to **12 neighborhoods**

 Like  8 Comments   3

 **Melissa Curtis** • Oakwood
Do you have more information on who is running and such? Thanks!! Marked the calendar!
2 days ago [Like](#) [Reply](#)  2

 **Lisa Dvorachek** • Town of algoma
I can tell you that it is the current chairman, Brian Noe being challenged by Sherry Seaman. I can

Details

 October 8, 2020 10:56 AM

 Screenshot_20201008-105646_Chrome.jpg

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Lisa Dvorachek · Town of algoma



My position as the chief election inspector, for our town, prohibits me from giving an opinion for either party in reference to the election.

2 days ago

Like

Reply



Karen Packman · From Omro to Oshkosh



I've never even seen the challenger, Ms Seaman at one single board meeting, nor has she a whit of experience at running the town. Mr. Noe on the other hand, has kept us debt free, and property taxes low. He's got my vote, I hope he continues to guide us.

2 days ago

Like

Reply



Kathy Dutcher · Oakwood



The chairman Brian Noe is being investigated for ethical and administrative violations. There is an article in the Omro Herald, signs around town to vote for Sherry Zeman as the new T Chairman. Apparently Noe has done many unethical things during Board meetings and behind the scenes that were not in the best interests of the Town.. I know that I am not in the town of Omro but I realize that Brian Noe was let go from the C Oshkosh and T Algoma because of questionable dealings. So people, let your



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Oshkosh and T Algoma because of questionable dealings. So people, let your voice be heard and get out and vote on October 20th for Sherry. Just because Shery has not been to a board meeting does not exclude her from experience. You need to look at the whole picture of why has Brian kept your taxes down? Was it ethical? Why won't he let your books be audited? What is he hiding?

2 days ago

Like

Reply



Karen Packman • From Omro to Oshkosh ✓
Hearsay, Gossip, and possible Slander. No experience???? For shame. What, the town should spend 10K to have the books audited, we've never had to do that, ever. And Ms Seaman will take the job and give it to her accounting firm? And then take the job herself??? Talk about a conflict of interest. A tidy 10K in their pocket.

Edited 1 day ago

Like

Reply



Brian Seaman • Town of algoma ✓
Ms. Packman and Ms. Dutcher, please let's stop this discussion before it gets any worse. Ms. Packman, I neither own or work for an accounting firm. My husband and I own a repair facility and that is where I work. Thank you.

1 day ago

Like

Reply



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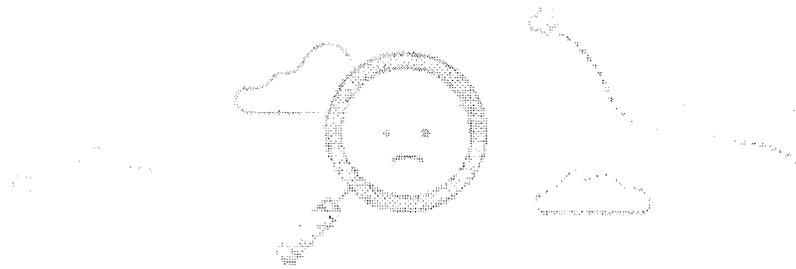


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Luane Osborne

The Pits • 1 day ago



Town of Omro special election 10/20/2020.
Would like information on the special election.
What is this about? Who is on the ballot etc.
Thanks

Posted in **General** to **7 neighborhoods**



Like



6 Comments



Mary Schlichting • The Pits

Interested also.

1 day ago

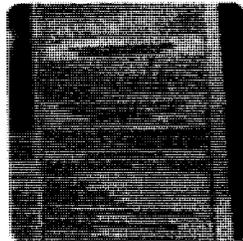
Like

Reply



Lisa Dvorachek • Town of algoma

Omro Herald, this weeks issue



1 day ago

Like

Reply



Luane Osborne • The Pits

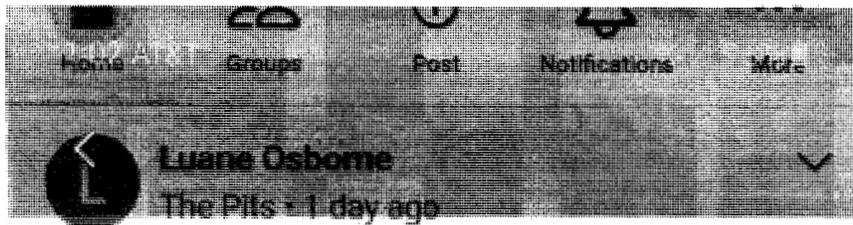
What office is this for?

23 hr ago

Like

Reply





Town of Omro special election 10/20/2020.
Would like information on the special election.
What is this about? Who is on the ballot etc.
Thanks

Posted in **General** to **7 neighborhoods**

Like 6 Comments

Mary Schlichting • The Pits
Interested also.
1 day ago **Like** **Reply**

Lisa Dvorachek • Town of algoma
Omro Herald, this weeks issue



Details

October 11, 2020 10:18 AM

Screenshot_20201011-101812_Chrome.jpg
A screenshot of a page from nextdoor.com
440.70 KB · 10/11/2020

Captured from nextdoor.com

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10 Oct Like Reply



Luane Osborne · The Pits



What office is this for?

10 Oct Like Reply



Lisa Dvorachek · Town of algoma



Luane Osborne Town Chairman

10 Oct Like Reply



Luane Osborne · The Pits



Who is on the ballot? I want to look up backgrounds etc. Thanks.

11 Oct Like Reply



Add a reply...



Lisa Dvorachek · Town of algoma



Brian Noe
Sherry Seaman

11 Oct Like Reply



Luane Osborne · The Pits



Thank you sooo much. Will definitely be voting!

11 Oct Like Reply



Add a comment...





Sherry Seaman ▶ Town of Omro Community



Admin • 21h •

FYI to all of the individuals who personally filed a complaint with the Election Commission. I received an email just now stating all complaints filed have been turned over to the Town Clerk and the Town has 10 days to respond in writing. The complainants will then have 10 days to respond to their answers. If you have any other questions, I can provide you with the legal team's email addresses for you to contact. Thank you.



Like



Comment



Share

Nathan Ross and 1 other

Seen by 64



Eric Dvorachek

Sherry, thanks for the update. Just out of curiosity, how many complainants are there?

20h Like Reply



Sherry Seaman Eric Dvorachek you ...



Eric Dvorachek Sherry Seaman no. I'll j...



Write a comment...



← Replies



Replies to Eric's comment on your post



Eric Dvorachek

Sherry, thanks for the update. Just out of curiosity, how many complainants are there?

20h Like Reply



Sherry Seaman

Eric Dvorachek you would need to contact the Election Commission directly, would you like the legal team's email addresses?

19h Like Reply



Eric Dvorachek

Sherry Seaman no, I'll just ask Brian. It must be in the paperwork.

13h Like Reply



Sherry Seaman

Eric Dvorachek I'm sure it is.

12h Like Reply

Replying to Eric Dvorachek · Cancel



Eric Dvorachek |





Replies



Eric Dvorachek

Can I respectfully request that y'all hold off with the torches and pitch forks til Nov 4th. There's a lot of work to be done leading up to a presidential election.

2w Like Reply



Sherry Seaman

Eric Dvorachek I respectfully answer, don't you think that's a little hypocritical coming from the man who posted several false stories about me during the campaign?

2w Like Reply



Eric Dvorachek

Sherry Seaman I'm not aware of any false stories. Sorry. If this is going to become the Town of Omro hater's club, you can take me off. It's a waste if time and money.

2w Like Reply



Sherry Seaman

Eric Dvorachek



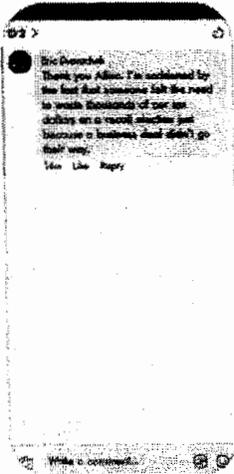
Write a reply...





Replies

Sherry Seaman
Eric Dvorachek



2w Like Reply

Eric Dvorachek

Sherry Seaman not false. I am saddened by the whole situation and it is a waste of time and money. That's my opinion as a tax payer.

2w Like Reply

1

Sherry Seaman

Eric Dvorachek you stated it was over a bad business deal. That's a false statement. The recall was filed for ethical and statutory violations not because of any business deal. So, it's definitely a false statement. Thank you.



Write a reply...





Replies



Eric Dvorachek

Sherry Seaman ok. Still a waste of time and money with a regular election right around the corner. Thank you.

2w Like Reply



Sherry Seaman

Eric Dvorachek thank you for admitting you gave false information. And I respect your opinion on the recall election. When is it a good time to file a recall? The recall was filed in June. If Mr. Noe had at least been willing to review the information given to him and the board back at the May meeting, and discussed it, none of this would have happened. Don't blame me for someone else's actions please. Thank you.

2w Like Reply



Eric Dvorachek

Sherry Seaman I'll be praying for you.

2w Like Reply



Write a reply...



Response to Carey Carley Affidavit

1. No discussion
2. No discussion
3. No discussion
4. No discussion
5. No discussion
6. Carley makes a statement that there were enough signatures to “force the calling of a recall election.” I think this shows a state of mind of Carley regarding her thoughts on the recall election. This administration was very angry and refused to cooperate throughout the whole process.
7. Regarding the publication of the legal required notices:
 - a. Type A – 10.01(2)(a) states: Type A — The type A notice shall be entitled “Notice of Election”. The notice shall list the date of the election. For an election to fill any office, the notice shall list each office to be filled and the incumbent for each; the length of the term of each office and the expiration date of the term; and the beginning date for circulating, the place and deadline for filing declarations of candidacy and nomination papers, where required, for each office listed and the date of the primary election, if required. If a redistricting since the most recent election makes the description of the incumbent's office of limited usefulness, the notice may contain supplementary information describing the territory in which an election is to be held. For an election at which a referendum is held, the notice shall contain the text of the question and a statement specifying where a copy of the resolution directing submission of the question may be obtained. Whenever an election is noticed to be held within a district, the notice shall contain a statement specifying where information concerning district boundaries may be obtained. The type A notice shall be published once by the county clerk of each county for each national, state or county election, and once by the clerk of each municipality or special purpose district for each municipal or special purpose district election, at the times designated in s. 10.06.” Pursuant to 10.06(3)(f), a Type A notice is required to be filed by the clerk at least 40 days prior to any special election. This notice was filed on September 24, 2020, in the Omro Herald, just 27 days before the election. The deadline for this legal requirement was September 11, 2020. The clerk certified the sufficiency on September 9, 2020 and posted on the Town’s website a copy of the sufficiency of recall (I’ve attached a copy of the sufficiency of recall). Neither Ms. Carley, nor Sue Ertmer on behalf of Ms. Carley, contacted the Wisconsin Election Commission (WEC) for the first time (per her Exhibit C) until September 24, 2020, which is well outside the legal bounds for filing. Please see her Exhibit B. This dereliction in her duties also deprived other interested parties, if there would have been, in the ability to be a candidate. Also of key note, in her Exhibit D, she supplied a copy of the Town Crier that went out on September 29, 2020. If this had actually been posted on the website and three posting boards as she stated, then why would Tom Tuschl, who is the former planning commission chairman, not have the information available to him to report it? That would be because she did not have this posted as she is clearly trying to state. This

is another instance of perjury on her part. I believe this was posted on the Town's website on October 5, 2020, the same day she gave it to Tom Tuschl in the email she provided in her exhibits.

- b. Type B – 10.01(2)(b) states: Type B — The type B notice shall include the relevant facsimile ballots and the relevant portions of voting instructions to electors under s. 10.02 for each office or referendum and shall specify the date of the election. In counties or municipalities where an electronic voting system in which ballots are distributed to electors is used, the notice shall include the information specified in s. 5.94. The type B notice shall be published once by the county clerks, and for primaries and other elections in municipalities or special purpose districts, once by the clerk of the municipality or special purpose district on the day preceding each primary and other election. Pursuant to 10.06(3)(f) This was filed correctly as it was published October 15, 2020, at the weekly publication of the newspaper per her Exhibit B. If you could please review SS 10.02 regarding the content to see if what Ms. Carley had done meets these requirements.
- c. Type D – 10.01(2)(d) states: Type D — The type D notice shall state the hours the polls will be open and the polling places to be utilized at the election or shall include a concise statement of how polling place information may be obtained. In cities over 500,000 population, the board of election commissioners shall determine the form of the notice. In other municipalities and special purpose districts, the clerk of the municipality or special purpose district shall give the polling place information in the manner the governing body of the municipality or special purpose district decides will most effectively inform the electors. The type D notice shall be published by the municipal clerk or board of election commissioners of each municipality once on the day before each spring primary and election, each special national, state, county or municipal election at which the electors of that municipality are entitled to vote and each partisan primary and general election. The clerk of each special purpose district which calls a special election shall publish a type D notice on the day before the election, and the day before the special primary, if any, except as authorized in s. 8.55 (3). Pursuant to 10.06(3)(f) this was filed correctly, as it was used for both the Type B and Type D requirements per Exhibit B.
- d. Type E – 10.01(2)(e) states: Type E — The type E notice shall state the qualifications for absentee voting, the procedures for obtaining an absentee ballot in the case of registered and unregistered voters, the places and the deadlines for application and return of application, including any alternate site under s. 6.855, and the office hours during which an elector may cast an absentee ballot in the municipal clerk's office or at an alternate site under s. 6.855. The municipal clerk shall publish a type E notice on the 4th Tuesday preceding each spring primary and election, on the 4th Tuesday preceding each partisan primary and general election, on the 4th Tuesday preceding the primary for each special national, state, county or municipal election if any, on the 4th Tuesday preceding a special county or municipal referendum, and on the 3rd Tuesday preceding each special national, state, county or municipal election to fill an office which is not held concurrently with the spring or general election. The clerk of each special purpose district which calls a special election shall publish a type E notice on the 4th Tuesday preceding the primary for the special election, if any, on the 4th Tuesday preceding a special referendum, and on the 3rd Tuesday preceding a special election for an office which is not held concurrently with the spring or general election except as authorized in s. 8.55 (3). Pursuant to 10.06(3)(f) this was required to be filed the 3rd Tuesday prior to the

election. That deadline would have been September 29, 2020, for a legal filing. Per her Exhibit B, this was not published until October 8, 2020, which would make it 11 days past the legal posting requirement. Unfortunately, this may have been published to the Omro Herald, but there was nothing posted to the Town's website until after the website went down on October 9, 2020. The reason so many people filed complaints against the Town of Omro is because there was NO voting information available anywhere, and by the time they received their letter from her in the mail, it was past the time when absentee voting was allowed. I'll go into this further when I answer Number 10. .

8. The Town's 3 posting boards. No one was even aware there was a posting board on Liberty School Rd. I could not find even a single person, including those who live on that side of Town, that were aware there was one at that location. There was also nothing on the website stating a notice was posted there either, or at the Town Dump. The problem is, unless someone can show me where in all their other published minutes and notices, that they have posted at any time in the last few years to the Liberty School Rd location, it cannot be considered as a posting location. Regarding the Town Dump as a legal posting site. There is a document posted, please see the attached photograph, where it states the Town of Omro will not be using the Town Dump Board as a place for postings. This was dated November 13, 2015. How can the Town now qualify it as a place for posting the election notices to meet the legal requirements, if community members are told it is no longer valid?
 - a. Regarding the email chains that were included as Exhibit C, it is apparent that there are missing parts of the emails. Please note (Quoted text hidden) on the email dated September 25, 2020, from Sue Ertmer to Nathan Judnic. Also, on page one of this exhibit, it clearly shows Nathan Judnic had sent another email after this one which was not included as you can clearly see at the top of the page his signature information that is included on all his emails. There is no distinctive flow to these emails which makes me concerned that they only provided certain documents as their exhibits. I have requested from Sue Ertmer and anyone from the Winnebago County Clerk's office, along with members of the WEC to provide these email chains. I have received none so far from anyone.
 - b. Another very clear item is that Sue Ertmer was doing Ms. Carley's job for her, from what I am surmising, a serious concern over legal procedures for an election being followed. Take note of the email between Sue Ertmer and Nathan Judnic dated September 25, 2020, at 3:58 pm. Ms. Ertmer is expressing her concerns to the WEC attorney that the Ms. Carley was not posting information correctly. Please note the email between Ms. Ertmer and Riley Willman of the WEC where she states "With the Town of Omro scheduling their special election on October 20, I'm afraid they haven't met the timeframe for election notices for a special election as described in Sec. 10.06(3)(f)." Ms. Ertmer should not have been working so hard for this election to be legal, it is and was Ms. Carley's

responsibility. In this exhibit she provides extraordinarily little evidence of her working diligently on the election requirements. We can clearly see Ms. Ertmer doing so on her behalf, and yet Ms. Carley is taking 3-day weekends while Ms. Ertmer is still trying to fix all these errors.

