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3 Resolution # 60-2023
4 GENERAL CODE OF ONEIDA COUNTY, WISCONSIN
5 ORDINANCE AMENDMENT # 06-2023

6 Ordinance amendment to amend the County Board meeting agenda to include an
7 invocation/prayer.

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9 Ordinance Amendment offered by Supervisor Jim Winkler, District 10.

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11 WHEREAS, the Constitution of the United States of America guarantee's free
12 speech; and

13 WHEREAS, our nation has relied on a tradition of prayer before conducting its
14 business at national, state and local levels of government; and

15 WHEREAS, the Unites States Supreme Court Case of *Town of Greece, N.Y. v.*
16 *Galloway*, 134 S.Ct. 1811 (2014) has found that prayer before a government meeting
17 does not violate the Establishment Clause of the United States Constitution; and

18 WHEREAS, that same case found that prayer before a government meeting
19 "comports with our tradition and does not coerce participation by non-adherents"; and

20 WHEREAS, in conformity with the constitutionally permitted practice from *Town*
21 *of Greece, N.Y.*, a prayer/invocation should be offered for our troops and for guidance
22 over business to be performed at that meeting, prior to the pledge of allegiance to the
23 flag at each County Board meeting.

24 NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS
25 DOES ORDAIN AS FOLLOWS:

26 Section 1. Any existing ordinances, codes, resolutions, or portions thereof in
27 conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

28 Section 2. This ordinance shall take effect the day after passage and publication
29 as required by law.

30 Section 3. If any claims, provisions or portions of this ordinance are adjudged
31 unconstitutional or invalid by a court of competent jurisdiction, the
32 remainder of this ordinance shall not be affected thereby.

33 Section 4. Section 2.02 of the General Code of Oneida County, Wisconsin, is
34 amended as follows [additions noted by underline, deletions noted by strikethrough]:

35
36 2.02 RULE 2: ORDER OF BUSINESS. (Am. #51-94; #72-94; #20-2008; #15-2010; #54-
37 2012; #45-2013; #52-2017)

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39 The order of business shall be as follows:

40 (1) CALL TO ORDER. At the appointed hour for the meeting, the Chair shall
41 call the Board to order requesting that the members rise for a brief moment of
42 silence followed by a prayer/invocation and the Pledge of Allegiance.

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44 (2) The remainder of the order of business shall be at the discretion of the
45 County Board Chairperson.

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48 Approved by the Supervisor Jim Winkler, District 10, this 4th day of May,
49 2023.

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51 Consent Agenda Item: YES NO

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

The County Board has the legal authority to adopt: Yes ✓ No _____ as reviewed by the Corporation Counsel, _____, Date: 6.15.23

Offered and passage moved by: Jim Winkler
Supervisor

Seconded by: Greg Oettinger
Supervisor

- _____ Ayes
- _____ Nays
- _____ Absent
- _____ Abstain
- _____ Enacted

by the County Board of Supervisors this _____ day of _____, 2023.

_____ Defeated

Tracy Hartman, County Clerk Scott Holewinski, County Board Chair

Resolution: # 60-2023/OA 06-2023

Supervisors	AYE	NAY	ABS	ABSTAIN
Jensen	X			
Fried	X			
Roach	X			
Fisher			X	
Kelly			X	
Ryden			X	
Oettinger			X	
Condado	X			
Briggs	X			
Winkler		X		
Newman		X		
Rio	X			
Showalter	X			
Schreier	X			
Almekinder			X	
Sorgel	X			
Timmons			X	
Cushing	X			
Schultz	X			
Harris		X		
Holewinski	X			
TOTALS	12	3	3	6
TAGS				

Motion by Roach to send resolution back to Supervisor Winkler and bring back to the August County Board meeting.

Seconded by Condado.

Resolution #60-2023

Passed

Supervisors	AYE	NAY	ABS	ABSTAIN
Condado	X			
Sorgel	X			
Roach	-	-	X	
Almekinder	X			
Newman	X			
Winkler	X			
Harris	X			
Fisher	X			
Jensen	X			
Schultz	X			
Rio	-	-	X	
Fried	X			
Kelly	X			
Timmons	X			
Oettinger	X			
Briggs	X			
Ryden	X			
Showalter	-	-	X	
Schreier	X			
Cushing	X			
Holewinski	X			
TOTALS	18		3	
TAGS				

Motion by Winkler to postpone Resolution #60-2023 to the June County Board meeting.
 Seconded by Timmons.