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2 **RESOLUTION:**

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

6 **WHEREAS**, Chapter 19, Wis Stats, codifies a Code of Ethics for Public Officials and Employees; and

7 **WHEREAS**, the Wisconsin Legislature recognizes that high moral and ethical standards among public
8 officials is essential to the conduct of free government, will improve standards of public service, and will promote and
9 strengthen the faith and confidence of Wisconsin residents in their public officials and employees; and

10 **WHEREAS**, §19.42(7u), Wis Stats, defines a local governmental unit as a political subdivision of this state;
11 and

12 **WHEREAS**, §19.47(7w), Wis Stats, defines a local public office as an elective office of a local governmental
13 unit; and

14 **WHEREAS**, §19.59(1)(a), Wis Stats, provides in pertinent part that no local public official may use his or her
15 public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or
16 herself or his or her immediate family; and

17 **WHEREAS**, §19.59(1)(c)(2), Wis Stats, provides no local public official may use his or her office or position
18 in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the official or one or
19 more members of the official's immediate family either separately or together; and

20 **WHEREAS**, under Wisconsin State Law, coroners are authorized to investigate deaths in which there are
21 unexplained, unusual, or suspicious circumstances; and

22 **WHEREAS**, Barry Busby was initially appointed as the Winnebago County Coroner in 1997. Mr. Busby has
23 served as the Winnebago County Coroner for the past 22 years, most recently being elected in November 2018; and

24 **WHEREAS**, credible information has surfaced demonstrating that Mr. Busby has spent weeks at a time out
25 of state during 2018 and 2019; and

26 **WHEREAS**, Winnebago County telephone records associated with Mr. Busby's county-issued cell phone
27 show him making or receiving calls from out of the state for most of this past winter, starting only weeks after his re-
28 election; and

29 **WHEREAS**, in Mr. Busby's absence from this State, one of Winnebago County's deputy coroners must cover
30 Coroner Busby's absence, incurring a cost to tax payers because deputies are paid on a per diem basis with
31 additional expense reimbursement; and

32 **WHEREAS**, additional information has surfaced regarding sexual harassment allegations leveled against Mr.
33 Busby, some of which Mr. Busby does not deny; and

34 **WHEREAS**, §59.34(1)(b), Wis Stats, provides that the coroner shall exercise all the powers and duties of the
35 sheriff and undersheriff of that county in their absence.

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37 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
38 censures Coroner Barry Busby and issues a No-Confidence Vote against Winnebago County Coroner Barry Busby.

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40 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby directs the
41 Winnebago County Clerk to forward a copy of this Resolution to the Office of State of Wisconsin Governor Tony

42 Evers, the Wisconsin Coroners' and Medical Examiners' Association, and all state senators
43 representing Winnebago County constituents.

44
45 Respectfully submitted by:

46 JUDICIARY AND PUBLIC SAFETY COMMITTEE

47 Committee Vote: _____

48 Vote Required for Passage: Majority of Those Present

49
50 Approved by the Winnebago County Executive this _____ day of _____, 2019.

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52
53 _____
54 Mark L Harris
Winnebago County Executive