- c. I question whether Ms. Carley acted in this manner due to the lack of desire to be compliant or in the hopes of using Ms. Ertmer as a scapegoat, which she clearly does, in the off chance I filed a complaint. The other option is that this was done with forethought, which I do strongly believe, in the attempt to change the outcome of the election in favor of Mr. Noe. If people are not made aware of a recall election, how can they vote?
 - d. On the email dated September 25, 2020, 4:06 pm between Sue Ertmer and Nathan Judnic, Ms. Ertmer states "I just spoke with Carey and they did publish this notice of recall in the Oshkosh Northwestern on September 16th & 18th, and the Omro Herald (weekly paper) yesterday, September 24." Please see the attached pictures of the Oshkosh Northwestern for the dates specified above. There was no posting to the Oshkosh Northwestern. This is a completely false statement, and she has perjured herself on a notarized affidavit. This would make the publication of the notice in the Omro Herald the first legal publication, which would have been 13 days after legally required. Ms. Carley knowingly deceived Sue Ertmer, who in turn related that information to Nathan Judnic. In essence, Ms. Carley lied to the Winnebago County Clerk and the staff attorney for the WEC. I had become suspicious when Ms. Carley had not presented in her evidence a copy of the certification of publication from the Northwestern. I then checked out from the Omro Public Library these two newspaper dates. The printed-out pictures are a complete representation of the entire newspaper for each date. I unfortunately do not know of anyone who has these papers any longer.
 - e. Ms. Carley is stating these postings were made with the guidance of the Winnebago County Clerk and the WEC. But they were deceived by Ms. Carley when she provided them with false information regarding her actions.
9. The Omro Town Crier, at the time she shared this information with Tom Tuschl, had a very small number of people within the community who subscribed to it. I had been told approximately 50 people. Tom Tuschl is Brian Noe's confidant and strong supporter, and I feel that if I try to contact him regarding the exact number of people who did receive this notification and ask for proof from him, that he would not be likely to respond. I ask that you please contact Tom Tuschl directly and ask this question about his number of subscribers at the time it was distributed, and not the number it is at now please. The September issue of the Crier was published to the community on September 29, 2020, as you can see from the attached email. In this issue, he clearly states that he hopes the website will have the information to show who is running. He also states he believes Brian Noe will run, but obviously this is an unknown at this date

as well. He goes on to state that people should check the website to determine the **possibility** of mail-in ballots. Again, September 29th, which is the deadline for publishing the Type E notice. If this had been published according to law, Mr. Tuschl would have been able to report it accurately. Ms. Carley also states that she shared this information with Mr. Tuschl to get the word out. Unfortunately, this is not a legal posting by any stretch of the imagination. With limited subscribers, it offered no relevant evidentiary value for her case, and in my opinion supports the theory that she did not actually post it until October 5th, 2020.

10. Out of an abundance of caution she mailed out letters to the town residents. How can that be true? If Ms. Carley had performed her duties as described by law, she would have had absolutely no reason to send out any letter about the election itself and/or voting options. Ms. Carley did this, whether she was instructed to by someone within the administration or she herself realized that she had completely mishandled this election, had sent these out in what I can only assume is an attempt to "cover herself". I have not found any specific statutory requirement for this letter and request you check into this please. I did do an open records request to Ms. Carley asking for the list of people she did send this letter to, but to today's date, she has not responded. As a candidate, I myself did not receive this letter or the information contained within from anyone within the Town of Omro's administration. The Town of Omro's website went down on October 9, 2020. I know this because at this point, I was monitoring the website multiple times per day waiting to see when these notices would be posted. I emailed Ms. Carley on October 15, 2020, asking her if she was even aware it had been down, and that people had been reaching out to me requesting information. I asked her to please let me know when the website was up and running again, so I could direct citizens to it. Also, I wanted to view the Absentee Voting information link she posted, but that too had an error of "404". I had not been given any early in person voting, any absentee voting, or any day of election voting information by the Town of Omro. I may have been a constituent and a person running in the election, but they would not respond to my questions. The website was not operational again until October 16, 2020, the day after the deadline to request an absentee ballot. The clerk deprived the community the information by not publishing her notification in the Omro Herald within statute requirements, and then deprived them again by the Town's website being down until after the expiration of the allowability to vote absentee. Ms. Carley had emailed Riley Willman about doing a mailing to constituents within the Town of Omro. I had requested a mailing list and was told that none was available because Beth Jackson was on medical leave, but she herself had one to be able to do this mailing. Brian Noe also informed Eric Sparr that since Beth Jackson was out on medical leave that the Town did not have access to a mailing list. This was collusion between these parties. Beth Jackson had foot or ankle surgery and would not preclude Ms. Jackson from providing information on how to get the mailing list. Ms. Jackson could have quite easily, and to not deprive me of the very rights they were keeping for themselves, walked Ms. Carley

through how to obtain a mailing list. This was collusion in part by these two ladies, and in my opinion, Brian Noe. What excuse did they think they would give to the election commission or anyone else for that matter, when she herself was preparing a mailing? Even if it wasn't a complete mailing list, I had a right to the same information Mr. Noe would have been able to obtain from them in his position. In my opinion, this was an election violation and not an open records request.

11. With the Town's website down, how can the clerk honestly say my email was the first she received? I don't think with it being down since the 9th of October that this is even realistic. I'm not a conspiracy theorist, but the only way I can have this make sense is if there was a conspiracy. If she did in fact contact the outside contractor who handles the website, where is any documentation or a notarized affidavit from this contractor stating that this happened exactly as she claims? She also states that she was informed to take certain steps to fix the links. What steps? Where is the documentation to prove this really happened? This is a lot of talk and absolutely no substantiating of her claims. Every website has a log of when actions are completed. I respectfully request that you contact this contractor and investigate this further please.
12. She's using the fact that because 55 electors submitted absentee ballots and 20 of them came into the Town Hall to vote early it is a sign she posted her notices. What dates were the absentee voting ballots requested? I do believe she has to keep a log of all requests and dates requested. Who were the 20 people who voted early? How did they find out? What dates did they vote early? Ms. Carley is using her statement in an attempt to cloud the truth that she has not provided any factual evidence to support her claims. The most relevant is that we have not stated she didn't file her notices, only that she did not file them in a timely manner to benefit the many. There were 1594 voters at the presidential election in the Town of Omro, with over 600 absentee ballots mailed out. She is celebrating over the 75 voters knowing about early and absentee voting? With our nation facing Covid-19, every poll saw increased absentee voting and early voting to limit the possible contraction of this disease. How can she be stating that the constituents in our community received proper notification over 75 votes? She herself at the October 2020 monthly board meeting stated that she had mailed out over 600 absentee ballots for the presidential election. If notices had been published in a timely manner, and if she had the website operational, then that number would have been significantly higher. The community and myself were deprived of a fair election process.
13. I'm really confused regarding this statement. The Town of Omro usually has low numbers for the primary. Most people vote at the election and do not bother so much with primaries anymore. I just don't understand the reason for this statement whatsoever.
14. I think the behavior and actions of the clerk, Karen Marone, Lisa Dvorachek, Beth Jackson, and Brian Noe shows collusion. There is no other logical explanation for all of the different violations of the election laws. This is an attempt to limit information to

the voters and limit the voting at this election to achieve a more positive opportunity for Mr. Noe to retain his seat.

15. This is such a slanderous statement by Ms. Carley and Lisa Dvorachek. I had at no time made any accusation against Ms. Dvorachek to warrant these two individuals making this statement. Due to the fact that Ms. Dvorachek was indeed Brian Noe's next door neighbor and friend, and a former friend and customer of ours, I'm glad that she stepped down as the chief election inspector. I was not even made aware that she had until the Town responded to the complaint. So obviously, I had no knowledge of Ms. Dvorachek expressing concerns. For these two women to talk this way about me shows a clear prejudice against me and can further explain the lengths this administration was willing to go to deprive me of my rights to a fair process.
16. Please contact Diane Hertel. Not every poll worker submitted an affidavit regarding Mr. Noe's actions.
17. My husband's statement is not going to change regarding what he witnessed, no matter who makes statements to the contrary. He was only a few feet away from where they opened these ballots, and he saw no letter opener, or a tearing open of any letters. Also, he had only one earbud in and was listening to talk radio. There are no videos on a talk radio station, and no reason for them to make the comment he was more interested in his phone than the election. He did as he was instructed, he watched and did not speak to people who were there to vote.
18. No discussion.
19. Additional thoughts from my complaint that are not addressed specifically:
 - a. They do not address the fact that many people in the community did not receive the letter. This gives me great concern. Why did only some people receive the letter? Why was it sent out so late? How did she end up finding a mailing list to do this, as she and Mr. Noe claimed they didn't have one? This is too suspicious. She used her position as town clerk to interfere with the election by not providing me the same information Brian Noe, as the current chairman, had access to. Whether he used it or not is irrelevant. He had access to use it if he chose to, and I was denied the same access. And we do not know if he did use it either.
 - b. Ms. Carley also states that she didn't close the office door. It was absolutely closed when we voted, and Beth Jackson was there because we parked next to her SUV. I've reached out to Rich Kern who said when he and his wife voted, the door was closed at that time as well. My husband said that multiple times while he was an observer there that night, Ms. Carley closed the door to her office.

Carter Memorial Public Library
www.OmroLibrary.org
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Item ID: 0060609633593
Title: MAGAZINE UNCATALOGED
Date due: 11/17/2020,23:59

Total checkouts for session:1
Total checkouts:1

Item ID: 0060609633585
Title: MAGAZINE UNCATALOGED
Date due: 11/17/2020,23:59

Total checkouts for session:2
Total checkouts:2

Packers lose right guard Taylor for the season

SPORTS 23

Oshkosh
Northwestern

\$14 billion could sports industry powers ahead through the pandemic, largely unregulated



Accord for the sports industry powers ahead through the pandemic, largely unregulated

I JUST WANT TO PLAY

One of the most powerful forces in the world is the desire to play. It is a force that has driven humanity forward for centuries, from the simple joys of childhood to the complex challenges of adulthood. In a world where the stakes are high and the consequences are dire, the desire to play remains a powerful and often overlooked force. It is a force that can inspire us to overcome our fears, to push through our doubts, and to achieve our dreams. It is a force that can bring us joy, even in the darkest of times. It is a force that can make us feel alive, even when we feel like we are just going through the motions of life. It is a force that can make us feel like we are part of something bigger than ourselves. It is a force that can make us feel like we are truly living. It is a force that can make us feel like we are truly playing.

The desire to play is a powerful force that has driven humanity forward for centuries. It is a force that can inspire us to overcome our fears, to push through our doubts, and to achieve our dreams. It is a force that can bring us joy, even in the darkest of times. It is a force that can make us feel alive, even when we feel like we are just going through the motions of life. It is a force that can make us feel like we are part of something bigger than ourselves. It is a force that can make us feel like we are truly living. It is a force that can make us feel like we are truly playing.



Accord for the sports industry powers ahead through the pandemic, largely unregulated

3 local products up for Coolest Thing Made in Wisconsin award

Three local products are up for the Coolest Thing Made in Wisconsin award. The award is given to the product that is most innovative, creative, and unique. The products are: 1. A new type of cheese, 2. A new type of beer, and 3. A new type of wine. The award is given to the product that is most innovative, creative, and unique. The products are: 1. A new type of cheese, 2. A new type of beer, and 3. A new type of wine.

Green Party won't be on Wisconsin ballot, court rules

The Green Party will not be on the Wisconsin ballot, a court has ruled. The court ruled that the Green Party did not meet the requirements for ballot access. The court ruled that the Green Party did not meet the requirements for ballot access. The court ruled that the Green Party did not meet the requirements for ballot access.

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SMOKE SPREADS TO NEW YORK

NEW YORK (AP) — A fire in a Manhattan office building on Monday night spread to a neighboring building, forcing the evacuation of thousands of people and causing significant damage.



Smoke spreads

As flames from building warnings on New York



Taylor fa

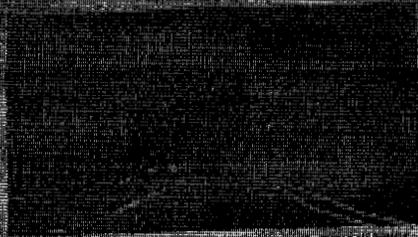


Bankosh Northwestern

NATION

Smoke from wildfires spreads to East Coast

Mideast accords signed in DC



Smoke from wildfires in the West is spreading to the East Coast, according to the National Weather Service. The smoke is being carried by a high-level wind system that is moving eastward from the West Coast. The smoke is causing visibility problems in the Northeast and is expected to continue for several days.

Mideast accords were signed in Washington, D.C. The accords were signed by representatives from the United States and the Middle East. The accords are expected to lead to a resolution of the conflict in the region.

Taylor family's suit settled for \$12M



The Taylor family's lawsuit has been settled for \$12 million. The settlement was reached after a long and costly legal battle. The Taylor family is pleased with the outcome of the case.

The settlement of the Taylor family lawsuit is a significant event. It marks the end of a long and contentious legal process. The settlement is expected to have a major impact on the family's future.

NATION'S WORLDWATCH

News and information from around the world. This section provides a brief overview of international events and trends.

Additional news and information from around the world. This section provides a brief overview of international events and trends.

Youth



John says
Trump should
win 'at least
one Nobel
Peace Prize

Apex

Main body of text, appearing as a dense grid of small characters due to the high contrast and grain of the scan. The text is mostly illegible but seems to be a multi-column article.



SEPTEMBER
12, 19, 26

THE
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MAGAZINE

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18

SAVOR THE FLAVOR

Has cancer impacted your food and eating habits?

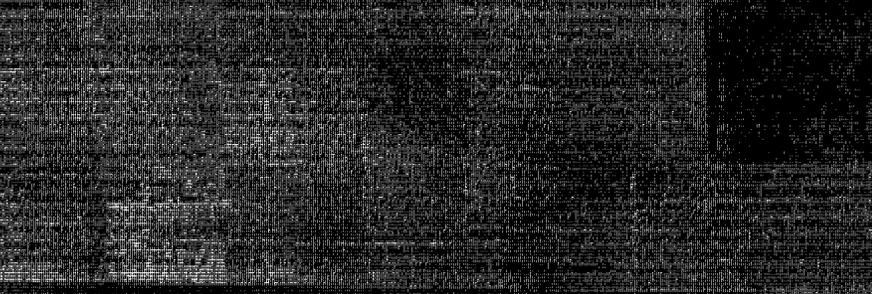
For many people, a diagnosis of cancer can be a life-changing event. One of the most common questions asked is, "How should I eat now?" The answer is not simple, but there are some general guidelines that can help. First, it's important to eat a variety of fruits and vegetables. These foods are rich in antioxidants, which may help protect against cancer. Second, it's important to eat a variety of whole grains. These foods are rich in fiber, which may help reduce the risk of cancer. Third, it's important to eat a variety of protein sources. These foods are rich in essential amino acids, which are necessary for the body to build and repair tissues. Finally, it's important to eat a variety of healthy fats. These fats are essential for the body to absorb vitamins and minerals. By following these guidelines, you can help ensure that you are getting the most out of your food.



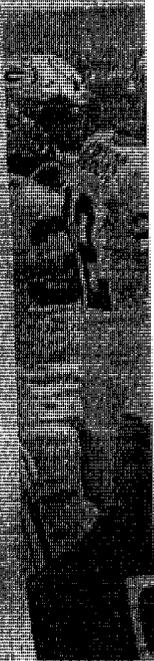
Apples aplenty

Apples are available in their own season in Dan County. The apples are grown in the Dan County area and are known for their crisp texture and sweet flavor. They are a great source of fiber and antioxidants. Apples are also a great snack for children and adults alike. They are easy to eat and can be enjoyed in many ways, such as sliced, whole, or in a smoothie. Apples are also a great addition to salads and sandwiches. They are a healthy and delicious choice for anyone looking to improve their diet.

Busy back-to-school season calls for easy, great-tasting snacks



SPO



Sh Packer

Brew

Sheet pan

Sheet pan cooking is a simple, healthy way to cook a variety of meats, vegetables, and fruits. It's also a great way to cook large quantities of food for a crowd. The key to successful sheet pan cooking is to use the right ingredients and techniques. Here are some tips to help you get started:

- Choose the right pan:** A sheet pan is a large, shallow pan that is typically made of aluminum or stainless steel. It's important to choose a pan that is large enough to hold all the ingredients you want to cook.
- Use high-quality ingredients:** The quality of your ingredients will make a big difference in the final result. Use fresh, high-quality meats, vegetables, and fruits.
- Season well:** Sheet pan cooking is all about flavor. Season your ingredients well with herbs, spices, and oils. A simple seasoning of olive oil, salt, and pepper can make a big difference.
- Preheat the oven:** Preheating the oven is essential for sheet pan cooking. It ensures that the food cooks evenly and quickly.
- Don't overcrowd the pan:** If you overcrowd the pan, the food will steam instead of roast, which can result in a less flavorful dish.
- Use a rack:** A wire rack can be placed inside the sheet pan to allow the food to cook more evenly and to prevent the bottom from becoming soggy.
- Check the temperature:** Use a meat thermometer to check the internal temperature of your meats to ensure they are cooked through.

How to Cook Chicken Yams in a Sheet Pan

Chicken yams is a delicious and healthy meal that can be cooked in a sheet pan. The combination of tender chicken, sweet yams, and aromatic spices makes for a comforting and flavorful dish. Here's how to cook chicken yams in a sheet pan:

- Preheat the oven:** Preheat the oven to 400°F (200°C).
- Prepare the chicken:** Cut a whole chicken into 8-10 pieces. Season with salt, pepper, and your favorite spices.
- Prepare the yams:** Peel and cut yams into 1/2-inch thick slices. Toss with olive oil and seasonings.
- Arrange in the pan:** Place the chicken pieces and yam slices in a large sheet pan, spreading them out evenly.
- Roast:** Roast in the preheated oven for 45-60 minutes, or until the chicken is cooked through and the yams are tender.
- Serve:** Let the chicken yams rest for a few minutes before serving. Garnish with fresh herbs if desired.

Sheet pan cooking is a versatile technique that can be used for a wide variety of dishes. From simple roasted meats and vegetables to more complex recipes, sheet pan cooking offers a convenient and healthy way to prepare meals. The key is to use fresh ingredients, season well, and cook at the right temperature. With a few simple tips, you can master the art of sheet pan cooking and enjoy delicious, healthy meals every day.

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Packers' falls in red zone steal some luster from win

By [unreadable] [unreadable]

GREEN BAY, Wis. (AP) — The Packers' victory over the Bears on Sunday was marred by a costly fumble in the red zone that allowed the Bears to score a touchdown, reducing the Packers' lead to one point.

The Packers, who were leading 17-10 with 1:30 left in the game, were driving for a game-winning field goal when quarterback Aaron Rodgers threw a pass to tight end Jeff Janis. Janis fumbled the ball in the end zone, and the Bears recovered it and scored a touchdown.

The Packers' defense was unable to stop the Bears' offense from scoring, and the Bears' coach, Matt Nagy, praised his team's performance.

The Packers' coach, Matt LaFleur, said that his team was disappointed in the fumble but proud of their overall performance. He said that his team will learn from the mistake and come back stronger.

The Packers' win over the Bears was their first since [unreadable]. The Packers' record is now [unreadable].



AP Photo/Mark Schmitt

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DEADLINE **PHOTOGRAPHY** **MARKETING**

HSV diagnosis doesn't need to doom love life

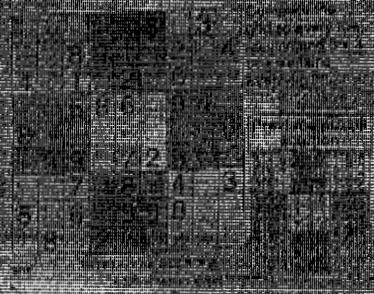


When people learn they have herpes, they often feel a sense of doom. But a new study suggests that a diagnosis of the virus doesn't mean the end of a love life.

The study, published in the *Journal of the American Medical Association*, found that people who were diagnosed with herpes were just as likely to be in a long-term relationship as those who were not. In fact, the researchers found that people who were diagnosed with herpes were more likely to be in a long-term relationship than those who were not.

The researchers followed 1,000 people who were diagnosed with herpes between 1994 and 2000. They found that 60 percent of the people who were diagnosed with herpes were in a long-term relationship, compared with 55 percent of those who were not. The researchers also found that people who were diagnosed with herpes were more likely to be in a long-term relationship than those who were not.

The researchers also found that people who were diagnosed with herpes were more likely to be in a long-term relationship than those who were not. The researchers also found that people who were diagnosed with herpes were more likely to be in a long-term relationship than those who were not.



Overseas bridge

WASHINGTON, D.C. — A new bridge is being built between the United States and the rest of the world. The bridge is made of steel and concrete, and it spans the Atlantic Ocean. It is the longest bridge in the world, and it is the most expensive bridge ever built. The bridge is being built by a consortium of American and European companies. The bridge is expected to be completed in 2007. The bridge will provide a direct link between the United States and Europe, and it will reduce travel time and costs. The bridge will also provide a new route for shipping goods and services. The bridge is a symbol of international cooperation and trade.

Opportunities in Bosal

WASHINGTON, D.C. — The city of Bosal is looking for qualified individuals to fill several positions. The positions are in the areas of engineering, design, and construction. The city is a growing community, and it needs more people to help it grow. The city is offering a competitive salary and benefits package. If you are interested in these positions, please send your resume to the city of Bosal, Human Resources Department, 123 Main Street, Bosal, CA 90001. The city is an equal opportunity employer.



WASHINGTON, D.C. — The city of Bosal is looking for qualified individuals to fill several positions. The positions are in the areas of engineering, design, and construction. The city is a growing community, and it needs more people to help it grow. The city is offering a competitive salary and benefits package. If you are interested in these positions, please send your resume to the city of Bosal, Human Resources Department, 123 Main Street, Bosal, CA 90001. The city is an equal opportunity employer.

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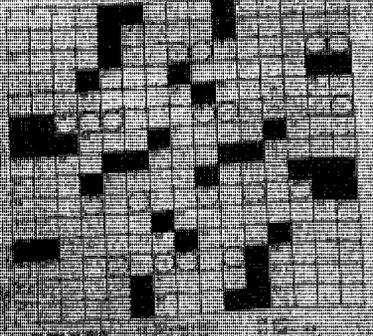
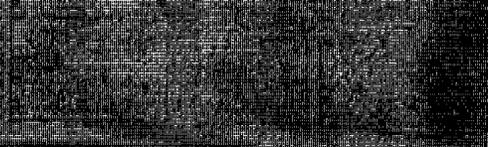
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Advertisement for city services and programs.

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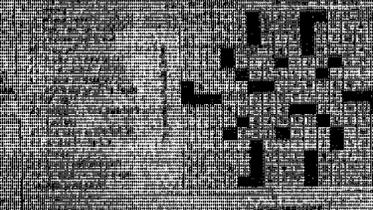
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THE JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION
PUBLISHED WEEKLY
CHICAGO, ILL., MAY 11, 1938



THE JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION
PUBLISHED WEEKLY
CHICAGO, ILL., MAY 11, 1938



THE JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION
PUBLISHED WEEKLY
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TRUMP RALLY



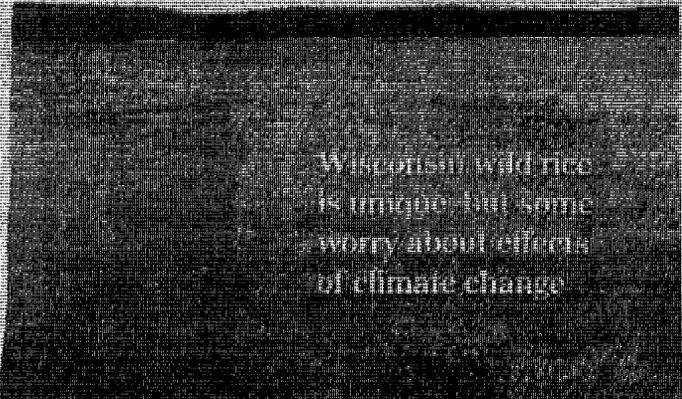
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For full coverage of the rally, please visit our website.

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It's hard to find any silver lining in the fiscal. We have to be global strategists of this world.



Wisconsin wild rice is unique, but some worry about effects of climate change

Wild rice grows in the shallow waters of the Koshongong River. The wild rice that grows in Wisconsin is unique and irreplaceable to some. A field with the company's wild rice in the foreground.

PRECIOUS COMMODITY

Frank Velasco, owner of the company, says that the wild rice is a precious commodity. It's hard to find any silver lining in the fiscal. We have to be global strategists of this world.



Wild rice grows in the shallow waters of the Koshongong River. The wild rice that grows in Wisconsin is unique and irreplaceable to some. A field with the company's wild rice in the foreground.

Officials: Tough fall ahead for Fox Valley hospitals

Flood of fast-rising cases alarms leaders

Wisconsin health officials are warning that a surge in the number of COVID-19 cases is likely to hit Fox Valley hospitals hard in the coming weeks. The surge is expected to be particularly severe in the Fox Valley region, where many hospitals are already operating at capacity.

By JEFFREY PETERSON

Wis. likely won't have presidential results on election night

Political analysts say Wisconsin is unlikely to have the results of the presidential election on election night.

Political analysts say Wisconsin is unlikely to have the results of the presidential election on election night. The state's electoral college votes are not expected to be counted until after the election.

By JEFFREY PETERSON

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Sen. Ron Johnson's investigation of candidate Joe Biden drawing fire



Sen. Ron Johnson, R-Ore., has launched an investigation into the political career of Joe Biden, the Democratic vice-presidential pick. Johnson, who has a record of questioning the integrity of his colleagues, says he is concerned about Biden's past behavior and the potential for a conflict of interest. He has introduced legislation to require a full disclosure of Biden's financial interests and to limit his influence over the administration. Johnson's move has drawn sharp criticism from Biden's supporters and Democrats in Congress, who accuse him of partisan politics and personal vendettas.

Johnson's investigation has focused on Biden's time as vice mayor of Delaware and his subsequent work in the private sector. He has questioned Biden's handling of the state's finances and his relationships with various business interests. Johnson has also raised concerns about Biden's potential conflicts of interest, particularly regarding his involvement with the Biden family's investment firm. The investigation has led to a series of public hearings and the release of documents that have fueled the controversy.

Johnson's investigation has also drawn attention to the broader issue of transparency in government. He has called for a comprehensive reform of the ethics rules that govern members of Congress. Johnson has argued that the current rules are outdated and do not adequately address the complex financial interests of modern politicians. He has proposed a new set of rules that would require more detailed disclosures and impose stricter penalties for violations. His efforts have gained some support among reform-minded Democrats, but they have also faced significant opposition from those who see the investigation as a partisan attack.

The investigation has also highlighted the growing divide between the two major parties in Congress. Johnson's move has been seen as a clear signal of the Republican Party's intent to scrutinize Biden's record and challenge his qualifications for the vice presidency. Biden's supporters, on the other hand, have accused Johnson of using the investigation as a platform to attack Biden's character and undermine his credibility. The controversy has become a major talking point in the lead-up to the inauguration, with both sides vying for the attention of the media and the public.

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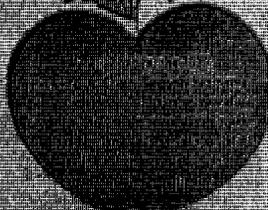
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Alberts, a Ripon College grad, was named to the Dallas Stars roster for the Stanley Cup playoffs. He is the first player from Ripon College to play in the Stanley Cup playoffs. Alberts was drafted by the Dallas Stars in the first round of the 1997 NHL Draft. He played for the Stars from 1997 to 2001. Alberts was named to the Dallas Stars roster for the Stanley Cup playoffs. He is the first player from Ripon College to play in the Stanley Cup playoffs.



Alberts

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Brewers' offense still confounds, but Braun heating up

By [unclear]

ST. LOUIS, Mo. (AP) — The St. Louis Cardinals' offense, which has been the lifeblood of the team since the arrival of manager Tony La Russa, continued to confound the Milwaukee Brewers' defense on Monday night.

The Cardinals scored three runs in the first inning, two in the second and three in the third to take a 6-0 lead. The Brewers' defense was shaky from the start, with several errors and a lack of communication.



St. Louis Cardinals pitcher [unclear] winds up to throw a pitch during the game Monday night.

La Russa's offense has been a puzzle for the Brewers' defense since he took over the reins in 1983. The Cardinals have a knack for finding weaknesses in the Brewers' pitching staff, which has been a source of frustration for Milwaukee fans.

In this game, the Cardinals' offense was particularly effective, with several key hits and timely RBI's. The Brewers' defense, on the other hand, was plagued by errors and a lack of focus.

Cardinals manager Tony La Russa said after the game that his team's offense was "just doing what we do." He praised the players for their execution and their ability to find ways to score runs.

He also mentioned the performance of his star player, who was heating up and showing signs of a return to form. La Russa said that the team's offense is still a work in progress, but they are confident in their ability to continue to score runs.

Brewers manager [unclear] said that his team's defense was "out of sync" and that he was disappointed in the performance of his pitchers. He said that the team needs to be more consistent and to focus on their fundamentals.

He also mentioned the performance of his star pitcher, who was struggling and looking for a way to get back on track. [unclear] said that the team needs to be more patient and to give their pitchers the support they need.

The Cardinals' offense was led by [unclear], who had a career-high number of hits and RBIs. He was particularly effective in the first and third innings, helping the team to take a commanding lead.

The Brewers' defense was led by [unclear], who was the only pitcher to record an out. He was hit hard by the Cardinals' offense and was unable to get the team back in the game.

Packers

GREEN BAY, Wis. (AP) — The Green Bay Packers' offense, which has been the lifeblood of the team since the arrival of coach Vince Lombardi, continued to confound the St. Louis Cardinals' defense on Monday night.

The Packers scored three runs in the first inning, two in the second and three in the third to take a 6-0 lead. The Cardinals' defense was shaky from the start, with several errors and a lack of communication.

Packers manager Vince Lombardi said after the game that his team's offense was "just doing what we do." He praised the players for their execution and their ability to find ways to score runs.

He also mentioned the performance of his star player, who was heating up and showing signs of a return to form. Lombardi said that the team's offense is still a work in progress, but they are confident in their ability to continue to score runs.

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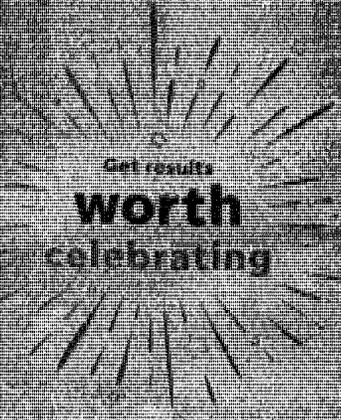
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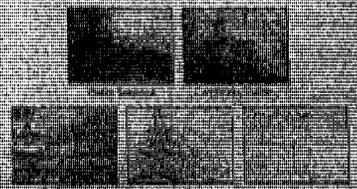


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NEW YORK (AP) — A man who
was forced to leave his home
because he couldn't pay his
mortgage is now suing the
lender for the cost of his
family's relocation. The man
says the lender's actions were
unfair and caused him and his
family to move to a new city.
The man is seeking damages
for the cost of his family's
relocation, including travel
expenses and the cost of finding
a new home. The lender is
denying the man's claims and
says the man's failure to pay
his mortgage was the cause of
his relocation. The case is
currently in court.

Business

1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40

Goren Bridge

NEW YORK (AP) — A bridge
in New York City is set to
be replaced. The bridge is
one of the oldest in the city
and is in poor condition. The
replacement bridge is expected
to be completed in 2010. The
cost of the project is estimated
to be \$1 billion. The bridge is
a major thoroughfare in the
city and its replacement is
expected to improve traffic
flow and safety. The project
is being funded by a combination
of state and federal money.

ACAP 2007

NEW YORK (AP) — The
American Cancer Society
announced today that it
will launch a new campaign
to raise awareness about
cancer. The campaign is
called "Be the Difference" and
is aimed at encouraging
people to get regular checkups
and to quit smoking. The
campaign will feature a series
of advertisements and public
service announcements. The
American Cancer Society is
one of the largest cancer
organizations in the world and
has been instrumental in
advancing cancer research and
patient care.

INDIAN ARTIST

NEW YORK (AP) — An
Indian artist has created a
new piece of art that is
inspired by his culture. The
artist is a member of the
Seneca tribe and has spent
years studying traditional
Seneca art. His new piece is
a large-scale painting that
depicts a scene from Seneca
history. The artist says he
was inspired by the stories
he heard as a child and
wants to share his culture
with the world.

NEW YORK (AP) — A
new study has found that
the use of mobile phones
while driving is a major
cause of traffic accidents. The
study found that drivers who
use their phones while driving
are more likely to be involved
in accidents and to have
longer recovery times. The
study also found that drivers
who use their phones while
driving are more likely to
be distracted and to make
mistakes. The study is
based on data from a large
survey of drivers and is
one of the most comprehensive
studies to date on the topic.

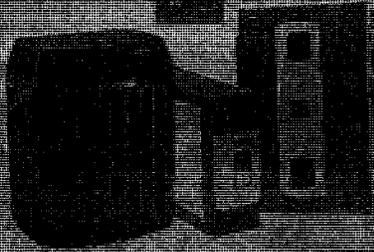
NEW YORK (AP) — A
new report has found that
the economy is showing signs
of improvement. The report
found that consumer spending
is up and that businesses are
optimistic about the future. The
report is based on data from
a survey of consumers and
businesses and is one of the
most recent reports on the
economy. The report is
positive and suggests that
the economy is on a path to
recovery.

NEW YORK (AP) — A
new study has found that
the use of social media
is increasing among
older adults. The study
found that older adults are
more likely to use social
media than in the past. The
study is based on data from
a survey of older adults and
is one of the first studies to
look at social media use
among this age group. The
study found that older adults
are using social media for
a variety of reasons, including
to stay connected with
family and friends and to
share their experiences.

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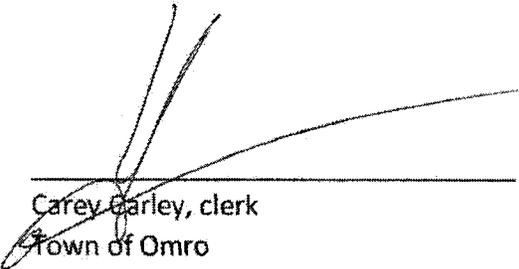
I, Carey Carley, clerk of the Town of Omro, Winnebago County, Wisconsin, have carefully examined the PETITION TO RECALL CHAIRMAN BRIAN NOE, received on August 10, 2020 to determine the sufficiency of the petition.

Upon this examination I have determined that the petition is insufficient due to the following:

1. Pages 11 through 34 from circulator, Brian Seaman, do not state municipality of circulator.
2. Page 3 from circulator, Harve Ross, does not state municipality of circulator and/or page 3 was received on 8/11/2020.
3. Page 2 from circulator, Michael Joseph, does not state municipality of circulator.

This results in 125 signatures valid of the 314 signatures needed.

The circulator(s) of the petition may correct these findings by affidavit within 5 days of receiving this certificate, dated this third day of September, 2020.



Carey Carley, clerk
Town of Omro

From: Mechanical Services, Inc.
Sent: Friday, September 4, 2020 11:38 AM
To: Carey Carley
Subject: RE: recall petition

Hello Carey

I will have the affidavit' s ready by tomorrow, what time on Monday will you be available?

Brian Seaman

Mechanical Services, Inc.
3569 Sand Pit Rd
Oshkosh, WI 54904
(920) 235-3169 Phone EXT1
(920) 233-1193 Fax

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From: Carey Carley <clerk@townofomro.us>
Sent: Thursday, September 03, 2020 3:47 PM
To: brian seaman <mechanicalserviceswi@live.com>
Subject: recall petition

Good afternoon Brian,

Please see the attached certificate as well as the petition pages. If you could confirm you have received this email, that would be great as we still have time limits to contend with. I will be out of town until Sunday, but will check emails upon my return.

Let me know if you have any questions.

Also, I was curious... what was with the water hydrant asterisks on some of the pages?

Thank you.

--
Carey Carley
Town of Omro Clerk
4205 Rivermoor Rd
Omro WI 54963
920.685.2111

mechanicalserviceswi@LIVE.COM

From: Carey Carley <clerk@townofomro.us>
Sent: Friday, September 4, 2020 11:38 AM
To: mechanicalserviceswi@live.com
Subject: Out of Office RE: recall petition

Thank you for contacting the Town of Omro. I am out of the office until September 8th and will get back to you when I return. If you need assistance before then, please contact treasurer@townofomro.us or visit our website at townofomro.us.

Have a safe and wonderful weekend.

--
Carey Carley
Town of Omro Clerk
4205 Rivermoor Rd
Omro WI 54963
920.685.2111

mechanicalserviceswi@LIVE.COM

From: Mechanical Services, Inc.
Sent: Friday, September 4, 2020 3:59 PM
To: Carey Carley
Subject: recall doc
Attachments: affidavit of recall.pdf

Attached is the affidavit for the recall

Brian Seaman

Mechanical Services, Inc.
3569 Sand Pit Rd
Oshkosh, WI 54904
(920) 235-3169 Phone EXT1
(920) 233-1193 Fax

The information transmitted herewith is confidential and sensitive information intended only for use to the individual or entity to which it is addressed. If the reader of this message is not the intended recipient, you are hereby notified that any review, retransmission, dissemination, distribution, copying or other use of, or taking of any action in reliance upon, this information is strictly prohibited. If you have received this communication in error, please contact the sender and delete the material from your computer

From: Mechanical Services, Inc.
Sent: Friday, September 4, 2020 4:09 PM
To: Carey Carley
Subject: recall doc
Attachments: recall 2.pdf

Attached is the second recall docs

Brian Seaman

Mechanical Services, Inc.
3569 Sand Pit Rd
Oshkosh, WI 54904
(920) 235-3169 Phone EXT1
(920) 233-1193 Fax

The information transmitted herewith is confidential and sensitive information intended only for use to the individual or entity to which it is addressed. If the reader of this message is not the intended recipient, you are hereby notified that any review, retransmission, dissemination, distribution, copying or other use of, or taking of any action in reliance upon, this information is strictly prohibited. If you have received this communication in error, please contact the sender and delete the material from your computer

From: Carey Carley <clerk@townofomro.us>
Sent: Wednesday, September 9, 2020 2:01 PM
To: Brian Noe; brian seaman; Mark Krings; David Friess
Cc: Karen Marone
Subject: certificate of sufficiency to recall chairman, Brian Noe
Attachments: cert of sufficiency.PDF

Please see the attached certificate of sufficiency to move forward with the petition to recall chairman, Brian Noe.

A copy of this attached certificate will be mailed to the petitioner as well as the office holder. Please let me know if you have any questions.

Thank you.

--
Carey Carley
Town of Omro Clerk
4205 Rivermoor Rd
Omro WI 54963
920.685.2111

Certificate of Sufficiency

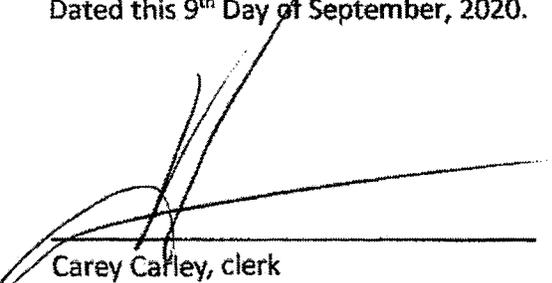
I, Carey Carley, clerk of the Town of Omro, Winnebago County, Wisconsin, have carefully re-examined the PETITION TO RECALL CHAIRMAN BRIAN NOE, received on August 10, 2020 to determine the sufficiency of the petition.

Upon this re-examination I have determined that the petition is sufficient after receiving affidavits on September 7, 2020 correcting the insufficiencies:

1. Pages 11 through 34 from circulator, Brian Seaman, do not state municipality of circulator.
2. Page 3 from circulator, Harve Ross, does not state municipality of circulator and/or page 3 was received on 8/11/2020.
3. Page 2 from circulator, Michael Joseph, does not state municipality of circulator.

This results in 357 signatures valid of the 314 signatures needed to move forward with PETITION TO RECALL CHAIRMAN BRIAN NOE.

Dated this 9th Day of September, 2020.



Carey Carley, clerk
Town of Omro

mechanicalserviceswi@LIVE.COM

From: Mechanical Services, Inc. <mechanicalserviceswi@LIVE.COM>
Sent: Wednesday, September 9, 2020 2:10 PM
To: Carey Carley; Brian Noe; Mark Krings; David Friess
Cc: Karen Marone
Subject: RE: certificate of sufficiency to recall chairman, Brian Noe

Received, thank you.

Brian Seaman

----- Original message -----

From: Carey Carley <clerk@townofomro.us>
Date: 9/9/20 2:01 PM (GMT-06:00)
To: Brian Noe <chairman@townofomro.us>, brian seaman <mechanicalserviceswi@live.com>, Mark Krings <supervisor1@townofomro.us>, David Friess <supervisor2@townofomro.us>
Cc: Karen Marone <kmaronelaw@gmail.com>
Subject: certificate of sufficiency to recall chairman, Brian Noe

Please see the attached certificate of sufficiency to move forward with the petition to recall chairman, Brian Noe.

A copy of this attached certificate will be mailed to the petitioner as well as the office holder. Please let me know if you have any questions.

Thank you.

—
Carey Carley
Town of Omro Clerk
4205 Rivermoor Rd
Omro WI 54963
920.685.2111

**THE ELECTORS TO
AND ADOPT A RESOLUTION**

... immediately following the
... which began at 8:00 p.m. of
... a local town meeting
... of the Wisconsin

... of Sec. 30.03(2) of the

... pursuant to Sec. 30.10(1)(a) of

... Clerk
...

**NOTICE
TOWN OF OMMA RESIDENTS**

The State of Wisconsin passed Act 79 effective
November 13, 2015 which allows towns to post all legal
notices in one public location and the town website.
Postings will no longer appear at the location effective
November 13, 2015.

To view all future legal notices and meeting agendas
please visit our website:

Beverly A. Searvogel, Clerk
Town of Omma

**TOWN OF OMMA
BUDGET SUMMARY**

Open Town Hall at 4205 Rosemoor Road, Omma,
Winnebago County, will be held. The
Town Hall by appointment. Please call
Proposed 2020 Budget.

All Revenues (Proposed 2020 Budget)

Property	\$302,081
Commercial	9,725
Industrial	157,432
Residential	48,265
State Aid	75,650
Other	27,500
Total	\$520,653
Expenses	10,000

From: Tom Tuschl <newsletter@townofomro.us>
Sent: Tuesday, September 29, 2020 2:22 PM
Subject: Issue 8 attached 09292020
Attachments: OMRO TOWN CRIER Vol 1 Issue 8.pdf

Here is issue 8 of the Omro Town Crier. Please share and encourage others to get on the distribution list.
Thanks.

Tom Tuschl-editor

From: Tom Tuschl <newsletter@townofomro.us>
Sent: Monday, October 5, 2020 11:16 PM
Subject: Fwd: type E notice
Attachments: Sample Type E Notice (Rev 2020-08).pdf

This attachment is being forwarded from the clerk to all who are on the Newsletter Distribution list. It provides information on obtaining an absentee ballot for the Special Recall Election for Town Chairperson and also information about voting absentee in person with the clerk. This editor still does not have a list of candidates.
Tom Tuschl-editor

----- Forwarded message -----
From: Carey Carley <clerk@townofomro.us>
Date: Mon, Oct 5, 2020 at 2:38 PM
Subject: type E notice
To: Tom Tuschl <newsletter@townofomro.us>

Hi Tom,

Attached you will find a type E notice that is published with information regarding absentee and early in-person voting. Thank you!

—
Carey Carley
Town of Omro Clerk
4205 Rivermoor Rd
Omro WI 54963
920.685.2111

mechanicalserviceswi@LIVE.COM

From: Mechanical Services, Inc.
Sent: Thursday, October 15, 2020 1:03 PM
To: Carey Carley; chairman@townofomro.us; supervisor1@townofomro.us; supervisor2@townofomro.us; kmaronelaw@gmail.com
Cc: Sparr, Eric
Subject: Website Issues

Importance: High

Good Afternoon,

I was not sure if you are aware, but the Town's website does not allow the voter's of our community to access the Notice of Recall or the Absentee Voting for October 20th information. I've monitored it being down for several days and have now had constituents reaching out to me regarding the problem. The other concern is the fact that the website is unsecured, which leaves the Town open to being hacked, which is extremely serious.

With the election only a few days away, I don't think this is something that can wait until you have time, but needs to be addressed immediately please. If you would please send me an email confirmation when the corrections have occurred, so I may pass this on, I would greatly appreciate it.

Thank you and have a great day.

Sincerely,

Sherry Seaman

mechanicalserviceswi@LIVE.COM

From: Mechanical Services, Inc. <mechanicalserviceswi@LIVE.COM>
Sent: Tuesday, October 20, 2020 3:10 PM
To: Sparr, Eric
Subject: RE: Election

Thank you Eric, I appreciate your quick action on this matter.

I have only one other question. Are you going to be investigating this as well? You did state Brian Noe responded to you that Beth Jackson was out with a surgery. Did he direct Carey Carley to withhold some of the mailing to myself and known supporters? There is no way he didn't know about this. None. She would have been informing him of where she was at, at all times during the process.

Thank you for your assistance, it was appreciated more than you know.

Thank you and have a great day.

Sincerely,

Sherry Seaman

----- Original message -----

From: "Sparr, Eric" <Eric.Sparr@da.wi.gov>
Date: 10/20/20 2:05 PM (GMT-06:00)
To: "Mechanical Services, Inc." <mechanicalserviceswi@LIVE.COM>
Subject: RE: Election

Sherry –

I talked to Riley at the Elections Commission. Here's what I got:

1. A complaint can be made to them by any resident. My understanding is that they would be looking at this separately, at least initially, from action that could be taken by my office. I asked him whether it would matter whether it was the candidate or a candidate's spouse. It shouldn't matter. He commented that it does need to be sworn, and I get them impression that it probably would not matter whether it was filed today or after the voting is closed.
2. He seemed familiar with the overall situation. I let him know of my involvement in the open meetings and open records complaints, and summarized parts of the complaint related to the election.
3. The complaints are made here: <https://elections.wi.gov/index.php/complaints>
4. They have the option to address things outside of their normal meeting schedule, but if they choose not to do that, it would be addressed in December.
5. His focus seemed to be on the clerk, rather than the Brian, as far as the web site and mailing timing issues.

-Eric

From: Mechanical Services, Inc. [mailto:mechanicalserviceswi@LIVE.COM]
Sent: Tuesday, October 20, 2020 8:49 AM

To: Sparr, Eric <Eric.Sparr@da.wi.gov>

Subject: RE: Election

My husband didn't write it down but it sounded like there was only one when the receptionist answered. I'm sorry.

Sherry

----- Original message -----

From: "Sparr, Eric" <Eric.Sparr@da.wi.gov>

Date: 10/20/20 8:44 AM (GMT-06:00)

To: "Mechanical Services, Inc." <mechanicalserviceswi@live.com>

Subject: RE: Election

Who is the elections deputy? I am happy to reach out to that person.

From: Mechanical Services, Inc. [mailto:mechanicalserviceswi@live.com]

Sent: Tuesday, October 20, 2020 8:41 AM

To: Sparr, Eric <Eric.Sparr@da.wi.gov>

Subject: Election

Eric,

My husband just spoke to the elections deputy at the Election Commission. He said we needed to involve you in this voter fraud and it was up to you to determine how or if, to bring the Commission in.

So please take this as my formal complaint.

I will list out each individual item and they are as follows:

1. I was denied access to information regarding the election process by the clerk. My questions to her went unanswered and we had no idea when voting was or anything in regard to absentee voting.
2. I was denied access to a mailing list on the 7th of October, yet they did a mailing themselves starting on the 8th of October.
3. I was discriminated by not receiving the same voting letter as the rest of the community. I am a registered voter, same as my husband, and we were entitled to this information same as everyone else.
4. The letter that the clerk sent out was dated October 8th, the post mark was October 15th, and people started to receive this on the 16th. This was after the cutoff for applying for absentee voting.
5. The clerk and chairman were negligent in their duties for this election. State statutes say the chair is the head of the election. Ultimately, he's as culpable as she is.
6. There is a conflict of interest regarding the chief election inspector Lisa Dvorachek. She and her husband had been our customer for over 10 years, and when this recall election started, they left our business because they supported Noe. Mrs. Dvorachek is bound by rules to not engage in discussions regarding the election. Yet on Nextdoor she had several postings about it, and it appears she conducted a private message with Luann Osborne. On her husband's Facebook account, there have been many postings on this election providing false

information. For example, telling people the recall was being done for a bad business deal. How can we know that it was truly her husband posting this and not her using his account? When Karen Marone was addressed by Anna Portelli after the meeting last night, Ms. Marone said, what of it? It's fine. Ms. Marone felt no need to address the conflict of interest.

7. Per the Deputy at the Election Commission, there are a list of procedures that need to be completed in a timely manner. He advised that we and you yourself reach out to the clerk for a copy of the documentation to verify she complied.

8. Ms. Marone emailed me last night in regard to the website being down and stated the election commission didn't require it to be operational. That is a falsehood per the Deputy. He stated it was part of the publishing requirement and it should have been done.

I need you to please do something. Is Gossett stopping you from moving forward on these violations?

Eric, I don't mind losing legitimately, but this is fraud through and through.

Thank you and have a great day.

Sincerely,

Sherry Seaman

mechanicalserviceswi@LIVE.COM

From: Mechanical Services, Inc. <mechanicalserviceswi@LIVE.COM>
Sent: Wednesday, October 21, 2020 10:15 AM
To: Sparr, Eric
Subject: RE: Please call me asap

Yes, he told me. I hope you will be investigating as well? I wish you would have called me yourself though. I don't like using Mr. Wagner as a go between. It doesn't seem right.

I fought a clean and honest fight, apparently being honest and legal isn't a trait that wins elections. There's always April, maybe.

Thank you and have a great day.

Sincerely,

Sherry Seaman

----- Original message -----

From: "Sparr, Eric" <Eric.Sparr@da.wi.gov>
Date: 10/21/20 8:18 AM (GMT-06:00)
To: "Mechanical Services, Inc." <mechanicalserviceswi@live.com>
Subject: RE: Please call me asap

Eric Wagner had called me after talking to the Hertels. I know Chuck was still going to be headed over there. I suggested he may want to get photos or videos if possible, and to also put together a description for the Elections Commission.

From: Mechanical Services, Inc. [mailto:mechanicalserviceswi@live.com]
Sent: Tuesday, October 20, 2020 4:56 PM
To: Sparr, Eric <Eric.Sparr@da.wi.gov>
Subject: Please call me asap

Eric,

Diane Hertel was just voting at the Town hall, and Brian Noe was campaigning. He was shaking people's hands and slapping them on their backs.

Can you please call her???

Diane Hertel
920-420-5661

mechanicalserviceswi@LIVE.COM

From: Mechanical Services, Inc. <mechanicalserviceswi@LIVE.COM>
Sent: Friday, October 23, 2020 4:06 PM
To: Carey Carley
Cc: chairman@townofomro.us; supervisor1@townofomro.us; supervisor2@townofomro.us; Karen Marone
Subject: RE: Recall Procedures Dates Documentation
Importance: High

Carey,

I hopefully have a better understanding of the procedure dates and can explain.

With every election there are procedures that need to be completed, and within specific time frames. For example, publishing notices, setting the date for the recall, etc...

Clerks keep track of the procedures they are required by law to complete. They do this, as I'm sure you are aware, so they can readily supply the information if it is requested, which is what I am asking for.

Please provide a copy of all notices required by the Election Commission (Type B, D, and E) along with the dates published, and where. I already know the website did not have any notices published until the 16th of October, so I will not need those.

There are other procedures required as well including training. If you could please provide the specific training you yourself completed, along with the chief election inspector and poll workers, I'd greatly appreciate it. Please provide the date you printed out the absentee voting letter, how many you sent out, the list of individuals that received them, and the date it was mailed. Please provide the quantity of absentee ballots that were returned and counted.

I may have missed a procedure, and if I have, I request you include that as well.

I can stop by and pick them up and pay for them, when you notify they are ready. I would need a total please.

Please contact me with any questions you may have.

Thank you and have a great day.

Sincerely,

Sherry Seaman

----- Original message -----

From: Carey Carley <clerk@townofomro.us>
Date: 10/23/20 10:47 AM (GMT-06:00)
To: "Mechanical Services, Inc." <mechanicalserviceswi@live.com>
Cc: chairman@townofomro.us, supervisor1@townofomro.us, supervisor2@townofomro.us, Karen Marone <kmaronelaw@gmail.com>
Subject: Re: Recall Procedures Dates Documentation

Sherry,
Sounds good, I will wait to hear from you. Thank you.

On Fri, Oct 23, 2020 at 10:37 AM Mechanical Services, Inc. <mechanicalserviceswi@live.com> wrote:
Carey,

I've reached out to the election official I've been working with to ask him again for the name of the document I needed to request so we can be clear.

As soon as I hear back, I'll let you know.

Thank you and have a great day.

Sincerely,

Sherry Seaman

----- Original message -----

From: Carey Carley <clerk@townofomro.us>

Date: 10/23/20 10:08 AM (GMT-06:00)

To: "Mechanical Services, Inc." <mechanicalserviceswi@live.com>

Cc: chairman@townofomro.us, supervisor1@townofomro.us, supervisor2@townofomro.us, Karen Marone <kmaronelaw@gmail.com>

Subject: Re: Recall Procedures Dates Documentation

Good morning Sherry,

I am not sure what you are requesting as elections at the local level do not get reported to the state, the files are kept at the Town Hall office.

Can you please explain what it is exactly you are looking for? Otherwise, I am in the office if you wish to call to discuss.

Thank you,

On Thu, Oct 22, 2020 at 11:02 AM Mechanical Services, Inc. <mechanicalserviceswi@live.com> wrote:

Good Morning,

I am formally requesting the required documentation you needed to complete regarding the recall election. This document would be the Procedures Dates Documentation that you must submit to the Election Commission, as I understand. If you would please provide this information as soon as possible, I would greatly appreciate it. Let me know if you have any questions, and I look forward to hearing from you soon.

Thank you and have a great day.

Sincerely,

Sherry Seaman

--

Carey Carley
Town of Omro Clerk
4205 Rivermoor Rd
Omro WI 54963
920.685.2111

--

Carey Carley
Town of Omro Clerk
4205 Rivermoor Rd
Omro WI 54963
920.685.2111

10.01 Election notice form.

- (1) The form of the various election notices shall be prescribed by the commission to standardize election notices. To accomplish this purpose, the commission shall make rules and draft whatever forms it considers necessary. Notification or certification lists of candidates or referenda questions sent to the county clerks shall prescribe the form in which the county clerks shall publish the relevant portions of the notice and any additional county offices and referenda questions. The commission shall also prescribe the provisions for municipal notices which shall be sent to each county clerk who shall immediately forward them to each municipal clerk.
- (2) For election purposes there shall be 5 basic types of notices, modified as necessary to apply to the various elections, which shall be published in substantially the same form as prescribed by the commission. The 5 types of notices are:

 - (a) Type A — The type A notice shall be entitled “Notice of Election”. The notice shall list the date of the election. For an election to fill any office, the notice shall list each office to be filled and the incumbent for each; the length of the term of each office and the expiration date of the term; and the beginning date for circulating, the place and deadline for filing declarations of candidacy and nomination papers, where required, for each office listed and the date of the primary election, if required. If a redistricting since the most recent election makes the description of the incumbent’s office of limited usefulness, the notice may contain supplementary information describing the territory in which an election is to be held. For an election at which a referendum is held, the notice shall contain the text of the question and a statement specifying where a copy of the resolution directing submission of the question may be obtained. Whenever an election is noticed to be held within a district, the notice shall contain a statement specifying where information concerning district boundaries may be obtained. The type A notice shall be published once by the county clerk of each county for each national, state or county election, and once by the clerk of each municipality or special purpose district for each municipal or special purpose district election, at the times designated in s. 10.06.
 - (b) Type B — The type B notice shall include the relevant facsimile ballots and the relevant portions of voting instructions to electors under s. 10.02 for each office or referendum and shall specify the date of the election. In counties or municipalities where an electronic voting system in which ballots are distributed to electors is used, the notice shall include the information specified in s. 5.94. The type B notice shall be published once by the county clerks, and for primaries and other elections in municipalities or special purpose districts, once by the clerk of the municipality or special purpose district on the day preceding each primary and other election.
 - (c) Type C — The type C notice shall be entitled “Notice of Referendum”. The notice shall be given whenever a referendum is held. The notice shall contain the date of the referendum, the entire text of the question and the proposed enactment, if any, as well as an explanatory statement of the effect of either a “yes” or “no” vote. For state questions, the statement shall be prepared by the attorney general. For county questions, the statement shall be prepared by the corporation counsel. For other questions, the statement shall be prepared by the attorney for the jurisdiction in which the question is submitted. County clerks and, for questions submitted by municipalities or special purpose districts, the clerk of the municipality or special purpose district shall publish the type C notice once at the same time that the type B notice is published. The type C notice shall be printed in the newspaper as close as possible to that portion of the type B notice showing the facsimile referendum ballot.
 - (d) Type D — The type D notice shall state the hours the polls will be open and the polling places to be utilized at the election or shall include a concise statement of how polling place information may be obtained. In cities over 500,000 population, the board of election commissioners shall determine the form of the notice. In other municipalities and special purpose districts, the clerk of the municipality or special purpose district shall give the polling place information in the manner the governing body of the municipality or special purpose district decides will most effectively inform the electors. The type D notice shall be published by the municipal clerk or board of election commissioners of each municipality once on the day before each spring primary and election, each special national, state, county or municipal election at which the electors of that municipality are entitled to vote and each partisan primary and general election. The clerk of each special purpose district which calls a special election shall publish a type D notice on the day before the election, and the day before the special primary, if any, except as authorized in s. 8.55 (3).
 - (e) Type E — The type E notice shall state the qualifications for absentee voting, the procedures for obtaining an absentee ballot in the case of registered and unregistered voters, the places and the deadlines for application and return of application, including any alternate site under s. 6.855, and the office hours during which an elector may cast an absentee ballot in the municipal clerk’s office or at an alternate site under s. 6.855. The municipal clerk shall publish a type E notice on the 4th Tuesday preceding each spring primary and election, on the 4th

Tuesday preceding each partisan primary and general election, on the 4th Tuesday preceding the primary for each special national, state, county or municipal election if any, on the 4th Tuesday preceding a special county or municipal referendum, and on the 3rd Tuesday preceding each special national, state, county or municipal election to fill an office which is not held concurrently with the spring or general election. The clerk of each special purpose district which calls a special election shall publish a type E notice on the 4th Tuesday preceding the primary for the special election, if any, on the 4th Tuesday preceding a special referendum, and on the 3rd Tuesday preceding a special election for an office which is not held concurrently with the spring or general election except as authorized in s. 8.55 (3).

History: 1973 c. 334 s. 57; 1975 c. 275; 1979 c. 260, 311; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 31; 2001 a. 16; 2005 a. 451; 2011 a. 75; 2015 a. 118 s. 266 (10).

10.02 Type B notice content.

(1) Before any election an appropriate type B notice shall be published in substantially the form prescribed by the commission at the times prescribed in s. 10.06. The type B notice shall include the following relevant sections and be within the guidelines established in this section.

(2)

(a) The headline or caption, the introductory paragraph and the voting instructions shall be printed once at the beginning of the notice followed by a facsimile of each ballot to be used at the election. The headline or caption shall be conspicuously displayed, but the caption together with the necessary spacing above and below shall not exceed 1 1/4 inches in depth. The introductory paragraph and voting instructions shall be set solid in the type of the regular reading matter of the newspaper but no smaller than 5 1/2-point nor larger than 10-point type.

(b) Following the introductory paragraph, but preceding the facsimile ballot notice, shall appear the statement of information to electors in the form prescribed in sub. (3).

(c) The facsimile ballots shall follow the voting instructions. The size and style of type and the general display of the facsimile ballots shall be prescribed by the commission and shall conform to the form prescribed by the commission under s. 7.08 (1) (a). The party columns shall not exceed 2-1/6 inches in width and the ballot size may be reduced. Voting machine facsimile ballots shall show a reduced diagram of the front of the voting machine and instructions to electors on how to vote on the machine. If the ballots in the wards or election districts within a county or municipality are identical but for the names of different candidates, districts or seats, the facsimile ballot may show the ballot for one ward or election district, accompanied by a list of candidates, districts and seats to be voted upon in the other wards or election districts.

(3) The notice shall contain the following:

FACSIMILE BALLOT NOTICE OF ELECTION

Office of [County] [Municipal] Clerk.

To the Electors of [County] [Municipality]:

Notice is hereby given of a election to be held in the several wards in the [county] [municipality] of, on the day of, (year), at which the officers named below shall be chosen. The names of the candidates for each office to be voted for, whose nominations have been certified to or filed in this office, are given under the title of the office and under the appropriate party or other designation, each in its proper column, together with the questions submitted to a vote, in the sample ballot below.

INFORMATION TO ELECTORS

Except where a different statement is prescribed by the commission for use in whole or in part by municipalities using electronic voting systems under s. 5.95, the voting instructions shall be given substantially as follows:

(a) Upon entering the polling place and before being permitted to vote, an elector shall state his or her name and address. If an elector is not registered to vote, an elector may register to vote at the polling place serving his or her residence if the elector presents proof of identification in a form specified by law unless the elector is exempted from this requirement, and, if the document presented does not constitute proof of residence, the elector provides proof of residence. Where ballots are distributed to electors, the initials of 2 inspectors must appear on the ballot. Upon being permitted to vote, the elector shall retire alone to a voting booth or machine and cast his or her ballot, except that an elector who is a parent or guardian may be accompanied by the elector's minor child or minor ward. An election official may inform the elector of the proper manner for casting a vote, but the official may not in any manner advise or indicate a particular voting choice.

(b)

1. The elector shall make a cross (X) next to or separately depress the levers or buttons next to each candidate's name for whom he or she intends to vote, or shall insert or write in the name of a candidate.
 2. At a partisan primary, the elector shall select the party ballot of his or her choice and shall make a cross (X) next to or depress the lever or button next to the candidate's name for each office for whom the elector intends to vote, or shall insert or write in the name of the elector's choice for a candidate.
 3. When casting a presidential preference vote, the elector shall select the party ballot of his or her choice and make a cross (X) next to or depress the button or lever next to the candidate's name for whom he or she intends to vote or shall, in the alternative, make a cross (X) next to or depress the button or lever next to the words "Uninstructed delegation", or shall write in the name of his or her choice for a candidate.
 4. At a nonpartisan primary, the elector shall make a cross (X) next to or depress the button or lever next to the candidate's name for each office for whom he or she intends to vote, or insert or write in the name of his or her choice for a candidate.
- (c) In presidential elections, the elector shall make a cross (X) next to or depress the button or lever next to the set of candidates for president and vice president for whom he or she intends to vote. A vote for candidates for president and vice president is a vote for the presidential electors of those candidates.
- (d) On referenda questions, the elector shall make a cross (X) next to or depress the button or lever next to the answer which he or she intends to give.
- (e) The vote should not be cast in any other manner. If the elector spoils a ballot, he or she shall return it to an election official who shall issue another in its place, but not more than 3 ballots shall be issued to any one elector. If the ballot has not been initialed by 2 inspectors or is defective in any other way, the elector shall return it to the election official, who shall issue a proper ballot in its place. Not more than 5 minutes' time shall be allowed inside a voting booth or machine. Unofficial ballots or a memorandum to assist the elector in marking his or her ballot may be taken into the booth and copied. The sample ballot shall not be shown to anyone so as to reveal how the ballot is marked.
- (f) After an official paper ballot is marked, it shall be folded so the inside marks do not show but so the printed endorsements and inspectors' initials on the outside do show. After casting his or her vote, the elector shall leave the voting machine or booth, and where paper ballots are distributed to the electors, deposit his or her folded ballot in the ballot box or deliver it to an inspector for deposit in the box, and shall leave the polling place promptly.
- (g) An elector may select an individual to assist in casting his or her vote if the elector declares to the presiding official that he or she is unable to read, has difficulty reading, writing or understanding English or that due to disability is unable to cast his or her ballot. The selected individual rendering assistance may not be the elector's employer or an agent of that employer or an officer or agent of a labor organization which represents the elector.
- (h) The following is a facsimile of the official ballot: (insert facsimile of ballot)

....., (County Clerk)

(Municipal Clerk)

History: 1971 c. 304 s. 29 (2); 1973 c. 334 s. 57; 1975 c. 85, 199; 1977 c. 107, 427, 447; 1979 c. 311; 1981 c. 377; 1983 a. 484 ss. 119, 172 (3); 1985 a. 304; 1989 a. 31; 1997 a. 250; 1999 a. 182; 2003 a. 265; 2005 a. 451; 2011 a. 23, 32; 2015 a. 118 s. 266 (10).

10.03 Cross-references required. Whenever possible the complete election notice shall appear on a single page of the newspaper. If this is impracticable, a footnote in 12-point caps shall indicate the page where the notice is continued. At the top of each succeeding page, or column of the notice, shall appear in 12-point caps and figures the notation, "For information to Electors and other facsimile ballots, see page".

History: 1993 a. 213.

10.04 Newspaper selection and fees.

- (1) Election notices required by law to be published may be published only in newspapers qualified under ch. 985.
- (2)
 - (a) County clerks shall publish election notices in all newspapers published within the county that qualify under ch. 985 unless the county board provides otherwise by resolution.

(b) The board of election commissioners or governing body of a municipality may authorize by resolution the publication of election notices in more than one newspaper. The resolution may name the newspapers in which all election notices shall appear.

(3)

(a) Whenever, in chs. 5 to 12, provision is made for the publication of a notice on a specific date and a weekly newspaper is chosen, the notice shall appear in that newspaper's closest preceding issue. Whenever, in chs. 5 to 12, provision is made for the publication of a notice on the day before an election and the county or municipal clerk who is responsible for publishing the notice determines that, due to the method of delivering newspapers in the municipality, more effective notice will be provided by publication at an earlier date, the municipal clerk may publish the notice not earlier than 3 days before the election.

(b) Whenever, in chs. 5 to 12, provision is made for publication of an election notice by more than one insertion, this may be done (in counties over 200,000 population) by publication in one or more newspapers on the dates prescribed or in different newspapers at least equal in number to the number of insertions required. When different newspapers are used, the publications shall always be in each newspaper's latest issue preceding the last given date for publishing that notice.

(4) Compensation for publishing all notices may not exceed that authorized for legal notices under s. 985.08.

History: 1977 c. 427; 1979 c. 89; 1985 a. 304.

10.05 Posting of notice. Unless specifically designated elsewhere, this section applies to villages, towns and school districts. Whenever a notice is required to be published, a village, town or school district may post 3 notices in lieu of publication under ch. 985 whenever there is not a newspaper published within the village, town or school district or whenever the governing body of the village, town or school district chooses to post in order to supplement notice provided in a newspaper. Whenever the manner of giving notice is changed by the governing body, the body shall give notice of the change in the manner used before the change. Whenever posting is used, the notices shall be posted no later than the day prescribed by law for publication, or if that day falls within the week preceding the election to be noticed, at least one week before the election. All notices given for the same election shall be given in the same manner.

History: 1987 a. 391.

10.06 Basic election notices.**(1) ELECTIONS COMMISSION.**

- (a) On or before November 15 preceding a spring election the commission shall send a type A notice to each county clerk.
- (c) As soon as possible after the deadline for filing nomination papers for the spring election, but no later than the 2nd Tuesday in January, the commission shall send a type B notice certifying the list of candidates to each county clerk if a primary is required.
- (e) As soon as possible following the state canvass of the spring primary vote, but no later than the first Tuesday in March, the commission shall send a type B notice certifying to each county clerk the list of candidates for the spring election. When no state spring primary is held, this notice shall be sent under par. (c). When there is a referendum, the commission shall send type A and C notices certifying each question to the county clerks as soon as possible, but no later than the first Tuesday in March.
- (f) On or before the 3rd Tuesday in March preceding a partisan primary and general election the commission shall send a type A notice to each county clerk.
- (h) As soon as possible after the deadline for determining ballot arrangement for the partisan primary on June 10, the commission shall send a type B notice to each county clerk certifying the list of candidates for the partisan primary.
- (i) As soon as possible after the state canvass, but no later than the 4th Tuesday in August, the commission shall send a type B notice certifying the list of candidates and type A and C notices certifying each question for any referendum to each county clerk for the general election.

(2) COUNTY CLERKS.

- (a) On the 4th Tuesday in November preceding a spring election each county clerk shall publish a type A notice based on the notice received from the commission for all state offices to be filled at the election by any electors voting in the county and a similar notice incorporating any county offices.
- (b) Upon receipt of the type B notice from the commission preceding the spring election each county clerk shall add any county offices, prepare the ballots, and send notice to each municipal clerk of the spring primary. When there is no state spring primary within the county, but there is to be a county spring primary, the county clerk shall prepare the ballots and send notice to each municipal clerk.
- (d) On the Monday preceding the spring primary, when held, the county clerk shall publish a type B notice.
- (e) Upon receipt of the type B notice from the commission each county clerk shall add any county offices and referenda, prepare the ballots and send notice to each municipal clerk of the coming spring election.
- (f) On the 4th Tuesday preceding the spring election, the county clerk shall publish a type A notice of any state or county referendum to be held at the election.
- (g) On the Monday preceding the spring election, the county clerk shall publish a type B notice containing the same information prescribed in par. (a). In a year in which the presidential preference primary is held, the county clerk shall also publish notice of the presidential preference primary. In addition, the county clerk shall publish a type C notice on the Monday preceding the spring election for all state and county referenda to be voted upon by electors of the county.
- (gm) On the first Tuesday in April the county clerk shall send notice of the coming partisan primary and general election to each municipal clerk.
- (h) On the 2nd Tuesday in April preceding a partisan primary and general election, the county clerk shall publish a type A notice based on the notice received from the commission for all national and state offices to be filled at the election by any electors voting in the county and incorporating county offices.
- (j) On the Monday preceding the partisan primary the county clerk shall publish a type B notice.
- (k) Upon receipt of the type B notice from the commission preceding the general election, the county clerk shall add county offices and referenda, if any, and send notice to each municipal clerk of the coming general election and prepare the ballots.
- (L) On the 4th Tuesday preceding the general election, the county clerk shall publish a type A notice of any state or county referendum to be held at the election.

- (m) On the Monday preceding the general election the county clerk shall publish a type B notice containing the same information prescribed in par. (h). In addition, the county clerk shall publish a type C notice on the Monday preceding the general election for all state and county referenda to be voted upon by electors of the county.
 - (n) On the 4th Tuesday preceding any special primary or election for national, state or county office, or any special county referendum, the county clerk shall publish a type A notice. On the day preceding any special primary or election for national, state or county office, the county clerk shall publish a type B notice. On the day preceding a special county referendum, the county clerk shall publish type B and C notices for the referendum.
- (3) MUNICIPAL CLERKS.**
- (a) On the 4th Tuesday in November preceding a spring municipal election the municipal clerk shall publish one type A notice for municipal offices. Publication shall be on the following day if Tuesday is a holiday.
 - (am) As soon as possible following the deadline for filing nomination papers for any municipal election when there is to be an election for a county or state office or a county or statewide referendum, but no later than 3 days after such deadline, the municipal clerk of each municipality in which voting machines or ballots containing the names of candidates for both local offices and national, state or county offices are used shall certify the list of candidates for municipal office to the county clerk if a primary is required, unless the municipality prepares its own ballots under s. 7.15 (2) (c).
 - (as) On the 4th Tuesday preceding the spring primary, when held, the municipal clerk shall publish a type E notice. In cities and villages, the municipal clerk shall publish a type A notice on the 4th Tuesday preceding the spring primary of any direct legislation questions to be voted on at the primary.
 - (b) If there is to be a municipal primary, the municipal clerk shall publish a type B notice on the Monday before the primary election. In cities and villages, the municipal clerk shall publish a type C notice on the Monday before the primary election of any direct legislation questions to be voted on at the primary.
 - (bm) As soon as possible following the municipal canvass of the primary vote or the qualification of the candidates under s. 8.05 (1) (j) when a municipal caucus is held, if there is to be an election for a county or state office or a county or statewide referendum, but no later than 3 days after such date, the municipal clerk of each municipality in which voting machines or ballots containing the names of candidates for both local offices and national, state or county offices are used shall certify the list of candidates for municipal office and municipal referenda appearing on the ballot to the county clerk, unless the municipality prepares its own ballots under s. 7.15 (2) (c).
 - (bs) On the 4th Tuesday preceding the spring election, the municipal clerk shall publish a type E notice. If there are municipal referenda, the municipal clerk shall publish a type A notice of the referenda at the same time.
 - (c) On the Monday before the spring election, the municipal clerk shall publish a type B notice and a type D notice. If there are municipal referenda, the municipal clerk shall publish a type C notice at the same time.
 - (cm) On the 4th Tuesday preceding the partisan primary and general election, when held, the municipal clerk shall publish a type E notice. If there are municipal referenda, the municipal clerk shall publish a type A notice of the referenda at the same time.
 - (d) On the Monday preceding the general election, the municipal clerk shall publish a type D notice. If there are municipal referenda, the municipal clerk shall publish type B and C notices at the same time.
 - (e) When electronic or mechanical voting machines or electronic voting systems in which ballots are distributed to electors are used in a municipality at a municipal election, the municipal clerk shall publish a type B notice on the Monday before the election. The notice shall include all offices and questions to be voted on at the election. The cost of this notice shall be shared under s. 5.68 (2) and (3).
 - (f) At least 40 days prior to any special primary or election for municipal office, the municipal clerk shall publish a type A notice. On the 4th Tuesday prior to any special primary for national, state, county or municipal office, the municipal clerk shall publish a type E notice. On the 3rd Tuesday prior to any special election for national, state, county or municipal office which is not held concurrently with the spring or general election, the municipal clerk shall publish a type E notice. On the 4th Tuesday prior to any special county referendum, the municipal clerk shall publish a type E notice. On the 4th Tuesday prior to any special municipal referendum, the municipal clerk shall publish type A and E notices. On the day preceding any special primary or election for municipal office, or any special municipal referendum, the municipal clerk shall publish a type B notice. The municipal clerk shall publish a type C notice on the day preceding a special municipal referendum. On the day preceding any special primary or election for national, state, county or municipal office, or a special county or municipal referendum, the municipal clerk shall publish a type D notice.

(4) OTHER CLERKS.

- (a) Unless otherwise provided, on the 4th Tuesday in November preceding an election for any office other than a national, state, county or municipal office, the clerk of the jurisdiction in which the election is held shall publish a type A notice.
- (b) Unless otherwise provided, at least 40 days prior to any special primary or election for any office other than a national, state, county or municipal office, the clerk of the jurisdiction which calls the primary or election shall publish a type A notice.
- (c) On the 4th Tuesday prior to any referendum other than a county or municipal referendum, the clerk of the jurisdiction which calls the referendum shall publish a type A notice.
- (d) On the 4th Tuesday prior to any special primary for any office other than a national, state, county or municipal office, the clerk of the jurisdiction which calls the election for which the primary is held shall publish a type E notice.
- (e) On the 3rd Tuesday prior to any special election for an office other than a national, state, county or municipal office which is not held concurrently with the spring or general election, the clerk of the jurisdiction which calls the election shall publish a type E notice.
- (f) On the 4th Tuesday prior to any special referendum other than a county or municipal referendum, the clerk of the jurisdiction which calls the referendum shall publish a type E notice.
- (g) On the day preceding any primary or election for any office other than a national, state, county or municipal office, the clerk of the jurisdiction in which the primary or election is held shall publish a type B notice.
- (h) On the day preceding any special primary or election for any office other than a national, state, county or municipal office, the clerk of the jurisdiction which calls the election shall publish a type D notice.
- (i) On the day preceding any referendum other than a state, county or municipal referendum, the clerk of the jurisdiction which calls the referendum shall publish type B, C and D notices.

History: 1973 c. 280; 1973 c. 334 s. 57; 1975 c. 275, 422; 1977 c. 107, 340, 427; 1979 c. 260, 311; 1983 a. 484; 1985 a. 304, 332; 1987 a. 391; 1989 a. 273; 1995 a. 16 s. 2; 1999 a. 182; 2001 a. 16, 109; 2003 a. 24; 2007 a. 1; 2011 a. 32, 45, 75; 2013 a. 165; 2015 a. 118 ss. 120, 266 (10).

7.15 Municipal clerks.

- (1) SUPERVISE REGISTRATION AND ELECTIONS.** Each municipal clerk has charge and supervision of elections and registration in the municipality. The clerk shall perform the following duties and any others which may be necessary to properly conduct elections or registration:
- (a)** Equip polling places.
 - (b)** Provide for the purchase and maintenance of election equipment.
 - (c)** Prepare ballots for municipal elections, and distribute ballots and provide other supplies for conducting all elections. The municipal clerk shall deliver the ballots to the polling places before the polls open.
 - (cm)** Prepare official absentee ballots for delivery to electors requesting them, and except as provided in this paragraph, send an official absentee ballot to each elector who has requested a ballot by mail, and to each military elector, as defined in s. 6.34 (1), and overseas elector who has requested a ballot by mail, electronic mail, or facsimile transmission, no later than the 47th day before each partisan primary and general election and no later than the 21st day before each other primary and election if the request is made before that day; otherwise, the municipal clerk shall send or transmit an official absentee ballot within one business day of the time the elector's request for such a ballot is received. The clerk shall send or transmit an absentee ballot for the presidential preference primary to each elector who has requested that ballot no later than the 47th day before the presidential preference primary if the request is made before that day, or, if the request is not made before that day, within one business day of the time the request is received. For purposes of this paragraph, "business day" means any day from Monday to Friday, not including a legal holiday under s. 995.20.
 - (d)** Prepare the necessary notices and publications in connection with the conduct of elections or registrations.
 - (e)** Train election officials in their duties, calling them together whenever advisable, advise them of changes in laws, rules and procedures affecting the performance of their duties, and administer examinations as authorized under s. 7.30 (2) (c). The training shall conform with the requirements prescribed in rules promulgated by the commission under ss. 7.31 and 7.315. The clerk shall assure that officials who serve at polling places where an electronic voting system is used are familiar with the system and competent to instruct electors in its proper use. The clerk shall inspect systematically and thoroughly the conduct of elections in the municipality so that elections are honestly, efficiently and uniformly conducted.
 - (f)** Discharge election officials for improper conduct or willful neglect of duties.
 - (g)** In the manner prescribed by the commission, report suspected election frauds, irregularities, or violations of which the clerk has knowledge to the district attorney for the county where the suspected activity occurs and to the commission. The commission shall annually report the information obtained under this paragraph to the legislature under s. 13.172 (2).
 - (h)** Review, examine and certify the sufficiency and validity of petitions and nomination papers.
 - (i)** Direct how and when to destroy the contents of the blank ballot boxes and unused election materials.
 - (j)** Send an absentee ballot automatically to each elector and send or transmit an absentee ballot to each military elector, as defined in s. 6.34 (1), and each overseas elector making an authorized request therefor in accordance with s. 6.22 (4), 6.24 (4), or 6.86 (2) or (2m).
 - (k)** Reassign inspectors appointed to serve at one polling place to another polling place within the municipality whenever necessary to assure adequate staffing at all polling places. No such reassignment may have the effect of eliminating representation at a polling place by one of the political parties entitled to nominate inspectors under s. 7.30 (2) (a).
- (1m) ATTEND TRAINING.** Each municipal clerk shall, at least once every 2 years during the period beginning on January 1 of each even-numbered year and ending on December 31 of the following year, attend a training program sponsored by the commission under ss. 7.31 and 7.315.
- (2) MUNICIPAL ELECTION DUTIES.**
- (a)** In municipal elections, the municipal clerks shall perform the duties prescribed for county clerks by s. 7.10.
 - (b)** Cities over 500,000 population may prepare their own official and sample ballots. Official ballots not utilized as absentee ballots shall be printed so they are ready at least 2 days before the election.
 - (c)** With the consent of the county clerk, municipalities may prepare their own ballots whenever voting machines or electronic voting systems are used in elections where candidates for both local offices and national, state or county offices appear on the ballot. This paragraph does not apply to cities under par. (b).

- (d) Whenever the governing body of any municipality submits any question to a vote of the electors or whenever a proper recall petition and certificate are filed under s. 9.10, the municipal clerk shall issue a call for the election and prepare and distribute ballots as required in the authorization of submission or as provided in s. 9.10. The date of the referendum shall be fixed by the municipal clerk or board of election commissioners unless otherwise provided by law or unless the governing body fixes a date. The ballot for any referendum shall conform to s. 5.64 (2). If there is already an official municipal referendum ballot for the election, the question may appear on the same ballot.
- (2m) OPERATION OF ALTERNATE ABSENTEE BALLOT SITE.** In a municipality in which the governing body has elected to establish an alternate absentee ballot site under s. 6.855, the municipal clerk shall operate such site as though it were his or her office for absentee ballot purposes and shall ensure that such site is adequately staffed.
- (3) BALLOT SUPPLY; SAMPLE BALLOTS.**
- (a) Where voting machines are used or where electronic voting systems are employed, the municipal clerk shall provide at least 2 duplicate sample ballots for each ward in diagram form showing the board or screen inside each voting machine or the front of each ballot as it will appear in the voting machines or booths on election day.
- (b) Sample ballots and voting machine ballots shall be furnished to the officials in the ward or election district at least one day before each election.
- (4) RECORDING ELECTORS.** Except as authorized in s. 6.33 (5) (a), within 30 days after each election, the municipal clerk shall enter on the registration list under the name of each elector of the municipality who has voted at the election an indication of the date of the election in which the elector voted.
- (5) RECORD OF BALLOTS RECEIVED.** Each municipal clerk shall keep a record of when and in what condition the packages containing the ballots were received from the county clerk. The municipal clerk shall deliver to the proper officials the unopened packages of ballots the day before the election.
- (6) SUBSTITUTE BALLOTS.**
- (a) The municipal clerk shall provide substitute paper ballots in substantially the form of the original ballots whenever the necessary original ballots are not delivered to the municipality, are destroyed, are lost or stolen after delivery, are not ready for distribution or the supply is exhausted during polling hours. The municipal clerk may also provide substitute paper ballots, together with ballot boxes and voting booths, whenever a voting machine or electronic voting system is rendered inoperable by a malfunction which occurs within 24 hours of the time set for opening of the polls. Paper ballots may be cast only in accordance with the procedures prescribed in ss. 6.80 (2) and 7.37 (4).
- (b) Upon receiving the substitute paper ballots accompanied by a statement made under oath by the municipal clerk that the ballots have been prepared and furnished by the clerk to replace the original ballots which are not available, or to substitute for a voting machine or electronic voting system which has been rendered inoperable by a malfunction which occurred within 72 hours of the time set for opening of the polls, the election officials shall use the substitute ballots in the same manner as if they had been original ballots.
- (7) REQUEST CANVASS ASSISTANCE.** The municipal clerk may request all election officials to assist the inspectors in canvassing the votes received at the respective polling places.
- (8) RESOLVING NOTICE DOUBTS.** When in doubt as to compliance with the statutory requirements for election notices or the correct fees to be paid for them, the municipal clerk may consult the commission.
- (9) VOTER EDUCATION.** Each municipal clerk shall assist the commission in conducting educational programs under s. 5.05 (12) to inform electors about the voting process.
- (10) FREE ELECTION INFORMATION EXCHANGE.** Each municipal clerk shall assist the commission in maintaining toll-free telephone lines and any other free access systems under s. 5.05 (13) for exchange of voting information.
- (11) TRAINING OF ELECTION OFFICIALS.** Each municipal clerk shall train election officials under ss. 7.31 and 7.315.
- (12) FREE VOTE COUNTING INFORMATION.** Each municipal clerk shall maintain a free access information system under which an elector who votes under s. 6.96 or 6.97 may ascertain current information concerning whether the elector's vote has been counted, and if the vote will not be counted, the reason that it will not be counted.
- (13) INFORMATION TO COMMISSION.** Each municipal clerk shall provide to the commission any information requested under s. 5.05 (14).
- (14) VOTING ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES.** Each municipal clerk shall make reasonable efforts to comply with requests for voting accommodations made by individuals with disabilities whenever feasible.

(15) PROVIDE NOTICE OF OUTSTANDING PROVISIONAL BALLOTS. As soon as possible after the closing hour for all polling places in the municipality on election night, the municipal clerk shall post at his or her office and on the Internet at a site announced by the clerk before the polls open, and shall make available to any person upon request, a statement of the number of electors who have cast provisional ballots at the election in the municipality that cannot be counted as of that closing hour because the electors have not satisfied relevant voting requirements.

History: 1971 c. 304 s. 29 (2); 1973 c. 334 s. 57; 1975 c. 85 ss. 50, 65; 1975 c. 275, 422; 1977 c. 283; 1977 c. 394 s. 54; 1977 c. 427, 447; 1979 c. 260, 311; 1981 c. 391; 1983 a. 484; 1985 a. 304; 1987 a. 391; 1989 a. 192; 1991 a. 316; 1999 a. 182; 2001 a. 16; 2003 a. 265; 2005 a. 451; 2007 a. 1; 2011 a. 23, 45, 75, 115; 2013 a. 148; 2015 a. 118 ss. 88, 266 (10); 2015 a. 209, 229; 2017 a. 369.

CHAPTER 12

PROHIBITED ELECTION PRACTICES

- 12.01 Definitions.
- 12.02 Construction.
- 12.03 Campaigning restricted.
- 12.035 Posting and distribution of election-related material.
- 12.04 Communication of political messages.
- 12.05 False representations affecting elections.
- 12.07 Election restrictions on employers.
- 12.08 Denial of government benefits.
- 12.09 Election threats.
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- 12.13 Election fraud.
- 12.60 Penalties.

NOTE: 2005 Wis. Act 451, which made major revisions to the election laws, including to Chapter 12, contains an extensive prefatory note explaining the changes.

Cross-reference: See definitions in s. 5.02.

12.01 Definitions. The definitions given under s. 11.0101 apply to this chapter, except as follows:

- (1) "Candidate" includes a candidate for national office.
- (2) "Commission" means the elections commission.

History: 1973 c. 334; 1975 c. 93; 1977 c. 427; 1979 c. 89; 1983 a. 484; 2015 a. 118; 2017 a. 366.

12.02 Construction. In this chapter, criminal intent shall be construed in accordance with s. 939.23.

History: 1977 c. 427.

12.03 Campaigning restricted.

- (1) No election official may engage in electioneering on election day. No municipal clerk or employee of the clerk may engage in electioneering in the clerk's office or at the alternate site under s. 6.855 during the hours that ballots may be cast at those locations.
- (2)
 - (a)
 - 1. No person may engage in electioneering during polling hours on election day at a polling place.
 - 2. No person may engage in electioneering in the municipal clerk's office or at an alternate site under s. 6.855 during the hours that absentee ballots may be cast.
 - (b)
 - 1. No person may engage in electioneering during polling hours on any public property on election day within 100 feet of an entrance to a building containing a polling place.
 - 2. No person may engage in electioneering during the hours that absentee ballots may be cast on any public property within 100 feet of an entrance to a building containing the municipal clerk's office or an alternate site under s. 6.855.

3. No person may engage in electioneering within 100 feet of an entrance to or within a qualified retirement home or residential care facility while special voting deputies are present at the home or facility under s. 6.875 (6).
- (d) This subsection does not apply to the placement of any material on the bumper of a motor vehicle that is parked or operated at a place and time where electioneering is prohibited under this subsection.
- (3) A municipal clerk, election inspector or law enforcement officer may remove posters or other advertising which is placed in violation of this section.
- (4) In this section, "electioneering" means any activity which is intended to influence voting at an election.

History: 1973 c. 334; 1977 c. 427; 1979 c. 89; 1983 a. 484; 1993 a. 173; 2005 a. 451; 2011 a. 23; 2013 a. 159.

Violators may not be deprived of the right to vote, although penalties may follow. Constitutional issues are discussed. 61 Atty. Gen. 441.

12.035 Posting and distribution of election-related material.

- (1) In this section, "election-related material" means any written matter which describes, or purports to describe, the rights or responsibilities of individuals voting or registering to vote at a polling place or voting an absentee ballot at the office of the municipal clerk or an alternate site under s. 6.855.
- (2) The legislature finds that posting or distributing election-related material at the polling place, at locations where absentee ballots may be cast, or near the entrance to such locations when voting is taking place may mislead and confuse electors about their rights and responsibilities regarding the exercise of the franchise and tends to disrupt the flow of voting activities at such locations. The legislature finds that the restrictions imposed by this section on the posting or distribution of election-related material are necessary to protect the compelling governmental interest in orderly and fair elections.
- (3)
 - (a) No person may post or distribute any election-related material during polling hours on election day at a polling place.
 - (b) No person may post or distribute any election-related material during polling hours on any public property on election day within 100 feet of an entrance to a building containing a polling place.
 - (c) No person may post or distribute any election-related material at the office of the municipal clerk or at an alternate site under s. 6.855 during hours that absentee ballots may be cast.
 - (d) No person may post or distribute election-related material during the hours that absentee ballots may be cast on any public property within 100 feet of an entrance to a building containing the office of the municipal clerk or an alternate site under s. 6.855.
- (4) Subsection (3) does not apply to any of the following:
 - (a) The posting or distribution of election-related material posted or distributed by the municipal clerk or other election officials.
 - (b) The placement of any material on the bumper of a motor vehicle located on public property.
- (5) A municipal clerk, election inspector, or law enforcement officer may remove election-related material posted in violation of sub. (3) and may confiscate election-related material distributed in violation of sub. (3).

History: 2005 a. 451.

12.04 Communication of political messages.

- (1) In this section:

(a) "Election campaign period" means:

1. In the case of an election for office, the period beginning on the first day for circulation of nomination papers by candidates, or the first day on which candidates would circulate nomination papers were papers to be required, and ending on the day of the election.
2. In the case of a referendum, the period beginning on the day on which the question to be voted upon is submitted to the electorate and ending on the day on which the referendum is held.

(b) "Political message" means a message intended for a political purpose or a message which pertains to an issue of public policy of possible concern to the electorate, but does not include a message intended solely for a commercial purpose.

(c) "Residential property" means property occupied or suitable to be occupied for residential purposes and property abutting that property for which the owner or renter is responsible for the maintenance or care. If property is utilized for both residential and nonresidential purposes, "residential property" means only the portion of the property occupied or suitable to be occupied for residential purposes.

(2) Except as provided in ss. 12.03 or 12.035 or as restricted under sub. (4), any individual may place a sign containing a political message upon residential property owned or occupied by that individual during an election campaign period.

(3) Except as provided in sub. (4), no county or municipality may regulate the size, shape, placement or content of any sign containing a political message placed upon residential property during an election campaign period.

(4)

(a) A county or municipality may regulate the size, shape or placement of any sign if such regulation is necessary to ensure traffic or pedestrian safety. A county or municipality may regulate the size, shape or placement of any sign having an electrical, mechanical or audio auxiliary.

(b) In addition to regulation under par. (a), a municipality may regulate the size, shape or placement of a sign exceeding 11 square feet in area. This paragraph does not apply to a sign which is affixed to a permanent structure and does not extend beyond the perimeter of the structure, if the sign does not obstruct a window, door, fire escape, ventilation shaft or other area which is required by an applicable building code to remain unobstructed.

(5)

(a) The renter of residential property may exercise the same right as the owner to place a sign upon the property under sub. (2) in any area of the property occupied exclusively by the renter. The terms of a lease or other agreement under which residential property is occupied shall control in determining whether property is occupied exclusively by a renter.

(b) The owner of residential property may exercise the right granted under sub. (2) in any portion of the property not occupied exclusively by a renter.

(6) This section does not apply to signs prohibited from being erected under s. 84.30.

History: 1985 a. 198; 1993 a. 246; 2005 a. 451; 2009 a. 173.

12.05 False representations affecting elections. No person may knowingly make or publish, or cause to be made or published, a false representation pertaining to a candidate or referendum which is intended or tends to affect voting at an election.

History: 1973 c. 334; 1993 a. 175.

A violation of this section does not constitute defamation per se. *Tatur v. Solsrud*, 174 Wis. 2d 735, 498 N.W.2d 232 (1993).

12.07 Election restrictions on employers.

- (1) No person may refuse an employee the privilege of time off for voting under s. 6.76 or subject an employee to a penalty therefor.
- (2) No employer may refuse to allow an employee to serve as an election official under s. 7.30 or make any threats or offer any inducements of any kind to the employee for the purpose of preventing the employee from so serving.
- (3) No employer or agent of an employer may distribute to any employee printed matter containing any threat, notice or information that if a particular ticket of a political party or organization or candidate is elected or any referendum question is adopted or rejected, work in the employer's place or establishment will cease, in whole or in part, or the place or establishment will be closed, or the salaries or wages of the employees will be reduced, or other threats intended to influence the political opinions or actions of the employees.
- (4) No person may, directly or indirectly, cause any person to make a contribution or provide any service or other thing of value to or for the benefit of a committee registered under ch. 11, with the purpose of influencing the election or nomination of a candidate to national, state or local office or the passage or defeat of a referendum by means of the denial or the threat of denial of any employment, position, work or promotion, or any compensation or other benefit of such employment, position or work, or by means of discharge, demotion or disciplinary action or the threat to impose a discharge, demotion or disciplinary action. This subsection does not apply to employment by a committee registered under ch. 11 in connection with a campaign or political party activities. This subsection also does not apply to information provided by any person that expresses that person's opinion on any candidate or committee, any referendum or the possible effects of any referendum, or the policies advocated by any candidate or committee.

History: 1973 c. 334; 1983 a. 484; 1991 a. 316; 2005 a. 451; 2015 a. 117; 2017 a. 365 s. 111.

12.08 Denial of government benefits. No person may, directly or indirectly, cause any person to make a contribution or provide any service or other thing of value to or for the benefit of a committee registered under ch. 11, with the purpose of influencing the election or nomination of a candidate to national, state, or local office or the passage or defeat of a referendum by means of the denial or threat of denial of any payment or other benefit of a program established or funded in whole or in part by this state or any local governmental unit of this state, or a program which has applied for funding by this state or any local governmental unit of this state.

History: 1983 a. 484; 1985 a. 304; 2015 a. 117; 2017 a. 365 s. 111.

12.09 Election threats.

- (1) No person may personally or through an agent make use of or threaten to make use of force, violence, or restraint in order to induce or compel any person to vote or refrain from voting at an election.
- (2) No person may personally or through an agent, by abduction, duress, or any fraudulent device or contrivance, impede or prevent the free exercise of the franchise at an election.
- (3) No person may personally or through an agent, by any act compel, induce, or prevail upon an elector either to vote or refrain from voting at any election for or against a particular candidate or referendum.

History: 1973 c. 334; 1991 a. 316; 2005 a. 451.

12.11 Election bribery.

- (1) In this section, "anything of value" includes any amount of money, or any object which has utility independent of any political message it contains and the value of which exceeds \$1. The prohibitions of this section apply to the distribution of material printed at public expense and available for free distribution if such materials are accompanied by a political message.

(1m) Any person who does any of the following violates this chapter:

- (a) Offers, gives, lends or promises to give or lend, or endeavors to procure, anything of value, or any office or employment or any privilege or immunity to, or for, any elector, or to or for any other person, in order to induce any elector to:
 1. Go to or refrain from going to the polls.
 2. Vote or refrain from voting.
 3. Vote or refrain from voting for or against a particular person.
 4. Vote or refrain from voting for or against a particular referendum; or on account of any elector having done any of the above.
 - (b) Receives, agrees or contracts to receive or accept any money, gift, loan, valuable consideration, office or employment personally or for any other person, in consideration that the person or any elector will, so act or has so acted.
 - (c) Advances, pays or causes to be paid any money to or for the use of any person with the intent that such money or any part thereof will be used to bribe electors at any election.
- (2) This section applies to any convention or meeting held for the purpose of nominating any candidate for any election, and to the signing of any nomination paper.
- (3)
- (a) This section does not prohibit a candidate from publicly stating his or her preference for or support of any other candidate for any office to be voted for at the same election. A candidate for an office in which the person elected is charged with the duty of participating in the election or nomination of any person as a candidate for office is not prohibited from publicly stating or pledging his or her preference for or support of any person for such office or nomination.
 - (b) This section does not apply to money paid or agreed to be paid for or on account of authorized legal expenses which were legitimately incurred at or concerning any election.
 - (c) This section does not apply where an employer agrees that all or part of election day be given to its employees as a paid holiday, provided that such policy is made uniformly applicable to all similarly situated employees.
 - (d) This section does not prohibit any person from using his or her own vehicle to transport electors to or from the polls without charge.
 - (e) This section does not apply to any promise by a candidate to reduce public expenditures or taxes.

History: 1973 c. 334; 1975 c. 93; 1983 a. 484; 1991 a. 316; 1993 a. 213.

There are constitutional limits on the state's power to prohibit candidates from making promises in the course of an election campaign. Some promises are universally acknowledged as legitimate, indeed indispensable to decisionmaking in a democracy. *Brown v. Hartlage*, 456 U.S. 45 (1982).

12.13 Election fraud.

- (1) ELECTORS. Whoever intentionally does any of the following violates this chapter:
- (a) Votes at any election or meeting if that person does not have the necessary elector qualifications and residence requirements.
 - (b) Falsely procures registration or makes false statements to the municipal clerk, board of election commissioners or any other election official whether or not under oath.
 - (c) Registers as an elector in more than one place for the same election.
 - (d) Impersonates a registered elector or poses as another person for the purpose of voting at an election.
 - (e) Votes more than once in the same election.
 - (f) Shows his or her marked ballot to any person or places a mark upon the ballot so it is identifiable as his or her ballot.

- (g) Procures an official ballot and neglects or refuses to cast or return it. This paragraph does not apply to persons who have applied for and received absentee ballots.
- (h) Procures, assists or advises someone to do any of the acts prohibited by this subsection.

(2) ELECTION OFFICIALS.

- (a) The willful neglect or refusal by an election official to perform any of the duties prescribed under chs. 5 to 12 is a violation of this chapter.
- (b) No election official may:
 1. Observe how an elector has marked a ballot unless the official is requested to assist the elector; intentionally permit anyone not authorized to assist in the marking of a ballot to observe how a person is voting or has voted; or disclose to anyone how an elector voted other than as is necessary in the course of judicial proceedings.
 2. Illegally issue, write, change or alter a ballot on election day.
 3. Permit registration or receipt of a vote from a person who the official knows is not a legally qualified elector or who has refused after being challenged to make the oath or to properly answer the necessary questions pertaining to the requisite requirements and residence; or put into the ballot box a ballot other than the official's own or other one lawfully received.
 4. Intentionally assist or cause to be made a false statement, canvass, certificate or return of the votes cast at any election.
 5. Willfully alter or destroy a poll or registration list.
 6. Intentionally permit or cause a voting machine, voting device or automatic tabulating equipment to fail to correctly register or record a vote cast thereon or inserted therein, or tamper with or disarrange the machine, device or equipment or any part or appliance thereof; cause or consent to the machine, device or automatic tabulating equipment being used for voting at an election with knowledge that it is out of order or is not perfectly set and adjusted so that it will correctly register or record all votes cast thereon or inserted therein; with the purpose of defrauding or deceiving any elector, cause doubt for what party, candidate or proposition a vote will be cast or cause the vote for one party, candidate or proposition to be cast so it appears to be cast for another; or remove, change or mutilate a ballot on a voting machine, device or a ballot to be inserted into automatic tabulating equipment, or do any similar act contrary to chs. 5 to 12.
 - 6m. Obtain an absentee ballot for voting in a qualified retirement home or residential care facility under s. 6.875 (6) and fail to return the ballot to the issuing officer.
 7. In the course of the person's official duties or on account of the person's official position, intentionally violate or intentionally cause any other person to violate any provision of chs. 5 to 12 for which no other penalty is expressly prescribed.
 8. Intentionally disclose the name or address of any elector who obtains a confidential listing under s. 6.47 (2) to any person who is not authorized by law to obtain that information.

(3) PROHIBITED ACTS. No person may:

- (a) Falsify any information in respect to or fraudulently deface or destroy a certificate of nomination, nomination paper, declaration of candidacy or petition for an election, including a recall petition or petition for a referendum; or file or receive for filing a certificate of nomination, nomination paper, declaration of candidacy or any such petition, knowing any part is falsely made.
- (am) Fail to file an amended declaration of candidacy as provided in s. 8.21 with respect to a change in information filed in an original declaration within 3 days of the time the amended declaration becomes due for filing; or file a false declaration of candidacy or amended declaration of candidacy. This paragraph applies only to candidates for state or local office.

- (b) Wrongfully suppress, neglect or fail to file nomination papers in the person's possession at the proper time and in the proper office; suppress a certificate of nomination which is duly filed.
- (c) Willfully or negligently fail to deliver, after having undertaken to do so, official ballots prepared for an election to the proper person, or prevent their delivery within the required time, or destroy or conceal the ballots.
- (d) Remove or destroy any of the supplies or conveniences placed in compartments or polling booths.
- (e) Prepare or cause to be prepared an official ballot with intent to change the result of the election as to any candidate or referendum; prepare an official ballot which is premarked or which has an unauthorized sticker affixed prior to delivery to an elector; or deliver to an elector an official ballot bearing a mark opposite the name of a candidate or referendum question that might be counted as a vote for or against a candidate or question.
- (f) Before or during any election, tamper with voting machines, voting devices or automatic tabulating equipment readied for voting or the counting of votes; disarrange, deface, injure or impair any such machine, device or equipment; or mutilate, injure or destroy a ballot placed or displayed on a voting machine or device, or to be placed or displayed on any such machine, device or automatic tabulating equipment or any other appliance used in connection with the machine, device or equipment.
- (g) Falsify any statement relating to voter registration under chs. 5 to 12.
- (h) Deface, destroy or remove any legally placed election campaign advertising poster with intent to disrupt the campaign advertising efforts of any committee registered under ch. 11, or alter the information printed thereon so as to change the meaning thereof to the disadvantage of the candidate or cause espoused. Nothing in this paragraph restricts the right of any owner or occupant of any real property, or the owner or operator of any motor vehicle, to remove campaign advertising posters from such property or vehicle.
- (i) Falsely make any statement for the purpose of obtaining or voting an absentee ballot under ss. 6.85 to 6.87.
- (j) When called upon to assist an elector who cannot read or write, has difficulty in reading, writing or understanding English, or is unable to mark a ballot or depress a lever or button on a voting machine, inform the elector that a ballot contains names or words different than are printed or displayed on the ballot with the intent of inducing the elector to vote contrary to his or her inclination, intentionally fail to cast a vote in accordance with the elector's instructions or reveal the elector's vote to any 3rd person.
- (k) Forge or falsely make the official endorsement on a ballot or knowingly deposit a ballot in the ballot box upon which the names or initials of the ballot clerks, or those of issuing clerks do not appear.
- (L) When not authorized, during or after an election, break open or violate the seals or locks on a ballot box containing ballots of that election or obtain unlawful possession of a ballot box with official ballots; conceal, withhold or destroy ballots or ballot boxes; willfully, fraudulently or forcibly add to or diminish the number of ballots legally deposited in a ballot box; or aid or abet any person in doing any of the acts prohibited by this paragraph.
- (m) Fraudulently change a ballot of an elector so the elector is prevented from voting for whom the elector intended.
- (n) Receive a ballot from or give a ballot to a person other than the election official in charge.
- (o) Vote or offer to vote a ballot except as has been received from one of the inspectors.
- (p) Receive a completed ballot from a voter unless qualified to do so.

- (q) Solicit a person to show how his or her vote is cast.
 - (r) Remove a ballot from a polling place before the polls are closed.
 - (s) Solicit another elector to offer assistance under s. 6.82 (2) or 6.87 (5), except in the case of an elector who is blind or visually impaired to the extent that the elector cannot read a ballot.
 - (t) Obtain an absentee ballot as the agent of another elector under s. 6.86 (3) and fail or refuse to deliver it to such elector.
 - (u) Provide false documentation of identity for the purpose of inducing an election official to permit the person or another person to vote.
 - (w) Falsify a ballot application under s. 6.18.
 - (x) Refuse to obey a lawful order of an inspector made for the purpose of enforcing the election laws; engage in disorderly behavior at or near a polling place; or interrupt or disturb the voting or canvassing proceedings.
 - (y) After an election, break the locks or seals or reset the counters on a voting machine except in the course of official duties carried out at the time and in the manner prescribed by law; or disable a voting machine so as to prevent an accurate count of the votes from being obtained; or open the registering or recording compartments of a machine with intent to do any such act.
 - (z) Tamper with automatic tabulating equipment or any record of votes cast or computer program which is to be used in connection with such equipment to count or recount votes at any election so as to prevent or attempt to prevent an accurate count of the votes from being obtained.
 - (ze) Compensate a person who obtains voter registration forms from other persons at a rate that varies in relation to the number of voter registrations obtained by the person.
 - (zm) Willfully provide to a municipal clerk false information for the purpose of obtaining a confidential listing under s. 6.47 (2) for that person or another person.
 - (zn) Disclose to any person information provided under s. 6.47 (8) when not authorized to do so.
- (5) UNAUTHORIZED RELEASE OF RECORDS OR INVESTIGATORY INFORMATION.**
- (a) Except as specifically authorized by law and except as provided in par. (b), no investigator, prosecutor, employee of an investigator or prosecutor, or member or employee of the commission may disclose information related to an investigation or prosecution under chs. 5 to 10 or 12, or any other law specified in s. 978.05 (1) or (2) or provide access to any record of the investigator, prosecutor, or the commission that is not subject to access under s. 5.05 (5s) to any person other than an employee or agent of the prosecutor or investigator or a member, employee, or agent of the commission prior to presenting the information or record in a court of law.
 - (b) This subsection does not apply to any of the following communications made by an investigator, prosecutor, employee of an investigator or prosecutor, or member or employee of the commission:
 1. Communications made in the normal course of an investigation or prosecution.
 2. Communications with a local, state, or federal law enforcement or prosecutorial authority.
 3. Communications made to the attorney of an investigator, prosecutor, employee, or member of the commission or to a person or the attorney of a person who is investigated or prosecuted by the commission.

History: 1973 c. 334; 1975 c. 85, 93, 199; 1977 c. 427, 447; 1979 c. 89, 249, 260, 311, 357; 1983 a. 183 s. 45; 1983 a. 192 s. 304; 1983 a. 484 ss. 135, 172 (3), 174; 1983 a. 491; 1985 a. 304; 1987 a. 391; 1989 a. 192; 1991 a. 316; 1999 a. 49; 2001 a. 16; 2003 a. 265; 2005 a. 451; 2007 a. 1; 2011 a. 23; 2013 a. 159; 2015 a. 117; 2015 a. 118 ss. 130, 266 (10).

Sub. (5) does not apply to district attorneys or law enforcement agencies. It only applies to the government accountability board, its employees and agents, and the investigators and prosecutors retained by the board, and the assistants to those persons. OAG 7-09.

12.60 Penalties.**(1)**

- (a)** Whoever violates s. 12.09, 12.11 or 12.13 (1), (2) (b) 1. to 7. or (3) (a), (c), (f), (j), (k), (L), (m), (y) or (z) is guilty of a Class I felony.
- (b)** Whoever violates s. 12.03, 12.05, 12.07, 12.08 or 12.13 (2) (b) 8., (3) (b), (c), (d), (g), (i), (n) to (x), (ze), (zm) or (zn) may be fined not more than \$1,000, or imprisoned not more than 6 months or both.
- (bm)** Whoever violates s. 12.13 (5) may be fined not more than \$10,000 or imprisoned for not more than 9 months or both.
- (c)** Whoever violates s. 12.13 (3) (am) may be required to forfeit not more than \$500.
- (d)** Whoever violates s. 12.035 or 12.13 (3) (h) may be required to forfeit not more than \$100.

(2)

- (a)** If a successful candidate for public office, other than a candidate for the legislature or a candidate for national office, is adjudged guilty in a criminal action of any violation of this chapter under sub. (1) (a) committed during his or her candidacy, the court shall after entering judgment enter a supplemental judgment declaring a forfeiture of the candidate's right to office. The supplemental judgment shall be transmitted to the officer or agency authorized to issue the certificate of nomination or election to the office for which the person convicted is a candidate. If the candidate's term has begun, the office shall become vacant. The office shall then be filled in the manner provided by law.
- (b)** If a successful candidate for the legislature or U.S. congress is adjudged guilty in a criminal action of any violation of this chapter under sub. (1) (a) committed during his or her candidacy, the court shall after entering judgment certify its findings to the presiding officer of the legislative body to which the candidate was elected.
- (3)** Any election official who is convicted of any violation of this chapter shall, in addition to the punishment otherwise provided, be disqualified to act as an election official for a term of 5 years from the time of conviction.
- (4)** Prosecutions under this chapter shall be conducted in accordance with s. 11.1401 (2).

History: 1973 c. 334; 1975 c. 85; 1977 c. 418 s. 924 (18) (e); 1977 c. 427; 1979 c. 249, 311, 328; 1983 a. 484; 1985 a. 304; 1997 a. 283; 1999 a. 49; 2001 a. 109; 2005 a. 451; 2007 a. 1; 2015 a. 117.

Shared
Thoughts
from
friend

My thoughts.

This is an attempt to discredit the complainants by lumping you all together. I would be very strong in your response indicating you are a "crusader for justice" and Noe and Marone are both currently under investigation. As you know, Noe has a long legacy of not being truthful or ethical. You could also add you would put your reputation and standing in the community (and surrounding area) way above Brian Noe. He is well known abusing his power and subverting laws both in his role as Town Chairman and as a Commercial Inspector for the state. People fear Mr. Noe and his intimidation tactics. He uses others including his family to harass people. Include his attempts to get into your private FB group.

There are inconsistencies throughout the sworn complaints that we discussed. I went through everything one more time to highlight or emphasize... I tried to not include things that have already been gone over...

1. Page 2 - Moreover, it is clear that the Town Clerk worked diligently to ensure that the recall election was conducted fairly and in compliance with state law and, to that end, was in regular contact with both the Wisconsin Elections Commission staff and with the Winnebago County Clerk's office.
 - a. She wasn't even close with complying with timings and gave the appearance she conspired with others to circumvent a fair election... She also has a track record of not complying with state statutes on Public Record requests.
2. Page 2 - For the reasons discussed below, all of these claims are without merit. However, even if one or more of the claims is deemed meritorious, the remedy would be to conduct a new recall election, which, at this point in time would be redundant given that the term of office at issue expires in 2021 and the position of Town Board Chairman is on the ballot for the Spring Election in April, 2021.
 - a. This highlighted section is problematic for T of Omro. Interference in an election and/or election fraud, is very serious and undermines faith in our democratic processes. If Brian Noe was to blame along with clerk, the EC needs to keep in mind that Noe has a track record of operating outside the law. He also has been on record as playing the victim. He needs to be sent a strong message and punished to the fullest extent of the law.
 - i. Honestly, he should be ineligible for next election cycle.
3. Page 4 - The recall election, itself, was not called until September 14, 2020. Carley Aff. fl6.
 - a. If she worked so diligently, why did it take her over 30 days to send the notice of absentee ballots, take down website, or improperly post at dump?
 - i. There is no way she did this all on her own...
 - ii. Pictures of Liberty School Road posting location should be submitted...
4. Page 4 - Third, the allegation of harassment is based on speculation. Ms. Seaman presumes that the black vehicle she saw on the street outside her home on June 9, 2020, from inside of which a man is claimed to have been taking photographs of her property, is the same black vehicle that is owned by Ms. Jackson, but she provides no clear evidence to support that presumption.

- a. This is not speculation. You mentioned you visually identified him behind the wheel since it occurred more than once. Confirmed on FB.
 - b. I call bullshit. Beth Jackson is not being honest. How can you honestly believe she doesn't know where you live when she is the treasurer and she sends you tax bills? This is a small community and your family owns one of only a handful of small businesses and likely the only car repair places in the entire township. Have they ever been customers?
 - c. She stated on video that she was being harassed at a TB meeting. When you provided Eric Sparr's email to her, did she or anyone on the Board ever file for the record? Probably not...
 - i. Another example that the Town only pulls this kind of shenanigans in their backyard (Their TB meetings).
5. Page 5 - *Town Election Officials Did Not Make X'alse Representations to Affect the Recall Election.*
- a. Really. Guess the diatribe that Brian sent on his resignation doesn't count as stating you are an unhappy person etc.??? Just like this EC complaint, Brian Noe spread a bunch of BS with the Herald about the investigation and it not being ongoing...
 - b. Show screen shots of Devil Checks removing posts to sanitize. Is this really the workings of an innocent party?
 - i. Mr. Devil Check has been an outspoken critic.
 - ii. Do you have any posts from Ms Devil Check prior to EC showing she was a critic?
6. Page 7 - *First, regarding the claim against Attorney Marone, as is true of Ms. Jackson and Mr. Noe per Parts I.B. and LC., supra, Attorney Marone was charged with no duties relating to the conduct of the recall election and was, therefore, not an election official for pu{poses of the recall election. Marone Aff. fl5. Wis. Stat. § 5.02(ae). Therefore, she is not an appropriately named party in this complaint which was filed pursuant to Wis. Stat. § 5.06, and all claims made against her should be dismissed.*
- a. She was complicit in all this and was advising. This claim she was actively or officially involved is a load of BS. You have the both evidence and witness testimony.
7. Page 8 - *The Town Clerk also specifically sent the Type E notice to the Town Crier for additional distribution.*
- a. Is this true? Regardless, this is not an official posting place.
 - i. Isn't the town required to have an ordinance or something listing the official posting sites. The dump is not one of them... Nor is the Crier. You may want to assert no meeting agendas notices are stated to be posted on the crier – isn't just the Herald and Northwestern? You should find numerous examples on the Town website.
8. Page 9 - *Rather, under Wis. Stat. § 6.34(1), voting is recognized as a constitutional right, but voting by absentee ballot is considered a privilege. Receiving additional information regarding absentee voting late, but before the election, is not equivalent to being deprived of the right to vote. Because complainants were still able to exercise their right to vote and it is clear that they were made aware of the recall election prior to Election Day, they suffered no harm.*
- a. False. This was the only information actually sent to voters. Believe timing of all notices were not even near complying. This looks like a concerted effort. Ask EC to subpoena

all the emails including Brian Noe's, Karen Marones, Beth Jacksons, and Clerk ... Since they know how to retract, ask for archive too...

9. Page 17 - *The electors of Omro will have another opportunity to choose their Town Board Chairperson very soon and will have suffered no harm, notwithstanding an alleged election law violations*
 - a. They need to be punished.
 - b. I would show how Noe and previous clerk appeared to defraud constituents in the past. If complaints have merit and follows the Town's logic to wait to hold an election, how can they prevent Noe from suppressing voter's choice based on his actions during the nomination process? Noe is a pathological liar and has shown over and over he bends or breaks the law at his convenience to maintain his grip on power. He is nothing but a tin pot dictator!
10. Page 25 *I also published notices on the Town's website and on the three town posting boards, which are located at the Town Hall, at the Town Dump, and at a Winnebago County tower located at 7392 Liberty School Road. These postings were made with guidance received from the Winnebago County Clerk's office and the Wisconsin Elections Commission staff. An email exchange between myself, the Winnebago County Clerk's office, and the Wisconsin Elections Commission staff is attached as Exhibit C. 9. In addition to publication in the newspaper, on the Town's website, and on the Town's three posting boards, I also shared the information with the editor of the Omro Town Crier, which is an informal, free town newsletter that is distributed to a subscribing residents and is also available on the Town's website. The September issue of the newsletter and an email showing that I shared the Type E notice with the editor of the Omro Town Crier are attached as Exhibit D.*
 - a. Several problems here regarding official postings.
 - b. Just a quick question. Isn't it true that most of the emails from the clerk were prompted by questions originating from your husband since she appeared to be purposely evasive probably on instruction from Noe and or Marone? I also think the emails from another clerk (Ertmer) on compliance suggests that others were concerned as well. Despite all the intervention, she missed it by a mile.
 - i. They have no valid excuse. No reasonable person would think that she acted alone. Plus Noe and Marone were the only ones capable of advising her on site and they are liars...
11. . Page 27 Then I locked away the absentee ballots that had been delivered for the general election, and I delivered the sealed recall election absentee ballots to an election official, most often Ms. Gardner or Ms. Dvorachek, in the polling place. At no time did I ever open an absentee ballot.
 - a. So both were acting as the chief election inspector? I'm not sure how the recall election or presidential ballot/envelope looked like but were they distinguishable without opening?
12. Page 72 - *Brian Seaman did arrive around 5:30 to be an election observer, although we had expected him to arrive around 7:30 so that he could view the canvass. He sat in the designated location and was generally quiet. He spoke to a few people, but only those that approached him. He sat with earbuds in his ears and looked at his phone most of the time. He did not appear to watch the voting activities very closely, and he never objected to or questioned anything' 19. Mr.*

Seaman left shortly after the polls closed and his friend announced the initial results, He did not wait to see the canvass,

- a. Ok so basically she claimed your husband was not observing closely. You may need to rebut...
- b. Also, is it the job of the Chief or the poll worker to open ballots?